

Annex E: Proposed amendments to the Electricity Distribution Code of Practice

Below we set out proposed amendments to the Electricity Distribution Code of Practice to reflect:

- changes to the life support framework that arise as a consequence of the Energy Legislation Amendment (Energy Fairness) Act 2021, and
- the Electricity Distribution Code becoming a code of practice under Part 6 of the Essential Services Commission Act 2001.

A. Amendments to Part 1 (This Code)

- (1) At Part 1 header, insert the words “of Practice” after code.
- (2) At clause 1.1, insert the words “of Practice” after code.
- (3) At clause 1.2, insert the words “of Practice” after code.
- (4) Delete clause 1.3 and insert:

1.3 To whom and how this Code of Practice applies:

This is a Code of Practice under Part 6 of the ESC Act 2001 and applies to ***distributors, retailers, embedded generators*** and ***exempt persons***.

- (5) At clauses 1.4.1-1.4.2, insert the words “of Practice” after code..
- (6) At clauses 1.5.1-1.5.2, insert the words “of Practice” after code.
- (7) Delete clause 1.6 and insert:

1.7 Civil Penalty Requirements

- 1.7.1 The following provisions of this Electricity Distribution Code of Practice are specified as civil penalty requirements for the purpose of the Essential Services Commission Act 2001: 5.5.1(a), 5.5.1(b), 5.5.2A, 5.5.2B, 5A.3.1(a); 5A.3.1(b), 5A.3.1(c), 5A.3.1(d), 5A.3.2(a), 5A.3.2(b), 5A.4.1, 5A.5.1(a), 5A.5.1(b), 5A.5.1(c), 5A.5.1(d), 5A.5.2, 5A.5.3(a), 5A.5.3(b), 5A.5.3(c), 5A.5.3(d), 5A.6.1, 5A.6.2, 5A.6.3, 5A.7.1, 5A.8.2, 5A.8.3, 5A.8.4(a), 5A.8.4(b), 5A.8.5, 5A.8.6(a), 5A.8.6(c), 5A.8.6(e), 5A.8.6(f), 5A.8.6(j), 6.2, 6.3.1, 6.3.2, 6.3A(a), 6.4.1, 6.4.2, 6.4.3, 6.4.4, 6.4.5, 9.1.12.
- (8) At clause 1.6.4, insert the words “of Practice” after code.

- (9) Delete clause 1.7 and insert “[not used”].
- (10) At clause 1.7.3, insert the words “of Practice” after code.
- (11) At clause 1.7.5, insert the words “of Practice” after code.
- (12) At clause 1.8.1, insert the words “of Practice” after code.

B. Amendment to clause 2.3 (No energisation)

- (13) At clause 2.3.1(c), insert the words “of practice” after code.

C. Amendments to Part 3 (Asset Management)

- (14) At clause 3.1(b), insert the words “of practice” after code.
- (15) At clause 3.2.1, insert the words “of practice” after code.
- (16) At clause 3.3.2, insert the words “of practice” after code.

D. Amendments to clause 4.2 (Voltage)

- (17) At clause 4.2.7, insert the words “of practice” after code.
- (18) At footnote 1 to clause 4.2.7, insert the words “of practice” after code.

E. Amendments to Part 5.5a (Interruptions: Customer communications)

- (19) At clause 5.5a.2 delete the words “registered as requiring life support equipment” and insert “a ***registered life support customer***”.

F. Amendments to Part 5.5 (Planned interruptions)

- (20) At clause 5.5.1(a) delete the words “requires ***life support equipment***” and insert “is a ***life support customer***”.
- (21) At clause 5.5.1(b) delete the words “registered as requiring ***life support equipment***” and insert “a ***registered life support customer***”.
- (22) At clause 5.5.2A, delete the words “registered as requiring ***life support equipment***” and insert “a ***life support customer***”.

G. Amendments to Part 5A Life Support Equipment

- (23) Delete Part 5A and insert:

Part 5A Life Support Customers

5A.1 Requirement

5A.1.1 A **distributor** is required to perform its obligations under this clause 5A in a way that promotes the objective of this Clause.

5A.2 Objective

5A.2.2 The objective of this clause 5A is to ensure that persons who require **life support equipment** receive the full protections of the **life support protections** from when they first advise their **retailer** or **distributor** that the premises require **life support equipment**. These **life support protections** apply until the premises is validly **deregistered**.

Note In addition to this clause 5A, this Code of Practice contains life support provisions for *distributors* in clauses 5.5 and 21.

