

## Appendix 1 List of draft recommendations and questions

### General

Draft recommendation 1	Request the PCO to review the drafting of the Code to improve clarity.
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### Part 1 of the Code: Preliminary

Draft recommendation 2		<p>Provide that a retailer, distributor or electricity marketing agent that has to give information on request to a customer:</p> <ul style="list-style-type: none"> <li>• May either give the information to the customer or, if the information is available on its website, refer the customer to its website.</li> <li>• Must give the information, if the customer requests the information is given.</li> </ul>
Draft recommendation 3	6.4(3)(a) 6.4(3)(b) 7.7(4)(b) 9.3(5) 9.4(1)(a)	Delete the words 'or by electronic means' in clauses 6.4(3)(a), 6.4(3)(b), 9.3(5) and 9.4(1)(a) of the Code.
Question 1	1.10	<p>a) Should any of the clauses listed in clause 1.10 be removed from clause 1.10? If so, should any of those clauses instead include the words 'unless otherwise agreed'?</p> <p>b) Should the words 'unless otherwise agreed' be removed from any clauses that currently include those words? If so, should any of those clauses be added to clause 1.10?</p> <p>For a list of relevant clauses, see Appendix 5.</p>

Question 2	1.10	Should the Code be amended to require that, if one or more Code clauses do not apply or apply differently in a customer's non-standard contract, the customer is informed of this before they enter into the contract?
Draft recommendation 4	2(2)(g)(ii) 2.3(2)(h)(ii) 4.5(1)(cc) 6.10(2)(h)(iii) 9.3(2)(m) 10.11(1) 10.11(2)(a)	Replace 'TTY services', in clauses 2.2(2)(g)(ii), 2.3(2)(h)(ii), 4.5(1)(cc), 6.10(2)(h)(iii), 9.3(2)(m), 10.11(1) and 10.11(2)(a) of the Code, with a reference to services that assist customers with a speech or hearing impairment.

## Part 2 of the Code: Marketing

Draft recommendation 5	2.2(2)	Amend clause 2.2(2) of the Code to be consistent with clause 2.2(2) of the Gas Marketing Code.
Draft recommendation 6	2.2(2)(e) 2.3(2)(f)	Amend clauses 2.2(2)(e) and 2.3(2)(f) of the Code to be consistent with clauses 2.2(2)(e) and 2.3(2A)(e) of the Gas Marketing Code, respectively.
Draft recommendation 7	2.2(2)(g) 2.3(2)(h)	Amend clauses 2.2(2)(g) and 2.3(2)(h) of the Code to be consistent with clauses 2.2(2)(g) and 2.3(2A)(g) of the Gas Marketing Code, respectively.
Draft recommendation 8	2.3(1)(a)	Amend clause 2.3(1)(a) of the Code to be consistent with clause 2.3(1)(a) of the Gas Marketing Code.
Draft recommendation 9	2.3(2)	Amend clauses 2.3(2)(b) to (e) and (g) to (j) of the Code to be consistent with clause 2.3(2A) of the Gas Marketing Code.
Draft recommendation 10	2.3(5)	<p>a) Amend clause 2.3(5) of the Code to be consistent with clause 2.3(4) of the Gas Marketing Code.</p> <p><b>Consequential amendment</b></p> <p>b) Amend clause 1.5 of the Code to insert a definition of 'verifiable confirmation', consistent with the definition of verifiable confirmation in the Gas Marketing Code.</p>

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Draft recommendation 11	2.5(2)(a)	Amend clause 2.5(2)(a) of the Code by replacing 'wear' with 'display'.
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### Part 3 of the Code: Connection

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Draft recommendation 12	3.1	Delete clause 3.1(3) of the Code.
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### Part 4 of the Code: Billing

