Western Australia

Electricity Industry Act 2004

Code of Conduct for the Supply of Electricity to Small Use Customers Amendment Code 2025

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Approved by the Economic Regulation Authority.

1. Citation

This code is the *Code of Conduct for the Supply of Electricity to Small Use Customers Amendment Code 2025*.

2. Commencement

This code comes into operation as follows —

(a) clauses 1 and 2 — on the day on which this code is published on the WA legislation website;

(b) the rest of the code — on 1 January 2026.

3. Code amended

This code amends the *Code of Conduct for the Supply of Electricity to Small Use Customers 2022*.

4. Clause 3 amended

(1) In clause 3 delete the definitions of:

appropriately qualified medical practitioner

overcharging

undercharging

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(2) In clause 3 insert in alphabetical order:

health practitioner confirmation, that a person requires life support equipment, means written confirmation from —

(a) a relevant medical practitioner; or

(b) an individual who is registered under the *Health Practitioner Regulation National Law (Western Australia)* 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);

medical practitioner confirmation, that a person requires life support equipment, means written confirmation from —

(a) a relevant medical practitioner; or

(b) an individual who is registered under the *Health Practitioner Regulation National Law (Western Australia)* 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);

overcharging, by a retailer or distributor, includes the overcharging of a customer as the result of —

(a) an error, defect or default for which the retailer or distributor is responsible (including when a meter is found to be defective); or

(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;

relevant medical practitioner, for a supply address, means —

(a) a medical practitioner, other than a specialist general practitioner, who holds specialist registration in a recognised specialty in the medical profession under the *Health Practitioner Regulation National Law (Western Australia)*; or

(b) a medical practitioner working in —

(i) a hospice; or

(ii) a specialist department of a hospital; or

(iii) a local hospital or rural health service (but only if the supply address is outside the Perth metropolitan area);

undercharging, by a retailer or distributor, includes the undercharging of a customer as the result of —

(a) an error, defect or default for which the retailer or distributor is responsible (including when a meter is found to be defective); or

(b) 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

(c) a failure to issue a bill to a customer;

(3) In clause 3 in the definition of ***complaint*** delete "an organisation, related to its" and insert:

a person, related to their

5. Clause 28 amended

Delete clause 28(3) and insert:

(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 —

(a) the customer's next bill; or

(b) a bank account nominated by the customer.

(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.

(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.

(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).

(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.

(8) Subclause (7) does not apply if the customer is a customer experiencing financial hardship.

(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).

6. Part 4 Division 9 inserted

At the end of Part 4 insert:

Division 9 — Prohibition on charging for paper billing

32A. Prohibition on charging for paper billing

A retailer must not charge the following customers a fee for the provision of a paper bill —

(a) customers who are receiving concessions;

(b) customers experiencing financial hardship;

(c) vulnerable customers.

7. Clause 43 amended

In clause 43(1):

(a) in paragraph (b) delete “date.” and insert:

date; and

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(b) after paragraph (b) insert:

(c) whether the customer agrees to the plan applying to future amounts incurred within 6 months after the start of the plan.

8. Clause 59 amended

In clause 59(1) delete "confirmation from an appropriately qualified medical practitioner" and insert:

a medical practitioner confirmation

9. Clause 66 amended

(1) Delete clause 66(1) and insert:

(1) This clause applies if a residential pre-payment meter customer informs a retailer that the customer is experiencing difficulties paying for their consumption.

(2) Delete clause 66(4).

10. Clause 69 amended

(1) In clause 69 delete "A retailer" and insert:

(1) A retailer

(2) At the end of clause 69 insert:

(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 —

(a) the information referred to in subclause (1);

(b) information about any other products offered by the retailer and available to the customer.

Note: The heading to clause 69 is to read:

Information about tariffs, fees, charges and products

11. Clause 82 amended

In clause 82(1) delete "confirmation from an appropriately qualified medical practitioner" and insert:

a medical practitioner confirmation

12. Clause 84 amended

In clause 84(3) delete "or someone residing at the supply address," and insert:

someone else residing at the supply address, or other nominated person,

13. Clause 85 amended

(1) Delete clause 85(1) and insert:

(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 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.

(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.

(1B) Subclause (1A) does not apply if —

(a) the anniversary is a 3rd anniversary (and subclause (1) therefore applies in relation to the residential customer instead); or

(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.

(2) In clause 85(2):

(a) delete "subclause (1)" and insert:

this clause

(b) in paragraph (b)(i) delete "will" and insert:

may

14. Clause 86 amended

(1) In clause 86(3)(b) delete "clause 85(1)." and insert:

clause 85.

(2) In clause 86(8) delete "is aware" and insert:

has reason to believe

15. Clause 87 amended

(1) Delete clause 87(2)(c) and (d) and insert:

(c) the method of acknowledging and responding to complaints.

(2) In clause 87(3) delete "AS/NZS 10002:2014." and insert:

AS/NZS 10002:2022.

16. Clause 88 replaced

Delete clause 88 and insert:

88. Response times for complaints

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.

17. Clause 91 amended

Delete clause 91(2)(d) and insert:

(d) include processes to ensure that —

(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

(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

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18. Clause 92 amended

In clause 92(3):

(a) in paragraph (b) delete "customers." and insert:

customers; or

(b) after paragraph (b) insert:

(c) vulnerable customers who give the retailer their verifiable consent to disconnection of their residential supply address.

19. Clause 94 amended

In clause 94(2):

(a) delete "$60" and insert:

$84

(b) delete "$300." and insert:

$420.

20. Clause 95 amended

In clause 95(2) delete "$100" and insert:

$140

21. Clause 96 amended

Delete clause 96(1) and insert:

(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.

22. Clause 97 amended

In clause 97(2) delete "$100" and insert:

$140

23. Clause 98 amended

Delete clause 98(1) and insert:

(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 distributor must pay the customer $28.

Economic Regulation Authority

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