Public notice under the *Water Act 2007*

Proposal to make a minor or technical amendment to the rules for water charges

The Minister for Resources, Water and Northern Australia proposes to make rules under subsection 92(1) of the *Water Act 2007* to make an amendment to the *Water Charge Amendment Rules 2019* which in turn will amend the Water Charge (Infrastructure) Rules 2010.

The purpose of the proposed rules is to make a minor or technical amendment to clarify the limit on termination fees under certain circumstances. This would have the effect of imposing a quantitative cap on termination fees in the circumstances set out in subrules 71(2)(a) and (c), including where a customer gives less than 6 months’ notice of exit to the relevant infrastructure operators. The proposed rules will insert subrule 74(6) as below:

*(6) The general termination fee set out in a termination information statement must not exceed the maximum amount set by rule 72.*

The Australian Competition and Consumer Commission has already provided advice on a range of amendments for the purposes of section 93 of the *Water Act 2007*. The proposed rules are consistent with the current advice on termination fees detailed by the Australian Competition and Consumer Commission in its ‘Review of the water charge rules: final advice’.

Infrastructure operators within the Murray-Darling Basin and the public are invited to make submissions on this issue. Please email us at: water.markets@agriculture.gov.au to make a submission.

**Submissions will close 4 weeks from the date of this public notice.**

Visit our website at [www.agriculture.gov.au/water/markets](http://www.agriculture.gov.au/water/markets) to access:

* the proposed minor or technical amendment
* a summary of the proposed rules
* the ACCC’s ‘Review of the water charges rules: final advice’.

The proposed rules will come into effect on the day after they are registered on the Federal Register of Legislation. The Minister may disclose to the ACCC any written submissions that the Minister receives, on the basis that the ACCC must not disclose any written submissions given to it by the Minister, or any information in the submissions. This notice is published in accordance with regulations 4.03 and 4.04 of the *Water Regulations 2008.*