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Draft recommendation 13	4.1	a) Replace clauses 4.1(a) and (b)(i) of the Code with rules 24(1) and (2) of the NERR but replace: <ul style="list-style-type: none"> <li>– 'retailer's usual recurrent period' with 'customer's standard billing cycle' in rule 24(2).</li> <li>– 'explicit informed consent' with 'verifiable consent' in rule 24(2).</li> </ul> b) Retain clause 4.1(b)(ii) of the Code but replace 'metering data' with 'energy data'. <li>c) Retain clause 4.1(b)(iii) of the Code.</li>
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Draft recommendation 14	4.2	a) Replace clauses 4.2(1) and (2) of the Code with rule 34(2) of the NERR: <ul style="list-style-type: none"> <li>– except for subrules (2)(c)(i) to (v); instead insert clauses 4.2(1)(a) to (d) of the Code and amend clause 4.2(1)(a) by inserting 'or disconnection warning' after 'reminder notice'.</li> <li>– but retain the requirement that customers may only be placed on a shortened billing cycle without their verifiable consent after 3 reminder notices (instead of 2).</li> <li>– but clarify that the information in rule 34(2)(c) must have been given before the retailer gives the customer a reminder notice or disconnection warning for the third consecutive bill.</li> </ul> b) Replace clause 4.2(3) of the Code with rule 34(3) of the NERR but remove 'without a further reminder notice' from subrule (c). <li>c) Retain clauses 4.2(4), (5) and (6) of the Code.</li>
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Draft recommendation 15	4.3	a) Delete clause 4.3. <li>b) Insert a new clause that requires retailers to inform customers who have agreed to be billed 'on any other method', in writing of the method they have agreed to. The information must be provided before the arrangement commences.</li>
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Question 3	4.3	<p>The ECCC considers that retailers should have to notify customers with a fixed term contract that their contract is about to end. The ECCC seeks feedback as to whether:</p> <ul style="list-style-type: none"> <li>a) This matter should be addressed in the Code or in the <i>Electricity Industry (Customer Contracts) Regulations 2005</i>.</li> <li>b) If the matter is addressed in the Code, should the new provision follow rule 48 of the NERR?</li> </ul>
Draft recommendation 16	4.5(1)(r)	Amend clause 4.5(1)(r) to be consistent with clause 4.5(1)(p) of the <i>Compendium of Gas Customer Licence Obligations</i> .
Draft recommendation 17	4.5(1)(bb)	Amend clause 4.5(1)(bb) to be consistent with clause 4.5(1)(z) of the <i>Compendium of Gas Customer Licence Obligations</i> .
Draft recommendation 18	4.5	Insert a new subclause, in clause 4.5 of the Code, consistent with clause 4.5(4)(a) of the <i>Compendium of Gas Customer Licence Obligations</i> .
Draft recommendation 19	4.5(1)(cc)	Amend clause 4.5(1)(cc) so the telephone number for TTY services only has to be included on bills for residential customers.
Question 4	4.5	<ul style="list-style-type: none"> <li>a) Is the amount of information that must currently be included on a bill appropriate? Could some of the minimum bill items be removed from clause 4.5, or should additional information be included on the bill?</li> <li>b) Should clause 4.5 be amended to allow retailers to provide (some of) the information in different formats for customers who have agreed to receive their bill electronically.</li> </ul>
Draft recommendation 20	4.6	<ul style="list-style-type: none"> <li>a) Replace clause 4.6(a) of the Code with rule 20(1)(a)(i) of the NERR but: <ul style="list-style-type: none"> <li>– replace ‘metering data’ with ‘energy data’.</li> <li>– replace ‘metering coordinator’ with ‘distributor or metering data agent’.</li> <li>– remove ‘and determined in accordance with the metering rules’.</li> </ul> </li> <li>b) Delete clause 4.6(b) of the Code.</li> <li>c) Replace clause 4.6(c) of the Code with rule 20(3) of the NERR but replace ‘applicable energy laws’ with ‘the metrology procedure, the Metering Code or any other applicable law’.</li> </ul>

		d) Adopt rule 20(1)(a)(iii) of the NERR.
Draft recommendation 21	4.7	Retain clause 4.7 but incorporate in clause 4.6 of the Code.
Draft recommendation 22	4.7	Replace 'metering data' with 'actual value' in clause 4.7 of the Code; and define actual value by reference to the <i>Electricity Industry Metering Code 2012</i> .
Draft recommendation 23	4.7	Clarify that clause 4.7 does not apply if the bill is based on a method agreed between the customer and the retailer.
Draft recommendation 24	4.8(1)	Delete clause 4.8(1) of the Code.
Draft recommendation 25	4.9	Delete clause 4.9 of the Code.
Draft recommendation 26	4.10	Replace the requirement, in clause 4.10 of the Code, for a retailer to use best endeavours with an absolute obligation to replace an estimated bill with a bill based on an actual meter reading.
Draft recommendation 27	4.10(1)	Replace 'an actual reading of the customer's meter', in clause 4.10(1) of the Code, with 'an actual value'.
Draft recommendation 28	4.11	<p>a) Replace clause 4.11(1) of the Code with rule 29(5)(a) of the NERR but:</p> <ul style="list-style-type: none"> <li>– replace 'meter reading or metering data' with 'energy data'.</li> <li>– retain clause 4.11(1)(b) and add the words 'checking the energy data'.</li> <li>– replace 'responsible person or metering coordinator (as applicable)' with 'distributor or metering data agent' in subrule (5)(a)(ii).</li> </ul> <p>b) Amend clause 4.11(2) of the Code to take account of the fact that customers may also request a check of the energy data.</p> <p>c) Incorporate amended clause 4.11 into clause 4.15 of the Code (Review of bill).</p>
Draft recommendation 29	4.12	Replace clause 4.12 of the Code with rules 37(1) and (2) of the NERR but clarify that 'transfer' in subrule (2) refers to a transfer under subrule (1).
Draft recommendation 30	4.13	a) Delete clause 4.13(a) of the Code.

