



Australian Capital Territory

# **Climate Change and Greenhouse Gas Reduction Regulation 2011**

**SL2011-10**

made under the

**Climate Change and Greenhouse Gas Reduction Act 2010**

**Republication No 2**

**Effective: 8 December 2023**

Republication date: 8 December 2023

Last amendment made by [SL2023-33](#)

## About this republication

### The republished law

This is a republication of the *Climate Change and Greenhouse Gas Reduction Regulation 2011*, made under the *Climate Change and Greenhouse Gas Reduction Act 2010* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 8 December 2023. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 8 December 2023.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Climate Change and Greenhouse Gas Reduction Regulation 2011

made under the

**Climate Change and Greenhouse Gas Reduction Act 2010**

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R2  
08/12/23

Climate Change and Greenhouse Gas Reduction  
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Australian Capital Territory

# Climate Change and Greenhouse Gas Reduction Regulation 2011

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made under the

**[Climate Change and Greenhouse Gas Reduction Act 2010](#)**

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R2  
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Climate Change and Greenhouse Gas Reduction  
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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *Climate Change and Greenhouse Gas Reduction Regulation 2011*.

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation.

*Note 2* A definition in the dictionary applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

### 4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.



## **Part 2**                      **New natural gas connections**

### **Division 2.1**              **Definitions—pt 2**

#### **5**                      **Definitions—pt 2**

In this part:

**class**, for a building, means the class of building under the building code.

*Note*     **Building code**—see the [Legislation Act](#), dict, pt 1.

**connection**—see the [Act](#), section 13A (4).

**connection application**, in relation to premises, means an application under the national gas rules, section 119R (Application process) for a connection service to a new gas connection to the premises.

**district**—see the [Districts Act 2002](#), dictionary.

**gas distributor**—see the [Utilities Act 2000](#), dictionary.

**national gas rules** means the National Gas Rules under the *National Gas (ACT) Law*.

*Note 1*     The national gas rules are accessible at [www.aemc.gov.au](http://www.aemc.gov.au).

*Note 2*     The *National Gas (ACT) Act 2008*, s 8 applies the National Gas Law set out in the *National Gas (South Australia) Act 2008* (SA), schedule as if it were an ACT law called the *National Gas (ACT) Law*.

**new gas connection**—see the [Act](#), section 13A (4).

**premises**—see the [Act](#), section 13A (4).

**provide**, a new gas connection—see the [Act](#), section 13A (4).

**zone**—see the [Planning Act 2023](#), dictionary.

## Division 2.2                      Restricted new natural gas connections

### 6                      Prescribed areas and stated premises—Act, s 13A (1)

- (1) An area located in any of the following zones is prescribed:
  - (a) CFZ (Community Facility Zone);
  - (b) CZ1 (Core Zone);
  - (c) CZ2 (Business Zone);
  - (d) CZ3 (Services Zone);
  - (e) CZ4 (Local Centres Zone);
  - (f) CZ5 (Mixed Use Zone);
  - (g) CZ6 (Leisure and Accommodation Zone);
  - (h) RZ1 (Suburban Zone);
  - (i) RZ2 (Suburban Core Zone);
  - (j) RZ3 (Urban Residential Zone);
  - (k) RZ4 (Medium Density Residential Zone);
  - (l) RZ5 (High Density Residential Zone).
- (2) Premises on which any of the following are located, in any zone, are prescribed:
  - (a) a class 1 building;
  - (b) a class 2 building;
  - (c) a class 3 building;
  - (d) a class 4 building.

## Division 2.3 Exempt new connections

### 7 Definitions—div 2.3

In this division:

*block*—see the *Districts Act 2002*, dictionary.

*section*, in relation to land—see the *Districts Act 2002*, dictionary.

