

Energy Regulations Amendment Regulations 2023

SL 2023/32

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Energy Regulations Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) Part 3 (but only regulations 7 and 9) — on 22 April 2023;
- (c) the rest of the regulations — at 8 am on 1 October 2023.

Part 2 — *Electricity Industry (Pilbara Networks) Regulations 2021* amended

3. Regulations amended

This Part amends the *Electricity Industry (Pilbara Networks) Regulations 2021*.

4. Part 3 Division 1 heading inserted

At the beginning of Part 3 insert:

Division 1 — General

5. Part 3 Division 2 inserted

At the end of Part 3 insert:

Division 2 — Review of reviewable decisions

13A. Term used: reviewable decision

- (1) In this Division —
procedural decision means a reviewable decision made under a provision listed in the Table to Schedule 1 clause 2;
reviewable decision means a decision that is reviewable under section 120Z(1) of the Act.
- (2) Decisions made under provisions of the Pilbara networks rules listed in the Table to Schedule 1 clause 1 are specified for the purposes of section 120Z(1) of the Act.

13B. Review by Board: all reviewable decisions

- (1) A person whose interests are adversely affected by a reviewable decision may apply to the Board for a review of the decision.
- (2) The Board may make an order affirming, setting aside or varying (immediately or as from a specified future date) the decision and, for the purposes of the review, may exercise the same powers with respect to the subject matter of the decision as may be exercised with respect to that subject matter by the person who made the decision.
- (3) The Board may refuse to review a reviewable decision if it considers that the application for review is trivial or vexatious.
- (4) A determination by the Board on the review of a reviewable decision has the same effect as if it were made by the person who made the decision.
- (5) The Board must give an applicant written reasons for a determination that —
 - (a) the applicant is not a person whose interests are adversely affected by a reviewable decision; or
 - (b) the application is trivial or vexatious.
- (6) This regulation is subject to regulation 13C.

13C. Review by Board: procedural decisions

- (1) In reviewing a procedural decision, the Board is to consider only the question of whether the decision maker followed the procedure required to be followed under these regulations or the Pilbara networks rules in connection with the making of the decision.

- (2) In reviewing a procedural decision, the Board is to be constituted by a legal practitioner only.
- (3) In reviewing a procedural decision, the Board must —
 - (a) if it finds that the decision maker followed the procedure — affirm the decision; or
 - (b) if it finds that the decision maker did not follow the procedure — set the decision aside and remit the matter to the decision maker.
- (4) If the Board remits a matter to the decision maker under subregulation (3)(b), the Board may make recommendations as to how the decision maker should go about making the decision.

13D. Application for review

- (1) An application for review of a reviewable decision must be made within —
 - (a) if notice of the making of the decision is required by these regulations or the Pilbara networks rules to be given to a person affected by the decision — 28 days after the day on which the notice is given; or
 - (b) in any other case — 28 days after the day on which notice of the making of the decision is published in accordance with subregulation (2).
- (2) For the purposes of subregulation (1)(b), notice of the making of a decision is published if the notice is published on a website maintained by the Coordinator.
- (3) An application for review of a reviewable decision must —
 - (a) be in writing; and
 - (b) state the name and address of the applicant; and
 - (c) provide details of the decision, including who made the decision and under which regulation or Pilbara Networks rule the decision was made or purportedly made; and
 - (d) state how the applicant is adversely affected by the decision.
- (4) The Board may extend the time within which an application for review of a reviewable decision may be made by 14 days, and may do so even though the time has elapsed.
- (5) The Board must give written notice of an application for review of a reviewable decision to the person who made the decision.

13E. Effect of application for review

- (1) The making of an application for review of a reviewable decision does not affect the operation of the decision or prevent the taking of action to implement it unless the Board, on application by a party to the proceedings, makes an order under subregulation (2).
- (2) The Board may make an order staying or otherwise affecting the operation or implementation of the whole or a part of the decision if the Board thinks that it is appropriate to do so for the purpose of securing the effectiveness of the hearing and determination of the application, after taking into account the interests of any persons who may be affected by the review.
- (3) An order under subregulation (2) —
 - (a) may be varied or revoked; and
 - (b) is subject to the conditions specified in the order; and
 - (c) has effect until the earlier of —
 - (i) the end of the period of operation specified in the order (if any); or
 - (ii) the time at which the decision of the Board on the application comes into operation.

