



Perdaman Energy – ERL 31 – Post Audit Implementation Plan

Recommendation reference	Non-compliance / controls improvement	Auditor's recommendation	Action proposed to be taken by the licensee	Responsible person(s)	Target completion date
01/2024	85 B / 2 Electricity Industry (Customer Contracts) Regulations, Reg 11 A non-standard contract must describe the circumstances under which a retailer has the right to disconnect supply and is required to reconnect supply. Perdaman Energy's Commercial Terms comply with Regulation 11(a) by describing the retailer's right to disconnect supply. However, Regulation 11(b) requires retailers to detail when reconnection must occur, including timeframes, conditions, and applicable fees. The current terms only state that Perdaman Energy will "endeavour to ensure" reconnection, which lacks specificity.	01/2024-1 Review and amend the Commercial Terms to clearly describe the circumstances under which the retailer must reconnect supply after disconnection	We will elaborate on wording in the Commercial Terms to reflect <i>Part 8 – Reconnection</i> in the Code of Conduct for the Supply of Electricity to Small Use Customers 2022 (The Code).	Shannon Hewitt, General Manager	18 Apr 2025
		01/2024-2 Define clear reconnection conditions, including eligibility criteria for reconnection.			
		01/2024-3 Specify timeframes for reconnection after a customer meets the reconnection conditions.			
		01/2024-4 Outline the reconnection process, including customer actions, retailer responsibilities, and any fees associated with reconnection.			
		01/2024-5 Incorporate dispute resolution procedures related to disconnection and reconnection.			

02/2024	87 Electricity Industry (Customer Contracts) Regulations, Reg 13 A non-standard contract must describe the prices payable and the circumstances in which the prices are payable, plus the way the retailer publishes and gives notice of variations to its prices information. Perdaman Energy's non-standard form contract complied with Regulation 13(1) by describing the prices payable and the circumstances in which they were payable. However, it did not comply with Regulation 13(2)(a) and (b), as it did not explicitly state how prices are published or how customers are notified of price variations	02/2024-1 Specify how the retailer publishes its prices (e.g., website, public notices, regulatory filings).	We will update the Commercial Terms to specify that we will notify the customer directly, and the way we do this, if there is a price variation.	Shannon Hewitt, General Manager	18 Apr 2025
		02/2024-2 Specify how the retailer gives notice of price variations (e.g., direct customer notification, email, website updates (if appropriate)).			
		02/2024-3 Strengthen internal audit processes to ensure pricing compliance is actively monitored.	We will: - create a process document (<i>Price Variation Notification Process</i>) to outline the process we must take if there is a price variation - update our invoicing and CRM software to flag if a price has changed or a new charge is added relative to the previous invoice or the contract, directing the user to the process document, and forcing them to accept that they have complied with the requirements.	Shannon Hewitt, General Manager	18 Apr 2025 30 Apr 2025
03/2024	89 B 2 Electricity Industry (Customer Contracts) Regulations, Reg 15 A non-standard contract must describe the matters relating to the	03/2024-1 Amend the contract to include a clause allowing termination if the customer consumes more than 160 MWh/year.	We will update the Commercial Terms to explicitly state these points.	Shannon Hewitt, General Manager	18 Apr 2025
		03/2024-2 Update the contract to explicitly state that the retailer or distributor may remove network equipment after contract termination.			

	<p>termination of the contract that are specified in the regulation.</p> <p>Perdaman Energy's Commercial Terms addressed most termination-related matters as required under Regulation 15. However, compliance gaps were identified in the following areas:</p> <ul style="list-style-type: none"> ○ Regulation 15(2)(ca) – The contract did not include provisions allowing termination if the customer consumes more than 160 MWh/year. ○ Regulation 15(3)(d) & (e) – The contract did not specify that the retailer or distributor may remove network equipment after termination, nor that the customer must provide safe and unrestricted access to facilitate this process. 	03/2024-3 Amend the contract to require the customer to allow unrestricted access to remove network equipment.			
04/2024	<p>90</p> <p>B 2</p> <p><i>Electricity Industry (Customer Contracts) Regulations, Reg 16(1A), 16(2) and 34</i></p> <p>A non-standard contract must inform the customer that the provisions of the contract may be amended without the customer's consent where the</p>	<p>04/2024-1 Amend the non-standard contract to state that provisions may be amended without customer consent if required to align with a written law.</p> <p>04/2024-2 Define the process for amending the contract, including: (a) Approval requirements, (b) How amendments will be published.</p>	<p>We will update the Commercial Terms to specify:</p> <ul style="list-style-type: none"> - that the provisions of the contract may be amended without the customer's consent to the extent that the amendment is required for the contract to remain consistent with a written law. 	Shannon Hewitt, General Manager	18 Apr 2025

