



Christmas Island Utilities and Services (Electricity Supply and Services Fees) Determination 2016

I, Barry Wayne Haase, Administrator of the Territory of Christmas Island, make the following determination.

Dated 30 September 2016

Barry Wayne Haase
Administrator of the Territory of Christmas Island

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Part 1—Preliminary

1 Name

This instrument is the *Christmas Island Utilities and Services (Electricity Supply and Services Fees) Determination 2016*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	3 October 2016.	3 October 2016

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraph 7(2)(a) of the *Christmas Island Utilities and Services Ordinance 2016*.

4 Definitions

In this instrument:

category, of premises: see section 5.

consumer means a person to whom electricity is supplied at premises under the *Christmas Island Utilities and Services Ordinance 2016*.

daily dependent child rebate amount, for a person, means:

- (a) if the person has one dependent child—77.94 cents; or
- (b) if the person has 2 dependent children—98.36 cents; or
- (c) if the person has 3 dependent children—118.78 cents; or
- (d) if the person has 4 or more dependent children—139.20 cents.

dependent child, of a person, has the same meaning as in the *Social Security Act 1991*.

Section 5

eligible person means a person who holds:

- (a) a health care card, pensioner concession card or seniors health card under the *Social Security Act 1991*; or
- (b) a card known as the Repatriation Health Card—For All Conditions, that evidences the person’s eligibility, under the *Veterans’ Entitlements Act 1986* or the *Military Rehabilitation and Compensation Act 2004*, to be provided with treatment for all injuries or diseases; or
- (c) a Seniors Card issued by the Government of Western Australia.

life support equipment means equipment covered by the Life Support Equipment Energy Subsidy Scheme administered by the Government of Western Australia.

premises has the same meaning as in the *Energy Operators (Powers) Act 1979* (WA), as in force on 3 October 2016.

unit means a kilowatt hour.

5 Categories of premises

Premises mentioned in column 2 of an item of the following table are in the category of premises mentioned in column 1 of the item.

Categories of premises		
Item	Column 1 Category	Column 2 Premises
1	Residential A2	Premises (for example, houses, flats and apartments) occupied as private dwellings and used solely for residential purposes, other than premises mentioned in item 3
2	Community service C2	Premises occupied by an organisation that: (a) is a voluntary, non-profit making organisation; and (b) is endorsed as exempt from income tax under section 50-105 of the <i>Income Tax Assessment Act 1997</i> ; and (c) provides a public service that is available to any member of the public without discrimination; and (d) is not a Commonwealth, State or local government department, instrumentality or agency; and (e) does not receive the major part of its funding from a body mentioned in paragraph (d)
3	Charitable residential D2	Premises used wholly by a charitable or benevolent organisation and solely for providing residential accommodation other than for commercial gain
4	Business/residential K2	Premises used partly for business purposes and partly for residential purposes, if the circuit wiring for business and residential use is not separate
5	Business and local	Premises:

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Categories of premises		
Item	Column 1 Category	Column 2 Premises
	government L2	(a) used for industrial or commercial purposes; or (b) used for business purposes, other than as mentioned in item 4; or (c) occupied by a local government department, instrumentality or agency
6	High voltage M2	Premises supplied with electricity at 6.6 kV, 11 kV, 22 kV, 33 kV or a higher voltage
7	Government (other than local government) N2	Premises occupied by a Commonwealth or State government department, instrumentality or agency

Part 2—Fees

6 Fees

Determination of fees that may be charged for the supply of electricity and related services

- (1) This instrument determines fees that may be charged for:
 - (a) the supply of electricity to consumers at premises; and
 - (b) the supply of services related to the supply of electricity to consumers at premises.
- (2) The fees determined by this instrument apply from and including the date this instrument commences.
- (3) The fees that may be charged are the following:
 - (a) fixed fees for the supply of electricity as set out in Schedule 1;
 - (b) consumption fees for the supply of electricity as set out in Schedule 2;
 - (c) fixed fees for the supply of services related to the supply of electricity as set out in Schedule 3.

