

Rule determination

National Electricity Amendment (Minor changes 2 2025) Rule

AEMC

DETERMINATION

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About the AEMC

The AEMC reports to the energy ministers. We have two functions. We make and amend the national electricity, gas and energy retail rules and conduct independent reviews for the energy ministers.

Acknowledgement of Country

The AEMC acknowledges and shows respect for the Traditional Custodians of the many different lands across Australia on which we live and work. The AEMC office is located on the land of the Gadigal people of the Eora nation. We pay respect to all Elders past and present, and to the enduring connection of Aboriginal and Torres Strait Islander peoples to Country.



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Summary

- 1 The Commission has determined under sections 102 and 103 of the National Electricity Law (**NEL**) to make the National Electricity Amendment (Minor changes 2) Rule 2025 (**the final rule**).
- 2 The final rule corrects minor errors and makes non-material changes in the National Electricity Rules (**NER**), including:
 - corrects minor formatting and typographical errors, including punctuation, numbering levels, indentation and italicisation;
 - ensures consistency of references to provisions throughout the NER;
 - corrects minor errors in definitions and cross-references;
 - removes duplication; and
 - corrects minor drafting errors in previous amending rules to reflect the policy positions set out in the relevant final determinations made by the Commission
- 3 The final rule was initiated by the Commission and aims to promote clarity of meaning and remove identified minor errors in the NER.
- 4 The Commission conducted the rule change under the expedited process in section 96 of the NEL, on the basis that the Commission considered the proposed rule fell within the definition of a non-controversial rule under section 87 of the NEL.
- 5 The Commission considered that the final rule will or is likely to contribute to the achievement of the national electricity objective (**NEO**) and therefore satisfies the rule making test under section 88 of the NEL.
- 6 The final rule will commence on 27 November 2025.

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1 The Commission has made a final determination

This final determination is to make a final rule in response to a rule change request proposed by the Commission to correct minor errors in the rules

1.1 The proposed rule and commencement of rule making process

The Commission has power to make a rule without a request if it considers that the rule corrects a minor error in the rules or makes a non-material change to the rules.¹

The Commission initiated the proposed rule under the expedited process as it considered the proposed rule was unlikely to have a significant effect on the national electricity market. The Commission therefore considered that the proposed rule fell within the definition of a non-controversial rule under section 87 of the NEL.

The Commission did not receive any written requests not to expedite the rule making process. Accordingly, the rule change proposal was considered under an expedited process.

The Commission invited submissions on the rule change proposal by 30 October 2025. The Commission received one submission on the rule change request from Queensland Treasury. This submission contained a recommendation for an additional minor change to the rules and no objection to the rule change proposal. This additional minor change raised in the submission is discussed and responded to in this final rule determination.

1.2 Rationale for the rule change proposal

As part of the Commission's rule making functions conferred on it under legislation, the Commission reviews, amends and maintains the rules in accordance with the NEL. The purpose of this function, among other things, is to improve and enhance the quality of the NEL.

This rule change proposal was prompted by the identification of various minor errors and non-material changes that should be corrected or made to improve the quality and clarity of the NEL.

In particular, the rule proposal sought to ensure consistency with the final determination of National Electricity Amendment (Improving the NEM access standards – Package 1) Rule 2025 No 6 (**Access Standards Final Rule**).²

1.3 Solutions proposed in the rule change proposal

The proposed rule (now made as final) sought to:

- correct minor formatting and typographical errors, including punctuation, numbering levels, indentation and italicisation
- ensure consistency of references to provisions throughout the NEL
- correct minor errors in definitions and cross-references
- remove duplication; and
- correct minor drafting errors in previous amending rules to reflect the policy positions set out in the relevant final determinations made by the Commission.

¹ Section 91(2) of the NEL

² Refer to the project page for the final determination and final rule for ERC0393: <https://www.aemc.gov.au/rule-changes/improving-nem-access-standards-package-1>

Further information on the issues the proposed rule sought to address is set out in section 1.2 of the rule proposal paper published on 2 October 2025.

2 Final rule determination

This chapter outlines:

- the Commission's determination to make the final electricity rule
- the rule making tests for changes to the NER
- the Commission's consideration of the electricity rule against the NEO
- the Commission's consideration in deciding whether to make a uniform or differential rule in accordance with the Northern Territory legislation adopting the NEL³
- a summary of the Commission's reasons in deciding to make the electricity rule.

2.1 The Commission's final rule determination

In accordance with sections 102 and 103 of the NEL the Commission has made this final rule determination and the final rule in relation to the electricity rule proposed by the Commission. The *National Electricity Amendment (Minor changes 2) Rule 2025* is published with this final rule determination.

The Commission's final rule determination is to make the electricity rule as proposed by the Commission.

In relation to the final rule's application in the Northern Territory, the Commission has determined to make a differential rule. See section 2.2.2 below.

The Commission's reasons for making this final rule determination are set out in section 2.4.

Further information on the legal requirements for making this final rule determination is set out in Appendix A.

2.2 Rule making tests

2.2.1 Achieving the NEO

The Commission can only make a rule if it is satisfied that the rule will or is likely to contribute to the achievement of the relevant energy objectives.⁴

For this rule change, the relevant energy objective is the NEO. The NEO is:⁵

to promote efficient investment in, and efficient operation and use of, electricity services for the long term interests of consumers of electricity with respect to—

- (a) price, quality, safety, reliability and security of supply of electricity; and
- (b) the reliability, safety and security of the national electricity system; and
- (c) the achievement of targets set by a participating jurisdiction—
 - (i) for reducing Australia's greenhouse gas emissions; or
 - (ii) that are likely to contribute to reducing Australia's greenhouse gas emissions.

