

South Australia

National Electricity (South Australia) (Local Provisions) Regulations 2019

under the *National Electricity (South Australia) Act 1996*

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Legislative history

1—Short title

These regulations may be cited as the *National Electricity (South Australia) (Local Provisions) Regulations 2019*.

3—Modification of National Electricity Rules—retailer reliability obligation

- (1) In accordance with section 19C of the Act, the National Electricity Rules, insofar as they have effect as part of the law of South Australia, apply in relation to any T-3 reliability instrument made by the Minister under section 19B(1) of the Act—
 - (a) as though a reference in the following Parts and provisions of the Rules to a **forecast reliability gap period** includes a reference to the period specified in the instrument for the purposes of section 19B(2) of the Act:
 - (i) Rule 4A.C.4;
 - (ii) Rule 4A.D.4;
 - (iii) Rule 4A.D.5;
 - (iv) Rule 4A.D.9;
 - (v) Part G of Chapter 4A;
 - (vi) Part H of Chapter 4A; and
 - (b) as though a reference in the following Parts and provisions of the Rules to a **forecast reliability gap** includes a reference to a gap specified in the instrument for the purposes of section 19B(2) of the Act:
 - (i) Rule 4A.A.1;
 - (ii) Rule 4A.C.4;
 - (iii) Part G of Chapter 4A;
 - (iv) Part H of Chapter 4A; and
 - (c) as though, in Rule 4A.H.3(a)(1), after "T-3 reliability instrument" there were inserted:

or the South Australian Minister makes a T-3 reliability instrument under section 19B of the *National Electricity (South Australia) Act 1996*

- (2) In accordance with section 19C of the Act, the National Electricity Rules, insofar as they have effect as part of the law of South Australia, apply in relation to a T-3 reliability instrument of a kind referred to in section 19B(8) of the Act and a T-1 reliability instrument for a region related to such a T-3 reliability instrument—
- (a) as though the following amendments were made to those Rules:
- (i) Rule 4A.C.3(b)(3)—delete "second" and substitute:
first
- (i) Rule 4A.C.10(b)—delete "which must be a day in the period which starts 7 days before the T-1 cut-off day and ends on that day (inclusive)" and substitute:
which day must be the day that falls 6 months before the first day of the *reliability gap period*;
- (ii) Rule 4A.D.7—delete "that is 18 months after the date the relevant T-3 reliability instrument is effective" and substitute:
that falls 6 months before the contract position day
- (iii) Rule 4A.G.16(a)(1)—delete "5" and substitute:
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- (iv) Rule 4A.G.16(d)(1)—delete subparagraph (1) and substitute:
(1) the contract position day;
- (b) if the AER has not established an Auditors Panel under Rule 4A.E.5(a) on or before the day that falls 3 months before the reporting day specified in the T-1 reliability instrument, as though references to an Independent Auditor in Rule 4A.E.5(b), (c) and (e) were references to an auditor appointed from a panel of auditors established and maintained by the Minister.
- (3) In this regulation—
Act means the *National Electricity (South Australia) Act 1996*.

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2019	171	<i>Gazette 27.6.2019 p2374</i>	1.7.2019: r 2
2020	24	<i>Gazette 12.3.2020 p505</i>	12.3.2020: r 2
2021	179	<i>Gazette 9.12.2021 p4329</i>	9.4.2022: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>12.3.2020</i>
r 3		
r 3(2)	varied by 24/2020 r 4	12.3.2020

Transitional etc provisions associated with regulations or variations

National Electricity (South Australia) (Local Provisions) Variation Regulations 2020 (No 24 of 2020), Sch 1

1—Transitional provision

Regulation 3(2)(a)(i1) of the *National Electricity (South Australia) (Local Provisions) Regulations 2019* (as inserted by regulation 4) applies in relation to a T-3 reliability instrument of a kind referred to in section 19B(8) of the *National Electricity (South Australia) Act 1996*, regardless of whether the T-3 reliability instrument was made before or after the commencement of regulation 4.