



Economic Regulation Authority

Final decision

*Amendments to the Code of Conduct for the Supply
of Electricity to Small Use Customers 2022*

1 September 2025

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.

Economic Regulation Authority

Level 4, Albert Facey House

469 Wellington Street, Perth WA 6000

Telephone 08 6557 7900

Email info@erawa.com.au

Website www.erawa.com.au

This document can also be made available in alternative formats on request.

National Relay Service TTY: 13 36 77

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Contents

Executive summary	ii
1. Background	3
1.1 The Code	3
1.2 Retail electricity in Western Australia	3
1.3 The Electricity Code Consultative Committee	4
1.4 Code review stages	5
2. Stakeholder feedback	6
3. Final decision	7
3.1 Life Support Equipment	8
3.2 Choice for vulnerable customers	11
3.3 Administrative and other changes	12
3.4 Next steps	12
4. Code amendments	13

List of appendices

Appendix 1 List of Tables	20
Appendix 2 List of Figures	21
Appendix 3 Table of amendments	22
Appendix 4 Summary of the ECCC recommendations	30
Appendix 5 Summary of amendments to the Code	31

Executive summary

The Economic Regulation Authority has amended the *Code of Conduct for the Supply of Electricity to Small Use Customers 2022*, which establishes minimum standards for retailers and distributors who supply electricity to residential and small business customers.

This final decision addresses advice provided by the Electricity Code Consultative Committee (ECCC) on our May 2025 draft decision. The ECCC is a statutory committee that reviews the suitability of the Code every two years and provides advice on any amendments we propose. The ECCC reviewed public submissions on our draft decision to amend the Code and its final advice reflects the broad support expressed in those submissions. We extend our appreciation to the ECCC for its diligent efforts over the course of the review.

Compared to our draft decision, this final decision makes some further minor edits to clarify obligations on retailers and help consumers better understand protections under the Code.

Notably, we clarified the wording around standardised confirmation requirements for regional and metropolitan customers requiring Life Support Equipment (LSE). The LSE amendments will help reduce administrative burden on people with significant health conditions who are required to register with their retailer to ensure their power is not disconnected for non-payment. We also reduced the reporting burden for customers with more than one LSE user at their address.

Our amendments align the Code with the prohibition on charging certain water and gas customers for a paper bill. Electricity retailers will no longer be permitted to charge customers experiencing family violence, financial hardship or receiving concessions, for sending a paper bill. This means people experiencing hardship can bring the hard copy to a third party when seeking support without the additional cost of printing.

The value of service standard payments to customers will increase for the first time since 2010. These payments are made to compensate customers when the retailer or distributor does not meet the service standards in connections, complaints and disconnections.

The amendments to the Code also include:

- Allowing vulnerable customers to opt out of the disconnection moratorium and the choice to opt back in at any time.
- Requiring retailers to notify customers annually of available tariffs, products and plans.
- Allowing customers choice on including future bills in a payment plan and on how they receive certain refunds from their retailer.

All amendments to the Code (summarised at Appendix 5) commence on 1 January 2026.

1. Background

The ERA is Western Australia's independent regulator for electricity, gas, water, and rail. Our functions include administering codes of conduct to protect the interests of small use customers across retail electricity, gas, and water services.

1.1 The Code

The Code provides minimum standards of conduct for retailers and distributors who supply electricity to small use customers, that is, residential and small business customers using less than 160 megawatt hours (MWh) of electricity per year.¹ The Code includes obligations on billing, payment, connections, disconnections, complaints and dispute resolution.

We administer the Code under the *Electricity Industry Act 2004*. Under clause 79 of the Electricity Act, we may amend the Code following a consultation process. In addition, clause 88 of the Electricity Act mandates a two-yearly review of the Code by the ECCC.² This means that the ECCC is required to commence its next review of the Code as soon as practicable after 21 February 2026.

1.2 Retail electricity in Western Australia

The ERA administers the electricity licensing scheme in Western Australia.³ Under the Electricity Act, anyone operating a distribution network or selling electricity to small use customers must obtain the relevant licence and comply with the Code as a condition of that licence.

Western Power is the electricity distribution network operator within the South West Interconnected System (SWIS), which spans from Kalbarri to Albany and Kalgoorlie. Synergy is both a generator and retailer of electricity in the SWIS. Horizon Power is the vertically integrated retailer and distributor operating outside the SWIS, covering most of the remote and regional areas of Western Australia.

Customers who consume less than 50 MWh of electricity per year, known as non-contestable customers, comprise almost all residential customers along with some small businesses. Only Synergy is allowed to sell electricity to non-contestable customers in the SWIS. Horizon Power supplies all small use customers outside the SWIS, and the vast majority of the approximately 1,400 pre-payment meter customers in Western Australia.⁴

Contestable small use customers consume over 50 MWh and less than 160 MWh of electricity per year and may choose their electricity retailer. In the SWIS, Synergy is one of nine retailers licenced to supply contestable small use customers – typically small businesses and the few households that exceed the 50 MWh per year threshold.

¹ ERA, 21 February 2023, *Code of Conduct for the Supply of Electricity to Small Use Customers 2022* ([online](#)), [accessed 12 May 2025]

² The Code was repealed and replaced in February 2023. Section 88 of the Electricity Act requires a review at the first anniversary of it coming into effect. The next review must then commence two years after the first anniversary review.

³ ERA, 31 January 2025, Electricity Licensing, ([online](#)), [accessed 12 May 2025].

⁴ ERA, 3 February 2025, Energy retailers and distributors 2024 – Annual data report, p. 4, ([online](#)), [accessed 5 August 2025].

1.3 The Electricity Code Consultative Committee

The ECCC is a statutory committee that advises the ERA on the Code's suitability. Members from consumer groups, industry, and government are appointed for two-year terms. Individuals appointed in March 2024 for the 2024-2026 term are listed in Table 1.

Table 1: ECCC Members 2024-2026

Member	Organisation
Chair (non-voting) Executive Director, Regulation	Economic Regulation Authority
Consumer Representatives Helena Jakupovic Leanne Berard Mamta Kochhar (resigned June 2025) Sophie Hantz ⁵ (from May 2024)	Financial Wellbeing Collective Financial Counsellors' Association WA United in Diversity WA Inc. WA Council of Social Services (WACOSS)
Industry representatives John Saratsis Samantha Torrens Simon Thackray Troy Mulder	AGL Perth Energy Western Power Synergy Horizon Power
Government representatives Amanda Blackwell Charlotte Nobbs	Consumer Protection, Department of Local Government, Industry Regulation and Safety Energy Policy WA, Department of Energy and Economic Diversification
Observer (non-voting) Brent Savage (on behalf of the Expert Consumer Panel)	Energy Policy WA, Department of Energy and Economic Diversification
Secretariat (non-voting) Senior Regulatory Officer	Economic Regulation Authority