³ National Electricity (Northern Territory) (National Uniform Legislation) Act 2015 (NT Act).

⁴ Section 88(1) of the NEL.

⁵ Section 7 of the NEL.

The [targets statement](#), available on the AEMC website, lists the emissions reduction targets to be considered, as a minimum, in having regard to the NEO.⁶

2.2.2 Rule making in the Northern Territory

As the final rule relates to parts of the NER that apply in the Northern Territory, the Commission is required to assess Northern Territory application issues. The Commission is required to assess whether to make a uniform or differential rule (defined below) under Northern Territory legislation.

Under the NT Act, the Commission may make a differential rule if it is satisfied that, having regard to any relevant MCE statement of policy principles, a differential rule will, or is likely to, better contribute to the achievement of the NEO than a uniform rule.⁷ A differential rule is a rule that:

- varies in its term as between:
 - the national electricity systems, and
 - one or more, or all, of the local electricity systems, or
- does not have effect with respect to one or more of those systems

but is not a jurisdictional derogation, participant derogation or rule that has effect with respect to an adoptive jurisdiction for the purpose of s. 91(8) of the NEL.

A uniform rule is a rule that does not vary in its terms between the national electricity system and one or more, or all, of the local electricity systems, and has effect with respect to all of those systems.⁸

The Commission proposes to make a differential rule so that the final rule will not have effect in the Northern Territory and no amendments to the NER as applied in the Northern Territory (NT NER) have to be made. The Commission decided to make a similar differential rule for the Northern Territory in its final determination for the Improving the NEM access standards - Package 1 rule change.⁹

2.3 We have considered a stakeholder submission in making the final rule

The Commission received a submission from the Queensland Treasury.¹⁰ This stakeholder identified a minor error in the cross-reference contained in the definition of 'SAPS customer engagement document'. The current cross-reference is to clause '5.13.4(b)' which is incorrect. The correct cross-reference should be '5.13B.4(b)'.

In reviewing this error, we identified a further error with respect to the cross-reference used in the definition of 'SAPS customer engagement strategy'. The cross-reference is '5.13.4(a)' which is incorrect. The correct cross-reference should be '5.13B.4(a)'.

Taking into account this submission, the Commission has included these minor changes in the final rule.

⁶ Section 32A(5) of the NEL.

⁷ Clause 14B of Schedule 1 to the NT Act, inserting section 88AA into the NEL as it applies in the Northern Territory.

⁸ Clause 14 of Schedule 1 to the NT Act, inserting the definitions of "differential Rule" and "uniform Rule" into section 87 of the NEL as it applies in the Northern Territory.

⁹ refer to the project page for the final determination and final rule for ERC0393: <https://www.aemc.gov.au/rule-changes/improving-nem-access-standards-package-1>

¹⁰ Submissions to Rule Proposal paper, Queensland Treasury, p.1

2.4 Summary of reasons

The Commission considers that the electricity rule will improve the quality of the NER in terms of accuracy and consistency and is likely to contribute to the achievement of the NEO.

As with previous similar rule changes initiated by the Commission, these minor corrections and non-material changes make the NER clearer to stakeholders. This is important as the NER informs stakeholders of their rights and obligations for participating in the national electricity market. These improvements are likely to reduce the regulatory burden associated with understanding and complying with the NER, and therefore allow electricity services to be provided more efficiently.

A Legal requirements under the energy laws

This appendix sets out the relevant legal requirements under the NEL for the Commission to make a final rule determination.

A.1 Final rule determination and final rule

In accordance with section 102 of the NEL, the Commission has made this final rule determination in relation to the rule proposed by the Commission.

The Commission's reasons for making this final rule determination are set out in section 2.4.

In accordance with section 103 of the NEL the Commission has made a final rule. A copy of the final rule is attached to and published with this final determination.

A.2 Power to make the final rule

The Commission is satisfied that the final rule falls within the subject matter about which the Commission may make rules.

The final rule falls within section 34 of the NEL, as under section 34(1)(b) of the NEL the Commission may make rules for or with respect to any matter or thing contemplated by the NEL, or which are necessary or expedient for the purposes of the NEL. The Commission considers the final rule is necessary and expedient for the purposes of the NEL.

A.3 Commission's considerations

In assessing the rule change request the Commission considered:

- its powers under the NEL to make the final rule
- the rule change proposal
- the submission received during consultation
- the Commission's analysis as to the ways in which the final rule will or is likely to contribute to the achievement of the NEO
- the potential application of the final rule to the Northern Territory.

There is no relevant Ministerial Council on Energy (MCE) statement of policy principles for this rule change request.¹¹

A.4 Civil penalty provisions and conduct provisions

The Commission cannot create new civil penalty provisions or conduct provisions. However, it may recommend to the energy ministers that new or existing provisions of the NEL be classified as civil penalty provisions or conduct provisions.

The final rule does not amend any clauses that are currently classified as civil penalty provisions or conduct provisions under the National Electricity (South Australia) Regulations. Therefore the Commission does not propose to recommend that any of the amendments made by the final rule be classified as civil penalty provisions or conduct provisions.

¹¹ Under s. 33 of the NEL and s. 73 of the NGL the AEMC must have regard to any relevant MCE statement of policy principles in making a rule. The MCE is referenced in the AEMC's governing legislation and is a legally enduring body comprising the Federal, State and Territory Ministers responsible for energy.

Abbreviations and defined terms

AEMC	Australian Energy Market Commission
AEMO	Australian Energy Market Operator
Commission	See AEMC
NEL	National Electricity Law
NEO	National Electricity Objective
NER	National Electricity Rules
NT Act	<i>National Electricity (Northern Territory) (National Uniform Legislation) Act 2015</i>