



New South Wales

Electricity Supply (Safety and Network Management) Regulation 2026

under the

Electricity Supply Act 1995

[*The following enacting formula will be included if this regulation is made—*]

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Electricity Supply Act 1995*.

Minister for Energy

Explanatory note

The object of this regulation is to remake, with minor changes, the *Electricity Supply (Safety and Network Management) Regulation 2014*, which is repealed on 1 September 2026 by the *Subordinate Legislation Act 1989*, section 10(2).

This regulation makes provision for the following matters—

- (a) development, adoption and implementation of safety management systems,
- (b) accreditation of persons to provide contestable services,
- (c) protection of underground power lines,
- (d) preservation of trees growing under or near power lines,
- (e) disconnection of premises from a distribution network service provider's distribution system if the electrical installation on the premises is unsafe,
- (f) miscellaneous matters.

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Electricity Supply (Safety and Network Management) Regulation 2026

under the

Electricity Supply Act 1995

Part 1 Preliminary

1 Name of regulation

This regulation is the *Electricity Supply (Safety and Network Management) Regulation 2026*.

2 Commencement

This regulation commences on the day on which this regulation is published on the NSW legislation website.

3 Definitions

In this regulation—

appropriate person, for Part 3, Division 3—see section 22.

AS 5577, for Part 2—see section 4.

network, for Part 2—see section 4.

notifiable excavation work, for Part 4—see section 29.

planning approval, for Part 4—see section 28.

power lines, for Part 5—see section 34.

power lines information, for Part 4—see section 28.

primary objective, of safety management systems, for Part 2—see section 4.

scheme rules, for Part 3, means the rules made under section 26.

system auditor for Part 2, Division 2—see section 10.

the Act means the *Electricity Supply Act 1995*.

tree, for Part 5—see section 34.

tree management plan, for Part 5—see section 37.

utility service, for Part 4—see section 28.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this regulation.

Part 2 Safety management systems—the Act, ss 77(1)(d) and 191(1)(g1)

Division 1 Preliminary and general

4 Definitions

In this part—

AS 5577 means AS 5577—2013, *Electricity network safety management systems*, as in force from time to time.

network means—

- (a) for a transmission operator—the operator’s transmission system, or
- (b) for a distributor—the distributor’s distribution system.

primary objective, of safety management systems—see section 6.

5 Network operators must ensure safety of distribution and transmission systems

A network operator must take all reasonable steps to ensure that the design, construction, commissioning, operation and decommissioning of the operator’s network, or a part of the operator’s network, is safe.

Maximum penalty—

- (a) for a corporation—5,000 penalty units, or
- (b) otherwise—2,500 penalty units.

6 Primary objective of safety management systems

The primary objective of safety management systems is to assist network operators to comply with section 5 and, in particular, to support the following—

- (a) the safety of members of the public,
- (b) the safety of persons working on networks,
- (c) the protection of property,
- (d) the management of risks to the environment,

Example— preventing bush fires that may be ignited by network assets

- (e) the management of safety risks arising from loss of electricity supply.

7 Content of safety management system

- (1) A network operator must **implement** a safety management system that—

- (a) **complies** with AS 5577, and
- (b) addresses the following matters—
 - (i) the safety and reliability of the network operator’s network,
 - (ii) giving advice to the public about hazards associated with electricity from the network operator’s network,
 - (iii) management of bush fire risk relating to electricity lines and other assets of the network operator’s network that are capable of initiating bush fire,
 - (iv) management of bush fire risk relating to aerial consumers mains on bush fire prone land that is private land for which the network operator may give directions under the Act, Part 5, Division 2A.

Maximum penalty—

- (a) for a corporation—250 penalty units,

- (b) otherwise—100 penalty units.
- (2) In determining the content of a safety management system, a network operator must take into account—
 - (a) the primary objective of safety management systems, and
 - (b) codes, standards or guidelines specified by the Minister by written notice given to the network operator.
- (3) A safety management system must identify—
 - (a) departures from the provisions of a code, standard or guideline specified by the Minister, and
 - (b) the arrangements in place to ensure an equal or better outcome to the outcome provided by the code, standard or guideline.
- (4) In this section—
aerial consumers mains, *bush fire prone land* and *private land* have the same meaning as in the Act, Part 5, Division 2A.

