



# Application Form

FOR A LICENCE AUTHORISING A GAS ACTIVITY UNDER THE  
*GAS INDUSTRY ACT 2019*

February 2021

Version 1

# 1. INFORMATION FOR APPLICANTS

## 1.1 Application

An application for a licence under the *Gas Industry Act 2019* (the Act) must be made to the **Regulator** in a form approved by the **Regulator**. This form is the **approved form** and provides the template for a statement addressing the licence requirements in accordance with section 21 of the Act.

## 1.2 Use of this form

Words in this form:

- importing the singular include the plural and vice versa; and
- appearing italicised in bold type have the meaning ascribed to them in the Act.

Licence applicants must provide all information for the type of licence sought, including enclosing additional information where required. Additional lines can be added to the form if more space is required to provide the requested information. Please include all locations where the **gas activity** will be undertaken. Failure to provide all requested information may delay the assessment of the application.

The **Regulator** may require applicants who have submitted a completed application to provide further information or to clarify the information provided.

It is an offence under the Act for a person to knowingly give false or misleading information, whether by reason of the inclusion or omission of any particular, to the **Regulator** (section 96).

### 1.3 Type of licence requested

This form is to be completed by a person making an application to the **Regulator** to authorise the carrying out of a **gas activity** by issuing one or more of the following licences:

1. **Gas infrastructure licence:** authorises the **gas activity** of construction, installation, maintenance, alteration and operation of **gas infrastructure** (*distribution system or transmission pipeline*).
2. **Gas retail licence:** authorises the **gas activity** of selling of gas by retail.

Activities carried out under a licence may be at one or more locations, and may consist of a combination of different gas activities. If both a **gas retail licence** and **gas infrastructure licence** are applied for and granted, separate licences will be issued.

If you are unsure whether you require a licence under the Act, you should seek independent advice.

### 1.4 Licence fees

#### *Application fee*

The completed application form must be accompanied by an application fee of 1,270 fee units for a **gas infrastructure licence**, or 635 fee units for a **gas retail licence**. *The value of a fee unit is set by the Government each year. The values are available from the Department of Treasury and Finance website.*

### 1.5 Conditions of a licence

Statutory licence conditions are provided for in Section 30 of the Act. The licence may include any other conditions determined by the **Regulator** for the purposes of the Act.

## 1.6 Administrative review and appeal against decision

Pursuant to the Act, a licence applicant may apply to the *Regulator* for the administrative review of a decision to grant or refuse to grant an application. A licence applicant who is dissatisfied with the decision of the *Regulator* on administrative review may appeal against the decision to the Minister.

## 1.7 Consultation and confidentiality

The *Regulator* is required to give notice of an application for the grant of a licence in the Gazette, or in such other manner as the *Regulator* considers appropriate, at least 30 *business days* before the application is determined by the *Regulator*. Please note that the application may be the subject of consultation and/or published on the website at [www.economicregulator.tas.gov.au](http://www.economicregulator.tas.gov.au).

The *Regulator* must preserve the confidentiality of information gained in the course of administering the Act that could affect the competitive position of a gas entity or other person, or is commercially sensitive for some other reason. The licence applicant may request that information provided to the *Regulator* be treated as confidential. Material subject to such a request must be clearly identified.

## 1.8 Queries or to lodge an application

### Email (preferred)

[office@economicregulator.tas.gov.au](mailto:office@economicregulator.tas.gov.au)

### Post

Office of the Tasmanian Economic Regulator  
GPO Box 770  
HOBART TAS 7001

### Telephone

(03) 6166 4422

## 2. THE LICENCE APPLICANT

### 2.1 Identity of the Licence Applicant

Please provide the full name of the licence applicant, including the Australian Business Number (ABN).

The licence applicant is responsible for carrying out the **gas activity** that is the subject of the licence. Pursuant to the Act, only a licence applicant that is a body corporate or a partnership of two or more bodies corporate may be issued with a licence.

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### 2.2 Address and Contact Details of Licence Applicant

**Business Address:**

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State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Postal Address (if different from Business Address):**

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State: \_\_\_\_\_ Postcode: \_\_\_\_\_

### 2.3 Contact Person on behalf of Licence Applicant

Please provide the full name and contact details of the person to whom the *Regulator* can direct enquiries and correspondence about the licence application.

Name: .....

Position: .....

Address .....

State: ..... Postcode: .....

Telephone: .....

E-mail: .....

### 3. THE LICENCE

#### 3.1 Type of Licence sought

Please state the type of licence sought by the licence applicant (*gas infrastructure licence* for a *distribution system* or a *transmission pipeline*, or a *gas retail licence*).