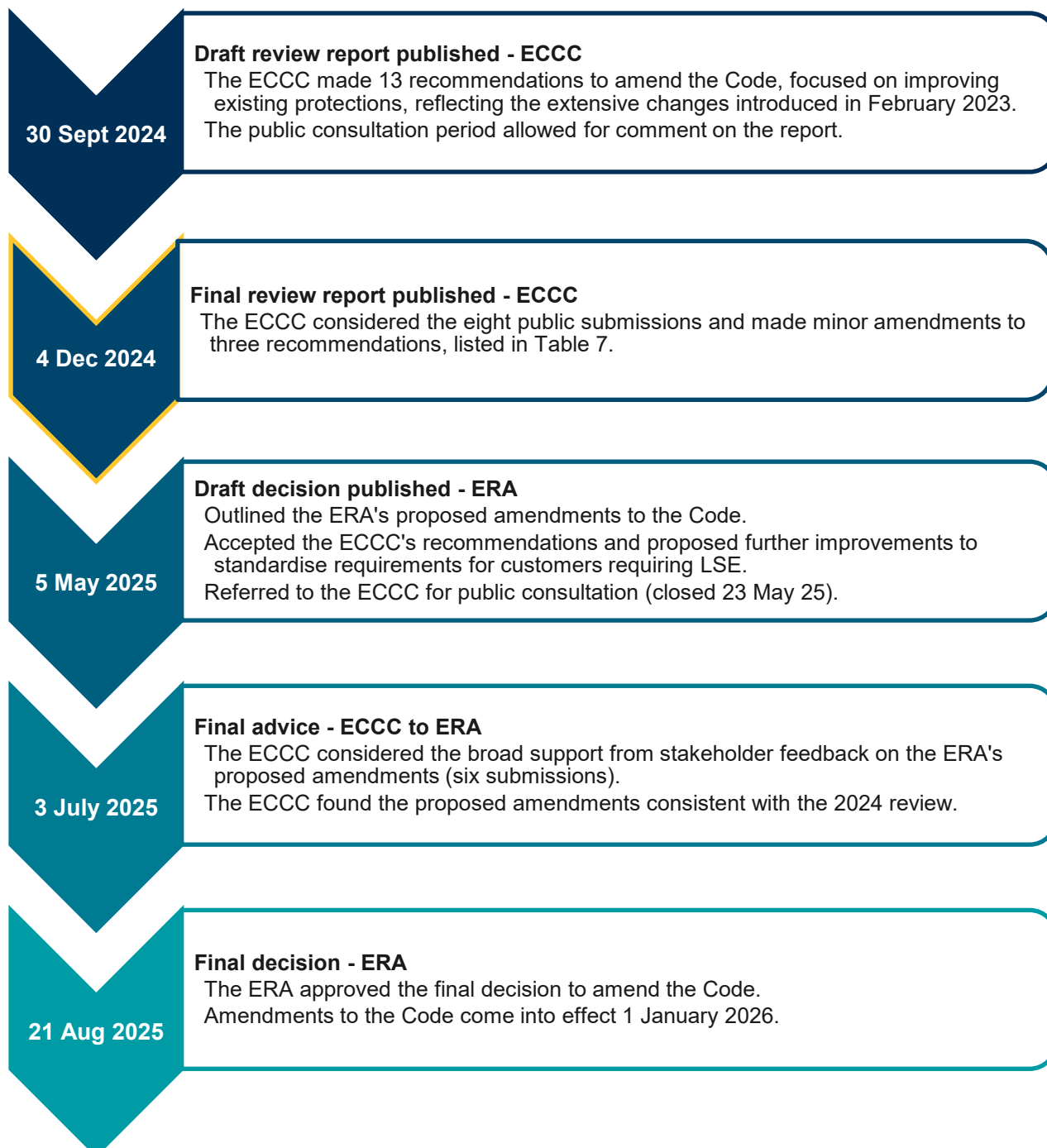
The role of the ECCC is to consider the suitability of provisions in the Code and advise us on any proposed amendments. The ECCC identifies, discusses and publicly consults on issues and considers stakeholder feedback before providing recommendations or advice to the ERA.

⁵ Graham Hansen was initially appointed for WACOSS but shortly withdrew due to a change in employment.

1.4 Code review stages

The milestones in the 2024 Code review are listed in Figure 1. The ECCC's draft and final review reports and final advice to the ERA are published on the ERA's [website](#).

Figure 1: 2024 Code review milestones



2. Stakeholder feedback

Six stakeholders made submissions to the public consultation process as outlined in Table 2. Overall, the submissions supported the ERA's proposed amendments to the Code outlined in the draft decision. Stakeholders sought clarification on administrative changes and proposed the inclusion of new obligations on licensees. Stakeholders also commented on broader policy initiatives and issues considered by the ECCC in its [final review](#).

The ERA's final decision is informed by the six submissions and the ECCC's [final advice](#). The ECCC, finding the stakeholder feedback to be broadly supportive of the draft decision, provided their support for the Code amendments along with some suggested some changes. We explain the differences between the draft and final decisions resulting from the ECCC's advice in section 3.

Table 2: Overview of stakeholder submissions on the ERA Draft Decision

Stakeholder	Summary of feedback
Alinta (retailer)	General support for proposed amendments.
Economic Abuse Reference Group WA (EARGWA)	General support for proposed amendments. Endorsed the changes so vulnerable customers can opt-in to the provisions. The trauma-informed approach embedding choice in the Code was developed with input from advocates.
Expert Consumer Panel (ECP)	General support for the LSE, family violence and some administrative amendments. Did not support advising customers of tariff options. Instead recommend a public energy comparator tool or personalised advice to each customer.
Synergy (retailer)	General support for proposed amendments. Requested clearer wording in clauses on LSE terminology and customer charges for meter testing.
Western Power (distributor)	General support for proposed amendments. Requested wording change to LSE administration obligation and to the definition of 'complaint' in the Terms.

The ECCC received submissions that did not comment on the proposed amendments but provided useful context to the Code. We appreciate the Australian National University and Nulungu Research Institute highlighting policy developments arising from the First Nations Clean Energy Strategy.⁶ We also note EARGWA's submission comments on the newly-released *Safety by Design for Essential Services* resources for utilities.⁷

⁶ Australian Government, 2024, First Nations Clean Energy Strategy ([online](#)), [accessed 29 July 2025].

⁷ Flequity, 2025, Designed to Disrupt Discussion Paper: Safety by design for essential services ([online](#)), [accessed 29 July 2025].

3. Final decision

Having regard for section 26 of the *Economic Regulation Authority Act 2003* and the ECCC's advice, it is our final decision to amend the Code. Overall, we consider the amendments to be consistent with the objective of the Code, to define minimum standards of conduct for electricity licensees.

Section 26 of the ERA Act sets out the factors we should consider when performing our regulatory work. These include:

Need to promote regulatory outcomes that are in the public interest.

Although it is often in a retailer or distributor's interest to assist customers, sometimes regulatory intervention is needed to achieve an outcome that is in the public interest. We considered the expanded LSE protections to be in the public interest, making it fairer and simpler for all LSE users to seek medical/health practitioner confirmation across the state.

Long-term interests of consumers in relation to the price and quality of services.

An important role of regulation is to promote the long-term interests of customers. This can involve keeping prices low as possible, improving standards or services, or increasing choice.

The amended Code prohibits retailers charging for paper bills supplied to customers experiencing family violence, hardship or receiving concessions. We consider this in the interest of customers seeking to better manage their financial affairs.

Legitimate business interests of retailers, distributors and marketing agents.

Regulation often results in costs for retailers and should therefore only be introduced when needed, such as to prevent abuse of monopoly or market power. Consumer representatives raised a range of challenges affecting certain groups of energy consumers which would be costly to address via regulation. Assistance for disadvantaged groups – such as subsidised independent power supply for certain LSE customers – can be better targeted through government policy rather than industry-wide regulation.

We considered of the need for change with the cost of delivery across the State and the regulatory cost of compliance reporting. Changes to the Code must be balanced against the cost of implementation and to the benefits to customers.

We also considered improvements for customers that could be achieved without regulation. We considered if additional information required for consumers should be personalised or general in nature (clause 69). Synergy and Horizon Power advised that they are upgrading their respective online customer portals, which they expect will give customers easier access to granular energy use data. The upgrades will allow customers to consider if changing their use patterns would allow them to save money on their electricity bills.