8 Implementation of safety management system

- (1) A network operator must implement the operator's safety management system.
Maximum penalty—
 - (a) for a corporation—10,000 penalty units,
 - (b) otherwise—5,000 penalty units.
- (2) A network operator must ensure that the operator's safety management system is brought to the attention of and made readily accessible to the persons involved in the system's implementation.
Maximum penalty—
 - (a) for a corporation—10,000 penalty units,
 - (b) otherwise—5,000 penalty units.

Division 2 Measurement, auditing and review of performance

9 Definition of “system auditor”

In this division—
system auditor—see section 10.

10 Appointment of system auditor

- (1) A network operator must appoint a *system auditor* to carry out an audit of the operator's safety management system.
- (2) A system auditor must be—
 - (a) a person—
 - (i) chosen from a panel of persons approved by the Tribunal for appointment as system auditors and published on the website of the Tribunal, or
 - (ii) otherwise approved by the Tribunal, and
 - (b) appointed in accordance with procedures published on the website of the Tribunal, and
 - (c) independent of the relevant network operator.

- (3) If a network operator fails to appoint a system auditor in accordance with subsection (2), the Tribunal may nominate a system auditor who must be appointed by the network operator to conduct the audit.

11 Auditing of safety management system

- (1) A network operator must ensure—
- (a) audits of the operator's safety management system are carried out by a system auditor—
 - (i) at the times directed by the Tribunal by written notice given to the operator, and
 - (ii) in accordance with this section, and
 - (b) a written report of the results of each audit, prepared by the system auditor, is given to the Tribunal as soon as practicable after the audit is carried out.

Maximum penalty—

- (a) for a corporation—10,000 penalty units,
 - (b) otherwise—5,000 penalty units.
- (2) The report of the results of an audit must—
- (a) address whether or not the safety management system—
 - (i) achieves, for the network operator's network, the primary objective of safety management systems, and
 - (ii) is in accordance with AS 5577 and deals with the matters referred to in section 7(1)(b), and
 - (iii) is appropriate, having regard to the nature, size and complexity of the network operator's network, and
 - (iv) is being properly implemented, and
 - (b) contain particulars of—
 - (i) the plans, policies, procedures and other documents contained in the network operator's safety management system, and
 - (ii) modifications that should be made to rectify shortcomings of the safety management system, and
 - (iii) measures that should be taken to rectify a failure to properly implement the safety management system, and
 - (c) if a previous audit recommended modifications to the safety management system or measures to rectify a failure to properly implement the safety management system—address whether or not the recommendations have been implemented and have addressed the identified failures.
- (3) The Tribunal may direct that an audit relate to specified aspects of a network operator's safety management system or the safety management system as a whole.

12 Tribunal may require implementation or modification of safety management system following audit

- (1) The Tribunal may direct a network operator to take specified action to implement or modify the operator's safety management system if the Tribunal considers that, based on a system auditor's report—
- (a) the network operator is failing to properly implement the safety management system, or
 - (b) it is necessary for the system to be modified.
- (2) A direction under this section must be written and must specify—

- (a) the action to be taken, and
 - (b) the period of time in which the action must be taken.
- (3) The Tribunal may require the network operator to give the Tribunal specified evidence of compliance with the Tribunal's direction.
- (4) A network operator must comply with a direction under this section.
Maximum penalty—
 - (a) for a corporation—10,000 penalty units,
 - (b) otherwise—5,000 penalty units.

13 Network operators must measure and report on performance

- (1) A network operator must measure performance against the operator's safety management system.
- (2) A network operator must—
 - (a) publish the results of the operator's performance measurements annually, and
 - (b) ensure that a copy of the results—
 - (i) is kept at the operator's principal office, and
 - (ii) is made available for inspection on the operator's website, and
 - (iii) is made available in a way that, as far as practicable, is likely to bring the results to the notice of the operator's customers and the public.
Maximum penalty—
 - (a) for a corporation—250 penalty units,
 - (b) otherwise—100 penalty units.
- (3) A network operator must, before publishing the results of the operator's performance measurements, give the Tribunal written notice of the operator's intention to publish the results and of the date from which the operator proposes to make the performance measurements available under subsection (2)(b).
Maximum penalty—
 - (a) for a corporation—100 penalty units,
 - (b) otherwise—25 penalty units.
- (4) The Tribunal may exempt a network operator from subsections (2) and (3) if satisfied that compliance with the requirements of the subsections would not be in the public interest.