5A.3 Registration of life support equipment

5A.3.1 Distributor obligations when advised by customer

- (a) Within one **business day** after being advised by a **small customer** that a **life support resident** resides, or is intending to reside, at the **small customer's** premises, a **distributor** must record in a **register of life support customers and residents** the **life support customer details**.
- (b) A **distributor** who is advised by a **small customer** that a **life support resident** resides, or is intending to reside, at the **small customer's** premises, must determine whether the **life support equipment** is fueled by both electricity and gas and, if it is, inform the **customer** that the **customer** should inform the gas retailer or distributor who supply gas at the **small customer's** premises that a **life support resident** resides, or is intending to reside, at the **small customer's** premises.
- (c) Within 5 **business days** after being advised by a **small customer** that a **life support resident** resides, or is intending to reside, at the **small customer's** premises, a **distributor** must give to the **customer**, in plain English:
 - (i) a **medical confirmation form** in accordance with clause 5A.3.3;
 - (ii) information explaining that, if the **customer** fails to provide **medical confirmation**, the **customer** may be **deregistered** and, if so, the **customer** will cease to receive the **life support protections**;
 - (iii) advice that there may be **distributor planned interruptions** under clause 5.5 or **unplanned interruptions** under clause 5.4 to the supply at the address and that the **distributor** is required to notify them of a **distributor planned interruption** in accordance with clause 5.5.1;
 - (iv) information to assist the **customer** to prepare a plan of action in the case of an **unplanned interruption**;
 - (v) an emergency telephone contact number for the **distributor** (the charge for which is no more than the cost of a local call);
 - (vi) advice that if the **customer** decides to change **retailer** at the premises and a person residing at the **customer's** premises continues to require **life support equipment**, the **customer** should advise their new **retailer** of the requirement for **life support equipment**;
 - (vii) information about the types of equipment that fall within the definition of **life support equipment**, and the additional information provided in Schedule 7 of the **Energy Retail Code of Practice**;

- (viii) advice that the *customer* may be eligible for concessions and rebates offered by the State or Federal governments, including information about how to access them; and
 - (ix) information in community languages about the availability of interpreter services for the languages concerned and telephone numbers for the services.
- (d) Within one **business day** after being advised by a **small customer** that a **life support resident** resides, or is intending to reside, at the **small customer's** premises, a **distributor** must notify the **retailer** that a person residing or intending to reside at the **customer's** premises requires **life support equipment** and the date from which the **life support equipment** is required.

5A.3.2 Distributor obligations when advised by retailer

- (a) Within one **business day** after being advised by a **retailer**, under section 40SG(4) of the **Act**, that a **life support resident** resides, or is intending to reside, at the **small customer's** premises, a **distributor** must record in a **register of life support customers and residents** the **life support customer details**.
- (b) Within one **business day** after being advised by a **retailer**, under section 40SI(2) of the **Act** or under clause 170(1)(b) of the **Energy Retail Code of Practice**, that a **life support resident** resides, or is intending to reside, at the **small customer's** premises, a **distributor** must record in a **register of life support customers and residents** the **life support customer details**.

5A.3.3 Content of medical confirmation form

A **medical confirmation form** must:

- (a) be dated;
- (b) state that completion and return of the form to the **distributor** will satisfy the requirement to provide **medical confirmation** under this Code of Practice;
- (c) request the following information from the **customer**:
 - (i) the **supply address** of the **customer's** premises;
 - (ii) the date from which the **customer** requires supply of electricity at the premises for the purposes of the **life support equipment**; and
 - (iii) **medical confirmation**;
- (d) specify the types of equipment that fall within the definition of **life support equipment**;
- (e) advise the date by which the **customer** must return the **medical confirmation form** to the **distributor**; and
- (f) advise the **customer** they can request an extension of time to complete and return the **medical confirmation form**.

5A.4 Confirmation of supply address as requiring life support equipment

5A.4.1 Where a **medical confirmation form** is provided to a **customer**, the **distributor** must:

- (a) from the date of the **medical confirmation form**, give the **customer** a minimum of 50 **business days** to provide **medical confirmation**;
- (b) provide the **customer** at least two written notices to remind the **customer** that the **customer** must provide **medical confirmation** (each a **confirmation reminder notice**);
- (c) ensure the first **confirmation reminder notice** is provided no less than 15 **business days** from the date of issue of the **medical confirmation form**;

- (d) ensure the second **confirmation reminder notice** is provided no less than 15 **business days** from the date of issue of the first **confirmation reminder notice**; and
- (e) on request from a **customer**, give the **customer** at least one extension of time to provide **medical confirmation**. The extension must be a minimum of 25 **business days**.

