



New South Wales

Electricity Infrastructure Investment Amendment Bill 2026

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Electricity Infrastructure Investment Act 2020* (***the Act***) to—

- (a) provide the Minister may create an access scheme to authorise or prohibit access to, and use of, infrastructure that has, or proposes to have, a network connection that is capable of transmitting a certain amount of electricity and that meets prescribed requirements (***large load infrastructure***), and
- (b) prescribe the persons who are network operators for the Act.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Electricity Infrastructure Investment Act 2020 No 44

Schedule 1[3] provides the Minister may, by order published in the Gazette (a ***declaration***), declare an access scheme that applies to the whole or part of the State that proposes to contain large load infrastructure (a ***large load infrastructure access scheme***). **Schedule 1[1] and [2]** make consequential amendments.

Schedule 1[4] provides a large load infrastructure access scheme authorises or prohibits access to certain network infrastructure.

Schedule 1[5] provides a large load infrastructure access scheme may be declared over an area of the State already subject to another access scheme.

Schedule 1[6] provides a declaration may specify the network infrastructure or area of the State to which a large load infrastructure access scheme applies.

Schedule 1[7] provides the Minister must comply with certain procedural requirements before making a declaration.

Schedule 1[8] and [9] provide for the following—

- (a) the principles a consumer trustee must consider when determining the fees payable to the scheme financial vehicle by participants in an access scheme, including a large load infrastructure access scheme,
- (b) that the consumer trustee must not take into account maximising financial value for NSW electricity customers when determining the fees payable for a large load infrastructure access scheme.

Schedule 1[10] and [11] make consequential amendments to the definitions of *community purpose* and *employment purpose* to provide the consumer trustee may determine fees payable by participants of a large load infrastructure access scheme.

Schedule 1[12] provides the regulations may modify the application of, or disapply, a provision of the *National Electricity (NSW) Law* or *National Electricity Rules* to provide for—

- (a) the operation of access schemes, and
- (b) large load infrastructure connecting to network infrastructure.

Schedule 1[13] provides an infrastructure planner is a protected person not personally liable in certain circumstances in relation to the administration of an access scheme, including a large load infrastructure access scheme.

Schedule 1[14] and [15] omit, insert and amend definitions, including by expanding the definition of *network operator* to mean a person who carries out, organises, arranges or causes specified activities to be carried out for network infrastructure.

Schedule 2 Statute law revision amendment of Electricity Infrastructure Investment Act 2020 No 44

Schedule 2[1] makes minor amendments for the purpose of statute law revision to references to the Minister for Planning and Public Spaces.