14 Network operator must review and modify safety management system

- (1) A network operator must review and, if necessary, modify the operator's safety management system—
 - (a) as soon as practicable after a significant change occurs in relation to the design, operation or maintenance of the operator's network, and
 - (b) at least once every 5 years.
Maximum penalty—
 - (a) for a corporation—5,000 penalty units,
 - (b) otherwise—2,500 penalty units.
- (2) A network operator must, when reviewing a safety management system, take into account the primary objective of safety management systems.

- (3) Nothing in this section prevents a network operator from modifying the operator's safety management system at any time.
- (4) In this section—
 - significant change*, in relation to a network operator's network, includes—
 - (a) an upgrade or modification in the engineering design of the network, and
 - (b) another change in the safety risks to be managed by the network operator in relation to the network or in relation to the measures to be taken to manage the risks.

Part 3 Accreditation of providers of contestable network services—the Act, s 31A

Division 1 Preliminary

15 Definitions

In this part—

scheme rules—means the rules made under section 26.

16 Contestable network services

- (1) For the Act, section 31A(5)(b), the following distribution services are prescribed as contestable network services, unless a distributor must carry out the service under a law or an instrument made under a law—
 - (a) disconnecting power to an area to allow work to be safely undertaken on a network or part of a network and reconnecting the power after completion of the work,
 - (b) connection, disconnection and removal of distribution infrastructure,
 - (c) installing and managing service equipment,
Example— service protection devices
 - (d) installing and managing worker protection aids,
Example— tiger tails
 - (e) vegetation management.
- (2) A reference in this part to a *class of contestable network services* is a reference to a class of contestable network services specified in the scheme rules.

Division 2 Accreditation procedures

17 Application for accreditation

- (1) A person may apply to the Secretary to be accredited to provide a class of contestable network services.
- (2) An application must—
 - (a) be made in accordance with the scheme rules, and
 - (b) specify the class of contestable network services for which the application is made, and
 - (c) be supported by information specified in the scheme rules or required by the Secretary, and
 - (d) be accompanied by the fee specified in the scheme rules.
- (3) The Secretary may require an applicant to give additional information the Secretary considers necessary for the proper consideration of the application.

18 Determination of application

- (1) The Secretary is to determine an application for an accreditation by—
 - (a) granting the application, with or without conditions, or
 - (b) refusing the application.
- (2) The Secretary cannot accredit a person to provide a class of contestable network services unless satisfied that the person is competent to provide the services.

- (3) The Secretary may refuse to accredit a person to provide a class of contestable network services if—
 - (a) the application is not made in accordance with section 17, or
 - (b) the Secretary is satisfied the person does not satisfy the eligibility requirements in the scheme rules, or
 - (c) the Secretary is not satisfied that—
 - (i) the person is a fit and proper person to provide contestable services, or
 - (ii) if the person is an individual—each person with whom the person is in partnership in connection with a business that provides or proposes to provide contestable services is a fit and proper person to be involved in providing the services, or
 - (iii) if the person is a body corporate—each director of, or person concerned in the management of, the body corporate is a fit and proper person to be involved in providing contestable services, or
 - (d) the person has previously failed to comply with a condition of accreditation, or
 - (e) the person holds or has held an accreditation that has been suspended or cancelled.
- (4) The Secretary must give a person written notice of the determination of the person's application that includes—
 - (a) if the application is granted—the period of accreditation, no longer than 3 years, or
 - (b) if the application is refused—the reasons for refusal.

19 Additional provisions relating to renewal of accreditation

- (1) An application for accreditation by a person who is currently accredited to provide the same contestable network services (a **renewal application**) must be made—
 - (a) before the person's current accreditation expires, and
 - (b) no more than 1 month before the current accreditation expires.
- (2) An accreditation that is the subject of a renewal application remains in force until notice of the determination of the renewal application is given to the applicant under section 18(4).

