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ELECTRICITY CORPORATIONS ACT 2005

**ELECTRICITY
CORPORATIONS
(CONSEQUENTIAL
AMENDMENTS)
REGULATIONS 2006**

Electricity Corporations Act 2005

Electricity Corporations (Consequential Amendments) Regulations 2006

Made by the Governor in Executive Council, on the recommendation of the Minister, under the Act section 140(1).

Part 1 — Preliminary

1. Citation

These regulations are the *Electricity Corporations (Consequential Amendments) Regulations 2006*.

2. Commencement

These regulations come into operation on 1 April 2006.

Electricity Corporations (Consequential Amendments) Regulations 2006
Part 2 Electricity Distribution Regulations 1997 amended

r. 3

Part 2 — *Electricity Distribution Regulations 1997*
amended

3. The regulations amended in this Part

The amendments in this Part are to the *Electricity Distribution Regulations 1997**.

[* *Published in Gazette 1 July 1997, p. 3335-406.*
For amendments to 17 March 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 92 and Gazette 20 January 2006.]

4. Regulation 3 amended

(1) Regulation 3 is amended as follows:

- (a) by inserting before “In” the subregulation designation “(1)”;
- (b) in the definition of “access offer” —
 - (i) by deleting “Western Power” in the first place where it occurs and inserting instead —
 “ a corporation ”;
 - (ii) by deleting “Western Power” in the second place where it occurs and inserting instead —
 “ the corporation ”;
- (c) in the definition of “applicable laws” by deleting “and the *Energy Coordination Act 1994*,” and inserting instead —

“

, the *Energy Coordination Act 1994*, the *Electricity Industry Act 2004* and the *Electricity Corporations Act 2005*;

”;

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 4

- (d) by deleting the definition of “distribution access agreement” and inserting instead —

“

“distribution access agreement”, in respect of a user —

- (a) means an agreement between a corporation and the user under which the corporation agrees to provide distribution access services to the user; and
- (b) if the user is the Electricity Generation Corporation or the Electricity Retail Corporation, includes an agreement between a corporation and the user for the provision of distribution access services to the user that arises as a result of a transfer order under Part 9 Division 3 of the *Electricity Corporations Act 2005*;

”;

- (e) in the definition of “distribution employee” —

- (i) by deleting “Western Power” and inserting instead —

“ the Regional Power Corporation ”;

- (ii) by deleting “Western Power’s” and inserting instead —

“ that corporation’s ”;

- (f) by deleting the definition of “Distribution Technical Code” and inserting instead —

“

“Distribution Technical Code”, in relation to a corporation, means the Distribution Technical Code prepared by the corporation under regulation 28;

”;

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 2** Electricity Distribution Regulations 1997 amended**r. 4**

- (g) by deleting the definition of “electricity distribution network” and inserting instead —

“

“**electricity distribution network**”, in relation to a corporation, means the parts of the corporation’s system prescribed in regulation 5(1);

”;

- (h) in the definition of “existing agreement” in paragraphs (a) and (b) by deleting “1 July 1997” and inserting instead —

“ 1 April 2006 ”;

- (i) by deleting the definition of “interconnected network” and inserting instead —

“

“**interconnected network**” means —

- (a) in relation to the Electricity Networks Corporation, its electricity distribution network;
- (b) in relation to the Regional Power Corporation, its electricity distribution network other than a regional power system;

”;

- (j) in the definition of “linked transmission agreement” —

- (i) by deleting “Western Power” in the first place where it occurs and inserting instead —

“ a corporation ”;

- (ii) by deleting “Western Power” in the second place where it occurs and inserting instead —

“ the corporation ”;

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 4

- (k) by deleting the definition of “Prices and Charges Paper” and inserting instead —

“

“Prices and Charges Paper”, in relation to a corporation, means a document prepared by the corporation containing details of pricing methods referred to in clause 6(3)(c) of Schedule 6 to the Act;

”;

- (l) by deleting the definition of “regional power system” and inserting instead —

“

“regional power system” means an electricity distribution network operated by the Regional Power Corporation that is identified as a regional power isolated system on the depiction prepared and maintained by that corporation under regulation 5(2);

”;

- (m) in the definition of “related body corporate” by deleting paragraph (a) and inserting instead —

“

- (a) in respect of a corporation, a subsidiary (as defined in section 3 of the *Electricity Corporations Act 2005*) of the corporation;

”;

- (n) by deleting the semicolon at the end of the definition of “voltage control” and inserting a full stop instead;

- (o) by deleting the definition of “Western Power”;

- (p) by inserting in the appropriate alphabetical positions —

“

“corporation” has the meaning given to that term in section 2 of the Act;

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 2** Electricity Distribution Regulations 1997 amended**r. 5**

“Electricity Generation Corporation” means the body established by section 4(1)(a) of the *Electricity Corporations Act 2005*;

“Electricity Networks Corporation” means the body established by section 4(1)(b) of the *Electricity Corporations Act 2005*;

“Electricity Retail Corporation” means the body established by section 4(1)(c) of the *Electricity Corporations Act 2005*;

“Regional Power Corporation” means the body established by section 4(1)(d) of the *Electricity Corporations Act 2005*;

”.

- (2) At the end of regulation 3 the following subregulation is inserted —

“

- (2) In these regulations, references to the electricity distribution network, or to the electricity distribution network of a corporation, are —

- (a) in relation to the Electricity Networks Corporation, references to the electricity distribution network operated by that corporation; and
- (b) in relation to the Regional Power Corporation, references to any electricity distribution network operated by that corporation.

”.

5. Regulation 5 amended

- (1) Regulation 5(1) is repealed and the following subregulation is inserted instead —

“

- (1) For the purposes of the definition of “electricity distribution system” in section 89(1) of the Act, all

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 5

parts of the system operated by a corporation for transportation of electricity at nominal voltages of less than 66kV and a nominal frequency of 50Hz are prescribed other than —

- (a) any part of the system that forms part of an exempt connection; and
- (b) any part of the system that is not owned or leased by the corporation.

”.

(2) Regulation 5(2) is amended as follows:

- (a) by deleting “Western Power” and inserting instead —
“ a corporation ”;
- (b) by deleting “the” and inserting instead —
“ its ”.

(3) Regulation 5(3) is repealed and the following subregulation is inserted instead —

“

- (3) A corporation must prepare the initial depiction of the electricity distribution network under subregulation (2) as at 1 April 2006 on or before 1 May 2006.

”.

(4) Regulation 5(3a) is amended as follows:

- (a) by deleting “the interconnected” and inserting instead —
“ its interconnected ”;
- (b) by deleting “Western Power” and inserting instead —
“ the Regional Power Corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 2** Electricity Distribution Regulations 1997 amended**r. 6**

6. Regulation 6 amended

Regulation 6(1) and (2) are repealed.

7. Regulation 8 amended

Regulation 8(7) is amended by deleting “Western Power” and inserting instead —

“ The corporation ”.

8. Regulation 11 amended

(1) Regulation 11(3)(a) is deleted.

(2) Regulation 11(8)(d) is amended by deleting “34 of the Act” and inserting instead —

“ 68 of the *Electricity Corporations Act 2005* ”.

