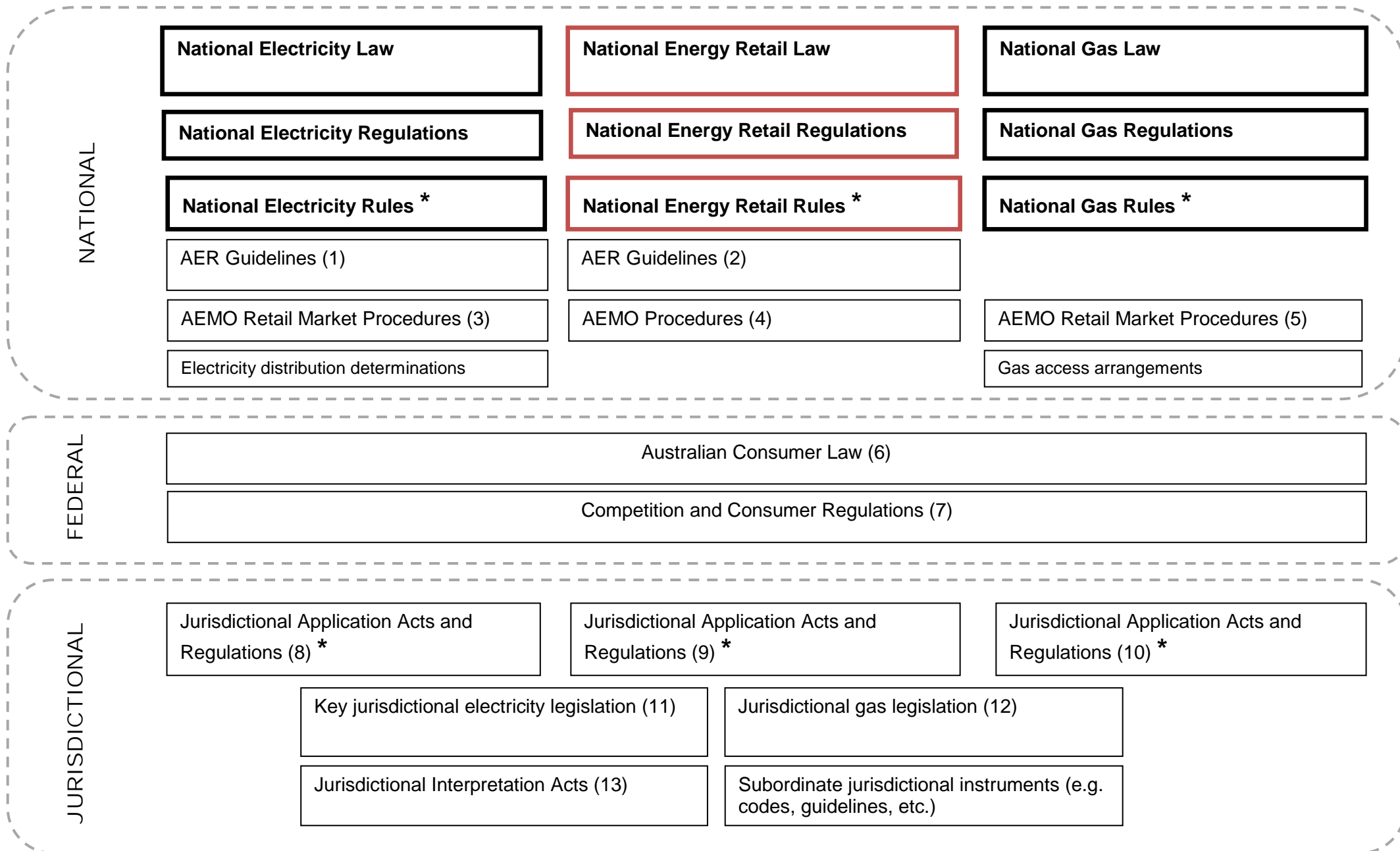


Interaction between National Energy Customer Framework and jurisdictional statutory instruments for ACT, NSW, Qld, SA, Victoria and Tasmania (as at 1 August 2017)



1. NECTF-related AER Guidelines made under National Electricity Rules

- (a) National electricity connection charge guideline (June 2012) (clause 5A.E.3, NER)

2. AER Guidelines made under the National Energy Retail Law and National Energy Retail Rules¹

- (a) Retailer Authorisation Guideline (December 2014) (section 117, NERL)
- (b) Retail Exempt Selling Guideline² (March 2016) (section 118, NERL; Rule 154, NERR)
- (c) Retailer of Last Resort Guideline, Plan and Statement of Approach³ (June 2012) (section 135, NERL)
- (d) Guidance on AER approval of customer hardship policies (July 2012)⁴
- (e) Minimum disconnection amounts (March 2017) (Rule 116, NERR)
- (f) Electricity bill benchmarks for residential customers (December 2014) (Rule 169, NERR)
- (g) Retail Pricing Information Guideline (August 2015)⁵ (section 61, NERL)

¹ Under section 218, NERL, the AER may prepare guidelines about the matters that it will have regard to before using its enforcement powers under the NERL. To date, the AER has not published such guidelines.

² The AER Network service provider registration exemption guideline made under the National Electricity Law is also relevant.

³ See also version 4 of the Retailer of Last Resort Plan, July 2015.

⁴ Although the AER is not specifically authorised to prepare and publish this document, it is in line with the AER's obligation to approve customer hardship policies or variations (section 45, NERL).

⁵ Note the AER Price Comparator website – Energy Made Easy at <http://www.energymadeeasy.gov.au/> (see section 62, NERL).

