



Hide and seek, mix 'n match and other regulatory games

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Cooperative game (theory)

Subdivision 2—Merits review for reviewable regulatory decisions

71B—Applications for review

- (1) An affected or interested person or body, with the leave of the Tribunal, may apply to the Tribunal for a review of a reviewable regulatory decision.

reviewable regulatory decision means—

- (a) a network revenue or pricing determination that sets a regulatory period; or

Competition and Consumer Act 2010

Compilation No. 111

Compilation date: 31/10/17

44ZZMAA No merits review by Tribunal of decisions under energy laws

- (1) This section applies if a State/Territory energy law or the *Australian Energy Market Act 2004* purports to confer a function or power, or to impose a duty, in relation to a decision made under:
 - (a) a State/Territory energy law; or
 - (b) a uniform energy law applied as a law of the Commonwealth under the *Australian Energy Market Act 2004*.

However, this section does not apply in relation to a decision relating to the disclosure of confidential or protected information under such a law.

- (2) The purported conferral or imposition has no effect to the extent to which it would require or permit merits review (however described) of the decision by the Tribunal.
- (3) This section applies despite anything in any law of the Commonwealth, a State or a Territory.

National Electricity (Victoria) Act 2005

6 Application in Victoria of the National Electricity Law

The National Electricity Law set out in the Schedule to the National Electricity (South Australia) Act 1996 of South Australia, as in force for the time being—

- (a) applies as a law of Victoria; and
- (b) as so applying may be referred to as the National Electricity (Victoria) Law.

16Y Order modifying regulatory arrangements relating to declared transmission system augmentations and related services

- (1) Subject to this Division, the Minister, by Order published in the Government Gazette, may do any one or more of the following—
 - (d) provide that a specified provision of the Rules does not apply in respect of—
 - (i) a specified augmentation;
 - (ii) specified augmentation services;
 - (iii) specified non-network services;

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G27	General	04-Jul-2024	General Gazette Number G27 Dated 4 July 2024
G36	General	07-Sep-2023	General Gazette Number G36 Dated 7 September 2023
G29	General	20-Jul-2023	General Gazette Number G29 Dated 20 July 2023
S267	Special	27-May-2023	Special Gazette Number S267 Dated 27 May 2023
S60	Special	20-Feb-2023	Special Gazette Number S60 Dated 20 February 2023
S600	Special	26-Oct-2022	Special Gazette Number S600 Dated 26 October 2022
S547	Special	14-Oct-2022	Special Gazette Number S547 Dated 14 October 2022
G40	General	06-Oct-2022	General Gazette Number G40 Dated 6 October 2022
S501	Special	27-Sep-2022	Special Gazette Number S501 Dated 27 September 2022
S10	Special	11-Jan-2022	Special Gazette Number S10 Dated 11 January 2022
S417	Special	03-Aug-2021	Special Gazette Number S417 Dated 3 August 2021
S340	Special	28-Jun-2021	Special Gazette Number S340 Dated 28 June 2021
G25	General	24-Jun-2021	General Gazette Number G25 Dated 24 June 2021
S566	Special	05-Nov-2020	Special Gazette Number S566 Dated 5 November 2020
S549	Special	27-Oct-2020	Special Gazette Number S549 Dated 27 October 2020
G30	General	30-Jul-2020	General Gazette Number G30 Dated 30 July 2020
S238	Special	15-May-2020	Special Gazette Number S238 Dated 15 May 2020
S511	Special	09-Dec-2019	Special Gazette Number S511 Dated 9 December 2019
S65	Special	28-Feb-2019	Special Gazette Number S65 Dated 28 February 2019
S474	Special	12-Oct-2018	Special Gazette Number S474 Dated 12 October 2018
S346	Special	12-Oct-2017	Special Gazette Number S346 Dated 12 October 2017
G37	General	14-Sep-2017	General Gazette Number G37 Dated 14 September 2017
G51	General	22-Dec-2016	General Gazette Number G51 Dated 22 December 2016
S197	Special	21-Jun-2016	Special Gazette Number S197 Dated 21 June 2016
S182	Special	10-Jun-2016	Special Gazette Number S182 Dated 10 June 2016
G16	General	21-Apr-2016	General Gazette Number G16 Dated 21 April 2016
S397	Special	11-Dec-2015	Special Gazette Number S397 Dated 11 December 2015
G38	General	18-Sep-2014	General Gazette Number G38 Dated 18 September 2014
G8	General	20-Feb-2014	General Gazette Number G8 Dated 20 February 2014
G37	General	12-Sep-2013	General Gazette Number G37 Dated 12 September 2013
G24	General	13-Jun-2013	General Gazette Number G24 Dated 13 June 2013
G25	General	23-Jun-2011	General Gazette Number G25 Dated 23 June 2011
G2	General	14-Jan-2010	General Gazette Number G2 Dated 14 January 2010
G50	General	10-Dec-2009	General Gazette Number G50 Dated 10 December 2009
S222	Special	30-Jun-2009	Special Gazette Number S222 Dated 30 June 2009
S389	Special	24-Dec-2008	Special Gazette Number S389 Dated 24 December 2008
S1	Special	03-Jan-2008	Special Gazette Number S1 Dated 3 January 2008
G26	General	30-Jun-2005	General Gazette Number G26 Dated 30 June 2005
S120	Special	28-Jun-2005	Special Gazette Number S120 Dated 28 June 2005