9. Regulation 12 amended

Regulation 12(1) is repealed and the following subregulation is inserted instead —

“

(1) For the purposes of this regulation, an augmentation is commercially viable if —

(a) in the case of the Electricity Networks Corporation, in the corporation’s reasonable opinion —

(i) it will recover within a reasonable time the costs, the capital investment and a reasonable rate of return on the capital investment in respect of the augmentation as contemplated by clause 5 of Schedule 6 to the Act, and not increase the charges payable by existing users; and

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 10

(ii) it has sufficient allocated capital funds to undertake the augmentation, having regard to sections 127 and 128 of the *Electricity Corporations Act 2005*;

and

(b) in the case of the Regional Power Corporation, in the corporation's reasonable opinion —

(i) it will recover within a reasonable time the costs, the capital investment and a reasonable rate of return on the capital investment in respect of the augmentation as contemplated by clause 5 of Schedule 6 to the Act, and not increase the charges payable by existing users; and

(ii) the division of the corporation responsible for operating its electricity distribution network has sufficient allocated capital funds to undertake the augmentation, having regard to sections 127 and 128 of the *Electricity Corporations Act 2005*.

”.

10. Regulation 15 amended

Regulation 15(2) to (6) are repealed.

11. Regulation 19 amended

Regulation 19(6) is amended as follows:

(a) by deleting “A” and inserting instead —

“ In the case of the Regional Power Corporation, a ”;

(b) by deleting “is” and inserting instead —

“ are ”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 2** Electricity Distribution Regulations 1997 amended**r. 12**

12. Regulation 21 amended

- (1) Regulation 21(1) is amended as follows:
- (a) by deleting “Western Power” in the first place where it occurs and inserting instead —
“ a corporation ”;
 - (b) by deleting “Western Power” in the second and third places where it occurs and inserting instead —
“ the corporation ”.
- (2) Regulation 21(2) is amended as follows:
- (a) in paragraph (a) by deleting “other than Western Power”;
 - (b) by deleting “Western Power accordingly and provide to Western Power” and inserting instead —
“
the corporation accordingly and provide to the corporation
”.

13. Regulation 22 amended

- (1) Regulation 22(1) is amended as follows:
- (a) in paragraph (a)(i) by deleting “Western Power” and inserting instead —
“ a corporation ”;
 - (b) in paragraph (b) by deleting “Western Power” and inserting instead —
“ the Regional Power Corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 14

- (2) Regulation 22(2) is amended by deleting “Western Power” and inserting instead —

“ A corporation ”.

14. Regulation 24 amended

- (1) Regulation 24(1) is amended by deleting “Western Power” and inserting instead —

“

the Electricity Generation Corporation, the Electricity Retail Corporation or the Regional Power Corporation

”.

- (2) Regulation 24(4), (5), (8) and (9) are each amended as follows:

- (a) by deleting “Western Power” in the first place where it occurs and inserting instead —

“ the corporation ”;

- (b) by deleting “Western Power.” and inserting instead —

“

the Electricity Generation Corporation, the Electricity Retail Corporation or the Regional Power Corporation.

”.

15. Regulation 25 amended

Regulation 25(1)(c) is amended by deleting “Western Power” and inserting instead —

“

the Electricity Networks Corporation or the Regional Power Corporation

”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 2** Electricity Distribution Regulations 1997 amended**r. 16**

16. Regulation 27 amended

Regulation 27(2)(a) is amended by deleting “Western Power” and inserting instead —

“

the Electricity Generation Corporation, the
Electricity Retail Corporation or the Regional
Power Corporation

”.

17. Regulation 28 amended

- (1) Regulation 28(1) is repealed and the following subregulation is inserted instead —

“

- (1) A corporation must prepare and make publicly available a Distribution Technical Code in respect of its electricity distribution network on or before 1 May 2006.

”.

- (2) Regulation 28(1a) is repealed.
- (3) Regulation 28(4)(1a) is amended by deleting “the steps to be applied by Western Power” and inserting instead —

“

in the case of the Regional Power Corporation,
the steps to be applied by that corporation

”.

18. Regulation 29 amended

- (1) Regulation 29(1) is repealed and the following subregulation is inserted instead —

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 19

“

- (1) A corporation must prepare criteria relating to the planning of its electricity distribution network on or before 1 May 2006.

”.

- (2) Regulation 29(1a) is repealed.
- (3) Regulation 29(2) and (5) are each amended by deleting “Western Power” and inserting instead —
“ A corporation ”.
- (4) Regulation 29(3) is amended as follows:
 - (a) by deleting “Western Power” in the first place where it occurs and inserting instead —
“ it ”;
 - (b) by deleting “Western Power” in the second place where it occurs and inserting instead —
“ a corporation ”.
- (5) Regulation 29(6) is amended as follows:
 - (a) by deleting “Western Power’s” and inserting instead —
“ a corporation’s ”;
 - (b) by deleting “the electricity” and inserting instead —
“ its electricity ”;
 - (c) by deleting “Western Power” and inserting instead —
“ the corporation ”.

19. Regulation 32 amended

Regulation 32(5) is amended by deleting “a Western Power employee” and inserting instead —

“ an employee of the corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 2** Electricity Distribution Regulations 1997 amended**r. 20**

20. Regulation 35 amended

Regulation 35 is amended as follows:

- (a) by deleting “Western Power” and inserting instead —
“ a corporation ”;
- (b) by deleting “the electricity” and inserting instead —
“ its electricity ”.

21. Regulation 43 amended

Regulation 43(1)(d) is deleted and the following paragraph is inserted instead —

- “
- (d) post-trip management.
- ”.

22. Regulation 44 amended

Regulation 44(1) is amended by deleting “Western Power” in the second place where it occurs and inserting instead —

- “
- the Electricity Generation Corporation or the
Electricity Retail Corporation
- ”.

23. Regulation 51 amended

Regulation 51(1) is amended by deleting the definitions of “WP Trader” and “WP Distribution” and inserting instead —

- “
- “**RPC Retail**” means the Regional Power Corporation
in its role as a retailer of electricity.
- ”.

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 24

24. Regulation 52 replaced

Regulation 52 is repealed and the following regulation is inserted instead —

“

52. Regional Power Corporation’s existing capacity

The Regional Power Corporation must on or before 1 May 2006 publish a description of the electricity distribution capacity utilised by RPC Retail as at 1 April 2006 and that electricity distribution capacity is to be taken to be committed to that corporation.

”.

25. Regulation 54 amended

- (1) Regulation 54(1) is amended by deleting “WP Trader” and inserting instead —

“ the Electricity Retail Corporation or RPC Retail ”.

- (2) Regulation 54(2) and (3) are repealed.

26. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) by deleting “WESTERN POWER” and inserting instead —

“ CORPORATION ”;

- (b) by deleting “Western Power” in each place where it occurs and inserting instead —

“ the corporation ”.

27. Schedule 2 amended

Schedule 2 Part A is amended in paragraphs (o) and (p) by deleting “Western Power” and inserting instead —

“ the corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006
Part 2 Electricity Distribution Regulations 1997 amended

r. 28

28. Schedule 3 amended

Schedule 3 is amended in paragraph (o) by deleting “Western Power.” and inserting instead —

“ the corporation. ”.

29. Schedule 4 amended

Schedule 4 items 1 and 2 are each amended as follows:

(a) by deleting “Western Power” in the first place where it occurs and inserting instead —

“ a corporation ”;

(b) by deleting “Western Power” in each other place where it occurs and inserting instead —

“ the corporation ”.

30. Various references to “Western Power” changed

(1) Each provision specified in the Table to this subregulation is amended by deleting “Western Power” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ A corporation ”.

Table

r. 9(1) and (3)	r. 30(3)
r. 5(4)	r. 31(2)
r. 14(3) (first occurrence)	r. 34(1)
r. 15(1) (first occurrence)	r. 43(2)
r. 19(5)	r. 44(2) (first occurrence)
r. 27(3)	r. 46(3)
r. 28(2), (12) and (13)	r. 49(1) (first occurrence)

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 30

- (2) Each provision specified in the Table to this subregulation is amended by deleting “Western Power” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ a corporation ”.

