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GAS SERVICES INFORMATION ACT 2012

GAS SERVICES INFORMATION REGULATIONS 2012

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# GAS SERVICES INFORMATION RULES

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## GAS SERVICES INFORMATION ACT 2012

## GAS SERVICES INFORMATION RULES

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## GAS SERVICES INFORMATION ACT 2012

## GAS SERVICES INFORMATION RULES

## PART 1—INTRODUCTORY AND ADMINISTRATIVE MATTERS

## Division 1—Introduction

**1 Name of Rules**

These Rules (the Rules) are called the GSI Rules and are made under section 8 of the *Gas Services Information Act 2012* (the GSI Act) and the Gas Services Information Regulations 2012 (the GSI Regulations).

**2 GSI Objectives**

(1) In accordance with section 6 of the GSI Act, the objectives of the Gas Bulletin Board (the GBB) and the Gas Statement of Opportunities (the GSOO) (the GSI Objectives) are to promote the long term interests of consumers of natural gas in relation to—

- (a) the security, reliability and availability of the supply of natural gas in the State;
- (b) the efficient operation and use of natural gas services in the State;
- (c) the efficient investment in natural gas services in the State; and
- (d) the facilitation of competition in the use of natural gas services in the State.

(2) For the purposes of subrule (1)—

- (a) the primary purpose of the GBB is to include information relating to short and near term natural gas supply and demand and natural gas transmission and storage capacity in the State; and
- (b) the primary purpose of the GSOO is to include information and assessments relating to medium and long term natural gas supply and demand and natural gas transmission and storage capacity in the State.

**3 Duty to act in good faith**

- (1) A Gas Market Participant must perform the obligations imposed by the Rules in good faith.
- (2) The IMO must exercise its powers and discharge its duties under the Rules in good faith.

## Division 2—Interpretation

**4 Interpretation**

- (1) Capitalised terms in the Rules are defined in the Glossary in Schedule 1 of the Rules.
- (2) Words and expressions used in the Rules have the same meanings they have in the GSI Act and the GSI Regulations, except so far as a contrary intention appears in the Rules.
- (3) All references in the Rules to time are calculated by reference to Western Standard Time.
- (4) A reference in the Rules to—
  - (a) Gas Day D is a reference to whichever Gas Day is designated by the relevant rule;
  - (b) Gas Day D-n is a reference to the Gas Day occurring n Gas Days before Gas Day D; and
  - (c) Gas Day D+n is a reference to the Gas Day occurring n Gas Days after Gas Day D.
- (5) Transitional rules are set out in Schedule 3.

**5 Single documentation**

- (1) This rule applies if the IMO or the ERA is authorised to prepare a document under the GSI Act, the GSI Regulations or the Rules for a purpose and is also authorised to prepare a document for the same or a similar, related or corresponding purpose, under the Electricity Laws.
- (2) The IMO or the ERA (as applicable) may satisfy the requirements of the GSI Act, the GSI Regulations and the Rules regarding the document under the GSI Act, the GSI Regulations or the Rules, by preparing and making (and where relevant, publishing) a single document.

**6 Effect of renumbering of provisions of the Rules**

- (1) The renumbering of a provision of the Rules by an Amending Rule does not affect anything done or omitted under the provision before the Amending Rule comes into operation.
- (2) A reference (however expressed) in the Rules or in any other document to that provision is taken to be a reference to the provision as renumbered.
- (3) Subrules (1) and (2) have effect whether or not the renumbered provision is also relocated.



**Division 3—Procedure for consultation****7 GSI Consultation Procedure**

- (1) If the Rules require the IMO to make an instrument (however described) in accordance with the GSI Consultation Procedure, the IMO must proceed in accordance with this rule.
- (2) The IMO must proceed as follows—
  - (a) the IMO must, after such consultation (if any) as the IMO considers appropriate, prepare a draft instrument;
  - (b) the IMO must publish, on the GSI Website and in any other way the IMO considers appropriate, the draft instrument together with a notice—
    - (i) stating why the instrument is required;
    - (ii) giving reasonable details of the context in which the draft instrument has been prepared, the issues involved and the possible effects of the instrument; and
    - (iii) inviting written submissions on the draft instrument within a period (at least 20 Business Days) stated in the notice;
  - (c) the IMO must publish submissions received on the GSI Website, subject to the requirements relating to Protected Information; and
  - (d) the IMO must, as soon as reasonably practicable after the end of the period allowed for making submissions on the draft instrument, consider all relevant submissions made within the time allowed and make the instrument in its final form.
- (3) The IMO must prepare a written notice stating the reasons for making the instrument in its final form.
- (4) After making an instrument, the IMO must, without delay, publish the instrument and the written notice under subrule (3) relating to it on the GSI Website.
- (5) Subject to any other provisions in the Rules, an instrument made in accordance with this rule takes effect on the date provided for its commencement under the terms of the instrument or, if no date is so provided, 10 Business Days after the date the instrument was made.

**Division 4—Functions and powers of the IMO****8 Functions and powers of the IMO**

- (1) The IMO has the following functions and powers—
  - (a) to establish, operate and maintain the GBB;
  - (b) to register certain Gas Market Participants as Registered Participants;
  - (c) to register certain Facilities as Registered Facilities, and to exempt certain facilities from the requirement to be registered;
  - (d) to prepare and publish the GSOO;
  - (e) Rule making functions;
  - (f) Procedure making functions;
  - (g) to monitor compliance by persons with the Rules or Procedures;
  - (h) to investigate breaches or possible breaches of the Rules or the Procedures;
  - (i) to take enforcement action under the GSI Regulations;
  - (j) information gathering and disclosure functions; and
  - (k) any other functions conferred on the IMO under the GSI Act, the GSI Regulations and the Rules.
- (2) The IMO has power to do all things necessary or convenient to be done for or in connection with the performance of its functions.

**Division 5—Information provision and disclosure****9 Provision of information to IMO**

Where the Rules require a Gas Market Participant to submit information to the IMO, the participant must do so in the manner and form (including by the date or dates) specified by the IMO.

**10 [Blank]****Division 6—Gas Advisory Board****11 IMO to establish Gas Advisory Board**

- (1) The IMO must establish a non-voting advisory board to be known as the Gas Advisory Board.
- (2) The role of the Gas Advisory Board is to advise the IMO in relation to—
  - (a) Rule Change Proposals and Procedure Change Proposals;
  - (b) matters concerning the development of the Rules and Procedures;
  - (c) the operation of the GBB; and
  - (d) the preparation of a GSOO.

(3) The IMO must, subject to applicable requirements relating to Protected Information under the GSI Act and the GSI Regulations, provide the members of the Gas Advisory Board with any information in its possession that is pertinent to the issues being addressed by the Gas Advisory Board.

#### **12 Composition of the Gas Advisory Board**

- (1) The Gas Advisory Board must consist of—
- (a) a chairperson, who must be a representative of the IMO;
  - (b) one other person from the IMO;
  - (c) one person nominated by the Minister representing small end use customers;
  - (d) the Coordinator of Energy in the capacity of Hazard Management Agency under the *Emergency Management Regulations 2006*; and
  - (e) persons appointed by the IMO, such persons to include—
    - (i) two persons representing pipeline operators and owners;
    - (ii) two persons representing gas producers;
    - (iii) two persons representing gas shippers; and
    - (iv) two persons representing gas users.
- (2) The Minister and the ERA may each appoint a representative to attend meetings of the Gas Advisory Board as an observer.

#### **13 Appointment matters for the Gas Advisory Board**

- (1) The IMO may appoint and remove members of the Gas Advisory Board in accordance with the Rules and the Constitution.
- (2) When appointing members of the Gas Advisory Board, the IMO must consult with, and take nominations from, Gas Market Participants and gas industry groups that it considers have an interest in the information published on the GBB and in the GSOO, and, if practicable, must choose members from persons nominated.
- (3) The IMO must annually review the composition of the Gas Advisory Board and may remove and appoint members following the review.
- (4) The IMO may remove a member of the Gas Advisory Board at any time in the following circumstances—
- (a) the person becomes an undischarged bankrupt;
  - (b) the person becomes of unsound mind or his or her estate is liable to be dealt with in any way under a law relating to mental health;
  - (c) an event specified for this purpose in the Constitution for the Gas Advisory Board occurs; or
  - (d) in the IMO's opinion the person no longer represents the interests of the person or class of persons that he or she was appointed to represent in accordance with rule 12.
- (5) A member of the Gas Advisory Board may resign by giving notice to the IMO in writing.
- (6) Where a position on the Gas Advisory Board is vacant at any time, the IMO must use its reasonable endeavours to appoint a person to fill the position, but the Gas Advisory Board may continue to perform its functions under the Rules despite any vacancy.

#### **14 Constitution for the Gas Advisory Board**

- (1) The IMO must, in accordance with the GSI Consultation Procedure, develop and publish on the GSI Website a Constitution for the Gas Advisory Board which is consistent with the Rules.
- (2) The Constitution must provide for matters such as—
- (a) the process for appointing, replacing or removing members of the Gas Advisory Board by the IMO;
  - (b) any terms of reference of the Gas Advisory Board;
  - (c) the terms and conditions for members of the Gas Advisory Board;
  - (d) the process for convening the Gas Advisory Board;
  - (e) the conduct of meetings of the Gas Advisory Board; and
  - (f) any governance matters where the Gas Advisory Board establishes a working group.

#### **15 IMO to provide Secretariat for the Gas Advisory Board**

- (1) The IMO must provide the Secretariat for the Gas Advisory Board.
- (2) The IMO, through the Secretariat, must convene the Gas Advisory Board in accordance with the Constitution—
- (a) if the Rules require a meeting in relation to a Rule Change Proposal or a Procedure Change Proposal;
  - (b) not less than once every six months in order to raise and discuss issues with respect to the operation of the GBB and the preparation of the GSOO; and
  - (c) on any occasion when two or more members of the Gas Advisory Board have informed the Secretariat in writing that they wish to bring a matter relating to the matters listed in subrule 11(2) before the Gas Advisory Board for discussion.

**16 Gas Advisory Board may establish working groups**

The Gas Advisory Board may establish working groups to assist it in advising the IMO on any of the matters arising in the performance of its role under the Rules.

**Division 7—IMO and working groups****17 IMO may establish working groups**

The IMO may establish working groups to—

- (a) provide advice on specified aspects of the IMO's functions; or
- (b) undertake any other activity in relation to the IMO's functions as is specified by the IMO.

**Division 8—GBB systems****18 GBB system requirements**

(1) Where the IMO uses software (GBB software) and IT systems (GBB systems) to receive, store, collate and publish information for the operation of the GBB, the IMO must—

- (a) maintain a record of which version of GBB software was used at each point in time;
- (b) where changes are made to GBB software, maintain records of the differences between each version and the reasons for the changes between versions;
- (c) ensure that appropriate testing of new GBB software versions is conducted; and
- (d) ensure that any version of the GBB software used by the IMO has been certified in accordance with rule 19.

(2) The IMO may require Gas Market Participants to submit information to the IMO using GBB systems that the IMO specifies, and may reject information submitted by any other method.

(3) The IMO must publish on the GSI Website any data and connectivity requirements (including security standards) required for Gas Market Participants to submit information for the GBB.

(4) Gas Market Participants must comply with the data and connectivity requirements (including security standards) published on the GSI Website.

(5) A Gas Market Participant must ensure that any of its systems which interact with the GBB system conform to, and are operated in accordance with, the IMO's data and connectivity requirements (including security standards) at the point of interface.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(6) A Gas Market Participant must not intentionally access or use systems in a manner that will detrimentally affect the performance and operation of the GBB system or connected software systems.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**19 Certifying GBB software**

(1) Subject to this rule, the IMO must ensure that any version of the GBB software used by the IMO has been certified as compliant with the Rules and Procedures by an independent auditor.

(2) The IMO may implement changes to the current version of the GBB software without obtaining certification under subrule (1) where the IMO considers that the change will not have a material impact on any one or more of the following—

- (a) the provision of information to the IMO by Gas Market Participants under the Rules;
- (b) the processing and publication of information on the GBB or the EMF; or
- (c) the calculation and processing of GSI Invoices.

(3) Where the IMO considers that changes to the current version of the GBB software are urgently required and essential for the efficient operation of the GBB, the IMO may implement the changes to the current version of the GBB software prior to certification under subrule (1), and must obtain that certification as soon as practicable.

**20 GBB system availability**

(1) Where a Gas Market Participant is unable to comply with its obligations to provide information within a timeframe specified in the Rules or a Procedure due to a fault or outage of the GBB systems operated by the IMO (GBB system outage), that participant will not be in breach of the relevant obligation.

(2) The IMO must notify Registered Participants as soon as practicable when a GBB system outage starts and ends.

(3) The IMO must give Registered Participants reasonable notice of planned GBB system outages and must use reasonable endeavours to schedule GBB system outages at times that minimise any impact on the provision of information for the GBB by Registered Participants.

(4) Where a Gas Market Participant is unable to comply with its obligations to provide information within a timeframe specified in the Rules or a Procedure due to a GBB system outage, the participant must, where practicable to do so, provide that information to the IMO as soon as reasonably practicable after the relevant GBB system outage has ended.

(5) A Gas Market Participant must comply with its obligations to provide information to the IMO under the Rules or a Procedure once the relevant GBB system outage has ended.

**PART 2—REGISTRATION**  
**Division 1—Registration requirements**

**21 Registered Participants**

- (1) A Gas Market Participant may be registered in accordance with this Part as a Registered Participant.
- (2) There are two types of Registered Participants—
  - (a) Registered Facility Operators; and
  - (b) Registered Shippers.
- (3) A Gas Market Participant may be registered as a Registered Participant for more than one Facility or activity.
- (4) The IMO may request information from a Gas Market Participant which the IMO considers is reasonably required for the purpose of identifying persons that may be required to register under this Part, and the participant must comply with the request.

**22 Registration in relation to a Facility**

An owner, controller or operator of a Facility must, in accordance with this Part—

- (a) register the facility with the IMO as a Registered Facility; and
  - (b) be registered with the IMO as the operator of that facility,
- unless the facility is subject to an Exemption.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**23 Registration of Shippers**

A person who is a Shipper must be registered with the IMO as a Registered Shipper in accordance with this Part.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**24 IMO to publish registration requirements**

The IMO must publish on the GSI Website the content, manner and form (including information requirements) for an application or request—

- (a) registration or deregistration as a Registered Participant, including requirements for Registered Facility Operators and Registered Shippers;
- (b) registration and deregistration of a Facility for each type of Registered Facility;
- (c) transfer of registration of a Registered Facility; and
- (d) an Exemption from registration of a Facility.

**25 Applying for registration**

- (1) Subject to rule 26, a person must submit a Registration Application to the IMO if the person is required—
  - (a) to be registered under rule 22 or rule 23; or
  - (b) to register a Facility under rule 22.
- (2) A Registration Application submitted by a person (applicant) must be in the form specified by the IMO on the GSI Website and must include, as applicable—
  - (a) Contact Information; and
  - (b) relevant Standing Data in relation to a Facility that is the subject of the application.
- (3) If the IMO considers that a Registration Application does not provide sufficient information to accept the application then the IMO may, within 10 Business Days of receipt of the application, request further information from the applicant (a first information request).
- (4) An applicant must, within 10 Business Days after receiving a first information request, provide any further information in relation to its Registration Application requested by the IMO.
- (5) If, at the end of the 10 Business Days for receipt of information under subrule (4) (the first information request closing date), the IMO considers it does not have sufficient information to accept the Registration Application, then it may request further information from the applicant (a second information request) and must do so within 10 Business Days of the first information request closing date.
- (6) If a second information request is made by the IMO under subrule (5), an applicant must provide the requested information in relation to its Registration Application within 10 Business Days after receiving the request.

**26 Registration Application by owner controller or operator of Facility**

- (1) An owner, controller or operator of a Facility who is required to be registered in relation to the facility under rule 22 may nominate a person to be the applicant (nominated applicant) for registration as the Registered Facility Operator for the facility for the purposes of the Rules.
- (2) A Registration Application submitted under rule 25 by a nominated applicant must provide information, in the form specified on the GSI Website, about each person who is an owner, controller or operator of the relevant Facility (a related party) and the nominated applicant.

- (3) The information requirements for a Registration Application under rule 24 include, for registration of a nominated applicant as a Registered Facility Operator—
- (a) the identity of the nominated applicant and of each related party;
  - (b) evidence demonstrating that the nominated applicant is the appropriate person to be the Registered Facility Operator for the Facility, and has the organisational and technical capacity to meet the obligations of an operator under the Rules;
  - (c) the written consent of all parties, including both the nominated applicant and the related parties; and
  - (d) that the nominated applicant satisfies any other relevant registration requirements.
- (4) If the IMO provides a notice under subrules 28(1)(b) or (2)(b) to a nominated applicant, the IMO must give a copy of that notice to all related parties.

#### **27 Effect of registration of nominated applicant**

- (1) Subject to this rule, where a Registration Application by a nominated applicant is accepted by the IMO—
- (a) the nominated applicant is the Registered Facility Operator for the Facility for all purposes under the Rules;
  - (b) a reference in the Rules to the operator of a Facility is taken to be a reference to the person who is the nominated applicant and the Registered Facility Operator for the facility; and
  - (c) an owner, controller or operator of the relevant Facility (a related party) is deemed to be exempt from the requirement to be registered under rule 22 as a Registered Facility Operator for the Facility.
- (2) Subject to subrule 26(4), the IMO may fulfil any duties to the related parties under the Rules by performing those duties in relation to the Registered Facility Operator.
- (3) The related parties must procure, and where necessary must facilitate, the compliance of the Registered Facility Operator with its obligations under the Rules, including any obligations that, but for the deemed exemption, would be placed on the related parties.
- (4) Where a related party becomes aware of changes to the information provided in a Registration Application about any of the parties or the Registered Facility Operator, that party must ensure that the IMO is advised of the changes.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

- (5) If the related parties wish to alter the arrangement in relation to the person who is the Registered Facility Operator for the relevant Facility, an application for registration, deregistration or transfer of the existing registration (as necessary) must be made to the IMO under this Part by or on behalf of all of the related parties.

#### **28 Deciding a Registration Application**

- (1) If the IMO is satisfied that a Registration Application meets the relevant requirements for registration, the IMO must, by the relevant date—
- (a) accept the application;
  - (b) notify the applicant that its application has been accepted, and specify—
    - (i) the Gas Day on which each registration takes effect; and
    - (ii) where the application relates to the registration of a Facility, details of any relevant Receipt Points, Delivery Points and Gate Stations;
  - (c) amend the GSI Register to record the registration of the Registered Participant or Registered Facility; and
  - (d) publish a notice of the change to the GSI Register on the GSI Website.
- (2) If the IMO is not satisfied that a Registration Application meets the relevant requirements for registration for any of the reasons set out in subrule (3), the IMO must, by the relevant date—
- (a) refuse the application; and
  - (b) notify the applicant in writing that its application has been refused and give reasons for the refusal.
- (3) The IMO may only refuse a Registration Application if—
- (a) the IMO has made a request for further information to the applicant under subrules 25(3) or (5) and the applicant has not provided the information requested within the specified timeframes;
  - (b) in the case of an applicant who purports to be eligible to be registered as a Registered Participant, the IMO considers that the applicant has not provided reasonable evidence that the person is eligible to be a Registered Participant; or
  - (c) in the case of a Facility that the applicant purports to be eligible to be registered as a Registered Facility, the IMO considers that the applicant has not provided reasonable evidence that the facility is eligible to be a Registered Facility.
- (4) In this rule—
- relevant date** means, in relation to a Registration Application, 10 Business Days after the latest of—
- (a) the date of receipt of the application, where no further requests for information are made by the IMO under subrules 25(3) and (5);

- (b) the final date by which an applicant must provide information to the IMO in response to a first information request under subrules 25(3) and (4); or
- (c) the final date by which an applicant must provide information to the IMO in response to a second information request under subrules 25(5) and (6).

#### **Division 2—Intending operators or shippers**

##### **29 Intending operator of new Facility may apply for registration**

- (1) A person intending to own, control or operate a new Facility (intending new facility operator) may submit a Registration Application to the IMO in accordance with this Part prior to the commencement of the operation of the Facility.
- (2) An intending new facility operator must satisfy the IMO that it intends to operate a Facility that requires registration before the IMO is required to accept a Registration Application.
- (3) If the IMO accepts a Registration Application from an intending new facility operator prior to commencement of the operation of the facility, registration takes effect from the later of—
  - (a) the Gas Day on which the relevant facility commences operation; or
  - (b) the Gas Day specified by the IMO in the notice under subrule 28(1)(b).

##### **30 Intending operator of Registered Facility may apply for registration**

- (1) A person intending to own, control or operate a Registered Facility (intending facility operator) who is not a Registered Participant may submit a Registration Application to the IMO in accordance with this Part prior to the transfer of the registration of the facility.
- (2) An intending facility operator must satisfy the IMO that it intends to operate a Registered Facility before the IMO is required to accept a Registration Application.
- (3) If the IMO accepts a Registration Application from an intending facility operator prior to the transfer of registration of the Facility, registration as a Registered Participant takes effect from the Gas Day specified by the IMO in the notice under subrule 39(1)(b).

##### **31 Intending Shippers may apply for registration as Registered Shipper**

- (1) A person intending to become a Shipper (intending shipper) may submit a Registration Application to the IMO prior to the commencement of shipper activities.
- (2) An intending shipper must satisfy the IMO that it intends to carry out shipper activities that require registration before the IMO is required to accept a Registration Application.
- (3) If the IMO accepts a Registration Application from an intending shipper prior to commencement of shipper activities, the registration as a Shipper takes effect from the date specified by the IMO in the notice under subrule 28(1)(b).

