

South Australia

## **Electricity (Feed-In Rates) Amendment Bill 2008**

A BILL FOR

An Act to amend the *Electricity Act 1996*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Electricity (Feed-In Rates) Amendment Act 2008*.

#### 2—Commencement

- 5 (1) Subject to subsection (2), this Act will come into operation on a day to be fixed by proclamation.
- (2) If a provision of this Act has not been brought into operation sooner, it will, by force of this subsection, come into operation 3 months after assent.

#### 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 36AC—Interpretation

- (1) Section 36AC—before the definition of *excluded network* insert:

- 15 *base price* means, in relation to a qualifying customer who feeds electricity into a distribution network, the lowest rate per day (GST exclusive) for the supply of electricity for domestic light and power charged to the qualifying customer by the electricity entity that has the relevant contract in connection with the feeding in of that electricity (excluding any fixed charge relating to
- 20 the supply of electricity to the qualifying customer's property);

- (2) Section 36AC—after the definition of *qualifying generator* insert:

*renewable energy price* means, in relation to electricity fed into a distribution network by a qualifying customer—

(a) the base price charged by the relevant electricity entity that has a contract to sell electricity as a retailer to the qualifying customer when the electricity is fed into the network by the qualifying customer, less any adjustments allowed by the regulations for the purposes of this definition; plus

(b) \$0.44 per kWh;

- (3) Section 36AC—after its present contents as amended by this section (now to be designated as subsection (1)) insert:

(2) Before a regulation is made for the purposes of paragraph (a) of the definition of *renewable energy price* the Minister must—

(a) consult with the Commission about any proposed adjustment or adjustments under that paragraph; and

(b) cause a report on the outcome of that consultation to be prepared and published in such manner as the Minister thinks fit.

## 5—Amendment of section 36AD—Feeding-in of electricity to networks by domestic customers

- (1) Section 36AD(1)(b)—delete "the amount of \$0.44 per kWh" and substitute:

an amount equal to the renewable energy price

- (2) Section 36AD—after subsection (4) insert:

(5) Nothing in this section prevents an electricity entity agreeing to pay to a qualifying customer an amount in excess of the renewable energy price for electricity fed into a distribution network.

## Schedule 1—Transitional provision

### 1—Transitional provision

The amendments made by this Act will apply to electricity fed into a distribution network under section 36AC of the *Electricity Act 1996* after the commencement of this Act.