		<ul style="list-style-type: none"> <li>b) Delete the words 'more beneficial' from clause 4.13(b) of the Code.</li> <li>c) Delete reference to a customer's use of electricity at the supply address from clause 4.13 of the Code.</li> </ul>
Draft recommendation 31	4.13	Delete the requirement that notice must be 'written' from clause 4.13 of the Code.
Draft recommendation 32	4.14(1)	Replace clause 4.14(1) of the Code with rule 35(1) of the NERR.
Draft recommendation 33	4.14(3)	Delete the requirement that notice must be 'written' from clause 4.14(3) of the Code.
Draft recommendation 34	4.16	<ul style="list-style-type: none"> <li>a) Adopt rule 29(6)(b)(ii) of the NERR.</li> <li>b) Amalgamate clauses 4.15 and 4.16 of the Code.</li> </ul>
Draft recommendation 35	4.16(1)(a)(iii)	Replace 'any applicable external complaints handling processes', in clause 4.16(1)(a)(iii) of the Code, with 'the electricity ombudsman'.
Draft recommendation 36	4.17	<ul style="list-style-type: none"> <li>a) Delete clause 4.17(1) of the Code.</li> <li>b) Replace clauses 4.17(2) and (4) of the Code with rules 30(1) to (3) of the NERR but: <ul style="list-style-type: none"> <li>– replace '9 months' with '12 months' in rule 30(2)(a) of the NERR.</li> <li>– except for rule 30(2)(b) of the NERR; instead insert clause 4.17(2)(d) of the Code but provide that the clause does not apply if the amount was undercharged as a result of the customer's fault or unlawful act or omission.</li> <li>– except for rule 30(2)(c) of the NERR; instead insert clause 4.17(2)(c) of the Code.</li> <li>– amend rule 30(2)(d) of the NERR to provide that instalment plans only have to be offered to residential customers and must meet the requirements of clause 6.4(2) of the Code.</li> </ul> </li> </ul>
Draft recommendation 37	4.18	<ul style="list-style-type: none"> <li>a) Delete clause 4.18(1) of the Code.</li> <li>b) Replace clause 4.18(2) of the Code with rule 31(1) of the NERR but retain the requirement that retailers must ask customers for instructions as to whether the amount should be credited to the customer's account or repaid to the customer .</li> <li>c) Replace clauses 4.18(3) and (4) of the Code with rule 31(2) of the NERR but retain the timeframes for: <ul style="list-style-type: none"> <li>– retailers refunding the amount in accordance with the customer's instructions.</li> </ul> </li> </ul>

- customers responding to retailer's request for instructions.
- d) Replace clause 4.18(5) of the Code with rule 31(4) of the NERR.
- e) Replace clause 4.18(6) of the Code with rule 31(3) of the NERR but retain the option for retailers to ask customers for instructions if the credit is less than the threshold amount.
- f) Adopt rule 31(5) of the NERR.
- g) Adopt rule 31(6) of the NERR but:
  - retain the threshold amount at \$100.
  - do not adopt the words 'or such other amount as the AER determines under subrule (7)'.
- h) Clarify that clause 4.18 applies from the time a retailer becomes aware of an overcharge or, if the overcharge is the result of an estimation carried out in accordance with the *Electricity Industry Metering Code 2012*, from the time the retailer receives an actual value from the distributor. The actual value must be based on a meter reading undertaken in accordance with clause 5.4(1A)(b) of the Metering Code.