#### **Division 3—Multiple pipelines**

##### **32 Registration of multiple Transmission Pipelines**

- (1) A Gas Market Participant who operates more than one Transmission Pipeline may submit a Registration Application to the IMO for registration of those pipelines as a single GBB Pipeline in accordance with this Part.
- (2) The IMO may only accept a Registration Application to register multiple Transmission Pipelines as a single GBB Pipeline if the applicant demonstrates all of the requirements in subrule (3) in the application.
- (3) The requirements in respect of the Transmission Pipelines are—
  - (a) the same person is the operator of each of the relevant pipelines;
  - (b) each of the pipelines is required to be registered;
  - (c) all of the pipelines are physically connected; and
  - (d) all of the pipelines are operated as part of a single transmission pipeline system.
- (4) Where the IMO registers multiple Transmission Pipelines as a single GBB Pipeline, the pipelines are treated as a single Facility for the purposes of the Rules.
- (5) The registration requirements published by the IMO under rule 24 may include further requirements for registration of multiple Transmission Pipelines as a single GBB Pipeline.
- (6) The operator of the Transmission Pipelines registered under this rule must give written notice to the IMO as soon as practicable after it becomes aware that the pipelines may no longer meet the relevant requirements in subrule (3).

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

- (7) The IMO may, by notice in writing to the relevant operator, revoke the registration of multiple Transmission Pipelines as a single GBB Pipeline under this rule if the pipelines no longer meet the requirements in subrule (3).

#### **Division 4—Deregistration**

##### **33 Applying for deregistration of Registered Facilities**

- (1) A Registered Participant registered as the operator of a Registered Facility may submit an application to the IMO, in the form specified by the IMO on the GSI Website, to deregister that Registered Facility if it becomes aware that the facility is no longer required to be registered.

(2) If the IMO considers that an application for deregistration does not provide sufficient information to accept the application, the IMO may, within 10 Business Days of receipt of the application, request further information from the applicant and the applicant must provide this information within 10 Business Days after receiving the request.

#### **34 Deciding application for deregistration of Registered Facilities**

(1) If the IMO is satisfied that a Registered Facility that is the subject of an application for deregistration is no longer required to be registered, the IMO must, by the relevant date—

- (a) accept the application for deregistration of the facility;
- (b) notify the applicant that its application has been accepted, and specify the Gas Day on which the deregistration takes effect;
- (c) amend the GSI Register to record the deregistration of the Registered Facility; and
- (d) publish a notice of the change to the GSI Register on the GSI Website.

(2) If the IMO is not satisfied that the Registered Facility that is the subject of an application for deregistration is no longer required to be registered, the IMO must, by the relevant date—

- (a) refuse the application for deregistration of the facility; and
- (b) notify the applicant in writing that its application has been refused and give reasons for the refusal.

(3) In deciding to deregister a Registered Facility, the IMO may impose obligations on the operator of the facility, who must comply with those obligations.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(4) Without limitation, an obligation imposed under subrule (3) may require compliance with specified requirements of the Rules, with any modifications specified by the IMO.

(5) Any such obligation may continue, to the extent necessary, to apply after deregistration takes effect.

(6) In this rule—

**relevant date** means, in relation to an application for the deregistration of a Registered Facility, 10 Business Days after the later of—

- (a) the date of receipt of the application, where no further request for information is made by the IMO under subrule 33(2); or
- (b) the final date by which an applicant must provide information to the IMO in response to a request for further information under subrule 33(2).

#### **35 Applying for deregistration for Registered Participants**

(1) A Registered Participant may submit an application to the IMO, in the form specified by the IMO on the GSI Website, to be deregistered if the participant considers that it no longer satisfies the requirements for registration as a Registered Facility Operator or a Registered Shipper (as the case may be).

(2) If the IMO considers that an application for deregistration does not provide sufficient information to accept the application, then the IMO may, within 10 Business Days of receipt of the application, request further information from the applicant and the applicant must provide this information within 10 Business Days of receiving the request.

#### **36 Deciding application for deregistration of Registered Participants**

(1) If the IMO is satisfied that a Registered Participant applying for deregistration is no longer required to be registered (whether as a Registered Facility Operator or as a Registered Shipper), the IMO must, by the relevant date—

- (a) accept the application for deregistration;
- (b) notify the applicant that its application has been accepted, and specify the Gas Day on which the deregistration takes effect;
- (c) amend the GSI Register to record the deregistration of the Registered Participant; and
- (d) publish a notice of the change to the GSI Register on the GSI Website.

(2) If the IMO is not satisfied that a Registered Participant applying for deregistration is no longer required to be registered, the IMO must, by the relevant date—

- (a) refuse the application for deregistration; and
- (b) notify the applicant in writing that its application has been refused and give reasons for the refusal.

(3) In deciding to deregister a Registered Shipper, the IMO may impose obligations on the deregistered party, who must comply with those obligations.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(4) Without limitation, an obligation imposed on a deregistered party under subrule (3) may—

- (a) require compliance with specified requirements of the Rules, with any modifications specified by the IMO; and
- (b) require payment of any outstanding fees payable under the Rules by a Registered Shipper.

(5) Any such obligation may continue, to the extent necessary, to apply after deregistration takes effect.

(6) In this rule—

**relevant date** means, in relation to an application for the deregistration of a Registered Participant, 10 Business Days after the later of—

- (a) the date of receipt of the application, where no further request for information is made by the IMO under subrule 35(2); or
- (b) the final date by which an applicant must provide information to the IMO in response to a request for further information under subrule 35(2).

### **37 IMO may deregister Registered Facility or Registered Participant**

(1) This rule applies where no application for deregistration has been received by the IMO in relation to a Registered Facility or a Registered Participant.

(2) The IMO may deregister a Registered Facility or a Registered Participant where the IMO is satisfied that registration is no longer required.

(3) The IMO must notify a Registered Facility Operator of the decision to deregister the Registered Facility or the Registered Facility Operator (or both) and the Gas Day on which the deregistration takes effect.

(4) The IMO must notify a Registered Shipper of the decision to deregister the person as a shipper, and the Gas Day on which deregistration takes effect.

(5) If the IMO decides to deregister a Registered Facility or a Registered Participant under this rule it must—

- (a) amend the GSI Register to record the deregistration of the Registered Facility or Registered Participant; and
- (b) publish a notice of the change to the GSI Register on the GSI Website.

## **Division 5—Transfer of registration**

### **38 Transfer of registration of Registered Facility**

(1) A Registered Participant registered as the operator of a Registered Facility may submit an application to the IMO, in the form specified by the IMO on the GSI Website, to transfer the registration of that facility.

(2) If the IMO considers that an application to transfer the registration of a Registered Facility does not provide sufficient information to accept the application, the IMO may, within 10 Business Days of receipt of the application, request further information from the applicant and the applicant must provide this information within 10 Business Days of receiving the request.

### **39 Deciding application to transfer registration of Registered Facility**

(1) If the IMO is satisfied that an application to transfer the registration of a Registered Facility meets the requirements in subrule (2) the IMO must, by the relevant date—

- (a) accept the application to transfer the registration of the facility;
- (b) notify the applicant that its application has been accepted and specify the Gas Day on which the transfer takes effect;
- (c) amend the GSI Register to record the transfer of the registration of the Registered Facility; and
- (d) publish a notice of the change to the GSI Register on the GSI Website.

(2) The requirements for an application to transfer the registration of a Registered Facility include—

- (a) the IMO has received written consent to the transfer of the registration of the Registered Facility from both the current Registered Facility Operator of the facility and the new operator of the facility; and
- (b) the new operator is registered as a Registered Participant on or before the Gas Day specified in the notice under subrule (1)(b).

(3) If the IMO is not satisfied that an application to transfer the registration of a Registered Facility meets the requirements in subrule (2) the IMO must, by the relevant date—

- (a) refuse the application; and
- (b) notify the applicant in writing that its application has been refused and give reasons for the refusal.

(4) The IMO may impose obligations in relation to the transfer of registration of a Registered Facility, and the old and new Registered Facility Operators of the facility must comply with those obligations.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(5) Without limitation, an obligation imposed under subrule (4) may require compliance with specified requirements of the Rules, with any modifications specified by the IMO and any such obligation may continue, to the extent necessary, to apply after the transfer of registration takes effect.

(6) In this rule—

**relevant date** means, in relation to an application to transfer the registration of a Registered Facility, 10 Business Days after the later of—

- (a) the date of receipt of the application, where no further request for information is made by the IMO under subrule 38(2); or



- (b) the final date by which an applicant must provide information to the IMO in response to a request for further information under subrule 38(2).

#### **Division 6—Exemption of Facilities from registration**

##### **40 IMO may exempt Facilities from registration**

- (1) The IMO may decide, in accordance with this Division, to exempt a Facility from the requirement to be registered as a Registered Facility.
- (2) The IMO may grant an Exemption under this Division in relation to a Facility whether it is an Eligible GBB Facility or is a Registered Facility.

##### **41 Intending facility operators may apply for exemption of a new Facility**

- (1) A person intending to own, control or operate a new Facility (intending new facility operator) that may be required to be registered under rule 22 may submit an Exemption Application to the IMO in accordance with this Division prior to the commencement of the operation of the Facility.
- (2) An intending new facility operator must satisfy the IMO that it intends to operate a Facility that may require registration before the IMO is required to accept an Exemption Application.

##### **42 Applying for Exemption of a Facility**

- (1) An owner, controller or operator of a Facility who is required to be registered in relation to the facility under rule 22 may nominate a person to be the applicant (nominated applicant) to submit an Exemption Application to the IMO for exemption from the requirement for the facility to be a Registered Facility.
- (2) An Exemption Application submitted by a nominated applicant must be in the form specified by the IMO on the GSI Website for the particular type of Facility and must include—
- (a) information about the identity of each person who is an owner, controller or operator of the relevant facility; and
  - (b) the written consent of all parties to the application.
- (3) If the IMO considers that an Exemption Application does not provide sufficient information to accept the application, then the IMO may, within 10 Business Days after receipt of the application, request further information from the nominated applicant (a first information request).
- (4) A nominated applicant must, within 10 Business Days after receiving a first information request, provide any further information in relation to its Exemption Application requested by the IMO.
- (5) If, at the end of the 10 Business Days for receipt of information under subrule (4), (the first information request closing date) the IMO considers it does not have sufficient information to accept the Exemption Application, then it may request further information from the nominated applicant (a second information request) and must do so within 10 Business Days after the first information request closing date.
- (6) If a second information request is made by the IMO under subrule (5), a nominated applicant must provide the requested information in relation to its Exemption Application within 10 Business Days after receiving the request.
- (7) If the IMO provides a notice under subrules 43(1)(b), 43(3)(b) or 48(2) to a nominated applicant, the IMO must give a copy of that notice to all owners, controllers and operators of the relevant facility.

##### **43 Deciding an Exemption Application for a Facility**

- (1) If the IMO is satisfied that an Exemption Application in respect of a Facility meets the relevant Exemption Criteria in rule 44, 45, 46 or 47, the IMO must, by the relevant date—
- (a) accept the application;
  - (b) notify the nominated applicant that the application has been accepted and specify the Gas Day on which the Exemption takes effect;
  - (c) amend the GSI Register to record the Exemption of the facility and, if applicable, the deregistration of the facility; and
  - (d) publish a notice of the change to the GSI Register on the GSI Website.
- (2) If the IMO is not satisfied that an Exemption Application meets the relevant exemption requirements for either of the reasons set out in subrule (3), the IMO must, by the relevant date—
- (a) refuse the application; and
  - (b) notify the nominated applicant in writing that its application has been refused and give reasons for the refusal.
- (3) The IMO may only refuse an Exemption Application in relation to a Facility if—
- (a) the IMO has made a request for further information under subrules 42(3) or (5) and the applicant has not provided the information requested within the specified timeframes; or
  - (b) the IMO considers that the nominated applicant has not provided reasonable evidence that the facility meets the applicable Exemption Criteria.
- (4) Where the IMO accepts an Exemption Application from a nominated applicant, that person is taken to be the operator and contact person in relation to the exempt Facility for all purposes under the Rules.

- (5) If the IMO accepts an Exemption Application from an intending facility operator prior to commencement of the operation of the facility, the Exemption takes effect from the later of—
- (a) the Gas Day on which the relevant facility commences operation; or
  - (b) the Gas Day specified in the notice under subrule (1)(b).

- (6) In this rule—

**relevant date** means, in relation to an Exemption Application, 10 Business Days after the latest of—

- (a) the date of receipt of the application, where no further requests for information are made by the IMO under subrules 42(3) and (5);
- (b) the final date by which an applicant must provide information to the IMO in response to a first information request under subrules 42(3) and (4); or
- (c) the final date by which an applicant must provide information to the IMO in response to a second information request under subrules 42(5) and (6).

#### 44 Specific exemption requirements for Transmission Pipelines

- (1) A person who submits an Exemption Application to the IMO to have a Transmission Pipeline exempted from the requirement to be a Registered Facility in accordance with rule 42 must satisfy the IMO that the pipeline meets the Exemption Criteria in subrule (2).
- (2) The Exemption Criteria in relation to a Transmission Pipeline are—
- (a) the Nameplate Capacity of the pipeline is less than 10 TJ of natural gas per Gas Day; or
  - (b) the pipeline only delivers natural gas to a single Receipt Point on a single GBB Pipeline.

#### 45 Specific exemption requirements for Storage Facilities

- (1) A person who submits an Exemption Application to the IMO to have a Storage Facility exempted from the requirement to be a Registered Facility in accordance with rule 42 must satisfy the IMO that the facility meets the Exemption Criteria in subrule (2).
- (2) The Exemption Criteria in relation to a Storage Facility are—
- (a) the Production Nameplate Capacity of the facility is less than 10 TJ of natural gas per Gas Day; or
  - (b) the facility is used solely as part of a Production Facility.

#### 46 Specific exemption requirements for Production Facilities

- (1) A person who submits an Exemption Application to the IMO to have a Production Facility exempted from the requirement to be a Registered Facility in accordance with rule 42 must satisfy the IMO that the facility meets the Exemption Criteria in subrule (2).
- (2) The Exemption Criteria in relation to a Production Facility are—
- (a) the Nameplate Capacity of the facility is less than 10 TJ of natural gas per Gas Day; or
  - (b) the natural gas from the facility does not flow (directly or indirectly) into a GBB Pipeline.
- (3) Despite a Production Facility meeting the Exemption Criteria in subrule (2), the IMO may refuse to grant an Exemption in respect of that facility if—
- (a) the facility is one of two or more facilities operated by a common Production Facility Operator; and
  - (b) the aggregate of the Nameplate Capacities of all the facilities operated by the common Production Facility Operator is 10 TJ of natural gas per Gas Day or more.

#### 47 Specific exemption requirements for Large User Facilities

- (1) A person who submits an Exemption Application to the IMO to have a Large User Facility exempted from the requirement to be a Registered Facility in accordance with rule 42 must satisfy the IMO that the facility meets the Exemption Criteria in subrule (2).
- (2) The Exemption Criteria in relation to a Large User Facility are—
- (a) the facility has not, on any single Gas Day during the last 12 month period, been delivered 10 TJ or more of natural gas; and
  - (b) the applicant is able to satisfy the IMO, by providing evidence that clearly demonstrates, that the facility will not be delivered 10 TJ or more of natural gas on any single Gas Day during the coming 12 month period.

#### 48 IMO may revoke Exemption

- (1) This rule applies where a Facility has been granted an Exemption under this Division and the IMO has reasonable grounds to believe that the Facility no longer meets the relevant Exemption Criteria.
- (2) The IMO may revoke the Exemption by notice in writing to the operator for the exempt Facility, and the notice must include—
- (a) the decision of the IMO to revoke the Exemption of a Facility and written reasons for the decision; and
  - (b) the Exemption Cancellation Date, which is to be no earlier than 20 Business Days after the date of the notice.

Note: A consequence of this is that the relevant facility operator will need to apply for registration under rule 25. Where for example a pipeline ceases to be exempt by virtue of this rule other persons

(e.g. production facility operators who inject gas into that pipeline or shippers on that pipeline) may also need to apply for registration under rule 25.

- (3) If the IMO revokes an Exemption under subrule (2), the IMO must, as soon as practicable—
  - (a) publish its reasons on the GSI Website;
  - (b) amend the GSI Register to record the revocation of the exemption; and
  - (c) publish a notice of the change to the GSI Register on the GSI Website.
- (4) The IMO may cancel the notice referred to in subrule (2) at any time prior to the Exemption Cancellation Date—
  - (a) of its own motion; or
  - (b) on application made before that date by the owner, controller or operator of the Facility whose Exemption is to be cancelled,if the IMO is satisfied that its notice was based on a mistake as to the facts or otherwise should not have been issued in all the circumstances.
- (5) If the IMO cancels a notice under subrule (4), it must—
  - (a) notify the operator of the Facility;
  - (b) amend the GSI Register to record the cancellation; and
  - (c) publish a notice of the cancellation on the GSI Website.

#### **49 Exempt operator to notify IMO of changed circumstances**

- (1) An owner, controller or operator of a Facility that is the subject of an Exemption under this Division must give written notice to the IMO as soon as practicable after it becomes aware that the Facility may no longer meet the relevant Exemption Criteria.
- (2) Where an owner, controller or operator of a Facility becomes aware of changes to the information provided in an Exemption Application, that party must ensure that the IMO is advised of the changes.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

### **Division 7—Declaration of Eligible GBB Facility**

#### **50 IMO may declare Facility to be an Eligible GBB Facility**

- (1) This rule applies where the IMO has reasonable grounds to believe that a Facility is not a Registered Facility and is not the subject of an Exemption under Division 6.
- (2) The IMO may, by notice in writing to an owner, controller or operator of a Facility, declare the facility to be an Eligible GBB Facility.
- (3) A notice issued under subrule (2) must include—
  - (a) the IMO's reasons for its decision; and
  - (b) the date by which the owner, controller or operator of the Facility must respond to the notice in accordance with subrule (4), which must be at least 20 Business Days after the date the notice is issued.
- (4) If an owner, controller or operator of a Facility receives a notice from the IMO under subrule (2) it must, by the date referred to in subrule (3)(b)—
  - (a) submit a Registration Application in relation to the Eligible GBB Facility; or
  - (b) if an application for an Exemption in relation to the Facility has not been made in the previous 12 months and the owner, controller or operator of the facility reasonably believes the Facility meets the relevant Exemption Criteria, apply for an Exemption in relation to the Eligible GBB Facility.
- (5) The IMO may cancel the notice referred to in subrule (2) at any time prior to the date referred to in subrule (3)(b)—
  - (a) of its own motion; or
  - (b) on application made before that date by the relevant owner, controller or operator,where the IMO is satisfied that its notice was based on a mistake as to the facts or otherwise should not have been issued in all the circumstances.

### **Division 8—GSI Register**

#### **51 GSI Register**

- (1) The IMO must maintain and publish on the GSI Website an up to date register for the purposes of the Rules (the GSI Register).
- (2) The register must include particulars of—
  - (a) Registered Participants;
  - (b) Registered Facilities and the Registered Facility Operator responsible for each facility; and
  - (c) Exemptions of Facilities granted under this Part.
- (3) The IMO may, from time to time, amend the GSI Register as it considers necessary to ensure that the particulars on the register are at all times accurate.

(4) Where for any reason the GSI Register is amended, the IMO must publish a notice of the change on the GSI Website as soon as practicable.

### **PART 3—PROVISION OF INFORMATION FOR GAS BULLETIN BOARD**

#### **Division 1—General information requirements for Gas Market Participants**

##### **52 Provision of information by Gas Market Participants**

Where this Part requires a Gas Market Participant to provide information to the IMO, the information must be provided by that person in accordance with the GSI Act, the GSI Regulations, the Rules and any applicable Procedures.

##### **53 Provision of Contact Information**

(1) Each Registered Participant must provide the IMO with up to date Contact Information for publishing on the GBB and must ensure that its Contact Information is kept up to date at all times.

(2) Any other Gas Market Participant may provide the IMO with contact details for publishing on the GBB and, where this occurs, the participant must advise the IMO as soon as reasonably practicable of any changes to those details.

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) Contact Information includes—

- (a) company name and ACN of the Registered Participant;
- (b) ABN of the Registered Participant;
- (c) company address details, including office and postal addresses for the Registered Participant;
- (d) a company telephone number for the Registered Participant;
- (e) contact details for a primary contact person including the person's name, company, position, telephone number, mobile number (if available) and email address; and
- (f) the details of any alternate contacts provided under subrule (4).

(4) A Registered Participant may record with the IMO one or more alternate contacts and must, for each alternate contact, provide the IMO with the person's name, company, position, telephone number, mobile number (if available) and email address.

(5) Contact Information must be provided to the IMO as part of a Registration Application, and then as soon as practicable following any changes to the information.

#### **Division 2—Information requirements for Pipeline Operators**

##### **54 Facility Data for Transmission Pipelines**

(1) A Pipeline Operator who submits a Registration Application in relation to a Transmission Pipeline must provide Facility Data that identifies for that pipeline—

- (a) all physical receipt points and delivery points, and the Production Facilities, Storage Facilities and other Transmission Pipelines to which they connect;
- (b) all notional receipt points and notional delivery points utilised by the Pipeline Operator, including the corresponding physical receipt points and delivery points;
- (c) all Shippers that use the Transmission Pipeline; and
- (d) all physical delivery points that serve Distribution Systems, including those physical delivery points that serve a Distribution System where more than one gas retailer can sell gas in accordance with an approved Retail Market Scheme under the *Energy Coordination Act 1994*.

(2) A Registered Pipeline Operator must, as soon as practicable after receiving notice from the IMO under subrule 28(1)(b) of the acceptance of a Registration Application for a Transmission Pipeline, provide to the IMO the Nameplate Capacities of each Gate Station connected to that pipeline.

