

## Small service provider exemptions

Service providers have a range of obligations under the *Water Supply (Safety and Reliability) Act 2008* (the Act), including preparing, reviewing, auditing and reporting annually on their strategic asset management plan (SAMP) and customer service standards (CSS).

Small service providers can apply for an exemption from complying with the above requirements. This fact sheet explains the available exemptions and how to apply for them.

### What is a small service provider?

Small service providers are:

- for a retail water service or sewerage service—a service provider with 1000 or less connections
- for a drinking water service that is the reticulation of water and is not a retail water service—a service provider with 1000 or less connections to a registered service
- for an irrigation service—a service provider with 100 or less users or a volume throughput, in any of the last five financial years, of 10 000 megalitres or less
- for a water service other than a water service mentioned above—a service provider with not more than 500 customers that mainly provides drainage services or water for domestic purposes or for watering stock.

An irrigation service is the supply of water or drainage services for irrigation of crops or pastures for commercial gain.

A bulk water service is the supply of large quantities of water other than as an irrigation service.

A retail water service is a reticulated water service that is not an irrigation or bulk water service or a supplier of recycled water in a service area.

### Applying for exemptions

Small service providers can apply for exemptions for:

- strategic asset management plans (SAMPs)
- customer service standards
- reviews and audits for a SAMP
- annual reports for a SAMP.

The approved form for applying for an exemption (SPE01) is available from the Department of Environment and Resource Management (the department).

### Reasons for granting an exemption

An exemption will be granted if it is not reasonably practicable for the provider to comply with one or more of the Act's requirements relating to:

- strategic asset management plans
- customer service standards
- reviews and audits for a SAMP
- annual reports for a SAMP

and

this is because the cost of compliance would outweigh the benefits.

The regulator must have regard to *the Guidelines for granting exemptions from strategic asset management plans, customer service standards and annual reports* when deciding the application. These guidelines are available from the department.

### After a decision is made

Once a decision is made, the department must give the small service provider an information notice advising the outcome of the application and the reasons for the decision.

A notice of any exemption will be published in the *Queensland Government Gazette* by the department as soon as practicable. The notice must state:

- the small service provider it applies to
- the registered service it applies to
- which requirements of the Act it applies to
- any conditions attached to it
- any time limit on it.

### Compliance with the exemption

If an exemption is given with conditions and these are not complied with, the exemption no longer applies.

If the circumstances under which an exemption was given change, the service provider must immediately notify the regulator of the change.

An exemption can be amended or cancelled by the department if the regulator becomes aware of a change in the circumstances under which an exemption was given, either through notice from the service provider or by other means.

If an exemption is amended or cancelled, the regulator must give the service provider an information notice about the amendment or cancellation and state the reasons for the change.

The department will provide notice of any amendment or cancellation in the *Queensland Government Gazette*, as soon as practicable.

## Review and appeal provisions

A service provider can apply to the department for an internal review of the decision about an exemption and obtain a review decision. If the service provider is not satisfied with the review decision, arbitration can be sought from the Queensland Competition Authority.

## Further information

Further information is available in the following fact sheets on the department's website:

- W99—Service providers—strategic asset management plans
- W100—SAMP and SLMP review, audit and reporting requirements
- W102—Service providers—customer service standards.

For more information about service provider issues, email the Office of the Water Supply Regulator at <[owsr.enquiries@derm.qld.gov.au](mailto:owsr.enquiries@derm.qld.gov.au)>.

General information regarding Queensland's water industry regulator can be found on the department's website at <[www.derm.qld.gov.au](http://www.derm.qld.gov.au)>.

The *Water Supply (Safety and Reliability) Act 2008* and related regulations can be obtained from the Office of the Queensland Parliamentary Counsel website at <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)>.

*April 2010  
W104*

For general enquiries contact the  
Queensland Government call centre 13 13 04  
or visit [www.derm.qld.gov.au](http://www.derm.qld.gov.au)