5A.4.2 A **confirmation reminder notice** must:

- (a) be dated;
- (b) state the date by which the **medical confirmation** is required;
- (c) specify the types of equipment that can fall within the definition of **life support equipment**; and
- (d) advise the **customer** that:
 - (i) the **customer** must provide **medical confirmation**;
 - (ii) the **customer** is temporarily registered as a **life support customer** until the **medical confirmation** is received;
 - (iii) failure to provide **medical confirmation** may result in the **customer** being **deregistered**; and
 - (iv) the **customer** can request an extension of time to provide **medical confirmation**.

5A.5 Ongoing distributor obligations

5A.5.1 Where a **distributor** is required to record **life support customer details** in a **register of life support customers and residents**, the **distributor** has the following ongoing obligations:

- (a) within one **business day** after receiving relevant information about the **life support equipment** requirements for the **customer's** premises (including **medical confirmation**) or any relevant contact details, give such information to the **retailer** for the purposes of updating the **retailer's register of life support customers and residents**, unless the relevant information was provided to the **distributor** by the **retailer**;
- (b) within one **business day** after being advised by a **customer** or **retailer** of any update to the **life support equipment** requirements for the **customer's** premises or any relevant contact details, update the **register of life support customers and residents**;
- (c) except in the case of an **interruption** or **emergency**, not **disconnect** the **supply address** after the date the **life support equipment** will be required at the **supply address**; and
- (d) in the case of an **interruption** that is a **distributor planned interruption**, comply with clause 5.5.1(b).

- 5A.5.2 In addition to the obligations specified in clause 5A.5.1, after a **distributor** is required to record a **customer's life support customer details** in a **register of life support customers and residents** under clause 5A.3.1(a), if the **distributor** becomes aware (including by way of notification in accordance with the **Market Settlement and Transfer Solution Procedures**) that the **customer** has subsequently transferred to another **retailer** (a **new retailer**) at that **supply address**, the **distributor** must notify the new retailer (within one **business day** after becoming aware) that a person residing at the **customer's supply address** is a **life support resident**.
- 5A.5.3 Where a **distributor** is required to record a **customer's life support customer details** in a **register of life support customers and residents** under clause 5A.3.2(b), the **distributor** has the following ongoing obligations:
- (a) within one **business day** after receiving relevant information about the **life support equipment** requirements for the **customer's supply address** and any relevant contact details, give such information to the **retailer** for the purposes of updating the **retailer's register of life support customers and residents**, unless the relevant information was provided to the **distributor** by the **retailer**;
 - (b) within one **business day** after being advised by a **retailer** of any update to the **life support equipment** requirements for the **customer's supply address** or any relevant contact details, update the **register of life support customers and residents**;
 - (c) except in the case of an **interruption** or **emergency**, not **disconnect** the **supply address** after the date the **life support equipment** will be required at the **supply address**; and
 - (d) in the case of an **interruption** that is a **distributor planned interruption**, comply with clause 5.5.1(b).

5A.6 Deregistration of life support customer

- 5A.6.1 A **distributor** must not **deregister** a **customer** except in the circumstances permitted under this clause 5A.6.
- 5A.6.2 If a **customer** is **deregistered** by a **distributor**, the **distributor** must:
- (a) within 5 **business days** of the date of **deregistration**, notify the **retailer** of the date of **deregistration** and reason for **deregistration**; and
 - (b) within one business day from **deregistration**, update its **register of life support customers and residents** as required by clause 5A.7.
- 5A.6.3 If a **distributor** is notified by a **retailer** that the **retailer** or an **exempt person** has **deregistered** a **customer's supply address**, the **distributor** must (within one **business day** from notification) update the **life support customer details** entered in its **register of life support customers and residents** as required by clause 5A.7.
- 5A.6.4 **Cessation of distributor obligations after deregistration**
- (a) The **distributor** obligations under clause 5A.5 cease to apply in respect of a **customer** once that **customer** is validly **deregistered**.
- 5A.6.5 **Deregistration where medical confirmation not provided**
- (a) Where a **customer** who has been registered by a **distributor** under clause 5A.3.1(a) fails to provide **medical confirmation**, the **distributor** may **deregister** the **customer** only when:
 - (i) the **distributor** has complied with the requirements under clause 5A.4;