Need to promote competitive and fair market conduct.

Regulations can promote fairness by requiring retailers to notify customers of the available choices. Most customers covered by the Code are not able to choose their retailer. Customers do, however, have some choice over how they use electricity and may find value in the products, packages and tariffs that are now available. We considered that requiring retailers to proactively advise consumers of the packages and products available may facilitate customers making more informed choices about their energy consumption (clause 66).

Given the broad stakeholder support for the draft decision, our final decision includes only minor changes to clarify the obligations on licensees. The following sections summarises the three areas of change – LSE, vulnerable customers and administrative – and how the amendments differ from the draft decision. Details of the amendments are provided in Section 4.

3.1 Life Support Equipment

It is vital for people using medical equipment, such as a dialysis machine or an oxygen concentrator, to remain connected to the power supply. Customers requiring LSE can register with their retailer to ensure their power is not disconnected for non-payment. The ECCC's review highlighted the difficulty and expense for customers to maintain their ongoing LSE registration.

The amendments to the Code standardise the LSE supply address requirements across the State, with changes to both the initial registration and periodic review of the need for LSE. The ECCC review outlined how a customer wishing to register an LSE supply address required formal confirmation from a specialist medical practitioner, with provisions varying between metropolitan and regional areas. The ECCC recommended that people in the regions seek periodic review from a nurse or pharmacist.

In the draft decision, we proposed amending the Code to allow for a wider range of suitably qualified and registered practitioners to provide the confirmation for *both* metropolitan and regional customers. The Code amendments provide that other health professionals can complete a periodic review based on a relevant diagnosis. These changes may lower some out-of-pocket costs by reducing the need for specialist appointments, which are more expensive than with a general practitioner.⁸

Stakeholder comments on the LSE amendments were supportive. We appreciate Synergy and Western Power comments on the draft decision suggesting ways to make it easier to understand and apply the protections. The ECP supported the LSE changes overall and reiterated comment to the ECCC's draft review report to remove periodic reviews for ongoing medical conditions. However, the ECCC recommended that we retain the requirements for periodic reviews. We consider the ECP comment did not account for the ERA-initiated amendments providing greater benefit to all LSE users completing the periodic review.

In its final advice, the ECCC supported the ERA-initiated amendments and requested some changes to the way we described the practitioners who can confirm the need for LSE. Considering the ECCC's final advice on our draft decision, we amended the terminology to establish a "relevant medical practitioner" and clarify who can provide "medical practitioner confirmation" or "health practitioner confirmation". The terms are explained in Table 3 and Figure 2. The amended information for initial registration and periodic review are shown in Figure 3. We also developed these guidance materials to support retailers and consumers, which will be available in an accessible format on our website.

⁸ Grattan Institute, 15 June 2025, Special treatment: Improving Australians' access to specialist care, p. 3, ([online](#)), [accessed 5 August 2025].

Table 3: Explanation of terms used to describe Medical and Health Practitioners





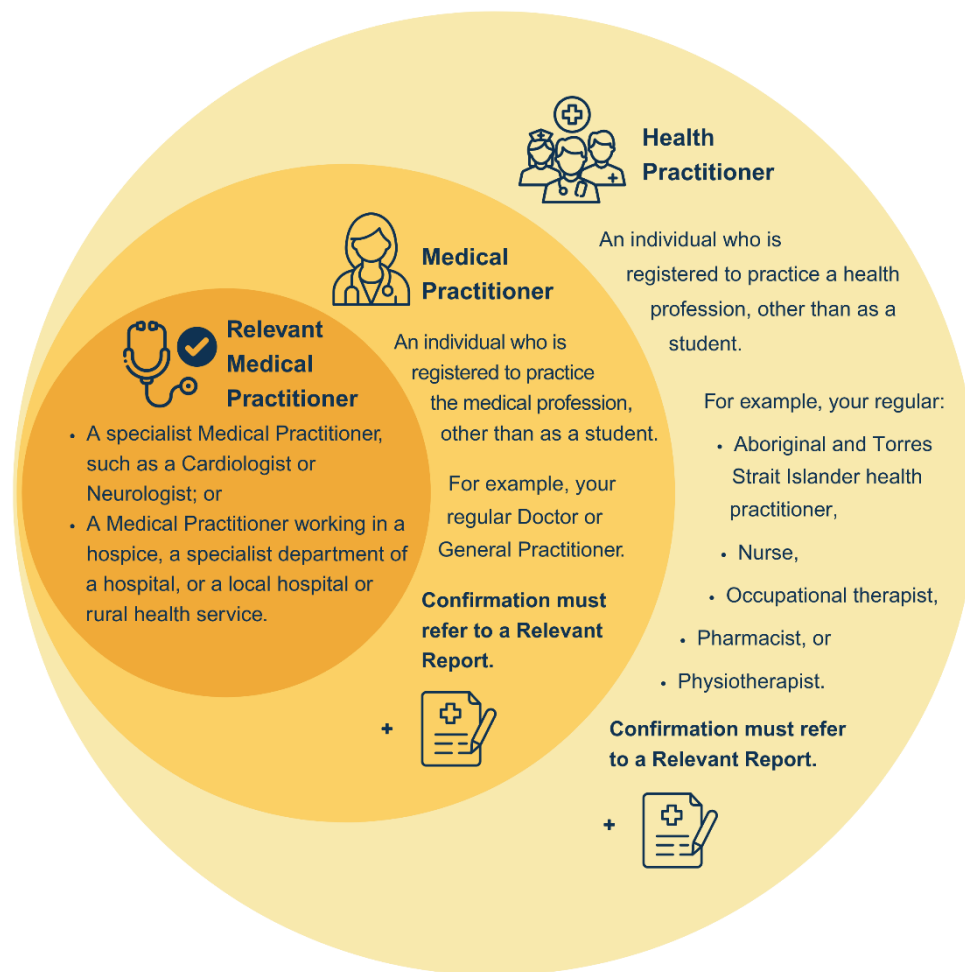
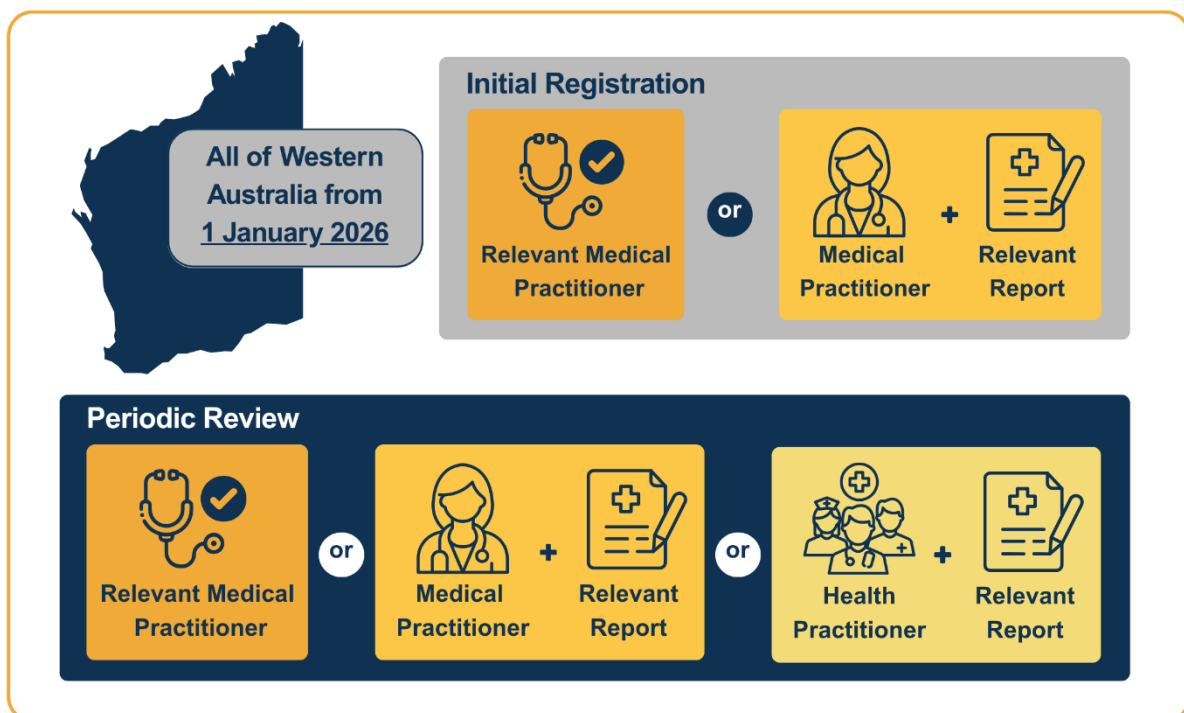
Term	Icon	Explanation	Example
Relevant Medical Practitioner (cl. 3, 82, 85)		<ul style="list-style-type: none"> • A medical practitioner, other than a specialist general practitioner, who holds specialist registration in a recognised specialty in the medical profession under the <i>Health Practitioner Regulation National Law (WA)</i>; or • A medical practitioner working in: <ul style="list-style-type: none"> - a hospice; or - a hospital specialist department; or - a local hospital or rural health service (if the supply address is outside the Perth metropolitan area). 	Cardiologist
Relevant Report		A written diagnosis or medical report provided by a Relevant Medical Practitioner.	A Cardiologist Report diagnosing a cardiovascular condition that requires Life Support Equipment
Medical Practitioner Confirmation (cl. 3, 82, 85)		Written confirmation from an individual who is registered under the <i>Health Practitioner Regulation National Law (WA)</i> to practise the medical profession, other than a student. Confirmation must be based on a Relevant Report.	General Practitioner
Health Practitioner Confirmation (cl. 3, 85)		Written confirmation from an individual who is registered under the <i>Health Practitioner Regulation National Law (WA)</i> to practise a health profession, including the medical profession, other than a student. Confirmation must be based on a Relevant Report.	Nurse

