

Electricity Corporations (Competition Laws Authorisation) Regulations 2013

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 75 of the Act.

1. Citation

These regulations are the *Electricity Corporations (Competition Laws Authorisation) Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2013.

3. Authorisation for purposes of competition laws

- (1) In this regulation —

corporation means —

- (a) the Electricity Generation Corporation; or
- (b) the Electricity Retail Corporation;

prescribed direction means a direction under section 111(1) of the Act that requires a corporation, in the performance of its functions —

- (a) to have regard to its interests and the other corporation's interests; and
- (b) to act in a way that will maintain or increase the aggregate value of its business and the other corporation's business, even if to do so would not be in its interests; and
- (c) to not make a decision that would be likely to result in a sustained, substantial and avoidable increase in the costs to consumers of delivering electricity services in the South West interconnected system.

- (2) For the purposes of the *Competition and Consumer Act 2010* (Commonwealth) and the Competition Code, this regulation authorises any arrangement, act, matter or thing made, entered into, engaged in, imposed, carried out, given effect to, or done, by a corporation in order to comply with a prescribed direction given to the corporation.

By Command of the Lieutenant-Governor and
deputy of the Governor,

N. HAGLEY, Clerk of the Executive Council.
