



Queensland

# **Electricity (Early Termination) Amendment Bill 2012**





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# Electricity (Early Termination) Amendment Bill 2012

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**2012**

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**A Bill**

for

**An Act to amend the *Electricity Act 1994* for particular purposes**

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	<b>The Parliament of Queensland enacts—</b>	1
<b>Clause 1</b>	<b>Short title</b>	2
	This Act may be cited as the <i>Electricity (Early Termination) Amendment Act 2012</i> .	3 4
<b>Clause 2</b>	<b>Act amended</b>	5
	This Act amends the <i>Electricity Act 1994</i> .	6
<b>Clause 3</b>	<b>Amendment of s 55A (Negotiation of retail contract)</b>	7
	Section 55A(2), ‘and 55C’—	8
	<i>omit, insert—</i>	9
	‘, 55C and 55CA.’	10
<b>Clause 4</b>	<b>Insertion of new s 55CA</b>	11
	Chapter 2, part 6, division 3, subdivision 3—	12
	<i>insert—</i>	13
	<b>‘55CA Early termination of negotiated retail contracts in particular circumstances</b>	14 15
	‘(1) This section applies in relation to a negotiated retail contract between a relevant customer and a retail entity, whether entered into before or after the commencement of this section, if the retail entity notifies the relevant customer that the entity’s charges for the provision of customer retail services under the contract are to increase.	16 17 18 19 20 21
	‘(2) If the increased charges will be more than the notified prices, the retail entity must also, when notifying the customer of the increased charges, notify the customer that—	22 23 24
	(a) the increased charges will be more than the notified prices; and	25 26

(b) the customer may terminate the contract under subsection (3). 1  
2

*Note—* 3

A contravention of this provision is a ground for disciplinary action—see section 132(1)(b). 4  
5

‘(3) The customer may, within 20 business days after receiving notification from the retail entity under subsection (2), terminate the contract by giving the retail entity written notice of the termination. 6  
7  
8  
9

‘(4) Subsection (3) does not limit any other rights of the customer to terminate the contract. 10  
11

‘(5) The termination takes effect 10 business days after the written notice is given to the retail entity. 12  
13

‘(6) If the customer terminates the contract under subsection (3), the retail entity must not directly or indirectly charge the customer a fee for the early termination of the contract. 14  
15  
16

Maximum penalty—500 penalty units. 17

‘(7) This section applies despite anything to the contrary in the contract. 18  
19

‘(8) In this section— 20

*relevant customer* means— 21

(a) a residential customer; or 22

(b) a small customer who is not a residential customer.’. 23

**Clause 5 Amendment of s 55GA (Additional condition about inclusion of carbon and renewable energy target cost estimates in residential customer accounts)** 24  
25  
26

Section 55GA(5), definition *residential customer—* 27

*relocate* to schedule 5. 28

**Clause 6 Insertion of new ch 14, pt 13** 29

After section 333— 30

*insert—* 31

<b>‘Part 13</b>	<b>Transitional provision for</b>	1
	<b>Electricity (Early Termination)</b>	2
	<b>Amendment Act 2012</b>	3
<b>‘334</b>	<b>Early termination of particular negotiated retail contracts</b>	4
		5
‘(1)	This section applies in relation to a negotiated retail contract between a relevant customer and a retail entity, entered into before or during the relevant period, if—	6
		7
		8
	(a) during the relevant period, the retail entity notified the customer that the entity’s charges for the provision of customer retail services to the customer under the contract were to increase; and	9
		10
		11
		12
	(b) the increased charges under the contract will be more than the notified prices.	13
		14
‘(2)	The customer may, within 20 business days after the end of the relevant period, terminate the contract by giving the retail entity written notice of the termination.	15
		16
		17
‘(3)	Subsection (2) does not limit any other rights of the customer to terminate the contract.	18
		19
‘(4)	The termination takes effect 10 business days after the written notice is given to the retail entity.	20
		21
‘(5)	If the customer terminates the contract under subsection (2), the retail entity must not directly or indirectly charge the customer a fee for the early termination of the contract.	22
		23
		24
	Maximum penalty—500 penalty units.	25
‘(6)	This section applies despite anything to the contrary in the contract.	26
		27
‘(7)	In this section—	28
	<i>relevant customer</i> means—	29
	(a) a residential customer; or	30
	(b) a small customer who is not a residential customer.	31



*relevant period* means the period starting on 1 June 2012 and ending on the commencement of this section.’.

1  
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