Table

r. 3 (definitions of “distribution price schedule”, “exempt connection”, “existing agreement”, “network planning criteria”, “preliminary assessment”, “supervising officers” and “technical compliance agreement”)	r. 31(1) (first occurrence), (3) and (4)
r. 4(h) and (j)	r. 32(1) (first occurrence) and (6)
r. 8(1), (2) (first occurrence) and (3)	r. 33(2) and (3) (first occurrence)
r. 9(4)(a) and (8) (first occurrence)	r. 34(2) (first occurrence) and (3)
r. 11(6)(a), (8) (first occurrence) and (9)(a)	r. 36(2)
r. 12(2), (3), (4)(a), (5)(a), (8)(a), and (9)(a)	r. 41(1) (first occurrence), (2) (first occurrence) and (3) (first occurrence)
r. 13(1)(a), (2) (first occurrence), (4), (6) and (7)	r. 42(2) (first occurrence), (3), (4), (6), (7) (first occurrence), (8) (first occurrence) and (9) (first occurrence)
r. 14(1)(b)	r. 43(1), (5) and (6) (first occurrence)
r. 16 (first occurrence)	r. 44(1) (first occurrence) and (3)(a) and (b)
r. 18(1) (first occurrence), (2) (first occurrence) and (3)	r. 45(1) and (2)

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 2** Electricity Distribution Regulations 1997 amended**r. 30**

r. 19(1) and (3)	r. 46(1) and (2) (first occurrence)
r. 20(1), (2)(b) and (3)	r. 49(2) (first occurrence) and (4)
r. 27(2) (first occurrence)	r. 51(2)
r. 28(3) (second occurrence), (8) (first occurrence) and (11)	r. 53(1)

- (3) Each provision specified in the Table to this subregulation is amended by deleting “Western Power” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ the corporation ”.

Table

r. 8(2) (second occurrence), (5), (6), (8)(b), (c) and (d) and (9)	r. 32(1) (second occurrence), (2), (4), (5) (first occurrence)
r. 9(4)(b), (5), (7) and (8) (other than first occurrence)	r. 33(3) (second occurrence)
r. 10(1) and (2)	r. 34(2) (second occurrence)
r. 11(1), (2), (3)(c), (4), (6)(b), (7), (8) (other than first occurrence) and (9)(c) and (d)	r. 36(1)(d) and (i)
r. 12(4)(c), (5)(b), (6)(b), (8) (second and third occurrences) and (9) (second occurrence)	r. 38(2)(a) and (b)
r. 13(1) (second and third occurrences), (2) (second occurrence) and (3)	r. 40(1) and (2)
r. 14(3)(a) and (b), (4)(a), (b), (c) and (d)	r. 41(1)(c)(ii), (2) (second occurrence) and (3) (second occurrence)
r. 15(1) (second occurrence)	r. 42(2) (other than first occurrence), (7) (other than first occurrence), (8) (second occurrence) and (9) (other than first occurrence)

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Distribution Regulations 1997 amended **Part 2**

r. 30

r. 16 (second and third occurrences)	r. 43(6) (second occurrence)
r. 18(1) (other than first occurrence) and (2) (other than first occurrence)	r. 44(1) (third, fourth and fifth occurrences), (2) (second occurrence) and (3) (third occurrence)
r. 20(2) (second and third occurrences)	r. 46(2) (second occurrence)
r. 27(2) (third occurrence)	r. 48(1) and (2)(a) and (b)
r. 28(3) (first occurrence), (4)(e) and (l), (5), (7) and (8) (second occurrence)	r. 49(1) (second occurrence), and (2) (other than first occurrence)
r. 31(1) (second and third occurrences)	

- (4) Each provision specified in the Table to this subregulation is amended by deleting “Western Power’s” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ a corporation’s ”.

Table

r. 3 (definition of “connection equipment”)	r. 42(3) (first occurrence)
r. 36(3)	

- (5) Each provision specified in the Table to this subregulation is amended by deleting “Western Power’s” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ the corporation’s ”.

Table

r. 12(2)(a) and (d)	r. 31(1)(c) and (d)
r. 14(4)(d)(vii)	r. 41(3)
r. 18(3)	r. 42(3) (second occurrence)

Electricity Corporations (Consequential Amendments) Regulations 2006

Part 3 Electricity Industry (Wholesale Electricity Market) Regulations
2004 amended

r. 31

Part 3 — Electricity Industry (Wholesale Electricity Market) Regulations 2004 amended

31. The regulations amended in this Part

The amendments in this Part are to the *Electricity Industry (Wholesale Electricity Market) Regulations 2004**.

[* *Published in Gazette 30 September 2004, p. 4189-205.*
For amendments to 17 March 2006 see Gazette 16 August 2005.]

32. Regulation 4 amended

- (1) Regulation 4(1) is amended by deleting the definitions of “top-up and spill regulations” and “top-up and spill rules” and inserting instead —

“

“**new rules**” means Appendix 8 of the *Wholesale Electricity Market Rules*;

“**top-up and spill rules**” has the meaning that was given to that term in regulation 4 of the *Electricity Industry (Wholesale Market) Regulations 2004* immediately before the repeal of those regulations.

”

- (2) Regulation 4(2) and (3) are repealed.
- (3) Regulation 4(4) is amended by inserting after “(3)(a)” —

“

, as in force immediately before the commencement of the *Electricity Corporations (Consequential Amendments) Regulations 2006*

”

Electricity Corporations (Consequential Amendments) Regulations 2006
 Electricity Industry (Wholesale Electricity Market) Regulations **Part 3**
 2004 amended

r. 33

33. Regulation 12A inserted

After regulation 12 the following regulation is inserted —

“

12A. Functions of electricity corporations

The market rules may confer functions and impose requirements on the Electricity Generation Corporation and the Electricity Networks Corporation.

”

34. Schedule 1 amended

Schedule 1 is amended after the item beginning “cl. 10.2.4” by inserting the following items —

“

Appendix 8 rule 3.2A	B	first contravention: \$15 000 plus a daily amount of \$500 subsequent contraventions: \$30 000 plus a daily amount of \$1 000
Appendix 8 rule 3.2B	B	first contravention: \$15 000 plus a daily amount of \$500 subsequent contraventions: \$30 000 plus a daily amount of \$1 000
Appendix 8 rule 4.2	B	first contravention: \$15 000 plus a daily amount of \$500 subsequent contraventions: \$30 000 plus a daily amount of \$1 000
Appendix 8 rule 4.3	B	first contravention: \$15 000 plus a daily amount of \$500 subsequent contraventions: \$30 000 plus a daily amount of \$1 000
Appendix 8 rule 5.9(b)	B	first contravention: \$15 000 plus a daily amount of \$500 subsequent contraventions: \$30 000 plus a daily amount of \$1 000
Appendix 8 rule 5.11	A	first contravention: \$10 000 subsequent contraventions: \$20 000

Electricity Corporations (Consequential Amendments) Regulations 2006

Part 3 Electricity Industry (Wholesale Electricity Market) Regulations
2004 amended

r. 35

Appendix 8 rule 5.16	A	first contravention: \$10 000 subsequent contraventions: \$20 000
Appendix 8 rule A2.2	A	first contravention: \$10 000 subsequent contraventions: \$20 000
Appendix 8 rule A2.12	A	first contravention: \$10 000 subsequent contraventions: \$20 000
Appendix 8 rule A5.6A	A	first contravention: \$10 000 subsequent contraventions: \$20 000
Appendix 8 rule A6.56	B	first contravention: \$25 000 plus a daily amount of \$5 000 subsequent contraventions: \$50 000 plus a daily amount of \$10 000

”.

