



TASMANIA

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## **GAS INDUSTRY AMENDMENT ACT 2020**

**No. 43 of 2020**

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## **GAS INDUSTRY AMENDMENT ACT 2020**

**No. 43 of 2020**

**An Act to amend the *Gas Industry Act 2019***

**[Royal Assent 27 November 2020]**

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

### **1. Short title**

This Act may be cited as the *Gas Industry Amendment Act 2020*.

### **2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

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**3. Principal Act**

In this Act, the *Gas Industry Act 2019*\* is referred to as the Principal Act.

**4. Section 3 amended (Interpretation)**

Section 3 of the Principal Act is amended as follows:

- (a) by inserting the following definition after the definition of *available for supply* in subsection (1):

***business customer*** means a customer who is not a residential customer;

- (b) by inserting the following definition after the definition of *Regulator* in subsection (1):

***residential customer*** means a customer who purchases gas principally for personal, household or domestic use;

- (c) by inserting the following definition after the definition of *sell* in subsection (1):

***small customer*** means –

- (a) a residential customer; or
- (b) a business customer whose consumption of

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gas is not more than one  
terajoule per annum;

(d) by omitting subsection (2) and  
substituting the following subsection:

(2) In this Act, a reference to the  
retailing of gas or the selling of  
gas by retail –

(a) is a reference to the sale  
of gas by a licensee to a  
person for consumption  
where the gas is to be  
conveyed (whether or not  
by the seller) to the  
person by a distribution  
system; but

(b) does not include an  
activity declared by the  
regulations not to be the  
selling of gas by retail.

**5. Section 97 amended (Issue of codes)**

Section 97(1) of the Principal Act is amended by  
inserting “for the purposes of this Act, including  
for the protection of small customers” after  
“codes”.

**6. Section 99 substituted**

Section 99 of the Principal Act is repealed and  
the following section is substituted:

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**99. Review, amendment and replacement of gas codes**

- (1) The Regulator may, on its own initiative or at the request of any person, review, amend, rescind or replace any code.
- (2) The Regulator is to review a code when required to do so by the Minister.
- (3) Before the Regulator reviews, amends, rescinds or replaces a code issued by the Minister, the Regulator must notify the Minister of the Regulator's intention to do so.
- (4) If the Regulator amends, rescinds or replaces a code, the Regulator is to notify the Minister of the amendment, rescission or replacement.
- (5) The Minister may review, amend, rescind or replace any code.
- (6) Before the Minister reviews, amends, rescinds or replaces a code issued by the Regulator, the Minister must notify the Regulator of the Minister's intention to do so.
- (7) If the Minister amends, rescinds or replaces a code, the Minister is to notify the Regulator of the amendment, rescission or replacement.

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**7. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commenced.

*[Second reading presentation speech made in:—  
House of Assembly on 10 November 2020  
Legislative Council on 18 November 2020]*