13F. Procedure generally

- (1) This regulation applies to proceedings before the Board for a review of a reviewable decision.
- (2) The Board must make its determination on the review within 120 days after receiving the application for review.
- (3) The Board may extend, or further extend, the period referred to in subregulation (2) by a period of 30 days if it considers that the matter cannot be dealt with properly without the extension, either because of its complexity or because of other special circumstances.
- (4) If the Board extends the period referred to in subregulation (2), it must, before the end of the period, notify the applicant of the extension and the reasons for it.
- (5) The Board may require the Pilbara ISO or the Authority to give information and other assistance, and to make reports, as specified by the Board for the purposes of the proceedings.

- (6) In the proceedings —
 - (a) it is a reasonable excuse for a person to fail to answer a question if answering the question might tend to incriminate the person; and
 - (b) it is a reasonable excuse for a person to fail to produce a document if producing the document might tend to incriminate the person.
- (7) On the application of a party to the proceedings, the Board may conduct the proceedings in the absence of the public.
- (8) If the Board is satisfied that it is desirable to do so because of the confidential nature of any evidence or matter or for any other reason relating to the proceedings the Board may, by order —
 - (a) give directions prohibiting or restricting the publication of evidence given before the Board (whether in public or private) or of matters contained in documents filed with, or received in evidence by, the Board; or
 - (b) give directions prohibiting or restricting the disclosure to some or all of the parties to the proceedings, of evidence given before the Board or of matters contained in documents filed with, or received in evidence by, the Board.
- (9) In considering whether to make an order under subregulation (8) the Board is to take as the basis of its consideration the principle that the evidence and the matters contained in the documents should be made available to all parties, but must pay due regard to any reasons given to the Board as to why publication or disclosure of the evidence or matter should be prohibited or restricted.
- (10) A witness summoned to appear at a hearing of the Board is entitled to be paid such allowances and expenses as the Board determines.

6. Schedule 1 inserted

After regulation 39 insert:

Schedule 1 — Reviewable decisions and procedural decisions

[r. 13A]

1. Reviewable decisions

For the purposes of regulation 13A(2), the following provisions are listed.

Table

r. 57(4)	r. 64(7)	r. 93(1)(f)
r. 146(1)	r. 152(3)	r. 153(1)
r. 160(4)	r. 197(7)(d)	r. 202
r. 231	r. 256(1)(a)	r. 274c(4)
r. 274k(4)	r. 316(1)(d)	cl. a.3.11
cl. a2.5.6(c)	cl. a2.5.9	cl. a2.5.9a
cl. a2.5.9d	cl. a2.6.3a(a)	cl. a2.7.7a(a)
cl. a2.10.2a(a)	cl. a2.10.13(aa)	

Note for this clause:

“r.” indicates a rule in the Pilbara networks rules and
“cl.” indicates a clause in the Pilbara networks rules.

2. Procedural decisions

For the purposes of the definition of *procedural decision* in regulation 13A(1), the following provisions of the Pilbara network rules are listed.

Table

r. 256(1)(a)	cl. a2.5.6(c)
cl. a2.5.9	cl. a2.5.9a
cl. a2.5.9d	cl. a2.6.3a(a)
cl. a2.7.7a(a)	cl. a2.10.2a(a)
cl. a2.10.13(aa)	

Note for this clause:

“r.” indicates a rule in the Pilbara networks rules and
“cl.” indicates a clause in the Pilbara networks rules.

Part 3 — *Electricity Industry (Wholesale Electricity Market) Regulations 2004* amended

7. Regulations amended

This Part amends the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.

