



Draft National Gas Amendment (Minor changes 1) Rule 2026

The Australian Energy Market Commission makes the following Rule under the National Gas Law to the extent applied by:

- (a) the *National Gas (South Australia) Act 2008* of South Australia;
- (b) the *National Gas (ACT) Act 2008* of the Australian Capital Territory;
- (c) the *National Gas (New South Wales) Act 2008* of New South Wales;
- (d) the *National Gas (Queensland) Act 2008* of Queensland;
- (e) the *National Gas (Tasmania) Act 2008* of Tasmania;
- (f) the *National Gas (Victoria) Act 2008* of Victoria;
- (g) the *National Gas (Northern Territory) Act 2008* of the Northern Territory;
- (h) the *National Gas Access (WA) Act 2009* of Western Australia;
and
- (i) the *Australian Energy Market Act 2004* of the Commonwealth.

Anna Collyer
Chairperson
Australian Energy Market Commission

Draft National Gas Amendment (Minor changes 1) Rule 2026

1 Title of Rule

This Rule is the *Draft National Gas Amendment (Minor changes 1) Rule 2026*.

2 Commencement

Schedule 1 of this Rule commences operation on [immediate commencement].

Schedule 2 of this Rule commences operation on [the same day as, and immediately following, commencement of the *National Gas Amendment (Establishing a regulatory framework for retail customer initiated gas abolition) Rule 2026 No. 1*].

Schedule 3 of this Rule commences operation on [the same day as, and immediately following, commencement of the *National Gas Rules (Gas Pipelines) Amendment Rules 2023* in Western Australia].

Schedule 4 of this Rule commences operation on [the same day as, and immediately following, commencement of the *National Gas Amendment (Other Gases) Rule 2024* in Western Australia].

3 Amendment to the National Gas Rules as in force in Western Australia

The National Gas Rules as in force in Western Australia are amended as set out in Schedule 1.

4 Amendment to the National Gas Rules

The National Gas Rules are amended as set out in Schedule 2.

5 Amendment to the National Gas Rules as in force in Western Australia

The National Gas Rules as in force in Western Australia are amended as set out in Schedule 3.

6 Amendment to the National Gas Rules as in force in Western Australia

The National Gas Rules as in force in Western Australia are amended as set out in Schedule 4.

**Schedule 1 Amendment to the National Gas Rules as in
force in Western Australia**

(Clause 3)

[1] Rule 27 CTP access arrangement

After rule 27(4), insert the following Note:

Note

This subrule is a Tier 3 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

**[2] Rule 31 Exemptions from minimum ring-fencing
requirements (Section 146 of the NGL)**

In rule 31(2), after "in accordance with the", omit "expedited consultation procedure" and substitute "*expedited consultative procedure*".

[3] Rule 33 Notification of associate contracts

In the first Note in rule 33(1), before "civil", insert "Tier 2".

**[4] Rule 36 Service provider must publish terms and
conditions of access to light regulation
services**

In rule 36, delete the first and second Note and substitute:

Note

This rule is both a Tier 2 civil penalty provision and a conduct provision for the purposes of the *NGL*. (See the Regulations, Clauses 6 & 7 and Schedules 3 & 4).

**[5] Rule 37 Service provider must provide
information about access negotiations
for light regulation services**

In the Note in rule 37, before "civil", insert "Tier 2".

**[6] Rule 43 Requirement to provide access
arrangement information**

In the Note in rule 43(1), before "civil", insert "Tier 2".

**[7] Rule 46 Submission of full access arrangement
proposal (Section 132 of the NGL)**

In the Note in rule 46, before "civil", insert "Tier 2".

[8] Rule 52 Access arrangement revision proposal

In the Note in rule 52(1), before “civil”, insert “Tier 2”.

[9] Rule 53 Access arrangement proposal for division or consolidation of access arrangements

In the Note in rule 53(6), before “civil”, insert “Tier 2”.

[10] Rule 79 New capital expenditure criteria

Omit the Note in rule 79(6).

[11] Rule 91 Criteria governing operating expenditure

Omit the Note in rule 91(2).

[12] Rule 107 Availability of applicable access arrangement and other information

In the Note in rule 107, before “civil”, insert “Tier 2”.

[13] Rule 108 Information about tariffs

In the Note in rule 108, before “civil”, insert “Tier 2”.

[14] Rule 109 Prohibition of bundling of services

In the Note in rule 109, before “civil”, insert “Tier 1”.

