

TASMANIA

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

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**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**

*(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

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**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

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\*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

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**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.

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\*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

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- (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

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**PART 4 – CONCLUDING PROVISION**

**8. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commenced.