8. Regulation 4A replaced

Delete regulation 4A and insert:

4A. References to provisions of market rules in Schedules 1 and 2

A reference in Schedule 1 or 2 to a provision of the market rules is a reference to that provision as in force at 8 am on 1 October 2023.

9. Regulation 7 amended

In regulation 7(5) delete “31 March 2023.” and insert:

31 October 2025.

10. Regulation 30 amended

- (1) In regulation 30(2) in the note delete “Categories B” and insert:

Categories A, B

- (2) Delete regulation 30(3).

11. Regulation 31 amended

- (1) In regulation 31(1) delete “category A”.
- (2) In regulation 31(2) delete the passage that begins with “An” and ends with “contravention,” and insert:

An amount specified as a daily amount in Schedule 1 in respect of a contravention of a civil penalty provision applies

- (3) In regulation 31(5)(d) delete “category A”.

Note: The heading to amended regulation 31 is to read:

Authority may demand civil penalty for contravention of civil penalty provision

12. Regulation 33 amended

In regulation 33(2) delete the passage that begins with “An” and ends with “contravention,” and insert:

An amount specified as a daily amount in Schedule 1 in respect of a contravention of a civil penalty provision applies

13. Regulation 37 amended

In regulation 37:

- (a) after paragraph (a) insert:
 - (aa) if the market rules provide for the distribution of civil penalties received by the operator in respect of the contravention amongst persons negatively impacted by the contravention (regardless of whether the persons are participants or not) — distributed in accordance with the market rules; or
- (b) in paragraph (b) delete “such a distribution —” and insert:

a distribution as referred to in paragraph (a) or (aa) —

14. Regulation 42 amended

Delete regulation 42(2) and (3) and insert:

- (2) The Board may make an order affirming, setting aside or varying (immediately or as from a specified future date) the decision and, for the purposes of the review, may exercise the same powers with respect to the subject matter of the decision as may be exercised with respect to that subject matter by the person who made the decision.
- (2A) The Board may refuse to review a reviewable decision if it considers that the application for review is trivial or vexatious.
- (2B) A determination by the Board on the review of a reviewable decision has the same effect as if it were made by the person who made the decision.
- (3) The Board must give an applicant under subregulation (1) written reasons for a decision to refuse to review a reviewable decision on the basis that —
 - (a) the applicant’s interests are not adversely affected by the reviewable decision; or
 - (b) the application is trivial or vexatious.
- (4) This regulation is subject to regulation 43.

15. Regulation 45A inserted

After regulation 45 insert:

45A. Procedure on review: general

- (1) This regulation applies to proceedings before the Board for a review of a reviewable decision.
- (2) The Board must make its determination on the review within 120 days after receiving the application for review.
- (3) The Board may extend, or further extend, the period referred to in subregulation (2) by a period of 30 days if it considers that the matter cannot be dealt with properly without the extension, either because of its complexity or because of other special circumstances.
- (4) If the Board extends the period referred to in subregulation (2), it must, before the end of the period, notify the applicant of the extension and the reasons for it.

16. Regulation 49 amended

In regulation 49(1) in the definition of *Board function* paragraph (b) delete “42 or 43.” and insert:

42, 43 or 45A.

17. Regulation 50 amended

After regulation 50(4) insert:

- (5) The Board may require the operator or the Authority to give information and other assistance, and to make reports, as specified by the Board for the purposes of the proceedings.
- (6) On the application of a party to the proceedings, the Board may conduct the proceedings in the absence of the public.

