



Economic Regulation Authority

Procedures of the Electricity Code Consultative Committee

February 2026

Version history

Table 1: Document version history

Version date	Changes
February 2026	The ECCC 'Constitution and Procedures' document (6 March 2024) was replaced with two documents, a Constitution and a Procedures document. The documents have been updated to clarify the statutory obligations of the ECCC and to align with current best practice in committee governance. The legislative framework for the ECCC has not changed.

Acknowledgement of Country

At the ERA we value our cultural diversity and respect the traditional custodians of the land and waters on which we live and work.

We acknowledge their continuing connection to culture and community, their traditions and stories. We commit to listening, continuously improving our performance and building a brighter future together.

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1. Procedures

The Economic Regulation Authority is Western Australia's independent economic regulator. Our objective is to benefit all Western Australians by promoting strong economic outcomes through effective regulation and decision making.

The [Code of Conduct for the Supply of Electricity to Small Use Customers](#) was developed pursuant to section 79 of the [Electricity Industry Act 2004](#).

The Electricity Code Consultative Committee (ECCC) is a statutory committee established to advise the ERA on matters relating to the Code, and to carry out regular reviews of the Code.^{1,2}

The ERA has determined a Constitution for the ECCC which details the legislative basis and role of the ECCC. These Procedures set out the processes that guide how the ECCC meets its statutory obligations, under the Constitution. These Procedures have been determined by the ERA and may be altered at our discretion.³

The ECCC may determine its own procedures, if they do not conflict with procedures determined by the ERA.⁴

1.1 Administration

The ERA provides a Convener and secretariat to support the ECCC. The secretariat will schedule meetings online or in-person, with two weeks notice where possible.

Functions of the secretariat:

- Manage recruitment, appointment, and induction of members.
- Arrange and coordinate communications and meetings; prepare and distribute documents.
- Manage the review process, external consultations and related correspondence.
- Prepare the ECCC's reports and advice to the ERA.
- Maintain records and a register of conflicts of interest.
- Administer remuneration and allowances where applicable.
- Provide any other support services as may be reasonably required.⁵

Functions of the Convener:

- Provide guidance to the ECCC on its statutory obligations including review objectives and scope.

¹ Electricity Act, sections 81 and 88.

² Part 6 of the Electricity Act refers to the 'Authority' which is defined (within the Electricity Act) as the Economic Regulation Authority established by the [Economic Regulation Authority Act 2003](#).

³ Electricity Act, section 81.

⁴ Ibid.

⁵ Ibid.

- Convene meetings to resolve or better understand issues pertinent to the review or amendment of the Code.
- Monitor adherence to governance principles and participation standards detailed in these Procedures.

1.2 Appointments

The ERA aims to appoint members with the following skills and experience:

- Understanding of the regulatory framework for electricity licensees that supply small use customers in Western Australia.
- Awareness of how and when households and small business electricity customers interact with electricity retailers and distributors.
- Understanding of trends and developments in energy regulation and/or consumer protection across Australia.
- Good communication and teamwork skills.

Upon appointment, the secretariat will provide members with an induction pack to assist each member to understand and meet their obligations.

1.3 Ending membership

The ERA may cease a member's appointment before the end of their term, if the member:

- Is no longer able to commit adequate time or expertise to the ECCC.
- Has a conflict of interest that cannot be mitigated.
- Has failed to meet the participation standards or the ECCC's Code of Ethics.

A member intending to step down from the ECCC should provide reasonable notice in writing to the secretariat, to confirm their effective cessation date.

1.4 Code of Ethics

In accepting appointment to the ECCC, each member agrees to:

- Act with integrity and interact with others respectfully.
- Work professionally to meet the statutory objectives of the committee.
- Use and disclose information only as authorised.
- Take accountability for time, decisions, actions and behaviours.
- Allow decisions and deliberations to be recorded for transparency and review.
- Declare and manage conflicts of interest appropriately.

- Ensure behaviour upholds the good reputation of the ECCC and the ERA.

