

Frequently asked questions

ERA changes to the gas marketing code of conduct – May 2025

Consumer FAQs

What is “comparative marketing”?

Comparative marketing is when a business promotes a product or service by comparing it to something being offered by a competitor. The ERA gas marketing code changes are about marketing comparisons between electricity and gas, and between electric and gas appliances.

When do comparative marketing changes come into force?

1 January 2026

Why are you regulating this type of marketing?

Newer electric appliances like heat pump hot water systems and reverse cycle air conditioners convert electricity to heat more efficiently than older electric appliances. Simple marketing claims comparing electricity and gas often do not reflect how these technologies have changed over time. Our amendments seek to make sure claims have enough context for customers.

What will these changes do?

These changes mean electricity and gas marketing comparisons must be accurate. Any claims must relate to everyday activities customers are familiar with, like cooking, space heating, and hot water.

Retailers will not be allowed to make marketing statements that compare new gas appliances with older electric ones. Depending on the type of claim, retailers will need to include information about induction cooktops, reverse cycle air conditioning, or electric heat pump hot water systems.

What if the claim is about environmental sustainability or greenhouse gas emissions?

The claims need to be put in context. Marketing material comparing gas and electricity in the context of environmental sustainability or greenhouse gas emissions must relate to how customers use energy every day for cooking, space heating, or hot water.

Retailer emissions claims need to reflect different customer appliance efficiencies and must be substantiated with real emissions data published by the Australian Government.

Do these changes only apply to online or social media marketing?

No. The changes apply to marketing through any channel.

What if I see a claim that does not follow the requirements?

From 1 January 2026, customers who believe a marketing claim does not follow the requirements should make a complaint to their retailer about the claim.

If you are not satisfied with the retailer’s response, you can refer the complaint to the [WA Energy and Water Ombudsman](#).

Why are the changes not happening straight away?

Comparative marketing regulation is part of a broader set of changes. One of these changes is for gas retailers to make “basic plan information documents” available so that customers can compare different plans more easily. It will take time for retailers to develop the documents.

What are “basic plan information documents”?

“Basic plan information documents” – or BPIDs for short – are simple fact sheets that contain the main information about different gas plans.

What is the point of a “basic plan information document” or BPID?

Their purpose is to make it easier for customers to compare different gas plans, either from their current retailer or with a different retailer.

What sort of information do BPIDs include?

BPIDs include things like who is eligible for a plan, how much gas will cost, how long a contract or discount period will last, and if there are any other fees retailers can charge under the plan.

Is a BPID the same as a plan contract?

No. Plan contracts are much longer than BPIDs and contain full terms and conditions for each plan.

BPIDs are not legal contracts and only summarise the most important information about plans so that customers can compare plans more easily.

Are BPIDs a new concept?

No. Simple plan fact sheets like BPIDs are relatively common in different industries throughout Australia. Sometimes they will have a different name, like Product Disclosure Statement (PDS) for loans and insurance, or a Critical Information Summary (CIS) for phone and internet plans. Gas and electricity providers in Australia’s eastern states already provide BPIDs to customers for different plans.

Why will BPIDs only be available for gas plans?

Unlike electricity, gas customers in Western Australia can choose plans from different retailers. This is called a “contestable market”. Because plans vary between retailers, it is important that customers can easily see the differences to know which plan is best for them.

Will BPIDs be available for all gas plans?

No. Gas retailers only need to make BPIDs available for plans that they offer to most residential customers.

BPIDs are intended to help customers compare generally available plans that retailers offer to most or all customers.

Why aren’t BPIDs available for business gas plans?

BPIDs are intended to create a “like for like” comparison. Most business customers have gas plans that are specific to their business needs – they are not generally available to all customers. Businesses and gas retailers often negotiate the details of these plans, which results in unique contracts for each customer.

Can I use BPIDs to compare bottled gas prices?

No. The changes only cover gas supplied by retailers through a piped distribution system, like the ones operated by ATCO Gas and Supagas. The Economic Regulation Authority does not regulate supply of bottled gas.

Retailer FAQs

How will the ERA enforce comparative marketing changes?

We will update our [Gas Compliance Reporting Manual](#) to reflect the changes. The ERA will monitor compliance with the new code obligations through your performance audits, including the auditor checking your claims are substantiated, but we will take a commonsense approach to your first audit after the code changes.

If you have not included substantiating information in the comparative marketing claim, you should retain the information so that it can be audited.

When do retailers need to start providing BPIDs for their generally available gas plans?

From 1 January 2026.

We are planning to start offering a new generally available plan to customers. How long do we have before making the BPID available for the new plan?

Before 1 January 2026: Not required.

From 1 January 2026: Five business days.

We are about to make changes to an existing plan. How much time do we have to update the BPID?

Five business days. If retailers change a plan and it has no effect on any of the information already in the BPID, retailers do not need to do anything to the BPID.

What happens if we do not publish a BPID for the plan within five business days?

Retailers who do not make BPIDs available within five business days will contravene their gas trading licence.

Do I need to use one of the templates on your website when preparing BPIDs?

No. The templates are provided to demonstrate different options and layouts retailers can use for BPIDs, but retailers can use any process or template to generate BPIDs.

Why is the ERA requiring gas retailers to publish BPIDs for most gas plans?

The State Government regulates maximum prices for retail gas, but other fees and charges are unregulated and can make up a significant proportion of annual plan costs for customers. BPIDs are intended to make it easier for customers to compare important plan information, so that customers can work out which plan is best for them.

Can I prepare BPIDs and publish them earlier than 1 January 2026?

Yes. However, from 1 January 2026, all BPIDs must comply with requirements set out in Division 3A of the Gas Marketing Code. We encourage retailers that publish BPIDs before then to transition to the format set out in the Code, so that plan documents are as consistent as possible for customers.

I am a retailer that offers dual fuel plans to contestable electricity customers. Do I need to make BPIDs available for these plans?

No. Dual fuel plans that supply electricity to contestable customers are not generally available plans captured by new requirements in the Gas Marketing Code.

We are a retailer that already provides BPIDs to Western Australian gas customers. Can we continue to use these?

Yes. However, from 1 January 2026, all BPIDs must comply with requirements set out in Division 3A of the Gas Marketing Code.

Can retailers include logos and decorative elements in BPIDs, so that customers can easily identify which retailer is offering the plan?

Yes.

Why have you extended these requirements to third-party comparison websites?

Third-party comparison websites like Finder and Compare The Market are a standard part of the retail energy market that customers have come to expect when looking at new energy plans. The changes ensure that the layout of information is the same for all customers even if they do not visit retailer websites directly.

We arranged to publish information on a third-party comparison website and provided the website operators with a BPID link, but they accidentally left it out of the plan advert. Who is responsible for this?

Retailers are responsible for ensuring that advertisers include regulated information for all marketing channels, including third-party comparison sites on which they arrange to publish plan information.

We do not advertise our plans on third-party comparison websites. Do we still need to work with them to include links to BPIDs on their websites?

No. BPID requirements related to third-party comparison websites only apply if a retailer has arranged for the information to be published.

We have partnerships with organisations that provide their own members discounts on our gas plans. Do those organisations need to provide BPID links on their websites?

No. However, this type of member discount is a plan incentive that retailers must list in BPIDs for relevant plans.

CONTACT US

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