**35. Various references to “*Electricity Corporation Act 1994*”
changed to “*Electricity Corporations Act 2005*”**

Each provision specified in the Table to this subregulation is amended by deleting “*Electricity Corporation Act 1994*” and inserting instead —

“ *Electricity Corporations Act 2005* ”.

Table

r. 10	r. 51(d)
r. 21(1)	

Electricity Corporations (Consequential Amendments) Regulations 2006
 Electricity Referee and Dispute Resolution Regulations 1997 **Part 4**
 amended

r. 36

Part 4 — *Electricity Referee and Dispute Resolution Regulations 1997* amended

36. The regulations amended in this Part

The amendments in this Part are to the *Electricity Referee and Dispute Resolution Regulations 1997**.

[* *Reprint 1 as at 7 November 2003.*]

37. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) in the definition of “Act” by deleting “*Electricity Corporation Act 1994*” and inserting instead —

“

Electricity Transmission and Distribution Systems (Access) Act 1994

”;

- (b) by inserting after the definition of “connection services” —

“

“**corporation**” has the same meaning as in the Act;

”;

- (c) by deleting the semicolon at the end of the definition of “Transmission Regulations” and inserting a full stop instead;

- (d) by deleting the definition of “Western Power”.

38. Regulation 50 amended

Regulation 50(2)(a) is amended as follows:

- (a) by deleting “Western Power” in the first place where it occurs and inserting instead —

“ a corporation ”;

Electricity Corporations (Consequential Amendments) Regulations 2006

Part 4 Electricity Referee and Dispute Resolution Regulations 1997
amended

r. 39

- (b) by deleting “Western Power” in the second place where it occurs and inserting instead —
“ the corporation ”.

39. Regulation 58 amended

Regulation 58(1) is amended as follows:

- (a) by deleting “Western Power” in the first place where it occurs and inserting instead —
“ a corporation ”;
- (b) by deleting “Western Power” in the second place where it occurs and inserting instead —
“ the corporation ”.

40. Regulation 59 amended

Regulation 59(1) is amended as follows:

- (a) by deleting “Western Power” in the first place where it occurs and inserting instead —
“ a corporation ”;
- (b) by deleting “Western Power” in the second and third places where it occurs and inserting instead —
“ the corporation ”.

41. Various references to “Western Power” changed to “a corporation”

Each provision specified in the Table to this subregulation is amended by deleting “Western Power” and inserting instead —

“ a corporation ”.

Table

r. 3 (definitions of “prescribed dispute”, “prices”, “prospective user”, “technical code” (2 places))	r. 21(2)
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Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Referee and Dispute Resolution Regulations 1997 **Part 4**
amended

r. 41

r. 4

r. 7(2)

r. 8(1)(a) and (2)(a)

r. 34(1) and (4)

r. 50(1), (2)(b) and (3)(b)(ii)

Electricity Corporations (Consequential Amendments) Regulations 2006
Part 5 Electricity Transmission Regulations 1996 amended

r. 42

Part 5 — *Electricity Transmission*
***Regulations 1996* amended**

42. The regulations amended in this Part

The amendments in this Part are to the *Electricity Transmission Regulations 1996**.

[* Reprinted as at 24 May 2002.

For amendments to 17 March 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 93 and Gazette 24 June 2005 and 20 January 2006.]

43. Regulation 3 amended

(1) Regulation 3 is amended as follows:

- (a) by inserting before “In” the subregulation designation “(1)”;
- (b) by deleting the definition of “access agreement” and inserting instead —

“

“access agreement”, in respect of a user —

- (a) means an agreement between a corporation and the user under which the corporation agrees to provide access services to the user; and
- (b) if the user is the Electricity Generation Corporation or the Electricity Retail Corporation, includes an agreement between a corporation and the user for the provision of access services to the user that arises as a result of a transfer order under Part 9 Division 3 of the *Electricity Corporations Act 2005*;

”.

Electricity Corporations (Consequential Amendments) Regulations 2006

Electricity Transmission Regulations 1996 amended

Part 5**r. 43**

- (c) in the definition of “access offer” —
- (i) by deleting “Western Power” in the first place where it occurs and inserting instead —
“ a corporation ”;
- (ii) by deleting “Western Power” in the second place where it occurs and inserting instead —
“ the corporation ”;
- (d) in the definition of “applicable laws” by deleting “and the *Energy Coordination Act 1994*,” and inserting instead —
“
, the *Energy Coordination Act 1994*, the *Electricity Industry Act 2004* and the *Electricity Corporations Act 2005*;
”;
- (e) by deleting the definition of “electricity transmission network” and inserting instead —
“
“**electricity transmission network**”, in respect of a corporation, means the parts of the corporation’s system prescribed in regulation 5(1);
”;
- (f) in the definition of “related body corporate” by deleting paragraph (a) and inserting instead —
“
(a) in respect of a corporation, a subsidiary (as defined in section 3 of the *Electricity Corporations Act 2005*) of the corporation;
”;

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 5** Electricity Transmission Regulations 1996 amended**r. 43**

- (g) by deleting the definition of “Technical Code” and inserting instead —

“

“**Technical Code**”, in relation to a corporation, means the Technical Code prepared by the corporation under regulation 26;

”.

- (h) in the definition of “transmission employee” —

- (i) by deleting “Western Power” and inserting instead —

“ the Regional Power Corporation ”;

- (ii) by deleting “Western Power’s” and inserting instead —

“ that corporation’s ”;

- (i) by deleting the definitions of “network planning criteria” and “Western Power”;

- (j) by inserting in the appropriate alphabetical positions —

“

“**corporation**” has the meaning given to that term in section 2 of the Act;

“**Electricity Generation Corporation**” means the body established by section 4(1)(a) of the *Electricity Corporations Act 2005*;

“**Electricity Networks Corporation**” means the body established by section 4(1)(b) of the *Electricity Corporations Act 2005*;

“**Electricity Retail Corporation**” means the body established by section 4(1)(c) of the *Electricity Corporations Act 2005*;

“**network planning criteria**” means the criteria prepared by a corporation under regulation 27;

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Transmission Regulations 1996 amended **Part 5**

r. 44

“**Regional Power Corporation**” means the body established by section 4(1)(d) of the *Electricity Corporations Act 2005*;

”.

- (2) At the end of regulation 3 the following subregulation is inserted —

“

- (2) In these regulations, references to the electricity transmission network, or to the electricity transmission network of a corporation, are —
- (a) in relation to the Electricity Networks Corporation, references to the electricity transmission network operated by that corporation; and
 - (b) in relation to the Regional Power Corporation, references to any electricity transmission network operated by that corporation.

”.

44. Regulation 5 amended

- (1) Regulation 5(1) is amended as follows:
- (a) by deleting “(in this regulation 5(1) called the “system”)”;
 - (b) by deleting “Western Power” in the first place where it occurs and inserting instead —
“ a corporation ”;
 - (c) in paragraph (b) by deleting “Western Power.” and inserting instead —
“ the corporation. ”.
- (2) Regulation 5(2) is repealed.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 5** Electricity Transmission Regulations 1996 amended**r. 45**

- (3) Regulation 5(3) is amended as follows:
- (a) by deleting “Western Power” and inserting instead —
“ a corporation ”;
 - (b) by deleting “the” and inserting instead —
“ its ”.
- (4) Regulation 5(4) is amended as follows:
- (a) by deleting “Western Power” and inserting instead —
“ A corporation ”;
 - (b) by deleting “1 January 1997 no later than
31 March 1997.” and inserting instead —
“ 1 April 2006 on or before 1 May 2006. ”.

