

TASMANIA

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**GAS (CONSEQUENTIAL AMENDMENTS) BILL  
2018**

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**GAS (CONSEQUENTIAL AMENDMENTS) BILL  
2018**

*(Brought in by the Minister for Energy, the Honourable Guy  
Barnett)*

**A BILL FOR**

**An Act to amend certain legislation consequent on the  
enactment of the *Gas Industry Act 2018* and the *Gas Safety  
Act 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 *Gas (Consequential  
Amendments) Act 2018*.

**2. Commencement**

This Act commences on a day to be proclaimed.

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

s. 3

Part 2 – Duties Act 2001 Amended

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**PART 2 – DUTIES ACT 2001 AMENDED**

**3. Principal Act**

In this Part, the *Duties Act 2001*\* is referred to as the Principal Act.

**4. Section 62 amended (What are the *land holdings* of a landholder)**

Section 62(5)(b) of the Principal Act is amended by omitting “*Gas Pipelines Act 2000*” and substituting “*Gas Industry Act 2018*”.

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\*No. 15 of 2001

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**PART 3 – ENERGY OMBUDSMAN ACT 1998  
AMENDED**

**5. Principal Act**

In this Part, the *Energy Ombudsman Act 1998*\* is referred to as the Principal Act.

**6. Section 3 amended (Interpretation)**

Section 3 of the Principal Act is amended as follows:

- (a) by omitting paragraph (b) from the definition of *energy entity* and substituting the following paragraph:
  - (b) a licensee within the meaning of the *Gas Industry Act 2018*;
- (b) by omitting paragraph (b) from the definition of *gas* and substituting the following paragraph:
  - (b) a gas, within the meaning of the *Gas Industry Act 2018*, other than liquefied petroleum gas;

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\*No. 20 of 1998

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

s. 7

Part 4 – Explosives Act 2012 Amended

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**PART 4 – EXPLOSIVES ACT 2012 AMENDED**

**7. Principal Act**

In this Part, the *Explosives Act 2012*\* is referred to as the Principal Act.

**8. Section 8 amended (Inconsistencies, &c., with other Acts)**

Section 8(1) of the Principal Act is amended by omitting paragraphs (c) and (d) and substituting the following paragraph:

(c) *Gas Industry Act 2018*;

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\*No. 4 of 2012



*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

Part 5 – Land Use Planning and Approvals (Application of Act) Regulations  
2014 Amended

s. 9

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**PART 5 – LAND USE PLANNING AND APPROVALS  
(APPLICATION OF ACT) REGULATIONS 2014  
AMENDED**

**9. Principal Regulations**

In this Part, the *Land Use Planning and Approvals (Application of Act) Regulations 2014\** are referred to as the Principal Regulations.

**10. Regulation 3 amended (Interpretation)**

Regulation 3 of the Principal Regulations is amended by omitting subregulation (2) and substituting the following subregulation:

- (2) In these regulations, a reference to –
- (a) a *transmission pipeline* is a reference to a *transmission pipeline*, within the meaning of the *Gas Industry Act 2018*; and
  - (b) a *pipeline* or a *supply pipeline* is a reference to a *pipeline* within the meaning of paragraph (c) of the definition of *pipeline* in the *Gas Safety Act 2018*.

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\*S.R. 2014, No. 131

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

s. 11

Part 6 – Land Use Planning and Approvals Act 1993 Amended

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**PART 6 – LAND USE PLANNING AND APPROVALS  
ACT 1993 AMENDED**

**11. Principal Act**

In this Part, the *Land Use Planning and Approvals Act 1993*\* is referred to as the Principal Act.

**12. Section 15 amended (SPPs criteria)**

Section 15(2)(d) of the Principal Act is amended by omitting “*Gas Pipelines Act 2000*” and substituting “*Gas Safety Act 2018*”.

**13. Section 34 amended (LPS criteria)**

Section 34(2)(h) of the Principal Act is amended by omitting “*Gas Pipelines Act 2000*” and substituting “*Gas Safety Act 2018*”.

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\*No. 70 of 1993

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

Part 7 – Occupational Licensing (Gas-fitting Work) Regulations 2010  
Amended

s. 14

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**PART 7 – OCCUPATIONAL LICENSING (GAS-FITTING WORK) REGULATIONS 2010 AMENDED**

**14. Principal Regulations**

In this Part, the *Occupational Licensing (Gas-fitting Work) Regulations 2010\** are referred to as the Principal Regulations.

**15. Regulation 3 amended (Interpretation)**

Regulation 3(1) of the Principal Regulations is amended by omitting “*Gas Act 2000*” from paragraph (c) of the definition of *associated gas-fitting work* and substituting “*Gas Safety Act 2018*”.

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\*S.R. 2010, No. 129

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

s. 16

Part 8 – Occupational Licensing Act 2005 Amended

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**PART 8 – OCCUPATIONAL LICENSING ACT 2005  
AMENDED**

**16. Principal Act**

In this Part, the *Occupational Licensing Act 2005\** is referred to as the Principal Act.