- (ii) the **distributor** has taken reasonable steps to contact the **customer** in connection with the **customer's** failure to provide **medical confirmation** in one of the following ways:
 - 1. in person;
 - 2. by telephone; or
 - 3. by electronic means;
 - (iii) the **distributor** has provided the **customer** with a **deregistration notice** no less than 15 **business days** from the date of issue of the second **confirmation reminder notice** issued under clause 5A.4.1; and
 - (iv) the **customer** has not provided **medical confirmation** before the date for **deregistration** specified in the **deregistration notice**.
- (b) A **deregistration notice** must:
- (i) be dated;
 - (ii) specify the date on which the **customer** will be **deregistered**, which must be at least 15 **business days** from the date of the **deregistration notice**;
 - (iii) advise the **customer** they will cease to be a **registered life support customer** unless **medical confirmation** is provided before the date for **deregistration**; and
 - (iv) advise the **customer** that the **customer** will no longer receive the **life support protections** when the **customer** is **deregistered**.
- (c) Where a **customer** has been registered by a **distributor** under clause 5A.3.2, a **distributor** may **deregister** the **customer** after being notified by the **retailer** that the **retailer** has **deregistered** the **customer's supply address** pursuant to clause 163 of the **Energy Retail Code of Practice**.

5A.6.6 Deregistration where there is a change in the customer's circumstances

Where a **customer** who has been registered by a **distributor** under clause 5A.3.1(a) or 5A.3.2 advises the **distributor** that the person for whom the **life support equipment** is required has vacated the premises or no longer requires the **life support equipment**, the **distributor** may **deregister** the **customer** :

- (a) on the date specified in accordance with subclause (a)(i)(B) if:
 - (i) the **distributor** has provided written notification to the **customer** advising:
 - (A) that the **customer** will be **deregistered** on the basis that the **customer** has advised the **distributor** that the person for whom the **life support equipment** is required has vacated the premises or no longer requires the **life support equipment**;
 - (B) the date on which the **customer** will be **deregistered**, which must be at least 15 **business days** from the date of that written notification;
 - (C) that the **customer** will no longer receive the **life support protections** when the **supply address** is **deregistered**; and
 - (D) that the **customer** must contact the **distributor** prior to the date specified in accordance with subclause (a)(i)(B) if the person for whom the **life support equipment** is required has not vacated the premises or requires the **life support equipment**; and
 - (ii) the **customer** has not contacted the **distributor** prior to the date specified in accordance with subclause (a)(i)(B) to advise that the person for whom the **life**

support equipment is required has not vacated the premises or requires the **life support equipment**; or

- (b) on a date that is less than 15 **business days** from the date of written notification if the **customer** or their authorised representative gives **explicit informed consent** to the **customer** being **deregistered** on that date.
- (c) **Explicit informed consent** is consent given by a **customer** to a **distributor** where:
 - (i) the **distributor**, or a person acting on behalf of the **distributor**, has clearly, fully and adequately disclosed in plain English all matters relevant to the consent of the **customer**, including each specific purpose or use of the consent; and
 - (ii) the **customer** gives the consent in accordance with subclause (d); and
 - (iii) the **customer** is competent to do so.
- (d) **Explicit informed consent** requires the consent to be given by the **customer**:
 - (i) in writing signed by the **customer**, or
 - (ii) verbally, so long as the verbal consent is evidenced in such a way that it can be verified and made the subject of a record; or
 - (iii) by electronic communication generated by the **customer**.
- (e) A **distributor** must create a record of each **explicit informed consent** required by clause 5A.6.6(d) and provided by a **customer**, and retain the record for at least 2 years.
- (f) A **distributor** may **deregister** a **customer** after being notified by the **retailer** that the **retailer** has **deregistered** the **customer** pursuant to clause 163 of the **Energy Retail Code of Practice**.
- (g) A **distributor** may, at any time, request a **customer** whose **supply address** has been registered under clause 5A.3 to confirm whether the person for whom **life support equipment** is required still resides at the premises or still requires **life support equipment**.

5A.6.7 Deregistration where there is a change in the customer's retailer

- (a) Where a **distributor** has registered a **customer** pursuant to clause 5A.3.2 and the **distributor** becomes aware (including by way of notification in accordance with the **Market Settlement and Transfer Solution Procedures**) that the **customer** has subsequently transferred its **supply address** to another **retailer**, the **distributor** may **deregister** the **customer** on the date specified in accordance with subclause 7(a)(i)(B) if:
 - (i) the **distributor** has provided written notification to the **customer** advising:
 - (A) that the **customer** will be **deregistered**;
 - (B) the date on which the **customer** will be **deregistered**, which must be at least 15 **business days** from the date of that written notification;
 - (C) that the **customer** will no longer receive the protections under this Clause 5A when the **customer** is **deregistered**; and
 - (D) that the **customer** must contact the **distributor** prior to the date specified in accordance with subclause (a)(i)(B) if a person residing at the **customer's** premises requires **life support equipment**; and
 - (ii) the **customer** has not contacted the **distributor** prior to the date specified in accordance with subclause (a)(i)(B) to advise that a person residing at the **customer's supply address** requires **life support equipment**.
- (b) Nothing in subclause (a) affects the operation of clause 5A.3.1(a) and 5A.3.2 following a **customer's** transfer to the other **retailer**.

