



N.T. GAS

Pty. Limited

ACN 050 221 415

IN TRUST FOR THE AMADEUS GAS TRUST ABN 68 348 460 818

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29 July 2004

FAXED
307104

Mr Mike Buckley
General Manager
Regulatory Affairs – Gas
Australian Competition and Consumer Commission
PO Box 1199
DICKSON ACT 2602

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Dear Mr Buckley

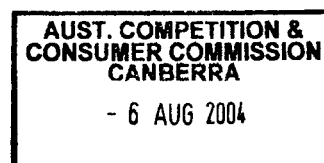
2003/04 RING FENCING COMPLIANCE REPORT

Please find attached the signed Ring Fencing Compliance report for the Amadeus Basin to Darwin Pipeline covering the year to 30 June 2004.

Yours sincerely

WENDY OLDHAM
General Manager

Attach.



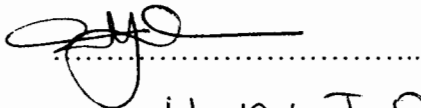
Statement of Compliance

Statement of Compliance for N.T. Gas Pty. Limited ACN 050 221 415 ("NT Gas") for the financial year 2003/04

NT Gas – Amadeus Basin to Darwin Pipeline

1. Attached is the annual Ring Fencing Compliance Report for the year ending 30 June 2004. NT Gas has not varied the Ring Fencing Compliance Report or Statement of Compliance from the original forms sent by the ACCC, other than to provide the information required.
2. NT Gas is not aware of any breach of any of the obligations listed in section 4.1 of the Code other than as detailed in this report.
3. NT Gas has maintained a compliance program during the relevant period that ensures that:
 - (a) appropriate internal procedures have been established and maintained to ensure compliance with the obligations in section 4.1 of the *National Third Party Access Code for Natural Gas Pipeline Systems* (the Code);
 - (b) an accurate assessment of these procedures has been made;
 - (c) the Chief Executive Officer of NT Gas is made aware of any breaches of the ring fencing obligations;
 - (d) remedial action is taken as soon as possible to rectify breaches of the minimum ring fencing obligations and that completion of this action is reported to the Board of Directors;
 - (e) the compliance program is reviewed regularly and as necessary.
4. The Board of Directors of NT Gas has approved this report on 28 July 2004.

Signed by:



NAME: WENDY J. O'LEARY

GENERAL MANAGER/
CHIEF EXECUTIVE OFFICER

DATE: 29/7/04



NAME: PETER JOHN CALDWELL

DIRECTOR

DATE: 30/7/04

Ring Fencing Compliance Report

**Ring Fencing Compliance Report for N.T. Gas Pty. Limited ACN 050 221 415
("NT Gas") for the financial year 2003/04**

Definitions

Unless otherwise defined, all capitalised terms used in this document have the meaning given to them in section 10.8 of the Code.

Compliance with minimum ring fencing obligations

NT Gas submits this report under section 4.13 of the Code. The report describes the measures taken to ensure compliance with its obligations under section 4 and provides an accurate assessment of the effect of those measures.

NT Gas will, pursuant to section 4.14 of the Code, notify the Commission immediately on becoming aware of a breach (or potential breach) of its obligations under section 4 of the Code. Notification should be directed to the General Manager, Regulatory Affairs – Gas, ACCC.

1. Service Provider is a legal entity

Section 4.1(a) of the Code requires a Service Provider to be a legal entity.

[State whether NT Gas is a legal entity, the full name of the entity and under which law it is registered.]

NT Gas Pty Limited, A.C.N. 050 221 415 ("NT Gas") is a legal entity incorporated under the *Corporations Act 2001*. As trustee for the Amadeus Gas Trust, NT Gas operates the Amadeus Basin to Darwin Pipeline ("ABDP").

2. Not carry on a Related Business

Section 4.1(b) of the Code requires that a Service Provider not carry on a Related Business (essentially a business of producing, purchasing or selling natural gas).

