

South Australia

National Gas (South Australia) (East Coast Gas System) Amendment Regulations 2023

under the *National Gas (South Australia) Act 2008*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Special provision

Part 2—Amendment of *National Gas (South Australia) Regulations*

- 4 Insertion of regulations 19 and 20
 - 19 Relationship between Division 1A of Part 6 of Chapter 2 of NGL and certain laws of participating jurisdictions
 - 20 Disclosure of protected information
 - 5 Amendment of Schedule 3—Civil penalty provisions
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Gas (South Australia) (East Coast Gas System) Amendment Regulations 2023*.

2—Commencement

- (1) Subject to subregulation (2), these regulations come into operation on the day on which the *National Gas (South Australia) (East Coast Gas System) Amendment Act 2023* comes into operation.
- (2) Regulation 5(2) comes into operation on the day that is 2 months after the day on which Division 2 of Part 27 of the National Gas Rules commences.

Editorial note—

For the commencement of Division 2 of Part 27 of the National Gas Rules—see the relevant notice published under section 294H(4)(a) of the *National Gas Law* set out in the Schedule to the *National Gas (South Australia) Act 2008*.

3—Special provision

These regulations are made in connection with the *National Gas (South Australia) (East Coast Gas System) Amendment Act 2023*.

Editorial note—

See the definition of *east coast gas system amendments* in section 294H(8) of the *National Gas Law* set out in the Schedule to the *National Gas (South Australia) Act 2008*.

Part 2—Amendment of *National Gas (South Australia) Regulations*

4—Insertion of regulations 19 and 20

After regulation 18 insert:

19—Relationship between Division 1A of Part 6 of Chapter 2 of NGL and certain laws of participating jurisdictions

- (1) For the purposes of section 91AD(4)(a) of the NGL, the following laws prevail over Division 1A of Part 6 of Chapter 2 of the NGL to the extent of any inconsistency between the law and that Division:
 - (a) a relevant NSW law;
 - (b) a relevant Queensland law.
- (2) For the purposes of section 91AD(4)(b) of the NGL, a relevant entity is not required to comply with an east coast gas system direction—
 - (a) if the direction is inconsistent with—
 - (i) a relevant NSW law; or
 - (ii) a relevant Queensland law; or
 - (b) to the extent to which the direction is inconsistent with a direction given to the relevant entity by—
 - (i) the Minister administering the *Energy and Utilities Administration Act 1987* of New South Wales; or
 - (ii) the Minister administering the *Pipelines Act 1967* of New South Wales; or
 - (iii) an authorised person under the *Essential Services Act 1988* of New South Wales; or
 - (iv) the Minister administering the *Gas Supply Act 2003* of Queensland.
- (3) In this regulation—

relevant NSW law means a provision of any of the following laws, including regulations made under the laws:

 - (a) the *Energy and Utilities Administration Act 1987* of New South Wales;

- (b) the *Essential Services Act 1988* of New South Wales;
- (c) the *Gas Supply Act 1996* of New South Wales;
- (d) the *Pipelines Act 1967* of New South Wales;

relevant Queensland law means a provision of any of the following laws, including regulations made under the laws:

- (a) the *Disaster Management Act 2003* of Queensland;
- (b) the *Environmental Protection Act 1994* of Queensland;
- (c) the *Gas Supply Act 2003* of Queensland;
- (d) the *Petroleum and Gas (Production and Safety) Act 2004* of Queensland.

20—Disclosure of protected information

For the purposes of section 91GC(2)(h) of the NGL, the following bodies are prescribed:

- (a) each department responsible for the administration of the application Act of a participating jurisdiction;
- (b) the Ministers of the participating jurisdictions.

5—Amendment of Schedule 3—Civil penalty provisions

- (1) Schedule 3, Part 1—after "Section 83C" insert:
 - Section 91AF(6)
- (2) Schedule 3, Part 1—after "Rule 672(4)" insert:
 - Rule 684(1)
 - Rule 684(4)
- (3) Schedule 3, Part 1—before "Schedule 1, clause 80(2)" insert:
 - Rule 693
 - Rule 714(4)
 - Rule 715(1)
- (4) Schedule 3, Part 2—after "Rule 666(4)" insert:
 - Rule 702(1)
 - Rule 702(2)
 - Rule 707(7)
 - Rule 709(4)
 - Rule 713(3)

Made by the Governor

on the unanimous recommendation of the Ministers of the participating jurisdictions and with
the advice and consent of the Executive Council

on 27 April 2023

No 26 of 2023