Gas Pipelines Access (Western Australia) Act 1998

Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999

Made under Schedule 3 clause 9(2) by the Governor in Executive Council.

1. Citation

These regulations may be cited as the Gas Pipelines Access (Privatized DBNGP System) (Transitional) Regulations 1999.

2. Commencement

These regulations come into operation on 1 January 2000.

3. Modification of repealed access scheme

(1) For the purposes of the application under Schedule 3 clause 9(1) of the repealed access scheme during the transitional period, regulation 35 of the Dampier to Bunbury Pipeline Regulations 1998 (which relates to prices in a post-transfer access contract) is to be regarded as including the amendments set out in Schedule 1.

(2) In this regulation —

“repealed access scheme” has the meaning given to that term by Schedule 3 clause 9(3);

“Schedule 3” means Schedule 3 to the Act;

“transitional period” means the period that commences on 1 January 2000 and continues until an Access Arrangement is approved under the Gas Pipelines Access (Western Australia) Law in relation to the privatized DBNGP system.
Schedule 1 — Amendments to regulation 35

1. Additional subregulations (3a) and (3b)
   After regulation 35(3), the following subregulations are inserted —

   “(3a) For T1 capacity or T2 capacity available after the year 1999, if the service is a full-haul service —
      (a) the maximum capacity reservation charge that applies per gigajoule per gas day of reserved capacity —
         (i) for T1 capacity, is $0.728029;
         (ii) for T2 capacity, is $0.691628;
      (b) the maximum commodity charge that applies per gigajoule delivered is $0.271971 or, where applicable, that amount adjusted as described in subregulation (3b);
   (3b) The maximum commodity charge applying under subregulation (3a)(b) per gigajoule delivered, for T1 capacity or T2 capacity available after the year 2000, is adjusted, for a year for which the DBNGP owner could have adjusted the charge if the service were being provided under a contract to which clause 95 applied, to the maximum amount to which the charge could have been adjusted under clause 95 if it had applied.”

2. Definitions inserted
   (1) In regulation 35(7):
      (a) at the end of the definition of “year 1999”, the full stop is deleted and a semicolon is inserted instead;
      (b) the following definitions are inserted in their appropriate alphabetical positions —

      “clause 95” means clause 95 of the standard contract set out in the Schedule to the DBNGP access manual;
      “year 2000” means the year ending on 1 January 2001 at 08:00 hours.

3. Certain references extended to new provisions
   (1) In regulation 35(1)(a), after “(3),”, the following is inserted —
      “ (3a), ”.
   (2) In regulation 35(4), before “the year 1999”, the following is inserted —
      “ in or after ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.