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8 May 2014

Independent Market Operator
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Dear Kate

2014 MARKET ADVISORY COMMITTEE CONSTITUTION AND APPOINTMENT GUIDELINES

Thank you for the opportunity to comment on the 2014 Market Advisory Committee (MAC) Constitution and Appointment Guidelines.

Synergy has reviewed the MAC Constitution and wishes to make the following comments/suggestions:

Reference	Synergy comment/suggestion
6.8	<p>Synergy acknowledges that there may be times when the IMO may require the flexibility to send late papers to the MAC. However, Synergy considers that papers unable to be sent prior to the deadline outlined in step 7.2(b) of this Constitution should be deferred until a later meeting.</p> <p>The reason for this is the Constitution requires MAC members to be prepared for all meetings, to have read the papers and actively contribute to discussions.</p> <p>In order for MAC members to meet this obligation, Synergy considers that the papers need to be guaranteed to be available a certain period of time before a meeting.</p> <p>It should be noted that there are times when MAC members will need to disseminate papers within their organisation (and maybe discuss issues with stakeholders outside of their organisation), and this level of consultation between stakeholders needs a reasonable period of time to be undertaken to ensure a meaningful consolidated view can be tabled.</p> <p>In addition to these comments, please see Synergy's comment for clause</p>

Reference	Synergy comment/suggestion
	7.2(b) (below).
7.2(b)	<p>Synergy notes that there are times when the IMO presents lengthy, complex and/or contentious papers to its various committees and working groups.</p> <p>In order to generate appropriate and worthwhile discussions Synergy considers that, where possible, more time than the standard five Business Days requirement should be allowed. As such, Synergy requests that the IMO consider adding the following (or something similar) to clause 7.2(b):</p> <p><u>“To promote effective MAC meeting discussions, lengthy or complex papers should be circulated at least eight or more Business Days prior to a meeting”.</u></p> <p>Synergy notes that in recent times the IMO has moved from monthly MAC meetings to bi-monthly MAC meetings, as such, Synergy considers that due to the additional time between meetings an earlier circulation of meeting papers should be achievable.</p>

Synergy has reviewed the MAC Appointment Guidelines and wishes to make the following comments/suggestions:

Reference	Synergy comment/suggestion
5.2 & 7.2	<p>For reappointment of Compulsory Class members:</p> <ul style="list-style-type: none"> • Clause 5.2 states that “details of updates to compulsory class members’ skills, knowledge and experience will be required to be provided to the IMO, <u>where substantive changes have occurred</u>” (emphasis added). • Clause 7.2 (b) states that “...An updated resume must be provided where the individual’s skills, knowledge or experience have changed since the last review”. <p>Synergy understands that this is to allow the IMO to consider the skills and experience of the compulsory class members when making discretionary appointment decisions to ensure that the combined skills and experience of the MAC are well balanced.</p> <p>Synergy considers that clause 7.2(b) should be amended to include “substantive” in order to align with the requirements outlined in clause 5.2.</p> <p>Further, Synergy considers that the “substantive” test should be included in the correspondence to Compulsory Class members when seeking reappointment confirmations. To date the correspondence has merely requested updated CVs from Compulsory Class members due to be reappointed.</p>
6.1 & 6.2	<p>Clauses 6.1 and 6.2 are transitional clauses aimed at setting the rolling membership required as a result the IMO’s substantial review of MAC membership (arising from RC_2009_28: Market Advisory Committee Constitution and Operating Practices). Synergy considers that this section could be rationalised to remove these transitional clauses.</p>

Thank you again for the opportunity to comment. Should you require any additional information please contact me by email at: Jacinda.papps@synergy.net.au or by phone on: (08) 9424 1917.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Jacinda Papps', written in dark ink.

JACINDA PAPPS
SENIOR REGULATORY ANALYST