**17. Schedule 3 amended (Acts Continuing to have Effect)**

Schedule 3 to the Principal Act is amended by omitting

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*Gas Act 2000*

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and substituting:

*Gas Safety Act 2018*

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\*No. 47 of 2005

**PART 9 – RAIL INFRASTRUCTURE ACT 2007  
AMENDED**

**18. Principal Act**

In this Part, the *Rail Infrastructure Act 2007*\* is referred to as the Principal Act.

**19. Section 11 amended (Responsible public land manager for gas and electricity infrastructure approvals)**

Section 11 of the Principal Act is amended by omitting “section 84 of the *Gas Act 2000*” and substituting “section 47 of the *Gas Industry Act 2018*”.

**20. Section 34 amended (Relationship to service infrastructure legislation)**

Section 34 of the Principal Act is amended by omitting paragraphs (c) and (d) and substituting the following paragraphs:

- (c) the *Gas Industry Act 2018*;
- (d) the *Gas Safety Act 2018*;

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\*No. 36 of 2007

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

s. 21

Part 10 – Self’s Point Land Act 1951 Amended

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**PART 10 – SELF’S POINT LAND ACT 1951 AMENDED**

**21. Principal Act**

In this Part, the *Self’s Point Land Act 1951*\* is referred to as the Principal Act.

**22. Section 4 amended (Disposal of land)**

Section 4(3) of the Principal Act is amended by omitting “*Gas Act 2000*” from the definition of *gas* and substituting “*Gas Safety Act 2018*”.

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\*No. 32 of 1951

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

Part 11 – Strategic Infrastructure Corridors (Strategic and Recreational Use)  
Act 2016 Amended

s. 23

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**PART 11 – STRATEGIC INFRASTRUCTURE  
CORRIDORS (STRATEGIC AND RECREATIONAL  
USE) ACT 2016 AMENDED**

**23. Principal Act**

In this Part, the *Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016\** is referred to as the Principal Act.

**24. Section 71 amended (Relationship to service infrastructure legislation)**

Section 71 of the Principal Act is amended by omitting paragraphs (c) and (d) and substituting the following paragraphs:

(c) the *Gas Industry Act 2018*;

(d) the *Gas Safety Act 2018*;

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\*No. 50 of 2016

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

s. 25

Part 12 – Water Management Act 1999 Amended

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**PART 12 – WATER MANAGEMENT ACT 1999  
AMENDED**

**25. Principal Act**

In this Part, the *Water Management Act 1999*\* is referred to as the Principal Act.

**26. Section 3 amended (Interpretation)**

Section 3(1) of the Principal Act is amended by omitting the definitions of *pipeline licensee* and *pipeline planning corridor* and substituting the following definitions:

*pipeline licensee* means the holder of a licence under the *Gas Industry Act 2018* in relation to a gas infrastructure planning corridor;

*pipeline planning corridor* means a gas infrastructure planning corridor declared under the *Gas Industry Act 2018*;

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\*No. 45 of 1999



*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

Part 13 – Work Health and Safety Regulations 2012 Amended

s. 27

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**PART 13 – WORK HEALTH AND SAFETY  
REGULATIONS 2012 AMENDED**

**27. Principal Regulations**

In this Part, the *Work Health and Safety Regulations 2012*\* are referred to as the Principal Regulations.

**28. Regulation 5 amended (Interpretation)**

Regulation 5(1) of the Principal Regulations is amended by omitting “*Gas Pipelines Act 2000, Gas Act 2000,*” from paragraph (c)(ii) of the definition of *pressure piping* and substituting “*Gas Industry Act 2018, the Gas Safety Act 2018*”.

**29. Regulation 328 amended (Application of Part 7.1 )**

Regulation 328(2) of the Principal Regulations is amended by omitting “*Gas Act 2000, the Gas Pipelines Act 2000*” and substituting “*Gas Industry Act 2018, the Gas Safety Act 2018*”.

**30. Regulation 530 amended (This Chapter does not apply to certain facilities)**

Regulation 530 of the Principal Regulations is amended as follows:

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\*S.R. 2012, No. 122

*Gas (Consequential Amendments) Act 2018*  
*Act No. of*

**s. 30**

Part 13 – Work Health and Safety Regulations 2012 Amended

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- (a) by omitting from subregulation (2) “*Gas Pipelines Act 2000*” first occurring and substituting “the *Gas Safety Act 2018*”;
- (b) by omitting from subregulation (2) “*Gas Act 2000* or the *Gas Pipelines Act 2000*” and substituting “*Gas Industry Act 2018*”;
- (c) by omitting “*Gas Act 2000*” from the definition of *distribution system* in subregulation (2A) and substituting “*Gas Industry Act 2018*”.

## **PART 14 – CONCLUDING PROVISIONS**

### **31. Repeal of Act**

This Act is repealed on the three hundred and sixty fifth day from the day on which all of the provisions of this Act commence.

### **32. Administration of Act**

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

- (a) the administration of this Act is assigned to the Minister for Energy; and
- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of State Growth.