20 Imposition, variation or revocation of conditions of accreditation

- (1) The Secretary may, by written notice given to an accredited person—
 - (a) impose conditions or further conditions on the person's accreditation, or
 - (b) on the Secretary's initiative or on the application of the accredited person—vary or revoke the conditions of the person's accreditation.
- (2) Conditions imposed or varied under this section take effect on the date on which notice of the conditions is given to the accredited person, or the later date specified in the notice.
- (3) A person may apply to the Secretary for variation or revocation of a condition of the person's accreditation only if the condition imposes a requirement relating to the supervision, inspection or auditing of the person's work in providing contestable network services.
- (4) Section 17 applies, with the necessary modifications, to an application under this section.

- (5) The Secretary must give an applicant written notice of the determination of the application, including, if the application is refused, reasons for the refusal.

21 Suspension or cancellation of accreditation

- (1) The Secretary may suspend or cancel a person's accreditation if satisfied that—
- (a) the person is not competent to provide the class of contestable network services for which the person is accredited, or
 - (b) the person does not satisfy the eligibility requirements in the scheme rules, or
 - (c) the person is not a fit and proper person to provide contestable services, or
 - (d) for an individual—a person with whom the person is in partnership in connection with a business that provides or proposes to provide contestable network services is not a fit and proper person to be involved in providing contestable services, or
 - (e) for a body corporate—a director of, or a person concerned in the management of, the body corporate is not a fit and proper person to be involved in providing contestable services, or
 - (f) the person has contravened a condition to which the accreditation is subject, or
 - (g) the person was accredited on the basis of false or misleading information or a failure to disclose or give required information, or
 - (h) the person has been convicted of an offence against—
 - (i) the Act or regulations under the Act, or
 - (ii) the *Gas and Electricity (Consumer Safety) Act 2017* or a regulation under that Act, to the extent that Act or regulation relates to electricity, or
 - (i) it is necessary to do so on other grounds relating to the safety of the work carried out or to public safety.
- (2) Before suspending or cancelling a person's accreditation, the Secretary must—
- (a) ensure that written notice of the proposed suspension or cancellation is given to the person, and
 - (b) give the person a reasonable opportunity to make representations to the Secretary about the proposed suspension or cancellation, and
 - (c) consider the representations made.
- (3) If the Secretary decides to suspend or cancel an accreditation, the Secretary must give the person a written notice—
- (a) stating that the accreditation is suspended or cancelled, as the case may be, and
 - (b) giving reasons for the suspension or cancellation, and
 - (c) stating the date from which the suspension or cancellation takes effect.
- (4) A suspension continues until—
- (a) the person's accreditation is cancelled in accordance with this division, or
 - (b) the suspension is lifted by the Secretary.

Division 3 Review of decisions regarding accreditation

22 Definition

In this division—

appropriate person means—

- (a) if the decision to be reviewed is made by the Secretary personally—the Minister, or
- (b) otherwise—the Secretary.

23 Decisions that may be reviewed

A person may apply to the appropriate person for a review of the following—

- (a) a decision to refuse an application to accredit the person to provide a class of contestable network services,
- (b) a decision to impose or vary conditions on the person's accreditation,
- (c) a decision to refuse to vary or revoke conditions of the person's accreditation,
- (d) a decision to suspend or cancel the person's accreditation,
- (e) a failure to act on the suspension of the person's accreditation by either cancelling the accreditation or lifting the suspension within 28 days after the date on which the suspension took effect.

24 Application for review

- (1) An application for a review under this division must—
 - (a) be written, and
 - (b) be given to the Secretary, in the way specified in the scheme rules, no later than—
 - (i) for a review under section 23(1)(e)—56 days after the suspension takes effect, or
 - (ii) otherwise—28 days after the applicant receives written notice of the decision, and
 - (c) state the reasons why the applicant considers that the decision should be reviewed.
- (2) If the Minister is the appropriate person for the application, the Secretary must give the application to the Minister.