18. **Part 11 inserted**

After regulation 55 insert:

Part 11 — Savings and transitional provisions

56. **Savings and transitional provisions for *Energy Regulations Amendment Regulations 2023***
- (1) In this regulation —
former regulations 4A, 30 and 31 means regulations 4A, 30 and 31 as in force immediately before 8 am on 1 October 2023;
former Schedule 1 means Schedule 1 as in force immediately before 8 am on 1 October 2023;
former Schedule 2 means Schedule 2 as in force immediately before 8 am on 1 October 2023;
new Schedule 1 means Schedule 1 as inserted by the *Energy Regulations Amendment Regulations 2023* regulation 19;
new Schedule 2 means Schedule 2 as amended by the *Energy Regulations Amendment Regulations 2023* regulations 20 and 21.
 - (2) New Schedule 1 does not apply in relation to contraventions, and continuations of contraventions, of the market rules that occur before 8 am on 1 October 2023.
 - (3) Former Schedule 1 continues to apply in relation to contraventions, and continuations of contraventions, of the market rules that occur before 8 am on 1 October 2023.
 - (4) If, at or after 8 am on 1 October 2023, a person contravenes a provision of the market rules (the *new provision*), in determining whether the contravention of the new provision is a subsequent contravention for the purposes of new Schedule 1, any contravention of a provision of the market rules (the *former provision*) by the person before 8 am on 1 October 2023 is to be counted if —
 - (a) the new provision is the same as the former provision; or
 - (b) the substance of the new provision is the same, or substantially the same, as the substance of the former provision.
 - (5) New Schedule 2 does not apply in relation to decisions made under the market rules before 8 am on 1 October 2023.

- (6) Former Schedule 2 continues to apply in relation to decisions made under the market rules before 8 am on 1 October 2023.
- (7) Former regulations 4A, 30 and 31 continue to apply for the purposes of the continuing application of former Schedule 1 under subregulation (3) and former Schedule 2 under subregulation (6).

19. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Civil penalty provisions and amounts

[r. 4A, 30, 31 and 33]

Provision	Category	Maximum civil penalty amounts
cl. 1.49.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 1.49.2	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 1.49.4	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 1.49.5	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.13.5	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 2.13.23	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.13.30	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.13.31	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 2.13.32(a)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.13.41	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.16.6(b)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.16A.2	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.16C.3	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 2.16C.5	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.26C.2T	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 2.27.6	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 2.27.12	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 2.27.14	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 2.27A.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.29.3	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000

Provision	Category	Maximum civil penalty amounts
cl. 2.29.4A	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.29.6	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.31.9	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.32.4(a)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.32.9	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.34.2	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.34.2A	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.34.3	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.34.12B	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.34.13	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.34A.8	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.35.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 2.35.2	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.35.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.36.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.36.4	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 2.37.8(a)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.38.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.38.2	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.38.3	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.41.2	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.42.4	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 2.44.4	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.4.6(a)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 3.4.8	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.5.8	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.5.10	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.6.5	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.6.6	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 3.6.9	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.7.13	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.7.14	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.7.23	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.7.24	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.8.2(c)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 3.11B.8(a)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 3.15A.21	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.15A.38	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 3.15A.39	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.16.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.16.5	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.17.8	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.18B.6	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.18B.7	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.18D.7	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.18D.8	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.18E.14	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.18E.16	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 3.20.2	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.20.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.20.4	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.21.2(a)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.21A.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 3.21A.12	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 3.21A.20	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.21A.24	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3.21A.25	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.1.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.4.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.5.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 3A.5.7	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 3A.6.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 3A.8.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.8.5(a)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.9.6	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.10.1(a)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.10.2	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.11.9	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.11.10	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.11.15	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.11.18	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 3A.13.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 3A.14.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 4.5.4	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 4.13.3	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 4.13.4	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 4.26.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 4.26.1J	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 4.27.5	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 4.4A.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 4.5B.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 4.12.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 6.6.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 6.7.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 6.7.4	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.4.2(c)	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.4.2B	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 7.4.4	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 7.4.6	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.4.8	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 7.4.26	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.4.27	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.4.29	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.4.55	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 7.4A.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 7.4A.5	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000

Provision	Category	Maximum civil penalty amounts
cl. 7.4A.6	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 7.4A.7	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 7.4A.8	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 7.6.13	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.6.20	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 7.6.31	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 7.9.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.9.6	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.9.8	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.9.9	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.9.10	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.10.1	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