Method of charging fees—notice to consumer

- (4) If the Administrator charges a fee for the supply of electricity to a consumer at premises, or for the supply of a service related to the supply of electricity to a consumer at premises, mentioned in this instrument, the Administrator must do so by sending a written notice to the consumer.
- (5) The notice must specify:
 - (a) the amount of the fee payable; and
 - (b) the day by which the fee must be paid.
- (6) The day specified in the notice must be at least 12 business days after the day the notice is sent to the consumer.

Liability to pay fee and payment of fee

- (7) If the Administrator sends the notice under subsection (4) to the consumer:
 - (a) the consumer is liable to pay the fee specified in the notice; and
 - (b) the fee is payable to the Administrator on behalf of the Commonwealth.

7 Rebates and exemptions for eligible persons

Rebate—fixed fees

- (1) Despite paragraph 6(3)(a), if:

- (a) electricity is supplied to a consumer at premises in the category Residential A2; and
 - (b) the consumer is an eligible person; and
 - (c) the premises are the consumer's principal place of residence;
- the consumer is entitled to a rebate equal to the fixed fee set out in Schedule 1 for the supply of electricity to the consumer at the premises.

Rebate—consumption fees

- (2) Despite paragraph 6(3)(b), if a consumer entitled to a rebate under subsection (1) has one or more dependent children, the consumer is entitled to a rebate in respect of the consumption fee set out in Schedule 2 for the supply of electricity to the consumer at the premises in accordance with subsections (3) and (4).
- (3) The amount of the rebate under subsection (2) for a period is worked out by multiplying the number of days in the period by the daily dependent child rebate amount for the person.
- (4) However, an entitlement to a rebate under subsection (2) for a period is limited to the amount of the consumption fee for the period.

Exemption—account establishment fee

- (5) Despite paragraph 6(3)(c) and subsection 6(7), a consumer entitled to a rebate under subsection (1) is not required to pay the fee mentioned in item 1 of the table in clause 1 Schedule 3.

8 Payment of fees

Subject to section 10, a fee that applies to a consumer in accordance with this instrument is due for payment on or before the day specified in a notice sent to the consumer under subsection 6(4).

9 When a fee is not paid

- (1) This section applies if:
 - (a) a consumer has not paid a fee for the supply of electricity to the consumer at premises, or for the supply of services related to the supply of electricity to the consumer at premises, in accordance with a notice sent to the consumer under subsection 6(4); and
 - (b) at least 5 business days have elapsed after the day specified in the notice as the day by which the fee must be paid; and
 - (c) a special payment arrangement under section 10 is not in force between the Administrator and the consumer in relation to the fee; and
 - (d) the Administrator is not aware that a person residing at the premises is dependent on life support equipment.
- (2) The Administrator must send a written notice (the *reminder notice*) to the consumer in relation to the fee.

Section 10

- (3) The reminder notice must state that the fee has not been paid and that special payment arrangements can be made under section 10 if the consumer is experiencing difficulties in paying the fee.
- (4) If the fee is not paid within 10 business days of the date of the reminder notice, the Administrator may send the consumer a written warning (the *disconnection warning*).
- (5) The disconnection warning must state that action may be taken to disconnect the supply of electricity to the premises unless the following are paid within the period specified in the disconnection warning:
 - (a) the fee;
 - (b) if the Administrator charges a fee for the disconnection warning—that fee.
- (6) The period specified in the disconnection warning must not be less than 5 business days.
- (7) If the consumer does not pay the fee within the period specified in the disconnection warning, the Administrator may disconnect the supply of electricity to the premises until:
 - (a) the consumer has paid:
 - (i) the fee; and
 - (ii) if the Administrator charges a fee for the disconnection warning—that fee; and
 - (iii) if the Administrator charges a fee for reconnecting the supply of electricity to the premises after the disconnection—that fee; or
 - (b) a special payment arrangement under section 10 is in force between the Administrator and the consumer in relation to the fee.