	amendment is required for the contract to remain consistent with a written law. A non-standard contract must describe the process for amending the contract, including requirements for approval and the way in which the amendment will be published.	04/2024-3 Require the retailer to notify customers of any contract amendments	- our process for amending the contract, including any requirement for approval of a proposed amendment by a particular person or body; and the way in which we will notify them of the amendment.		
	The non-standard contract must require the retailer to notify the customer of any amendment to the contract.	04/2024-4 Implement Regulatory Compliance Monitoring to track legal changes and apply them to contracts.	We will create a template process document, outlining how we manage changes to regulations, which we will use and update each time an amendment or new regulation is issued, stating:	Shannon Hewitt, General Manager	16 May 2025
	The Licensee confirmed that for the duration of the audit period the SFC was compliant with regulation 16.	04/2024-5 Establish Contract Amendment Controls to ensure proper governance of updates and customer notifications.	- the changes that have been made - actionable outcomes - list of impacted customers and how and when we must notify them - delegated responsibilities - staff training requirements - Independent Compliance Oversight relevance		
	Perdaman Energy did not update its Non-Standard Electricity Contract (NSEC) for small-use customers to comply with Regulations 16(1A) and 34 between 1/1/2023 and 31/3/2024. The NSEC did not include provisions allowing amendments without customer consent when required by law, nor did it outline the amendment process or notification requirements.	04/2024-6 Conduct Training & Accountability programs to ensure staff understand amendment and notification requirements.	to ensure the requirements are filled within the required timeframe. (Regulatory Changes Document)		

		04/2024-7 Introduce Independent Compliance Oversight (e.g., 2nd party/3rd party audits) to verify contract compliance.	We will capture this in the Regulatory Changes Document process and log reasons if we decide not to engage a third party in that instance.	Shannon Hewitt, General Manager	At the next update to relevant legislation, or any new legislation
05/2024	93 B 2 Electricity Industry (Customer Contracts) Regulations, Reg 19 A non-standard contract must specify the process that must be taken by the retailer to ensure information held by the retailer is treated confidentially. The customer contract must specify that the retailer has a privacy policy, and the customer can obtain a copy of the policy without charge.	05/2024-1 Update the Commercial Terms and the Small Use Customer Pack to reflect the requirements of the privacy policy and how the customer can obtain it.	We will update the Commercial Terms and the Small Use Customer Pack to specify these points.	Shannon Hewitt, General Manager	18 Apr 2025
		05/2024-2 Include a clause in the contract specifying that the retailer has a Privacy Policy.			
		05/2024-3 Explicitly state in the contract that customers can obtain a copy of the Privacy Policy free of charge.			
06/2024	98A B 2	06/2024-1 Notify customers of all amendments (not just price adjustments)	We will update the renewal process description in the	Shannon Hewitt, General Manager	18 Apr 2025

	Electricity Industry (Customer Contracts) Regulations, Reg 34A A non-standard fixed term contract must detail the contract expiry date, customer options available for supply following expiry, the terms and conditions that apply after expiry and the way the retailer will provide the notification in the manner specified.	06/2024-2 Include all post-expiry details in renewal notices a) The expiry date. b) Post-expiry supply options. c) The terms and conditions that will apply post-expiry. d) The notification method used by the retailer.	Commercial Terms to include the auditor's recommendations.		
		06/2024-3 Ensure expiry notifications are sent 40 to 20 business days before expiry	Updates to our CRM have been made which notify us 40 business days before a contract expiry, and continue to notify us until we confirm the notification has been sent.	Shannon Hewitt, General Manager	Completed on 17 Oct 2024
		06/2024-4 Track regulatory changes & update contracts accordingly	We will track changes and record how and when contracts are updated, and how we notify the customer in the aforementioned Regulatory Changes Document.	Shannon Hewitt, General Manager	18 Apr 2025
		06/2024-5 Improve compliance reporting for breaches	Updates to the PE Audit Registrar have been made which improve how reports are made.	Shannon Hewitt, General Manager	Completed on 17 Oct 2024
08/2024		08/2024-1 Implement a Formal Process for Tracking Legislative Changes	We have made changes to our Audit Registrar and CRM systems which alerts us of	Shannon Hewitt, General Manager	Completed on 17 Oct 2024