(3) A Registered Pipeline Operator must notify the IMO of any changes to its Facility Data as soon as practicable after it becomes aware that the Facility Data it has provided to the IMO is no longer accurate.

Note: Subrules (1), (2) and (3) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(4) The IMO must amend the Facility Data to reflect any changes notified by a Registered Pipeline Operator in relation to a GBB Pipeline that it operates.

##### **55 Registered Pipeline Operators to provide Nameplate Capacity Data**

(1) A Registered Pipeline Operator must provide the IMO with the Nameplate Capacity Data for each GBB Pipeline that it operates by 31 March each year.

(2) A Registered Pipeline Operator must notify the IMO of any changes to the Nameplate Capacity Data as soon as practicable after it becomes aware that—

- (a) Nameplate Capacity Data it has provided to the IMO is no longer accurate due to changes in the capacity of a GBB Pipeline or Gate Station (as applicable);
- (b) the changes in capacity are more than 10% of the relevant component of current Nameplate Capacity Data; and
- (c) the changes are likely to impact the GBB Pipeline or Gate Station for more than one year.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

#### **56 Registered Pipeline Operators to provide medium term pipeline capacity outlook**

(1) A Registered Pipeline Operator must submit a Medium Term Capacity Outlook to the IMO for each of its GBB Pipelines by the start of each calendar month, and that outlook must cover the period of 12 months from the start of that month.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) The Medium Term Capacity Outlook must include Planned Service Notifications for all planned work on the GBB Pipeline during the period covered by the outlook, which the operator reasonably expects to have a material impact on the capacity of the pipeline.

(3) A Planned Service Notification must include—

- (a) the identity of the GBB Pipeline;
- (b) expected start and end dates of the capacity change;
- (c) the expected capacity of the GBB Pipeline during that period as a result of the work; and
- (d) a text description of the nature and location of the work.

(4) A Registered Pipeline Operator must, as soon as practicable, submit a revised Medium Term Capacity Outlook to the IMO if the operator considers that there has been a material change to the information contained in the outlook, but need not submit a revised outlook for Gas Days within the period covered by Capacity Outlooks already provided under rule 57.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(5) For the purposes of subrules (2) and (4), a material impact or change means a change to capacity that is more than the greater of 10% of Nameplate Capacity or 10 TJ per day.

#### **57 Registered Pipeline Operators to provide seven day Capacity Outlook**

(1) Subject to subrules (3) and (4), a Registered Pipeline Operator must, by 6:00 PM on each Gas Day D, provide to the IMO a Capacity Outlook for each of its GBB Pipelines for each of the Gas Days from Gas Day D+1 to Gas Day D+7 inclusive.

(2) If, before 9:00 AM or 1:00 PM on a Gas Day D, a Registered Pipeline Operator becomes aware of a change to the most recently provided or deemed Capacity Outlook for any of its GBB Pipelines for a Gas Day that has not yet ended, the operator must provide to the IMO an updated Capacity Outlook for the Gas Day by 9:00 AM or 1:00 PM on Gas Day D (whichever is relevant).

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) If a Capacity Outlook for a Gas Day has been previously provided to the IMO (or deemed by the IMO under subrule (5)) and the Registered Pipeline Operator considers that no change is required, then it is not required to submit a Capacity Outlook for that Gas Day again.

(4) If a Registered Pipeline Operator considers that the Capacity Outlook for Gas Day D+7 is the same as the last Capacity Outlook for Gas Day D+6 that was provided to the IMO (or deemed by the IMO under subrule (5)) then the operator is not required to submit a Capacity Outlook for Gas Day D+7.

(5) If the IMO has not received a Capacity Outlook for a GBB Pipeline for Gas Day D+7 by 6:00 PM on Gas Day D, but it does have a Capacity Outlook for Gas Day D+6, then the IMO must deem the Capacity Outlook for the GBB Pipeline for Gas Day D+7 to be the same as the current Capacity Outlook for Gas Day D+6.

#### **58 Registered Pipeline Operators to provide linepack capacity adequacy outlook**

(1) Subject to subrules (4) and (5), a Registered Pipeline Operator must, by 6:00 PM on each Gas Day D, provide to the IMO an LCA Flag for each of its GBB Pipelines for each of the Gas Days from Gas Day D+1 to Gas Day D+3 inclusive.

(2) If a Registered Pipeline Operator becomes aware of a change to the most recently provided or deemed LCA Flag for a GBB Pipeline for a Gas Day that has not yet ended, then the operator must provide to the IMO an updated LCA Flag for that Gas Day as soon as practicable.

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) Where a Registered Pipeline Operator operates a GBB Pipeline that is located in more than one Zone, the operator must provide a separate LCA Flag for each part of the pipeline located in each relevant Zone.

(4) If an LCA Flag for a GBB Pipeline for a Gas Day has been previously provided to the IMO (or deemed by the IMO under subrule (6)) and the Registered Pipeline Operator considers that no change is required, then it is not required to submit an LCA Flag for that pipeline and Gas Day again.

(5) If a Registered Pipeline Operator considers that the LCA Flag for a GBB Pipeline for Gas Day D+3 is the same as the last LCA Flag for Gas Day D+2 that was provided to the IMO (or deemed by the IMO under subrule (6)) then the operator is not required to submit an LCA Flag for that pipeline for Gas Day D+3.

(6) If the IMO has not received an LCA Flag for a GBB Pipeline for Gas Day D+3 by 6:00 PM on Gas Day D, but it does have an LCA Flag for Gas Day D+2, then the IMO must deem the LCA Flag for that pipeline for Gas Day D+3 to be the same as the current LCA Flag for Gas Day D+2.

**59 Registered Pipeline Operators to provide Nominated and Forecast Flow Data**

(1) A Registered Pipeline Operator must, by 6:00 PM on each Gas Day D, provide to the IMO for each Delivery Point on each of its GBB Pipelines—

- (a) the aggregate quantity of gas nominated by Shippers to be withdrawn at the Delivery Point on Gas Day D+1; and
- (b) the aggregate quantity of gas forecasted by Shippers to be withdrawn at the Delivery Point on each of Gas Days D+2 to D+7 inclusive, if the operator has been provided with forecast quantities by Shippers on the GBB Pipeline.

(2) A Registered Pipeline Operator must, by 6:00 PM on each Gas Day D, provide to the IMO for each Receipt Point on each of its GBB Pipelines—

- (a) the aggregate quantity of gas nominated by Shippers to be injected at the Receipt Point on Gas Day D+1; and
- (b) the aggregate quantity of gas forecasted by Shippers to be injected at the Receipt Point on each of Gas Days D+2 to D+7 inclusive, if the operator has been provided with forecast quantities by Shippers on the GBB Pipeline.

(3) If, before 9:00 AM or 1:00 PM on a Gas Day D a Registered Pipeline Operator becomes aware of a change to the most recently provided Nominated and Forecast Flow Data for any of its GBB Pipelines for a Gas Day that has not yet ended, the operator must provide to the IMO updated Nominated and Forecast Flow Data for the Gas Day by 9.00 AM or 1.00 PM on Gas Day D (whichever is relevant).

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**60 Registered Pipeline Operators to provide Daily Actual Flow Data**

A Registered Pipeline Operator must, for each of its GBB Pipelines, provide the IMO with Daily Actual Flow Data for each Gas Day D by 2.00 PM on Gas Day D+2.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**61 PIA Pipeline Operator to provide Gas Specification Data**

(1) A PIA Pipeline Operator must provide to the IMO on registration of the PIA Pipeline, or as specified in subrule (4), as applicable, information identifying the delivery point into a gas Distribution System in relation to which the operator is required to provide Gas Specification Data.

(2) A PIA Pipeline Operator must, in respect of each of its GBB Pipelines, provide Gas Specification Data to the IMO for each Gas Day D, by 2:00 PM on Gas Day D+8.

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) A PIA Pipeline Operator is not required to provide the information in subrule (2) in relation to a Gas Day until the first Gas Day, on or after the commencement of this rule, that the gas which is the subject of the PIA starts to flow.

(4) Where a Registered Pipeline Operator enters into a PIA after the registration of the relevant GBB Pipeline, the operator must provide the information required under subrule (1) to the IMO within 20 Business Days after the PIA is entered into.

**Division 3—Information requirements for Storage Facility Operators****62 Facility Data for Storage Facilities**

(1) A Storage Facility Operator who submits a Registration Application in relation to a Storage Facility must provide Facility Data that identifies, for each GBB Pipeline to which the facility is connected, the physical receipt points and delivery points at which the Storage Facility is connected.

(2) A Registered Storage Facility Operator must notify the IMO of any changes to its Facility Data as soon as practicable after it becomes aware that the Facility Data it has provided to the IMO is no longer accurate.

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) The IMO must amend the Facility Data to reflect any changes notified by a Registered Storage Facility Operator in relation to a GBB Storage Facility that it operates.

**63 Registered Storage Facility Operators to provide Nameplate Capacity Data**

(1) A Registered Storage Facility Operator must provide the IMO with the Nameplate Capacity Data for each GBB Storage Facility that it operates by 31 March each year.

(2) A Registered Storage Facility Operator must notify the IMO of any changes to the Nameplate Capacity Data as soon as practicable after it becomes aware that—

- (a) the Nameplate Capacity Data it has provided to the IMO is no longer accurate due to changes in the capacity of a GBB Storage Facility;
- (b) the changes in capacity are more than 10% of the relevant component of current Nameplate Capacity Data; and
- (c) the changes are likely to impact the GBB Storage Facility for more than one year.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**64 Registered Storage Facility Operators to provide medium term storage capacity outlook**

(1) A Registered Storage Facility Operator must submit a Medium Term Capacity Outlook to the IMO for each of its GBB Storage Facilities by the start of each calendar month, and that outlook must cover the period of 12 months from the start of that month.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) The Medium Term Capacity Outlook must include Planned Service Notifications for all planned work on the GBB Storage Facility during the period covered by the outlook, which the operator reasonably expects to have a material impact on the capacity of the storage facility.

(3) A Planned Service Notification must include—

- (a) the identity of the GBB Storage Facility;
- (b) expected start and end dates of the capacity change;
- (c) the expected capacity of the GBB Storage Facility during that period as a result of the work; and
- (d) a text description of the nature and location of the work.

(4) A Registered Storage Facility Operator must, as soon as practicable, submit a revised Medium Term Capacity Outlook to the IMO if the operator considers that there has been a material change to the information contained in the outlook, but need not submit a revised outlook for Gas Days within the period covered by Capacity Outlooks already provided under rule 65.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(5) For the purposes of subrules (2) and (4), a material impact or change means a change to capacity that is more than the greater of 10% of Nameplate Capacity or 10 TJ per day.

**65 Registered Storage Facility Operators to provide seven day Capacity Outlook**

(1) Subject to subrules (3) and (4), a Registered Storage Facility Operator must, by 6:00 PM on each Gas Day D, provide to the IMO a Capacity Outlook for each of its GBB Storage Facilities for each of the Gas Days from Gas Day D+1 to Gas Day D+7 inclusive.

(2) If, before 9:00 AM or 1:00 PM on a Gas Day D, a Registered Storage Facility Operator becomes aware of a change to the most recently provided or deemed Capacity Outlook for any of its GBB Storage Facilities for a Gas Day that has not yet ended, the operator must provide to the IMO an updated Capacity Outlook for the Gas Day by 9.00 AM or 1.00 PM on Gas Day D (whichever is relevant).

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) If a Capacity Outlook for a Gas Day has been previously provided to the IMO (or deemed by the IMO under subrule (5)) and the Registered Storage Facility Operator considers that no change is required, then it is not required to submit a Capacity Outlook for that Gas Day again.

(4) If a Registered Storage Facility Operator considers that the Capacity Outlook for Gas Day D+7 is the same as the last Capacity Outlook for Gas Day D+6 that was provided to the IMO (or deemed by the IMO under subrule (5)) then the operator is not required to submit a Capacity Outlook for Gas Day D+7.

(5) If the IMO has not received a Capacity Outlook for a GBB Storage Facility for Gas Day D+7 by 6:00 PM on Gas Day D, but it does have a Capacity Outlook for Gas Day D+6, then the IMO must deem the Capacity Outlook for the GBB Storage Facility for Gas Day D+7 to be the same as the current Capacity Outlook for Gas Day D+6.

**66 Registered Storage Facility Operators to provide linepack capacity adequacy outlook**

(1) Subject to subrules (3) and (4), a Registered Storage Facility Operator must, by 6:00 PM on each Gas Day D, provide to the IMO an LCA Flag for each of its GBB Storage Facilities for each of the Gas Days from Gas Day D+1 to Gas Day D+3 inclusive.

(2) If a Registered Storage Facility Operator becomes aware of a change to the most recently provided or deemed LCA Flag for a GBB Storage Facility for a Gas Day that has not yet ended, then the operator must provide to the IMO an updated LCA Flag for that Gas Day as soon as practicable.

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) If an LCA Flag for a GBB Storage Facility for a Gas Day has been previously provided to the IMO (or deemed by the IMO under subrule (5)) and the Registered Storage Facility Operator considers that no change is required, then it is not required to submit an LCA Flag for that GBB Storage Facility and Gas Day again.

(4) If a Registered Storage Facility Operator considers that the LCA Flag for a GBB Storage Facility for Gas Day D+3 is the same as the last LCA Flag for Gas Day D+2 that was provided to the IMO (or deemed by the IMO under subrule (5)) then the operator is not required to submit an LCA Flag for the GBB Storage Facility for Gas Day D+3.

(5) If the IMO has not received an LCA Flag for a GBB Storage Facility for Gas Day D+3 by 6:00 PM on Gas Day D, but it does have an LCA Flag for Gas Day D+2, then the IMO must deem the LCA Flag for the GBB Storage Facility for Gas Day D+3 to be the same as the current LCA Flag for Gas Day D+2.

**67 Registered Storage Facility Operators to provide Nominated and Forecast Flow Data**

(1) Subject to subrule (3), a Registered Storage Facility Operator must, by 6:00 PM on each Gas Day D, for each of its GBB Storage Facilities, provide to the IMO the following data for each Receipt Point and Delivery Point on a GBB Pipeline to which the Facility is connected (Nominated and Forecast Flow Data)—

- (a) the aggregate quantity of gas nominated by Shippers to be withdrawn from each Delivery Point and injected into the GBB Storage Facility on Gas Day D+1;
- (b) the aggregate quantity of gas nominated by Shippers to be withdrawn from the GBB Storage Facility and injected into each Receipt Point on Gas Day D+1;
- (c) the aggregate quantity of gas forecasted by Shippers to be withdrawn from each Delivery Point and injected into the GBB Storage Facility on each of Gas Days D+2 to D+7 inclusive, if the operator has been provided with forecast quantities by Shippers; and
- (d) the aggregate quantity of gas forecasted by Shippers to be withdrawn from the GBB Storage Facility and injected into each Receipt Point on each of Gas Days D+2 to D+7 inclusive, if the operator has been provided with forecast quantities by Shippers.

(2) If, before 9:00 AM or 1:00 PM on a Gas Day D, a Registered Storage Facility Operator becomes aware of a change to the most recently provided Nominated and Forecast Flow Data for any of its GBB Storage Facilities for a Gas Day that has not yet ended, the operator must provide to the IMO updated Nominated and Forecast Flow Data for the Gas Day by 9:00 AM or 1:00 PM on Gas Day D (whichever is relevant).

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) The IMO may grant an exemption to a Registered Storage Facility Operator from the requirement to provide the IMO with Nominated and Forecast Flow Data for its GBB Storage Facility where the IMO is satisfied, based on evidence provided by the relevant operator, that—

- (a) for each Receipt Point at which the facility is connected to a GBB Pipeline, the facility is the only supplier of gas injected at that Receipt Point; and
- (b) for each Delivery Point at which the facility is connected to a GBB Pipeline, the facility is the only recipient of gas withdrawn at that Delivery Point.

(4) The IMO may revoke an exemption where the IMO is no longer satisfied that the requirements of subrule (3) are being met.

**68 Registered Storage Facility Operators to provide Daily Actual Flow Data**

(1) Subject to subrule (2), a Registered Storage Facility Operator must, for each of its GBB Storage Facilities, provide the IMO with Daily Actual Flow Data for each Gas Day D by 2:00 PM on Gas Day D+2.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) The IMO may grant an exemption to a Registered Storage Facility Operator from the requirement to provide the IMO with Daily Actual Flow Data for its GBB Storage Facility where the IMO is satisfied, based on evidence provided by the relevant operator, that—

- (a) for each Receipt Point at which the facility is connected to a GBB Pipeline, the facility is the only supplier of gas injected at that Receipt Point; and
- (b) for each Delivery Point at which the facility is connected to a GBB Pipeline, the facility is the only recipient of gas withdrawn at that Delivery Point.

(3) The IMO may revoke an exemption where the IMO is no longer satisfied that the requirements of subrule (2) are being met.

**Division 4—Information requirements for Production Facility Operators****69 Facility Data for Production Facilities**

(1) A Production Facility Operator who submits a Registration Application in relation to a Production Facility must provide Facility Data that identifies, for each GBB Pipeline to which the facility is connected, the physical receipt points at which the Production Facility is connected.

(2) A Registered Production Facility Operator must notify the IMO of any changes to its Facility Data as soon as practicable after it becomes aware that the Facility Data it has provided to the IMO is no longer accurate.

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) The IMO must amend the Facility Data to reflect any changes notified by a Registered Production Facility Operator in relation to a GBB Production Facility that it operates.

**70 Registered Production Facility Operators to provide Nameplate Capacity Data**

(1) A Registered Production Facility Operator must provide the IMO with the Nameplate Capacity Data for each GBB Production Facility that it operates by 31 March each year.

(2) A Registered Production Facility Operator must notify the IMO of any changes to the Nameplate Capacity Data as soon as practicable after it becomes aware that—

- (a) the Nameplate Capacity Data it has provided to the IMO is no longer accurate due to changes in the capacity of a GBB Production Facility;



- (b) those changes in capacity are more than 10% of the current Nameplate Capacity; and
- (c) those changes are likely to impact the GBB Production Facility for more than one year.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

#### **71 Registered Production Facility Operators to provide medium term production capacity outlook**

(1) A Registered Production Facility Operator must submit a Medium Term Capacity Outlook to the IMO for each of its GBB Production Facilities by the start of each calendar month, and that outlook must cover the period of 12 months from the start of that month.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) The Medium Term Capacity Outlook must include Planned Service Notifications for all planned work on the GBB Production Facility during the period covered by the outlook, which the operator reasonably expects to have a material impact on the capacity of the production facility.

(3) A Planned Service Notification must include—

- (a) the identity of the GBB Production Facility;
- (b) expected start and end dates of the capacity change;
- (c) the expected capacity of the GBB Production Facility during that period as a result of the work; and
- (d) a text description of the nature and location of the work.

(4) A Registered Production Facility Operator must, as soon as practicable, submit a revised Medium Term Capacity Outlook to the IMO if the operator considers that there has been a material change to the information contained in the outlook, but need not submit a revised outlook for Gas Days within the period covered by Capacity Outlooks already provided under rule 72.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(5) For the purposes of subrules (2) and (4), a material impact or change means a change to capacity that is more than the greater of 10% of Nameplate Capacity or 10 TJ per day.

#### **72 Registered Production Facility Operators to provide seven day Capacity Outlook**

(1) Subject to subrules (3) and (4), a Registered Production Facility Operator must, by 6:00 PM on each Gas Day D, provide to the IMO a Capacity Outlook for each of its GBB Production Facilities for each of the Gas Days from Gas Day D+1 to Gas Day D+7 inclusive.

(2) If, before 9:00 AM or 1:00 PM on a Gas Day D, a Registered Production Facility Operator becomes aware of a change to the most recently provided or deemed Capacity Outlook for any of its GBB Production Facilities for a Gas Day that has not yet ended, the operator must provide to the IMO an updated Capacity Outlook for the Gas Day by 9:00 AM or 1:00 PM on Gas Day D (whichever is relevant).

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) If a Capacity Outlook for a Gas Day has been previously provided to the IMO (or deemed by the IMO under subrule (5)) and the Registered Production Facility Operator considers that no change is required, then it is not required to submit a Capacity Outlook for that Gas Day again.

(4) If a Registered Production Facility Operator considers that the Capacity Outlook for Gas Day D+7 is the same as the last Capacity Outlook for Gas Day D+6 that was provided to the IMO (or deemed by the IMO under subrule (5)) then the operator is not required to submit a Capacity Outlook for Gas Day D+7.

(5) If the IMO has not received a Capacity Outlook for a GBB Production Facility for Gas Day D+7 by 6:00 PM on Gas Day D, but it does have a Capacity Outlook for Gas Day D+6, then the IMO must deem the Capacity Outlook for the GBB Production Facility for Gas Day D+7 to be the same as the current Capacity Outlook for Gas Day D+6.

#### **73 Registered Production Facility Operators to provide Daily Actual Flow Data**

(1) Subject to subrule (2), a Registered Production Facility Operator must, for each of its GBB Production Facilities, provide the IMO with Daily Actual Flow Data for each Gas Day D by 2:00 PM on Gas Day D+2.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) The IMO may grant an exemption to a Registered Production Facility Operator from the requirement to provide the IMO with Daily Actual Flow Data for its GBB Production Facility where the IMO is satisfied, based on evidence provided by the relevant operator, that for each Receipt Point at which the facility is connected to a GBB Pipeline, the facility is the only supplier of gas injected at that Receipt Point.

(3) The IMO may revoke an exemption where the IMO is no longer satisfied that the requirements of subrule (2) are being met.

#### **74 PIA Production Facility Operator to provide Gas Specification Data and PIA Summary Information**

(1) A PIA Production Facility Operator must provide PIA Summary Information to the IMO on registration of a PIA Production Facility, or as specified in subrule (6), as applicable.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) PIA Summary Information must be provided in the form published on the GSI Website as approved by the Coordinator of Energy.

