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ENERGY SAFETY ACT 2006

**ENERGY SAFETY LEVY
NOTICE 2006**

Energy Safety Act 2006

Energy Safety Levy Notice 2006

Made by the Minister for Employment Protection under section 14 of the Act.

1. Citation

This notice is the *Energy Safety Levy Notice 2006*.

2. Application

This notice applies in respect of the financial year commencing 1 July 2006 and is made having regard to the business plan for that financial year.

3. Total amount to be raised by way of levy

- (1) The total amount to be raised by way of levy is \$4 448 000.
- (2) In accordance with the business plan and section 6(1)(d) and (2) of the Act —
 - (a) 67% of the total amount to be raised by way of levy is payable by participants in the electricity industry (the “**electricity sector portion**”); and
 - (b) 33% of the total amount to be raised by way of levy is payable by participants in the gas industry.

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4. Electricity industry participants liable to pay levy

(1) In this clause —

“**network**” has the meaning given to that term by the *Electricity (Supply Standards and System Safety) Regulations 2001* regulation 3(1);

“**network operator**” has the meaning given to that term by the *Electricity (Supply Standards and System Safety) Regulations 2001* regulation 3(1).

(2) Each energy industry participant who is an operator of one or more networks with an aggregate total of 500 or more consumer sites connected directly to those networks is liable to pay a levy.

(3) The amount of levy payable is the proportion of the amount referred to in clause 3(2)(a) that the number of consumer sites that the network operator had in operation on 31 March 2006 with electrical installation directly connected to the networks bears to the total number of consumer sites with electrical installation directly connected to the networks that were operated by all network operators on 31 March 2006.

(4) For the purposes of this clause, a site containing multiple tenants (eg. residential retirement complex, office building, shopping centre, apartment block) but with only one point of direct connection to the network is to be treated as one consumer site.

5. Gas industry participants liable to pay levy

(1) In this clause —

“**gas distribution system operator**” means —

(a) a holder of a distribution licence as defined in the *Energy Coordination Act 1994* section 3; or

(b) a person exempted under the *Energy Coordination Act 1994* from the requirement to hold a licence referred to in paragraph (a); or

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- (c) an entity providing (whether directly or through an agent) LP gas —
 - (i) to consumers who have onsite fixed LP gas facilities (“**in bulk**”); or
 - (ii) in 45 kg portable cylinders;
- “**LP gas**” means liquefied petroleum gas.
- (2) Each gas distribution system operator is liable to pay a levy.
 - (3) The amount of levy payable is the proportion of the amount referred to in clause 3(2)(b) that —
 - (a) the number of consumer sites that the gas distribution system operator had in operation on 31 March 2006 with gas installation directly connected to the distribution system; or
 - (b) in the case of an entity providing LP gas, the number of LP gas consumers who received LP gas in bulk; or in 45 kg portable cylinders, from the entity in the financial year commencing 1 July 2005,bears to the total number of —
 - (c) consumer sites with gas installation directly connected to the gas system on 31 March 2006; and
 - (d) LP gas consumers who received LP gas in bulk, or in 45 kg portable cylinders, in the financial year commencing 1 July 2005.
 - (4) For the purposes of this clause, the following sites are to be treated as one consumer site —
 - (a) a site containing multiple tenants (eg. residential retirement complex, office building, shopping centre, apartment block) but with only one point of direct connection to the gas distribution system;
 - (b) a site containing multiple tenants (eg. residential retirement complex, office building, shopping centre,

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apartment block) with bulk or multiple portable cylinder LP gas supply.

6. Time for payment of levy

- (1) The levy is payable in quarterly instalments.
- (2) The first quarterly instalment is payable within 28 days of the issue of the notice of assessment.
- (3) The further quarterly instalments are payable on or before 1 October, 1 January and 1 April respectively, unless the notice of assessment provides for payment on a later date.

J. BOWLER, Minister for Employment Protection.