10 Special payment arrangements

- (1) The Administrator may agree, in writing, to a special payment arrangement with a consumer if:
 - (a) the consumer is experiencing difficulties in paying a fee mentioned in this instrument; and
 - (b) the consumer notifies the Administrator of the difficulties.
- (2) If a special payment arrangement under this section is in force between the Administrator and the consumer in relation to a fee, the fee is due for payment in accordance with the arrangement.

11 Notice to Administrator of residents dependent on life support equipment

If a person residing at premises is dependent on life support equipment, the consumer to whom electricity is supplied at the premises must give the Administrator written notice of this.

Schedule 1—Fixed fees for the supply of electricity

Note: See paragraph 6(3)(a).

1 Fixed fees for the supply of electricity

The fixed fee for the supply of electricity to a consumer at premises in a category mentioned in column 1 of an item of the following table is the fee mentioned in column 2 of the item.

Fixed fees for the supply of electricity		
Item	Column 1	Column 2
	Category of premises	Fixed fee (cents per day)
1	Residential A2	44.1808
2	Community service C2	32.5239
3	Charitable residential D2	37.1528
4	Business/residential K2	44.1808
5	Business and local government L2	41.9259
6	High voltage M2	49.3261
7	Government (other than local government) N2	569.1300

Note: For rebates for eligible persons, see section 7.

Schedule 2 Consumption fees for the supply of electricity

Clause 1

Schedule 2—Consumption fees for the supply of electricity

Note: See paragraph 6(3)(b).

1 Consumption fees for the supply of electricity

The consumption fee for the supply of electricity to a consumer at premises in a category mentioned in column 1 of an item of the following table is the fee mentioned in column 2 of the item.

Consumption fees for the supply of electricity		
Item	Column 1 Category of premises	Column 2 Consumption fee
1	Residential A2	24.0673 cents per unit consumed
2	Community service C2	For each day, the sum of the following: (a) for the first 20 units consumed—17.7283 cents per unit; (b) for the next 1,630 units consumed—22.2119 cents per unit; (c) for each subsequent unit consumed—20.0427 cents per unit
3	Charitable residential D2	20.2513 cents per unit consumed
4	Business/residential K2	For each day, the sum of the following: (a) for the first 20 units consumed—24.0673 cents per unit; (b) for the next 1,630 units consumed—27.5549 cents per unit; (c) for each subsequent unit consumed—24.8639 cents per unit
5	Business and local government L2	For each day, the sum of the following: (a) for the first 1,650 units consumed—27.5549 cents per unit; (b) for each subsequent unit consumed—24.8639 cents per unit
6	High voltage M2	For each day, the sum of the following: (a) for the first 1,650 units consumed—31.3141 cents per unit; (b) for each subsequent unit consumed—28.1238 cents per unit
7	Government (other than local government) N2	52.6800 cents per unit consumed

Note: For rebates for eligible persons, see section 7.

Schedule 3—Fixed fees for the supply of services related to the supply of electricity

Note: See paragraph 6(3)(c).

1 Fixed fees for the supply of services related to the supply of electricity

The fixed fee for the supply of a service mentioned in column 1 of an item of the following table is the fee mentioned in column 2 of the item.

Fixed fees for services related to the supply of electricity		
Item	Column 1 Service	Column 2 Fee (\$)
1	Account establishment	31.03
2	Installation of a 3 phase residential meter:	
	(a) for installation of a new 3 phase meter or replacement of a single phase meter with a 3 phase meter;	531.84
	(b) for installation of a subsidiary 3 phase meter	136.35
3	Reconnection following disconnection of supply for non-payment of fees or for any other lawful reason	28.55
4	Connection of temporary supply:	
	(a) single phase (overhead);	968.52
	(b) 3 phase (overhead)	968.52
5	Meter testing:	
	(a) if paragraph (b) does not apply (standard);	139.56
	(b) for a consumer entitled to a rebate under subsection 7(1)	128.36
6	Disconnection of overhead service leads following unauthorised reconnection	378.29
7	Special meter reading requested by consumer	20.90
8	Disconnection warning	5.00

Note: For exemptions for eligible persons, see section 7.