[Describe the business activities of NT Gas and state whether these activities include any producing, purchasing or selling natural gas.]

NT Gas manages and operates the ABDP and its laterals. NT Gas does not (on its own account) produce natural gas, and does not (on its own account) purchase or sell natural gas other than for operational purposes for the ABDP. The sale and purchase of natural gas for operational purposes is not a Related Business as defined in section 10.8 of the Code.

Pursuant to pre-existing agreements of which the Commission is aware, NT Gas is contractually committed to buy and sell natural gas. However, fulfilment of NT Gas's obligations under these agreements does not require NT Gas to participate actively in the sale or purchase of gas.

[Please fill out the table below for *all* [of the Service Provider's] Associates with any involvement in natural gas:]

The table below indicates NT Gas' Service Provider's] Associates under the Code. With the exception of NT Gas Distribution Pty Limited, SCP Investments (No.1) Pty Limited, SCP Investments (No.2) Pty Limited, SCP Investments (No.3) Pty Limited, Goldfields Gas Transmission Pty Limited, Southern Cross Pipelines Australia Pty Limited and Southern Cross Pipelines (NPL) Australia Pty Limited these entities are all wholly owned subsidiaries of APT Pipelines Limited:

| Name of Each Associate | Business Carried On | Assets Owned (Name) |
|------------------------|---------------------|---------------------|
|------------------------|---------------------|---------------------|

Corporate

| | | |
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| Australian Pipeline Limited ACN 091 344 704 | Responsible entity for the Australian Pipeline Trust. | |
| APT Pipelines Limited ACN 009 666 700 | Parent investment company. | |
| APT Management Services Pty Limited ACN 091 668 110 | Provision of staff and administration to subsidiaries. | |
| W.A. Pipelines (Investments) Pty Limited ACN 108 473 070 | Holds shares in W.A. Pipelines Pty Limited. | |
| W.A. Pipelines Pty Limited ACN 107 983 335 | Company formed for pipeline acquisitions. | Nil. |

Moomba to Sydney Pipeline

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| Trans Australia Pipeline Pty Limited ACN 006 699 378 (formerly ACN 006 699 378 Pty Limited) | Holds shares in Gasinvest Australia Pty Limited (for MSP). | |
| Gasinvest Australia Pty Limited ACN 065 055 478 | Holds shares in East Australian Pipeline Limited (for MSP). | |
| Agex Pty Limited ACN 008 458 580 | Holds shares in APT Pipelines Investments (NSW) Pty Limited and NT Gas Pty Limited; unitholder in Amadeus Gas Trust. | |
| APT Pipelines Investments (NSW) Pty Limited ACN 065 070 966 | Holds shares in East Australian Pipeline Limited (for MSP). | |
| East Australian Pipeline Limited ACN 064 629 009 | Owens and operates pipeline. | Moomba – Sydney Pipeline (MSP). |

| Name of Each Associate | Business Carried On | Assets Owned (Name) |
|------------------------|---------------------|---------------------|
|------------------------|---------------------|---------------------|

Central West Pipeline

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| APT Pipelines (NSW) Pty Limited ACN 080 842 360 | Owns and operates gas pipeline. | Central West Pipeline. |
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Roma to Brisbane Pipeline

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| Sopic Pty Limited ACN 010 851 288 | Holds shares in NT Gas Pty Limited and is a unitholder in the Amadeus Gas Trust; holds shares in APT Petroleum Pipelines Holding Pty Limited. | |
| APT Petroleum Pipelines Holdings Pty Limited ACN 009 738 489 | Holds shares in APT Petroleum Pipelines Limited (for RBP). | |
| APT Petroleum Pipelines Limited ACN 009 737 393 | Owns and operates gas pipelines. | Roma – Brisbane Pipeline (RBP). |
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Carpentaria Gas Pipeline

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| Roverton Pty Limited ACN 011 071 917 | Owns and operates gas pipelines. | 70% interest in Carpentaria Gas Pipeline; 100% ownership of MIM Lateral and Mica Creek Meter Station. |
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Cannington Lateral