Figure 2: Terms used to describe Medical and Health Practitioners**Figure 3: Amended LSE information requirements for Initial Registration and Periodic Review**

In summary, the changes to the Code mean:

- All customers can seek the initial confirmation that they require LSE from their regular medical practitioner, provided the “relevant medical practitioner” has sent their diagnosis or report.
- People in regional areas retain the ability to seek confirmation from a “relevant medical practitioner” at a rural hospital or health service.
- There is a reduction in reporting for residential or business customers, where more than one person is registered at the same LSE supply address.
- All customers can seek three-yearly confirmation that they require LSE from their regular health practitioners, provided the “relevant medical practitioner” has sent their diagnosis or report.
- We have introduced the amended definitions as terms at clause 3 to make it easier to include them elsewhere, like the LSE Energy Subsidy or retailer websites.⁹

3.2 Choice for vulnerable customers

For people affected by family violence - known as vulnerable customers - the Code provides mandatory protection from disconnection for non-payment of electricity bills. The nine-month disconnection moratorium was introduced in February 2023 to allow vulnerable customers to remain connected to the electricity supply without the need to engage with the retailer's hardship program. The protection means customers may operate their electricity dependent safety measures (like alarm systems) and remain connected during times of stress.

The moratorium was intended to provide essential protection, but not all customers may wish to accept it. Submissions supported the ERA's proposal in the draft decision to allow vulnerable customers to choose if the disconnection moratorium would apply to them. The ECP and EARGWA acknowledged the importance of trauma-informed engagement with customers experiencing family violence.

As originally written, the Code did not allow people to opt-out of the protection. Customer advocates advised that informed choice (not prescribed protection) is key for people experiencing family violence. We have amended the Code so that once the retailer obtains informed consent, vulnerable customers can opt-out of the mandatory protection. Our changes also allow customers to opt back in if they choose.

The obligation on a retailer has also been clarified, in the event they indirectly “become aware” of a vulnerable customer (such as through a third-party report). The Code requires a retailer's family violence policy be updated to describe the “processes to ensure that the retailer uses reasonable endeavours to confirm a customer's vulnerable status if they [the customer] have not advised the retailer they are affected by family violence” (clause 91(2)).

⁹ Department of Treasury and Finance, 1 July 2025, Apply for the Life Support Equipment Energy Subsidy, ([online](#)), [accessed 29 July 2025].

3.3 Administrative and other changes

Most of the comments in the submissions related to administrative changes. Our draft decision identified a range of incremental changes that would result in better information or improved protections for customers and a lower regulatory burden for licensees.

In response to stakeholder feedback, we have made minor edits to our draft decision:

- Retaining the prescribed colour and form of the National Interpreter Symbol at clause 3. Currently, the symbol appears differently across the range of publications released by each retailer. The ECCC noted that its retailer representatives agreed to update the symbol for consistency when retailer documentation is refreshed.
- Amended wording at clause 28 for fees paid by a customer to test a meter, where a fault is found to the meter. The expanded wording allows for a choice between a refund or a bill credit (rather than a refund only), but retailers commented the amended clause may apply to the consumption fees rather than the meter testing fee itself. The new wording clarifies that the clause relates to the meter testing fee and does not duplicate retailer obligations at clause 30 for overcharged fees generally.
- Amended the wording at clause 84 on the obligation for distributors to notify certain people of a planned outage. To assist front-line officers to promptly notify an LSE supply address of an outage, the sub-clauses consistently allow distributors to notify “customer, other nominated person, or someone else residing at the address”.

3.4 Next steps

Amendments to the Code will be gazetted and published on the WA Government legislation website, coming into effect 1 January 2026.

In response to stakeholder feedback to evaluate the effects of the Code on customers, we will update the performance indicators that licensees currently report on to the ERA, to reflect the obligations in the amended Code.

4. Code amendments

This section explains the purpose of and reasons for each change in the Amending Code (Attachment 1. *Code of Conduct for the Supply of Electricity to Small Use Customers Amendment Code 2025*).

Throughout this section (excepting preliminaries), the clause listed first corresponds to the section of the Code that has been changed. The text in brackets identifies the clause in the Amending Code that achieves it. We then provide a summary and supporting reasons for each change.

To see the amendments as they appear in the Code, please refer to the marked-up version (Attachment 2. *Amended Code of Conduct for the Supply of Electricity to Small Use Customers 2022*).

Citation (Amending Code clause 1)

Change summary

Provides the title of the Amending Instrument: *Code of Conduct for the Supply of Electricity to Small Use Customers Amendment Code 2025*.

Commencement (Amending Code clause 2)

Change summary

Provides when the amendments become effective.

Reason

The title and commencement provisions become effective when they are published on the Western Australian legislation website.

The remaining changes commence 1 January 2026, giving licensees time to update systems and processes.

Code amended (Amending Code clause 3)

Change summary

Provides that the Amendment Code amends the *Code of Conduct for the Supply of Electricity to Small Use Customers 2022*.

Reason

Amending the Code instead of repealing and replacing it is a more efficient way to administer and review legislation.

Amending the Code makes it easier for stakeholders to track iterations on the Western Australian legislation website over time.

Clause 3 Definitions (Amending Code clause 4)

Change summary

Amends or introduces definitions in cl. 3 to ensure consistency with other instruments and for accuracy within the Code.

