

South Australia

**Electricity (Compensation for Blackouts)
Amendment Bill 2009**

A BILL FOR

An Act to amend the *Electricity Act 1996*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

Part 2—Amendment of *Electricity Act 1996*

- 4 Amendment of section 23—Licences authorising operation of transmission or distribution network
 - 5 Insertion of Schedule
Schedule 1—Compensation for failure of electricity supply
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Electricity (Compensation for Blackouts) Amendment Act 2009*.

5 2—Commencement

This Act will come into operation 1 month after the day on which it is assented to by the Governor.

3—Amendment provisions

10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Electricity Act 1996*

4—Amendment of section 23—Licences authorising operation of transmission or distribution network

Section 23—after subsection (2) insert:

- 15 (2a) The code provisions referred to in subsection (1)(n)(v) must include provisions that require the electricity entity to provide compensation to customers of not less than the amounts set out in Schedule 1 for any periods for which the customers suffer a failure of electricity supply.

- (2b) The code provisions imposing a requirement referred to in subsection (2a) do not apply—
- (a) to a failure of electricity supply if the failure is due to an act or omission done or made by the entity, or an officer or employee of the entity, in bad faith or through negligence; or
 - (b) to a customer if the customer has negotiated a special contractual agreement with the entity relating to the entity's liability for a failure of electricity supply; or
 - (c) in circumstances in which the entity is, according to the code, permitted to interrupt electricity supply, or excused from the obligation to maintain electricity supply.

5—Insertion of Schedule

Before Schedule 1A insert:

Schedule 1—Compensation for failure of electricity supply

For the purposes of section 23(2a) of the Act—

- (a) compensation amounts to be provided for a failure of electricity supply are as follows:

Period for which customer suffers failure of electricity supply	Amount of compensation
More than 3 hours but less than 6 hours	\$150
6 hours or more but less than 9 hours	\$250
9 hours or more but less than 12 hours	\$350
12 hours or more but less than 15 hours	\$500
15 hours or more but less than 18 hours	\$750
18 hours or more	\$1 300

- (b) if during a 48 hour period a customer suffers more than 1 period of failure of electricity supply, the number of hours of failure of electricity supply during the 48 hour period are to be aggregated and treated as 1 period, if that would result in the customer receiving more compensation than if the periods of failure of electricity supply were treated as separate periods.