- (h) Compliance Procedures and Guidelines (June 2017) (section 281, NERL)

- (i) Retail Market Performance Reporting Procedures and Guidelines (June 2012) (section 286, NERL)

3. AEMO Electricity Retail Market Procedures⁶

- (a) Market Settlement and Transfer Solution Procedures (MSATS) (clause 7.2.8, NER)
- (b) National Electricity Market Metrology Procedure (clause 7.14, NER)

4. AEMO Procedures made under National Energy Retail Law and Rules

- (a) RoLR Procedures (section 144, NERL)

5. AEMO Gas Retail Market Procedures

- (a) Retail Market Procedure (NSW and ACT) (version 18)
- (b) Retail Market Procedure (Queensland) (version 14)
- (c) Retail Market Procedures (South Australia) (version 11)

6. The Australian Consumer Law is found in Schedule 2 to the Competition and Consumer Act 2010 (Cth)

7. See in particular clause 89 of the Competition and Consumer Regulations 2010 (Cth)

8. Jurisdictional Application Acts for National Electricity Law

- (a) Electricity (National Scheme) Act 1997 (ACT)⁷
- (b) National Electricity (New South Wales) Act 1997 (NSW)⁸

⁶ See also AEMO's List of Procedures Authorised under Chapter 7 of the NER, published pursuant to clause 7.2A of the NER.

⁷ A regulation making power exists under this Act.

- (c) Electricity - National Scheme (Queensland) Act 1997⁹
- (d) Electricity - National Scheme (Tasmania) Act 1999 (Tas)¹⁰
- (e) National Electricity (South Australia) Act 1996 (SA)¹¹
- (f) National Electricity (Victoria) Act 2005 (Vic)¹²

9. Jurisdictional Application Acts and Regulations for National Energy Retail Law

- (a) National Energy Retail Law (ACT) Act 2012 (ACT) and National Energy Retail Law (ACT) Regulation 2012 (ACT)
- (b) National Energy Retail Law (Adoption) Act 2012 (NSW) and National Energy Retail Law (Adoption) Regulation 2013 (NSW)
- (c) National Energy Retail Law (Queensland) Act 2014 (Qld) and National Energy Retail Law (Queensland) Regulation 2014 (Qld)
- (d) National Energy Retail Law (South Australia) Act 2011 and National Energy Retail Law (Local Provisions) Regulations 2013 (SA)
- (e) National Energy Retail Law (Tasmania) Act 2012 (Tas) and National Energy Retail Law (Tasmania) Regulations 2012 (Tas)

10. Jurisdictional Application Acts for National Gas Law

- (a) National Gas (ACT) Act 2008 (ACT)¹³
- (b) National Gas (New South Wales) Act 2008 (NSW)¹⁴

- (c) National Gas (South Australia) Act 2008 (SA)
- (d) National Gas (Tasmania) Act 2008 (Tas)¹⁵
- (e) National Gas (Queensland) Act 2008 (Qld)¹⁶

11. Jurisdictional Electricity Legislation¹⁷

- (a) Utilities Act 2000 (ACT) and Utility Networks (Public Safety) Regulation 2001 (ACT)
- (b) Electricity Supply Act 1995 (NSW); Electricity Supply (General) Regulation 2014 (NSW) and Electricity Supply (Safety and Network Management) Regulation 2014 (NSW)
- (c) Electricity Act 1994 (Qld); Electrical Safety Act 2002 (Qld), Electrical Safety Regulation 2013 (Qld) and Electricity Regulation 2006 (Qld)
- (d) Electricity Act 1996 (SA) and Electricity (General) Regulations 2012 (SA)
- (e) Electricity Supply Industry Act 1995 (Tas); Electricity Supply Industry (Customer) Regulations 2012 (Tas); Electricity Supply Industry (Network Planning Requirements) Regulations 2007; Electricity Supply Industry (Pricing and Related Matters) Regulations 2013 (Tas) and Electricity Supply Industry Regulations 2008 (Tas)

⁸ A regulation making power exists under this Act.

⁹ A regulation making power exists under this Act.

¹⁰ A regulation making power exists under this Act.

¹¹ A regulation making power exists under this Act.

¹² A regulation making power exists under this Act.

¹³ A regulation making power exists under this Act.

¹⁴ A regulation making power exists under this Act.

¹⁵ A regulation making power exists under this Act.

¹⁶ A regulation making power exists under this Act.

¹⁷ Please note other jurisdictional electricity legislation may also be relevant including energy efficiency legislation and safety legislation.

12. Jurisdictional Gas Legislation¹⁸

- (a) Utilities Act 2000 (ACT) and Utility Networks (Public Safety) Regulation 2001 (ACT)
- (b) Gas Supply Act 1996 (NSW) and Gas Supply (Natural Gas Retail) Regulation 2014 (NSW)
- (c) Gas Supply Act 2003 (Qld) and Gas Supply Regulation 2007 (Qld)
- (d) Gas Act 1997 (SA) and Gas Regulations 2012 (SA)

13. Jurisdictional Interpretation Acts

- (a) Legislation Act 2001 (ACT)
- (b) Interpretation Act 1987 (NSW)
- (c) Acts Interpretation Act 1954 (Qld)
- (d) Acts Interpretation Act 1915 (SA)
- (e) Acts Interpretation Act 1931 (Tas)
- (f) Interpretation of Legislation Act 1984 (Vic)

¹⁸ Please note other jurisdictional gas legislation may also be relevant including safety legislation. The NERL does not apply to gas in Tasmania, see section 16 of the National Energy Retail Law (Tasmania) Act 2012 (Tas).