[15] Rule 110 Information to be provided by users about unutilised contracted capacity

In the Note in rule 110, before “civil”, insert “Tier 2”.

[16] Rule 112 Requests for access

After rule 112(11), omit the first and second Note and substitute:

Note

This rule is both a Tier 2 civil penalty provision and a conduct provision for the purposes of the *NGL*. (See the Regulations, Clauses 6 & 7 and Schedules 3 & 4).

[17] Rule 115 Expert safety report

After rule 115(3), insert the following Note:

Note

This subrule is a conduct provision for the purposes of the *NGL*. (See the Regulations, Clause 7 and Schedule 4).

[18] Rule 130 **Decision on access arrangement proposal for limited access arrangement (or for variation of a limited access arrangement) for international pipeline to which a price regulation exemption applies**

In rule 130(1)(a), omit “expedited consultation procedure”, and substitute “*expedited consultative procedure*”.

[19] Rule 137 **Maintenance of confidentiality**

In the Note in rule 137, before “civil”, insert “Tier 1”.

[20] Rule 138 **Obligation to disclose gas supply information in certain circumstances**

In the Note in rule 138, before “civil”, insert “Tier 2”.

[21] Rule 143 **This Part does not apply in Western Australia**

In rule 143, omit “*National Gas Access (Western Australia) Act 2008*” and substitute “*National Gas Access (Western Australia) Act 2009*”.

[22] Rule 186 **BB user requests access to archive information (Section 222 of the NGL)**

In rule 186(4), omit “expedited consultation procedure”, and substitute “*expedited consultative procedure*”.

[23] Rule 188 **Calculation of BB operating costs**

In rule 188(2), omit “expedited consultation procedure”, and substitute “*expedited consultative procedure*”.

[24] Rule 551 **Access information standard**

After rule 551(1), insert the following Note:

Note

This subrule is a Tier 2 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

[25] Rule 551 **Access information standard**

After rule 551(3), insert the following Note:

Note

This subrule is a Tier 2 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

[26] Rule 552 Obligations to publish information

After rule 552(1), insert the following Note:

Note

This subrule is a Tier 2 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

[27] Rule 558 User access guide

After rule 558(1), insert the following Note:

Note

This subrule is a Tier 2 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

[28] Rule 558 User access guide

After rule 558(2), insert the following Note:

Note

This subrule is a Tier 2 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

[29] Rule 560 Access offer

After rule 560(1), insert the following Note:

Note

This subrule is both a Tier 1 civil penalty provision and a conduct provision for the purposes of the *NGL*. (See the Regulations, Clauses 6 & 7 and Schedules 3 & 4).

[30] Rule 562 Access negotiation information

After rule 562(3), insert the following Note:

Note

This subrule is both a Tier 1 civil penalty provision and a conduct provision for the purposes of the *NGL*. (See the Regulations, Clauses 6 & 7 and Schedules 3 & 4).

[31] Rule 585 Exemption categories

After rule 585(8), insert the following Note:

Note

This subrule is a Tier 2 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

[32] Rule 586 Exemption conditions

After rule 586(2), insert the following Note:

Note

This subrule is a Tier 1 civil penalty provision for the purposes of the *NGL*. (See the Regulations, Clause 6 and Schedule 3).

[33] Rule 1 Definitions

In Schedule 1, rule 1(1), in paragraph (b) of the definition of “**date of transition**”, omit "National Gas Access (Western Australia) Act 2008" and substitute "*National Gas Access (Western Australia) Act 2009*".

Schedule 2 Amendment to the National Gas Rules

(Clause 4)

[1] Rule 119A Definitions

In rule 119A, in paragraph (b) of the definition of “**distributor**”, omit “an non-scheme pipeline” and substitute “a non-scheme pipeline”.

[2] Rule 121C [Standard abolishment services]

In rule 121C, omit the second instance of subrule (3) and substitute:

- (4) The *distributor* must submit to the AER, with its proposed model standing offer:
 - (a) a declaration that the *distributor* considers its proposed abolishment charges to be consistent with the abolishment charges criteria; and
 - (b) details of the basis on which the *distributor* has applied the abolishment charges criteria, including details of any assumption made for the purposes of applying those criteria.

[3] Rule 197 BB user requests access to archive information (Section 222 of the NGL)

In rule 197(4), omit “*expedited consultation procedure*”, and substitute “*expedited consultative procedure*”.

[4] Schedule 7 Transitional provisions for the introduction of the other gases amendment

In Schedule 7, Part 2, rule 1, in the definition of “**designated entity**”, omit “subrule 2(3)” and substitute “subrule 2(4)”.

