

TASMANIA

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**NATIONAL ENERGY RETAIL LAW (TASMANIA)  
AMENDMENT REGULATIONS 2020**

**STATUTORY RULES 2020, No. 57**

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**CONTENTS**

1. Short title
2. Commencement
3. Principal Regulations
4. Regulation 6 amended (Modification of National Energy Retail Rules in relation to prepayment meters)
5. Regulation 10 amended (Modification of National Energy Retail Rules in relation to small market offer customers)
6. Regulation 11 inserted
  11. Modification of National Energy Retail Rules in relation to distributor planned interruptions



**NATIONAL ENERGY RETAIL LAW (TASMANIA)  
AMENDMENT REGULATIONS 2020**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *National Energy Retail Law (Tasmania) Act 2012*.

Dated 14 September 2020.

C. WARNER  
Governor

By Her Excellency's Command,

GUY BARNETT  
Minister for Energy

**1. Short title**

These regulations may be cited as the *National Energy Retail Law (Tasmania) Amendment Regulations 2020*.

**2. Commencement**

These regulations take effect on the day on which their making is notified in the *Gazette*.

### **3. Principal Regulations**

In these regulations, the *National Energy Retail Law (Tasmania) Regulations 2012\** are referred to as the Principal Regulations.

#### **4. Regulation 6 amended (Modification of National Energy Retail Rules in relation to prepayment meters)**

Regulation 6(1) of the Principal Regulations is amended by omitting “section 10(3) of the *National Energy Retail Law (Tasmania) Act 2012*” and substituting “section 12(3) of the *National Energy Retail Law (Tasmania) Act 2012*”.

#### **5. Regulation 10 amended (Modification of National Energy Retail Rules in relation to small market offer customers)**

Regulation 10(1) of the Principal Regulations is amended by omitting “section 10(3) of the *National Energy Retail Law (Tasmania) Act 2012*” and substituting “section 12(3) of the *National Energy Retail Law (Tasmania) Act 2012*”.

#### **6. Regulation 11 inserted**

After regulation 10 of the Principal Regulations, the following regulation is inserted in Part 3:

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\*S.R. 2012, No. 51

**11. Modification of National Energy Retail Rules in relation to distributor planned interruptions**

- (1) For the purposes of section 12(3) of the *National Energy Retail Law (Tasmania) Act 2012*, the National Energy Retail Rules, to the extent they apply as part of the law of this jurisdiction, are modified as set out in this regulation.
- (2) Rule 90 of the National Energy Retail Rules is modified by inserting after subrule (3) the following subrule:
  - (4) A distributor of electricity is not required to comply with this rule if the duration of the distributor planned interruption is less than 15 minutes.
- (3) The National Energy Retail Rules are modified by inserting after rule 90 the following rule:

**90A. Explicit consent in relation to distributor planned interruptions**

- (1) In this rule –

*co-habitant*, in relation to premises, means a person, other than the customer in relation to the premises, who has attained the age

*National Energy Retail Law (Tasmania) Amendment Regulations  
2020  
Statutory Rules 2020, No. 57*

r. 6

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of 18 years and resides at  
the premises.

- (2) A distributor may obtain from a co-habitant explicit consent to a distributor planned interruption in relation to premises if, were the co-habitant the customer in relation to the premises, the explicit consent would have been permitted under paragraph 90(1)(b) or (c) to be obtained.
- (3) An explicit consent, to a distributor planned interruption in relation to premises, that is obtained under subregulation (2) from a co-habitant is to be taken to be the explicit consent of the customer to the distributor planned interruption in relation to the premises.
- (4) Clause 6.4 of Schedule 2 to the National Energy Retail Rules is modified –
  - (a) by omitting from paragraph (d)(iii) “your explicit consent” and substituting “explicit consent, from you or a

*National Energy Retail Law (Tasmania) Amendment Regulations  
2020  
Statutory Rules 2020, No. 57*

r. 6

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person you live with,”;  
and

(b) by inserting after  
paragraph (d) the  
following paragraph:

(e) We are not required to  
give you notice if the  
distributor planned  
interruption is for less  
than 15 minutes.

(5) Clause 10.2 of Schedule 2 to the National  
Energy Retail Rules is modified –

(a) by omitting from  
paragraph (b)(i) “your  
explicit consent” and  
substituting “explicit  
consent, from you or a  
person you live with,”;  
and

(b) by omitting from  
paragraph (b)(ii) “your  
explicit consent” and  
substituting “explicit  
consent, from you or a  
person you live with,”;  
and

(c) by inserting after  
paragraph (b) the  
following paragraph:

*National Energy Retail Law (Tasmania) Amendment Regulations  
2020  
Statutory Rules 2020, No. 57*

**r. 6**

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- (c) We are not required to give you notice if the distributor planned interruption is for less than 15 minutes.

*National Energy Retail Law (Tasmania) Amendment Regulations  
2020  
Statutory Rules 2020, No. 57*

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 23 September 2020.

These regulations are administered in the Department of State Growth.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations amend the *National Energy Retail Law (Tasmania) Regulations 2012* so as to modify the application to Tasmania of the National Energy Retail Rules, to enable, in certain circumstances, a period of less than 4 days' notice of a distributor planned interruption to be given to the customer or a person residing with the customer.