(3) If a PIA is amended, the PIA Production Facility Operator that is a party to the PIA must provide updated PIA Summary Information to the IMO within 20 Business Days of the change to the PIA.

(4) A PIA Production Facility Operator must provide Gas Specification Data to the IMO for each Gas Day D by 2:00 PM on Gas Day D+8.

Note: Subrules (3) and (4) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(5) A PIA Production Facility Operator is not required to provide the information referred to in subrule (4) in relation to a Gas Day until the first Gas Day, on or after the commencement of this rule, that the gas which is the subject of the PIA starts to flow.

(6) Where a Registered Production Facility Operator enters into a PIA after the registration of the relevant GBB Production Facility, the operator must provide the PIA Summary Information to the IMO within 20 Business Days after the PIA is entered into.

#### **75 Non-PIA Production Facility Operator to provide Gas Specification Data**

(1) This rule applies to a Registered Production Facility Operator who is not the operator of a PIA Production Facility.

(2) If, in relation to a PIA Pipeline, the Coordinator of Energy is satisfied that the Gas Specification Data provided under rule 61 is, on trend, likely to be less than 5% above the minimum higher heating value in the Reference Specification for the pipeline, the Coordinator of Energy must notify each Registered Production Facility Operator with a GBB Production Facility that flows into the pipeline.

(3) A notice provided by the Coordinator of Energy must specify the Relevant Gas Day, which must be at least 10 Gas Days after the day on which the notice is provided.

(4) If the Coordinator of Energy provides a notice under subrule (2) it must advise the IMO as soon as practicable that the notice has been provided and each Registered Production Facility Operator to which the notice was provided.

(5) A Registered Production Facility Operator notified under this rule in relation to a GBB Production Facility must provide Gas Specification Data to the IMO in accordance with subrule (6) for each Gas Day from (and including) the Relevant Gas Day to (and including) the earliest of—

- (a) the Gas Day specified by the Coordinator of Energy under subrule (7); or
- (b) the Gas Day on which the GBB Production Facility ceases to produce gas that flows into the PIA Pipeline.

Note: Subrule (5) is civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(6) A Registered Production Facility Operator must provide the Gas Specification Data referred to in subrule (5) to the IMO for each Gas Day D by 2:00 PM on Gas Day D+8.

(7) The Coordinator of Energy may revoke a notice under subrule (2) and specify the Gas Day on which the Registered Production Facility Operator is no longer required to provide the information under subrule (5).

### **Division 5—Information requirements for Large Users**

#### **76 Facility Data for Large User Facilities**

(1) A Large User who submits a Registration Application in relation to a Large User Facility must provide Facility Data that identifies—

- (a) the physical delivery point or delivery points through which gas is supplied by one or more GBB Pipelines to the Large User Facility, either directly or through a Distribution System; and
- (b) the predominant Consumption Category of the Large User Facility.

(2) A Registered Large User must notify the IMO of any changes to its Facility Data as soon as practicable after it becomes aware that the Facility Data it has provided to the IMO is no longer accurate.

Note: Subrules (1) and (2) are civil penalty provisions for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(3) The IMO must amend the Facility Data to reflect any changes notified by a Registered Large User in relation to a GBB Large User Facility that it operates.

#### **77 Registered Large User to provide Nameplate Capacity Data**

(1) A Registered Large User must provide the IMO with the Nameplate Capacity Data for each GBB Large User Facility that it operates by 31 March each year.

(2) A Registered Large User must notify the IMO of any changes to the Nameplate Capacity Data as soon as practicable after it becomes aware that—

- (a) the Nameplate Capacity Data it has provided to the IMO is no longer accurate due to changes in the capacity of a GBB Large User Facility;
- (b) the changes in capacity are more than 10% of the current Nameplate Capacity; and

(c) the changes are likely to impact the GBB Large User Facility for more than one year.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

#### **78 Registered Large Users to provide Daily Actual Consumption Data**

(1) Subject to subrule (2), a Registered Large User must, for each of its GBB Large User Facilities, provide the IMO with Daily Actual Consumption Data for each Gas Day D by 2:00 PM on Gas Day D+2.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) The IMO may grant an exemption to a Registered Large User from the requirement to provide the IMO with Daily Actual Consumption Data for its GBB Large User Facility where the IMO is satisfied, based on evidence provided by the relevant operator, that for each Delivery Point at which the facility is connected to a GBB Pipeline, the facility is the only recipient of gas withdrawn at that Delivery Point.

(3) The IMO may revoke an exemption where the IMO is no longer satisfied that the requirements of subrule (2) are being met.

### **PART 4—THE GAS BULLETIN BOARD**

#### **Division 1—General**

#### **79 Operation of GBB**

The IMO must operate the GBB in accordance with the GSI Act, the GSI Regulations, the Rules and any applicable Procedures.

#### **80 Public access to GBB information**

All information published on the GBB under this Part is publicly available.

#### **81 Information published on GBB relating to EMF**

The IMO must publish the following information on the GBB in relation to a gas supply disruption or emergency in accordance with Part 5—

- (a) an indication of when the EMF is active; and
- (b) if directed by the Coordinator of Energy in an EMF Direction—
  - (i) a notice under subrule 93(3)(d); and
  - (ii) the EMF Direction.

#### **82 Zones**

- (1) Schedule 2 lists the Zones used for the GBB information display.
- (2) The IMO may review the Zones, and must do so at least once in each five year period.
- (3) A review of the Zones must be carried out in consultation with Gas Market Participants and gas industry groups.

#### **Division 2—IMO to publish certain information on GBB**

#### **83 Network representation (Zone) information**

(1) The IMO must publish the following network representation information on the GBB for each Zone—

- (a) the GBB Pipelines that are located wholly or partly in the Zone;
- (b) Receipt Points and Delivery Points, including Gate Stations, which are included in the Zone;
- (c) GBB Production Facilities that supply gas to the Zone and the Receipt Points through which that gas is injected;
- (d) GBB Storage Facilities that are connected to a GBB Pipeline in the Zone and the associated Receipt Points and Delivery Points;
- (e) GBB Large User Facilities that can take gas from the Zone and the Delivery Points through which that gas is delivered; and
- (f) each Receipt Point or Delivery Point in the Zone that provides a connection to another GBB Pipeline, and the corresponding Delivery Point or Receipt Point on that other GBB Pipeline.

(2) The IMO must update the GBB when the network representation information is modified, or when required as a result of a change to Facility Data.

#### **84 Publication of general information on GBB**

The IMO must publish the following general information on the GBB—

- (a) a list of all Registered Participants;
- (b) Contact Information;
- (c) a list of all Registered Facilities;
- (d) a list of all Receipt Points, Delivery Points and Gate Stations;
- (e) a list of Delivery Points in relation to which information provided under rule 61(1);

- (f) PIA Summary Information; and
- (g) Nameplate Capacity Data for all Registered Facilities.

#### **85 Publication of capacity outlook information on GBB**

The IMO must publish the following capacity outlook information on the GBB—

- (a) the Capacity Outlook details provided by Registered Pipeline Operators, Registered Storage Facility Operators and Registered Production Facility Operators under rules 57, 65 and 72;
- (b) the LCA Flags provided by Registered Pipeline Operators and Registered Storage Facility Operators under rules 58 and 66; and
- (c) Medium Term Capacity Outlooks provided by Registered Pipeline Operators, Registered Storage Facility Operators and Registered Production Facility Operators under rules 56, 64 and 71.

#### **86 Publication of nominated and forecast flow information on GBB**

(1) The IMO must publish the following nominated and forecast flow information on the GBB—

- (a) Nominated and Forecast Flow Data for Receipt Points provided under rule 59, aggregated by Zone and Gas Day;
- (b) Nominated and Forecast Flow Data for Delivery Points provided under rule 59, aggregated by Zone and Gas Day; and
- (c) for each Gas Day, the Nominated and Forecast Flow Data for each GBB Storage Facility provided under rule 67 or, where a Registered Storage Facility Operator has been granted an exemption under subrule 67(3), the information provided under rule 59 for the relevant Receipt Points and Delivery Points, aggregated by—
  - (i) all Delivery Points at which gas is withdrawn from one or more GBB Pipelines for injection into the storage facility; and
  - (ii) all Receipt Points at which gas withdrawn from the storage facility is injected into one or more GBB Pipelines.

(2) The IMO may publish on the GBB the following information—

- (a) where a GBB Pipeline is injected with gas from another GBB Pipeline located in another Zone, the nominated and forecast flow from one GBB Pipeline into the other GBB Pipeline, by Gas Day; and
- (b) for each GBB Pipeline, a residual amount representing the difference between nominated and forecast flows of the gas to be injected into the pipeline and withdrawn from the pipeline, by Gas Day.

#### **87 Publication of actual flow information on GBB**

(1) The IMO must publish on the GBB the following actual flow information—

- (a) Daily Actual Flow Data for Receipt Points provided under rule 60, aggregated by Zone and Gas Day;
- (b) Daily Actual Flow Data for Delivery Points provided under rule 60, aggregated by Zone and Gas Day;
- (c) for each Gas Day, the Daily Actual Flow Data for each Gate Station provided under rule 60;
- (d) for each Gas Day, the Daily Actual Flow Data for each GBB Storage Facility provided under rule 68 or, where a Registered Storage Facility Operator has been granted an exemption under subrule 68(2), the information provided under rule 60 for the relevant Receipt Points and Delivery Points, aggregated by—
  - (i) all Delivery Points at which gas is withdrawn from one or more GBB Pipelines for injection into the storage facility; and
  - (ii) all Receipt Points at which gas withdrawn from the storage facility is injected into one or more GBB Pipelines; and
- (e) for each Gas Day, the Daily Actual Flow Data for each GBB Production Facility provided under rule 73 or, where a Registered Production Facility Operator has been granted an exemption under subrule 73(2), the information provided under rule 60 for the relevant Receipt Points, being the aggregate of all Receipt Points at which gas produced by the facility is injected into one or more GBB Pipelines.

(2) The IMO may publish on the GBB the following information—

- (a) where a GBB Pipeline is injected with gas from another GBB Pipeline located in another Zone, the actual flow from one GBB Pipeline into the other GBB Pipeline, by Gas Day; and
- (b) for each GBB Pipeline, a residual amount representing the difference between gas injected into the pipeline and withdrawn from the pipeline, by Gas Day.

#### **88 Publication of GBB Large User Facility consumption information on GBB**

(1) The IMO must publish on the GBB for each Zone for each Gas Day, the information provided under rule 78 or, where a Registered Large User has been granted an exemption under subrule 78(2), the information provided under rule 60 for the relevant Delivery Points, aggregated by the following Consumption Categories—

- (a) consumption in the mining industry, including electricity generation for mining;
- (b) consumption for other electricity generation;

- (c) consumption for minerals processing;
  - (d) consumption for other manufacturing processes, including industrial consumption of gas as a raw material; and
  - (e) other GBB Large User Facility consumption.
- (2) Where a GBB Large User Facility consumes gas supplied directly from more than one Zone and it is not possible to apportion the consumption of the facility across the relevant Zones, the IMO may publish information under subrule (1) in any one of the relevant Zones and must endeavour to do so on a consistent basis over time.
- (3) The IMO must publish on the GBB for each GBB Large User Facility and each Gas Day, the information provided under rule 78 or, where a Registered Large User has been granted an exemption under subrule 78(2), the information provided under rule 60 for the relevant Delivery Point.
- (4) The IMO may publish the information referred to in subrule (1) aggregated for all Zones.

#### **89 Publication of other end user consumption information on GBB**

- (1) The IMO must publish on the GBB for each Zone for each Gas Day, the following information—
- (a) aggregate Daily Actual Consumption Data by GBB Large User Facilities;
  - (b) distribution network connected consumption, being aggregated daily flow for Delivery Points (excluding any GBB Large User Facilities) into Distribution Systems; and
  - (c) other consumption that is neither GBB Large User Facility consumption or distribution network connected consumption.
- (2) Where distribution network connected consumption is for gas supplied directly from more than one Zone and it is not possible to apportion the consumption across the relevant Zones, the IMO may publish information under subrule (1)(a) in any one of the relevant Zones and must endeavour to do so on a consistent basis over time.

#### **90 Publication of gas specification information on GBB**

The IMO must publish on the GBB the following gas specification information—

- (a) Gas Specification Data provided by all PIA Pipeline Operators under rule 61;
- (b) Gas Specification Data provided by all PIA Production Facility Operators under rule 74; and
- (c) Gas Specification Data provided by Gas Market Participants under rule 75.

#### **91 Publication of map on GBB**

- (1) The IMO must maintain a map on the GBB which displays GBB Pipelines and Zones.
- (2) The map published on the GBB must show the following current Gas Day information—
- (a) Capacity Outlook information for each GBB Pipeline, GBB Storage Facility and GBB Production Facility;
  - (b) Nominated and Forecast Flow Data referred to in rule 86; and
  - (c) LCA Flags for—
    - (i) each GBB Pipeline in each Zone; and
    - (ii) each GBB Storage Facility.

### **PART 5—EMERGENCY MANAGEMENT FACILITY**

#### **Division 1—Operation of EMF**

#### **92 Emergency Management Facility of GBB**

- (1) The IMO must establish and maintain a part of the GBB for the publication of information for use in the management of a gas supply disruption or emergency, to be known as the Emergency Management Facility (EMF).
- (2) The IMO must operate the EMF in accordance with the GSI Act, the GSI Regulations, the Rules and any applicable Procedures.
- (3) Access to the EMF is restricted to those persons specified by the Coordinator of Energy in an EMF Direction, and is not available to the public.

#### **93 Coordinator of Energy to direct IMO to activate or deactivate EMF**

- (1) The Coordinator of Energy may, at any time, issue an EMF Direction to the IMO for the purpose of assisting with the management of a gas supply disruption or emergency in accordance with the Westplan, including for the purpose of testing the arrangements in place for responding to a gas supply disruption or emergency.
- (2) An EMF Direction directs the IMO to—
- (a) activate the EMF on the GBB; or
  - (b) deactivate the EMF where it has previously been activated at the direction of the Coordinator of Energy.
- (3) An EMF Direction may—
- (a) authorise specified persons to view all or parts of the information published on the EMF as the Coordinator of Energy thinks fit;
  - (b) specify the information that the IMO is to request from Gas Market Participants;

- (c) specify information held by the IMO for the purposes of the GBB (whether published on the GBB or EMF or not) to which the Coordinator of Energy requires access;
  - (d) include a notice that the IMO must publish on the GBB; and
  - (e) specify whether the IMO must publish the direction on the GBB or the EMF or both.
- (4) As soon as practicable after receiving an EMF Direction, the IMO must—
- (a) activate or deactivate the EMF as directed by the Coordinator of Energy; and
  - (b) comply with all other requirements of the direction.
- (5) The Coordinator of Energy may, at any time during the period when the EMF is activated, modify an EMF Direction as necessary to meet the circumstances and the IMO must, as soon as practicable, implement any such modifications.
- (6) The IMO must publish information as directed by the Coordinator of Energy in an EMF Direction on the EMF or the GBB or both.
- (7) The Coordinator of Energy must, at least once each year, issue an EMF Direction to the IMO for the purpose of conducting a test of the EMF, with the timing of the test to be determined in consultation with the IMO.
- (8) Where the Coordinator of Energy has issued an EMF Direction to the IMO to activate the EMF, the Coordinator of Energy must issue an EMF Direction to the IMO to deactivate the EMF as soon as practicable after the end of the relevant test, gas supply disruption or emergency (as applicable).

#### **94 Access to the EMF**

- (1) When the EMF is activated, the IMO must provide access to the EMF to the persons specified by the Coordinator of Energy in the EMF Direction as those authorised to access the information on the EMF.
- (2) When the EMF is deactivated, the IMO must disable all access to the EMF by persons authorised under subrule 93(3)(a).

#### **95 Content of the EMF**

- (1) When the EMF is activated by the IMO under an EMF Direction the IMO must ensure that a person authorised to access the EMF can readily distinguish between the information on the EMF (which has limited access) and information that is publicly available on the GBB.
- (2) When the EMF is activated by the IMO under an EMF Direction, the IMO must publish on the EMF all information that is received by the IMO in response to a request to Gas Market Participants under this Part.
- (3) When the EMF is deactivated, the IMO must remove all information provided in response to a request under subrule 97(1) from the EMF and store the information in a manner which enables the IMO to provide access to the information as directed or requested by the Coordinator of Energy under rule 102.

### **Division 2—Provision of information for EMF**

#### **96 Gas Market Participants to provide information**

- (1) Where this Part requires a Gas Market Participant to provide information to the IMO, the information must be provided by that person in accordance with the GSI Act, the GSI Regulations, the Rules and any applicable Procedures.
- (2) Regulation 13(3) does not apply to requests for information made during a gas supply disruption or emergency.

#### **97 Provision of information by Gas Market Participants for EMF**

- (1) Where the IMO receives an EMF Direction from the Coordinator of Energy activating the EMF, the IMO must request information from Gas Market Participants in accordance with this rule, or as otherwise specified in the direction.
- (2) The IMO must, as soon as practicable, request—
- (a) from the relevant Gas Market Participants, the information specified by the Coordinator of Energy in the direction;
  - (b) from each Registered Pipeline Operator, for each of its GBB Pipelines, Daily Actual Flow Data for each Gas Day D during the period when the EMF is activated, which must be provided by 9:00 AM and updated by 12:00 PM on Gas Day D+1; and
  - (c) from each Registered Large User that operates a GBB Large User Facility that is capable of operating using an alternative fuel, the following information, which must be provided by 9:00 AM on each Gas Day during the period when the EMF is active—
    - (i) the stocks of alternative fuel available for use by the facility;
    - (ii) the time required to commence using this alternative fuel; and
    - (iii) the period for which it can continue to operate using this alternative fuel.
- (3) Where the IMO receives an EMF Direction from the Coordinator of Energy activating the EMF, the IMO may request Registered Participants to provide updated EMF Information.
- (4) A Gas Market Participant must use reasonable endeavours to provide the information requested under this rule in the manner and form (if any) specified by the IMO, and in the time specified by the IMO (which must be reasonable in the circumstances).
- (5) The IMO must publish the information on the EMF as soon as practicable after it has been received from the Gas Market Participant.

**98 Registered Pipeline Operators to provide EMF Information**

(1) A Registered Pipeline Operator must provide the IMO with EMF Information for each GBB Pipeline that it operates—

- (a) in a Registration Application in relation to a Transmission Pipeline; and
- (b) annually, by 31 March each year.

(2) A Registered Pipeline Operator must notify the IMO of any changes to the EMF Information as soon as practicable after it becomes aware that—

- (a) the EMF Information it has provided to the IMO is no longer accurate due to changes in the capacity or minimum linepack requirement of the GBB Pipeline;
- (b) those changes are more than 10% of the relevant component of current EMF Information; and
- (c) those changes are likely to impact the GBB Pipeline for more than one year.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**99 Registered Storage Facility Operators to provide EMF Information**

(1) A Registered Storage Facility Operator must provide the IMO with EMF Information for each GBB Storage Facility that it operates—

- (a) in a Registration Application in relation to a Storage Facility; and
- (b) annually, by 31 March each year.

(2) A Registered Storage Facility Operator must notify the IMO of any changes to the EMF Information as soon as practicable after it becomes aware that—

- (a) the EMF Information it has provided to the IMO is no longer accurate due to changes in the capacity of the GBB Storage Facility;
- (b) those changes in capacity are more than 10% of the relevant component of current EMF Information; and
- (c) those changes are likely to impact the GBB Storage Facility for more than one year.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**100 Registered Production Facility Operators to provide EMF Information**

(1) A Registered Production Facility Operator must provide the IMO with EMF Information for each GBB Production Facility that it operates—

- (a) in a Registration Application in relation to a Production Facility; and
- (b) annually, by 31 March each year.

(2) A Registered Production Facility Operator must notify the IMO of any changes to the EMF Information as soon as practicable after it becomes aware that—

- (a) the EMF Information it has provided to the IMO is no longer accurate due to changes in the capacity or minimum daily level of production of the GBB Production Facility;
- (b) those changes are more than 10% of the relevant component of current EMF Information; and
- (c) those changes are likely to impact the GBB Production Facility for more than one year.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**101 Registered Large Users to provide EMF Information**

(1) A Registered Large User must provide the IMO with EMF Information for each GBB Large User Facility that it operates—

- (a) in a Registration Application in relation to a Large User Facility; and
- (b) annually, by 31 March each year.

(2) A Registered Large User must notify the IMO of any changes to the EMF Information as soon as practicable after it becomes aware that the information it has provided to the IMO is no longer accurate.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**102 Provision of information by IMO to Coordinator of Energy**

(1) The IMO must provide the Coordinator of Energy with any information held by the IMO for the purposes of the GBB, whether published on the GBB or the EMF or otherwise, as directed by the Coordinator of Energy in an EMF Direction.

(2) The Coordinator of Energy may at any time request information referred to in subrule (1) for the purposes of carrying out a review of any incidents that resulted in the activation of the EMF.

**PART 6—THE GAS STATEMENT OF OPPORTUNITIES****103 Publication of GSOO**

(1) The IMO must publish on the GSI Website a GSOO for each year and must do so by 31 December of the previous year.

(2) The period covered in a GSOO must commence on 1 January in the relevant year.

**104 Contents of GSOO**

- (1) A GSOO must contain information about—
- (a) natural gas reserves (including prospective or contingent resources); and
  - (b) committed and proposed new or expanded—
    - (i) gas production facilities;
    - (ii) gas transmission pipelines and pipeline augmentations;
    - (iii) gas storage facilities; and
    - (iv) large facilities using gas.
- (2) A GSOO must contain, for the period of at least 10 years, projected information about—
- (a) capacity of gas production facilities, gas transmission pipelines and gas storage facilities including constraints affecting those facilities; and
  - (b) demand for natural gas.
- (3) A GSOO may also, if practicable, include forecasts of natural gas reserves and annual demand for natural gas for the further 10 year period after the end of the 10 year period to which that GSOO applies.