5A.7 Registration and deregistration details must be kept by distributors

5A.7.1 A *distributor* must:

- (a) establish policies, systems and procedures for registering and **deregistering life support customers**, to facilitate compliance with the requirements in this clause 5A; and
- (b) ensure that the **register of life support customers and residents** is maintained and kept up to date, including:
 - (i) the date when the **customer** requires supply of energy at the premises for the purposes of the **life support equipment**;
 - (ii) when **medical confirmation** was received from the **customer** in respect of the premises;
 - (iii) the date when the **customer** is **deregistered** and the reason for **deregistration**; and
 - (iv) a record of communications with the **customer** required by clauses 5A.4 and 5A.6.

5A.8 Exempt distributor obligations

5A.8.1 Requirement and objective

- (a) An **exempt distributor** is required to perform its obligations under this clause 5A.8 in a way that promotes the objective of this Clause.
- (b) The objective of this clause 5A.8 is to ensure that persons who require **life support equipment** receive the full protections of the life support provisions from when they first advise their **exempt person** or **exempt distributor** that the premises require **life support equipment**. These protections apply until the premises is validly **deregistered**.

Note: In addition to this clause 5A, this Code of Practice contains life support provisions for exempt distributors in clauses 5.5 and 21.

5A.8.2 Exempt distributor registration of life support equipment

- (a) Within one day after being advised by a **small customer** that a person residing or intending to reside at the **customer's** premises requires **life support equipment**, an **exempt distributor** must:
 - (i) record in a **register of life support customers and residents** the **life support customer details**; and
 - (ii) if the customer purchases electricity from an **exempt person**, notify the **exempt person** that a person residing or intending to reside at the **customer's supply address** requires **life support equipment** and the date from which the **life support equipment** is required.
- (b) Within one day after being notified by an **exempt person** under section 40SJ(5) of the **Act**, an **exempt distributor** must record in a **register of life support customers and residents** the **life support customer details**.

Note: An exempt distributor who provides electricity to a customer who purchases electricity from a licensed retailer has obligations under clause 5A.8.6 of this Code of Practice.

5A.8.3 Ongoing exempt distributor obligations

Where an **exempt distributor** is required to register a **customer** under clause 5A.8.2(a) or (b), the **exempt distributor** has the following ongoing obligations:

- (a) if the customer purchases electricity from an **exempt person**:

- (i) give the **exempt person** relevant information about the **life support equipment** requirements for **customer** and any relevant contact details, for the purposes of updating the **exempt person's** registration under clause 132(2)(a) of the **Energy Retail Code of Practice**, unless the relevant information was provided to the **exempt distributor** by the **exempt person**;
 - (ii) when advised by the **customer** or an **exempt person** of any updates to the **life support equipment** requirements for the **customer's** premises or any relevant contact details, update the **register of life support customers and residents**;
 - (iii) except in the case of an **interruption** or **emergency**, not **disconnect** the **supply address** after the date the **life support equipment** will be required at the **supply address**; and
- (b) in the case of an **interruption** by the **exempt distributor** that is a **distributor planned interruption**, comply with clause 5.5.1(b);
 - (c) within one **business day** after being notified by a **distributor** about a planned interruption under clause 5.5.1(b), provide the affected **customer** with written notice.

5A.8.4 Deregistration of life support customer

- (a) An **exempt distributor** may only **deregister** a **customer** in the circumstances permitted under this clause 5A.8.4.
- (b) If an **exempt distributor** is notified by an **exempt person** that the **exempt person** has **deregistered** a **customer's supply address**, the **exempt distributor** must update the **life support customer details** entered in its **register of life support customers and residents** as required by clause 5A.8.5
- (c) The **exempt distributor** obligations under clause 5A.8.3 cease to apply in respect of a **customer** once that **customer** is validly **deregistered**.

