



Victoria Government Gazette

No. S 340 Monday 28 June 2021
By Authority of Victorian Government Printer

National Electricity (Victoria) Act 2005

2021 MINISTERIAL ORDER UNDER SECTION 16BA

I, Lily D'Ambrosio, Minister for Energy, Environment and Climate Change and Minister responsible for administering the **National Electricity (Victoria) Act 2005**, declare pursuant to section 16BA(1) of that Act that clause 6.18 and Chapter 7 of the National Electricity Rules have force in Victoria subject to the following modifications.

And I further declare that this Order is for the purpose of matters necessary and consequential on the making of the Advanced Metering Infrastructure (Retail and Network Tariffs) Order 2021 pursuant to section 46D of the **Electricity Industry Act 2000** of Victoria made on 16 June 2021 and published in the Victoria Government Gazette S 295 on 16 June 2021.

1. Commencement

This Order comes into operation on 1 July 2021.

2. Interpretation

In this Order:

Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021 means the Order in Council made on 16 June 2021 pursuant to section 46D of the **Electricity Industry Act 2000** of Victoria and published in the Victoria Government Gazette S 295 on 16 June 2021;

2013 section 16BA Order means the Ministerial Order under section 16BA made 30 August 2013 and published in the Victoria Government Gazette G37 on 12 September 2013;

2016 section 16BA Order means the Ministerial Order under section 16BA made 18 April 2016 and published in the Victoria Government Gazette G16 on 21 April 2016;

September 2017 section 16BA Order means the Ministerial Order under section 16BA made 14 September 2017 and published in the Victoria Government Gazette G37 on 14 September 2017;

October 2017 section 16BA Order means the Ministerial Order under section 16BA made 11 October 2017 and published in the Victoria Government Gazette S346 on 12 October 2017.

3. Modification of clause 6.18.1AA of the National Electricity Rules

For clause 6.18.1AA – Definitions (inserted pursuant to the September 2017 section 16BA Order) **substitute**:

'6.18.1AA – Definition

In this Part:

Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021 means the Order in Council made on 16 June 2021 pursuant to section 46D of the **Electricity Industry Act 2000** of Victoria and published in the Victoria Government Gazette S 295 on 16 June 2021 as amended from time to time.'

4. Modification of clause 6.18.1A of the National Electricity Rules

For clause 6.18.1A(ba) of the National Electricity Rules (inserted pursuant to the 2016 section 16BA Order) **substitute**:

'(ba) A *tariff structure statement* must also comply with clauses 10 and 11 of the Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021.'

5. Modification of clause 6.18.1A of the National Electricity Rules

Clause 6.18.1A(bb) of the National Electricity Rules (inserted pursuant to the September 2017 section 16BA Order) is **deleted**.

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6. Modification of clause 6.18.1A of the National Electricity Rules

For clause 6.18.1A(f) of the National Electricity Rules (inserted pursuant to the 2016 section 16BA Order) **substitute**:

‘(f) In the case of any inconsistency between clauses 10, 11, 12 or 13 of the Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021 and a *tariff structure statement*, those clauses shall prevail.’.

7. Amendment of September 2017 section 16BA Order

Clauses 5 and 8 of the September 2017 section 16BA Order are **revoked**.

8. Amendment of 2013 section 16BA Order

Clause 3 of the 2013 section 16BA Order as amended by the September 2017 section 16BA Order is **revoked**.

9. Modification of clause 6.18.4 of the National Electricity Rules

For clause 6.18.4(c) of the National Electricity Rules (inserted pursuant to the September 2017 section 16BA Order) **substitute**:

‘(c) In the case of any inconsistency between clauses 10, 11, 12 or 13 of the Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021 and:

- (1) the provisions of a distribution determination governing:
 - a. the assignment of small customers or medium customers to tariff classes; or
 - b. the re-assignment of small customers or medium customers from one tariff class to another; or
- (2) a tariff structure statement,
clauses 10, 11, 12 and 13 of the Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021 shall prevail.’.

10. Modification of clause 6.18.4 of the National Electricity Rules

For clause 6.18.4(d) of the National Electricity Rules (inserted pursuant to the September 2017 section 16BA Order) **substitute**:

‘(d) In paragraph (c):

medium customer has the same meaning as it has in the Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021;

small customer has the same meaning as it has in the Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021.’.

11. Modification of clause 6.18.5 of the National Electricity Rules

For clause 6.18.5(k) of the National Electricity Rules (inserted pursuant to the 2016 section 16BA Order) **substitute**:

‘(k) Without limiting paragraph (j), a tariff must also comply with the Advanced Metering Infrastructure (Retail and Network Tariffs) Order in Council 2021.’.

12. Amendment of October 2017 section 16BA Order

Clause 8 of the October 2017 section 16BA Order is **revoked**.

Dated 28 June 2021

HON. LILY D’AMBROSIO MP
Minister for Energy, Environment and Climate Change

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