### 8 Exempt new connections—Act, s 13A (4), def *new gas connection*, par (b) (iii)

- (1) A new connection to premises mentioned in an item in table 8, column 2 is prescribed if—
  - (a) all the circumstances mentioned in the item, column 3 apply; and
  - (b) the connection application for the new connection is made by the date mentioned in the item, column 4; and
  - (c) the new connection is provided by a gas distributor within the timeframe mentioned in the item, column 5.

Table 8 Exempt new connections

column 1 item	column 2 new connection to premises	column 3 circumstances	column 4 last day to make connection application	column 5 timeframe to provide new connection
1	new connection		7 December 2023	12 months after connection application is made

column 1 item	column 2 new connection to premises	column 3 circumstances	column 4 last day to make connection application	column 5 timeframe to provide new connection
2	new connection in relation to development approval	development application in relation to the development approval is lodged or made before 2 March 2024	7 December 2028	the earlier of the following: <ul style="list-style-type: none"><li>• 12 months after connection application made;</li><li>• 30 March 2029</li></ul>
3	new connection in relation to building approval	building approval is issued before 2 March 2024	7 December 2028	the earlier of the following: <ul style="list-style-type: none"><li>• 12 months after connection application made;</li><li>• 30 March 2029</li></ul>
4	new connection for which approval for exemption is issued under s 11 (1)		7 December 2028	the earlier of the following: <ul style="list-style-type: none"><li>• 12 months after connection application made;</li><li>• 30 March 2029</li></ul>

(2) In this section:

***building approval*** means a building approval issued under the *Building Act 2004*, other than a building approval for which—

- (a) a certificate of occupancy has been issued under the *Building Act 2004*; or
- (b) the development period under the *Building Act 2004*, section 36 has ended.

*development approval* means a development approval made under—

- (a) the *Planning and Development Act 2007*, other than a development approval—
  - (i) for which a certificate of occupancy has been issued under the *Building Act 2004*, section 69; or
  - (ii) that has ended under the *Planning and Development Act 2007*, section 187; or
  - (iii) that has been revoked under the *Planning and Development Act 2007*, section 189; or
  - (iv) for which a certificate of compliance has been issued under the *Planning and Development Act 2007*, section 296; or
- (b) the *Planning Act 2023*, other than a development application—
  - (i) for which a certificate of occupancy has been issued under the *Building Act 2004*, section 69; or
  - (ii) that has been revoked under the *Planning Act 2023*, section 204; or
  - (iii) that has ended under the *Planning Act 2023*, section 211 or section 212; or
  - (iv) for which a certificate of compliance has been issued under the *Planning Act 2023*, section 368.

## **9 Exempt new connections—application**

- (1) The owner of premises may apply to the Minister for approval for a new connection to the premises to be exempted under section 11 (1).
- (2) The application must be in the form required by the Minister by notice on an ACT government website approved by the Minister.
- (3) An approval under subsection (2) is a notifiable instrument.

- (4) The application is *properly completed* only if—
- (a) the application includes all information and documents required by the form mentioned in subsection (2); and
  - (b) a document required to be included with the application includes all information required to be included in the document and is substantially complete; and
  - (c) the application, and any document or information included in the application, is verified in the way required by the form; and
  - (d) the application does not include information or documents that are not required by the form.
- (5) If the application is not properly completed—
- (a) the Minister may refuse to consider the application; and
  - (b) if the Minister refuses to consider the application—the application lapses.

## **10 Exempt new connections—request for more information**

- (1) The Minister may, in writing, ask an applicant under section 9 or a gas distributor to give the Minister additional information that the Minister reasonably needs to decide the application.
- (2) The Minister may refuse to consider the application further if the applicant does not provide the information requested within the period stated in the request.