5A.8.5 Registration and deregistration details must be kept by exempt distributors

An **exempt distributor** must:

- (a) establish policies, systems and procedures for registering and **deregistering life support customers**, to facilitate compliance with the requirements in this clause 5A.8; and
- (b) ensure that the **register of life support customers** is maintained and are kept up to date, including:
 - (i) the date when the **customer** requires supply of energy at the premises for the purposes of the **life support equipment**;
 - (ii) the date when **medical confirmation** was received from the **exempt person** in respect of a **customer's** premises; and
 - (iii) the date when the **customer** is **deregistered** and the reason for **deregistration**.

5A.8.6 Exempt distributor obligations for on-market customer

- (a) When advised by a **small customer** who purchases electricity from a **retailer** who holds a **retail licence** under the **Act**, the **exempt distributor** must:
 - (i) within one **business day**, record in a **register of life support customers and residents** the **life support customer details**;
 - (ii) determine whether the **life support equipment** is fuelled by both electricity and gas and, if it is, inform the **customer** that the **customer** should inform the gas retailer or distributor who supply gas at the **customer's** premises that a **life support resident** resides or is intending to reside at the **customer's** premises;

- (iii) within 5 **business days** after receiving advice from the **customer**, give to the **customer**, in plain English:
 - (A) a **medical confirmation form** in accordance with subclause (b);
 - (B) information explaining that, if the **customer** fails to provide **medical confirmation**, the **customer** may be **deregistered** and, if so, the **customer** will cease to receive the **life support protections**;
 - (C) advice that there may be **exempt distributor planned interruptions** under clause 5.5 or **unplanned interruptions** under clause 5.4 to the supply at the address and that the **exempt distributor** is required to notify them of a **distributor planned interruption** in accordance with clause 5.5.1;
 - (D) information to assist the **customer** to prepare a plan of action in the case of an **unplanned interruption**;
 - (E) an emergency telephone contact number for the **exempt distributor** (the charge for which is no more than the cost of a local call);
 - (F) advice that if the **customer** decides to change **retailer** at the premises and a person residing at the **customer's** premises continues to require **life support equipment**, the **customer** should advise their new **retailer** of the requirement for **life support equipment**;
 - (G) information about the types of equipment that fall within the definition of **life support equipment**, and the additional information provided in Schedule 7 of the **Energy Retail Code of Practice**;
 - (H) advice that the **customer** may be eligible for concessions and rebates offered by the State or Federal governments, including information about how to access them; and
 - (I) information in community languages about the availability of interpreter services for the languages concerned and telephone numbers for the services.

(b) **Content of medical confirmation form**

A **medical confirmation form** must:

- (i) be dated;
- (ii) state that completion and return of the form to the **exempt distributor** will satisfy the requirement to provide **medical confirmation** under this Code of Practice;
- (iii) request the following information from the **customer**:
 - (A) the **supply address** of the **customer's** premises;
 - (B) the date from which the **customer** requires supply of electricity at the premises for the purposes of the **life support equipment**; and
 - (C) **medical confirmation**;
- (iv) specify the types of equipment that fall within the definition of **life support equipment**;
- (v) advise the date by which the **customer** must return the **medical confirmation form** to the **exempt distributor**; and
- (vi) advise the **customer** they can request an extension of time to complete and return the **medical confirmation form**.

(c) **Confirmation of supply address as requiring life support equipment**

Where a **medical confirmation form** is provided to a **customer**, the **exempt distributor** must comply with subclause 5A.4.1(a)-(e).

(d) A **confirmation reminder notice** must contain the information specified in clause 5A.4.2.

(e) **Ongoing exempt distributor obligations**

Where an **exempt distributor** is required to record **life support customer details** in a **register of life support customer and residents**, the **exempt distributor** has the following ongoing obligations:

- (i) within one **business day** after being advised by a **customer** of any updates to the **life support equipment** requirements for the **customer's** premises or any relevant contact details, update the **register of life support customers and residents**;
- (ii) except in the case of an **interruption** or **emergency**, not **disconnect** the **supply address** after the date the **life support equipment** will be required at the **supply address**; and
- (iii) in the case of an **interruption** that is a **distributor planned interruption**, comply with clause 5.5.1(b)
- (iv) within one **business day** after being notified by a **distributor** about a planned interruption under clause 5.5.1(b), provide the affected **customer** with written notice.

(f) **Deregistration of life support customer**

- (i) An **exempt distributor** must not **deregister** a **customer** except in the circumstances permitted under subclauses (f) to (i).
- (ii) If a **customer's supply address** is **deregistered** by an **exempt distributor**, the **exempt distributor** must within one business day from **deregistration**, update the **life support customer details** entered in its **register of life support customers and residents** as required by subclause (j).

