

TASMANIA

**GAS (CONSEQUENTIAL AMENDMENTS) BILL
2018**

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GAS (CONSEQUENTIAL AMENDMENTS) BILL 2018

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*
21 November 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

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*”.

*No. 15 of 2001

**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;

*No. 20 of 1998

Gas (Consequential Amendments) Act 2018
Act No. of

s. 7

Part 4 – Explosives Act 2012 Amended

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*;

*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

**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*.

*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

**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*”.

*No. 70 of 1993

Gas (Consequential Amendments) Act 2018
Act No. of

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

s. 14

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*”.

*S.R. 2010, No. 129

Gas (Consequential Amendments) Act 2018
Act No. of

s. 16

Part 8 – Occupational Licensing Act 2005 Amended

**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

Gas Act 2000

and substituting:

Gas Safety Act 2018

*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*;

*No. 36 of 2007

Gas (Consequential Amendments) Act 2018
Act No. of

s. 21

Part 10 – Self’s Point Land Act 1951 Amended

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*”.

*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

**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*;

*No. 50 of 2016

Gas (Consequential Amendments) Act 2018
Act No. of

s. 25

Part 12 – Water Management Act 1999 Amended

**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*;

*No. 45 of 1999

Gas (Consequential Amendments) Act 2018
Act No. of

Part 13 – Work Health and Safety Regulations 2012 Amended

s. 27

**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:

*S.R. 2012, No. 122

Gas (Consequential Amendments) Act 2018
Act No. of

s. 30

Part 13 – Work Health and Safety Regulations 2012 Amended

- (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*”.

Gas (Consequential Amendments) Act 2018
Act No. of

Part 14 – Concluding Provisions

s. 31

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.