## **11 Exempt new connections—decision**

- (1) If the Minister receives an application under section 9, the Minister must—
- (a) approve the application; or
  - (b) approve the application subject to stated conditions; or

- (c) refuse to approve the application.
- (2) The Minister must refuse to approve the application if the premises to which the application relates are located—
  - (a) in either of the following zones in the district of Molonglo:
    - (i) CZ1 (Core Zone);
    - (ii) CZ2 (Business Zone); or
  - (b) on a block that is, or is proposed to be, designated 1 of the following zones:
    - (i) RZ1 (Suburban Zone);
    - (ii) RZ2 (Suburban Core Zone);
    - (iii) RZ3 (Urban Residential Zone);
    - (iv) RZ4 (Medium Density Residential Zone);
    - (v) RZ5 (High Density Residential Zone).
- (3) The Minister must also refuse to approve the application if the connection is intended to provide gas to a class 1 or class 2 building.
- (4) In considering the application, the Minister must also consider the following:
  - (a) the objects of the Act;
  - (b) the ACT target and any interim targets determined under the [Act](#), section 7 (2);
    - Note* The ACT target is to reduce greenhouse gas emissions in the ACT to achieve zero net emissions by 30 June 2045 (see [Act](#), s 6).
  - (c) the likely impact on the Territory if the application is approved;
  - (d) any other information provided by the gas distributor.
- (5) The Minister may also consider any other relevant information.

## 12 Exempt new connection—form of approval

- (1) The approval for exemption must be in writing and state the following:
  - (a) the address and block and section number of the premises to which the approval relates;
  - (b) the name of the owner of the premises;
  - (c) the maximum size of gas meter permitted for the new connection;
  - (d) the date by which the connection application must be made;
  - (e) the timeframe in which the new connection must be provided;
  - (f) any condition applying to the approval.
- (2) The Minister must give a copy of the approval to each gas distributor operating in the ACT.

## 13 Expiry—div 2.3

This division expires on 31 March 2029.

## Division 2.4 Modification of certain national laws

### 14 Modification of National Gas (ACT) Law— Act, s 13B (1) (b)

The *National Gas (ACT) Law* is modified by schedule 1.

Note The *National Gas (ACT) Act 2008*, s 8 applies the National Gas Law set out in the *National Gas (South Australia) Act 2008* (SA), schedule as if it were an ACT law called the *National Gas (ACT) Law*.



## **Division 2.5 Information sharing**

### **15 Information gas distributor must give Territory—Act, s 13B (3) (a)**

- (1) A gas distributor must include the following information in its annual report:
  - (a) the total number of new gas connections provided by the gas distributor in the ACT;
  - (b) for each new gas connection the distributor provides to premises—
    - (i) the day the connection application was received; and
    - (ii) the day the connection was provided; and
    - (iii) whether the new gas connection—
      - (A) is a new connection to the premises; or
      - (B) alters an existing connection resulting in an additional point of supply of natural gas to the premises or other premises; or
      - (C) replaces or reinstates an existing connection to the premises; and
    - (iv) the division, district and zone where the premises are located; and
    - (v) if the new gas connection is an exempt new connection, the type of exemption; and
    - (vi) the class of each building supplied by the connection; and
    - (vii) the type of connection; and
    - (viii) the size of gas meter for the connection;
  - (c) any other information the Minister directs.

- (2) However, in its annual report for the 2023-2024 financial year, a gas distributor need not include the information mentioned in subsection (1) in relation to a new gas connection for which a connection application is made before 8 December 2023.
- (3) A direction is a notifiable instrument.
- (4) In this section:
  - annual report* means an annual report for a financial year given to the independent competition and regulatory commission under the [Utilities Act 2000](#), section 25 (2) (d).
  - division*, in relation to premises—see the [Districts Act 2002](#), dictionary.
  - type*, of exempt new connection, means a type of new gas exemption mentioned in an item in table 8, column 2.
- (5) This subsection and subsection (2) expire 2 years after the day this section commences.

**16 Information gas distributor must give customers—Act, s 13B (3) (b)**

- (1) A gas distributor must make available to existing and potential customers information about the following that the Minister directs the distributor to make available:
  - (a) the operation or implementation of the [Act](#), part 2A (New natural gas connections);
  - (b) government policies or procedures in relation to the [Act](#), part 2A.
- (2) A direction may include a requirement about how the gas distributor must make the information available.
- (3) A direction is a notifiable instrument.