**105 Consultation on GSOO information**

- (1) The IMO must, at least once in every five year period, conduct a review of the GSOO information.
- (2) The review must be carried out in consultation with Gas Market Participants and gas industry groups.
- (3) The review of the GSOO information may consider any of the following—
- (a) the regions (if any) to be specifically considered in a GSOO;
  - (b) assumptions upon which a GSOO is developed;
  - (c) scenarios to be considered by a GSOO;
  - (d) the general methodologies to be used in developing a GSOO;
  - (e) the types of information to be collected for a GSOO; and
  - (f) any other inputs that the IMO considers relevant.

**106 Provision of information to the IMO for GSOO purposes**

- (1) The IMO may require a Gas Market Participant to provide information for the purposes of preparation of a GSOO.
- (2) A Gas Market Participant must provide the information requested by the date specified by the IMO (which must be a date which the IMO considers to be reasonable, having regard to the nature and form of the information requested).

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

**PART 7—IMO REVENUE, BUDGET, FEES AND CHARGING****Division 1—GSI Services for Allowable Revenue****107 GSI Services for determination of Allowable Revenue by ERA**

For the purposes of this Part, the GSI Services are—

- (a) to establish, operate and maintain the GBB;
- (b) to register or deregister Registered Participants and Registered Facilities and to grant Exemptions;
- (c) to prepare and publish the GSOO;
- (d) to make Amending Rules and Procedures, including the initial Rules made by the Minister under regulation 6 of the GSI Regulations;
- (e) to facilitate the processes of the Gas Advisory Board;
- (f) to monitor compliance and investigate breaches or possible breaches of the Rules or the Procedures;
- (g) to take enforcement action under the GSI Regulations;
- (h) to manage information gathering and disclosure functions under the GSI Regulations and the Rules; and
- (i) services deriving from the exercise of any other functions conferred on the IMO under the GSI Act, the GSI Regulations or the Rules.

**Division 2—Powers of ERA to determine Allowable Revenue****108 ERA to determine Allowable Revenue and Forecast Capital Expenditure**

- (1) The ERA must determine the Allowable Revenue and Forecast Capital Expenditure for the IMO for each Review Period for the GSI Services in accordance with this Part.
- (2) By 30 November of the year prior to the start of a Review Period, the IMO must submit a proposal to the ERA for its Allowable Revenue and Forecast Capital Expenditure for the provision of the GSI Services over that Review Period.



(3) The ERA must, in relation to the proposed Allowable Revenue and Forecast Capital Expenditure put forward by the IMO, undertake a public consultation process which must include publishing an issues paper and inviting submissions from interested persons.

(4) The ERA must determine the Allowable Revenue and Forecast Capital Expenditure of the IMO by 31 March of the year in which the Review Period commences.

(5) Where the ERA does not determine the Allowable Revenue and Forecast Capital Expenditure by 31 March, the Allowable Revenue and Forecast Capital Expenditure from the previous Review Period continue to apply until the ERA makes a determination.

#### **109 Matters for consideration by ERA in determining Allowable Revenue and Forecast Capital Expenditure**

(1) The ERA must take the matters set out in this rule into account when—

(a) determining the Allowable Revenue and Forecast Capital Expenditure of the IMO under rule 108; and

(b) approving adjustments to the current Allowable Revenue and Forecast Capital Expenditure in any of the circumstances set out in rule 110.

(2) The Allowable Revenue must be sufficient to cover the forward looking costs of providing the GSI Services in accordance with the following principles—

(a) recurring expenditure requirements and payments are recovered in the year of the expenditure;

(b) capital expenditures are to be recovered through the depreciation and amortisation of the assets acquired by the capital expenditures in a manner that is consistent with generally accepted accounting principles; and

(c) despite subrules (a) and (b), expenditure incurred, and depreciation and amortisation charged, in relation to any GSI Project are to be recovered over the period determined for that GSI Project.

(3) The Allowable Revenue and Forecast Capital Expenditure must include only costs which would be incurred by a prudent provider of the GSI Services, acting efficiently, seeking to achieve the lowest practicably sustainable cost of delivering those services in accordance with the Rules, while effectively promoting the GSI Objectives.

(4) Where possible, the ERA should benchmark the Allowable Revenue and Forecast Capital Expenditure against the costs of providing similar services in other jurisdictions.

#### **110 ERA may adjust Allowable Revenue or Forecast Capital Expenditure**

(1) The ERA must reassess and may adjust the Allowable Revenue or Forecast Capital Expenditure for the current Review Period where—

(a) the IMO applies to the ERA to reassess the Allowable Revenue under subrule 111(4);

(b) the IMO applies to the ERA to reassess the Forecast Capital Expenditure under subrule 111(5); or

(c) the IMO applies to the ERA for approval of an increase in the Allowable Revenue relevant to a GSI Project under rule 112.

(2) During a Review Period, the IMO may apply to the ERA for approval of an adjustment to the Allowable Revenue and Forecast Capital Expenditure for that Review Period, where such approval is not required under subrules 111(4) and (5) or rule 112.

(3) If the ERA receives an application from the IMO under subrule (2), the ERA may make a determination to adjust the Allowable Revenue and Forecast Capital Expenditure for the Review Period.

(4) A decision by the ERA to adjust the current Allowable Revenue or Forecast Capital Expenditure in response to an application made under subrule (2) is binding on the ERA, but a decision not to make such a determination creates no presumption that future expenditure will not meet the relevant criteria under subrule 109(3).

(5) The ERA must undertake a public consultation process, which must include publishing an issues paper and inviting submissions from interested persons, in relation to applications for adjustment of the current Allowable Revenue and Forecast Capital Expenditure referred to subrule (1), and may do so in relation to an application for adjustment under subrule (2).

### **Division 3—GSI Budget**

#### **111 Approval of GSI Budget by Minister**

(1) By 30 April each year, the IMO must submit to the Minister for approval a GSI Budget Proposal for the GSI Services for the coming Financial Year.

(2) The GSI Budget Proposal must be consistent with the Allowable Revenue and Forecast Capital Expenditure for the relevant Review Period.

(3) Where the revenue earned for the provision of the GSI Services via GSI Fees in the previous Financial Year is greater than or less than the IMO's expenditure for the GSI Services for that Financial Year, the GSI Budget Proposal must take this into account by decreasing the budgeted revenue by the amount of the surplus or adding to the budgeted revenue the amount of any shortfall, as the case may be.

(4) Where, taking into account any adjustment under subrule (3), the GSI Budget Proposal is likely to result in revenue recovery, over the relevant Review Period, being at least 15% above the Allowable Revenue determined by the ERA, the IMO must apply to the ERA to reassess the Allowable Revenue for the Review Period.

(5) Where the GSI Budget Proposal is likely to result in capital expenditure, over the relevant Review Period, being at least 10% greater than the Forecast Capital Expenditure approved by the ERA, the IMO must apply to the ERA to reassess the Forecast Capital Expenditure for the Review Period.

(6) The IMO must endeavour to make an application to the ERA in sufficient time to allow the GSI Budget Proposal to be approved before the commencement of the Financial Year to which it relates.

(7) The Minister must make a decision on the GSI Budget Proposal within 30 Business Days, and notify the IMO of the decision.

(8) The Minister may—

- (a) approve the GSI Budget Proposal; or
- (b) refer the GSI Budget Proposal back to the IMO for reconsideration in accordance with any directions or recommendations of the Minister.

(9) Where the Minister refers a GSI Budget Proposal back to the IMO, the IMO must reconsider the proposal in accordance with any directions or recommendations of the Minister and re-submit a revised GSI Budget Proposal to the Minister, and subrules (7) and (8) apply to such a revised proposal.

#### **112 IMO may declare GSI Project**

(1) Subject to subrule (2), the IMO may declare a project to be a GSI Project if—

- (a) the project involves—
  - (i) a major change to the GSI Services provided by the IMO under the Rules; or
  - (ii) a major change to any of the computer software or systems that the IMO uses in the provision of the GSI Services under the Rules; and
- (b) the IMO estimates that the sum of—
  - (i) the recurring expenditure associated with the change; and
  - (ii) the capital expenditure required to implement the change,

would be greater than 10% of the sum of the Allowable Revenue and Forecast Capital Expenditure for the current Review Period.

(2) Before the IMO commences a GSI Project, the IMO must obtain approval from the ERA for any increase in the Allowable Revenue relevant to the GSI Project, including the period over which the incremental Allowable Revenue will apply.

#### **113 IMO to publish Approved Annual Revenue**

(1) Before 30 June each year, the IMO must publish on the GSI Website—

- (a) if the Minister has approved the GSI Budget Proposal for the next Financial Year, the Approved Annual Revenue for that Financial Year; or
- (b) if the Minister has not approved the GSI Budget Proposal for the next Financial Year, the expected annual revenue for that Financial Year based on budgeted revenue in the most recent GSI Budget Proposal (or revised proposal) for that Financial Year provided to the Minister.

(2) Where the Minister approves the GSI Budget Proposal later than 30 June, the IMO must publish on the GSI Website the Approved Annual Revenue within five Business Days of the Minister's approval.

(3) Where the Minister approves the GSI Budget Proposal later than 30 June, and the Approved Annual Revenue for the relevant Financial Year varies from the Approved Annual Revenue for the previous Financial Year, the IMO must recalculate the GSI Fees for any GSI Invoice Periods in the Financial Year for which GSI Invoices have been issued, in accordance with rule 119.

### **Division 4—GSI Fees**

#### **114 IMO may recover GSI Services costs**

For each Financial Year, the IMO may recover from Registered Shippers an amount equal to the Approved Annual Revenue for that Financial Year.

#### **115 Provision of Aggregated Shipper Delivery Quantities**

(1) A Registered Pipeline Operator must provide the IMO with the Aggregated Shipper Delivery Quantities for each Registered Shipper on its GBB Pipelines for each GSI Invoice Period, within 20 Business Days after the end of the period.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) Aggregated Shipper Delivery Quantities provided to the IMO under subrule (1) must include the quantities delivered for each Gas Day that starts in that GSI Invoice Period.

(3) If a Registered Pipeline Operator becomes aware of a change to the Aggregated Shipper Delivery Quantities for a particular GSI Invoice Period after the data has been provided to the IMO (but not later than one year after the end of that period) then the operator must provide the IMO with an updated version of the quantities for that period as soon as practicable.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

#### 116 Basis for calculation of GSI Fee for Registered Shipper

The GSI Fee  $F$  for a Registered Shipper  $s$  for GSI Invoice Period  $p$  in Financial Year  $y$  is calculated as—

$$F(s,p) = ((\text{Budget}(y) * \text{days in } p / \text{days in } y) + U(p) - UR(p)) * DG(s,p) / TG(p)$$

where

Budget ( $y$ ) is—

- (a) if the Minister has approved the GSI Budget Proposal for Financial Year  $y$ , the Approved Annual Revenue for Financial Year  $y$ ; or
- (b) if the Minister has not yet approved the GSI Budget Proposal for Financial Year  $y$ , the Approved Annual Revenue for the previous Financial Year;

$U(p)$  is the sum of any GSI Fees invoiced for preceding GSI Invoice Periods but unpaid at the time GSI Fees for GSI Invoice Period  $p$  are invoiced and which the IMO reasonably believes it will not be able to recover from the party invoiced (and has not previously reallocated to Registered Shippers as a  $U(p)$  amount);

$UR(p)$  is the sum of any amounts included in the calculation of  $U$  for a preceding GSI Invoice Period which have been recovered since the GSI Fees for GSI Invoice Period  $p-1$  were invoiced;

$DG(s,p)$  is the total of the Aggregated Shipper Delivery Quantities for Registered Shipper  $s$  and GSI Invoice Period  $p$  from all GBB Pipelines that provided the shipper with a pipeline service in GSI Invoice Period  $p$ ; and

$TG(p)$  is the sum of the  $DG(s,p)$  quantities for all Registered Shippers for GSI Invoice Period  $p$ .

#### 117 IMO to issue GSI Invoice

(1) Where the IMO receives Aggregated Shipper Delivery Quantities under rule 115 within 20 Business Days after the end of the relevant GSI Invoice Period, the IMO must, within 30 Business Days of the end of that period—

- (a) calculate the GSI Fee for each Registered Shipper for that period in accordance with rule 116; and
- (b) issue a GSI Invoice to each Registered Shipper for that period.

(2) Where the IMO receives Aggregated Shipper Delivery Quantities under rule 115 later than 20 Business Days after the end of the relevant GSI Invoice Period, the IMO may—

- (a) issue a GSI Invoice later than the time specified in subrule (1); or
- (b) calculate the GSI Fees and issue GSI Invoices in accordance with subrule (1) based on the best data available to the IMO.

#### 118 Obligation to pay GSI Invoice

(1) Subject to subrules (2) and (4), a Registered Shipper must pay a GSI Invoice within 10 Business Days after the receipt of the invoice, regardless of whether there is a dispute regarding the invoice under rule 120.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(2) Where the IMO becomes aware of a manifest error in a GSI Invoice before the due date for payment of that invoice, the IMO must issue a replacement invoice under rule 117 as soon as practicable.

(3) A Registered Shipper must pay a replacement invoice within 10 Business Days after receipt of the invoice, regardless of whether there is a dispute regarding the invoice under rule 120.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(4) A Registered Shipper is not required to pay a GSI Invoice if the invoice is for an amount of less than one dollar.

(5) Payment must be by direct bank transfer to a nominated IMO bank account, the details of which must be published on the GSI Website.

(6) The IMO may charge interest on any overdue amounts, calculated as simple interest on a daily basis at the Bank Bill Rate.

#### 119 Review of GSI Fee calculation

(1) The IMO must recalculate the GSI Fees for a GSI Invoice Period  $p$ —

- (a) within 10 Business Days after the end of period  $p+4$ ;
- (b) if required to do so as part of the resolution of a dispute under rule 120; or
- (c) if required to do so following approval of the GSI Budget under subrule 113(3).

(2) The IMO may also, subject to subrule (3), recalculate the GSI Fees for a GSI Invoice Period at any other time if it considers it appropriate in all the circumstances.

Note: For example, this could be a manifest error in the original calculations, or notification of a significant change to Aggregated Shipper Delivery Quantities.

- (3) The IMO may not recalculate GSI Fees for GSI Invoice Period p after the p+4 recalculation.
- (4) Where the IMO recalculates GSI Fees for a GSI Invoice Period, the IMO must send an Adjustment GSI Invoice to each Registered Shipper.
- (5) A Registered Shipper must, within 10 Business Days of receiving an Adjustment GSI Invoice, pay any amounts owing.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

- (6) Where an Adjustment GSI Invoice reduces the amount payable by a Registered Shipper, the IMO must credit the relevant amount to the next GSI Invoice issued under rule 117 to that shipper.
- (7) Where a Registered Shipper is no longer registered with the IMO and has a credit balance, the IMO must, as soon as practicable, pay the amount to the shipper by direct bank transfer to an account nominated by the shipper.

### 120 Disputes regarding GSI Invoices

(1) If a Registered Shipper wishes to dispute a GSI Invoice received from the IMO, it must notify the IMO of the disputed invoice within 10 Business Days after receiving the invoice and the Registered Shipper and the IMO must seek to resolve that dispute in accordance with the dispute resolution process set out in this rule.

(2) To resolve the dispute—

- (a) the Registered Shipper must, when notifying the dispute to the IMO, inform the IMO of the reasons for it disputing the GSI Invoice;
- (b) the IMO must provide sufficient information to the Registered Shipper regarding the calculation of the disputed amount, within 10 Business Days of the dispute being notified;
- (c) a nominated representative of each of the Registered Shipper and the IMO must seek to resolve the dispute within 10 Business Days of the IMO providing the necessary information to the Registered Shipper; and
- (d) if the dispute is not resolved by the nominated representatives as referred to in subrule (2)(c)—
  - (i) where the IMO and Registered Shipper can agree on a means of resolving the dispute by mediation, expert determination or some other similar alternative dispute resolution mechanism, the IMO and the Registered Shipper must use that mechanism; or
  - (ii) in the event that the IMO and Registered Shipper are unable to agree on a dispute resolution mechanism, either party may commence proceedings before a court of competent jurisdiction in relation to the dispute.

(3) If, as a result of the resolution of a dispute regarding a GSI Invoice, the IMO is obliged to repay to a Registered Shipper part or the whole of an amount received under rule 118, then the IMO must repay the amount (at the option of the Registered Shipper) either—

- (a) by way of a credit on the next GSI Invoice issued under rule 117 for a GSI Invoice Period; or
- (b) by a payment to the Registered Shipper within 10 Business Days after the day resolution is reached.

(4) If as a result of the resolution of a dispute regarding a GSI Invoice, there is a finding that the GSI Invoices for one or more Registered Shippers were incorrectly calculated, the IMO must recalculate the GSI Fees for the relevant GSI Invoice Period for all Registered Shippers in accordance with rule 119.

## Division 5—GST

### 121 Application of Division

This Division does not apply to the IMO where the services it provides under the Rules are exempt from the payment of GST under Division 81 of the GST Act.

### 122 GST definitions

(1) In this Division, the terms “adjustment notes”, “consideration”, “input tax credit”, “recipient”, “recipient created tax invoice”, “supplier”, “supply”, “tax invoice”, “taxable supply”, and “valid tax invoice”, have the meaning given in the GST Act.

(2) For GST purposes the IMO performs all functions under the GSI Rules as a principal and does not act as an agent for any other party.

### 123 Goods and Services Tax

(1) Despite anything else in the Rules, GSI Fees and any other prices, fees, charges and amounts payable to or by the IMO in respect of supplies made under the Rules exclude GST.

(2) Where the IMO makes a taxable supply to a Registered Participant or any other recipient under or in connection with the Rules, the recipient must also pay the IMO an additional amount equal to the consideration payable for the supply multiplied by the applicable GST rate upon receipt of a valid tax invoice.

(3) Where a Registered Participant makes a taxable supply to the IMO under or in connection with the Rules, the IMO must also pay the supplier an additional amount equal to the consideration payable for the supply multiplied by the applicable GST rate.

(4) The IMO must include in a GSI Invoice issued under these Rules, the additional amounts contemplated in this rule where applicable.

(5) A Registered Participant, if requested by the IMO, must do everything necessary (including the entering into of recipient created tax invoice agreements) to enable the IMO to issue valid tax invoices, recipient created tax invoices and adjustment notes (as applicable) in respect of all taxable supplies made by or to the IMO under these Rules.

(6) If the additional amount paid or payable to the IMO or a Registered Participant under this rule in respect of a taxable supply differs from the actual amount of GST payable under the GST Act in respect of the relevant supply, then adjustments must be made in accordance with this rule so as to ensure the additional amount paid under this rule in respect of the supply is equal to the actual amount of GST payable under the GST Act in respect of the supply.

#### **124 Review of GSI Fee calculations for GST purposes**

(1) Despite the limitation in subrule 119(3) which prevents the IMO recalculating GSI Fees for GSI Invoice Period p after the p+4 recalculation, the IMO may recalculate those fees as provided under rule 123 at any time.

(2) Where an adjustment is made in accordance with rule 123, the Adjustment GSI Invoice provided by the IMO must meet the requirements of a valid adjustment note.

### **PART 8—RULE MAKING**

#### **Division 1—General**

#### **125 Rule making by the IMO**

(1) The IMO, in accordance with the GSI Act, the GSI Regulations and the Rules, may make Amending Rules for or with respect to any matter or thing referred to in the GSI Act and the GSI Regulations, after the initial Rules have been made by the Minister.

(2) The IMO—

- (a) is responsible for maintaining the Rules;
- (b) is responsible for ensuring the development of amendments of, and replacements for, the Rules; and
- (c) may make Amending Rules in accordance with this Part 8.

#### **126 Ministerial policy directions**

(1) The Minister may, having regard to the GSI Objectives, give a policy direction to the IMO with respect to the development of the GBB or the GSOO.

(2) The Minister may provide the IMO with a draft of the proposed policy direction and seek the IMO's views on it.

(3) Where a change to the Rules is needed to address a policy direction given by the Minister, the IMO must develop one or more Rule Change Proposals and progress them under this Part.

#### **127 Rule making test**

The IMO must not make Amending Rules unless it is satisfied that the Rules, as proposed to be amended or replaced, are consistent with the GSI Objectives.

#### **128 Factors for IMO consideration**

In deciding whether or not to make Amending Rules, the IMO must have regard to the following—

- (a) any applicable policy direction given to the IMO under rule 126;
- (b) the practicality and cost of implementing the Rule Change Proposal;
- (c) the relevant views expressed in any submissions received by the IMO on the Rule Change Proposal;
- (d) the relevant views expressed at any public forums or workshops, or in other consultation with Gas Market Participants, held by the IMO on the Rule Change Proposal;
- (e) the relevant views expressed by the Gas Advisory Board where it met to consider the Rule Change Proposal; and
- (f) any information that the IMO considers necessary to assess the Rule Change Proposal.

#### **Division 2—Initiating changes to the Rules**

#### **129 Initiating a Rule Change Proposal**

(1) Any person (including the IMO) may make a Rule Change Proposal by completing a Rule Change Proposal Form.

(2) A person other than the IMO who wishes to make a Rule Change Proposal must submit a completed Rule Change Proposal Form to the IMO using the contact details provided in the form.

(3) Where the IMO considers it to be necessary, it may contact a person submitting a Rule Change Proposal and request written clarification of any aspect of the proposal.

(4) Information clarifying a Rule Change Proposal received by the IMO forms part of the Rule Change Proposal.

