



Gas Marketing Code Consultative Committee

Constitution

1. Preamble

The Gas Marketing Code Consultative Committee (GMCCC) is established by the Economic Regulation Authority (ERA) under section 11ZPO of the *Energy Coordination Act 1994*.

2. Purpose of the GMCCC

The GMCCC is established for the purpose of:

- a. advising the ERA on matters relating to the *Gas Marketing Code of Conduct*.
- 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 GMCCC shall comprise of:

- a. a Chair from the ERA with no voting right
- b. three members* from consumer representative organisations
- c. three 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 GMCCC at its discretion as provided for under section 11ZPO(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 GMCCC, 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 11ZPO(3) of the Act. Any payments made will be paid directly to the individual member.

Procedures

1. Committee governance

The GMCCC 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 GMCCC 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 GMCCC to carry out its functions.

4. Consultation

The GMCCC 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 GMCCC shall take into account any comments it receives.

5. Code consistency

The GMCCC shall:

- a. Endeavour to promote consistency across the Code and *Code of Conduct for the Supply of Electricity to Small Use Customers* 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.