Register of licences and other publicly available information under the *Water Industry Competition Act 2006*

August 2008

**Register of licences**

Under the legislation, IPART is required to maintain a register of licences.

The register must be made publicly available for inspection, free of charge, during normal office hours. A copy of the register can be found on IPART’s website at http://www.ipart.nsw.gov.au/water/private-sector-licensing/registers.asp.

**General licence information**

The register must make publicly available the following information:

- the name of the licensee
- the name of each person (other than the licensee) who is specified in the licence as being authorised:
  - to construct, maintain and operate the water or sewerage infrastructure specified in the licence, or
  - to supply water, or provide sewerage services, by means of the water or sewerage infrastructure specified in the licence as the case requires
- the kind of licence (network operator’s or retail supplier’s) held by the licensee
- the activities that the licensee is authorised to carry out, as specified in the licence
- the date on which the licence was granted
- the licensee’s area of operations under the licence
- any conditions imposed on the licence by the Minister (not including conditions imposed by the *Water Industry Competition Act 2006* (the Act) or *Water Industry Competition (General) Regulation 2008* (the Regulation)
- any variation of licence conditions by the Minister
- details of any enforcement action taken against the licensee under section 16 of the Act for contravening the Act or the Regulation or the conditions of the licence.

The register must also make publicly available additional information depending on whether the licence is a network operator’s licence or a retail supplier’s licence, and whether the licence relates to water infrastructure or supply, or sewerage infrastructure or services.

**Network operator’s licence information**

In respect of a network operator’s licence for water infrastructure, the register will make publicly available the following details:

- each source from which the water handled by the infrastructure is derived
in the case of non-potable water, the authorised purposes for that water

the identity of each licensed retail supplier or public water utility that has access to the infrastructure services provided by the infrastructure for the purpose of supplying water to its customers

a description of any other water infrastructure to which the infrastructure is connected.

In the case of a network operator’s licence for sewerage infrastructure, the register will contain the following information:

the identity of each licensed retail supplier or public water utility that has access to infrastructure services provided by the infrastructure for the purpose of providing sewerage services to its customers

a description of any other sewerage infrastructure with which the infrastructure is connected

a description of the arrangements for the disposal of waste from the infrastructure.

Retail supplier’s licence information

In respect of a retail supplier’s licence for the supply of water or provision of sewerage services, the register will make publicly available the following information:

a list of each licensed network operator or public water utility from whose water or sewerage infrastructure the licensee supplies water or provides sewerage services to its customers

in relation to water infrastructure, each source from which the water handled by the infrastructure is derived

a statement as to whether or not any of the licensee’s customers are small retail customers

details of any order under section 54 of the Act by which a licensee is declared to be a retailer of last resort.

Other publicly available information in relation to licensed operations

Under the Act, IPART is also required to publish on its website the Minister’s decision, and reasons for a decision, in relation to determining whether or not to grant a licence.

The Regulation also requires a licensee to make publicly available on its internet website certain information relating to its licensed operations.

In the case of a network operator’s licence for water infrastructure or sewerage infrastructure, the licensee’s internet website must contain:

a plan showing the nature and general location of the water infrastructure or general location of the separate components of the sewerage infrastructure (that is, each component that is used for the treatment, storage, conveyance or reticulation of sewage)

its infrastructure operating plan and the most recent auditor’s report as to the adequacy of that plan and the condition of its infrastructure

its water quality or sewerage management plan and the most recent auditor’s report as to the adequacy of that plan.

In the case of a retail supplier’s licence for the supply of water or the provision of sewerage services, the licensee’s internet website must contain:

its standard water supply or sewerage service contract for small retail customers

its retail supply management plan and the most recent auditor’s report as to the adequacy of its retail supply management plan

its code of practice for customer complaints

its code of practice for debt recovery

details of any relevant government policy with respect to social programs for the supply of water or provision of sewerage services (as referred to in section 13(3)(a) of the Act) that applies to it.
in relation to the supply of water, the existence of any water restriction order that is in force in its area of operations.

Further information

For any further information on the register or the licensing scheme generally, please contact IPART’s Utility Licensing team either by:

- **phone**
  - (02) 9290 8400 (general number)

- **email**
  - compliance@ipart.nsw.gov.au

Legal context for this Fact Sheet

IPART has prepared this Fact Sheet as a general summary of relevant parts of:

- **the Act**

- **the Regulation**
  - Water Industry Competition (General) Regulation 2008.

This Fact Sheet should not be relied on as a substitute for legal advice, and is designed to be read in conjunction with the above source documents.