Table 4: Changes to defined terms

Defined term	Explanation of change
Appropriately qualified medical practitioner	Removed, with new terms inserted to support changes at cl. 82 and cl. 85.
Complaint	Changes description from “an organisation” to “a person” to align with the <i>Interpretation Act 1984</i> .
Health practitioner confirmation	Introduce new term to support changes to cl. 85.
Medical practitioner confirmation	Introduce new term to support changes to cl. 82 and cl. 85.
Overcharging / Undercharging	Clarifies this does not apply to bill smoothing arrangements, for consistency with defined terms.
Relevant medical practitioner	Introduce new term to support cl. 82 and cl. 85.

Clause 28 Energy data checking (Amending Code clause 5)

Change summary

Amends cl. 28 to change the obligation on a retailer, if a check of energy data shows a customer needs to be refunded for the meter testing fees charged.

Reason

The change gives customers a choice between a refund or a bill credit, rather than only making a refund available if they are charged for a meter test when the meter is found to be faulty.

The amendment models the existing protection at cl. 30, which gives a consumer a choice of refund or bill credit if they are otherwise overcharged (such as for energy consumption). In other words, this change means a retailer follows similar steps as they already do when a customer is overcharged.

Clause 32A Prohibit paper billing fees for disadvantaged customers (Amending Code clause 6)

Change summary

Inserts Division 9 with new cl. 32A after Division 8, prohibiting retailers from charging disadvantaged customers for a paper bill.

Reason

The change applies to customers who are identified as experiencing family violence, receiving concessions, or in financial hardship.

This provision recognises both the financial and accessibility challenges faced by some people. Charging people with limited digital literacy or internet access for a paper bill creates additional hardship. It is more helpful to have a hard copy of the bill when seeking support from a third party, for example a financial counsellor.

It standardises protections applied by retailers and aligns with protections afforded to gas and water customers.

Clause 43 Including future bills in a payment plan (Amending Code clause 7)

Change summary

Amends cl. 43 to allow a customer to mutually agree to vary a payment plan so that amounts for future bills can roll in to the payment plan, provided these amounts are incurred no more than six months from the original payment plan being established.

Reason

Customers acting in good faith to arrange a payment plan under cl. 4 of the Code may be repeatedly contacted by the retailer about future payment plans for new bills, because under cl. 43 an existing payment plan can only be varied by agreement as each bill is incurred. This adds both administrative burden and inconvenience to both parties, who may be happy to mutually agree in advance to other arrangements.

The change allows customers to make an informed choice and mutually agree upfront about varying the payment plan, so that if needed the retailer can add future bills to the payment plan without having to repeatedly contact the customer.

Clause 59 Consequential (Amending Code clause 8)

Change summary

Consequential amendment to cl. 59 after changes are made to cl. 82.

Clause 66 Streamlining information for frequent pre-payment meter disconnections (Amending Code clause 9)

Change summary

Amends cl. 66(1) to no longer require a retailer to contact a customer if a pre-payment meter is disconnected for two or more times in a month, or for 120 minutes in any one month.

Consequently deletes cl. 66(4) as this relates to cl. 66(1)(b).

Reason

Frequent disconnection for pre-payment meter customers is not necessarily a sign of financial hardship. Due to the widespread use of online payments, customers are re-energised promptly after making payment. Retailers are still required to provide information about meter types, concessions and financial counselling services to customers in financial hardship.

Clause 69 Advising customers of available tariff options and products (Amending Code clause 10)

Change summary

Amends the obligation on the retailer to provide information to non-contestable customers.

Reason

While retailers must already make certain information about tariffs, fees and charges available on request, they may also have other options available (for example, plans, products or add-on packages). However, a customer may not know about these options to prompt a search of the retailer's website for details.

The retailer must provide the information annually. Customers may then make an informed choice to suit the needs of their household. For example, the notification would advise customers of Synergy's Electric Vehicle Add-on package, offering discounted tariffs for overnight consumption.

Clause 82 Increasing LSE protections for initial registration (Amending Code clause 11)

Change summary

The new terms "relevant medical practitioner" and "medical practitioner confirmation" use more precise terminology. Suitably qualified and registered medical practitioners can authorise the LSE application provided there is a "relevant" medical diagnosis or report.

Streamlines the confirmation processes for Perth metropolitan and regional customers.

Reason

We made two changes to the initial registration process to make it easier and fairer for customers across the State.

In everyday language we refer to a "doctor", when the more precise term is "medical practitioner". A "medical practitioner" may practice various fields of medicine or hold different types of practitioner registration. We changed the previous definition of a "appropriately qualified medical practitioner" because it limited ways we could make improvements to the Code.

The new definition clarifies that a "relevant medical practitioner" (by registration or area of practice) can independently confirm the LSE registration. "Medical practitioner confirmation", is possible if the "relevant medical practitioner" has first provided a diagnosis or report. Following stakeholder feedback, these terms are inserted at cl. 3 to make them easier to identify in the Code.

A medical practitioner in a hospice or specialist hospital department is included as a “relevant medical practitioner”. We streamlined the requirements across Perth metropolitan and regional areas, so all customers can seek “medical practitioner confirmation” while maintaining the option for regional customers to attend a local hospital or rural health service.

Overall, our changes intend to simplify access to LSE protections. For example, the customer may find out about the option to register for LSE provisions after a diagnosis by a “relevant medical practitioner”, for example a cardiologist. They can then ask their general practitioner to verify their LSE application based on the report from the cardiologist, rather than arranging another visit to the cardiologist.

Clause 84 Clarifying requirements when notifying customers at an LSE supply address (Amending Code clause 12)

Change summary

Amends cl. 84 to clarify the description of who the distributor is obligated to contact in the event of a planned interruption of supply.

Reason

Consistently specifying “the customer, nominated person, or someone else residing at the address” to assist front-line staff to promptly notify customers.

Clause 85 Increasing LSE protections for ongoing confirmation (Amending Code clause 13)

Change summary

The new term “health practitioner confirmation” uses more precise terminology. This means suitably qualified and registered health practitioners can confirm the ongoing LSE registration provided there is a “relevant” diagnosis or report.

Streamlines the confirmation processes for Perth metropolitan and regional customers.

Reduces administrative requirements for residential and business customers, with different reporting obligations according to consumption type.

Reason

In everyday language we may refer to a particular healthcare role, like nurse, pharmacist, or physiotherapist. More precisely, a “health practitioner” includes qualified and registered individuals within different areas of health practice and by types of practitioner registration. “Health practitioner confirmation” for ongoing LSE registration is possible if the “relevant medical practitioner” has first provided a diagnosis or report.

This means a person’s care team can periodically confirm the ongoing need for LSE, which makes it easier for the customer by avoiding medically unnecessary travel or the cost of visiting a specialist. As with the initial registration, we have standardised the process across the State.

The periodic review process continues to require the retailer seek annual confirmation from all customers that a person/s living at the address continues to require LSE. On the first and

second years the confirmation continues to be provided by the customer (self-confirmation). On the third year all customers must still provide formal confirmation, but this can now be “health practitioner confirmation”.

Residential customers will receive only one request per year for self-confirmation by address, rather than per person. In other words, the customer’s confirmation for the first registration provides adequate assurance that the retailer’s systems are up-to-date. For example, a customer who is a parent with two medically dependent children at home would be asked to confirm once per year, not provide a confirmation for each child.

We have further reduced the reporting obligations for business customers, so they no longer receive the self-confirmation in the first and second year. Business customers continue to receive the third-year health practitioner confirmation, that a person at the address still needs LSE. This means places like nursing homes with several medically dependent people registered at the customer’s address have reduced reporting obligations.

