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.*
[*Published in Gazette 205 9 November 2012, p.5323—5365]

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(b)(iii), the retailer must notify the customer 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.