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| APT Pipelines (QLD) Pty Limited ACN 080 382 387 | Owns and operates gas pipeline | Cannington Lateral. |
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Amadeus Basin to Darwin Pipeline

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| Agex Pty Limited | As above, under the Moomba to Sydney Pipeline. | |
| Sopic Pty Limited | As above, under the Roma to Brisbane Pipeline. | |

Other NT Pipelines

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| NT Gas Distribution Pty Limited ACN 071 741 618 | Owns gas distribution system; retails gas to customers. | Darwin City Gate – Berrimah Pipeline and Darwin Distribution Network; Katherine and Tennant Creek Sleeper Factory Laterals. |
| APT Pipelines (NT) Pty Limited ACN 075 733 336 | Owns gas pipelines. | Mt Todd and Mataranka Laterals. |
| NT Gas Easements Pty Limited ACN 051 412 643 | Holds pipeline easements in NT. | Various easements for Amadeus Basin – Darwin Pipeline. |

| Name of Each Associate | Business Carried On | Assets Owned (Name) |
|------------------------|---------------------|---------------------|
|------------------------|---------------------|---------------------|

Goldfields Gas Pipeline

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| APT Pipelines Investments (WA) Pty Limited ACN 081 638 244 | Holds 55% interest in SCP Investments (No.1) Pty Limited (for GGT). | |
| SCP Investments (No.1) Pty Limited ACN 084 521 817 | Holds shares in SCP Investments (No.2) and (No.3) Pty Limited and Goldfields Gas Transmission Pty Limited (for GGT). | |
| SCP Investments (No.2) Pty Limited ACN 084 521 951 | Holds shares in Southern Cross Pipelines Australia Pty Limited (for GGT). | |
| SCP Investments (No.3) Pty Limited ACN 085 991 984 | Holds shares in Southern Cross Pipelines (NPL) Australia Pty Limited (for GGT). | |
| Goldfields Gas Transmission Pty Limited ACN 004 273 241 | Operates gas pipelines (for GGT). | |
| Southern Cross Pipelines Australia Pty Limited ACN 084 521 997 | Holds an interest in Goldfields Gas Pipeline. | 63% interest in Goldfields Gas Pipeline (GGT). |
| Southern Cross Pipelines (NPL) Australia Pty Limited ACN 085 991 948 | Holds an interest in Goldfields Gas Pipeline. | 25% interest in Goldfields Gas Pipeline (GGT). |

Other WA Pipelines

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| APT Pipelines (WA) Pty Limited ACN 066 343 584 | Owns interests in gas pipeline/laterals in WA and provides managements services for pipeline assets. | Owns Westlime Lateral, Wiluna Lateral and 50% of Mid West Pipeline. |
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3. Establish and maintain separate and consolidated sets of accounts

Section 4.1(c) of the Code requires Service Providers to establish and maintain separate accounts for the activity that is the subject of each Access Arrangement.

Section 4.1(d) of the Code requires Service Providers to establish and maintain a consolidated set of accounts for all the activities undertaken by the Service Provider.

[Describe the measures taken to ensure that a separate set of accounts has been established and maintained in respect of the Services provided by each Covered Pipeline for which NT Gas is a Service Provider (for example, describe how you ensure that costs incurred in relation to a Covered Pipeline are allocated to the relevant set of accounts).]

NT Gas maintains a separate set of accounts for services provided by means of the ABDP.

[Describe the measures taken to ensure that a consolidated set of accounts has been established and maintained in respect of the entire business of NT Gas.]

A consolidated set of accounts is maintained for the entire business of NT Gas.

4. Allocation of shared costs

Section 4.1(e) of the Code requires Service Providers to allocate costs in a fair and reasonable manner that is consistent with the principles in section 8.1 of the Code.