(5) Where the IMO considers that a change to the Rules is required to maintain consistency with any applicable law or regulation or the GSI Objectives, the IMO must develop an appropriate Rule Change Proposal.

**130 Rule Change Proposal Form**

- (1) The IMO must publish on the GSI Website a Rule Change Proposal Form.
- (2) The form must include—
  - (a) contact details for proposing Rule changes; and
  - (b) information that must be provided in a Rule Change Proposal, including—
    - (i) the name of the person submitting the Rule Change Proposal and, where relevant, details of the organisation that person represents;
    - (ii) the issue to be addressed;
    - (iii) the degree of urgency of the proposed change;
    - (iv) any proposed specific changes to particular rules;
    - (v) an explanation of how the proposed rule change would allow the Rules to better address the GSI Objectives; and
    - (vi) any identifiable costs and benefits of the change.

**131 IMO decision to progress a Rule Change Proposal**

- (1) Within five Business Days of the later of receiving a Rule Change Proposal or any clarification information requested under subrule 129(3), the IMO must—
  - (a) decide whether or not to progress the Rule Change Proposal any further; and
  - (b) notify the person who submitted the Rule Change Proposal whether or not the IMO will progress the proposal and the reasons for the decision.
- (2) The IMO may decide to progress a Rule Change Proposal under the Fast Track Rule Change Process if, in the opinion of the IMO, the proposal—
  - (a) is of a minor or procedural nature;
  - (b) is required to correct a manifest error; or
  - (c) is urgently required and is essential for the effective operation of the GBB.

**132 Rule Change Notice**

- (1) The IMO must publish notice of a Rule Change Proposal on the GSI Website in accordance with this rule (a Rule Change Notice).
- (2) A Rule Change Notice must be published—
  - (a) in the case where the Rule Change Proposal has been developed by the IMO, as soon as practicable after the proposal is developed; or
  - (b) in the case where the Rule Change Proposal was submitted by any other person, within seven Business Days of the later of receiving—
    - (i) the Rule Change Proposal; or
    - (ii) any information or clarification requested by the IMO under subrule 129(3).
- (3) A Rule Change Notice must include—
  - (a) the date that the Rule Change Proposal was submitted, if applicable;
  - (b) the name, and where relevant, the organisation, of the person who proposed the Rule Change Proposal;
  - (c) the Rule Change Proposal, including relevant references to provisions of the Rules and any proposed specific changes to those provisions;
  - (d) a description of how the person submitting the Rule Change Proposal considers the rule change would allow the Rules to better address the GSI Objectives; and
  - (e) whether the Rule Change Proposal will be progressed and the reasons why the Rule Change Proposal will or will not be progressed.
- (4) Where a Rule Change Proposal will be progressed, the Rule Change Notice must state whether the Rule Change Proposal is subject to the Fast Track Rule Change Process and the reasons for this decision.
- (5) Where the Rule Change Proposal will be progressed under the Fast Track Rule Change Process, the Rule Change Notice must include—
  - (a) an invitation to make written submissions on the Rule Change Proposal and the closing date for making those submissions; and
  - (b) in the case where the Rule Change Proposal did not include Amending Rules to implement the proposal, the proposed Amending Rules to implement the Rule Change Proposal.
- (6) Where the Rule Change Proposal will be progressed under the Standard Rule Change Process, the Rule Change Notice must include an invitation to make written submissions on the Rule Change Proposal and the closing date for making those submissions, which must be at least 30 Business Days after the date the notice is published.

**Division 3—Fast Track Rule Change Process****133 Consultation for Fast Track Rule Change Process**

- (1) Within five Business Days of publishing a Rule Change Notice, the IMO must notify those Gas Market Participants that it considers have an interest in the Rule Change Proposal, of its intention to consult with them concerning the Rule Change Proposal.

(2) Within five Business Days of publishing the Rule Change Notice, an interested Gas Market Participant may notify the IMO that it wishes to be consulted in relation to the Rule Change Proposal.

(3) The IMO must complete such consultation as the IMO considers appropriate in the circumstances with the relevant Gas Market Participants within 15 Business Days of publishing the Rule Change Notice.

#### **134 Final Rule Change Report for Fast Track Rule Change Process**

(1) Within 20 Business Days of publishing a Rule Change Notice for a Rule Change Proposal to be progressed under the Fast Track Rule Change Process, the IMO must—

- (a) decide whether to—
  - (i) accept the Rule Change Proposal in the proposed form;
  - (ii) accept the Rule Change Proposal in a modified form; or
  - (iii) reject the Rule Change Proposal; and
- (b) publish on the GSI Website a Final Rule Change Report.

(2) A Final Rule Change Report must contain—

- (a) the decision made by the IMO under subrule (1)(a) on the Rule Change Proposal; and
- (b) the reasons of the IMO as to whether or not it should make the proposed Amending Rules, having regard to—
  - (i) the rule making test in rule 127; and
  - (ii) the factors for consideration listed in rule 128.

(3) If the IMO decides to make Amending Rules, the Final Rule Change Report must contain—

- (a) the Amending Rules; and
- (b) the proposed date and time that the Amending Rules will commence.

#### **Division 4—Standard Rule Change Process**

##### **135 Gas Advisory Board advice**

(1) The IMO must, within one Business Day after the publication of the Rule Change Notice, notify the members and observers of the Gas Advisory Board whether the IMO considers the Rule Change Proposal requires convening a meeting of the Gas Advisory Board and the reasons why.

(2) The IMO must convene a meeting of the Gas Advisory Board concerning a Rule Change Proposal if—

- (a) the IMO considers that advice on the Rule Change Proposal is required from the Gas Advisory Board; or
- (b) two or more members of the Gas Advisory Board have informed the IMO in writing that they consider that advice on the Rule Change Proposal is required from the Gas Advisory Board.

##### **136 Draft Rule Change Report**

(1) Within 20 Business Days after the closing date for making submissions, as set out in the Rule Change Notice, the IMO must publish on the GSI Website—

- (a) a Draft Rule Change Report on the Rule Change Proposal; and
- (b) an invitation to make written submissions on the Draft Rule Change Report by the closing date which must be at least 20 Business Days after the date of publication of the Draft Rule Change Report.

(2) A Draft Rule Change Report must contain the reasons of the IMO as to whether or not it should make the proposed Amending Rules, having regard to—

- (a) the rule making test in rule 127; and
- (b) the factors for consideration listed in rule 128.

(3) A Draft Rule Change Report must indicate whether the proposed decision of the IMO is to—

- (a) accept the Rule Change Proposal in the proposed form;
- (b) accept the Rule Change Proposal in a modified form; or
- (c) reject the Rule Change Proposal.

(4) If the IMO is considering the making of Amending Rules, the Draft Rule Change Report must contain—

- (a) the draft Amending Rules; and
- (b) a proposed date and time on which the draft Amending Rules would commence.

##### **137 Final Rule Change Report**

(1) Within 20 Business Days of the closing date for making submissions on the Draft Rule Change Report, the IMO must—

- (a) decide whether to—
  - (i) accept the Rule Change Proposal in the proposed form;
  - (ii) accept the Rule Change Proposal in a modified form; or
  - (iii) reject the Rule Change Proposal; and

- (b) publish on the GSI Website a Final Rule Change Report.
- (2) A Final Rule Change Report must contain—
  - (a) the decision made by the IMO under subrule (1)(a) on the Rule Change Proposal; and
  - (b) the reasons of the IMO as to whether or not it should make the proposed Amending Rules, having regard to—
    - (i) the rule making test in rule 127; and
    - (ii) the factors for consideration listed in rule 128.
- (3) If the IMO decides to make Amending Rules, the Final Rule Change Report must contain—
  - (a) the Amending Rules; and
  - (b) a proposed date and time on which the Amending Rules will commence.

#### **Division 5—Submissions and public forums**

##### **138 Right to make submissions**

- (1) Any person or body, within the period specified in a Rule Change Notice or an invitation to make a submission in relation to a Draft Rule Change Report, may make a written submission in relation to the Rule Change Proposal to which the request for submissions relates.
- (2) In determining whether or not to make Amending Rules, the IMO—
  - (a) must take into account all relevant comments in written submissions received by the closing date for submissions; and
  - (b) may, but is not required to, take into account any comments in written submissions received after that date.

##### **139 IMO must publish submissions**

Subject to applicable requirements relating to Protected Information under the GSI Act and the GSI Regulations, the IMO must publish all written submissions received under this Part.

##### **140 Public forums or workshops**

The IMO may hold public forums or workshops concerning a Rule Change Proposal.

#### **Division 6—Extension of rule change timeframes**

##### **141 IMO may extend timeframes**

- (1) The IMO may at any time after deciding to progress a Rule Change Proposal extend the prescribed timeframe for a Fast Track Rule Change Process or a Standard Rule Change Process in accordance with this rule.
- (2) If a Rule Change Proposal is subject to the Fast Track Rule Change Process, and the IMO decides to extend the timeframe, it must either—
  - (a) extend the timeframe by no more than 15 Business Days; or
  - (b) reclassify the Rule Change Proposal as not being subject to the Fast Track Rule Change Process, and must progress it in accordance with the Standard Rule Change Process.
- (3) The IMO must publish on the GSI Website a notice of extension of timeframe where it has decided to extend the prescribed timeframe, and must update any information already published.
- (4) A notice of extension of timeframe must include—
  - (a) the reasons for the proposed extension;
  - (b) views of Gas Market Participants (if any) consulted on the extension;
  - (c) the proposed length of any extension; and
  - (d) the proposed work program.
- (5) The IMO may only extend a prescribed timeframe under this rule before the expiry of that timeframe.

#### **Division 7—Protected Provisions**

##### **142 Definition of Protected Provisions**

- (1) In this Division, “modify” includes an addition, an omission or a substitution or any change that, in IMO’s opinion, would have the effect of changing the meaning of a Protected Provision.
- (2) The following rules are Protected Provisions—
  - (a) rules 1 to 20, excluding rule 10;
  - (b) rules 21 to 51;
  - (c) rules 92 to 95;
  - (d) rules 107 to 113, and rule 120;
  - (e) rules 125 to 153;
  - (f) rules 154 to 164;
  - (g) rules 165 to 174;
  - (h) rules listed in Schedule 1 of the GSI Regulations as Civil Penalty Provisions; and
  - (i) rules listed in Schedule 2 of the GSI Regulations as Reviewable Decisions.



**143 IMO to notify Minister at start of Rule Change Process**

Where the IMO decides to progress a Rule Change Proposal that relates to or affects a Protected Provision, the IMO must notify the Minister at the same time as it publishes the Rule Change Notice under rule 132.

**144 Minister must approve changes to Protected Provisions**

- (1) The Minister must approve Amending Rules that modify a Protected Provision.
- (2) The IMO must, as soon as practicable after publishing a Final Rule Change Report that relates to a Protected Provision Amendment, submit to the Minister the following documents—
  - (a) the relevant Rule Change Proposal; and
  - (b) the Final Rule Change Report, including the Amending Rules to be made.
- (3) Subject to rule 145, the Minister must, within 20 Business Days of the submission of a Protected Provision Amendment by the IMO, decide whether the Amending Rules should be made, having regard to the GSI Objectives.
- (4) For a Protected Provision Amendment, the Minister may—
  - (a) approve the making of the Amending Rules;
  - (b) not approve the making of the Amending Rules; or
  - (c) send back to the IMO the proposed Amending Rules with any revisions the Minister considers are required to ensure the Rules, as amended or replaced by the proposed Amending Rules, are consistent with the GSI Objectives.
- (5) Where the Minister approves a Protected Provision Amendment, the IMO must publish on the GSI Website the Minister's approval and the date of the decision.

**145 Minister may extend time to approve Protected Provision Amendment**

- (1) The Minister may extend the time for a decision under rule 144 on a Protected Provision Amendment by a further period of up to 20 Business Days by notice to the IMO, and may do so more than once.
- (2) The Minister may only extend a timeframe for a decision under subrule (1) before the expiry of that timeframe.
- (3) The IMO must publish notice of any extension by the Minister on the GSI Website, as soon as practicable.

**146 Approval of Minister may be deemed for Protected Provision Amendment**

If the Minister does not make a decision under this Division by the original date or by an extended date, as applicable, then the Protected Provision Amendment is taken to have been approved by the Minister.

**147 Minister to give reasons where Protected Provision Amendment not approved**

Where the Minister does not approve or sends back a Protected Provision Amendment under subrule 144(4)(c), the Minister must give reasons, and the IMO must publish a notice of the Minister's decision and the reasons given by the Minister on the GSI Website.

**148 Consultation where Minister proposes revisions to Protected Provision Amendment**

- (1) Where the Minister sends a Protected Provision Amendment back to the IMO with revisions in accordance with subrule 144(4)(c), the IMO must publish on the GSI Website the revised Amending Rules and invite written submissions within 15 Business Days of publication.
- (2) The IMO must, within 25 Business Days after the close of submissions—
  - (a) submit to the Minister a revised Final Rule Change Report, including any submissions received on the revised Amending Rules; and
  - (b) publish on the GSI Website the revised Final Rule Change Report and all submissions received,and this Division applies to the revised Final Rule Change Report.

**Division 8—Making and commencement of Amending Rules****149 Making of Amending Rules**

Amending Rules are made—

- (a) in the case where the Final Rule Change Report does not relate to a Protected Provision Amendment, when the IMO publishes the Final Rule Change Report in relation to those Amending Rules; or
- (b) in the case where the Final Rule Change Report relates to a Protected Provision Amendment, when the Minister approves, or is taken to approve, the Amending Rules under Division 7.

**150 Operation and commencement of Amending Rules**

- (1) Amending Rules commence operation on the date and time determined by the IMO.

Note: A Final Rule Change Report includes a proposed date and time for commencement of the Amending Rules.

- (2) The IMO must, on or before the date on which Amending Rules commence, publish on the GSI Website a notice of the commencement of the Amending Rules.

- (3) The IMO may amend a proposed date and time for commencement of Amending Rules as published in a Final Rule Change Report (and may do so on more than one occasion), provided that—
- (a) the first amended commencement date and time is published on the GSI Website before the proposed commencement date and time referred to in the Final Rule Change Report;
  - (b) subsequent amendments to the proposed commencement date and time are published on the GSI Website before the most recently published proposed commencement date and time; and
  - (c) the IMO publishes reasons for the change.

#### 151 IMO to publish up to date version of Rules

The IMO must, at all times, maintain on the GSI Website a copy of the Rules, as in force from time to time.

Note: Regulation 8 of the GSI Regulations contains further requirements for making the Rules available.

#### 152 Evidence of the Rules

A document purporting to be a copy of the Rules endorsed with a certificate to which the seal of the IMO has been duly affixed, certifying the document is such a copy, is evidence that the document is such a copy.

#### 153 IMO to publish historical Rule Change Proposals

The IMO must publish on the GSI Website documents relevant to previous Rule Change Proposals that are no longer current, whether or not those proposals were accepted or rejected.

### PART 9—PROCEDURES

#### 154 IMO may make Procedures

- (1) The IMO may make Procedures, and must do so in accordance with this Part.
- (2) Procedures must be consistent with the GSI Objectives.
- (3) The IMO and each person to whom the Procedures are applicable must comply with those Procedures.

#### 155 Matters about which Procedures may be made

- (1) Procedures may deal with any subject dealt with under the GSI Act, the GSI Regulations or the Rules.
- (2) Without limiting subrule (1), the Procedures may deal with the following matters—
  - (a) the manner in which the IMO maintains, and publishes information on, the GBB including the format of any registers or reports required or permitted by the Rules;
  - (b) the content, manner and form of a Registration Application and an application to deregister a Registered Participant or a Registered Facility;
  - (c) the content, manner and form of an application for transfer of a Registered Facility;
  - (d) the content, manner and form of an Exemption Application;
  - (e) the time, manner and form for providing the IMO with information in connection with the GBB and the collection and collation of that information;
  - (f) the content, manner and form of an application for exemption from providing specified information for the GBB;
  - (g) any terms and conditions of use of the GBB;
  - (h) the meaning of symbols used for the purposes of the GBB;
  - (i) the definition of terms or the designation of status for the purposes of the rules governing the operation of the GBB;
  - (j) the times at which, or frequency by which, the IMO will update the reports and information published on the GBB;
  - (k) the determination of any matter the IMO is required or allowed to determine under the Rules including forecasts for the purposes of the GSOO;
  - (l) the time, manner and form for providing the IMO with information in connection with the GSOO and the collection and collation of that information;
  - (m) the IMO's monitoring processes for assessing compliance with the Rules and Procedures by Gas Market Participants;
  - (n) processes for Gas Market Participants to report alleged breaches of the Rules or Procedures;
  - (o) processes for investigations into alleged breaches of the Rules or Procedures;
  - (p) guidelines for the IMO when issuing Warning Notices for alleged breaches of the Rules or Procedures to Gas Market Participants;
  - (q) the procedure for dealing with Category A Civil Penalty Provision breaches;
  - (r) the procedure for bringing proceedings in respect of alleged breaches of the Rules or Procedures before the Board;
  - (s) any additional matters or reports that the IMO intends to include in published compliance reports; and
  - (t) any matter consequential or related to any of the above.

**156 IMO may initiate a Procedure Change Proposal**

- (1) The IMO may initiate a proposal to make a Procedure (a Procedure Change Proposal).
- (2) A Gas Market Participant may notify in writing the IMO where it considers a change to a Procedure or a new Procedure would be appropriate.
- (3) Within 20 Business Days of receipt of a notification under subrule (2), the IMO must—
  - (a) determine whether a change to a Procedure or a new Procedure is appropriate; and
  - (b) publish on the GSI Website details of whether a Procedure Change Proposal will be progressed with respect to the suggested change and the reasons for that decision.
- (4) If an Amending Rule requires the IMO to make changes to Procedures, then the IMO must develop an appropriate Procedure Change Proposal consistent with the Amending Rule.

**157 Procedure Change Proposal**

A Procedure Change Proposal developed by the IMO must be published on the GSI Website and must include—

- (a) a description of the proposed Procedure (or change to a Procedure);
- (b) the reasons for the proposed Procedure (or change to a Procedure);
- (c) a draft of the proposed Procedure (or change to a Procedure); and
- (d) an invitation to make written submissions on the Procedure Change Proposal and the closing date for making those submissions, which must be at least 20 Business Days after the date the IMO publishes the Procedure Change Proposal on the GSI Website.

**158 Submissions**

- (1) Any person may make a submission to the IMO in relation to a Procedure Change Proposal in the form published on the GSI Website.
- (2) In determining whether or not to make Procedures under the Rules, the IMO—
  - (a) must take into account all relevant comments in written submissions that it receives by the closing date for submissions; and
  - (b) may, but is not required to, take into account any comments in written submissions that it receives after that date.

**159 Gas Advisory Board advice**

- (1) The IMO must, within one Business Day after the publication of a Procedure Change Proposal, notify the members and observers of the Gas Advisory Board whether the IMO considers the Procedure Change Proposal requires convening a meeting of the Gas Advisory Board and the reasons why.
- (2) The IMO must convene a meeting of the Gas Advisory Board concerning a Procedure Change Proposal if—
  - (a) the IMO considers that advice on the Procedure Change Proposal is required from the Gas Advisory Board; or
  - (b) two or more members of the Gas Advisory Board have informed the IMO in writing that they consider that advice on the Procedure Change Proposal is required from the Gas Advisory Board.

**160 Procedure Change Report**

- (1) Within 20 Business Days after the closing date for submissions specified in the Procedure Change Proposal, the IMO must publish a Procedure Change Report on the GSI Website.
- (2) The IMO must decide whether to—
  - (a) make the proposed Procedure in the proposed form;
  - (b) make the proposed Procedure in a modified form; or
  - (c) not make the proposed Procedure.
- (3) A Procedure Change Report must contain—
  - (a) a summary of any comments received on the proposed Procedure, including advice from the Gas Advisory Board and any working groups established by the Gas Advisory Board;
  - (b) the reasons of the IMO for making or not making the proposed Procedure, including an explanation of how the proposed Procedure is consistent with the GSI Objectives;
  - (c) if the decision is to make the proposed Procedure—the proposed date and time on which the Procedure is to commence operation; and
  - (d) the proposed Procedure and, if it has been modified, a description of how and why it has been revised.
- (4) The date and time for commencement of the new or amended Procedure must be determined by the IMO, having regard to the need to allow sufficient time for Gas Market Participants to implement any changes required.

**161 Extension of timeframes**

- (1) The IMO may, at any time after deciding to progress a Procedure Change Proposal, extend the prescribed timeframe for processing a Procedure Change Proposal in accordance with this rule.
- (2) The IMO must publish on the GSI Website a notice of extension of timeframe where it has decided to extend the prescribed timeframe, and must update any information already published.

- (3) A notice of extension of timeframe must include—
- (a) the reasons for the proposed extension;
  - (b) the views of Gas Market Participants (if any) consulted on the extension;
  - (c) the proposed length of any extension; and
  - (d) the proposed work program.
- (4) The IMO may only extend a prescribed timeframe under this rule before the expiry of that timeframe.

#### **162 Operation and commencement of Procedures**

(1) A Procedure (including an amended Procedure) commences operation on the date and time determined by the IMO.

Note: A Procedure Change Report includes a proposed date and time for commencement of the proposed Procedure as determined by the IMO.

(2) Where the proposed commencement date and time specified in a Procedure Change Report published on the GSI Website is later than the date of publishing that Procedure Change Report, the IMO must, on or before the date on which the new or amended Procedure commences, publish on the GSI Website a notice of the commencement of the new or amended Procedure.

(3) The IMO may amend a proposed date and time for commencement of a new or amended Procedure as published in a Procedure Change Report (and may do so on more than one occasion), provided that—

- (a) the first amended commencement date and time is published on the GSI Website before the proposed commencement date and time referred to in the Procedure Change Report;
- (b) subsequent amendments to the proposed commencement date and time are published on the GSI Website before the most recently published proposed commencement date and time; and
- (c) the IMO publishes reasons for the change.