Clause 86 Increasing LSE protections (consequential) (Amending Code clause 14)

Change summary

Consequential amendment to cl. 86 due to changes at cl. 85.

Clauses 87, 88 Removing inconsistent complaint acknowledgement times (Amending Code clauses 15, 16)

Change summary

Amends the Australian Standard referenced at cl. 87 and consequentially to cl. 88.

Reason

Reflects the revised Australian Standard AS/NZS 10002:2022. While the Standard is referenced in cl. 87(3), some words and timeframes from the Standard are included in the Code at cl. 88 to ensure customers clearly understand their rights.

Clause 91 Respecting vulnerable customer’s choices (Amending Code clause 17)

Change summary

Amends cl. 91(2) to require the retailer establish in their family violence policy, “processes to ensure the retailer uses reasonable endeavours to confirm a customer’s status as a vulnerable customer”.

Reason

Prior to this decision, the retailer would be obligated to apply the protection available under cl. 92 if a third party advised the retailer that the customer appears to be experiencing family violence. This is because the Code required a retailer who had “become aware” of a customer’s vulnerable status must contact the customer to advise of the nine-month disconnection moratorium. Retailers applied the protection until the confirmation was provided by the customer.

Failing to act would have resulted in a breach of the Code. The change to the Code reduces the risk of retailers breaching the Code if unable to reach the customer. In addition, the change may reduce repeated calls to a customer who does not wish to be contacted or who considers the calls intrusive.

Clause 92 Respecting vulnerable customer's choices (Amending Code clause 18)

Change summary

Amend cl. 92(3) to ensure customers experiencing family violence can opt out of the disconnection protection at cl. 92(1).

Reason

Family violence advocates and social service providers informed this change.

Retailers are required to obtain a vulnerable customer's verifiable consent when the customer is opting out of the disconnection moratorium. Importantly, a customer can opt back in to the protection in cl. 92(1) at any time by contacting the retailer.

Clauses 94 to 98 Higher compensation payments for customers (Amending Code clauses 19 to 23)

Change summary

The amounts have been increased by the Consumer Price Index (CPI) since 2010.¹⁰

Table 5: Changes to service payments

Clause	Service payment	Previous\$/day (max \$)	Amended \$/day (max \$)
94	Reconnections	60 (up to 300)	84 (up to 420)
95, 97	Wrongful disconnections	100	140
96, 98	Customer service (written complaints)	20	28

¹⁰ According to the Australian Bureau of Statistics, CPI is defined as "a general measure of inflation based on the change in prices of goods and services purchased by Australian households". *Frequently Asked Questions about CPI*, ([online](#)), [accessed 19 May 2025].

Appendix 1 List of Tables

Table 1: ECCC Members 2024-2026.....	4
Table 2: Overview of stakeholder submissions on the ERA Draft Decision	6
Table 3: Explanation of terms used to describe Medical and Health Practitioners.....	9
Table 4: Changes to defined terms.....	14
Table 5: Changes to service payments.....	19
Table 6: Changes to the clauses of the Code.....	22
Table 7: Summary of the ECCC recommendations.....	30
Table 8: Summary of amendments to the Code	31

Appendix 2 List of Figures

Figure 1: 2024 Code review milestones	5
Figure 2: Terms used to describe Medical and Health Practitioners	10
Figure 3: Amended LSE information requirements for Initial Registration and Periodic Review	10

Appendix 3 Table of amendments

Table 6: Changes to the clauses of the Code

Clause	Change	Reason
Title	<p>Code of Conduct for the Supply of Electricity to Small Use Customers 2022</p> <p>Incorporating the amendments proposed by the <i>Code of Conduct for the Supply of Electricity to Small Use Customers Amendment Code 2025</i></p>	Explains reason for amendment.
Part 1 - Preliminary		
2	<p>Commencement</p> <p>This code comes into operation as follows —</p> <p>(a) clauses 1 and 2 — on the day on which this code is published on the WA legislation website;</p> <p>(b) the rest of the code — on 1 September 2025 1 January 2026.</p>	Amendment dates.
3	<p>appropriately qualified medical practitioner means —</p> <p>(a) within the Perth metropolitan area —</p> <p>(i) a specialist medical practitioner; or</p> <p>(ii) a hospice doctor; or</p> <p>(iii) a medical practitioner working in a specialist department of a hospital; or</p> <p>(b) otherwise —</p> <p>(i) a specialist medical practitioner; or</p> <p>(ii) a hospice doctor; or</p> <p>(iii) a medical practitioner working in a specialist department of a hospital; or</p> <p>(iv) a doctor or general practitioner who works at a local hospital or rural health service (whether or not on a full time basis);</p>	Replaced with new terms for provisions at cl. 82 and cl. 85.
3	<p>complaint means an expression of dissatisfaction made to or about a person, related to their an organisation, related to its products, services, staff or the handling of a complaint, for which a response or resolution is explicitly or implicitly expected or legally required;</p>	Consistent with <i>Interpretations Act 1984</i> .
3	<p>health practitioner confirmation, that a person requires life support equipment, means written confirmation from —</p> <p>(a) a relevant medical practitioner; or</p> <p>(b) an individual who is registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> to practise a health profession, including the medical profession, other than as a student (but only if the confirmation is based on a diagnosis or medical report from a relevant medical practitioner);</p>	New term for provisions at cl. 85.
3	<p>medical practitioner confirmation, that a person requires life support equipment, means written confirmation from —</p>	New term for provisions at

Clause	Change	Reason
	<p>(a) a relevant medical practitioner; or</p> <p>(b) an individual who is registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> to practise the medical profession other than as a student (but only if the confirmation is based on a diagnosis or medical report from a relevant medical practitioner);</p>	cl. 82 and cl. 85.
	<p>overcharging, by a retailer or distributor, includes the overcharging of a customer as the result of —</p> <p>(a) an error, defect or default for which the retailer or distributor is responsible (including when a meter is found to be defective); or</p> <p>(b) the retailer basing a bill or bills on estimated energy data that is greater than the actual value (not being a deemed actual value) of energy used where the actual value is derived from an actual meter reading undertaken by a person employed or appointed by the distributor that passes the validation processes in Appendix 2 of the Metering Code;</p> <p>overcharging —</p> <p>(a) includes the overcharging of a customer as the result of —</p> <p>(i) an error, defect or default for which the retailer or distributor is responsible (including when a meter is found to be defective); or</p> <p>(ii) the retailer basing a bill or bills on estimated energy data that is greater than the actual value (not being a deemed actual value) of energy used where the actual value is derived from an actual meter reading undertaken by a person employed or appointed by the distributor that passes the validation processes in Appendix 2 of the Metering Code; but</p> <p>(b) does not include an amount charged in accordance with a bill smoothing arrangement;</p>	Removes reference to bill smoothing, which was removed from the Code in 2022.
3	<p>relevant medical practitioner, for a supply address, means —</p> <p>(a) a medical practitioner, other than a specialist general practitioner, who holds specialist registration in a recognised specialty in the medical profession under the <i>Health Practitioner Regulation National Law (Western Australia)</i>; or</p> <p>(b) a medical practitioner working in —</p> <p>(i) a hospice; or</p> <p>(ii) a specialist department of a hospital; or</p> <p>(iii) a local hospital or rural health service (but only if the supply address is outside the Perth metropolitan area);</p>	New term for provisions at cl. 82 and cl. 85.
3	<p>undercharging, by a retailer or distributor, includes the undercharging of a customer as the result of —</p> <p>(a) an error, defect or default for which the retailer or distributor is responsible (including when a meter is found to be defective); or</p> <p>(b) the retailer basing a bill or bills on estimated energy data that is less than the actual value (not being a deemed actual</p>	Removes reference to bill smoothing, which was removed from the Code in 2022.

