



TASMANIA

**ELECTRICITY SUPPLY INDUSTRY
AMENDMENT (PRICE CAP) ACT 2018**

No. 24 of 2018

CONTENTS

PART 1 – PRELIMINARY

1. Short title
2. Commencement

PART 2 – ELECTRICITY SUPPLY INDUSTRY ACT 1995 AMENDED

3. Principal Act
4. Section 40AA amended (Determination of certain maximum prices)
5. Section 41 amended (Approval of standing offer prices)

**PART 3 – ELECTRICITY SUPPLY INDUSTRY AMENDMENT
(PRICING) ACT 2017 AMENDED**

6. Principal Act

7. Section 7 amended (Review of operation of certain provisions and repeal)
8. Section 8 amended (Repeal of Act)

PART 4 – CONCLUDING PROVISION

9. Repeal of Act



ELECTRICITY SUPPLY INDUSTRY AMENDMENT (PRICE CAP) ACT 2018

No. 24 of 2018

**An Act to amend the *Electricity Supply Industry Act 1995*
and the *Electricity Supply Industry Amendment (Pricing)*
*Act 2017***

[Royal Assent 16 November 2018]

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:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Electricity Supply
Industry Amendment (Price Cap) Act 2018*.

Electricity Supply Industry Amendment (Price Cap) Act 2018
Act No. 24 of 2018

s. 2

Part 1 – Preliminary

2. Commencement

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

Electricity Supply Industry Amendment (Price Cap) Act 2018
Act No. 24 of 2018

Part 2 – Electricity Supply Industry Act 1995 Amended

s. 3

**PART 2 – ELECTRICITY SUPPLY INDUSTRY ACT
1995 AMENDED**

3. Principal Act

In this Part, the *Electricity Supply Industry Act 1995** is referred to as the Principal Act.

4. Section 40AA amended (Determination of certain maximum prices)

Section 40AA of the Principal Act is amended by inserting after subsection (7) the following subsection:

- (8) The determination made under this section and in force on 1 May 2018 remains, despite any provision of the regulations, in force until immediately before 1 July 2021.

5. Section 41 amended (Approval of standing offer prices)

Section 41 of the Principal Act is amended as follows:

- (a) by inserting the following subsection before subsection (1):

(1AA) In this section –

*No. 58 of 1995

Electricity Supply Industry Amendment (Price Cap) Act 2018
Act No. 24 of 2018

s. 5

Part 2 – Electricity Supply Industry Act 1995 Amended

applicable financial year
means –

- (a) the 2018-2019 financial year; or
- (b) the 2019-2020 financial year; or
- (c) the 2020-2021 financial year;

CPI figure for Hobart means the Consumer Price Index (All Groups) Number for Hobart published by the Australian Statistician under the authority of the *Census and Statistics Act 1905* of the Commonwealth;

CPI percentage change, for an applicable financial year, means the percentage change between –

- (a) the CPI figure for Hobart for the December quarter of the previous financial year; and
- (b) the CPI figure for Hobart for the December quarter of the financial

Electricity Supply Industry Amendment (Price Cap) Act 2018
Act No. 24 of 2018

Part 2 – Electricity Supply Industry Act 1995 Amended

s. 5

year before the
previous financial
year.

(b) by inserting the following subsection
after subsection (4):

(5) The Regulator must not, under
subsection (3), approve a
standing offer price for an
applicable financial year if the
price so approved would be
higher than the standing offer
price, in relation to the same
tariff, for the previous year, as
increased by the CPI percentage
change for the applicable
financial year.

Electricity Supply Industry Amendment (Price Cap) Act 2018
Act No. 24 of 2018

s. 6

Part 3 – Electricity Supply Industry Amendment (Pricing) Act 2017
Amended

**PART 3 – ELECTRICITY SUPPLY INDUSTRY
AMENDMENT (PRICING) ACT 2017 AMENDED**

6. Principal Act

In this Part, the *Electricity Supply Industry Amendment (Pricing) Act 2017** is referred to as the Principal Act.

7. Section 7 amended (Review of operation of certain provisions and repeal)

Section 7 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “18-month period” and substituting “42-month period”;
- (b) by omitting from subsection (4)(b) “2 years” and substituting “4 years”;
- (c) by omitting from subsection (5) “2 years” and substituting “4 years”.

8. Section 8 amended (Repeal of Act)

Section 8 of the Principal Act is amended by omitting “3 years” and substituting “5 years”.

*No. 16 of 2017

Electricity Supply Industry Amendment (Price Cap) Act 2018
Act No. 24 of 2018

Part 4 – Concluding Provision

s. 9

PART 4 – CONCLUDING PROVISION

9. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.

*[Second reading presentation speech made in:–
House of Assembly on 16 October 2018
Legislative Council on 31 October 2018]*