

EXXONMOBIL COMMENTS ON THE PROPOSED AMENDMENTS TO THE GAS ACT

Specific Provision(s) of Proposed Amendments	Revised Amendments	Detailed Reasons for Revised Amendments
63C (1) (a) and (b)	<p>63C - (1) to read as "If the Gas Network Code include a provision that regulates the manner in which disputes under the Gas Network Code are to or maybe resolved, recourse to the courts shall commence only after the dispute resolution process in the Gas Network Code has been exhausted."</p> <p>To delete "recourse to the courts..... matters of law and jurisdiction."</p>	<p>63A(5) states that the Gas Network Code not deemed to be subsidiary legislation. Yet 63C(b) provides that it may include provisions for restriction in the manner of appeals.</p> <p>Aggrieved parties' right to appeal against findings under the Gas Network should not be restricted.</p>
63D (1) (b)	To delete.	<p>Gas contracts entered into prior to the enactment of the Gas Act and implementation of the Gas Network Code specify end-user rights and obligations (including prescribed remedies for failure to act or not act) with respect to delivery and consumption of gas including access to and use of gas pipeline network. End-users are not parties to the Gas Network Code with respect to the existing contracts. Therefore notwithstanding the</p>

		restructuring of the gas industry, consumers who are not parties to the Gas Network Code should not be held responsible for not complying with the Gas Network Code retrospectively. End-users' contractual rights including access to and use of gas pipeline network, consumption of gas and corresponding charges for such rights should be preserved. The proposed amendment may have the effect of superseding or invalidating such rights and lead to significant uncertainties and financial exposure for gas consumers.
63E (1) and (2)	To delete	Same comment as above.
78 (5A)		The requirement that a decision must be complied with until such time s the Appeal Panel decides the appeal may impose hardship on aggrieved party.
83(5)		Same comment as above.
93 (1A)	Substitute "14 days" with "30 days"	14 days may not be not long enough to adequately prepare an appeal. Allow more time for lodging appeal.