#### **163 IMO to publish up to date version of Procedures**

The IMO must, at all times, maintain on the GSI Website a copy of all Procedures, as in force from time to time.

#### **164 IMO to publish historical Procedure Change Proposals**

The IMO must publish on the GSI Website documents relevant to previous Procedure Change Proposals that are no longer current, whether or not those proposals were accepted or rejected.

### **PART 10—COMPLIANCE AND ENFORCEMENT**

#### **Division 1—Compliance**

##### **165 Obligation of the IMO to monitor compliance**

(1) The IMO must monitor the compliance of Gas Market Participants with the requirements of the Rules and the Procedures in accordance with the GSI Act, the GSI Regulations, the Rules and any relevant Procedures.

(2) The IMO must ensure it has processes and systems in place to allow it to monitor its own activities and those of Gas Market Participants for compliance with the Rules and the Procedures.

##### **166 Obligation to provide compliance information**

A Gas Market Participant must submit to the IMO, in the manner and form (including by the date or dates) specified by the IMO, information specified in any relevant Procedures relating to the compliance of the participant with the requirements of the GSI Act, the GSI Regulations, the Rules and any relevant Procedures.

Note: This rule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

##### **167 Compliance reports**

(1) The IMO must publish a report on the GSI Website at least once every six months setting out a summary for the preceding six months of—

- (a) proceedings that have been brought before the Board;
- (b) findings of the Board on matters referred to it;
- (c) orders made by the Board; and
- (d) civil penalties imposed by the IMO under regulation 16 of the GSI Regulations, where these have not been set aside by the Board.

(2) In addition, the IMO may publish on the GSI Website other reports relating to matters under this Part in accordance with any relevant Procedures.

#### **Division 2—Investigation**

##### **168 Initiating investigation of alleged breach**

(1) A Gas Market Participant may inform the IMO in writing if it considers that it (the participant) or another participant has breached the Rules or a Procedure, and may provide evidence of that breach.

(2) If the IMO becomes aware of an alleged breach of the Rules or Procedures by a Gas Market Participant, it must investigate the alleged breach in accordance with this Division.

**169 Provision of information to an investigation**

(1) As part of an investigation into alleged breaches of the Rules or Procedures, the IMO may require information and records from Gas Market Participants.

(2) The IMO may (but need not) meet with or otherwise contact the relevant Gas Market Participant where the IMO considers it necessary to obtain information in relation to an investigation, or to discuss the alleged breach and possible actions to rectify the situation.

(3) A Gas Market Participant must cooperate with an investigation into an alleged breach of the Rules or Procedures, including by—

- (a) providing the IMO with information requested relating to the alleged breach in a timely manner; and
- (b) ensuring that any information provided is not false or misleading in a material particular.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(4) Where a Gas Market Participant does not comply with subrule (3), the IMO may appoint a person to investigate the matter and provide a report or such other documentation as the IMO may require.

(5) A Gas Market Participant must do all things reasonably required or necessary to assist the person appointed under subrule (4) (the investigator) to undertake the investigation, including by—

- (a) not obstructing the investigator in undertaking the investigation;
- (b) providing the investigator with information requested relating to the alleged breach in a timely manner; and
- (c) ensuring that any information provided is not false or misleading in a material particular.

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

(6) The cost of an investigation and the preparation of a report or other documentation under subrule (4) must be met by the Gas Market Participant unless the IMO determines otherwise.

**170 Warning Notices**

(1) Where the IMO reasonably considers a breach of the Rules or Procedures has taken place, it may issue a Warning Notice to a Gas Market Participant.

(2) The Warning Notice must—

- (a) include the date on which the notice is issued;
- (b) identify the particular provisions of the Rules or Procedures that the IMO considers have been, or are being, breached;
- (c) describe the behaviour that comprises the alleged breach; and
- (d) request an explanation.

(3) Where the IMO considers that it is appropriate in the particular circumstances, a Warning Notice may include a request that the alleged breach be rectified and a time (which the IMO considers reasonable) by which the alleged breach should be rectified.

(4) A Gas Market Participant to whom a Warning Notice is issued must respond in writing to the matters raised in the notice by the date specified in the notice.

**171 Actions required after issue of Warning Notice**

(1) This rule applies where the IMO has issued a Warning Notice to a Gas Market Participant.

(2) Where the IMO considers that a Gas Market Participant has contravened a Category A Civil Penalty Provision, the IMO may issue a notice in accordance with regulation 16 of the GSI Regulations.

(3) Where the IMO considers that a Gas Market Participant has contravened a provision of the Rules, the IMO may apply to the Board for one or more orders under regulations 17 and 18 of the GSI Regulations.

(4) Where the IMO decides to apply to the Board for orders under regulations 17 and 18 of the GSI Regulations, the IMO must provide the Gas Market Participant with a copy of the application for orders from the Board referred to in regulation 24 of the GSI Regulations.

(5) Where the IMO considers that no further action should be taken, the IMO must notify the following Gas Market Participants of the decision—

- (a) the participant that is alleged to have breached the Rules; and
- (b) the participant who informed the IMO of an alleged breach of the Rules under subrule 168(1) (if applicable).

**172 Record keeping of investigation activities**

The IMO must ensure that records are kept of all investigation activities, including details of any investigation of an alleged breach, and any response by a Gas Market Participant to a Warning Notice issued under this Division.

**173 IMO may direct a Gas Market Participant**

(1) If an order of the Board requires a Gas Market Participant to change its systems or operations to give effect to the order, the IMO may give directions to the participant to assist in giving effect to those changes.

(2) A Gas Market Participant must comply with a direction of the IMO given under subrule (1).

Note: This subrule is a civil penalty provision for the purposes of the GSI Regulations. (See the GSI Regulations, regulation 15 and Schedule 1).

### Division 3—Compliance by the IMO

#### 174 Annual compliance audit for the IMO

(1) The IMO must appoint one or more auditors to conduct an audit at least annually, and may carry out additional audits as the IMO sees fit.

(2) The IMO must ensure that the audit covers such matters as the IMO considers appropriate, which must include—

- (a) the compliance of the IMO's internal procedures and business processes with the Rules;
- (b) the IMO's compliance with the Rules and Procedures; and
- (c) the IMO's software systems for the GBB and the calculation of GSI Fees and processes for software management.

(3) The auditor must provide the IMO with a report, and the IMO must within 30 Business Days of receiving the report either—

- (a) accept the report and any recommendations contained in it; or
- (b) prepare a separate report setting out the matters raised in the auditor's report which the IMO accepts and those which it does not accept and the reasons for that view.

(4) The IMO must publish on the GSI Website the auditor's report and any report prepared by the IMO under subrule (3)(b) within 30 Business Days after receipt of the auditor's report.

(5) The IMO must provide to the Minister the reports published under subrule (4).

### SCHEDULE 1—GLOSSARY

(Subrule 4(1))

**Adjustment GSI Invoice** means an invoice that is sent to a Registered Shipper after—

- (a) recalculation of the GSI Fees payable for a GSI Invoice Period under rule 119; or
- (b) an adjustment to the GST amount payable for a GSI Invoice Period under rule 124.

**Aggregated Shipper Delivery Quantity** means, for a Registered Shipper and a GBB Pipeline, the delivery quantities for that shipper aggregated for all Delivery Points on the GBB Pipeline, except those Delivery Points feeding into another GBB Pipeline (see rule 115).

**Allowable Revenue** means the allowable revenue for a Review Period to be recovered by the IMO for the provision of the GSI Services, determined by the ERA under rule 108, and includes any amendment made by the ERA under rule 110.

**Amending Rules** has the meaning given in regulation 7 of the GSI Regulations.

**Approved Annual Revenue** means, for a Financial Year, the budgeted revenue approved by the Minister in the GSI Budget.

**Bank Bill Rate** means the rate set by the IMO—

- (a) at approximately 10:00 AM on any given Business Day to apply for that day; or
- (b) if the relevant day is not a Business Day, or the IMO does not set a rate for that day, on the previous Business Day on which a rate was set under (a),  
(based on an industry standard market indicator, details of which must be published by the IMO on the GSI Website).

**Board** means the Electricity Review Board established under section 50 of the *Energy Arbitration and Review Act 1998*.

**Business Day** means a day that is not a Saturday, a Sunday, or a public holiday throughout Western Australia.

**Capacity Outlook** means, for a Gas Day—

- (a) for a GBB Pipeline, the Registered Pipeline Operator's estimate of the quantities of natural gas that can be—
  - (i) transported through the pipeline; and
  - (ii) delivered at each Gate Station,
 on the Gas Day, based on knowledge of the Facility's capability and availability over that time (see rule 57);
- (b) for a GBB Storage Facility, the Registered Storage Facility Operator's estimate of the quantities of natural gas that can be—
  - (i) withdrawn from the storage facility for injection into GBB Pipelines; and
  - (ii) received by the storage facility and injected into storage,
 on the Gas Day, based on knowledge of the Facility's capability and availability over that time (see rule 65); and

- (c) for a GBB Production Facility, the Registered Production Facility Operator's estimate of the quantity of natural gas that can be injected from the Facility into GBB Pipelines on the Gas Day, based on knowledge of the Facility's capability and availability over that time (see rule 72).

**Category A Civil Penalty Provision** means a Civil Penalty Provision classified as a Category A provision in Schedule 1 of the GSI Regulations.

**Civil Penalty Provision** has the meaning given in regulation 14(1) of the GSI Regulations.

**Constitution** means the Constitution of the Gas Advisory Board made under rule 14.

**Consumption Category** means a consumption category set out in rule 88.

**Contact Information** means the information referred to in subrule 53(3).

**Coordinator of Energy** means the Coordinator of Energy referred to in section 4 of the *Energy Coordination Act 1994*.

**Daily Actual Consumption Data** means, for a GBB Large User Facility and a Gas Day, the quantity of natural gas that is metered (based on operational metering data) as having been, or estimated by the relevant Registered Large User to have been, used by the facility on that Gas Day.

**Daily Actual Flow Data** means, for a Gas Day—

- (a) for a GBB Pipeline, the actual flows on that Gas Day for each Receipt Point and each Delivery Point on that pipeline, determined by the Registered Pipeline Operator on the basis of operational metering data or estimated by the operator;
- (b) for a GBB Storage Facility, the quantity of natural gas that is metered (based on operational metering data) as having been, or estimated by the Registered Storage Facility Operator to have been—
  - (i) withdrawn from each Delivery Point to which the storage facility is connected and injected into the storage facility on that Gas Day; and
  - (ii) withdrawn from the storage facility and injected into each Receipt Point to which the storage facility is connected on that Gas Day; and
- (c) for a GBB Production Facility, the quantity of natural gas that is metered (based on operational metering data) as having been, or estimated by the Registered Production Facility Operator to have been, injected from the facility into each relevant Receipt Point on a GBB Pipeline on that Gas Day.

**Delivery Point** means a notional point which represents the aggregation of one or more physical delivery points at which gas is withdrawn from a GBB Pipeline, as determined by the IMO from information provided by Pipeline Operators under subrule 54(1).

**Distribution System** means a system of pipelines and associated equipment that supplies natural gas withdrawn from one or more GBB Pipelines to multiple end users (including a distribution system where more than one gas retailer can sell gas in accordance with an approved Retail Market Scheme under the *Energy Coordination Act 1994*), but excludes a Transmission Pipeline.

**Draft Rule Change Report** means a report prepared by the IMO under rule 136.

**Electricity Laws** means—

- (a) the *Electricity Industry Act 2004*
- (b) the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*
- (c) the *Electricity Industry (Independent Market Operator) Regulations 2004*; and
- (d) the Wholesale Electricity Market Rules made under the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.

**Eligible GBB Facility** means a Facility that is neither a Registered Facility or subject to an Exemption, but may be required to be registered under rule 22.

**Emergency Management Facility** means the part of the GBB, which is activated by an EMF Direction from the Coordinator of Energy, to facilitate the availability of information to manage a gas supply disruption or emergency.

**EMF** means the Emergency Management Facility.

**EMF Direction** means a direction issued by the Coordinator of Energy under rule 93 to activate or deactivate the EMF.

**EMF Information** means—

- (a) for a Registered Pipeline Operator in relation to each GBB Pipeline that it operates—
  - (i) the maximum daily capacity of the pipeline, without impacting on the safe operation of the pipeline; and
  - (ii) the minimum amount of linepack that must be stored in the pipeline to enable the continued safe operation of the pipeline;
- (b) for a Registered Storage Facility Operator for each GBB Storage Facility that it operates—
  - (i) the maximum amount of gas that can be safely delivered into storage on a Gas Day;
  - (ii) the maximum amount of gas that can be safely withdrawn from the storage facility, for injection into one or more GBB Pipelines on a Gas Day; and
  - (iii) the minimum amount of gas that must be held in storage to ensure the continued safe operation of the storage facility;

- (c) for a Registered Production Facility Operator for each GBB Production Facility that it operates—
  - (i) the maximum daily production capacity of the facility, without impacting the safe operation of the facility; and
  - (ii) the minimum daily level of production to ensure the continued safe operation of the facility (plant turn down point); and
- (d) for a Registered Large User for each GBB Large User Facility that it operates—
  - (i) whether the facility is capable of using an alternative fuel;
  - (ii) if the facility is capable of using an alternative fuel, what types of alternative fuel it is capable of using;
  - (iii) whether the facility generates electricity for consumption at residential premises, irrespective of whether the user has nominated the Consumption Category in subrule 88(1)(b); and
  - (iv) if the facility does generate electricity for consumption by residential customers, whether there is any other form of electricity generation available to supply those customers.

**ERA** means the Economic Regulation Authority established under section 4 of the *Economic Regulation Authority Act 2003*.

**Exemption** means an exemption granted by the IMO from the requirement to be a Registered Facility under Division 6 of Part 2 of the Rules.

**Exemption Application** means an application to the IMO for an Exemption made in accordance with rule 42.

**Exemption Cancellation Date** means the date on which a revocation of an Exemption by the IMO under rule 48 takes effect.

**Exemption Criteria** means the criteria which must be met in order for the IMO to grant an exemption from the requirement to be a Registered Facility—

- (a) for a Transmission Pipeline, under subrule 44(2);
- (b) for a Storage Facility, under subrule 45(2);
- (c) for a Production Facility, under subrule 46(2); and
- (d) for a Large User Facility, under subrule 47(2).

**Facility** means a Transmission Pipeline, a Production Facility, a Storage Facility or a Large User Facility.

**Facility Data** means the information to be provided by—

- (a) an operator of a Transmission Pipeline, under subrule 54(1);
- (b) an operator of a Storage Facility, under subrule 62(1);
- (c) an operator of a Production Facility, under subrule 69(1); and
- (d) an operator of a Large User Facility, under subrule 76(1).

**Fast Track Rule Change Process** means the process set out under Division 3 of Part 8 of the Rules.

**Final Rule Change Report** means—

- (a) for a Fast Track Rule Change Process, a report published by the IMO under rule 134 and includes a revised Final Rule Change Report published under subrule 148(2); and
- (b) for a Standard Rule Change Process, a report published by the IMO under rule 137, and includes a revised Final Rule Change Report published under subrule 148(2).

**Financial Year** means a period of 12 months commencing on 1 July.

**Forecast Capital Expenditure** means the predicted sum of capital expenditure required for a Review Period which must be approved by the ERA under rule 108 and includes any amendment made by the ERA under rule 110.

**Gas Advisory Board** means the board established by the IMO under rule 11.

**Gas Bulletin Board** has the meaning given in section 4 of the GSI Act.

**Gas Day** means a 24 hour period beginning at 8:00 AM.

**Gas Market Participant** has the meaning given in the GSI Act.

**Gas Specification Data** means, for a Gas Day—

- (a) for a PIA Pipeline Operator, the average HHV of the gas stream for that Gas Day as calculated from measurements taken at the last metering station before the first Delivery Point to a gas Distribution System; and
- (b) for a PIA Production Facility Operator or a Production Facility Operator notified under rule 75—
  - (i) the quantity of gas (in cubic metres) that has flowed out of the GBB Production Facility on that Gas Day; and
  - (ii) the average HHV of the gas on that Gas Day, as calculated from measurements taken at each metering station that measures the composition of the gas flowing out of the GBB Production Facility before it mingles with any other gas.



**Gas Statement of Opportunities** has the meaning given in section 5 of the GSI Act.

**Gate Station** means a Delivery Point that serves a Distribution System where more than one gas retailer can sell gas in accordance with an approved Retail Market Scheme under the *Energy Coordination Act 1994*, as determined by the IMO from information provided by Pipeline Operators under subrule 54(1).

**GBB** means the Gas Bulletin Board.

**GBB Large User Facility** means a Large User Facility that is registered as a GBB Large User Facility under the Rules.

**GBB Pipeline** means a Transmission Pipeline that is registered as a GBB Pipeline under the Rules.

**GBB Production Facility** means a Production Facility that is registered as a GBB Production Facility under the Rules.

**GBB Storage Facility** means a Storage Facility that is registered as a GBB Storage Facility under the Rules.

**GQS Act** means the *Gas Supply (Gas Quality Specification) Act 2009*.

**GQS Regulations** means the *Gas Supply (Gas Quality Specification) Regulations 2010*.

**GSI Act** means the *Gas Services Information Act 2012*.

**GSI Budget** means the budget for the provision of the GSI Services approved by the Minister under rule 111.

**GSI Budget Proposal** means a budget proposal for the provision of the GSI Services, prepared by the IMO and submitted to the Minister for approval under rule 111.

**GSI Consultation Procedure** means the consultation procedure set out in rule 7 that the IMO must follow when it is required to make an instrument (however described) under the Rules in accordance with the GSI Consultation Procedure.

**GSI Fee** means the fee payable by a Registered Shipper to the IMO and calculated under rule 116.

**GSI Invoice** means an invoice issued to a Registered Shipper by the IMO, and includes an Adjustment GSI Invoice.

**GSI Invoice Period** means a three month period commencing on 1 January, 1 April, 1 July and 1 October each year.

**GSI Objectives** means the objectives set out in rule 2 and in section 6 of the GSI Act.

**GSI Project** means a project that is declared by the IMO to be a GSI Project under rule 112 that involves—

- (a) a major change to the GSI Services provided by the IMO under the Rules; or
- (b) a major change to any of the computer software or systems that the IMO uses in the provision of the GSI Services under the Rules.

**GSI Register** means the register published on the GSI Website under rule 51.

**GSI Regulations** means the Gas Services Information Regulations 2012 made under the *Gas Services Information Act 2012*.

**GSI Rules** has the meaning given in the GSI Regulations.

**GSI Services** means the services listed in rule 107 for the purpose of determining the Allowable Revenue for the IMO.

**GSI Website** means the publicly available website at [www.imowa.com.au](http://www.imowa.com.au) which is also the GSI website referred to in regulation 11(2).

**GSOO** means a Gas Statement of Opportunities published in accordance with Part 6 of the Rules.

**GST** means Goods and Services Tax and has the meaning given in the GST Act.

**GST Act** means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**HHV** means higher heating value and has the meaning given in regulation 3(1) of the GQS Regulations.

**IMO** means the Independent Market Operator.

**Independent Market Operator** means the body established under the *Electricity Industry (Independent Market Operator) Regulations 2004*.

**Large User** means a Gas Market Participant who operates a Large User Facility.

**Large User Facility** means a User Facility with a Nameplate Capacity of at least 10 TJ per day that is connected—

- (a) to a GBB Pipeline; or
- (b) to a Distribution System that is connected to a GBB Pipeline.

**LCA Flag** means for a Gas Day—

- (a) for a GBB Pipeline (or part of a GBB Pipeline within a Zone), a green, amber or red flag indicating the actual or expected capability of the pipeline to meet the relevant delivery nominations within the Zone for that Gas Day based on the pipeline's linepack and capacity, where—
  - (i) a green flag indicates normal operation;
  - (ii) an amber flag indicates likely curtailment of interruptible gas flows; and
  - (iii) a red flag indicates likely curtailment of firm gas flows; and

- (b) for a GBB Storage Facility, a green, amber or red flag indicating the best estimate of the Registered Storage Facility Operator of the number of days for which supply of natural gas can be maintained at maximum operational outlet capacity (allowing for forecast refilling), where—
- (i) a green flag indicates more than seven days;
  - (ii) an amber flag indicates three to seven days; and
  - (iii) a red flag indicates less than three days.

**Medium Term Capacity Outlook** means—

- (a) a medium term capacity outlook provided to the IMO by a Registered Pipeline Operator in accordance with rule 56;
- (b) a medium term capacity outlook provided to the IMO by a Registered Storage Facility Operator in accordance with rule 64; and
- (c) a medium term capacity outlook provided to the IMO by a Registered Production Facility Operator in accordance with rule 71.

**Minister** means the Minister responsible for the administration of the GSI Act.

**Nameplate Capacity** means—

- (a) for a Transmission Pipeline, the maximum quantity of natural gas that, under normal operating conditions, can be delivered through the pipeline on a Gas Day;
- (b) for a Gate Station, the maximum quantity of natural gas that, under normal operating conditions, can be delivered from a GBB Pipeline to the Gate Station on a Gas Day;
- (c) for a Production Facility, the maximum quantity of natural gas that, under normal operating conditions, can be produced by the Facility and injected into one or more GBB Pipelines on a Gas Day;
- (d) for a User Facility, the maximum quantity of natural gas that can be delivered to the Facility on a Gas Day (i.e. that the connection to the Facility is capable of allowing); and
- (e) for a Storage Facility—
  - (i) Production Nameplate Capacity;
  - (ii) Refill Nameplate Capacity; and
  - (iii) Storage Nameplate Capacity.

