

## GOVERNMENT TRADING ENTERPRISES ACT 2023

### MINISTERIAL DIRECTION

TO: The Electricity Networks Corporation

I, Reece Whitby MLA, Minister for Energy, acting in accordance with section 108 of the *Government Trading Enterprises Act 2023* (WA), hereby direct the Corporation as follows —

#### Citation

1. This instrument may be cited as the *Electricity Corporations (Additional Payment for Outages) Direction 2024*.

#### Certain Outage Payments already made: additional \$120 to be paid

2. As soon as practicable after the date of this Direction the Corporation must identify all eligible persons to whom the Corporation has made an Outage Payment for an interruption occurring during the Applicable Period and pay that person the additional sum of \$120.
3. A payment in accordance with clause 2 may be made by the Corporation in accordance with section 22 of the NQRS Code.

[note: section 22 of the NQRS Code provides that a payment under section 18 or 19 may, instead of being made to the person concerned, be made by the corporation —

- (a) to the retail licensee who supplies electricity to the person if there is an arrangement in force under which the sum will be paid or credited to the person; or
- (b) as agreed between the corporation and the person.]

#### Payments to be made for applications made other than in accordance with s19

4. If —
  - (1) the supply of electricity by the Corporation to an eligible person is or was interrupted during the Applicable Period for more than 12 hours continuously (whether or not notice has been given to the person under section 11(1) or 11A(3) of the NQRS Code); and
  - (2) the person did not make an application to the Corporation for an Outage Payment within the 60 day period required by section 19 of the NQRS Code; and
  - (3) the person applies to the Corporation for compensation after the day that is 60 days after the interruption ceases,

the Corporation must, subject to clause 5, pay the sum of \$240 in respect of the interruption to the person within 30 days after the application is made, and such payment may be made in the manner described in section 22 of the NQRS Code.

5. The Corporation's obligation to receive applications for compensation in accordance with clause 10 ceases at the close of business (5:00pm) on 1 July 2024, with the last day by which any compensation is to be paid being a further 30 days after that date.

### Definitions and interpretation

6. In this Direction, the following terms have the following meanings:

**Applicable Period** means the period of time commencing at 12:01am on 12 January 2024 and finishing at 11:59pm on 18 January 2024.

**Corporation** means the Electricity Networks Corporation referred to in section 4 of the *Electricity Corporations Act 2005* (WA).

**date of this direction** means the date this Direction becomes effective under section 110 of the *Government Trading Enterprises Act 2023* (WA).

**Direction** means this *Electricity Corporations (Additional Payment for Outages) Direction 2024*.

**eligible person** has the meaning given to that expression in section 16 of the NQRS Code.

[note, under section 16 of the NQRS Code, eligible person means —

- (a) a customer who is supplied with electricity from a distribution system operated by a corporation and who consumes not more than 50 MWh of electricity per year;

or

- (b) a person who —

- (i) at separately metered premises; or
- (ii) at premises, other than separately metered premises, where the person principally resides or carries on a business, is supplied with electricity from a distribution system operated by a corporation and who consumes not more than 50 MWh of electricity per year;]

**NQRS Code** means the *Electricity Industry (Network Quality and Reliability of Supply) Code 2005* made under the *Electricity Industry Act 2004* (WA).

**Outage Payment** means a compensation payment made to an eligible person by the Corporation in accordance with section 19 of the NQRS Code.



The Hon Reece Whitby MLA  
MINISTER FOR ENERGY

19 JAN 2024