Clause	Change	Reason
	<p>value) of energy used where the actual value is derived from an actual meter reading undertaken by a person employed or appointed by the distributor that passes the validation processes in Appendix 2 of the Metering Code; or</p> <p>(c) a failure to issue a bill to a customer;</p> <p>undercharging—</p> <p>(a) includes the undercharging of a customer that is the result of—</p> <p>(i) an error, defect or default for which the retailer or distributor is responsible (including when a meter is found to be defective); or</p> <p>(ii) the retailer basing a bill or bills on estimated energy data that is less than the actual value (not being a deemed actual value) of energy used where the actual value is derived from an actual meter reading undertaken by a person employed or appointed by the distributor that passes the validation processes in Appendix 2 of the Metering Code; or</p> <p>(iii) a failure to issue a bill to a customer; but</p> <p>(b) does not include an amount charged in accordance with a bill smoothing arrangement;</p>	

Part 4 - Billing

28	<p>Energy data checking</p> <p>(3) If the energy data is checked and found to be incorrect or the meter is tested and found to be defective, the retailer must use its best endeavours to inform the customer of that fact within 10 business days after the retailer becomes aware of it and, subject to this clause, ask the customer for instructions as to whether the amount of the charge paid by the customer for the check or testing should be credited to —</p> <p>(a) the customer's next bill; or</p> <p>(b) a bank account nominated by the customer.</p> <p>(4) If a retailer receives instructions under subclause (3), the retailer must deal with the amount in accordance with the customer's instructions within 12 business days after receiving the instructions.</p> <p>(5) However, if a retailer does not receive instructions under subclause (3) within 5 business days after making the request, the retailer must use reasonable endeavours to credit the amount to the customer's next bill.</p> <p>(6) If the amount is less than \$100, the retailer may credit the amount to the customer's next bill instead of complying with subclause (3).</p>	<p>New provision, customer is offered either a refund or a bill credit for the fees charged for the meter testing fee when the meter is found to be faulty.</p>
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Clause	Change	Reason
	<p>(7) Despite subclauses (3) to (6), if the customer owes a debt to the retailer, the retailer may, after giving notice to the customer, use the amount to set off the debt.</p> <p>(8) Subclause (7) does not apply if the customer is a customer experiencing financial hardship.</p> <p>(9) If there remains an amount in credit after a set-off under subclause (7), the retailer must deal with the amount in accordance with subclauses (3) to (6) (depending on the amount that remains in credit).</p> <p>(3) If the energy data is checked and found to be incorrect or the meter is tested and found to be defective, the retailer must refund any payment made under subclause (2).</p>	
32A	<p>Division 9 — Prohibition on charging for paper billing</p> <p>32A. Prohibition on charging for paper billing A retailer must not charge the following customers any amount of money for the provision of a paper bill —</p> <ul style="list-style-type: none"> (a) customers who are receiving concessions; (b) customers experiencing financial hardship; (c) vulnerable customers. 	New provision.
Part 6 - Payment assistance		
43	<p>Payment plans</p> <p>(1) A retailer must ensure that a payment plan for a residential customer is fair and reasonable, taking into account —</p> <ul style="list-style-type: none"> (a) information about the customer's capacity to pay; and (b) the amount of any arrears payable by the customer to date; and date. (c) whether the customer agrees to the plan applying to future amounts incurred within 6 months after the start of the plan. 	Introduces new provision to 'roll over' future bills into payment plan by mutual agreement.
Part 9 - Pre-payment meters		
59	<p>Life support equipment</p> <p>(1) If a pre-payment meter customer provides a retailer with a medical practitioner confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address requires life support equipment...</p>	Reflects new term.
66	<p>Assistance for customers experiencing payment problems</p> <p>(1) This clause applies if a residential pre-payment meter customer informs a retailer that the customer is experiencing difficulties paying for their consumption.</p>	Edited cl. 66(1) to remove obligation to provide information to

Clause	Change	Reason
	<p>(1) This clause applies if —</p> <p>(a) a residential pre-payment meter customer informs a retailer that the customer is experiencing difficulties paying for their consumption; or</p> <p>(b) a retailer identifies that a residential pre-payment meter customer has been disconnected 2 or more times in any 1-month period for longer than 120 minutes on each occasion.</p> <p>(4) However, if subclause (1)(b) applies, the retailer is not required to comply with subclause (2) if the retailer has provided the information referred to in that subclause within the preceding 12 months.</p>	<p>frequently disconnected customers.</p> <p>Edited cl. 66(4) for consistency.</p>

Part 10 - Information and communication

69	<p>Information about tariffs, fees, charges and products</p> <p>Information about tariffs, fees or charges</p> <p>(1) A retailer A retailer must give or make available to a customer on request, at no charge, reasonable information on the retailer's tariffs, fees or charges, including any alternative tariffs that may be available to that customer.</p> <p>(2) A retailer must give a non-contestable customer, at no charge, the following information at least once every year, even if the customer does not request it —</p> <p>(a) the information referred to in subclause (1);</p> <p>(b) information about any other products offered by the retailer and available to the customer.</p>	<p>Introduces new obligation for retailer to provide information on products (not just tariffs) to facilitate consumer awareness of suitable options.</p>
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Part 11 - Life support equipment scheme

82	<p>Registration of life support equipment address: retailers</p> <p>(1) Subclauses (2) and (3) apply if a customer provides a retailer with a medical practitioner confirmation confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address requires life support equipment.</p>	<p>Reflects new term.</p>
84	<p>Interruption of supply</p> <p>(3) If subclause (2) applies, the distributor must use its best endeavours to contact the customer, someone residing at the supply address, or other nominated person, before the interruption occurs.</p>	<p>Consistent with cl. 84(1) and preserve front-line responsiveness.</p>
85	<p>Periodic reviews</p> <p>(1) A retailer must require a customer whose supply address is registered as a life support equipment address, each 3rd anniversary of the registration, to provide the retailer with a health practitioner confirmation that a person residing at the customer's supply address continues to require life support equipment.</p>	<p>Amends the reporting obligations, to differentiate between residential and business customers.</p>

Clause	Change	Reason
	<p>(1A) A retailer must require a residential customer whose supply address is registered as a life support equipment address, by a notice given to the customer within the period beginning 3 months before, and ending 3 months after, each anniversary of the registration, to confirm that a person residing at the customer's supply address continues to require life support equipment.</p> <p>(1B) Subclause (1A) does not apply if —</p> <p>(a) the anniversary is a 3rd anniversary (and subclause (1) therefore applies in relation to the residential customer instead);</p> <p>or</p> <p>(b) the retailer has, in the 12 months before the anniversary, given the customer a notice under subclause (1A) in relation to an anniversary of the registration of the supply address as a life support equipment address in respect of another person.</p> <p>(1) A retailer must require a customer whose supply address is registered as a life support equipment address, by a notice given to the customer within the period beginning 3 months before, and ending 3 months after, each anniversary of the registration of a supply address under this Part —</p> <p>(a) unless paragraph (b) applies — to confirm that a person residing at the customer's supply address continues to require life support equipment; or</p> <p>(b) in the case of every 3rd anniversary — to provide the retailer with confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address continues to require life support equipment.</p> <p>(2) A notice under this clause subclause (1) must —</p> <p>(b) warn the customer that —</p> <p>(i) the customer's supply address may will be de-registered as a life support equipment address</p>	<p>Reduces reporting obligation for residential customers with more than one person registered for LSE at the address.</p>
86	<p>De-registration of address</p> <p>(3) If subclause (1)(b) applies, the retailer must —</p> <p>(b) de-register the supply address if the customer fails, in response to the steps taken under paragraph (a), to provide the confirmation required under clause 85. clause 85(1).</p> <p>(8) Despite subclauses (1) to (7), a supply address must not be de-registered if the retailer has reason to believe is aware that another person residing at the supply address still requires life support equipment.</p>	<p>Consistent with cl. 85.</p>

