

Appendix 5 Variation from the Code

Table 3: Variation from the Code

Clause		Listed in clause 1.10 ²⁵⁹	Includes the words 'unless otherwise agreed' ²⁶⁰
3.1(2)	Obligation to forward connection application Unless the customer agrees otherwise , a retailer must forward the customer's request for connection to the relevant distributor— (a) that same day, [...]; or (b) the next business day, [...].	No	Yes
4.1 (amended)	Billing cycle (1) A retailer must issue bills to a customer at least once every 100 days. (2) A retailer and a customer may agree to a billing cycle with a regular recurrent period that differs from the customer's standard billing cycle where the retailer obtains the verifiable consent of the customer. (3) Subclause (1) does not apply if a retailer— (i) has not received the required energy data from the distributor for the purposes of preparing the bill, despite using best endeavours to obtain the metering data from the distributor; or (ii) is unable to comply with this timeframe due to the actions of the customer where the customer is supplied under a deemed contract pursuant to regulation 37 of the <i>Electricity Industry (Customer Contracts) Regulations 2005</i> and the bill is the first bill issued to that customer at that supply address.	Yes	'agree' to a different billing cycle (subclause (2))
4.2 (amended)	Shortened billing cycle (1) [To be drafted by the PCO: The clause would provide that a retailer may only place a customer on a shortened billing cycle without the customer's verifiable consent if:] (a) in the case of a residential customer, the customer is not experiencing payment difficulties [or financial hardship]; (b) the retailer has given the customer a [reminder notice or disconnection warning] for [3] consecutive bills; and (c) [To be drafted by the PCO: The clause would provide that, before giving the customer a reminder notice or disconnection warning for the third consecutive bill, the	Yes	No

²⁵⁹ A retailer and customer may agree to contract out of this clause in writing under a non-standard contract.

²⁶⁰ A retailer and customer may agree to contract out of this clause in writing or verbally, under a standard form or a non-standard contract.

	<p>retailer must have given the customer a notice informing the customer that:]</p> <ul style="list-style-type: none"> (i) [To be drafted by PCO: The clause would provide that the notice must inform the customer that receipt of a reminder notice or disconnection warning for a third consecutive bill, may result in the customer being placed on a shortened billing cycle]; (ii) if the customer is a residential customer, assistance is available for residential customers experiencing payment difficulties or financial hardship; (iii) the customer may obtain further information from the retailer on a specified telephone number; and (iv) once on a shortened billing cycle, the customer must pay 3 consecutive bills by the due date to return to the customer's previous billing cycle. <p>(2) The retailer must, within 10 business days of placing the [customer] on a shortened [billing] cycle, give the customer notice that—</p> <ul style="list-style-type: none"> (a) the customer has been placed on a shortened [billing] cycle; and (b) the customer must pay 3 consecutive bills in the customer's billing cycle by the due date in order to be removed from the shortened [billing] cycle; and (c) failure to make a payment may result in arrangements being made for disconnection of the supply of [electricity]. <p>(3) A shortened billing cycle must be at least 10 business days.</p> <p>(4) A retailer must return a customer, who is subject to a shortened billing cycle and has paid 3 consecutive bills by the due date, on request, to the billing cycle that applied to the customer before the shortened billing cycle commenced.</p> <p>(5) A retailer must inform a customer, who is subject to a shortened billing cycle, at least once every 3 months that, if the customer pays 3 consecutive bills by the due date of each bill, the customer will be returned, on request, to the billing cycle that applied to the customer before the shortened billing cycle commenced.</p>		
4.5(1)	<p>Particulars on each bill</p> <p>(1) Unless a customer agrees otherwise, a retailer must include at least the following information on the customer's bill— [...]</p>	No	Yes
4.6 (amended)	<p>Basis of bill</p> <p>(1) A retailer may base a customer's bill on—</p> <ul style="list-style-type: none"> (a) energy data provided for the relevant meter at the customer's supply address provided by the distributor or metering data agent; or (b) any other method agreed by the retailer and the customer. 	No	'any other method agreed' (subclause (1)(b))
5.1 (amended)	<p>Due dates for payment</p> <p>The due date for a bill must not be earlier than 13 business days from the bill issue date unless otherwise agreed with a customer.</p>	Yes	Yes
5.2	Minimum payment methods	Yes	Yes