45. Regulation 6 amended

- (1) Regulation 6(1) is amended by deleting “Western Power” and inserting instead —
“ A corporation ”.
- (2) Regulation 6(2) is amended as follows:
- (a) by deleting “Western Power” and inserting instead —
“ A corporation ”;
 - (b) by deleting “31 March 1997.” and inserting instead —
“ 1 May 2006. ”.
- (3) Regulation 6(3) and (4) are repealed.

46. Regulation 8 amended

Regulation 8(5) is amended by deleting “Western Power” and inserting instead —
“ The corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Transmission Regulations 1996 amended **Part 5**

r. 47

47. Regulation 11 amended

Regulation 11(8)(b) is amended by deleting “34 of the Act” and inserting instead —

“ 68 of the *Electricity Corporations Act 2005* ”.

48. Regulation 12 amended

Regulation 12(1) is repealed and the following subregulation is inserted instead —

“

(1) For the purposes of this regulation, an augmentation is commercially viable if —

(a) in the case of the Electricity Networks Corporation, in the corporation’s reasonable opinion —

(i) it will recover within a reasonable time the costs, the capital investment and a reasonable rate of return on the capital investment in respect of the augmentation as contemplated by clause 5 of Schedule 5 to the Act, and not increase the charges payable by existing users; and

(ii) it has sufficient allocated capital funds to undertake the augmentation, having regard to sections 127 and 128 of the *Electricity Corporations Act 2005*;

and

(b) in the case of the Regional Power Corporation, in the corporation’s reasonable opinion —

(i) it will recover within a reasonable time the costs, the capital investment and a reasonable rate of return on the capital investment in respect of the

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 5** Electricity Transmission Regulations 1996 amended**r. 49**

augmentation as contemplated by clause 5 of Schedule 5 to the Act, and not increase the charges payable by existing users; and

- (ii) the division of the corporation responsible for operating its electricity transmission network has sufficient allocated capital funds to undertake the augmentation, having regard to sections 127 and 128 of the *Electricity Corporations Act 2005*.

”.

49. Regulation 15 amended

Regulation 15(2) to (6) are repealed.

50. Regulation 19 amended

(1) Regulation 19(1) is amended as follows:

- (a) by deleting “Western Power” in the first place where it occurs and inserting instead —
“ a corporation ”;
- (b) by deleting “Western Power” in the second and third places where it occurs and inserting instead —
“ the corporation ”.

(2) Regulation 19(2) is amended as follows:

- (a) in paragraph (a) by deleting “other than Western Power”;
- (b) by deleting “Western Power accordingly and provide to Western Power” and inserting instead —

“

the corporation accordingly and provide to the corporation

”.

Electricity Corporations (Consequential Amendments) Regulations 2006

Electricity Transmission Regulations 1996 amended

Part 5**r. 51****51. Regulation 20 amended**

Regulation 20(1) is amended by deleting the definition of “Prices and Charges Paper” and inserting instead —

“

“**Prices and Charges Paper**”, in relation to a corporation, means a document prepared by the corporation containing details of pricing methods referred to in clause 6(3)(c) of Schedule 5 to the Act.

”.

52. Regulation 21 amended

Regulation 21(b) is amended by deleting “Western Power” and inserting instead —

“ the Electricity Generation Corporation ”.

53. Regulation 22 amended

Regulation 22(4), (5), (8) and (9) are each amended as follows:

(a) by deleting “Western Power” in the first place where it occurs and inserting instead —

“ the corporation ”;

(b) by deleting “Western Power.” and inserting instead —

“

the Electricity Generation Corporation, the Electricity Retail Corporation or the Regional Power Corporation.

”.

54. Regulation 23 amended

Regulation 23(1)(c) is amended by deleting “Western Power” and inserting instead —

“ the Electricity Generation Corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 5** Electricity Transmission Regulations 1996 amended**r. 55**

55. Regulation 26 amended

- (1) Regulation 26(1) is repealed and the following subregulation is inserted instead —

“

- (1) A corporation must prepare and make publicly available a Technical Code in respect of its electricity transmission network on or before 1 May 2006.

”.

- (2) Regulation 26(3)(m) is amended by deleting “Western Power” and inserting instead —

“ to the corporation ”.

56. Regulation 27 amended

Regulation 27(1) is repealed and the following subregulation is inserted instead —

“

- (1) A corporation must prepare criteria relating to the planning of its electricity transmission network on or before 1 May 2006.

”.

57. Regulation 30 amended

- (1) Regulation 30(1) is amended by deleting “the electricity” and inserting instead —

“ its electricity ”.

- (2) Regulation 30(4) is amended by deleting “a Western Power employee” and inserting instead —

“ an employee of the corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006

Electricity Transmission Regulations 1996 amended

Part 5**r. 58****58. Regulation 31 amended**

- (1) Regulation 31(1) is amended by deleting “the” and inserting instead —

“ a corporation’s ”.

- (2) Regulation 31(2) is amended by deleting “31 March 1997 and”.

59. Regulation 33 amended

Regulation 33(1) and (2) are each amended by deleting “the electricity” and inserting instead —

“ its electricity ”.

60. Regulation 34 amended

Regulation 34 is amended by deleting “the electricity” and inserting instead —

“ its electricity ”.

61. Regulation 38 amended

Regulation 38(5) is amended by deleting “1 January 1997 or before 31 March 1997.” and inserting instead —

“ 1 April 2006 on or before 1 May 2006. ”.

62. Regulation 42 amended

- (1) Regulation 42(1) is amended by deleting paragraph (b), and “and” after it, and inserting instead —

“

(b) post-trip management; and

”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 5** Electricity Transmission Regulations 1996 amended**r. 63**

- (2) Regulation 42(2) is repealed and the following subregulation is inserted instead —

“

- (2) The Electricity Networks Corporation may acquire ancillary services from the Electricity Generation Corporation.

”

- (3) Regulation 42(3)(c) is amended by deleting “Western Power” and inserting instead —

“ the Electricity Generation Corporation ”.

- (4) Regulation 42(4) is amended by deleting “Prior to 30 June 1997” and inserting instead —

“ On or before 1 May 2006 ”.

63. Regulation 43 amended

Regulation 43(1) is amended by deleting “Western Power” in the first place where it occurs and inserting instead —

“

the Electricity Generation Corporation or the Electricity Retail Corporation

”

64. Regulation 49 replaced by regulations 49 and 49A

Regulation 49 is repealed and the following regulations are inserted instead —

“

49. Regional Power Corporation’s existing capacity

The Regional Power Corporation must on or before 1 May 2006 publish a description of the electricity transmission capacity utilised by that corporation, in its role as a retailer of electricity, as at 1 April 2006 and

Electricity Corporations (Consequential Amendments) Regulations 2006
Electricity Transmission Regulations 1996 amended **Part 5**

r. 65

that electricity transmission capacity is to be taken to be committed to that corporation.

49A. Contract maximum demand for existing connections

The contract maximum demand in respect of an existing connection as at 1 April 2006 is the figure published in respect of the connection by a corporation on or before 1 May 2006.

”.

65. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) by deleting “WESTERN POWER” and inserting instead —
“ CORPORATION ”;
- (b) by deleting “Western Power” in each place where it occurs and inserting instead —
“ the corporation ”.

66. Schedule 2 amended

(1) Schedule 2 Part A is amended as follows:

- (a) in paragraph (e) by deleting “electrical” and inserting instead —
“ electricity ”;
- (b) in paragraphs (o) and (p) by deleting “Western Power” and inserting instead —
“ the corporation ”.

(2) Schedule 2 Part B is amended in paragraph (c) by deleting “Western Power” and inserting instead —

“ the corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006
Part 5 Electricity Transmission Regulations 1996 amended

r. 67

67. Various references to “Western Power” changed

- (1) Each provision specified in the Table to this subregulation is amended by deleting “Western Power” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ A corporation ”.