Clause	Change	Reason
Part 12 - Complaints and dispute resolution		
87	<p>Obligation to establish complaints handling procedures</p> <p>(2) The standard complaints and dispute resolution procedure must address —</p> <p style="padding-left: 40px;">(c) the method of acknowledging and responding to complaints.</p> <p style="padding-left: 40px;">(c) response times for complaints; and</p> <p style="padding-left: 40px;">(d) the method of response.</p> <p>(3) The standard complaints and dispute resolution procedure must comply with AS/NZS 10002:2022. AS/NZS 10002:2014</p>	Amends for new AS/NZS obligation.
88	<p>Response times for complaints</p> <p>A retailer or distributor must, on receipt of a written complaint by a customer, respond to the complaint by addressing the matters in the complaint within 20 business days.</p> <p>Acknowledgment of complaint and response times</p> <p>A retailer or distributor must, on receipt of a written complaint by a customer —</p> <p style="padding-left: 40px;">(a) acknowledge the complaint within 10 business days; and</p> <p style="padding-left: 40px;">(b) respond to the complaint by addressing the matters in the complaint within 20 business days.</p>	Amends for new AS/NZS obligation.
Part 13 - Protections relating to family violence		
91	<p>Family violence policy</p> <p>(2) The family violence policy must —</p> <p style="padding-left: 40px;">(d) include processes to ensure that —</p> <p style="padding-left: 80px;">(i) the retailer uses reasonable endeavours to confirm a customer's status as a vulnerable customer if they have not advised the retailer that they are affected by family violence; but</p> <p style="padding-left: 80px;">(ii) a vulnerable customer does not have to repeatedly refer to, or disclose, their situation when they make contact with the retailer or another person acting on behalf of the retailer; and</p> <p style="padding-left: 40px;">(d) include processes to ensure that a vulnerable customer does not have to repeatedly refer to, or disclose, their situation when they make contact with the retailer or another person acting on behalf of the retailer; and</p>	Allows retailers to cease attempting contact after making reasonable attempts. The protection is not extended after making these reasonable attempts.
92	<p>Protection from disconnection</p> <p>(3) This clause does not apply in relation to —</p> <p style="padding-left: 40px;">(a) pre-payment meter customers; or</p> <p style="padding-left: 40px;">(b) former residential customers; or customers.</p> <p style="padding-left: 40px;">(c) vulnerable customers who give the retailer their verifiable consent to disconnection of their residential supply address.</p>	Allows customers to explicitly opt-out of the protection.

Clause	Change	Reason
Part 14 - Service standard payments		
94	Facilitating customer reconnections (2) The retailer must pay the customer \$84 \$60 for each day that the retailer or the distributor (as the case may be) is late, up to a maximum of \$420 . \$300 .	Increased by CPI since 2010.
95	Wrongful disconnections (2) The retailer must pay the customer \$140 \$100 for each day that the customer is wrongfully disconnected.	Increased by CPI since 2010.
96	Customer service (1) Unless clause 99 applies, if a retailer fails to respond to a written complaint made by a customer within the timeframe set out in clause 88, the retailer must pay the customer \$28. (1) Unless clause 99 applies, if a retailer fails to acknowledge or respond to a written complaint made by a customer within the timeframes set out in clause 88, the retailer must pay the customer \$20.	Increased by CPI since 2010. Amends for consistency to AS/NZS 10002:2022.
95	Wrongful disconnections (2) The distributor must pay the customer \$140 \$100 for each day that the customer is wrongfully disconnected.	Increased by CPI since 2010.
98	Customer service (1) Unless clause 99 applies, if a distributor fails to respond to a written complaint made by a customer within the timeframe set out in clause 88, the retailer must pay the customer \$28. (1) Unless clause 99 applies, if a distributor fails to acknowledge or respond to a written complaint made by a customer within the timeframes set out in clause 88, the retailer must pay the customer \$20.	Increased by CPI since 2010. Amends for consistency to AS/NZS 10002:2022.

Appendix 4 Summary of the ECCC recommendations

Our final decision considered the recommendations in the ECCC's final report (Table 7).

Table 7: Summary of the ECCC recommendations

ECCC recommendation summary
1. Prohibit paper billing charges to customers receiving concessions, experiencing financial hardship or family violence.
2. Introduce a new obligation to advise non-contestable customers annually, that the retailer has other tariff plans available.
3. Allow customers to choose a bill credit rather than a refund for any charges paid, where the meter is tested and found defective.
4. Where an accumulation meter has been exchanged for an interval meter, allow a bill estimate to be based on the longest available data series.
5. Allow a customer with a payment plan to nominate up to three future bills (i.e. over six months) to be incorporated in their payment plan.
6. In regional areas, allow health practitioners such as pharmacists and nurses to provide confirmation of a person's ongoing LSE requirement, for the three-yearly review.
7. For customers with LSE: <ul style="list-style-type: none"> a. Allow triennial reconfirmation from a general practitioner that a person in the Perth metropolitan area continues to require LSE. b. Remove the requirement of annual confirmation for nursing homes and similar facilities and require these customers to confirm every three years that LSE is still in use.
8. Where multiple persons require LSE at one supply address, clarify the licensee is only obligated to notify the customer or other nominated person.
9. Amend family violence protections to: <ul style="list-style-type: none"> a. Exempt a retailer from providing the nine-month disconnection protection to a customer when the customer expressly declines the protection. The retailer must obtain the customer's verifiable and informed consent. b. Require a retailer to confirm a customer's status with either the customer or authorised contact, once they 'become aware' that the customer is experiencing family violence, and to use 'reasonable endeavours' to do so.
10. Increase the service standard payment amounts by CPI since 2010.
11. Update the complaint acknowledgement processes to reflect Australian Standards.
12. For pre-payment meter customers, remove the requirement to proactively provide information about financial assistance to customers who frequently disconnect.
13. Update the Code for minor amendments.

Appendix 5 Summary of amendments to the Code

A summary of how clauses in the Amending Instrument relate to clauses in the Code.

Table 8: Summary of amendments to the Code

Clause in Code	Amending Clause	Summary of the change
3	4, 11, 13	New definitions to support the expanded LSE protections.
28	5	If an energy data check identifies the meter is faulty and a customer needs to be refunded for a meter testing fee, a bill credit can be offered instead.
32A	6	Prohibits retailers from charging certain residential customers for a paper bill, aligning with obligations for water and gas retailers.
43	7	Allows a customer and retailers to agree to include future bills in a payment plan, within six months of making the plan.
66	9	Clarifies the obligation on a retailer, by clearly defining when information must be provided to a frequently disconnected pre-payment meter customer.
69	10	Provides additional obligation on a retailer to make information about tariff options and products available to non-contestable customers.
82, 85	8, 11, 13, 14	Standardises the LSE registration processes across the metropolitan and regional areas, for both initial and ongoing registration. Reduces reporting for customers with multiple LSE users at an address.
84	12	Clarifies who the distributor must contact at an LSE supply address.
87, 88	15, 16	Refers consistently to updated complaint management Australian Standards.
91, 92	17, 18	Allows vulnerable customers to opt out of the disconnection moratorium. Clarifies the obligation for retailers contacting vulnerable customers.
94 - 98	19 - 23	Increase service standard payments by CPI.