## Part 3 Functions of Minister

### 17 Annual report by Minister—reporting in relation to natural gas connections

- (1) This section applies to a report prepared by the Minister under the [Act](#), section 15 for the 2026-2027 financial year and 2029-2030 financial year.
- (2) The report must include a report for the 3-year period ending on the last day of the financial year on—
  - (a) the actions the Minister has taken in that period in relation to the implementation and operation of the [Act](#), part 2A (New natural gas connections); and
  - (b) the effectiveness of government actions taken in relation to the implementation and operation of the [Act](#), part 2A.

### 18 Expiry—pt 3

This part expires on 31 December 2030.



## **Schedule 1      Modification—National Gas (ACT) Law**

(see s 14)

### **Part 1.1              National Gas (ACT) Law**

#### **[1.1]      Section 133 (6)**

*substitute*

- (6) Subsection (1) does not apply to—
- (a) conduct engaged in in accordance with an agreement, if the agreement was in force on 30 March 1995; or
  - (b) conduct that complies with the *Climate Change and Greenhouse Gas Reduction Act 2010*, section 13A (Restriction on certain natural gas connections).

### **Part 1.2              National Gas Rules**

#### **[1.2]      New section 119AA**

*in division 1, insert*

#### **119AA      Application—pt 12A**

This part does not apply in relation to a new connection that a distributor must not provide under the *Climate Change and Greenhouse Gas Reduction Act 2010*, section 13A (Restriction on certain natural gas connections).

## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following term:

- entity
- independent competition and regulatory commission.

*Note 3* Terms used in this regulation have the same meaning that they have in the [Climate Change and Greenhouse Gas Reduction Act 2010](#) (see [Legislation Act](#), s 148). For example, the following term is defined in the [Climate Change and Greenhouse Gas Reduction Act 2010](#), dict:

- ACT target (see s 6)
- greenhouse gas emissions.

**block**, for division 2.3 (Exempt new connections)—see the [Districts Act 2002](#), dictionary.

**class**, for a building, for part 2 (New natural gas connections)—see section 5.

**connection**, for part 2 (New natural gas connections)—see the [Act](#), section 13A (4).

**connection application**, in relation to premises, for part 2 (New natural gas connections)—see section 5.

**district**, for part 2 (New natural gas connections)—see the [Districts Act 2002](#), dictionary.

**gas distributor**, for part 2 (New natural gas connections)—see the [Utilities Act 2000](#), dictionary.

**national gas rules**, for part 2 (New natural gas connections)—see section 5.

**new gas connection**, for part 2 (New natural gas connections)—see the [Act](#), section 13A (4).

**premises**, for part 2 (New natural gas connections)—see the [Act](#), section 13A (4).

**provide**, a new gas connection, for part 2 (New natural gas connections)—see the [Act](#), section 13A (4).

**section**, in relation to land, for division 2.3 (Exempt new connections)—see the [Districts Act 2002](#), dictionary.

**zone**, for part 2 (New natural gas connections)—see the [Planning Act 2023](#), dictionary.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired



### 3 Legislation history

#### Climate Change and Greenhouse Gas Reduction Regulation 2011 SL2011-10

notified LR 11 April 2011  
s 1, s 2 commenced 11 April 2011 (LA s 75 (1))  
remainder commenced 12 April 2011 (s 2)

as amended by

#### Climate Change and Greenhouse Gas Reduction Amendment Regulation 2023 (No 1) SL2023-33

notified LR 29 November 2023  
s 1, s 2 commenced 29 November 2023 (LA s 75 (1))  
remainder commenced 8 December 2023 (s 2)

### 4 Amendment history

#### Preliminary

pt 1 hdg ins [SL2023-33](#) s 4

#### Commencement

s 2 om LA s 89 (4)