Table

r. 9(1) and (3)	r. 28(3)
r. 5(5)	r. 29(2)
r. 14(3) (first occurrence)	r. 38(5) and (10)
r. 15(1) (first occurrence)	r. 41(4)
r. 20(4) and (7)	r. 42(1), (3) (first occurrence) and (6)
r. 25(3)	r. 45(3)
r. 26(2) (first occurrence)	r. 48(1) (first occurrence)
r. 27(3) (first occurrence) and (4)	

- (2) Each provision specified in the Table to this subregulation is amended by deleting “Western Power” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ a corporation ”.

Table

r. 3 (definitions of “connection agreement”, “fee schedule”, “preliminary assessment”, “supervising officers” and “taxes”)	r. 30(1) (first occurrence) and (5)
r. 4(h) and (j)	r. 32(1) (first occurrence)
r. 8(1) and (2)	r. 33(2) (first occurrence)
r. 9(4)(a) and (8) (first occurrence)	r. 34

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Electricity Transmission Regulations 1996 amended **Part 5**

r. 67

r. 11(6)(a), (8) (first occurrence) and (9)(a)	r. 35(2)
r. 12(2), (3), (4)(a), (5)(a), (8)(a), and (9)(a)	r. 38(4)
r. 13(1)(a), (2) (first occurrence), (4), (6) and (7)	r. 40(1) (first occurrence), (2) (first occurrence) and (3) (first occurrence)
r. 14(1)	r. 41(2) (first occurrence), (3), (6), (7) (first occurrence), (8) (first occurrence) and (9) (first occurrence)
r. 16 (first occurrence)	r. 42(4) and (5)
r. 17	r. 43(1) (second occurrence), (2) (first occurrence) and (3)(a) and (b)
r. 18(1) and (2) (first occurrence)	r. 44(1) and (2)
r. 20(6)	r. 45(1) and (2) (first occurrence)
r. 25(2) (first occurrence)	r. 48(2) (first occurrence) and (4)
r. 26(6), (7) (first occurrence), (10) and (11)	r. 50(1)
r. 29(1) (first occurrence), (3) and (4)	

(3) Each provision specified in the Table to this subregulation is amended by deleting “Western Power” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ the corporation ”.

Table

r. 8(4), (6)(b) and (c) and (7)	r. 31(2), (3), (4), (5) and (6)
r. 9(4)(b), (5), (7) and (8) (other than first occurrence)	r. 32(1) (second and third occurrences)

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r. 10(1) and (2)	r. 33(1) and (2) (second occurrence)
r. 11(1), (2), (3)(c), (4), (6)(b), (7), (8)(a), (b) and (c), and (9)(c) and (d)	r. 35(1)(d)
r. 12(4)(c), (5)(b), (6)(b), (8) (second and third occurrences) and (9) (second occurrence)	r. 37(2)(a) and (b)
r. 13(1) (second and third occurrences), (2) (second occurrence) and (3)	r. 38(6), (8) and (9)
r. 14(3)(a) and (b), (4)(a), (b), (c) and (d)	r. 39(1) and (2)
r. 15(1) (second occurrence)	r. 40(1)(c)(ii), (2) (second occurrence) and (3) (second occurrence)
r. 16 (second and third occurrences)	r. 41(2) (other than first occurrence), (7) (other than first occurrence), (8) (second occurrence) and (9) (other than first occurrence)
r. 18(2) (second and third occurrences)	r. 42(3)(a)
r. 25(2) (second occurrence)	r. 43(1) (third and fourth occurrences), (2) (second occurrence) and (3) (third occurrence)
r. 26(2) (second occurrence), (3)(e), (4), (7) (second occurrence)	r. 45(2) (second occurrence)
r. 27(3) (second occurrence)	r. 47(1) and (2)(b)
r. 29(1) (second and third occurrences)	r. 48(1) (second occurrence), and (2) (other than first occurrence)
r. 30(1) (second occurrence), (3) and (4) (first occurrence)	

Electricity Corporations (Consequential Amendments) Regulations 2006
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r. 67

- (4) Each provision specified in the Table to this subregulation is amended by deleting “Western Power’s” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ a corporation’s ”.

Table

r. 33(1)	r. 41(3) (first occurrence)
r. 35(3)	

- (5) Each provision specified in the Table to this subregulation is amended by deleting “Western Power’s” in each place where it occurs (or as otherwise specified in the Table) and inserting instead —

“ the corporation’s ”.

Table

r. 11(1)(b)	r. 33(2)(b)
r. 12(2)(a) and (d)	r. 40(3)
r. 14(4)(d)(vii)	r. 41(3) (second occurrence)
r. 29(1)(c) and (d)	r. 42(3)(d)

Electricity Corporations (Consequential Amendments) Regulations 2006
Part 6 Amendments to other subsidiary legislation

r. 68

Part 6 — Amendments to other subsidiary legislation

68. *Building Regulations 1989* amended

- (1) The amendments in this regulation are to the *Building Regulations 1989**.

[* *Reprint 4 as at 11 March 2005.*
For amendments to 17 March 2006 see Gazette
16 December 2005.]

- (2) Regulation 31 is amended as follows:
- (a) by inserting before “Any” the subregulation designation “(1)”;
 - (b) in paragraph (a)(i)(B) by deleting “Electricity Corporation” and inserting instead —
“ relevant electricity corporation ”.
- (3) At the end of regulation 31 the following subregulation is inserted —

“

- (2) In subregulation (1)(a)(i)(B) —
“**relevant electricity corporation**” means the
Electricity Networks Corporation, the Electricity
Retail Corporation or the Regional Power
Corporation, established by section 4 of the
Electricity Corporations Act 2005, as the case
requires.

”.

69. *Code of Conduct for the Supply of Electricity to Small Use Customers* amended

- (1) The amendments in this regulation are to the *Code of Conduct for the Supply of Electricity to Small Use Customers**.

[* *Published in Gazette 31 December 2004, p. 7171-212.*]

Electricity Corporations (Consequential Amendments) Regulations 2006
 Amendments to other subsidiary legislation **Part 6**

r. 70

- (2) Clause 14.1 is amended by deleting “a relevant corporation.” and inserting instead —

“

the Electricity Networks Corporation or the Regional Power Corporation.

”.

70. *Disability Services Regulations 2004* amended

- (1) The amendments in this regulation are to the *Disability Services Regulations 2004**.

[* *Published in Gazette 14 December 2004, p. 6002-6.*]

- (2) Schedule 1 is amended as follows:

- (a) after item 5 by inserting the following items —

“

5A. Electricity Generation Corporation established by the *Electricity Corporations Act 2005*.

5B. Electricity Networks Corporation established by the *Electricity Corporations Act 2005*.

5C. Electricity Retail Corporation established by the *Electricity Corporations Act 2005*.

”.

,

- (b) after item 9 by inserting the following item —

“

9A. Regional Power Corporation established by the *Electricity Corporations Act 2005*.

”.

,

- (c) by deleting item 14.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 6** Amendments to other subsidiary legislation**r. 71**

71. Electricity Industry (Code of Conduct) Regulations 2005 amended

- (1) The amendment in this regulation is to the *Electricity Industry (Code of Conduct) Regulations 2005**.

[* Published in Gazette 7 January 2005, p. 59-60.]

- (2) Regulation 5 is repealed.

72. Electricity Industry (Customer Contracts) Regulations 2005 amended

- (1) The amendments in this regulation are to the *Electricity Industry (Customer Contracts) Regulations 2005**.

[* Published in Gazette 23 December 2005, p. 6256-66.]

- (2) Regulation 3 is amended by inserting in the appropriate alphabetical position —

“

“**relevant corporation**” means the Electricity Retail Corporation or the Regional Power Corporation;

”.