Provision	Category	Maximum civil penalty amounts
cl. 7.10.1A	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.10.3	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.10.7	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.10.8	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 7.11.7	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000
cl. 8.1.3	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 8.3.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 8.3.3	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 8.3.5	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 8.4.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 8.5.2	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 8.8.1	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000

Provision	Category	Maximum civil penalty amounts
cl. 9.1.3(e)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 9.3.2	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 9.18.5	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 9.18.6	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 9.19.3	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 9.20.2B	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
cl. 10.1.2	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
cl. 10.2.4	C	first contravention: \$100 000 plus a daily amount of \$20 000 subsequent contraventions: \$100 000 plus a daily amount of \$20 000

20. **Schedule 2 clause 1 amended**

In Schedule 2 clause 1 delete the Table and insert:

Table		
r. 31(1)	cl. 2.3.8	cl. 2.5.6(c)
cl. 2.5.9	cl. 2.6.3A(a)	cl. 2.7.7A(a)
cl. 2.10.2A(a)	cl. 2.10.13	cl. 2.13.16
cl. 2.13.17	cl. 2.13.27(d)	cl. 2.13.36(b)
cl. 2.13.36(c)	cl. 2.13.36(d)	cl. 2.13.49(b)
cl. 2.16C.1	cl. 2.16C.2	cl. 2.16C.7
cl. 2.16D.4	cl. 2.28.9B	cl. 2.28.16
cl. 2.29.5D	cl. 2.30.4	cl. 2.30.8
cl. 2.30B.7	cl. 2.30B.8C	cl. 2.31.10
cl. 2.32.7E(b)	cl. 2.34.7	cl. 2.34.11

cl. 2.37.1	cl. 2.37.2	cl. 2.37.3
cl. 2.41.3	cl. 3A.3.3	cl. 3A.4.4
cl. 3A.6.6	cl. 3.18H.5	cl. 4.9.9
cl. 4.12.5	cl. 4.13.10B	cl. 4.20.11
cl. 4.28.7	cl. 10.2.1	

21. Schedule 2 clause 2 amended

In Schedule 2 clause 2 delete the Table and insert:

Table

cl. 2.5.6(c)	cl. 2.5.9
cl. 2.6.3A(a)	cl. 2.7.7A(a)
cl. 2.10.2A(a)	cl. 2.10.13
cl. 2.13.27(d)	cl. 2.16C.1
cl. 2.16C.2(b)	cl. 2.16D.1
cl. 2.16D.4.2	cl. 2.28.9B
cl. 3.18H.5	cl. 3A.4.4
cl. 4.12.5	cl. 4.13.10B

Note: The heading to regulation 47 is to read:

Procedure on review: parties

**Part 4 — *Gas Services Information Regulations 2012*
amended**

22. Regulations amended

This Part amends the *Gas Services Information Regulations 2012*.

23. Regulation 6 amended

(1) After regulation 6(3) insert:

(3A) GSI rules made by the Minister cannot commence before the GSI rules are notified under subregulation (5).

(2) Delete regulation 6(5) and insert:

(5) GSI rules made by the Minister must be notified in the *Gazette*.

(6) The notification must include notice of —

- (a) the making of the GSI rules; and
- (b) where the GSI rules are available under subregulation (8) or regulation 9.

- (7) GSI rules made by the Minister must be laid before each House of Parliament within 10 sitting days of that House next following their notification in the *Gazette*.
- (8) The Coordinator must make a copy of amending rules made by the Minister available on a website maintained by, or on behalf of, the Coordinator.

24. Regulation 15 amended

- (1) At the end of regulation 15(2) insert:

Note for this subregulation:

Categories A, B and C are specified in Schedule 1 for the purposes of the GSI rules.

- (2) Delete regulation 15(3) to (5).

25. Regulation 16 amended

- (1) In regulation 16(1):

- (a) delete “category A”;
- (b) delete the passage that begins with “operator a civil penalty” and continues to the end of the subregulation and insert:

operator a civil penalty.