25 Review of decision

- (1) On receiving an application under this division, the appropriate person must review the decision and—
 - (a) confirm the decision under review, or
 - (b) vary or cancel the decision under review.
- (2) As soon as practicable after the review, the appropriate person must give the applicant written notice setting out—
 - (a) the appropriate person's determination, together with reasons for the determination, and
 - (b) if the determination is to vary the decision—the way the decision is varied.
- (3) If the appropriate person fails to give notice under subsection (2) within 14 days after the review application is made, the appropriate person is taken to have confirmed the decision under review.

Division 4 Other

26 Scheme rules

- (1) The Minister may, by order published in the Gazette, make scheme rules.

- (2) For the Act, section 31A(4A)(e), scheme rules may be made about the following—
- (a) matters that may be considered by the Secretary when determining if a person is a fit and proper person for this part,
 - (b) assessment of the ongoing competence of accredited service providers,
 - (c) procedures for—
 - (i) the collection and sharing of information about accredited service providers, and
 - (ii) the administration of websites and other electronic platforms used in connection with the accreditation of service providers.

27 Details of accredited persons to be publicly available

The Secretary must make available to the public an up-to-date list of all persons who are accredited to provide contestable network services that includes the following—

- (a) the name of each accredited person,
- (b) contact details for each accredited person,
- (c) the classes of contestable network services the person is accredited to provide.

Part 4 Protection of underground power lines

28 Definitions

- (1) In this part—
notifiable excavation work—see section 29.
planning approval means—
(a) a development consent within the meaning of the *Environmental Planning and Assessment Act 1979*, Part 4, or
(b) an approval under that Act, Part 3A or Part 5, Division 5.1.
power lines information means information given by the designated information provider or a network operator in response to a request by a person under the Act, section 63Z(1).
utility service means a water, gas, electricity, sewerage, drainage or telecommunications service.
- (2) Words and expressions used in this part have the same meaning as in the Act, Part 5E.

29 Meaning of “notifiable excavation work”—the Act, s 63Z

- (1) The following kind of work carried out within the distribution district of a distributor is excavation work to which the Act, section 63Z applies (**notifiable excavation work**)—
(a) excavation that requires, or is carried out under, a planning approval,
(b) excavation that is, or is carried out in connection with, an activity within the meaning of the *Environmental Planning and Assessment Act 1979*, Part 5,
(c) excavation of land conducted by or on behalf of a public authority,
(d) excavation of land on which an underground utility service is located, or proposed to be located, by or on behalf of the owner or proposed owner of the service,
(e) excavation of land on which an underground utility service is located for the purpose of the repair or maintenance of works connected with the utility service.
- (2) Despite subsection (1), the following is not excavation work—
(a) excavation, conducted using machinery or powered tools, to a depth of less than 150mm,
(b) ploughing, on land within a rural zone or a rural-residential zone under an environmental planning instrument, to a depth of less than 250mm,
(c) excavation, conducted without the use of machinery or powered tools, to a depth of less than 300mm,
(d) excavation conducted under a lease, licence or mineral claim under the *Mining Act 1992*,
(e) excavation conducted in an emergency, including work to prevent or mitigate—
(i) injury or death, or
(ii) serious damage to property or the environment,
(f) excavation, conducted without the use of machinery or powered tools by, or on behalf of, the owner of a utility service, to—
(i) ascertain the location of the service, or
(ii) test the integrity of the service,

- (g) excavation, urgently required in response to water main leaks and breaks, conducted by, or on behalf of, the owner of a utility service to stop loss of water.

30 Requirements for carrying out excavation work—the Act, s 63Z

- (1) If power lines information given to a person shows that underground electricity power lines are in the vicinity of proposed notifiable excavation work, the person must—
 - (a) not commence, or authorise the commencement of, the excavation work unless the person has first given notice of the work to the network operator, and
 - (b) at the request of the network operator, give the network operator information about the excavation work.
- (2) A person who carries out notifiable excavation work must request information under the Act, section 63Z no more than 30 days before the work commences, unless the request is made by another person within that period.
- (3) A person who carries out notifiable excavation work must, when carrying out the work, consider the following information given to the person by the designated information provider or a network operator—
 - (a) information about the location and type of underground electricity power lines near the work,
 - (b) other information about the underground electricity power lines.