[Provide details of the method of cost allocation used to allocate shared costs between Services provided by each Covered Pipeline and any other activity. If there is more than one method used, indicate which costs are allocated under which method. (It is not sufficient to merely assert that costs are allocated on a fair and reasonable basis in accordance with section 8.1 - please provide details of how these costs are allocated.)]

- The direct costs of managing, operating and marketing the ABDP are charged directly to NT Gas;
- Labour and labour-related costs and corporate overheads are allocated on the basis of actual man-hours worked in respect of the ABDP. This allocation of shared costs to pipelines to which NT Gas provides services is on a fair and reasonable basis.

5. Treatment of Confidential Information

Under sections 4.1(f) and (g) of the Code, Service Providers must ensure that:

- *Confidential Information provided by a user or prospective user is used only for the purposes for which it was provided and is not disclosed without the user or prospective user's consent; and*
- *Confidential Information obtained by a Service Provider which might reasonably be expected to materially affect the commercial interests of a user or prospective user is not disclosed to any other person without the permission of the user or prospective user to whom the information pertains.*

Note that where functions of the Service Provider have been outsourced to a third party, the Service Provider is responsible for ensuring that any Confidential Information provided to the third party is handled in accordance with sections 4.1(f) and (g) of the Code.

[Provide details of any policies or measures taken by NT Gas to ensure that all Confidential Information it obtains is treated as specified in sections 4.1(f) and 4.1(g) of the Code. Examples include measures in place to ensure security of electronic and hard copy information, physical barriers such as secure access and confidentiality agreements signed by relevant staff.]

- All staff involved with the management and operation of the ABDP provide services under contract. NT Gas has required that all contractors having access to Confidential Information observe the requirements of the Code in relation to such Confidential Information. In particular, Agility, which provides a range of management, operations and regulatory services to NT Gas, has advised NT Gas that it is aware of, and complies with, its obligations to maintain the confidentiality of all information/data that may come into its possession while providing such services to NT Gas;
- NT Gas's offices are secured;

- NT Gas's computer network has security arrangements which provide access only to approved personnel;

[Describe the measures in place to ensure that these policies have been successful and are regularly evaluated. Outline how often these policies are reviewed and assessed.]

- NT Gas reviews its procedures and policies annually, and these are part of a quality system certified to AS 9001.
- Code requirements are reinforced by NT Gas's Ringfencing Policy. Under that Policy, new staff receive training which is appropriate to their duties, and existing staff receive periodic refresher training.

6. Marketing Staff

Service Providers must ensure that:

- *their Marketing Staff (essentially those directly involved in sales, sale provision or advertising for the Service Provider) are not also working for an Associate that takes part in a Related Business (section 4.1(h) of the Code); and*
- *the Marketing Staff of an Associate involved in a Related Business are not also working for the Service Provider (section 4.1(i) of the Code).*

Note that in answering the questions below, the broadest possible meaning is to be given to 'servants, consultants, independent contractors or agents'.

[Please indicate whether any of NT Gas's Marketing Staff are also servants, consultants, independent contractors or agents of an Associate that takes part in a Related Business. If so, please describe the situation.]

[Please indicate whether any of NT Gas's servants, consultants, independent contractors or agents are also Marketing Staff of an Associate that takes part in a Related Business. If so, please describe the situation.]

NT Gas Distribution Pty Limited, which operates as a bundled utility and therefore carries on a Related Business, is an Associate of NT Gas. The Commission has granted a waiver to NT Gas of the obligations of sections 4.1(h) and (i) of the Code in relation to the provision of services by the Marketing Staff of NT Gas to NT Gas Distribution.

[Describe the procedures that NT Gas has in place to ensure that it complies with section 4.1(h) and 4.1(i) of the Code (for example, declarations signed by new staff). Outline how often these procedures are reviewed and assessed.]

Other than the provision of services to NT Gas Distribution pursuant to the above mentioned waiver:

- Marketing Staff of NT Gas are not staff of an Associate involved in a Related Business, and
- No servants, consultants, contractors or agents of NT Gas are Marketing Staff of an Associate involved in a Related Business.