**Nameplate Capacity Data** means—

- (a) for a GBB Pipeline—
  - (i) the Nameplate Capacity of the Transmission Pipeline; and
  - (ii) the Nameplate Capacity of each Gate Station connected to the Transmission Pipeline;
- (b) for a GBB Storage Facility—
  - (i) the Production Nameplate Capacity;
  - (ii) the Refill Nameplate Capacity; and
  - (iii) the Storage Nameplate Capacity;
- (c) for a GBB Production Facility, the Nameplate Capacity of that Production Facility; and
- (d) for a GBB Large User Facility, the Nameplate Capacity of that Large User Facility.

**Nominated and Forecast Flow Data** means data that is required to be provided to the IMO—

- (a) for a GBB Pipeline under rule 59; and
- (b) for a GBB Storage Facility under rule 67.

**PIA** means a Pipeline Impact Agreement within the meaning of the GQS Act.

**PIA Pipeline** has the meaning given in the GQS Act.

**PIA Pipeline Operator** means a Registered Pipeline Operator of a GBB Pipeline that—

- (a) is a PIA Pipeline at the time it becomes a Registered Facility; or
- (b) becomes a PIA Pipeline after it becomes a Registered Facility.

**PIA Production Facility** means a Production Facility that is the subject of a PIA.

**PIA Production Facility Operator** means a Registered Production Facility Operator that—

- (a) is a party to a PIA with an operator of a PIA Pipeline at the time when the GBB Production Facility that it operates becomes a Registered Facility; or
- (b) enters into a PIA with the operator of a PIA Pipeline after the GBB Production Facility that it operates becomes a Registered Facility.

**PIA Summary Information** means a summary of those parts of a PIA that cover the requirements of section (7)(1)(a),(b),(c) and (d) of the GQS Act that indicates how the agreement meets those requirements, and is provided to the IMO under rule 74.

**Pipeline Operator** means a Gas Market Participant who is a service provider and who operates a Transmission Pipeline.

**Planned Service Notification** means a notification of planned work on a Facility during the period covered by a Medium Term Capacity Outlook that is expected to have a material impact on the capacity of the facility while the work is being undertaken.

**Procedure** means a procedure made under Part 9.

**Procedure Change Proposal** means a proposal to make a Procedure under rule 157.

**Procedure Change Report** means a report published by the IMO under rule 160.

**Production Facility** means a facility at which natural gas is produced for injection into one or more GBB Pipelines.

**Production Facility Operator** means a Gas Market Participant who operates a Production Facility.

**Production Nameplate Capacity** means, in relation to a Storage Facility, the maximum quantity of natural gas that, under normal operating conditions, can be withdrawn from the Storage Facility for injection into GBB Pipelines on a Gas Day.

**Protected Information** has the meaning given in the GSI Act.

**Protected Provision** means a provision of the Rules that may only be amended with the approval of the Minister (see rule 142).

**Protected Provision Amendment** means Amending Rules included in a Final Rule Change Report, where those Amending Rules modify, whether directly or indirectly, a Protected Provision.

**Receipt Point** means a notional point which represents the aggregation of one or more physical receipt points at which gas is injected into a GBB Pipeline, as determined by the IMO from information provided by Pipeline Operators under subrule 54(1).

**Reference Specification** has the meaning given in the GQS Act.

**Refill Nameplate Capacity** means, in relation to a Storage Facility, the maximum quantity of natural gas that the Storage Facility can receive and inject into storage on a Gas Day under normal operating conditions.

**Registered Facility** means a GBB Pipeline, a GBB Storage Facility, a GBB Production Facility or a GBB Large User Facility.

**Registered Facility Operator** means a Registered Pipeline Operator, a Registered Storage Facility Operator, a Registered Production Facility Operator or a Registered Large User.

**Registered Large User** means a Gas Market Participant registered by the IMO as the operator of a GBB Large User Facility.

**Registered Participant** means a Gas Market Participant registered as a Registered Facility Operator or Registered Shipper.

**Registered Pipeline Operator** means a Gas Market Participant registered by the IMO as the operator of a GBB Pipeline.

**Registered Production Facility Operator** means a Gas Market Participant registered by the IMO as the operator of a GBB Production Facility.

**Registered Shipper** means a Gas Market Participant who is a Shipper and is registered by the IMO under the Rules.

**Registered Storage Facility Operator** means a Gas Market Participant registered by the IMO as the operator of a GBB Storage Facility.

**Registration Application** means an application under rule 25—

- (a) for registration of a Facility as a Registered Facility;
- (b) for registration of the operator of a Facility as the Registered Facility Operator for that facility; or
- (c) for registration as a Registered Participant.

**Relevant Gas Day** means the Gas Day that the Coordinator of Energy nominates as the day on which a Production Facility Operator commences to comply with rule 75.

**Review Period** means—

- (a) in the case of the initial Review Period, the three year period commencing on 1 July 2013; and
- (b) in the case of each subsequent Review Period, the three year period commencing on the third anniversary of the commencement of the previous Review Period.

**Reviewable Decision** has the meaning given in regulation 25(1) of the GSI Regulations.

**Rule Change Notice** means a notice issued by the IMO in accordance with rule 132.

**Rule Change Proposal** means a proposal made in accordance with rule 129 requesting that the IMO make Amending Rules.

**Rule Change Proposal Form** means a form published by the IMO on the GSI Website for the purposes of initiating a Rule Change Proposal (see rule 130).

**Rules** means the GSI Rules as in force from time to time.

**Secretariat** means, in relation to the Gas Advisory Board, the unit within the IMO that provides administrative support to the Gas Advisory Board.

**Shipper** means a user or non-scheme pipeline user (within the meaning of the National Gas Access (Western Australia) Law) who—

- (a) is a party to a contract with a service provider of a GBB Pipeline under which that service provider provides or intends to provide a pipeline service to that person by means of a GBB Pipeline; or
- (b) has a right under an access determination to be provided with a pipeline service by means of a GBB Pipeline.

**Standard Rule Change Process** means the process set out in Division 4 of Part 8 of the Rules.

**Standing Data** includes—

- (a) Facility Data;
- (b) Nameplate Capacity Data;
- (c) information provided under subrule 61(1); and
- (d) EMF Information.

**Storage Facility** means a facility that stores natural gas for injection into one or more GBB Pipelines.

**Storage Facility Operator** means a person who operates a Storage Facility.

**Storage Nameplate Capacity** means, in relation to a Storage Facility, the maximum quantity of useable natural gas that the Storage Facility can hold in storage.

**TJ** means terajoule.

**Transmission Pipeline** means—

- (a) a pipeline that is classified as a Transmission Pipeline; or
- (b) a pipeline that would be likely to be classified in accordance with the pipeline classification criterion as a Transmission Pipeline,

within the meaning of the National Gas Access (Western Australia) Law.

**User Facility** means a facility of a user (within the meaning of the GSI Act).

**Warning Notice** means a notice issued by the IMO under rule 170 to a Gas Market Participant.

**Western Standard Time** means Coordinated Universal Time (UTC) + 8 hours.

**Westplan** means the “State Emergency Management Plan—Gas Supply Disruption” prepared under section 18 of the *Emergency Management Act 2005*.

**Zone** means a zone set out in Schedule 2 to these Rules.

## SCHEDULE 2—ZONES

(Subrule 82(1))

(1) Schedule 2 specifies the Zones for which information is published on the GBB.

(2) The Zones listed in the table below include the specified Transmission Pipeline (or part thereof) and all Receipt Points and Delivery Points connected to those pipelines (or parts of pipelines).

Zone Name	Description
Dampier	The Dampier to Bunbury Natural Gas Pipeline (DBNGP) upstream of Compressor Station 7 (CS7) and the Burrup Extension Pipeline.
Metro	The DBNGP from CS7 to CS10.
Parmelia	The Parmelia Gas Pipeline.
South West	The DBNGP downstream of CS10.
Karratha	The Pilbara Energy Pipeline.
Telfer	The Telfer Pipeline and Nifty Lateral Pipeline.
Pilbara	The Goldfields Gas Pipeline (GGP) upstream of and including the Delivery Point connecting the GGP to the Newman Lateral.
Goldfields	The GGP downstream of the Newman Lateral to, and including, the Leonora Delivery Point.
Mid-West	The Midwest Pipeline.
Kalgoorlie	The GGP downstream of the Leonora Delivery Point and the Kalgoorlie to Kambalda Interconnect Pipeline.

## SCHEDULE 3—SAVINGS AND TRANSITIONAL RULES

### Part 1—Transitional rules for start of GSI Rules

#### DIVISION 1—DEFINITIONS

##### 1 Definitions

In this Part—

**initial Allowable Revenue and Forecast Capital Expenditure** means the revenue and forecast capital expenditure for the initial Review Period;

**initial GSI Budget Proposal** means the budget proposed for the 2013-2014 Financial Year;

**initial Review Period** means the period commencing on 1 July 2013 and ending on 30 June 2016;

**maintenance report** means all information on maintenance that an operator of a Registered Facility generally provides to Shippers;

**seven day Capacity Outlook** means a Capacity Outlook provided on a Gas Day D for Gas Day D+1 to Gas Day D+7 (inclusive);

**seven day forecast flow data** means—

- (a) for a GBB Pipeline, the data required under subrules 59(1)(b) and (2)(b); and
- (b) for a GBB Storage Facility, the data required under subrules 67(1)(c) and (d);

**three day Capacity Outlook** means a Capacity Outlook provided on a Gas Day D for Gas Day D+1 to Gas Day D+3 (inclusive);

**three day forecast flow data** means, with respect to a Gas Day D—

- (a) for a GBB Pipeline, for each Delivery Point and Receipt Point, the aggregate quantity of gas forecasted by Shippers to be withdrawn or injected at the Delivery Point or Receipt Point on each of Gas Days D+2 to D+3 (inclusive), if the Registered Pipeline Operator has been provided with forecast quantities by Shippers on the GBB Pipeline; and
- (b) for a GBB Storage Facility, for each Delivery Point and Receipt Point on a GBB Pipeline to which the Facility is connected, the aggregate quantity of gas forecasted by Shippers to be—
  - (i) withdrawn from each Delivery Point and injected into the GBB Storage Facility on each of Gas Days D+2 to D+3 inclusive; and
  - (ii) withdrawn from the GBB Storage Facility and injected into each Receipt Point on each of Gas Days D+2 to D+3 inclusive,
 if the Registered Storage Facility Operator has been provided with forecast quantities by Shippers; and

**transition period** means 2 years commencing on 1 August 2013.

## DIVISION 2—COMMENCEMENT

### 2 Commencement of the Rules

Subject to Divisions 3 to 10 of this Part, these Rules commence at 8:00 AM on the day following the day on which the *Gas Services Information Amendment Regulations (No. 2) 2013* are published in the *Government Gazette*.

## DIVISION 3—GENERAL TRANSITIONAL RULES

### 3 Validation of instruments and decisions of IMO

- (1) This rule applies to an instrument or a decision made by the IMO if—
  - (a) the instrument or decision was made—
    - (i) on or after the time that the GSI Regulations first came into operation; but
    - (ii) before the time that the GSI Rules commenced; and
  - (b) the making of the instrument or decision would have been authorised by the GSI Rules if the Rules had commenced; and
  - (c) in a case in which the making of the instrument or decision would be authorised subject to the satisfaction of any conditions or other requirements (for example, consultation or publication requirements), the IMO has done anything that would, if the Rules had commenced, be required under the Rules for the instrument or decision to be authorised.
- (2) For the purposes of the GSI Rules—
  - (a) the instrument or decision is taken to be valid; and
  - (b) the instrument or decision has effect from the GSI Rules commencement date—
    - (i) as varied by any other instrument or decision to which this rule applies (unless revoked); and
    - (ii) subject to the Rules as so applying.
- (3) For the purposes of this rule—
  - (a) the Constitution or Procedures are examples of an instrument; and
  - (b) appointments and approvals are examples of decisions.

### 4 Validation of preparatory steps

- (1) This rule applies if—
  - (a) the IMO is required to do something (a preparatory step) before making a decision or making an instrument under the GSI Rules; and
  - (b) the IMO takes the preparatory step—
    - (i) on or after the time that the GSI Regulations first came into operation; but
    - (ii) before the time that the GSI Rules commenced.
- (2) For the purposes of the Rules, the IMO is taken to have complied with the requirement to take the preparatory step.

## DIVISION 4—TRANSITIONAL RULES FOR INITIAL REGISTRATION

### 5 Requirement to register

- (1) By 4 June 2013, each person that is required to register a Transmission Pipeline under rule 22 must—
  - (a) submit a Registration Application to register the pipeline and the person as the operator of the pipeline under Division 1 of Part 2 of the Rules; or
  - (b) submit an Exemption Application for the pipeline under Division 6 of Part 2 of the Rules.
- (2) By 1 July 2013, each person that is required to register a Facility (other than a Transmission Pipeline) under rule 22 must—
  - (a) submit a Registration Application to register the facility and the person as the operator of the facility under Division 1 of Part 2 of the Rules; or
  - (b) submit an Exemption Application for the facility under Division 6 of Part 2 of the Rules.
- (3) By 1 July 2013, each person that is required to be registered as a Registered Shipper under rule 23 must submit a Registration Application under Division 1 of Part 2 of the Rules.
- (4) A Gas Market Participant or Facility that is initially registered or exempted in accordance with this rule is taken to be registered or exempted under Part 2 of the Rules.
- (5) The particulars of the Gas Market Participants or Facilities that are initially registered or exempted under this rule must be included in the GSI Register.

DIVISION 5—TRANSITIONAL RULES FOR INITIAL PROVISION  
OF GBB INFORMATION

**6 Transition period for provision of Medium Term Capacity Outlook**

- (1) This rule applies to the Medium Term Capacity Outlook information to be provided by—
  - (a) a Registered Pipeline Operator under rule 56;
  - (b) a Registered Storage Facility Operator under rule 64; and
  - (c) a Registered Production Facility Operator under rule 71.
- (2) The initial Medium Term Capacity Outlook information must be provided to the IMO by 1 August 2013, for the 12 months commencing 1 August 2013.
- (3) During the transition period, a Registered Pipeline Operator, a Registered Production Facility Operator or a Registered Storage Facility Operator may satisfy the requirement to provide to the IMO a Medium Term Capacity Outlook by providing regular maintenance reports to the IMO for each Facility that it operates.
- (4) An operator referred to in subrule (3) must provide maintenance reports to the IMO—
  - (a) in accordance with any applicable Procedures; and
  - (b) at the same frequency and in a similar form as the relevant operator provides the reports to Shippers.
- (5) For the purposes of rule 85, during the transition period, where a maintenance report is provided to the IMO, the IMO may satisfy the requirement to publish a Medium Term Capacity Outlook by publishing the information contained in a maintenance report.

**7 Transitional rules for provision of Capacity Outlook information**

- (1) This rule applies to the Capacity Outlook information to be provided by—
  - (a) a Registered Pipeline Operator under rule 57;
  - (b) a Registered Storage Facility Operator under rule 65; and
  - (c) a Registered Production Facility Operator under rule 72.
- (2) The initial Capacity Outlook information must be provided to the IMO by 6:00 PM on 31 July 2013, for the Gas Day commencing at 8:00 AM on 1 August 2013.
- (3) During the transition period, a Registered Pipeline Operator, a Registered Storage Facility Operator or a Registered Production Facility Operator may satisfy the requirement to provide to the IMO a seven day Capacity Outlook by providing to the IMO a three day Capacity Outlook for each Facility.
- (4) For the purposes of rule 85, during the transition period, where a three day Capacity Outlook is provided to the IMO, the IMO may satisfy the requirement to publish a seven day Capacity Outlook by publishing the three day Capacity Outlook.

**8 Transitional rules for linepack capacity adequacy outlook status**

- (1) This rule applies to the initial LCA Flag information to be provided by—
  - (a) a Registered Pipeline Operator under rule 58; and
  - (b) a Registered Storage Facility Operator under rule 66.
- (2) The initial LCA Flag information must be provided to the IMO by 6:00 PM on 31 July 2013, for the Gas Day commencing at 8:00 AM on 1 August 2013.

**9 Transitional rules for provision of Nominated and Forecast Flow Data**

- (1) The initial Nominated and Forecast Flow Data must be provided to the IMO by 6:00 PM on 31 July 2013, for the Gas Day commencing at 8:00 AM on 1 August 2013.
- (2) During the transitional period, a Registered Pipeline Operator or a Registered Storage Facility Operator may satisfy the requirement to provide Nominated and Forecast Flow Data to the IMO by

providing three day forecast flow data to the IMO for each Facility instead of seven day forecast flow data.

(3) For the purposes of rule 86, during the transition period, where three day forecast flow data is provided to the IMO, the IMO may satisfy the requirement to publish Nominated and Forecast Flow Data by publishing the three day forecast flow data.

#### **10 Transitional rules for provision of Daily Actual Flow Data and Daily Actual Consumption Data**

(1) The initial Daily Actual Flow Data must be provided to the IMO by 2:00 PM on 3 August 2013, for the Gas Day commencing at 8:00 AM on 1 August 2013.

(2) The initial Daily Actual Consumption Data must be provided to the IMO by 2:00 PM on 3 August 2013, for the Gas Day commencing at 8:00 AM on 1 August 2013.

#### **11 Transitional rules for provision of Gas Specification Data**

The initial Gas Specification Data provided under the Rules must be provided to the IMO by 2:00 PM on 9 August 2013, for the Gas Day commencing at 8:00 AM on 1 August 2013.

### **DIVISION 6—TRANSITIONAL RULE FOR GBB START**

#### **12 Start of operation of GBB**

(1) Subject to subrule (2), the IMO is not required to comply with the obligation to operate the GBB and publish information in accordance with Parts 4 and 5 of the Rules until 1 August 2013.

(2) The IMO is not required to publish actual flow or consumption information under rules 87, 88 and 89, or gas specification information under rule 90, until the IMO has received the relevant data under Division 5 of this Schedule.

### **DIVISION 7—TRANSITIONAL RULE FOR INITIAL GSOO**

#### **13 Initial GSOO**

(1) The IMO must publish an initial GSOO by 31 July 2013.

(2) The period covered by the initial GSOO must commence on 1 January 2013.

(3) The content of the initial GSOO is to be determined by the IMO, having regard to the requirements of Part 6 and the information available to the IMO.

(4) The requirements of Part 6 of the Rules are taken to be satisfied by the publication of an initial GSOO under this rule until the IMO publishes a GSOO in accordance with Part 6 by 31 December 2013.

### **DIVISION 8—TRANSITIONAL RULES FOR INITIAL ALLOWABLE REVENUE AND FORECAST CAPITAL EXPENDITURE**

#### **14 Proposal and determination for initial Allowable Revenue**

(1) The IMO must submit an initial Allowable Revenue and Forecast Capital Expenditure proposal to the ERA under rule 108 for the initial Review Period by 30 April 2013, or the first Business Day following the day these Rules commence, whichever is later.

(2) The ERA must determine the Allowable Revenue and Forecast Capital Expenditure of the IMO for the initial Review Period in accordance with Part 7 of the Rules within four calendar months of the date it is submitted by the IMO under subrule (1).

(3) The ERA may amend or adjust the initial Allowable Revenue and Forecast Capital Expenditure determined under this rule and Part 7 of the Rules in the same way as Allowable Revenue and Forecast Capital Expenditure determined under rule 108.

### **DIVISION 9—TRANSITIONAL RULES FOR INITIAL GSI BUDGET**

#### **15 Approval of initial GSI Budget Proposal by Minister**

(1) Part 7 of the Rules applies to the initial GSI Budget Proposal subject to the modifications in this rule.

(2) The IMO must submit an initial GSI Budget Proposal to the Minister under rule 111 for the 2013-2014 Financial Year by 30 April 2013, or the first Business Day after the day these Rules commence, whichever is the later.

(3) The initial GSI Budget Proposal must be consistent with the proposed Allowable Revenue and Forecast Capital Expenditure submitted to the ERA under rule 14 of this Schedule 3.

(4) If the Minister has not approved the initial GSI Budget Proposal for the next Financial Year by 30 June 2013, the IMO must publish on the GSI Website the budgeted revenue in the proposed initial GSI Budget Proposal (or revised proposal) for the 2013-2014 Financial Year provided to the Minister and must use this budgeted revenue to calculate GSI Fees.

(5) Where the Minister approves the initial GSI Budget Proposal later than 30 June 2013, the IMO must, within five Business Days of that approval, publish on the GSI Website the Approved Annual Revenue for the 2013-2014 Financial Year.

(6) Where the Minister approves the GSI Budget Proposal later than 30 June 2013, and the Approved Annual Revenue for the 2013-2014 Financial Year varies from the budgeted revenue in the proposed

initial GSI Budget Proposal, the IMO must recalculate the GSI Fees for any months in the Financial Year for which GSI Invoices have been issued, in accordance with rule 119.

**16 Adjusting for difference between initial Allowable Revenue and Approved Annual Revenue**

(1) This rule applies where there is any difference between—

- (a) the Approved Annual Revenue for the 2013-2014 Financial Year; and
- (b) the initial Allowable Revenue and Forecast Capital Expenditure approved by the ERA for the 2013-2014 Financial Year of the initial Review Period.

(2) The IMO must make any necessary adjustments to address this difference in the GSI Budget Proposal for the 2014-2015 Financial Year, for submission to the Minister by 30 April 2014.

**DIVISION 10—TRANSITIONAL RULES FOR INITIAL GSI INVOICE PERIOD**

**17 Initial GSI Invoice Period**

(1) The initial GSI Invoice Period commences on 1 August 2013 and ends on 30 September 2013 (inclusive).

(2) For the purposes of calculation of GSI Invoices for GSI Invoice Periods in the 2013-2014 Financial Year, the parameter  $y$  in rule 116 is the period commencing on 1 August 2013 and ending on 30 June 2014 (inclusive).

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