
ENERGY

EN301

Energy Coordination Act 1994

**Gas Marketing Code of Conduct Amendment
Code 2019**

Approved by the Economic Regulation Authority.

1. Citation

This code is the *Gas Marketing Code of Conduct Amendment Code 2019*.

2. Commencement

This code comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this code is published in the *Gazette*;
- (b) the rest of the code — 1 January 2020.

3. Code amended

This code amends the *Gas Marketing Code of Conduct 2017*.

4. Clause 1.5 amended

In clause 1.5 insert in alphabetical order:

verifiable confirmation means confirmation that is given —

- (a) expressly; and
- (b) in writing or orally; and
- (c) by the ***customer*** or a nominated person competent to give the confirmation on the ***customer's*** behalf.

5. Clause 2.2 amended

In clause 2.2(2):

- (a) delete “a *retailer* or *gas marketing agent* must give the following information to a *customer* no later than on or with” and insert:

if a *customer* enters into a contract described in subclause (1), the *retailer* or *gas marketing agent* must give the following information to the *customer* before or at the time of giving

- (b) delete paragraph (e) and insert:

- (e) with respect to a *residential customer*, a statement that the *residential customer* may be eligible to receive *concessions* and how the *residential customer* may find out about their eligibility for those *concessions*;

- (c) delete paragraph (g) and insert:

- (g) with respect to a *residential customer* —
- (i) the *telephone* number for interpreter services, identified by the National Interpreter Symbol; and
 - (ii) the *telephone* number for *TTY* services;

- (d) in paragraph (h) delete “*retailer*; and” and insert:

retailer.

- (e) delete paragraph (i).

6. Clause 2.3 amended

- (1) In clause 2.3(1)(a) delete “that the *non-standard contract* has been entered into, and” and insert:

to entering into the *non-standard contract*; and

- (2) In clause 2.3(2)(c) delete “*contract*,” and insert:

contract.

(3) Delete clause 2.3(2)(d) to (l) and insert:

(2A) Subject to subclause (3), if a *customer* enters into a *non-standard contract*, the *retailer* or *gas marketing agent* must give the following information to the *customer* before or at the time of giving the *customer's* first bill —

- (a) how the *customer* may obtain —
 - (i) a copy of the *Code* and the *Compendium*; and
 - (ii) details on all relevant tariffs, fees, charges, *alternative tariffs* and service levels that may apply to the *customer*;
- (b) the scope of the *Code*;
- (c) that a *retailer* and *gas marketing agent* must comply with the *Code*;
- (d) how the *retailer* may assist if the *customer* is experiencing *payment difficulties* or *financial hardship*;
- (e) with respect to a *residential customer*, a statement that the *residential customer* may be eligible to receive *concessions* and how the *residential customer* may find out about their eligibility for those *concessions*;
- (f) the *distributor's* 24 hour *telephone* number for faults and emergencies;
- (g) with respect to a *residential customer* —
 - (i) the *telephone* number for interpreter services, identified by the National Interpreter Symbol; and
 - (ii) the *telephone* number for *TTY* services;
- (h) how to make an enquiry of, or *complaint* to, the *retailer*.

(4) In clause 2.3(3) delete “subclauses (2)(d)-(l),” and insert:

subclause (2A),

(5) Delete clause 2.3(4) and insert:

(4) A *retailer* or *gas marketing agent* must obtain the *customer's verifiable confirmation* that the information referred to in subclause (2) has been given.

7. Clause 2.10 amended

In clause 2.10 delete the note.

Economic Regulation Authority

The Common Seal of the Economic Regulation Authority was hereto duly affixed by the Chairman of the Economic Regulation Authority on 4 September 2019—

NICOLA CUSWORTH, Chair.

In the presence of—

RAY CHALLEN, Member.
