

South Australia

Emergency Management (Electricity Supply Emergencies) Amendment Bill 2020

A BILL FOR

An Act to amend the *Emergency Management Act 2004*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Emergency Management (Electricity Supply Emergencies) Amendment Act 2020*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Emergency Management Act 2004*

10 3—Amendment of section 27A—Interpretation

- (1) Section 27A(1)—after the definition of **AEMO** insert:

end user has the same meaning as in the National Electricity Law;

(2) Section 27A(1), definition of *market participant*—after paragraph (c) insert:

- (d) any person who engages in the transmission or distribution of electricity;
- (e) a third party energy service provider;
- (f) a metering coordinator;
- (g) an end user;

(3) Section 27A(1)—after the definition of *market participant* insert:

metering coordinator has the same meaning as in the National Electricity Rules;

(4) Section 27A(1)—after the definition of *spot market* insert:

third party energy service provider means a person or body that controls 1 or more devices that use or generate electricity on behalf of the owner of the device;

4—Amendment of section 27C—Minister's power to give directions

(1) Section 27C(2)(b)—delete paragraph (b) and substitute:

- (b) require a market participant to give any directions of a kind that the market participant may lawfully give (which may include, for example, requiring a market participant to give directions to, or to exercise authority over, another person or body, whether or not that other person or body is also a market participant);

(2) Section 27C—after subsection (2) insert:

(2a) A direction to a market participant may—

- (a) require the performance of specific acts or omissions; or
- (b) require the exercise of specific powers or functions; or
- (c) require specific outcomes or performance standards.

(2b) For the avoidance of doubt—

- (a) a market participant may satisfy a direction or requirement given to or imposed on the market participant under this section by giving directions to, or exercising its authority over, another person or body, whether or not the direction or requirement given to or imposed on the market participant expressly requires the giving of such directions or exercise of such authority by the market participant; and
- (b) for the purposes of section 32(1)(b), a reference to a direction or requirement given or imposed, or purportedly given or imposed, in accordance with this Act includes a reference to directions given to, or authority exercised over, another person or body by a market participant under this section.

Schedule 1—Expiry of provisions of *COVID-19 Emergency Response Act 2020*

5 Paragraphs (fa) to (fc) (inclusive) of Schedule 2 Part 1 clause 1 of the *COVID-19 Emergency Response Act 2020* will, on the commencement of Part 2 of this Act, be taken to have expired under section 6 of that Act (if they have not previously expired in accordance with that Act).