

- (b) tender approval decisions; and
- (c) coverage determinations; and
- (d) coverage revocation determinations; and
- (e) light regulation determinations; and
- (f) applicable access arrangements.

134 Notification of extension or capacity expansion

When the description of a scheme pipeline is affected by an extension or capacity expansion, the service provider must give the AEMC a revised description of the pipeline, incorporating the extension or expansion, for inclusion in the register.

135 Public availability of the register

The scheme register:

- (a) must be accessible on the AEMC's website; and
- (b) must be available for inspection by the public at the AEMC's public offices during business hours.

Part 16 Confidential information

136 Interpretation

In this Part:

gas supply information means information obtained by a service provider (but not from a public source) about a person's:

- (a) use or prospective use of pipeline services; or
- (b) acquisition or consumption, or prospective acquisition or consumption, of natural gas.

improper – disclosure or use of relevant confidential information is improper if the information is disclosed or used contrary to this Part.

recognised stock exchange means:

- (a) a stock exchange that is a member of the World Federation of

Exchanges; or

- (b) an approved stock exchange within the meaning of section 470 of the *Income Tax Assessment Act 1936* (Cth).

relevant confidential information means:

- (a) information given to a service provider in confidence by a user or prospective user or information about a user or prospective user that the user or prospective user has asked the service provider to keep confidential; or
- (b) gas supply information.

137 Maintenance of confidentiality

- (1) A scheme pipeline service provider must not:
 - (a) disclose relevant confidential information; or
 - (b) use relevant confidential information for a purpose other than the purpose for which the information was given to the service provider.
- (2) A scheme pipeline service provider must take all practicable steps to protect relevant confidential information in the service provider's possession against improper disclosure or use.
- (3) This rule does not, however, prevent:
 - (a) disclosure or use of relevant confidential information with the consent of the person to whom the information relates; or
 - (b) disclosure or use of information that is in the public domain; or
 - (c) disclosure or use of relevant confidential information in order to comply with:
 - (i) the law of a participating jurisdiction; or
 - (ii) an order of a court or tribunal of a participating jurisdiction; or
 - (iii) a requirement imposed by or under the Law; or
 - (iv) the listing rules of a recognised stock exchange.

- (4) A duty imposed by this rule is a non-delegable duty.

Note

This rule is both a civil penalty provision and a conduct provision for the purposes of the NGL. (See the Regulations, Clauses 6 & 7 and Schedules 3 & 4.)

138 Obligation to disclose gas supply information in certain circumstances

- (1) A service provider must, at the request of a person to whom gas supply information relates (the **relevant person**), or a person who makes the request with the consent of the relevant person, disclose gas supply information relating to the relevant person.
- (2) A service provider may charge a reasonable fee for providing the requested information.

Note

This rule is both a civil penalty provision and a conduct provision for the purposes of the NGL. (See the Regulations, Clauses 6 & 7 and Schedules 3 & 4.)

Part 17 Miscellaneous

139 General regulatory information order (Section 50 of the NGL)

In making a general regulatory information order, the AER must proceed in accordance with the standard consultative procedure.

140 Preparation of service provider performance report (Section 64 of the NGL)

- (1) Before the AER embarks on the preparation of service provider performance reports, the AER must consult with:
- (a) service providers; and
 - (b) bodies representative of the pipeline industry and users of pipeline services; and
 - (c) the public generally;

in order to determine appropriate priorities and objectives to be addressed through the preparation of service provider performance reports.

- (2) In the course of preparing a service provider performance report, the AER: