

South Australia

National Gas (South Australia) (Gas Pipelines) Amendment Regulations 2023

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

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Part 1—Preliminary

1—Short title

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

2—Commencement

These regulations come into operation on the day on which the *Statutes Amendment (National Energy Laws) (Gas Pipelines) Act 2022* comes into operation.

3—Special provision

These regulations are made in connection with the *Statutes Amendment (National Energy Laws) (Gas Pipelines) Act 2022*.

Note—

See the definition of **Gas Pipelines amendments** in section 294FB(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—Amendment of regulation 7AA—Corporations Act displacement

Regulation 7AA(c)—delete paragraph (c)

5—Amendment of regulation 8—Service of summons to appear as witness

- (1) Regulation 8(1)—delete "AER under Part 6.6" and substitute:
relevant adjudicator under section 180
- (2) Regulation 8(1)(c), (3)(e) and (f)—delete "AER" wherever occurring and substitute in each case:
relevant adjudicator

6—Amendment of regulation 9—AER to be able to charge for costs of access disputes

- (1) Regulation 9, heading—delete "AER" and substitute:
Dispute resolution body
- (2) Regulation 9—delete "216 of the NGL, the AER" and substitute:
187 of the NGL, the dispute resolution body
- (3) Regulation 9—after its present contents as amended by this regulation (now to be designated as subregulation (1)) insert:
 - (2) However, no more than 50% of costs can be apportioned under this regulation to a party to an access dispute that is a small shipper

7—Amendment of regulation 14—Fees

Regulation 14(2)—delete "181" and substitute:
152

8—Repeal of regulation 14A

Regulation 14A—delete the regulation

9—Amendment of Schedule 1—Designated pipelines

- (1) Schedule 1, clause 3—at the foot of subclause (1) insert:
Note—

A designated pipeline includes an extension to, or expansion of the capacity of, the pipeline that is taken to be part of the pipeline under section 18 of the NGL

- (2) Schedule 1, clause 3(2)—delete subclause (2)

10—Amendment of Schedule 3—Civil penalty provisions

- (1) Schedule 3, Part 1, after entry for Section 57 insert:
Section 64C(1)

Section 64C(3)

- (2) Schedule 3, Part 1, entry for Section 134—delete the entry
- (3) Schedule 3, Part 1—after entry for Section 136 insert:
 - Section 136A
 - Section 136B
- (4) Schedule 3, Part 1, entries for Sections 169(3), 170 and 195—delete the entries and substitute:
 - Section 170(1)(a)
- (5) Schedule 3, Part 1, entry for Rule 109—delete the entry and substitute:
 - Rule 43(1)
 - Rule 46
 - Rule 52(1)
 - Rule 68A
 - Rule 101(1)
 - Rule 101(3)
 - Rule 101A(1)
 - Rule 102(7)
 - Rule 102A(2)
 - Rule 105B(1)
 - Rule 105B(2)
 - Rule 105C(1)
 - Rule 105C(2)
 - Rule 105E(1)
 - Rule 105G(3)
- (6) Schedule 3, Part 1—after entry for Rule 171(6) insert—
 - Rule 198D(1)
 - Rule 198D(3)
 - Rule 198E(1)
 - Rule 198I(7)
 - Rule 198J(2)
- (7) Schedule 3, Part 1, entries for Rule 560(1), 562(3) and 586(2)—delete the entries
- (8) Schedule 3, Part 2, entry for Section 168—delete the entry and substitute:
 - Section 136C
- (9) Schedule 3, Part 2, entries for Rules 36, 37, 43(1), 46 and 52(1)—delete the entries

- (10) Schedule 3, Part 2, entries for Rules 107, 108, 110 and 112—delete the entries and substitute:

Rule 104(1)

Rule 104(2)

Rule 134A(2)

- (11) Schedule 3, Part 2, entries for Rules 551(1), 551(3), 552(1), 558(1), 558(2) and 585(8)—delete the entries

- (12) Schedule 3, Part 3, entry for Rule 27(4)—delete the entry

11—Amendment of Schedule 4—Conduct provisions

- (1) Schedule 4—before entry for Section 228C insert:

Section 136A

Section 136B

Section 170(1)(a)

- (2) Schedule 4, entries for Rules 36, 107, 108, 109, 110, 112 and 115(3)—delete the entries and substitute:

Rule 68A

Rule 104(1)

Rule 104(2)

Rule 105B(1)

Rule 105B(2)

Rule 105E(1)

Rule 105G(3)

Rule 113ZK(3)

- (3) Schedule 4, entry for "All provisions in Division 4 of Part 21"—delete the entry and substitute:

Rule 514

Rule 515

Rule 516

Rule 517

Rule 518

Rule 519

Rule 520

- (4) Schedule 4, entry for Rule 543A(1)—(2)—delete the entry and substitute:

Rule 543A(1)

Rule 543A(2)

- (5) Schedule 4, entries for Rules 560(1) and 562(3)—delete the entries

12—Substitution of Schedule 5—Fees

Schedule 5—delete the Schedule and substitute:

Schedule 5—Fees

1	Application for a scheme pipeline determination	\$7 500.00
2	Application for a scheme pipeline revocation determination	\$7 500.00
3	Application for a greenfields incentive determination	\$7 500.00
4	Application for the classification of a pipeline	\$2 000.00
5	Application for the reclassification of a pipeline	\$2 000.00
6	Notice of a scheme pipeline access dispute	\$2 750.00

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

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 2 March 2023

No 8 of 2023