Draft recommendation 38	4.18(7)	Delete the requirement that notice must be 'written' from clause 4.18(7) of the Code.
Draft recommendation 39	4.19	<p>a) Delete clause 4.19 of the Code.</p> <p><b>Consequential amendments</b></p> <p>b) Delete the definition of 'adjustment' in clause 1.5 of the Code.</p> <p>c) Amend the definition of 'overcharging', in clause 1.5 of the Code, to provide that an overcharge is the amount charged that is more than the amount that would have been charged if the bill had been based on an actual value determined in accordance with clause 5.4(1A)(b) of the <i>Electricity Industry Metering Code 2012</i>.</p> <p>d) Amend the definition of 'undercharging', in clause 1.5 of the Code, to provide that an undercharge is the amount charged that is less than the amount that would have been charged if the bill had been based on an actual value determined in accordance with clause 5.4(1A)(b) of the <i>Electricity Industry Metering Code 2012</i>.</p>

## Part 5 of the Code: Payment

Draft recommendation 40	5.1	<p>a) Replace clause 5.1(1) of the Code with rule 26(1) of the NERR but retain the right of customers to agree to a different minimum due date.</p> <p>b) Delete clause 5.1(2) of the Code.</p> <p><b>Consequential amendments</b></p> <p>c) Amend clause 1.5 of the Code to insert a definition of 'bill issue date' consistent with the definition of bill issue date in rule 3 of the NERR.</p> <p>d) Insert a new paragraph, in clause 4.5(1) of the Code, consistent with rule 25(1)(e) of the NERR.</p>
Draft recommendation 41	5.2	<p>Replace clause 5.2 of the Code with rule 32(1) of the NERR but:</p> <ul style="list-style-type: none"> <li>– do not adopt rule 32(1)(e) of the NERR.</li> <li>– retain the requirement that the customer must be able to pay in person at one or more payment outlets within the customer's Local Government District (clause 5.2(a) of the Code).</li> <li>– retain Centrepay as a minimum payment method for all residential customers (clause 5.2(c) of the Code).</li> <li>– retain the ability for retailers and customers to agree otherwise.</li> </ul>
Draft recommendation 42	5.3	Delete clause 5.3 of the Code.
Draft recommendation 43	5.4	<p>a) Amend clause 5.4 of the Code to be consistent with clause 5.4 of the <i>Compendium of Gas Customer Licence Obligations</i>.</p> <p><b>Consequential amendment</b></p> <p>b) Amend clause 1.5 of the Code to insert a definition of 'maximum credit amount' consistent with the definition of maximum credit amount in clause 1.3 of the <i>Compendium of Gas Customer Licence Obligations</i>.</p>
Draft recommendation 44	5.5	Retain clause 5.5 of the Code but:



- remove the words ‘if a residential customer is unable to pay by way of the methods described in clause 5.2, due to illness or absence’.
- replace the requirement to offer redirection of the bill, with a requirement to redirect the bill.
- replace the words ‘third person’ with ‘different address’.

Draft recommendation 45      5.7(4)(c)      Delete clause 5.7(4)(c) of the Code.

## Part 6 of the Code: Payment difficulties and financial hardship

Draft recommendation 46      1.5      a) Amend the definition of ‘financial hardship’, in clause 1.5 of the Code, by replacing ‘more than immediate’ with ‘long term’.

b) Amend the definition of ‘payment difficulties’, in clause 1.5 of the Code, by replacing ‘immediate’ with ‘short term’.

Question 5      Should the Code be amended to require retailers to offer a payment extension and an instalment plan to all residential customers?

Question 6      Should the Code be amended to require retailers to offer bill smoothing to all residential customers as a form of assistance?

Question 7      6.1      Should the Code be amended to require retailers to offer a payment extension and an instalment plan to customers who the retailer otherwise believes are experiencing repeated difficulties in paying their bill or require payment assistance?

Draft recommendation 47      6.1(1)(b)      a) Delete clause 6.1(1)(b) of the Code.

6.2      b) Delete clause 6.2 of the Code.

Draft recommendation 48      6.1(1)      Amend the Code so retailers do not have to make an assessment under clause 6.1(1) if the retailer has previously assessed the customer, unless the customer has indicated that their circumstances have changed since the assessment was made.