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#### 3.2 Date from which Licence is to take effect

Pursuant to the Act, within 40 *business days* after receiving an application for the grant of a licence or the provision of any further relevant information required under section 21(5) of the Act in relation to an application for the grant of a licence, whichever is the later, the *Regulator* must determine the application by granting a licence or refusing to grant the licence. If the licence applicant does not require the licence immediately upon the expiration of that period, please indicate the date by which the licence is required.

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#### 3.3 Term of licence

Please state the term for which the licence is required. A licence may be issued for a term not exceeding 25 years. The licence may be renewed on any terms and conditions as agreed by the licensee and the *Regulator*.

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## 4. SUITABILITY OF APPLICANT TO HOLD LICENCE

### 4.1 Existing activities of the Licence Applicant

Please provide general information about the licence applicant's existing activities both within and outside the gas industry relevant to the *gas activity* proposed to be carried out under the licence sought. Please include the reasons why the licence applicant intends to participate in the Tasmanian gas industry, and the broad nature of that participation.

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### 4.2 Names and addresses

Please state the names and addresses of the officers of the licence applicant (directors, secretary, public officer) and any other persons that make or participate in decisions that affect a substantial part of the licence applicant's business.

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

State: \_\_\_\_\_ Postcode: \_\_\_\_\_



#### 4.3 Resources available to the Licence Applicant

Please provide information regarding the following resources available to the licence applicant to conduct the activities for which the licence is sought:

1. **Financial**; and
2. **Technical**; and
3. **Human** (for example, the number of, and the skills and experience of, employees involved in the proposed activities).

If the licence applicant is to rely on another entity to provide any of the above resources, please provide a summary of the relationship between the licence applicant and the entity, and whether or not there is a formal agreement in place to provide those resources.

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#### 4.4 Standard of honesty and integrity

In deciding whether the licence applicant is a suitable person to hold a licence, the *Regulator* may consider the previous commercial and other dealings of the licence applicant and its officers and major shareholders, and the standard of honesty and integrity shown in those dealings (including breaches of statutory and other obligations).

Is the licence applicant, its officers or major shareholders involved in any legal proceedings, civil or criminal, commenced or likely to be commenced in relation to the business activities of the licence applicant (including past proceedings)? If yes, provide details.

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**4.5 Capacity to comply with, or intention to comply with, legislative requirements**

The licence applicant should cite examples as evidence of their capacity to comply with, or state their intention to comply with, the requirements of this Act. For example, a copy of gas licences held by the licence applicant in other Australian jurisdictions. If a licence previously held has been suspended or cancelled, please provide details.

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Sections 4.6 - 4.9 are to be completed by applicants for a ***gas infrastructure licence*** only. For ***gas retail licence*** applications, please go to Question 4.10.

**4.6 Other permit or authority**

Has any other permit or other authority required by or under another Act of the State or the Commonwealth been granted to the licence applicant or in relation to the ***gas infrastructure***?

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#### 4.7 Expected timeframes

Please state the anticipated dates of construction commencement, completion, commissioning, and operation of the *gas infrastructure*.

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#### 4.8 Description of the proposed *gas infrastructure*

Please attach a map with this application drawn to scale showing the proposed route of the *gas infrastructure* and pipeline length. Include: pipe specifications, types and diameter with particulars of any pumping stations and ancillary works, and any significant landmarks.

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Question 4.9 relates to a licence applicant that seeks to operate the *gas infrastructure* once construction is complete. If the *gas infrastructure* will not be operated by the licence applicant, please go to Question 4.10.

#### 4.9 Safety of the *gas infrastructure* for operation

The *Regulator* will not authorise the operation of the *gas infrastructure* unless the *Director of Gas Safety* has provided a certificate that the *gas infrastructure* has, or will have, the ability to safely distribute or transmit the gas safely. Has the *Director of Gas Safety* provided such a certificate?

Yes/No

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#### 4.10 Additional Information

Please provide any additional information in support of the application below.

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## 5. STATUTORY DECLARATION

I, *(insert name)*.....of  
*(insert address)*.....being the  
*(insert position)*.....of the Applicant,  
*(insert name of applicant)*.....

**Hereby DECLARE** that the information contained in this application, and attachments thereto, for the grant of a *(insert type of licence applied for)*.....under the *Gas Industry Act 2019* is true and correct and that I make this solemn declaration under the *Oaths Act 2001*.

**Signed:** .....

**Declared at *(place)*:** .....

**On *(date)*:** .....

**Before me *(signature)*:** .....

*(please print name)*: .....

(Justice, Commissioner for Declarations or Authorised Person<sup>1</sup>)

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<sup>1</sup>A person authorised by regulation 7 of the *Statutory Declarations Regulations 2018* (Cwth).