



CONSULTATION

2015 Review of the Gas Marketing Code of Conduct

AUTHORITY PROPOSED AMENDMENTS

The Gas Marketing Code Consultative Committee (**GMCCC**) seeks public comment on the amendments proposed by the Economic Regulation Authority (**Authority**) to the *Gas Marketing Code of Conduct* (**Code**).

In February 2015, the GMCCC submitted its Final Review Report on the 2015 statutory review of the Code to the Authority. The Final Review Report included one recommendation in relation to amending the code, which was to insert a compliance clause in order to achieve consistency with the *Code of Conduct for the Supply of Electricity to Small Use Customers*. The Authority accepted the GMCCC's recommendation and accordingly is proposing to insert the below wording as clause 2.7 in the Code and renumber existing clauses 2.7 - 2.9 as 2.8 - 2.10.

2.7 Compliance

(1) A gas marketing agent who contravenes a provision of this Code commits an offence.

Penalty -

- (a) for an individual, \$5 000;
- (b) for a body corporate, \$20 000.

(2) If a gas marketing agent of a retailer contravenes a provision of this Code, the retailer commits an offence.

Penalty –

- (a) for an individual, \$5 000;
- (b) for a body corporate, \$20 000.

(3) It is a defence to a prosecution for a contravention of subclause (2) if the retailer proves that the retailer used reasonable endeavours to ensure that the gas marketing agent complied with this Code.

The *Energy Coordination Act 1994* (**Act**) requires that the Authority consult with the GMCCC prior to amending the Code. The Act also requires that the committee give any interested person an opportunity to comment before providing its advice to the Authority.

As required by the Act, the GMCCC now invites written submissions on the Authority's proposed Code amendments as set out in the Authority's [Draft Decision](#).

Submissions, addressed to Mr Paul Kelly, Chairman GMCCC, are due by **4pm (WST) on Friday, 10 April 2015**.

Postal address: PO Box 8469, PERTH BC WA 6849
Office address: Level 4, Albert Facey House, 469 Wellington Street, PERTH WA 6000
Email address: gmccc@erawa.com.au

For general queries please contact Ms Cathryn Greville, Executive Officer GMCCC, on (08) 6557 7900.

For media queries please contact Mr Paul Kelly, Chairman GMCCC, on (08) 6557 7900.

PAUL KELLY
CHAIRMAN GMCCC

20 March 2015