



Electricity Code Consultative Committee

Constitution

1. Preamble

The Electricity Code Consultative Committee (ECCC) is established by the Economic Regulation Authority (ERA) under section 81 of the *Electricity Industry Act 2004*.

2. Purpose of the ECCC

The ECCC is established for the purpose of:

- a. Advising the ERA on matters relating to the *Code of Conduct for the Supply of Electricity to Small Use Customers*.
- b. Undertaking a review of the Code at least once every two years.
- c. Advising the ERA on any proposed amendment to, or replacement of, the Code.

3. Appointment of members

Membership of the ECCC shall comprise of:

- a. a Chair from the ERA with no voting right
- b. four members* from consumer representative organisations
- c. four members* from industry or industry representative organisations
- d. two members from government agencies
- e. an executive officer from the ERA with no voting right.

The ERA may discharge, alter or reconstitute the ECCC at its discretion as provided for under section 81(2)(b) of the Act.

* The ERA shall appoint these members following a public call for expressions of interest. If the ERA does not receive enough nominations to fill the positions on the ECCC, the ERA shall contact one or more of these organisations to seek nominations.

4. Membership

Membership terms are two years or, in the case of an appointment to fill a casual vacancy, until the expiry of the retiring member's term.

All voting rights shall be equal.

5. Payments to members

The ERA may pay a member from a non-government consumer representative organisation a remuneration or allowance, the rate of which will be determined by the Public Sector Commissioner. The authority for the ERA to pay a committee member is derived from section 81(3) of the Act. Any payments made will be paid directly to the individual member.

Procedures

1. Committee governance

The ECCC may adopt its own procedures, consistent with the requirements of the Act for carrying out a review of the Code, and for the provision of advice to the ERA.

The ERA may impose conditions regarding members' use of information it releases to members.

Members shall take all reasonable measures to protect from unauthorised use or disclosure information provided to them by the ERA and indicated by the ERA to be "confidential". This confidentiality clause shall survive the expiration or termination of members' appointments.

Members who believe that any of their external activities would conflict with their position on the ECCC must declare their interest to the Chair as soon as practicable after becoming aware of the potential conflict, and in any event within 14 days of becoming aware.

Members shall notify the Chair of any change in their circumstances that limits their ability to satisfy these duties.

2. Meeting procedures

The Chair shall endeavour to achieve consensus of the members present at a meeting.

If consensus is not possible, decisions shall be by a majority vote.

Members not present may vote out of session subject to the discretion of the Chair.

Members unable to attend in person may attend by teleconference, videoconference or may send a proxy subject to the discretion and prior approval of the Chair.

Decisions may be made by email communication at the discretion of the Chair.

3. Support from the ERA

The ERA shall provide reasonable support services necessary for the ECCC to carry out its functions.

4. Consultation

The ECCC shall give any interested person an opportunity to offer comment relevant to a review of the Code, or to any proposed amendment or replacement of the Code.

The ECCC shall take into account any comments it receives.

5. Code consistency

The ECCC shall:

- a. Endeavour to promote consistency across the Code and the Gas Marketing Code of Conduct in Western Australia.
- b. Keep itself informed of the trends in code development in the energy sector in other States and promote code consistency at a national level where appropriate.
- c. Promote code consistency according to principles of best practice in consumer protection.