Draft recommendation 49		Amend the Code so retailers must advise customers experiencing payment difficulties that the customer may be eligible to receive concessions and how the customer may find out about their eligibility for those concessions.
Draft recommendation 50	6.4(1)	Amend clause 6.4(1) of the Code to clarify that retailers must offer customers additional time to pay their bill and an instalment plan; where the customer may choose with option they prefer.
Draft recommendation 51	6.4(2)(a)	Replace clause 6.4(2)(a) of the Code with a requirement that retailers must ensure that an instalment plan is fair and reasonable and has regard to: <ul style="list-style-type: none"> <li>– the customer’s capacity to pay;</li> <li>– any arrears owing by the customer; and</li> <li>– the customer’s expected electricity consumption needs over the duration of the instalment plan.</li> </ul>
Question 8	6.4(2) 6.4(3)	<p>a) Should retailers continue to be able to amend a customer’s instalment plan without the customer’s consent?</p> <p>or</p> <p>b) Should clauses 6.4(2) and (3) of the Code be amended to clarify that a retailer cannot amend an instalment plan without:</p> <p>(i) consulting the customer?</p> <p>or</p> <p>(ii) obtaining the customer’s consent?</p>
Draft recommendation 52	6.4(3)(a) 6.4(3)(b)	<p>a) Amend clause 6.4(3)(a) of the Code to provide that the information must be provided in writing, unless the information has already been provided in the previous 12 months.</p> <p>b) Delete the requirement that information must be provided ‘in writing or by electronic means’ from clause 6.4(3)(b) of the Code.</p>
Question 9		Should the Code be amended to include one or more of the assistance measures that Victorian retailers must offer to their customers under clauses 77 to 83 of the Victorian <i>Energy Retail Code</i> ?
Question 10	6.7	Should clause 6.7 be amended:

		<ul style="list-style-type: none"> <li>a) by providing that a retailer must give reasonable consideration to offering a (revised) instalment plan if the customer informs a retailer that they cannot meet the conditions of their payment extension or instalment plan?</li> <li>or</li> <li>b) by providing that a retailer must offer a (revised) instalment plan if the customer reasonably demonstrates to a retailer that the customer cannot meet the conditions of their payment extension or instalment plan?</li> <li>or</li> <li>c) consistent with clause 30(4)(b) of the Water Code?</li> </ul>
Draft recommendation 53	6.8(d)	Amend clause 6.8(d) of the Code by deleting reference to meters.
Draft recommendation 54	6.9	Delete clause 6.9 of the Code.
Draft recommendation 55	6.10(2)(j)	Amend clause 6.10(2)(j) of the Code so only hard-copies of the hardship policy have to be made available in large print.
Draft recommendation 56	6.10(6)	Amend clause 6.10(6) of the Code by deleting the words 'within 5 business days after it is completed'.
Draft recommendation 57	6.10(8)	Amend clause 6.10(8) of the Code by deleting the words 'within 5 business days of the amendment'.

## Part 7 of the Code: Disconnection

Draft recommendation 58	7.2(1)(b) 7.2(1)(d)	<ul style="list-style-type: none"> <li>a) Replace clause 7.2(1)(b) of the Code with rule 116(1)(d) of the NERR but do not adopt the words 'is a hardship customer or residential customer and'.</li> <li>b) Replace clause 7.2(1)(d) of the Code with rule 116(1)(e) of the NERR but replace the words 'a rebate, concession or relief available under any government funded energy rebate, concession or relief scheme' with 'a concession'.</li> </ul>
Draft recommendation 59	7.2(1)(c) 7.2(2)	<ul style="list-style-type: none"> <li>a) Replace 'an amount approved and published by the Authority in accordance with subclause (2)' with '\$300' in clause 7.2(1)(c) of the Code.</li> </ul>

		b) Delete clause 7.2(2) of the Code.
Draft recommendation 60	7.4	Adopt rule 113(2) of the NERR but: <ul style="list-style-type: none"> <li>– do not adopt the words ‘in accordance with any requirement under the energy laws or otherwise’.</li> <li>– extend the application of the clause to distributors.</li> </ul>
Draft recommendation 61	7.4(1)(c) 7.4(1)(d) 7.4(1)(e)	Clarify that the protections of clauses 7.4(1)(c) to (e) of the Code must be met before a disconnection warning may be issued.
Draft recommendation 62	7.6	<p><u>Retailers</u></p> <p>a) Adopt rule 116(1)(a) of the NERR.</p> <p><u>Distributors</u></p> <p>b) Adopt rule 120(1)(a) of the NERR.</p> <p>c) Replace clause 7.6(2)(b) of the Code with rule 120(1)(e) of the NERR but retain the ability for distributors to disconnect business customers during the protected period if the business’s trading hours are only during that period and it is not practicable to disconnect at any other time.</p> <p><u>Retailers and distributors</u></p> <p>d) Replace clause 7.6(3) of the Code with rules 116(3), 120(2) and 120(3)(a) and (b) of the NERR.</p> <p><b>Consequential amendment</b></p> <p>e) Amend clause 1.5 of the Code to insert a definition of ‘protected period’, consistent with the definition of protected period in rule 108 of the NERR.</p>
Draft recommendation 63	7.7 7.7(4)(a)	<p>a) Adopt rules 124(1)(b)(iv), (v) and (vi) of the NERR but:</p> <ul style="list-style-type: none"> <li>– specify that the information has to be provided within 5 business days of the retailer registering the customer’s supply address as a life support equipment address, rather than of ‘receipt of advice from the customer’.</li> <li>– amend rule 124(1)(b)(v) so retailers have to recommend customers to prepare a plan of action to deal with an unplanned interruption.</li> </ul>

