

EN401*

ELECTRICITY INDUSTRY ACT 2004
CODE OF CONDUCT FOR THE SUPPLY OF ELECTRICITY TO
SMALL USE CUSTOMERS AMENDMENT INSTRUMENT 2013

1. Citation

This is the *Code of Conduct for the Supply of Electricity to Small Use Customers Amendment Instrument 2013*.

2. Commencement

This instrument comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this instrument is published in the *Gazette*;
- (b) the rest of the instrument—on 1 July 2013.

3. Code amended

This instrument amends the *Code of Conduct for the Supply of Electricity to Small Use Customers 2012*.*

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4. Clause 1.5 amended

In clause 1.5 insert in alphabetical order—

“ **appropriately qualified medical practitioner**” means—

- (a) within the Perth Metropolitan Area, a specialist medical practitioner or practitioner working in a specialist department of a hospital or hospice doctor; or
- (b) outside of the Perth Metropolitan Area, a doctor or general practitioner if he/she also works on an occasional basis from a local hospital or rural health service, or hospice doctor.”

“ **re-certification**” means confirmation from an *appropriately qualified medical practitioner* that a person residing at the *customer’s supply address* continues to require *life support equipment*.”

5. Clause 4.7 amended

- (1) In clause 4.7(1) delete “(1)” so that the clause begins “Other than in respect of ...”
- (2) Delete clause 4.7(2).

6. Clause 7.7 amended

- (1) In clause 7.7(3)(d) after the words “acknowledgement from the *customer*” insert—
“or someone residing at the *supply address*”

(2) Delete clause 7.7(5) and insert—

“(5)

- (a) No earlier than 3 months prior to the 12 month anniversary of the confirmation from the **appropriately qualified medical practitioner** referred to in subclause (1), and in any event no later than 3 months after the 12 month anniversary of the confirmation, the **retailer** must **contact** the **customer** to—
 - (i) ascertain whether a person residing at the **customer’s supply address** continues to require **life support equipment**; and
 - (ii) if the **customer** has not provided **re-certification** from an **appropriately qualified medical practitioner** within the last 3 years, request that the **customer** provide that **re-certification**.
- (b) The **retailer** must provide a minimum period of 3 months for the **customer** to provide the information requested by the **retailer** in subclause (5)(a).”

“(6)

- (a) When—
 - (i) a person who requires **life support equipment**, vacates the **supply address**; or
 - (ii) a person who required **life support equipment**, no longer requires the **life support equipment**; or
 - (iii) subject to subclause 6(b), a **customer** fails to provide the information requested by the **retailer** for the purposes of subclause (5)(a)(i) or the **re-certification** referred to in subclause (5)(a)(ii), within the time period referred to in subclause 5(b), or greater period if allowed by the **retailer**,
 the **retailer’s** and **distributor’s** obligations under subclauses (1), (3), (4) and (5) terminate.
- (b) A **customer** will have failed to provide the information requested by the **retailer** for the purposes of subclause (5)(a)(i) or the **re-certification** referred to in subclause (5)(a)(ii) where the **contact** by the **retailer** consisted of at least the following, each a minimum of 10 **business days** from the date of the last **contact**—
 - (i) written correspondence sent by registered post to the **customer’s supply address** and any other address nominated by the **customer**; and
 - (ii) a minimum of 2 other attempts to **contact** the **customer** by any of the following means—
 - A. electronic means;
 - B. telephone;
 - C. in person;
 - D. facsimile; or
 - E. by post sent to the customer’s supply address and any other address nominated by the customer.
- (c) Where the **distributor’s** obligations under subclauses (1), (3), (4) and (5) terminate as a result of the operation of subclause (6)(a)(iii), the **retailer** must notify the **distributor** of this fact as soon as reasonably practicable, but in any event, within 3 **business days**.”

7. Clause 9.13 amended

In clause 9.13(1) and (2) delete each reference to “36” (each occurrence) and insert instead “48”.

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.