[5] Schedule 7 Transitional provisions for the introduction of the other gases amendment

In Schedule 7, Part 2, rule 1, in the definition of “**designated trial project**”, omit “subrule 2(3)” and substitute “subrule 2(4)”.

[6] Schedule 7 Transitional provisions for the introduction of the other gases amendment

In Schedule 7, Part 2, rule 2(2)(a), omit “subrule (3)” and substitute “subrule (4)”.

**[7] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 2, rule 2(5), omit “subrule (2)” and substitute “subrule (4)”.

**[8] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 3, rule 1, in the definition of **new subrule 48(g1)**, omit “subrule 48(g1)” and substitute “new subrule 48(1)(g1)”.

**Schedule 3 Amendment to the National Gas Rules as in
force in Western Australia**

(Clause 5)

[1] Rule 3 Interpretation

In rule 3, insert the following new definition in alphabetical order:

existing access control means, at any time, an access contract in force at that time, even if the service term for one or more pipeline services provided under the access contract has not commenced.

**[2] Rule 3A Excluded Infrastructure (Section 2(1) of
NGL)**

In the heading of rule 3A, omit “(Section 2(1) of NGL)”, and substitute “(Section 2 of the NGL)”.

**[3] Rule 34 Exemptions from ring fencing
requirements (Section 148A of NGL)**

In rule 34(2), omit “*expedited consultation procedure*”, and substitute “*expedited consultative procedure*”.

[4] Rule 39A Exemption (Section 136A(3) of NGL)

Omit rule 39A(4) and substitute:

- (4) In deciding whether the overall economic value of the expenditure on the extension or expansion is positive, consider the sum of:
 - (a) the economic value, other than of changes to Australia's greenhouse gas emissions, directly accruing to the service provider, producers, users and end users; and
 - (b) the economic value of changes to Australia's greenhouse gas emissions, whether or not that value accrues (directly or indirectly) to the service provider, producers, users or end users.

**[5] Part 8, Division 1 AER's decisions regarding approval of
access arrangement proposals**

In Division 1 of Part 8, omit rule 40 in its entirety.

**[6] Rule 48 Requirements for full access
arrangement (and full access
arrangement proposal)**

In the Note in rule 48(1)(e), omit “(See rule 103)” and substitute “(See rule 68D)”.

[7] Rule 133 Establishment and maintenance of register

In rule 133(5), omit “(inserted into the *NGL* by the *National Energy Laws Amendment (Gas Pipelines) Act 2022*)”.

[8] Schedule 6 Transitional arrangements related to pipeline regulation amendments

In Schedule 6, in rule 1, in the definition of “**commencement day**”, omit “(inserted into the *NGL* by the *National Energy Laws Amendment (Gas Pipelines) Act 2022*)”.

**Schedule 4 Amendment to the National Gas Rules as in
force in Western Australia**

(Clause 6)

**[1] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 1, rule 1, omit the definition of “**commencement date**” and substitute:

commencement date means the date on which Schedule 1 of the amending rule commences operation in Western Australia.

**[2] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 2, rule 1, omit the definition of “**commencement date**” and substitute:

commencement date means the date on which Schedule 1 of the *National Gas Amendment (Other Gases) Rule 2024* commences operation in Western Australia.

**[3] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 2, rule 1, in the definition of “**designated entity**”, omit “subrule 2(3)” and substitute “subrule 2(4)”.

**[4] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 2, rule 1, in the definition of “**designated trial project**”, omit “subrule 2(3)” and substitute “subrule 2(4)”.

**[5] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 2, rule 2(2)(a), omit “subrule (3)” and substitute “subrule (4)”.

**[6] Schedule 7 Transitional provisions for the
introduction of the other gases
amendment**

In Schedule 7, Part 2, rule 2(5), omit “subrule (2)” and substitute “subrule (4)”.

[7] Schedule 7 Transitional provisions for the introduction of the other gases amendment

In Schedule 7, Part 3, rule 1, omit the definition of “**commencement date**” and substitute:

commencement date means the date on which Schedule 1 of the *National Gas Amendment (Other Gases) Rule 2024* commences operation in Western Australia.

[8] Schedule 7 Transitional provisions for the introduction of the other gases amendment

In Schedule 7, Part 3, rule 1, in the definition of **new subrule 48(g1)**, omit “subrule 48(g1)” and substitute “new subrule 48(1)(g1)”.