		<ul style="list-style-type: none"> <li>– specify that the telephone service does not have to be available to mobile phones at the cost of a local call.</li> </ul>
		b) Delete clause 7.7(4)(a) of the Code.
Draft recommendation 64	7.7(1)	Amend clause 7.7(1) of the Code by allowing customers to register a supply address as a life support equipment address before they move in.
Draft recommendation 65	7.7(1) 7.7(2)	Amend clause 7.7(1) and (2) of the Code by providing that the timeframes for acting on information also apply to the registration requirements.
Draft recommendation 66	7.7(3)	a) Amend clause 7.7(3) of the Code by removing the words 'or by a relevant government agency'. b) Delete clause 7.7(3)(b) of the Code.
Draft recommendation 67	7.7(7)(b)	Amend clause 7.7(7)(b) of the Code by specifying that the following information must be included in the written correspondence to the customer: <ul style="list-style-type: none"> <li>– the date by which the customer must provide re-certification or confirm that a person residing at the supply address still requires life support equipment;</li> <li>– that the retailer will deregister the customer's supply address if the customer does not provide the required information or informs the retailer that the person at the supply address no longer requires life support equipment; and</li> <li>– that the customer will no longer receive the protections under the Code when the supply address is deregistered.</li> </ul>
Draft recommendation 68	7.7(7)(a) 7.7(7)(c)	Amend clauses 7.7(7)(a) and (c) of the Code to provide that: <ul style="list-style-type: none"> <li>– if a customer:               <ul style="list-style-type: none"> <li>– informs a retailer that:                   <ul style="list-style-type: none"> <li>o a person who requires life support equipment has vacated the supply address; or</li> <li>o a person who required life support equipment, no longer requires the life support equipment; or</li> </ul> </li> <li>– has failed to provide the information requested by a retailer under clause 7.7(6)(a)(i) or re-certification under clause 7.7(6)(a)(ii), within the time period specified by the retailer,</li> </ul> </li> </ul>

the retailer must:

- remove the customer’s supply address from its life support equipment address register within the timeframes set out in clauses 7.7(7)(a)(iv) and (v); and
- notify the customer’s distributor within the timeframes set out in clause 7.7(7)(c).
- upon notification by the retailer, the distributor must remove the customer’s supply address from its life support equipment address register within the timeframes set out in clauses 7.7(7)(a)(iv) and (v).
- the retailer’s and distributor’s obligations under clauses 7.7(1) to (6), and clause 7.6 (to the extent that it provides a retailer or distributor must not disconnect a life support equipment address), terminate from the time the retailer or distributor has removed the customer’s supply address from their life support equipment address register.

## Part 8 of the Code: Reconnection

Draft recommendation 69	8.1	<p>a) Replace clause 8.1(1) of the Code with rule 121(1) of the NERR but:</p> <ul style="list-style-type: none"> <li>– do not adopt the requirement that a customer must rectify the issue and request reconnection within 10 business days.</li> <li>– retain clause 8.1(1)(e)(ii) of the Code.</li> <li>– do not adopt the words ‘in accordance with any requirements under the energy laws’ and ‘or arrange to re-energise the customer’s premises remotely if permitted under energy laws’.</li> </ul> <p>b) Retain clauses 8.1(2) and (3) of the Code.</p>
Draft recommendation 70	8.2	<p>a) Replace clause 8.2(1) of the Code with rule 122(1) of the NERR except for the words ‘in accordance with the distributor service standards’.</p> <p>b) Adopt rule 122(2) of the NERR except for:</p> <ul style="list-style-type: none"> <li>– the requirement that a customer must rectify the issue and request reconnection within 10 business days.</li> <li>– the words ‘in accordance with the distributor service standards’.</li> </ul> <p>c) Retain clauses 8.2(2) and (3) of the Code.</p>

