

# FACT SHEET

## *Economic Regulator Amendment Bill 2015*

- The Economic Regulator Amendment Bill 2015 amends the *Economic Regulator Act 2009*, the *Electricity Supply Industry Act 1995*, the *Energy Ombudsman Act 1998*, the *Gas Act 2000*, the *Gas Pipelines Act 2000*, the *Water and Sewerage Industry Act 2008*, the *Urban Drainage Act 2013*, the *Metro Tasmania Act 1997* and related subordinate legislation.
- The Bill:
  - reduces the membership of the Regulator from a three person panel to a single person with the capacity to appoint an Assistant Regulator for specific functions if required;
  - provides for the capacity to appoint an Acting Regulator in instances where the Regulator is indisposed;
  - requires that all appointments are to be made by the Minister responsible for the Economic Regulator Act;
  - allows for the appointment of the Regulator to be external to the State Service;
  - removes the requirement for the Regulator to conduct Metro Tasmania pricing investigations;
  - requires the Department of State Growth to become responsible for reviewing Metro Tasmania's operations and providing advice on Metro Tasmania's pricing to the Minister for Infrastructure, who will issue future Metro pricing orders under the Metro Tasmania Act;
  - removes the requirement for the Regulator to undertake water and sewerage performance reports each year, but instead requires the Regulator to produce a performance report at the commencement of a water and sewerage prices investigation (up to every 5 years) or if directed to by the Minister responsible for the Water and Sewerage Industry Act, with the agreement of the Minister responsible for the Economic Regulator Act;
  - requires the Regulator to prepare an energy industry performance report at his or her own initiative, or if directed to by the Energy Minister with the agreement of the Minister responsible for the Economic Regulator Act;
  - requires the Regulator to prepare interstate electricity price comparisons at his or her own initiative or if directed to by the Minister responsible for the pricing-related provisions in the Electricity Supply Industry Act, with agreement from the Minister responsible for the Economic Regulator Act;
  - requires the Regulator to produce annual comparisons of Aurora Pay as You Go (APAYG) and standard tariff prices for electricity customers in Tasmania;
  - requires the Regulator to prepare a report on Tasmania's electricity network reliability every three years or more frequently at the Regulator's own initiative or if

directed to by the Energy Minister, with the agreement of the Minister responsible for the Economic Regulator Act;

- allows the Minister responsible for the Economic Regulator Act, with the agreement of the relevant Portfolio Minister, to direct a publicly owned body to take actions recommended by the Regulator in cases when the Regulator has upheld a competitive neutrality complaint;
- allows the Regulator to impose financial penalties in cases of non-compliance by regulated entities in the electricity supply and gas industries;
- requires the Regulator to have regard to the costs and benefits in determining how the Regulator is to perform his or her functions and powers;
- allows the Regulator to use options other than newspaper notices to inform stakeholders and the broader community about the Regulator's activities, except in the case of public hearings where newspaper notices are still required; and
- allows for the Regulator to appoint members of any advisory committee that he or she establishes and determine the terms and conditions of appointment.