(g) **Cessation of distributor obligations after deregistration**

The **exempt distributor** obligations under subclause (e) cease to apply in respect of a **customer** once that **customer** is validly **deregistered**.

(h) **Deregistration where medical confirmation not provided**

Where a **customer** whose has been registered by an **exempt distributor** under subclause (a)(i) fails to provide **medical confirmation**, the **exempt distributor** may **deregister** the **customer** only when:

- (i) the **exempt distributor** has complied with the requirements under subclause (c);
- (ii) the **exempt distributor** has taken reasonable steps to contact the **customer** in connection with the **customer's** failure to provide **medical confirmation** in one of the following ways:
 - (A) in person; or
 - (B) by telephone; or
 - (C) by electronic means;
- (iii) the **exempt distributor** has provided the **customer** with a **deregistration notice** no less than 15 **business days** from the date of issue of the second confirmation reminder notice issued under clause 5A.8.6(c); and
- (iv) the **customer** has not provided **medical confirmation** before the date for **deregistration** specified in the **deregistration notice**.

- (v) A **deregistration notice** must:
 - (A) be dated;
 - (B) specify the date on which the **customer** will be **deregistered**, which must be at least 15 **business days** from the date of the **deregistration notice**;
 - (C) advise the **customer** they will cease to be a **registered life support customer** unless **medical confirmation** is provided before the date for **deregistration**; and
 - (D) advise the **customer** that the **customer** will no longer receive the **life support protections** when the **customer** is **deregistered**.

(i) **Deregistration where there is a change in the customer's circumstances**

Where a **customer** who has been registered by an **exempt distributor** under subclause (a)(i) advises the **exempt distributor** that the person for whom the **life support equipment** is required has vacated the premises or no longer requires the **life support equipment**, the **exempt distributor** may **deregister** the **customer** on:

- (i) the date specified in accordance with subclause (i)(i)(A)(2) if:
 - (A) the **exempt distributor** has provided written notification to the **customer** advising:
 1. that the **customer** will be **deregistered** on the basis that the **customer** has advised the **distributor** that the person for whom the **life support equipment** is required has vacated the premises or no longer requires the **life support equipment**;
 2. the date on which the **customer** will be **deregistered**, which must be at least 15 **business days** from the date of that written notification;
 3. that the **customer** will no longer receive the **life support protections** when the **customer** is **deregistered**; and
 4. that the **customer** must contact the **exempt distributor** prior to the date specified in accordance with subclause (i)(i)(A)(2) if the person for whom the **life support equipment** is required has not vacated the premises or requires the **life support equipment**; and
 - (B) the **customer** has not contacted the **distributor** prior to the date specified in accordance with subclause (a)(i)(B) to advise that the person for whom the **life support equipment** is required has not vacated the premises or requires the **life support equipment**; or
- (ii) a date that is less than 15 **business days** from the date of written notification if the **customer** or their authorised representative gives **explicit informed consent** to the **customer** being **deregistered** on that date.
- (iii) **Explicit informed consent** is consent given by a **customer** to an **exempt distributor** that complies with subclause 5A.6.6(c)-(d).
- (iv) An **exempt distributor** must create a record of each **explicit informed consent** required by subclause (i) and provided by a **customer**, and retain the record for at least 2 years.
- (v) An **exempt distributor** may, at any time, request a **customer** whose **supply address** has been registered under clause 5A.8.6 to confirm whether the person

for whom **life support equipment** is required still resides at the premises or still requires **life support equipment**.

(j) **Registration and deregistration details must be kept by exempt distributors**

An **exempt distributor** must:

- (i) establish policies, systems and procedures for registering and **deregistering life support customers** to facilitate compliance with the requirements in this clause 5A.
- (ii) ensure that the **register of life support customers and residents** is maintained and kept up to date, including:
 - (A) the date when the **customer** requires supply of energy at the premises for the purposes of the **life support equipment**;
 - (B) when **medical confirmation** was received from the **customer** in respect of the premises;
 - (C) the date when the **customer** is **deregistered** and the reason for **deregistration**; and
 - (D) a record of communications with the **customer** required by subclauses (c)-(i).

H. Amendments to Part 7 (Embedded generators)

- (24) At clause 7.1.3, insert the words “of Practice” after the word code.
- (25) At clause 7.1.4, insert the words “of Practice” after the word code.
- (26) At clause 7.3(a), insert the words “of Practice” after the word code.

