

TASMANIA

**ELECTRICITY, WATER AND SEWERAGE
PRICING (MISCELLANEOUS AMENDMENTS)
BILL 2020**

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 44G amended (Feed-in tariff rate determinations)

**PART 3 – WATER AND SEWERAGE INDUSTRY ACT 2008
AMENDED**

6. Principal Act
7. Section 67B inserted
 - 67B. Alterations, to pricing arrangements, related to effect of COVID-19

PART 4 – CONCLUDING PROVISION

8. Repeal of Act

**ELECTRICITY, WATER AND SEWERAGE
PRICING (MISCELLANEOUS AMENDMENTS)
BILL 2020**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
10 November 2020

*(Brought in by the Treasurer, the Honourable Peter Carl
Gutwein)*

A BILL FOR

**An Act to amend the *Electricity Supply Industry Act 1995*,
the *Water and Sewerage Industry Act 2008* and modify
certain determinations made under those Acts**

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, Water
and Sewerage Pricing (Miscellaneous
Amendments) Act 2020*.

2. Commencement

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

*Electricity, Water and Sewerage Pricing (Miscellaneous
Amendments) Act 2020*
Act No. of 2020

s. 3

Part 2 – Electricity Supply Industry Act 1995 Amended

**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(8) of the Principal Act is amended by omitting “1 July 2021.” and substituting “1 July 2022.”.

5. Section 44G amended (Feed-in tariff rate determinations)

Section 44G of the Principal Act is amended by inserting after subsection (9) the following subsection:

(10) The determination made under this section and issued on 30 May 2019 remains in force, despite any provision of the regulations, until 30 June 2022 with the following modifications:

(a) in clause 1 of the determination, for “30 June 2021” there is to be substituted “30 June 2022”; and

*No. 58 of 1995

*Electricity, Water and Sewerage Pricing (Miscellaneous
Amendments) Act 2020*
Act No. of 2020

Part 2 – Electricity Supply Industry Act 1995 Amended

s. 5

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- (b) in clause 2 of the determination,
in the definition of ***relevant
period***, before “as relevant” there
is to be inserted “and from 1 July
2021 to 30 June 2022”.

*Electricity, Water and Sewerage Pricing (Miscellaneous
Amendments) Act 2020*
Act No. of 2020

s. 6

Part 3 – Water and Sewerage Industry Act 2008 Amended

**PART 3 – WATER AND SEWERAGE INDUSTRY ACT
2008 AMENDED**

6. Principal Act

In this Part, the *Water and Sewerage Industry Act 2008** is referred to as the Principal Act.

7. Section 67B inserted

After section 67A of the Principal Act, the following section is inserted in Division 5:

67B. Alterations, to pricing arrangements, related to effect of COVID-19

(1) In this section –

Price and Service Plan 3 means the price and service plan, entitled Price and Service Plan 3, submitted to the Regulator by TasWater and approved on 25 June 2018 by the Regulator under section 65(5);

2018 price determination means the price determination entitled *Water and Sewerage Services Price Determination 1 July 2018-30 June 2021*, made by the Regulator on 4 May 2018.

*No. 13 of 2008

*Electricity, Water and Sewerage Pricing (Miscellaneous
Amendments) Act 2020*
Act No. of 2020

Part 3 – Water and Sewerage Industry Act 2008 Amended

s. 7

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- (2) Despite any regulatory period declared by the Regulator under section 65(13) –
- (a) the third regulatory period for the purposes of this Act ends on 30 June 2022; and
 - (b) the fourth regulatory period for the purposes of this Act is the period beginning on 1 July 2022 and ending on 30 June 2026.
- (3) The 2018 price determination is amended as follows:
- (a) the title of the determination is amended by omitting “30 June 2021” and substituting “30 June 2022”;
 - (b) clause 1 of the determination is amended by omitting “30 June 2021” and substituting “30 June 2022”;
 - (c) clause 4 of the determination is amended by omitting “30 June 2021” from the definition of “Regulatory period” and substituting “30 June 2022”;
 - (d) clause 6 of the determination is amended in paragraph (a) by inserting “, until 30 June 2021,” after “Schedule 1 and”;

*Electricity, Water and Sewerage Pricing (Miscellaneous
Amendments) Act 2020
Act No. of 2020*

s. 7

Part 3 – Water and Sewerage Industry Act 2008 Amended

- (e) each of the headings to the tables in Schedule 1 to the determination is amended by inserting, after “2020-21”, wherever occurring, “and 2021-22”;
 - (f) Schedule 3 to the determination is amended by inserting “but with no increase in the 2021-22 financial year” after “2020-21 financial years”.
- (4) Despite any provision of Price and Service Plan 3, any provision of that plan that applies in relation to the 2020-21 financial year also applies to the 2021-22 financial year.
- (5) The customer service code, issued by the Regulator under section 57, that applies in relation to the 2020-21 financial year is amended by inserting “and 2021-22” after each occurrence of “2020-21” in a heading to a table in Schedule 1 to the code.

*Electricity, Water and Sewerage Pricing (Miscellaneous
Amendments) Act 2020*
Act No. of 2020

Part 4 – Concluding Provision

s. 8

PART 4 – CONCLUDING PROVISION

8. Repeal of Act

This Act is repealed on the first anniversary of
the day on which it commenced.