31 Provision of information by network operator—the Act, s 63Z

A network operator notified of proposed notifiable excavation work near underground electricity power lines owned by the network operator must—

- (a) ensure that the person who notifies the work, or the person proposing to carry out the work, is informed of the existence of the *Work Near Underground Assets Guideline* published in 2007 by Safework NSW, and
- (b) give the person who gave notice of the work or who proposes to carry out the work a copy of the Guideline at the person's request.

32 Notification of damage to underground electricity power lines—the Act, s 63ZA

A person who is required to notify a network operator under the Act, section 63ZA(1) of damage to an underground electricity power line must notify the network operator—

- (a) if a contact telephone number for the network operator is given to the person by the designated information provider—by telephoning the number, or
- (b) otherwise—by telephoning the emergency contact telephone number for the network operator listed in a telephone or internet directory.

33 Maximum amount of civil monetary liability—the Act, s 63ZC

The maximum amount of civil monetary liability of the designated information provider, an officer or employee of the designated information provider or a person acting on behalf of the designated information provider, for a negligent act or omission of a kind referred to in the Act, section 63ZC(2), is \$10 million.

Part 5 Tree preservation—the Act, s 191(1)(h)

34 Definitions

In this part—

power lines includes structures and equipment used for or in connection with the supply of electricity by a distributor.

tree means a tree—

- (a) taller than 3m, or
- (b) having a canopy more than 3m in maximum diameter, or
- (c) having a trunk with a circumference at a height of 1m from the ground of more than 0.3m.

tree management plan—see section 37.

35 Object and application of part

- (1) The object of this part is to regulate the removal and trimming of trees by distributors so as to minimise damage to or destruction of trees growing under or near power lines.
- (2) This part—
 - (a) applies only to the extent a distributor may lawfully remove or trim trees, and
Example— removing or trimming trees on behalf of a council
 - (b) does not otherwise authorise the removal or trimming of trees.

36 Preservation of trees

- (1) A distributor must not remove or trim a tree in a way that substantially damages the tree, unless—
 - (a) the distributor is satisfied that it is necessary to do so to protect the distributor's power lines or the safety of persons or property under or near the power lines, and
 - (b) the distributor has considered alternative methods and is satisfied that none of the methods is feasible, including economically feasible, in the circumstances, and
 - (c) the distributor is acting in accordance with a tree management plan.
- (2) In this section—
alternative methods includes the following—
 - (a) the use of aerial bundled cables,
 - (b) the controlled trimming of trees,
 - (c) the appropriate location or relocation of power lines, including placing the lines underground.

37 Tree management plans

- (1) A distributor may establish a **tree management plan** for trimming or staged removal and replacement of tree species that tend to interfere with power lines.
- (2) A tree management plan may include the following—
 - (a) lists of suitable species of trees for planting under or near power lines in different localities or situations,
 - (b) plans for trimming or removing and replacing existing trees and for controlling future planting of suitable species of trees,

- (c) arrangements for trimming or removing trees in an emergency,
 - (d) methods for trimming trees,
 - (e) the use of accredited contractors for trimming trees,
 - (f) the intended allocation of costs between the distributor and the relevant council or councils for the distribution district to which the plan applies,
 - (g) the environmental factors that must be considered in trimming trees,
 - (h) the development of public education and publicity programs that encourage the selection of appropriate species of trees for planting under or near power lines,
 - (i) other matters the distributor considers appropriate.
- (3) A tree management plan may apply differently to—
- (a) public land, or
 - (b) private land, or
 - (c) urban land, or
 - (d) rural land.
- (4) A tree management plan may be amended or replaced by a subsequent tree management plan.
- (5) In this section—
- accredited contractor*** means a person accredited under Part 3 to provide tree trimming services.

38 Consultation with councils and the public

When preparing a tree management plan, a distributor must give the following organisations and persons in the distribution district to which the plan applies an opportunity to comment on the plan—

- (a) local government,
- (b) residents,
- (c) community groups.