Victoria Government Gazette

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National Electricity (Victoria) Act 2005
VNI WEST AND WRL MINISTERIAL ORDER

5. MODIFICATION OF LAW AND RULES

- 5.1 VNI West and the WRL Uprate are not contestable augmentations and the definition of contestable augmentation and clause 8.11.3 of the Rules are modified accordingly.
- 5.2 The following provisions do not apply in respect of the augmentations specified under this Order or to any of AEMO's functions conferred under this Order:
- (a) sections 50F(2), 50F(3) and 50H of the Law;
 - (b) clauses 5.15A, 5.16, 5.16A and 5.16B of the Rules;
 - (c) clauses 8.11.4, 8.11.6, 8.11.7, 8.11.8, 8.11.9 and Schedule 8.11 of the Rules; and
 - (d) AEMO's planning criteria published in accordance with clause 8.11.4 of the Rules.

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Victoria Government Gazette

No. S 201 Friday 24 June 2016
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Port Management Act 1995 (Vic.)
PRICING ORDER

2. PRICING PRINCIPLES: GENERAL

2.1 Prescribed Service Tariffs Pricing Principles

2.1.1 Prescribed Service Tariffs must be set so as:

- (a) to allow the Port Licence Holder a reasonable opportunity to recover the efficient cost of providing all Prescribed Services determined by application of an accrual building block methodology of the type described in clause 4 (**Aggregate Revenue Requirement**); and
- (b) subject to clauses 2.1.1(a), 2.2, 2.3.1 and 3, to allow the Port Licence Holder a reasonable opportunity to recover, for each Prescribed Service Bundle, revenue that:
 - (i) does not exceed an upper bound representing the stand alone cost of providing the Prescribed Service Bundle; and
 - (ii) does not fall below a lower bound representing the avoidable cost of not providing the Prescribed Service Bundle.

4. PRICING PRINCIPLES: COST BASE FOR SETTING PRESCRIBED SERVICE TARIFFS

4.1 General Accrual Building Block Methodology

4.1.1 For the purposes of determining its Aggregate Revenue Requirement, the Port Licence Holder must apply an accrual building block methodology over the Regulatory Period comprising:

- (a) an allowance to recover a return on its capital base, commensurate with that which would be required by a benchmark efficient entity providing services with a similar degree of risk as that which applies to the Port Licence Holder in respect of the provision of the Prescribed Services (see clauses 4.2 and 4.3);
- (b) an allowance to recover the return of its capital base (see clause 4.4); and
- (c) an allowance to recover its forecast operating expenses, commensurate with that which would be required by a prudent service provider acting efficiently (see clause 4.5); less
- (d) an indexation allowance (see clause 4.6).

Mix 'n...

Port Management Act 1995

49I Conduct of reviews into compliance with Pricing Order

- (1) The Commission must, not later than 6 months after a review period, conduct and complete an inquiry under the **Essential Services Commission Act 2001** and report to the ESC Minister—
 - (a) as to whether a provider of prescribed services to whom a Pricing Order applies has complied with the Order during the review period; and
 - (b) if there was non-compliance with the Pricing Order, whether that non-compliance was, in the Commission's view, non-compliance in a significant and sustained manner.

- (5) In this section—

review period means—

- (a) the period commencing on the day on which the first Pricing Order made under section 49A takes effect and ending 5 years after that day; and
- (b) every subsequent period of 5 years commencing on the day after the day on which the previous period ends.

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