## Part 9 of the Code: Pre-payment meters

Draft recommendation 71	9.4(1)(a)	Delete clause 9.4(1)(a) from the Code.
Draft recommendation 72	9.6(a)	<p>Amend clause 9.6(a) of the Code to provide that:</p> <ul style="list-style-type: none"> <li>– A retailer must ensure that a pre-payment meter customer has access to emergency credit of \$20 outside normal business hours.</li> <li>– A retailer may only de-energise a pre-payment meter: <ul style="list-style-type: none"> <li>○ during normal business hours, if the customer has no more credit available (regardless of whether the customer still has emergency credit available); or</li> <li>○ at any time, if the customer has no more emergency credit available.</li> </ul> </li> <li>– If a retailer has de-energised a pre-payment meter during normal business hours, a retailer does not have to re-energise the meter after business hours if the customer has not made a payment to the account, even if the customer still has all or some emergency credit available.</li> </ul>
Draft recommendation 73	9.7(a)	Amend clause 9.7(a) of the Code to clarify that retailers must ensure that at least 1 physical recharge facility is located as close as practicable to a pre-payment customer, and in any case no further than 40 kilometres away.

## Part 10 of the Code: Information and communication

Draft recommendation 74	Part 10	Adopt rules 56 and 80 of the NERR to the extent that they explain how information must be provided to customers but do not adopt the words 'but information requested more than once in any 12 month period may be provided subject to a reasonable charge' (in rules 56(4) and 80(4)).
Draft recommendation 75	10.1	<p>a) Adopt rules 46(3), (4)(a), (4A) (except for (4A)(e)), (4B)(a), (c) and (e) of the NERR for customers whose tariffs are not regulated, but:</p> <ul style="list-style-type: none"> <li>– amend rule 46(4A)(f) by deleting the words 'and, if they are being sold electricity, energy consumption data'.</li> </ul>

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		<ul style="list-style-type: none"> <li>– amend rule 46(4B)(a) by deleting the words ‘pursuant to rule 46A and section 39(1)(a) of the Law’.</li> </ul>
		b) Amend clause 10.1(1) of the Code so it only applies to customers whose tariffs are regulated.
Draft recommendation 76	10.1(3)	Delete clause 10.1(3) of the Code.
Draft recommendation 77	10.2(3)	Delete clause 10.2(3) of the Code.
Draft recommendation 78	10.2(4)	Delete clause 10.2(4) of the Code.
Draft recommendation 79	10.3	Retain clause 10.3 of the Code but: <ul style="list-style-type: none"> <li>– incorporate into the new, general information provision.</li> <li>– delete the words ‘to the residential customer’.</li> </ul>
Draft recommendation 80	10.4	Retain clause 10.4 of the Code but: <ul style="list-style-type: none"> <li>– incorporate into a new, general information provision.</li> <li>– insert ‘electrical’ before ‘appliances’ in paragraph (b).</li> </ul>
Draft recommendation 81	10.6	a) Replace clauses 10.6(a), (d), (e) and (f) of the Code with rule 80(1)(g) of the NERR but: <ul style="list-style-type: none"> <li>– incorporate the clauses into the new, general information provision.</li> <li>– amend rule 80(1)(g) by replacing the term ‘customer connection services’ with a description of those services.</li> </ul> b) Adopt rules 80(1)(c), (e) and (f) of the NERR and incorporate the clauses into the new, general information provision.           c) Retain clauses 10.6(g), (h) and (i) of the Code, but incorporate the clauses into the new, general information provision.           d) Retain clauses 10.6(b) and (c) of the Code.
Draft recommendation 82	10.7(3)	Delete clause 10.7(3) of the Code.
Draft recommendation 83	10.7(4)	Delete clause 10.7(4) of the Code.

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Draft recommendation 84	10.8	Retain clause 10.8 of the Code but incorporate into the new, general information provision.
Draft recommendation 85	10.10	Retain clause 10.10 of the Code but incorporate into the new, general information provision.
Draft recommendation 86	10.11(2)	a) Delete clause 10.11(2)(b) of the Code. b) Delete the words 'and the words "Interpreter Services"' from clause 10.11(2)(c) of the Code.

