

Gas Industry (Extension of Supply) Bill

No.

TABLE OF PROVISIONS

Clause

1. Purpose
2. Commencement
3. Principal Act
4. Tariffs and conditions
5. New sections 39B and 39C inserted
 - 39B. New areas
 - 39C. Additional tariff in new area
6. Approval of other suppliers
7. Powers as to works
8. Amendment of section 59
9. Amendment of sections 91 and 92

LEGISLATIVE ASSEMBLY

Read 1° 11 October 1995

(Brought in by Mr Coleman and Mr Gude)

A BILL

to amend the **Gas Industry Act 1994** and for other purposes

Gas Industry (Extension of Supply) Act 1995

The Parliament of Victoria enacts as follows:

1. *Purpose*

The purpose of this Act is to make provision for the supply of gas in new areas in Victoria.

2. *Commencement*

This Act comes into operation on the day on which it receives the Royal Assent.

Section headings appear in bold italics and are not part of the Act.
(See **Interpretation of Legislation Act 1984.**)

No. 112/1994
as amended
by N. 31/1995.

3. Principal Act

In this Act, the **Gas Industry Act 1994** is called the Principal Act.

4. Tariffs and conditions

In section 32 (4) of the Principal Act, after “(4)” insert “Subject to section 39C,”.

5. New sections 39B and 39C inserted

After section 39A of the Principal Act insert—

“39B. New areas

- (1) The Governor in Council, on the recommendation of the Minister made at the request of a municipal council or another person, may, by Order published in the Government Gazette, declare an area to be a new area for the purposes of this Part.
- (2) An Order may not be made under sub-section (1) in respect of an area in which, or in any part of which, there are distribution pipelines.
- (3) A copy of an Order under sub-section (1) must be published in a newspaper circulating generally in the area to which the Order relates.

39C. Additional tariff in new area

- (1) GASCOR or a person authorised under section 40 to supply gas may supply gas to domestic customers in an area declared under section 39B to be a new area at a tariff higher than the domestic tariff at which GASCOR supplies gas otherwise than in such an area.

5 (2) GASCOR or an authorised person must, in each account rendered to a domestic customer for gas supplied in a new area, specify the amount owing in respect of the period to which the account relates showing separately—

0 (a) the part of that amount that represents the price of the supply at the domestic tariff referred to in sub-section (1); and

(b) the part of that amount that exceeds the price of the supply at that domestic tariff.”.

6. Approval of other suppliers

5 In section 40 (4) of the Principal Act, **omit** “(except any provision relating to powers of entry)”.

7. Powers as to works

(1) In section 53 (1) of the Principal Act—

0 (a) in paragraph (a) after “may” **insert** “, after giving 7 days’ notice in writing to the occupier,”;

(b) in paragraph (b) after “and may” **insert** “, after giving 7 days’ notice in writing to the occupier,”;

5 (c) in paragraph (c) after “may” **insert** “, after giving 7 days’ notice in writing to the occupier,”.

(2) After section 53 (1) of the Principal Act, **insert**—

0 “(1A) A notice need not be given under sub-section (1) (a) (b) or (c)—

(a) if the occupier consents to the entry and the doing of the things for which the entry is made; or

Gas Industry (Extension of Supply) Bill

- (b) in an emergency.
- (1B) A gas company by its officers or employees must not, despite sub-section (1), enter land that is used primarily for residential purposes between 6.00 pm and 7.30 am unless the occupier consents. 5
- (1C) In exercising the powers under sub-section (1), an officer or employee of a gas company—
 - (a) must not stay on the land any longer than is reasonably necessary; 10
 - (b) if the powers relate to the carrying out of works, must remove from the land on completing the works all materials brought on to the land for the purposes of those works other than anything that the occupier or owner of the land agrees may be left on the land; 15
 - (c) must leave the land as nearly as possible in the condition in which the officer or employee found it; and 20
 - (d) must cooperate as much as possible with the owner and occupier of the land.”.

8. Amendment of section 59

In section 59 (1) (f) of the Principal Act, **omit** “or supply any other person with any part of that gas.” 25

9. Amendment of sections 91 and 92

- (1) After section 91 (3) of the Principal Act, **insert**—
 - “(4) In this section, “**officer or employee**” includes an agent or contractor of a gas company authorised by the gas company to carry out certain duties.”. 30
- (2) In section 92 of the Principal Act, before “At any reasonable time” **insert** “(1)”.

(3) At the end of section 92 of the Principal Act, **insert—**

“(2) In this section, “**officer or employee**” includes an agent or contractor of a gas company authorised by the gas company to exercise powers under sub-section (1).”.

5