- (3) Regulation 40(1) is amended by deleting “Western Power Corporation” and inserting instead —

“ A relevant corporation ”.

- (4) Regulation 40(3)(a) and (b)(i) are amended by deleting “Western Power Corporation” and inserting instead —

“ the relevant corporation ”.

- (5) Regulation 40(4) is amended by deleting “Western Power Corporation” and inserting instead —

“ a relevant corporation ”.

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Amendments to other subsidiary legislation **Part 6**

r. 73

73. *Electricity Industry Customer Transfer Code 2004* amended

- (1) The amendments in this regulation are to the *Electricity Industry Customer Transfer Code 2004**.

[* *Published in Gazette 29 December 2004, p. 6277-99.*]

- (2) Clause 1.3 is amended in the definition of “contestable” by deleting “section 93 of the *Electricity Corporation Act 1994*” and inserting instead —

“

Schedule 6 clause 2(1b) of the *Electricity Transmission and Distribution Systems (Access) Act 1994*

”.

- (3) Clause 1.3 is amended in the definitions of “network operator” and “retailer” by deleting “31A of the *Electricity Corporation Act 1994*” and inserting instead —

“ 62 of the *Electricity Corporations Act 2005* ”.

- (4) Clause 2.2(2)(b) is amended by deleting “31A of the *Electricity Corporation Act 1994*,” and inserting instead —

“ 62 of the *Electricity Corporations Act 2005*, ”.

74. *Electricity Industry (Licence Conditions) Regulations 2005* amended

- (1) The amendment in this regulation is to the *Electricity Industry (Licence Conditions) Regulations 2005**.

[* *Published in Gazette 7 January 2005, p. 57-9.*

For amendments to 17 March 2006 see Gazette 13 and 23 December 2005.]

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 6** Amendments to other subsidiary legislation**r. 75**

- (2) Regulation 3 is amended by inserting after the definition of “eligible customer” —

“

“**relevant corporation**” means an electricity corporation or a subsidiary of an electricity corporation;

”.

75. *Electricity Industry (Network Quality and Reliability of Supply) Code 2005* amended

- (1) The amendments in this regulation are to the *Electricity Industry (Network Quality and Reliability of Supply) Code 2005**.

[* *Published in Gazette 13 December 2005, p. 6051-69.*]

- (2) Section 3(1) is amended in the definition of “Perth CBD” by deleting “Western Power Corporation” and inserting instead —

“ the Electricity Networks Corporation ”.

- (3) Section 16 is amended in the definition of “corporation” by deleting “a relevant corporation,” and inserting instead —

“

the Electricity Networks Corporation, the Regional Power Corporation, or a subsidiary of either of those corporations,

”.

76. *Electricity Networks Access Code 2004* amended

- (1) The amendments in this regulation are to the *Electricity Networks Access Code 2004**.

[* *Published in Gazette 30 November 2004, p. 5517-700.*

For amendments to 17 March 2006 see Gazette 8 November 2005.]

Electricity Corporations (Consequential Amendments) Regulations 2006
Amendments to other subsidiary legislation **Part 6**

r. 76

- (2) Section 1.3 is amended as follows:
- (a) in the definition of “contestable” by deleting “section 93 of the *Electricity Corporation Act 1994* or another enactment.” and inserting instead —
“
Schedule 6 clause 2(1b) of the *Electricity Transmission and Distribution Systems (Access) Act 1994*.
”;
 - (b) in the definition of “integrated provider” by deleting paragraph (a) and “and” after it.
- (3) Section 13.29 is amended by deleting “Western Power Corporation” and inserting instead —
“ Electricity Networks Corporation ”.
- (4) Appendix 3 clause A3.2 is amended as follows:
- (a) in the definition of “contestable” by deleting “section 93 of the *Electricity Corporation Act 1994* or another enactment.” and inserting instead —
“
Schedule 6 clause 2(1b) of the *Electricity Transmission and Distribution Systems (Access) Act 1994* or another enactment.
”;
 - (b) in the definition of “integrated provider” —
 - (i) by deleting paragraph (a) and “and” after it;
 - (ii) in paragraph (b) by deleting “if *service provider* is not Western Power Corporation — ”;
 - (iii) in paragraph (b) by deleting “13.29” and inserting instead —
“ 13.31 ”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 6** Amendments to other subsidiary legislation**r. 77**

- (5) Appendix 3 clause A3.119(e) is amended as follows:
- (a) by deleting “Western Power Corporation” and inserting instead —
“ Electricity Networks Corporation ”;
 - (b) by deleting “31A of the *Electricity Corporation Act 1994*” and inserting instead —
“ 62 of the *Electricity Corporations Act 2005* ”.

77. Electricity (Supply Standards and System Safety) Regulations 2001 amended

- (1) The amendments in this regulation are to the *Electricity (Supply Standards and System Safety) Regulations 2001**.

[* *Published in Gazette 7 December 2001, p. 6221-73.*
For amendments to 17 March 2006 see Gazette 13 December 2005.]

- (2) Regulation 3(1) is amended in the definition of “network operator” by deleting “Western Power Corporation;” and inserting instead —

“
the Electricity Networks Corporation and the
Regional Power Corporation established by
section 4 of the *Electricity Corporations Act 2005*;
”.

78. Electricity Regulations 1947 amended

- (1) The amendment in this regulation is to the *Electricity Regulations 1947**.

[* *Reprinted as at 3 October 2000.*
*For amendments to 17 March 2006 see Western Australian
Legislation Information Tables for 2004, Table 4, p. 92.*]

- (2) Regulation 237 is repealed.

Electricity Corporations (Consequential Amendments) Regulations 2006
Amendments to other subsidiary legislation **Part 6**

r. 79

79. *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* amended

- (1) The amendments in this regulation are to the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004**.

[* *Published in Gazette 30 June 2004, p. 2587-623.*

For amendments to 17 March 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 100 and Gazette 24 June and 23 December 2005 and 6 January 2006.]

- (2) Regulation 3 is amended in the definition of “utility” by deleting paragraph (e), and “or” after it, and inserting instead —

“

(e) the Electricity Networks Corporation established by section 4(1)(b) of the *Electricity Corporations Act 2005*;

(ea) the Regional Power Corporation established by section 4(1)(d) of the *Electricity Corporations Act 2005*; or

”.

80. *Fish Resources Management Regulations 1995* amended

- (1) The amendments in this regulation are to the *Fish Resources Management Regulations 1995**.

[* *Reprint 5 as at 14 October 2005.*

For amendments to 17 March 2006 see Gazette 4 and 11 November and 22 December 2005 and 7 February and 7 March 2006.]

- (2) Regulation 82(4) and (6) are repealed.

81. *Health (Public Buildings) Regulations 1992* amended

- (1) The amendments in this regulation are to the *Health (Public Buildings) Regulations 1992**.

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Part 6 Amendments to other subsidiary legislation

r. 82

[* *Reprint 1 as at 1 August 2003.*
For amendments to 17 March 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 175 and Gazette 31 May 2005.]

- (2) Regulation 3 is amended by deleting the definition of “supply authority” and inserting instead —

“

“**supply authority**” means —

- (a) a supply authority as defined in section 5 of the *Electricity Act 1945*;
- (b) the Electricity Networks Corporation established by section 4(1)(b) of the *Electricity Corporations Act 2005*; or
- (c) the Regional Power Corporation established by section 4(1)(d) of the *Electricity Corporations Act 2005*;

”

82. Land Tax Assessment Regulations 2003 amended

- (1) The amendments in this regulation are to the *Land Tax Assessment Regulations 2003**.

