



GAS MARKETING CODE CONSULTATIVE COMMITTEE

NOTICE

New Gas Marketing Code of Conduct

OPPORTUNITY FOR INTERESTED PARTIES TO COMMENT

Under section 11ZPM of the *Energy Coordination Act 1994* (Gas Act) the Economic Regulation Authority (Authority) has the power to, in consultation with the Gas Marketing Code Consultative Committee (GMCCC), approve a Code to regulate and control the conduct of the holders of trading licences and gas marketing agents with the object of protecting customers from undesirable marketing conduct and defining standards of conduct in marketing of gas to customers. This Code is known as the Gas Marketing Code of Conduct (GMCC).

In November 2007 the Authority repealed the GMCC and replaced it with the Gas Marketing Standard as a licence condition in the Gas Trading Licence issued by the Authority. The Authority determined this course of action after receiving the Code review report from the GMCCC. Further information regarding the review of the GMCC is available on the Authority's [web site](#).

As a result of the review of the GMCC and the Authority's review of Gas Licences, the Authority agreed to propose the development of a Gas Customer Code, which would contain similar provisions to the *Code of Conduct for the Supply of Electricity to Small Use Customers* and ensure consistent standards across the energy sector in issues such as billing, payment, financial hardship, disconnection and reconnection. This Code will replace the Australian Gas Association Customer Code and other customer protection provisions within the gas licence. The Authority has issued a draft Gas Customer Code for public consultation and is currently considering the submissions received. A copy of the draft Gas Customer Code is available on the Authority's [web site](#).

The Authority intends to promulgate the Gas Customer Code as a licence condition under section 11M(1) of the Gas Act. However, given the Authority's power to make a Code regarding marketing exists under section 11ZPM, and to ensure legal certainty, the Authority proposes that Part 2 of the Gas Customer Code (the marketing provisions) be promulgated under section 11ZPM.

Section 11ZPU of the Gas Act requires that the Authority seek advice regarding amendment or replacement of the Code (the GMCC) from the Committee (the GMCCC).

Section 11ZPU(2) of the Gas Act requires that the GMCCC provide interested parties an opportunity to offer comment. The GMCCC has determined interested parties to be all gas trading licensees, all members (including observers) of the ERA Consumer Consultative Committee (ERACCC) and the Office of Energy.

The GMCCC seeks comments from interested parties regarding the proposed new Gas Marketing Code a copy of which can be obtained from the Authority's [web site](#). The proposed Code is Part 2 of the draft Gas Customer Code (with some minor amendments as a result of public consultation), issued by the Authority for public consultation in May 2009. Given the independence of the GMCCC from the Authority, comments previously submitted to the Authority regarding the marketing provisions contained within the draft Gas Customer Code will not automatically be provided to the GMCCC, therefore interested parties are encouraged to make new submissions directly to the GMCCC.

Submissions should be sent to:

Mr Paul Kelly
GMCCC Chairman
c/o Level 6, 197 St Georges Terrace, PERTH WA 6000
gmccc@era.wa.gov.au

By no later than 5pm on Monday 20 October 2008.

For further information contact:

General Enquiries

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PAUL KELLY
CHAIRMAN

12 September 2008