- (2) After regulation 16(1) insert:

- (1A) If the ERA considers that a gas market participant has contravened a civil penalty provision, the ERA may, by notice given to the participant, demand that the participant pay to the operator a civil penalty of a daily amount that does not exceed the maximum daily amount prescribed for the contravention in Schedule 1 if the ERA considers it is appropriate considering the following —
 - (a) the circumstances of the contravention;
 - (b) the annual turnover of the participant;
 - (c) the benefit gained from the contravention by the participant.
- (1B) The daily amount referred to in subregulation (1A) applies for each day or part of a day that the contravention continues after —

- (a) if a day or time by which the contravention was to be rectified is specified in a warning notice given to the gas market participant — the day by which the contravention was to be rectified; or
 - (b) in any other case — the day on which the gas market participant is given a warning notice.
- (1C) For the purposes of subregulation (1B), if the contravention consists of a failure to do something required to be done, the contravention is to be regarded as continuing until the act is done, despite the fact that any period within which, or time before which, the act is required to be done has expired or passed.
- (1D) A civil penalty comprising an amount under subregulation (1), a daily amount under subregulation (1A) or a combination of amounts under subregulation (1) and (1A) must not exceed the lesser of —
 - (a) the maximum civil penalty amount prescribed for the contravention in Schedule 1; and
 - (b) \$20 000.
- (3) In regulation 16(2) delete “the civil penalty” and insert:

a civil penalty under subregulation (1) or (1A)
- (4) In regulation 16(3) delete “The demand” and insert:

A demand under subregulation (1) or (1A)
- (5) In regulation 16(4):
 - (a) delete “The notice” and insert:

A notice under subregulation (1) or (1A)
 - (b) in paragraph (d) delete “category A”.

Note: The heading to amended regulation 16 is to read:

Contravention of civil penalty provision: ERA may demand civil penalty

26. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Civil penalty provisions and amounts

[r. 15 and 16]

Rule	Category	Maximum civil penalty amount
r. 18(5)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 18(6)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
r. 22	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
r. 23	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
r. 27(4)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 32(6)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 34(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 36(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 39(4)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 49(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000

Rule	Category	Maximum civil penalty amount
r. 49(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 53(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 53(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 54(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 54(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 54(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 55(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 55(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 56(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 56(4)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 57(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 57(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000

Rule	Category	Maximum civil penalty amount
r. 58(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 58(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 59(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 59(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 59(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 60	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 61(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 61(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 62(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 62(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 63(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 63(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000

Rule	Category	Maximum civil penalty amount
r. 64(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 64(4)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 65(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 65(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 66(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 66(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 67(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 67(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 68(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 69(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 69(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 70(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000

Rule	Category	Maximum civil penalty amount
r. 70(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 71(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 71(4)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 72(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 72(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 73(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 73A	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 74(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 74(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 74(4)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 75(5)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 76(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000

Rule	Category	Maximum civil penalty amount
r. 76(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 77(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 77(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 78(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 98(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 98(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 99(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 99(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 100(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 100(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 101(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 101(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000

Rule	Category	Maximum civil penalty amount
r. 106(2)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 115(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 115(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 115A(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 118(1)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 118(3)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 119(5)	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 166	A	first contravention: \$10 000 plus a daily amount of \$5 000 subsequent contraventions: \$20 000 plus a daily amount of \$5 000
r. 169(3)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
r. 169(5)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000
r. 173(2)	B	first contravention: \$50 000 plus a daily amount of \$10 000 subsequent contraventions: \$75 000 plus a daily amount of \$10 000

27. Schedule 2 clause 1 amended

In Schedule 2 clause 1 delete the Table and insert:

Table		
r. 13(1)	r. 16(1)	r. 16(1A)
r. 28(2)	r. 34(2)	r. 36(2)
r. 39(3)	r. 43(2)	r. 46(3)
r. 48(2)	r. 67(4)	r. 68(3)
r. 73(3)	r. 78(3)	r. 131(1)(a)
r. 131(2)	r. 134(1)(a)	r. 137(1)(a)
r. 156(3)(a)	r. 160(2)	

V. MOLAN, Clerk of the Executive Council.