

South Australia

Electricity Corporations (Restructuring and Disposal) Regulations 1999

under the *Electricity Corporations (Restructuring and Disposal) Act 1999*

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1—Short title

These regulations may be cited as the *Electricity Corporations (Restructuring and Disposal) Regulations 1999*.

2—Commencement

These regulations will come into operation on the day on which they are made.

3—Interpretation

In these regulations—

Act means the *Electricity Corporations (Restructuring and Disposal) Act 1999*.

4—Correction of statutory references to ETSA etc

Pursuant to section 34 of the Act—

- (a) the Acts specified in Schedule 1 are amended as indicated in that Schedule; and
- (b) the regulations specified in Schedule 2 are amended as indicated in that Schedule.

5—Mining at Leigh Creek

For the purposes of section 48 of the *Electricity Corporations Act 1994*, a sale or lease of any seam of coal vested in the Crown at or near Leigh Creek or a contract for any such sale or lease or a right to mine any such seam of coal may be made or granted by or on behalf of the Crown with or to—

- (a) a person who operates or will operate the Northern Power Station at or near Port Augusta; or
- (b) a person approved by the Minister on the nomination of a person referred to in paragraph (a).

Schedule 1—Amendment of Acts

| Act | Provision | Amendment |
|---------------------------------|--|--|
| 1 <i>Country Fires Act 1989</i> | section 28(2)(b)(xi) | Strike out this subparagraph and substitute: <ul style="list-style-type: none"> (xi) a nominee of the Minister responsible for the administration of the <i>Electricity Act 1996</i>; |
| 2 <i>Real Property Act 1886</i> | section 223LA(1) after the definition of <i>division</i> | Insert the following definition: <p><i>electricity entity</i> means a person who holds a licence under the <i>Electricity Act 1996</i> authorising the operation of a transmission or distribution network or a person exempted from the requirement to hold such a licence;</p> |
| | section 223LA(1) definition of <i>service easement</i> | Strike out "electricity supply authority" and substitute "electricity entity". |
| | section 223LG(3) | Strike out "electricity supply authority" twice occurring and substitute in each case "electricity entity". Strike out "the authority" and substitute "the entity". |
| | section 223LG(5) | After "an authority" insert "or entity". After "the authority" insert "or entity". |
| | section 223LG(7) | Strike out this subsection. |

Schedule 2—Variation of regulations

| Act | Regulation | Provision | Variation |
|--|--|--|---|
| 1 <i>Harbors and Navigation Act 1993</i> | <i>Harbors and Navigation Regulations 1994</i> (see <i>Gazette 20.10.1994 p987</i>), as varied | Schedule 1 Entry relating to the smooth water limits at Port Augusta | Strike out "the ETSA Power Station" and substitute "latitude 32° 32.52' South and longitude 137° 46.8' East". |
| 2 <i>Local Government Act 1934</i> | <i>Local Government Accounting Regulations 1993</i> (see <i>Gazette 29.4.1993 p1526</i>), as varied | regulation 12(2) | Strike out this subregulation. |

| Act | Regulation | Provision | Variation |
|---|---|------------------------|---|
| 3 <i>Native Vegetation Act 1991</i> | <i>Native Vegetation Regulations 1991</i> (see <i>Gazette 18.4.1991 p131</i>), as varied | regulation 3(1)(d) | Strike out "or of <i>The Electricity Trust of South Australia</i> ". |
| | | regulation 3(1)(da) | After paragraph (d) insert: (da) where— (i) the clearance is incidental to the building, repair or maintenance work of an electricity entity within the meaning of the <i>Electricity Act 1996</i> ; and (ii) the clearance has been approved in writing by the Minister responsible for the administration of that Act; and (iii) the person undertaking the clearance complies with any conditions of approval imposed by the Minister; |
| 4 <i>Occupational Health, Safety and Welfare Act 1986</i> | <i>Occupational Health, Safety and Welfare Regulations 1995</i> (see <i>Gazette 23.2.1995 p423</i>), as varied | regulation 3.2.28(f) | Strike out "electrical supply authority" and substitute "electricity entity". |
| | | regulation 5.12.19(1) | Strike out "ETSA Corporation" and substitute "Minister responsible for the administration of the <i>Electricity Act 1996</i> ". |
| | | regulation 6.5.1(2)(b) | Strike out "the Electricity Trust of South Australia" and substitute "an electricity entity (within the meaning of the <i>Electricity Act 1996</i>)". |

Electricity Corporations (Restructuring and Disposal) Regulations 1999—29.7.1999 to 8.9.2004
 Schedule 2—Variation of regulations

| Act | Regulation | Provision | Variation |
|--|---|--|--|
| 5 <i>Plumbers, Gas Fitters and Electricians Act 1995</i> | <i>Plumbers, Gas Fitters and Electricians Regulations 1995</i> (see <i>Gazette</i> 29.6.1995 p3085), as varied | regulation 4(4) | Strike out "an electricity corporation" and substitute "a designated electricity entity". Strike out "the electricity corporation" and substitute "the designated electricity entity". |
| | | regulation 4(7) before the definition of <i>drainage area</i> | Insert the following definition: <i>designated electricity entity</i> means— (a) an electricity corporation within the meaning of the <i>Electricity Corporations Act 1994</i> ; (b) a State-owned company (within the meaning of the <i>Electricity Corporations (Restructuring and Disposal) Act 1999</i>) that holds a licence under the <i>Electricity Act 1996</i> ; |
| | | regulation 4(7) definition of <i>electricity corporation</i> | Strike out this definition. |
| 6 <i>Residential Tenancies Act 1995</i> | <i>Residential Tenancies (General) Regulations 1995</i> (see <i>Gazette</i> 23.11.1995 p1427), as varied | regulation 15(2)(d) | Strike out this paragraph and substitute: (d) the Minister responsible for the administration of the <i>Electricity Act 1996</i> ; |
| | | regulation 5(b)(iii) | Strike out "the ETSA Corporation" and substitute "an electricity entity (within the meaning of the <i>Electricity Act 1996</i>)". |
| 7 <i>Roads (Opening and Closing) Act 1991</i> | <i>Roads (Opening and Closing) Regulations 1991</i> (see <i>Gazette</i> 31.10.1991 p1212) | regulation 4(b) | Strike out this paragraph and substitute: (b) an electricity entity within the meaning of the <i>Electricity Act 1996</i> ; |

| Act | Regulation | Provision | Variation |
|--------------------------------|--|--------------------------|--|
| 8 <i>Road Traffic Act 1961</i> | <i>Road Traffic Regulations 1996</i> (see <i>Gazette</i> <i>29.8.1996 p888</i>), as varied | regulation 5.05(2)(d) | Strike out this paragraph and substitute: (d) where such vehicle is being used by an electricity entity within the meaning of the <i>Electricity Act 1996</i> for the inspection, repair or maintenance of electricity infrastructure within the meaning of that Act; |

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Principal regulations

| Year | No | Reference | Commencement |
|------|-----|-------------------------------|----------------|
| 1999 | 159 | <i>Gazette</i> 29.7.1999 p626 | 29.7.1999: r 2 |