Members should treat communications and materials related to the ECCC's deliberations as confidential, unless otherwise advised by the secretariat. This confidentiality obligation survives the expiration of membership.

Members should raise concerns about decisions or actions that may breach members' duties, the Code of Ethics, or constitute misconduct with the Convener; or with the CEO of the ERA if the matter relates to the Convener.

1.5 Conflict of interest

A conflict of interest may arise where the performance of a member's role could be compromised, or perceived to be compromised, due to business, financial, personal relationship, or other factors. Members who believe that a conflict of interest could arise from their external activities or relationships should declare their interest to the Convener as soon as practicable, or within 14 days of becoming aware of the potential conflict.⁶

The Convener and secretariat are ERA employees supporting the ECCC in its statutory function. The Convener and secretariat provide expertise and guidance in respect of the Code and review processes, based on their knowledge and understanding of the Codes and applicable legislation. By the nature of their position as ERA employees, the Convener and secretariat have access to information about licensees and compliance matters that are outside the scope of the ECCC's role. This information will not be shared with the ECCC.

1.6 Advice to the ERA

The ERA has the authority to amend the Code on its own initiative at any time, provided its proposals are referred to the ECCC, and the ERA has regard for the ECCC's advice.⁷

Where the ERA refers any proposed Code amendments to the ECCC, the ECCC must provide any interested person an opportunity to offer comments, and take account of any comments received in providing its advice.⁸

The secretariat will assist the ECCC to consult, and to draft reports to the ERA.

1.7 Review process

As prescribed by the Electricity Act, the ECCC advises the ERA on matters relating to the Code, including proposed amendments; and conducts regular reviews of the Code.⁹

- The secretariat will provide the ECCC with information such as research about topics relevant to the Code and/or matters raised since previous reviews.

⁶ A good way to assess the possibility of conflicts of interest is consider whether a reasonable person, properly informed about the nature of your interests, would believe you might be influenced by those interests in making decisions.

⁷ Electricity Act, sections 79 and 87.

⁸ Ibid., section 87.

⁹ Ibid., sections 81, 87 and 88.

- Reviews are conducted through a series of meetings and out-of-session work where members assess whether the provisions of the existing Code remain fit for purpose.

During each review, the ECCC must:

- Give any interested person (as defined in section 89 of the Electricity Act) an opportunity to offer comments relevant to the review, and take account of any comments received.
- Prepare a report based on its review and give it to the ERA.¹⁰

In its report, the ECCC may recommend that amendments be made to the Code.

The ERA may decide to amend the Code. In this case, the ERA will refer any amendments to the ECCC for its advice.¹¹ Before providing advice to the ERA on proposed amendments, the ECCC must provide any interested person an opportunity to comment and take into account any comments received.¹² The secretariat will assist the ECCC to consult and to draft reports to the ERA.

The ERA is responsible for making any amendments or for repealing and replacing the Code as it determines, after considering the ECCC's advice.

1.8 Participation

To facilitate constructive discussions, members are expected to familiarise themselves with the Code and read all correspondence from the secretariat in advance of each meeting. A minimum level of engagement expected from members is:

- Reasonable availability and attendance at all meetings.
- Engagement with information and materials provided by the secretariat.
- Active participation and constructive contribution to meeting discussions.

Members may nominate a proxy attendee at the discretion of the Convener. A proxy should be capable of fulfilling the member's responsibilities.

1.9 Payments

The ERA may exercise its discretion to provide remuneration or an allowance to members.¹³ The ERA will fix the remuneration or allowance on the recommendation of the Public Sector Commissioner.¹⁴ The secretariat will provide members with the remuneration or allowance rates and information on how to claim. The ERA's decision to provide remuneration or an allowance will consider the time commitment required during the review, any requirements to attend meetings and the member's employment status.

Members employed by a public sector agency, a government trading enterprise or a licensee will not be eligible for remuneration or an allowance.

¹⁰ Electricity Act, sections 88 and 89.

¹¹ Ibid., section 87.

¹² Ibid.

¹³ Ibid., section 81.

¹⁴ Ibid.