Part 6 Disconnection from distribution system—the Act, s 191(1A)(g)

39 Refusal to connect and disconnection of unsafe electrical installations

- (1) If a distributor reasonably believes an electrical installation on premises is unsafe, or is likely to become unsafe if the premises are connected to the distributor's distribution system, the distributor may—
 - (a) disconnect the premises from the distribution system, or
 - (b) refuse to connect the premises to the distribution system.
- (2) A distributor that refuses to connect premises to the distributor's distribution system must, if reasonable, notify the person seeking to have the premises connected of the steps required to enable the connection.
- (3) Before a distributor disconnects premises from the distributor's distribution system, the distributor must, if it is reasonably practicable to do so, notify each customer likely to be affected by the proposed disconnection of—
 - (a) the proposed disconnection, and
 - (b) the steps required to avoid the premises being disconnected.
- (4) Despite subsection (3), a distributor may immediately disconnect premises from the distributor's distribution system if the distributor reasonably believes that the premises remaining connected to the distribution system creates an immediate danger—
 - (a) to life or property, or
 - (b) of starting a fire.

40 Persons using medical devices

Before a distributor disconnects premises from a distribution system in accordance with this part, the distributor must ensure that provision is made for the safety of a person on the premises whose life may be in danger if electricity is no longer available for the operation of a medical device used by the person.

Part 7 Miscellaneous

41 Reports on injuries, incidents and other matters must be given to Tribunal—the Act, s 63R

- (1) The Tribunal may, by written notice given to a network operator, require the network operator to give the Tribunal a report relating to an injury, incident, system failure or other matter relating to the network operator's transmission or distribution system.
- (2) A report must be given within the time and in the way specified in the notice.
- (3) A network operator must comply with a notice under this section.
Maximum penalty—
 - (a) for a corporation—8,000 penalty units, or
 - (b) otherwise—4,000 penalty units.

42 Directions for bush fire risk mitigation work on private land

For the Act, section 53E(3), a direction must include—

- (a) the contact details for the network operator giving the notice, and
- (b) one of the following—
 - (i) an estimate of the potential costs if the network operator undertakes the required work because of a failure by the owner to comply with the direction,
 - (ii) the internet address of a website maintained by the network operator setting out an indicative range of costs for various types of vegetation management or defect rectification work, and an explanation that the costs will apply if the network operator undertakes the required work because of a failure by the owner to comply with the direction.

43 Regulatory functions of Tribunal—the Act, s 77(1)(d)

The functions of the Tribunal under this regulation are specified as regulatory functions of the Tribunal.

44 Delegation of functions

The Secretary may delegate a function conferred or imposed on the Secretary by or under this regulation, other than this power of delegation, to an employee of the Department.

45 Savings

- (1) An act, matter or thing that, immediately before the repeal of the *Electricity Supply (Safety and Network Management) Regulation 2014*, had effect under that regulation continues to have effect under this regulation.
- (2) An act, matter or thing that, immediately before the repeal of the *Electricity Supply (General) Regulation 2001*, had effect under that regulation, Part 9, 10 or 11, continues to have effect under this regulation, subject to subsections (3) and (4).
- (3) The documents approved by the Minister as the Accredited Service Provider scheme rules for accreditation of Level 1, Level 2 and Level 3 service providers (the **approved documents**), published in the Gazette on 14 February 2014, have effect as scheme rules for Part 3 to the extent that they deal with matters for which scheme rules for the purposes of that part may make provision.
- (4) A reference in the approved documents to the contestable services that may be carried out by a Level 1 accredited service provider, a Level 2 accredited service

provider or a Level 3 accredited service provider is taken to be a reference to a class of contestable network services specified in the scheme rules for Part 3.

- (5) An act, matter or thing done or omitted to be done by the Secretary relating to a transferred function that had effect immediately before the commencement of the provision of the *Electricity Network Assets (Authorised Transactions) Act 2015* that transferred the function continues to have effect as if the act, matter or thing had been done or omitted to be done by the Tribunal or the Minister, as the case may be.

- (6) In this section—

transferred function means a function of the Secretary under the Act that, as a result of amendments made by the *Electricity Network Assets (Authorised Transactions) Act 2015*, is conferred on the Tribunal or the Minister.