Western Australia

National Gas Access (WA) (Act Amendment) (Other Gases) Regulations 2026

Contents

1.	Citation		1
2.	Commencement		1
3.	Schedule 1 of the Act amended		1
4.	Clause 3 amended		1
5.	Clause 4 amended		4
6.	Clauses 4B and 4C inserted		4
	4B. Section 10 modified	4	
	4C. Section 14 modified	5	
7.	Clause 7 amended		6
8.	Clause 9CA inserted		6
	9CA. Section 148AA modified	6	
9.	Clauses 9E and 9F inserted		6
	9E. Section 201 modified	6	
	9F. Section 202 modified	7	
10.	Clause 18 amended		7

Consultation Draft

National Gas Access (WA) (Act Amendment) (Other Gases) Regulations 2026

Made by the Governor in Executive Council.

1. Citation

These regulations are the *National Gas Access (WA) (Act Amendment) (Other Gases) Regulations 2026*.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;

(b) the rest of the regulations — on the day on which the *National Gas Access (WA) Adoption of Amendments (Other Gases) Order 2026* clause [3] comes into operation.

3. Schedule 1 of the Act amended

These regulations amend the *National Gas Access (WA) Act 2009* Schedule 1.

4. Clause 3 amended

(1) Before clause 3(1) insert:

(1A) In section 2 delete "In this Law—" and insert:

(1) In this Law—

Consultation Draft

(2) In clause 3(1):

(a) delete "section 2" and insert:

section 2(1)

(b) after "***dispute resolution body***," insert:

Gas Bulletin Board,

(3) In clause 3(2):

(a) delete "section 2" and insert:

section 2(1)

(b) in the inserted definition of ***initial National Gas Rules*** paragraph (d)(iv) delete "77;" and insert:

77; and

(b) in the inserted definition of ***initial National Gas Rules*** after paragraph (d) insert:

(e) the *National Gas Amendment (Other Gases) Rule 2024* made by the Minister for Energy and Mining of South Australia under the National Gas (South Australia) Law section 294FD (notice of which was published in the *Government Gazette* of South Australia on 21 March 2024 at p. 495), other than the following —

(i) Schedule 1 item 7 to the extent that it inserts rule 3(1A)(b)(ii);

(ii) Schedule 1 item 7 to the extent that it inserts ", the *NERL* or the *NERR*" as part of rule 3(1A)(d);

Consultation Draft

(iii) Schedule 1 items 76 to 132;

(iv) Schedule 7 items 2 to 51;

(v) Schedule 9 item 1 to the extent that it inserts Schedule 7 Parts 4, 5, 7 and 8;

(4) In clause 3(3):

(a) delete "section 2" and insert:

section 2(1)

(b) in the inserted text delete "2A" and insert:

2B

(5) After clause 3(3) insert:

(3A) In section 2(1) in the definition of ***covered gas industry*** paragraph (a)(iii) delete "gas, including liquefied natural gas, and" and insert:

gas and

(3B) In section 2(1) in the definition of ***covered gas industry facility*** delete paragraph (d).

(6) In clause 3(4) to (7) delete "section 2" and insert:

section 2(1)

Consultation Draft

5. Clause 4 amended

In clause 4:

(a) delete "After section 2" and insert:

After section 2A

(b) in the inserted text delete "**2A.**" and insert:

2B.

(c) in the inserted text delete "section 2," and insert:

section 2(1),

(d) in the inserted text delete "**2B.**" and insert:

2C.

Note: The heading to amended clause 4 is to read:
Sections 2B and 2C inserted

6. Clauses 4B and 4C inserted

After clause 4A insert:

4B. Section 10 modified

In section 10(4) delete "section 131 or Chapter 4 Part 2." and insert:

section 131, Chapter 4 Part 2 or section 201, 202 or 204.

Consultation Draft

4C. Section 14 modified

(1) In section 14(1):

(a) in paragraph (a) delete "equivalent, as defined in the *National Energy Retail Law*; and" and insert:

equivalent; and

(b) in paragraph (c) delete "and between participating jurisdictions." and insert:

this jurisdiction.

(2) Delete section 14(2)(a), (e) and (f).

(3) After section 14(4) insert:

(5) In this section —

existing distribution system means a distribution pipeline that —

(a) is a scheme pipeline; and

(b) is owned, operated or controlled by a service provider; and

(c) immediately before extension day was a natural gas distribution pipeline; and

(d) on or after extension day is authorised to haul a covered gas other than natural gas;

extension day means the day on which the *National Gas Access (WA) Adoption of Amendments (Other Gases) Order 2026* clause 3 comes into operation;

natural gas equivalent means a covered gas that —

(a) is not natural gas; and

(b) is suitable for use as natural gas; and

Consultation Draft

(c) is supplied through an existing distribution system or an extension of an existing distribution system.

7. Clause 7 amended

In clause 7(2) in the inserted text delete "2A," and insert:

2B,

8. Clause 9CA inserted

After clause 9C insert:

9CA. Section 148AA modified

In section 148AA(1)(a) delete "commencement of the *Statutes Amendment (National Energy Laws) (Other Gases) Act 2023*; or" and insert:

day on which the *National Gas Access (WA) Adoption of Amendments (Other Gases) Order 2026* clause 3 comes into operation; or

9. Clauses 9E and 9F inserted

After clause 9D insert:

9E. Section 201 modified

In section 201(6):

(a) delete "Regulations, the Rules or the Procedures," and insert:

Consultation Draft

Regulations or the Rules,

(b) in paragraph (a) delete "*Statutes Amendment (National Energy Laws) (Other Gases) Act 2023* commenced; and" and insert:

day on which the *National Gas Access (WA) Adoption of Amendments (Other Gases) Order 2026* clause 3 comes into operation; and

9F. Section 202 modified

In section 202(3)(a) delete "commencement of the *Statutes Amendment (National Energy Laws) (Other Gases) Act 2023*; or" and insert:

day on which the *National Gas Access (WA) Adoption of Amendments (Other Gases) Order 2026* clause 3 comes into operation; or

10. Clause 18 amended

After clause 18(13) insert:

(14) In Schedule 3 clause 139 in the definition of ***commencement day*** delete "this Part" and insert:

the *National Gas Access (WA) Adoption of Amendments (Other Gases) Order 2026* clause 3

Consultation Draft

(15) In Schedule 3 clause 139 in the definition of ***transition period*** paragraph (a) delete "1 November 2022; and" and insert:

7 March 2024; and

(16) In Schedule 3 delete Part 21 Division 2.

Clerk of the Executive Council

Consultation Draft