



Draft National Gas Amendment (Removal of Force Majeure Provisions in the DWGM) Rule 2014

Under the National Gas Law to the extent applied by:

- (a) the National Gas (South Australia) Act 2008 of South Australia;
- (b) the National Gas (ACT) Act 2008 of the Australian Capital Territory;
- (c) the National Gas (New South Wales) Act 2008 of New South Wales;
- (d) the National Gas (Queensland) Act 2008 of Queensland;
- (e) the National Gas (Tasmania) Act 2008 of Tasmania;
- (f) the National Gas (Victoria) Act 2008 of Victoria; and
- (g) the National Gas (Northern Territory) Act 2008 of Northern Territory;
- (h) the Australian Energy Market Act 2004 of the Commonwealth,

the Australian Energy Market Commission makes the following Rule under the National Gas Law.

John Pierce
Chairman
Australian Energy Market Commission

Draft National Gas Amendment (Removal of Force Majeure Provisions in the DWGM) Rule 2014

1 Title of Rule

This Rule is the Draft *National Gas Amendment (Removal of Force Majeure Provisions in the DWGM) Rule 2014*.

2 Commencement

This Rule commences operation on [COMMENCEMENT_DATE].

3 Amendment of the National Gas Rules

The National Gas Rules are amended as set out in Schedule 1.

Schedule 1 Amendment to the National Gas Rules

(Clause 3)

[1] Rule 200 Definitions

In rule 200, insert the following definition in alphabetical order:

cumulative price threshold – See rule 224.

[2] Rule 200 Definitions

In rule 200, omit the definition “administered price cap” and substitute:

administered price cap – See rule 224.

[3] Rule 200 Definitions

In rule 200, omit the following definitions:

Participant force majeure event means an event within the meaning of rule 216.

system force majeure event – See rule 346.

[4] Rule 216 Failure to conform to scheduling instructions

Omit rules 216(2)(c), 216(4)(a), 216(5), 216(6), 216(7), 216(8), 216(9), and 216(10), and in each case substitute “[**Deleted**]”.

[5] Rule 224 Administered Pricing

Omit rule 224(1), and substitute:

(1A) For the purposes of this Part, AEMO must determine:

- (a) an administered price cap to apply as described in rules 222 and 349; and
 - (b) a cumulative price threshold to be used as a factor in determining the start and end of an administered price period
- (1) AEMO must make Procedures (**administered pricing procedures**) that specify:
- (a) the administered price cap and the cumulative price threshold determined by AEMO under subrule 224(1A);
 - (b) the process by which AEMO will consult with Market Participants on the approach to determining the administered price cap and the cumulative price threshold; and

- (c) the process that AEMO must apply to declare and end administered price periods.

[6] Rule 239 Ancillary payments

In rule 239(5), omit the word “any” and insert the word “either”.

[7] Rule 239 Ancillary payments

Omit rule 239(5)(b), and substitute “[Deleted]”.

[8] Subdivision 6 Force majeure and market suspension

Omit the heading “Subdivision 6 Force majeure and market suspension”, and substitute “Subdivision 6 Market suspension”.

[9] Rule 345 Administered price cap

Omit rule 345, and the heading, and substitute “[Deleted]”.

[10] Rule 346 System force majeure events

Omit rule 346, and the heading, and substitute “[Deleted]”.

[11] Rule 347 Conditions for suspension of the market

Omit rule 347(1)(a), and substitute “[Deleted]”.

[12] Rule 351 Intervention reports

Omit rule 351(1)(c), and substitute “[Deleted]”.