## Part 12 of the Code: Complaints and dispute resolution

Draft recommendation 87	12.1(2) 12.1(3)	a) Insert the words 'including the obligations set out in [clause ...]' in clause 12.1(2)(b)(ii)(B) of the Code. b) Delete clause 12.1(3) of the Code and include a new clause that requires retailers and distributors, when they respond to a complaint, to inform the customer of the information set out in: <ul style="list-style-type: none"> <li>– Section 82(4) of the NERL, other than the words 'as soon as reasonably possible but, in any event, within any time limits applicable under the retailer's or distributor's standard complaints and dispute resolution procedures'.</li> <li>– Section 82(5) of the NERL, other than the words 'may make a complaint or' and 'if the customer is not satisfied with the outcome' and provide instead that the information does not have to be provided if the customer has advised the retailer or distributor that the complaint has been resolved in a manner acceptable to the customer.</li> </ul>
Draft recommendation 88	12.1(2)(c)	Delete clause 12.1(2)(c) of the Code.
Draft recommendation 89	12.1(4)	Move clause 12.1(4) of the Code to a new clause and delete the words 'for the purposes of subclause (2)(b)(iii)'.
Draft recommendation 90		Add the following subclauses to the new, general information provisions: <ul style="list-style-type: none"> <li>– a summary of the customer's rights, entitlements and obligations under the retailer's or distributor's standard complaints and dispute resolution procedure.</li> <li>– the contact details for the electricity ombudsman.</li> </ul>
Draft recommendation 91	12.2	Delete clause 12.2 of the Code.

Draft recommendation 92	12.3	Delete clause 12.3 of the Code.
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## Part 13 – Reporting

Draft recommendation 93	13.1 13.2 13.3	Delete Part 13 of the Code.
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## Family and domestic violence

Draft recommendation 94	Insert a definition of ‘family violence’ in the Code, being the meaning given in section 5A of the <i>Restraining Orders Act 1997</i> .
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Draft recommendation 95	Insert a definition of ‘affected customer’ in the Code, meaning any residential customer, including a former residential customer, who may be affected by family violence.
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Draft recommendation 96	A retailer must not request written evidence of family violence from an affected customer unless the evidence is reasonably necessary to enable the retailer to assess appropriate measures that it may take in relation to debt collection or disconnection.
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Draft recommendation 97	<ul style="list-style-type: none"> <li>a) A retailer must have a family violence policy.</li> <li>b) A retailer must develop its family violence policy in consultation with relevant consumer representatives.</li> </ul>
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Draft recommendation 98	A family violence policy must require a retailer to provide for training of staff about family violence. The training must be developed in consultation with, or delivered by, relevant consumer representatives.
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Draft recommendation 99	<ul style="list-style-type: none"> <li>a) A family violence policy must require a retailer to protect an affected customer’s information, including from a person that is or has been a joint account holder with the affected customer.</li> <li>b) A family violence policy must require the retailer to take reasonable steps to establish a safe method of communication with an affected customer and, if that method is not practicable, offer alternative methods of communication.</li> </ul>
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	<ul style="list-style-type: none"><li>c) A family violence policy must require the retailer to comply with an established safe method of communication, including when other parts of the Code direct how information must be given.</li><li>d) A family violence policy must require the retailer to keep a record of the established safe method of communication that has been agreed with the affected customer.</li></ul>
Draft recommendation 100	A family violence policy must require a retailer to have a process that avoids an affected customer needing to repeatedly disclose or refer to their experience of family violence.
Draft recommendation 101	<ul style="list-style-type: none"><li>a) A family violence policy must require the retailer to consider the potential impact of debt collection on the affected customer and whether another person is responsible for the electricity usage that resulted in the debt.</li><li>b) A family violence policy must require the retailer to consider reducing and/or waiving fees, charges and debt.</li></ul>
Draft recommendation 102	Include a requirement for a retailer to publish its family violence policy under the new, general information provision in the Code
Draft recommendation 103	<ul style="list-style-type: none"><li>a) A retailer must review its family violence policy if directed to do so by the ERA.</li><li>b) The review must be conducted in consultation with relevant consumer representatives.</li><li>c) The retailer must submit the results of its review to the ERA.</li></ul>
Draft recommendation 104	A family violence policy must require the retailer to take into account the circumstances of an affected customer before disconnecting the customer's supply address for failure to pay a bill.
Question 11	<ul style="list-style-type: none"><li>a) Should the Code prohibit disconnection of an affected customer's supply address?</li><li>b) If so, what period should disconnection action be prohibited for?</li></ul>

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