[* *Published in Gazette 27 June 2003, p. 2409-14.*]

- (2) Regulation 12(2)(a) is deleted and the following paragraphs are inserted instead —

“

- (a) the Electricity Generation Corporation established by the *Electricity Corporations Act 2005* section 4(1)(a);
- (aa) the Electricity Networks Corporation established by the *Electricity Corporations Act 2005* section 4(1)(b);

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- (ab) the Electricity Retail Corporation established by the *Electricity Corporations Act 2005* section 4(1)(c);
- (ac) the Regional Power Corporation established by the *Electricity Corporations Act 2005* section 4(1)(d);

”.

83. Occupational Safety and Health Regulations 1996 amended

- (1) The amendment in this regulation is to the *Occupational Safety and Health Regulations 1996**.

[* *Reprint 4 as at 2 September 2005.*

For amendments to 17 March 2006 see Gazette 9 September, 18 November and 9 and 23 December 2005 and 6 January 2006.]

- (2) After regulation 4.14(2) the following subregulation is inserted —

“

- (2a) The vesting of an individual item of plant in an entity under Part 9 Division 3 of the *Electricity Corporations Act 2005* is not to be regarded as a change in the ownership of the plant for the purposes of subregulation (2)(c).

”.

84. Residential Tenancies Regulations 1989 amended

- (1) The amendments in this regulation are to the *Residential Tenancies Regulations 1989**.

[* *Reprint 2 as at 19 September 2003.*

For amendments to 17 March 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 332, and Gazette 19 and 29 April 2005.]

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- (2) The Table to regulation 5B(1) is amended by deleting “The State Energy Commission of Western Australia” and inserting instead —

“

The Electricity Generation Corporation
 The Electricity Networks Corporation
 The Electricity Retail Corporation
 The Regional Power Corporation

”

85. Road Traffic (Towed Agricultural Implements) Regulations 1995 amended

- (1) The amendments in this regulation are to the *Road Traffic (Towed Agricultural Implements) Regulations 1995**.

[* *Reprint 1 as at 9 May 2003.*

For amendments to 17 March 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 358 and Gazette 24 February 2006.]

- (2) Regulation 27(1) is amended by deleting “from the Electricity Corporation established by the *Electricity Corporation Act 1994*.” and inserting instead —

“

from —

- (a) the Electricity Networks Corporation established by section 4(1)(b) of the *Electricity Corporations Act 2005*; or
 (b) the Regional Power Corporation established by section 4(1)(d) of the *Electricity Corporations Act 2005*,

as the case requires.

”

Electricity Corporations (Consequential Amendments) Regulations 2006

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- (1) The amendments in this regulation are to the *State Enterprises (Commonwealth Tax Equivalents) (Application) Regulations 1997**.

[* Reprint 1 as at 6 June 2003.]

- (2) The Table to regulation 3 is amended by deleting the item relating to the Electricity Corporation and inserting the following items instead —

“

Electricity Generation Corporation established by the <i>Electricity Corporations Act 2005</i> , s. 4	1 April 2006
Electricity Networks Corporation established by the <i>Electricity Corporations Act 2005</i> , s. 4	1 April 2006
Electricity Retail Corporation established by the <i>Electricity Corporations Act 2005</i> , s. 4	1 April 2006
Regional Power Corporation established by the <i>Electricity Corporations Act 2005</i> , s. 4	1 April 2006

”

87. State Superannuation Regulations 2001 amended

- (1) The amendments in this regulation are to the *State Superannuation Regulations 2001**.

[* Reprint 2 as at 2 September 2005.]

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 6** Amendments to other subsidiary legislation**r. 88**

(2) Schedule 1 Division 2 is amended as follows:

(a) after item 17 by inserting the following items —

“

17A. **Electricity Generation Corporation** established by the
Electricity Corporations Act 2005

17B. **Electricity Networks Corporation** established by the
Electricity Corporations Act 2005

17C. **Electricity Retail Corporation** established by the
Electricity Corporations Act 2005

”;

(b) after item 43 by inserting the following item —

“

43A. **Regional Power Corporation** established by the *Electricity
Corporations Act 2005*

”;

(c) by deleting item 67.

**88. *Town Planning and Development (Easement)
Regulations 1983* amended**

(1) The amendments in this regulation are to the *Town Planning
and Development (Easement) Regulations 1983**.

[* *Reprint 1 as at 6 February 2004.*]

(2) Regulation 3 is amended as follows:

(a) by deleting the definition of “Commission”;

(b) in the definition of “pipeline” by deleting “State Energy
Commission” and inserting instead —

“

Electricity Generation Corporation, the Electricity
Retail Corporation or the Regional Power
Corporation

”;

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(c) by inserting in the appropriate alphabetical positions —
“

“**electricity corporation**” means the Electricity Generation Corporation, the Electricity Networks Corporation, the Electricity Retail Corporation or the Regional Power Corporation;

“**Electricity Generation Corporation**” means the body established by the *Electricity Corporations Act 2005* section 4(1)(a);

“**Electricity Networks Corporation**” means the body established by the *Electricity Corporations Act 2005* section 4(1)(b);

“**Electricity Retail Corporation**” means the body established by the *Electricity Corporations Act 2005* section 4(1)(c);

“**Regional Power Corporation**” means the body established by the *Electricity Corporations Act 2005* section 4(1)(d);

”.

(3) Regulation 4(2)(c) is amended by deleting “the State Energy Commission of Western Australia” and inserting instead —

“ an electricity corporation ”.

(4) Regulation 7 is amended as follows:

(a) by deleting “the Commission” in the first place where it occurs and inserting instead —

“ an electricity corporation ”;

(b) in paragraphs (a), (b), (c) and (d) by deleting “Commission” in each place where it occurs and inserting instead —

“ electricity corporation ”.

Electricity Corporations (Consequential Amendments) Regulations 2006**Part 6** Amendments to other subsidiary legislation**r. 89**

- (5) Regulation 8 is amended as follows:
- (a) by deleting “the Commission” in the first place where it occurs and inserting instead —
“ an electricity corporation ”;
 - (b) in paragraphs (a), (b), (c), (d) and (e) by deleting “Commission” in each place where it occurs and inserting instead —
“ electricity corporation ”.
- (6) Regulation 9 is amended as follows:
- (a) by deleting “Commission” in the first place where it occurs and inserting instead —
“
Electricity Generation Corporation, the
Electricity Retail Corporation or the Regional
Power Corporation
”;
 - (b) in paragraphs (a), (b), (c), (d) and (e) by deleting “Commission” in each place where it occurs and inserting instead —
“ corporation ”.
- (7) Regulation 10 is amended by deleting “the Commission.” and inserting instead —
“ an electricity corporation. ”.

89. Water Agencies (Charges) By-laws 1987 amended

- (1) The amendments in this regulation are to the *Water Agencies (Charges) By-laws 1987**.

[* Reprint 3 as at 9 May 2003.

For amendments to 17 March 2006 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 435, and Gazette 13 May, 1 July and 4 November 2005.*]

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- (2) By-law 2(1) is amended in the definition of “Government trading organisation” as follows:
- (a) by deleting “Electricity Corporation — established under section 4 of the *Electricity Corporation Act 1994*,” and inserting instead —
- “
- Electricity Generation Corporation — established by section 4(1)(a) of the *Electricity Corporations Act 2005*;
- Electricity Networks Corporation — established by section 4(1)(b) of the *Electricity Corporations Act 2005*;
- Electricity Retail Corporation — established by section 4(1)(c) of the *Electricity Corporations Act 2005*;
- ”.
- (b) by inserting in the appropriate alphabetical position —
- “
- Regional Power Corporation — established by section 4(1)(d) of the *Electricity Corporations Act 2005*;
- ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.



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