



Victoria Government Gazette

No. S 147 Tuesday 5 August 2003
By Authority. Victorian Government Printer

SPECIAL

Gas Industry Act 2001 ORDER UNDER SECTION 21 Order in Council

The Governor in Council, acting under section 21 of the **Gas Industry Act 2001** (the "Act"), makes the following Order:

1. Objective

The objective of this Order is to regulate the tariffs that Origin Energy may charge prescribed customers.

2. Commencement

This Order commences on 5 August 2003 and ceases to have effect on 9 September 2003.

3. Definitions

In this Order:

"domestic or small business customer" means a person described in clause 4(a) of this Order;

"former franchise customer" means a person described in clause 4(b) of this Order;

"licensed retailer" means a person to whom a licence to sell gas by retail has been issued under Part 3 of the Act;

"supply point" has the meaning given in the **Gas Industry (Residual Provisions) Act 1994**.

"Origin Energy" means Origin Energy Retail Limited (ABN 22 078 868 425).

4. Prescribed Customers

A person is a prescribed customer for the purpose of the regulation of tariffs under this Order pursuant to section 21 of the Act if the person is a prescribed customer in accordance with any of the following conditions:

- (a) a person is a prescribed customer in respect of a supply point if the person is a domestic or small business customer in relation to Origin Energy and Origin Energy is the local retailer for that supply point within the meaning of the Order made under section 42 of the **Gas Industry Act 2001** and published in the Government Gazette on 29 October 2002;
- (b) a person is a prescribed customer if the person was a franchise customer of Origin immediately before 1 September 2001 in respect of particular premises and has not entered into a new contract with a licensed retailer in respect of those premises which takes effect on or after that date; or
- (c) a person is a prescribed customer in respect of particular premises if the person is a relevant customer to whom section 46(1) or (2) of the **Gas Industry Act 2001** applies.

5. Tariffs

The tariffs as determined by Origin Energy and published in the Government Gazette (No. G. 28.) on 10 July 2003:

- (a) are fixed by this Order with effect from and including 5 August 2003 as:
 - (i) the maximum tariffs at which Origin Energy may offer to supply and sell gas to domestic or small business customers for the purposes of section 42 of the Act; and

- (ii) the maximum tariffs at which Origin Energy may supply and sell gas to former franchise customers pursuant to deemed contracts between Origin Energy and such customers under section 44 of the Act; and
- (iii) the maximum tariffs at which Origin Energy may supply and sell gas to relevant customers pursuant to deemed contracts between Origin Energy and such customers under section 46 of the Act;
- (b) apply with effect from and including 5 August 2003 for the purposes of sections 42, 44 and 46 of the Act in place of the tariffs that were determined by Origin Energy and published in the Government Gazette (No. S. 109) on 5 June 2003.

Dated 5 August 2003

THEO THEOPHANOUS
Minister for Energy Industries

HELEN DOYE
Clerk of the Executive Council

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The *Victoria Government Gazette* is available by three subscription services:

General and Special — \$198.00 each year

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Periodical — \$132.00 each year.

All prices include GST.

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to

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Subscription enquiries:

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood Vic 3125

Telephone: (03) 9926 1233

Fax (03) 9926 1292

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ISSN 0819-5471

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Government Printer for the State of Victoria
Level 2 1 Macarthur Street
Melbourne 3002
Victoria Australia

Subscriptions

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood

Victoria, Australia 3125

Telephone enquiries: (03) 9926 1233

Facsimile (03) 9926 1292

Retail Sales

Information Victoria Bookshop

356 Collins Street Melbourne 3000.

Telephone enquiries 1300 366 356

City Graphics

Level 1, 520 Bourke Street

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A