#### New natural gas connections

pt 2 hdg ins [SL2023-33](#) s 5

#### Definitions—pt 2

div 2.1 hdg ins [SL2023-33](#) s 5

#### Definitions—pt 2

s 5  
**orig s 5**  
renum as s 19  
**pres s 5**  
ins [SL2023-33](#) s 5  
def **class** ins [SL2023-33](#) s 5  
def **connection** ins [SL2023-33](#) s 5  
def **connection application** ins [SL2023-33](#) s 5  
def **district** ins [SL2023-33](#) s 5  
def **gas distributor** ins [SL2023-33](#) s 5  
def **national gas rules** ins [SL2023-33](#) s 5  
def **new gas connection** ins [SL2023-33](#) s 5  
def **premises** ins [SL2023-33](#) s 5  
def **provide** ins [SL2023-33](#) s 5  
def **zone** ins [SL2023-33](#) s 5

## Endnotes

4 Amendment history

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### **Restricted new natural gas connections**

div 2.2 hdg ins [SL2023-33 s 5](#)

### **Prescribed areas and stated premises—Act, s 13A (1)**

s 6 ins [SL2023-33 s 5](#)

### **Exempt new connections**

div 2.3 hdg ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Definitions—div 2.3**

s 7 ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)  
def **block** ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)  
def **section** ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Exempt new connections—Act, s 13A (4), def *new gas connection*, par (b) (iii)**

s 8 ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Exempt new connections—application**

s 9 ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Exempt new connections—request for more information**

s 10 ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Exempt new connections—decision**

s 11 ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Exempt new connection—form of approval**

s 12 ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Expiry—div 2.3**

s 13 ins [SL2023-33 s 5](#)  
[exp 31 March 2029 \(s 13\)](#)

### **Modification of certain national laws**

div 2.4 hdg ins [SL2023-33 s 5](#)

### **Modification of National Gas (ACT) Law—Act, s 13B (1) (b)**

s 14 ins [SL2023-33 s 5](#)

### **Information sharing**

div 2.5 hdg ins [SL2023-33 s 5](#)

**Information gas distributor must give Territory—Act, s 13B (3) (a)**

s 15 ins [SL2023-33](#) s 5  
 (2), (5) exp 8 December 2025 (s 15 (5))

**Information gas distributor must give customers—Act, s 13B (3) (b)**

s 16 ins [SL2023-33](#) s 5

**Functions of Minister**

pt 3 hdg ins [SL2023-33](#) s 5  
 exp 31 December 2030 (s 18)

**Annual report by Minister—reporting in relation to natural gas connections**

s 17 ins [SL2023-33](#) s 5  
 exp 31 December 2030 (s 18)

**Expiry—pt 3**

s 18 ins [SL2023-33](#) s 5  
 exp 31 December 2030 (s 18)

**Sector agreements**

pt 4 hdg ins [SL2023-33](#) s 6

**Requirements for sector agreements—Act, s 23 (2)**

s 19 (prev s 5) renum as s 19 [SL2023-33](#) s 7

**Modification—National Gas (ACT) Law**

sch 1 ins [SL2023-33](#) s 8

**Dictionary**

dict am [SL2023-33](#) s 9, s 10  
 def **block** ins [SL2023-33](#) s 11  
 def **class** ins [SL2023-33](#) s 11  
 def **connection** ins [SL2023-33](#) s 11  
 def **connection application** ins [SL2023-33](#) s 11  
 def **district** ins [SL2023-33](#) s 11  
 def **gas distributor** ins [SL2023-33](#) s 11  
 def **national gas rules** ins [SL2023-33](#) s 11  
 def **new gas connection** ins [SL2023-33](#) s 11  
 def **premises** ins [SL2023-33](#) s 11  
 def **provide** ins [SL2023-33](#) s 11  
 def **section** ins [SL2023-33](#) s 11  
 def **zone** ins [SL2023-33](#) s 11

## Endnotes

5 Earlier republications

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### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 12 Apr 2011	12 Apr 2011– 7 Dec 2023	not amended	new regulation

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