	124 B 2 Retail Licence, condition 4.4.1 A licensee must provide the ERA, in the manner prescribed, with any information that the ERA requires in	08/2024-2 Strengthen Compliance Monitoring & Internal Controls <ul style="list-style-type: none">- Internal audit- Automation of compliance alerts Pre-submission reviews	upcoming reporting and payment dates, and will continue to alert us until we confirm the obligation has been completed. When confirming completion of the task, a log will be recorded		
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	<p>connection with its functions under the Electricity Industry Act.</p> <p>Perdaman Energy generally complied with its reporting and licence payment obligations; however, three instances of late submissions were identified during the audit period, including:</p> <ul style="list-style-type: none"> • One late licence fee payment (7 days overdue, refer obligation 105) • One standing data charge submitted past the due date in 2023 • The 2023 Annual Compliance Report was submitted late <p>Additionally, accuracy issues in reporting persisted, with several type 2 reportable obligations omitted from the 2023 Annual Compliance Report. Given the significant legislative changes during the audit period, it is the auditor's opinion that while Perdaman Energy has a corporate outlook calendar in place for compliance tracking, internal controls need further strengthening to ensure timely and accurate reporting.</p>	<p>08/2024-3 Review the 2024 Annual Compliance Report and include the omitted non-compliances in the 2025 Annual Compliance Report</p>	<p>showing relevant information and storage locations.</p>		
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09/2024	133 B 2 2022 Code of Conduct, CI 10(2) A retailer or electricity marketing agent must ensure that the information specified in subclause 10(2) is provided to the customer before entering into a non-standard contract. Perdaman Energy provided general information on electricity use and contract terms within the Small-Use Customer Pack and confirmed receipt of required documents via email. However, for the period 20/02/2023 to 31/03/2024, Perdaman Energy did not explicitly provide customers with a summary of the differences between a Standard Form Contract and a Non-Standard Contract, as required under Clause 10(2)(a)(ii).	09/2024-1 Update the Small-Use Customer Pack to include a clear summary of the differences between Standard and Non-Standard contracts.	We will update the wording used in the Small-Use Customer Pack to be more specific in the explanation of the differences between the standard and non-standard contracts.	Shannon Hewitt, General Manager	18 Apr 2025
10/2024	271D B 2 2022 Code of Conduct, CI 68(1)	10/2024-1 Establish effective internal audit process to ensure ongoing compliance	We will update processes to ensure the accuracy and relevance of our internal audit process, with improved accountability.	Shannon Hewitt, General Manager	18 Apr 2025

	<p>The retailer must publish on its website the information detailed in subclause 68(1).</p> <p>Perdaman Energy did not fully meet the publication requirements under Clause 68(1) during the audit period, as the retailer failed to publish information about its complaints and dispute resolution procedures and the contact details for the electricity industry ombudsman on its website.</p>	10/2024-2 Report the non-compliance in the 2025 Annual Compliance report	This has been updated in our Audit Registrar, and will be stated on the 2025 Annual Compliance report.	Shannon Hewitt, General Manager	Completed on 2 Sep 2024
11/2024	<p>280</p> <p>B 2</p> <p>2022 Code of Conduct, CI 73</p> <p>At least once a year, a retailer must provide a customer with written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 or under any other written law, including the amount of the payment and the eligibility criteria for the payment.</p>	<p>11/2024-1 Implement a process to ensure annual written notification is provided to customers regarding service standard payments, including the amount of the payment and eligibility criteria.</p> <p>It was noted that although outside the audit period, the Licensee has captured this action in their Audit Register, to ensure notification will be sent to customers with their Welcome Pack and renewal offer and will also be included in their July invoice each year, aligning with other key notices (e.g., CPI increase, Western Power tariff updates)</p>	<p>Service Standard Payment notifications will be sent to customers in June each year to align with other key notices.</p> <p>Updates to our CRM system have been implemented which alert us and log the completion of the event.</p>	Shannon Hewitt, General Manager	Completed on 5 Sep 2024

	<p>Perdaman Energy did not meet the requirement to provide customers with written details of its obligations to make service standard payments under Part 14 of the Code during the audit period. No formal process was in place to ensure annual notifications were issued.</p> <p>It was noted, there was no requirement make service standard payments during the audit period.</p>	11/2024-2 Ensure the non-compliance is reported in the 2025 Annual Compliance Report	This has been updated in our Audit Registrar, and will be stated on the 2025 Annual Compliance report.	Shannon Hewitt, General Manager	Completed on 2 Sep 2024
12/2024	<p>299 B 2 2022 Code of Conduct, CI 87(2) - The standard complaints and dispute resolution procedure under subclause 87(1) must comply with the requirements specified in subclauses 87(2)(a), (b), (c) and (d).</p> <p>Perdaman Energy's complaints handling process complied with AS ISO 10002-2014 and addressed most requirements under Clause 87(2). However, gaps were identified in specific compliance obligations, including provision of required information, response times, and methods of response. During the audit period there were no SUC or LUC complaints made.</p>	12/2024-1 Review the complaints process to ensure the information that will be provided to a customer, including in accordance with the requirements under clause 89.	We will update our complaints and dispute resolution procedure and upload the document to our website and notify our customers accordingly.	Shannon Hewitt, General Manager	16 May 2025
		12/2024-2 Review the complaints process to ensure response times for complaints are addressed.			
		12/2024-3 Review the complaints process to ensure the method of response is addressed.			
		12/2024-5 Ensure the non-compliance is reported in the 2025 Annual Compliance Report	This has been updated in our Audit Registrar, and will be stated on the 2025 Annual Compliance report.	Shannon Hewitt, General Manager	Completed on 2 Sep 2024