

Our ref: RCM/0589-03

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Mr Paul Kelly
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Dear Mr Kelly

PROPOSED AMENDMENTS TO THE GAS MARKETING CODE OF CONDUCT

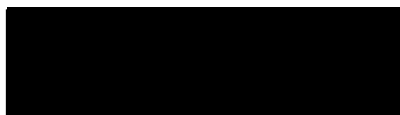
Thank you for the opportunity to comment on the Economic Regulation Authority's (the Authority) proposed amendments to the Gas Marketing Code of Conduct (GMCC).

The Office of Energy (the Office) notes the Authority's decision on the recommendations of the Gas Marketing Code Consultative Committee (GMCCC), in particular the Authority's response to recommendations 5, 7 and 8 in relation to legislation administered by the Minister for Energy through the Office.

The Office generally supports the proposed amendments to the GMCC. However, in relation to recommendation 2, the Office also supports further clarification of where to find customer protection provisions in other legislation, in order to improve transparency both for retailers, distributors and gas marketing agents who must comply with the GMCC and for gas customers. The Office suggests additional detail is added to the Note to clause 1.7, for example:

Note: This Code is not the only compliance obligation in relation to marketing. Other State and Federal laws apply to marketing activities, including but not limited to the ***Australian Consumer Law (WA)***, the *Spam Act 2003*, the *Spam Regulations 2004*, the ***Do Not Call Register Act***, the *Telecommunications Industry Standard 2007* and the *Privacy Act 1988*.

Yours sincerely



PETER HAWKEN
SENIOR MANAGER, REGULATORY FRAMEWORK