

# Guidelines to Surrender a Distribution Authority

## *Gas Supply Act 2003*

Under the *Gas Supply Act 2003* ('the Act'), the Regulator (the Director-General, Department of Natural Resources, Mines and Energy) issues licences for the distribution of reticulated natural gas in Queensland.

Under the Act, a distributor may surrender its authority only if the Regulator has, on the distributor's application, approved the surrender (s73(1)).

In approving the surrender, the Regulator may impose conditions on giving the approval, and must fix a time, no later than six months after deciding the application, for the surrender to take effect (s73(3)).

Applicants should also note that under s247(2), **a distributor must give the Regulator a stoppage notice at least six months before stopping, or significantly reducing, the provision of customer connection services.**

This document provides an overview of the information which must, as a minimum, be included in an application to surrender a distribution authority. The Regulator may require additional information to be provided in order for an application to be considered.

A person wishing to surrender a distribution authority must apply in writing to the Regulator at the following address:

The Regulator  
c/- Energy Regulation  
Department of Natural Resources, Mines and Energy  
PO Box 15456  
CITY EAST QLD 4002

The information listed overleaf should be included in the written application.

## **Applicant Details**

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Authority holders wishing to surrender their authority should include the following information:

- the distribution authority number allocated to the authority (stated on the first page of the official authority);
- the name of the company (or person) making the application;
- the company's ABN/ACN;
- the applicant's postal and street address;
- a contact name for the application; and
- the phone, fax and email details of the contact person.

## Detailed information on Proposed Surrender

The applicant should indicate the reasons for the proposed surrender of the distribution authority and the proposed date for the surrender to take effect.

Applicants should also:

- identify the retailers who will be affected by the proposed surrender;
- state the number and location of customers (by retailer) who will be affected by the proposed surrender;
- provide details of any stoppage notice prepared by the authority holder and submitted to the Department of Natural Resources, Mines and Energy under s247(2);
- provide details of the arrangements (if any) that have been made to continue natural gas supply (eg, plans for another distributor to take over business operations; conversion of reticulated customers to bottles, etc); and
- state what information has been (or will be) given to the relevant retailers and customers about the proposed surrender.

Prior to submitting the application, applicants should check that:

- they have read the relevant provisions of the Act (Chapter 2, Part 1, Division 4) and any relevant regulations under the Act;
- they have read the statement made by the Department of Natural Resources, Mines and Energy on the use and management of collected application and reporting data. This information is included at **Attachment A** at the end of this document;
- all relevant components of the application are completed; and
- the application is signed by an appropriate senior person, who can ensure the accuracy of the information provided.

Applicants are encouraged to contact the Department of Natural Resources, Mines and Energy on 13 43 87 to discuss their application prior to its formal submission to the Regulator.

[July 2019]

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## ATTACHMENT A

### INFORMATION ABOUT THE USE AND MANAGEMENT OF COLLECTED DATA

The Department of Natural Resources, Mines and Energy is committed to the ethical management of information collected from prospective and existing distribution authority holders. Information is collected by the Department of Natural Resources, Mines and Energy in annual reports from distribution authority holders, and through application processes to obtain, amend, renew, surrender or transfer an authority.

The information gathered in these processes is in accordance with the provisions of the *Gas Supply Act 2003* ('the Act') and related licences and regulations and may be used by the Regulator in carrying out his/her role. Under the Act, some of the information collected will be included in a register and made available to the public. Sections 308 to 310 of the Act outline the information to be included in the public register.

Any personal information collected in the application and reporting process by the Department of Natural Resources, Mines and Energy may be used for the purposes set out in the Act and related licences and regulations. Information will be disclosed as set out in the Act and related licences and regulations, including making applications available to the public, with the exception of exempt matter under the *Right to Information Act 2009*, in accordance with sections 29(2)(iv), 310(2) and 318(1)(b) of the Act. Subject to the provisions of the Act and other legal requirements, personal information will not be disclosed to third parties outside the Department of Natural Resources, Mines and Energy without your consent.

While the Department of Natural Resources, Mines and Energy encourages suppliers of information to clearly identify any information they consider to be confidential, it is important to note that all information collected through application and reporting processes is subject to the *Right to Information Act 2009* and will be retained as required by the *Public Records Act 2002* and other relevant Acts and regulations.

If you have queries in relation to data collection and management under the Act and its related licences and regulations, contact the Department of Natural Resources, Mines and Energy on 13 43 87.