<i>(amended)</i>	Unless otherwise agreed with a customer , a retailer must accept payment for a bill by a customer in any of the following ways— [...]		
5.4	Payment in advance (1) A retailer must accept payment in advance from a customer on request. (2) Acceptance of an advance payment by a retailer will not require the retailer to credit any interest to the amounts paid in advance. (3) Subject to clause 6.9, for the purposes of subclause (1), \$20 is the minimum amount for which a retailer will accept advance payments unless otherwise agreed with a customer .	Yes	Yes
5.7	Vacating a supply address (1) Subject to— (a) subclauses (2) and (4); (b) a customer giving a retailer notice; and (c) the customer vacating the supply address at the time specified in the notice, the retailer must not require the customer to pay for electricity consumed at the customer's supply address from— (d) the date the customer vacated the supply address, if the customer gave at least 5 days' notice; or (e) 5 days after the customer gave notice, in any other case, unless the retailer and the customer have agreed to an alternative date.	Yes	Yes
6.4(3)(b)	Alternative payment arrangements (3) If a residential customer accepts an instalment plan offered by a retailer, the retailer must— (a) within 5 business days of the residential customer accepting the instalment plan provide the residential customer with information in writing or by electronic means that specifies— (i) the terms of the instalment plan (including the number and amount of payments, the duration of payments and how the payments are calculated); (ii) the consequences of not adhering to the instalment plan; and (iii) the importance of contacting the retailer for further assistance if the residential customer cannot meet or continue to meet the instalment plan terms, and (b) notify the residential customer in writing or by electronic means of any amendments to the instalment plan at least 5 business days before they come into effect (unless otherwise agreed with the residential customer) and provide the residential customer with information in writing or by electronic means that clearly explains and assists the residential customer to understand those changes.	No	Yes
8.1 <i>(amended)</i>	Reconnection by retailer (1) Where a retailer has arranged for the disconnection of a customer's supply address and the customer has— (a) if relevant, rectified the matter that led to the disconnection or made arrangements to the satisfaction of the retailer; (b) made a request for reconnection; and	Yes	No

	<p>(c) either—</p> <ul style="list-style-type: none"> (i) paid any charge for reconnection; or (ii) accepted an offer of an instalment plan for the retailer's reasonable charges for reconnection, if any; <p>the retailer must initiate a request to the distributor for reconnection of the supply address.</p>		
9.7	<p>Recharge facilities</p> <p>Unless otherwise agreed with the customer, a retailer must ensure that—</p> <ul style="list-style-type: none"> (a) at least 1 recharge facility is located as close as practicable to a pre-payment meter, and in any case no further than 40 kilometres away; (b) a pre-payment meter customer can access a recharge facility at least 3 hours per day, 5 days per week; (c) it uses best endeavours to ensure that the pre-payment meter customer can access a recharge facility for periods greater than required under subclause (b); and (d) the minimum amount to be credited by a recharge facility does not exceed \$20 per increment. 	No	Yes
14.7(1)(c)	<p>Method of payment</p> <ul style="list-style-type: none"> (1) A retailer who is required to make a payment under clauses 14.1, 14.2 or 14.3 must do so— <ul style="list-style-type: none"> (a) by deducting the amount of the payment from the amount due under the customer's next bill; (b) by paying the amount directly to the customer; or (c) as otherwise agreed between the retailer and the customer. 	No	Yes
14.7(2)(c)	<p>Method of payment</p> <ul style="list-style-type: none"> (2) A distributor who is required to make a payment under clauses 14.4 or 14.5 must do so— <ul style="list-style-type: none"> (a) by paying the amount to the customer's retailer who will pass the amount on to the customer in accordance with subclause (1); (b) by paying the amount directly to the customer; or (c) as otherwise agreed between the distributor and the customer. 	No	Yes