I. Amendments to Part 9 (Provision and Treatment of information)

- (27) At clause 9.1.3, insert the words “of Practice” after the word code.
- (28) At clause 9.1.3A, insert the words “of Practice” after the word code.
- (29) At clause 9.1.4, insert the words “of Practice” after the word code.
- (30) At clause 9.1.8, insert the words “of Practice” after the word code.
- (31) At clause 9.1.10(c), insert the words “of Practice” after the word code.
- (32) At clause 9.1.11, delete “Code or the Energy Retail Code” and insert “Code of Practice, Energy Retail Code of Practice, or the Act”.
- (33) At clauses 9.4.1(a)-(b), insert the words “of Practice” after the word code.
- (34) At clauses 9.4.2(b)-(c), and (i), insert the words “of Practice” after the word code.

J. Amendments to Part 11 (Non-compliance with the Code)

- (35) At Part 11 header, insert the words “of Practice” after code.

- (36) At clause 11.1, insert the words “of Practice” after code.
- (37) At clauses 11.2.1-11.2.2, insert the words “of Practice” after code.
- (38) At clause 11.3, insert the words “of Practice” after code.

K. Amendments to Part 12 (Disconnection of supply)

- (39) At clause 12.1(a), insert the words “of Practice” after code.
- (40) At clause 12.6.2, insert the words “of Practice” after code.

L. Amendments to Part 13 (Reconnection of supply)

- (41) At clause 13.1.1, insert the words “of Practice” after code.

M. Amendments to Part 15 (Additional Distribution Charges)

- (42) At clause 15, insert the words “of Practice” after the word Code.

N. Amendments to Part 15A (Adjustment of Network Charges)

- (43) At clause 15A.1.1, insert “of Practice” after the word Code.

O. Amendments to Definitions (clause 19)

- (44) Insert the words “of Practice” after “In this Code”.
- (45) Delete the definition of **Energy Retail Code** and insert:

Energy Retail Code of Practice means the code of that name made by the Commission under Part 6 of the *Essential Services Commission Act 2001*.

- (46) Delete the definition of **deregister** and insert:

deregister means the removal of ***life support customer details*** from:

- (a) a ***retailer’s register of life support customers and residents*** under clause 163(6) or 163(7) of the ***Energy Retail Code of Practice***;
- (b) a ***distributor’s register of life support customers and residents*** under clause 5A.3.1 or 5A.3.2 of this Code of Practice;
- (c) an ***exempt person’s register of life support customers*** under clause 168(5) or 168(6) of the ***Energy Retail Code of Practice***; or
- (d) an ***exempt distributor’s register of life support customers*** under clause 5A.8.2 of this Code of Practice.

- (47) Delete the definition of **deregistration notice** and insert:

deregistration notice means a written notice issued by a ***distributor*** to inform a customer that their ***life support customer details*** will be removed from the ***register of life support***

customers and residents if the customer does not provide **medical confirmation** by the date specified in that deregistration notice.

(48) In the definition of **distributor** insert the words “of Practice” after code.

(49) After the definition of **interval meter** insert:

life support customer means a *customer* who is a *life support resident* or a *customer* at whose premises a *life support resident* (who is not the *customer*) resides or intends to reside;

life support customer details in relation to a *customer* means

- (i) information that evidences that the *customer* is a *life support customer*;
- (ii) the personal details of each *life support resident* residing or intending to reside at the premises of the *life support customer*; and
- (iii) the date from which *life support equipment* is required at the premises of the *life support customer* by each *life support resident*;

(50) Delete the definition of **life support equipment** and insert:

life support equipment has the meaning given by section 40SA of the *Electricity Industry Act*;

(51) After the definition of **life support equipment** insert:

life support protections means the protections against *disconnection* of a *life support customer* under Part 2, Division 5C of the *Electricity Industry Act* and clause 5A.5.1 and 5A.8.3 of this Code of Practice;

life support resident means a person who requires *life support equipment*;

(52) In the definition of **market customer** insert the words “of Practice” after code.

(53) In the definition of **metering data** insert the words “of Practice” after code.

(54) In the definition of **quality of supply** insert the words “of Practice” after code.

(55) In the definition of **small customer** insert the words “of Practice” after code.

(56) After the definition of **REFCL condition** insert:

register of life support customers and residents means a register established and maintained under section 40SV of the *Electricity Industry Act*;

(57) After the definition of **register of life support customers and residents** insert:

registered life support customer means, in relation to a retailer or an exempt electricity seller, a *life support customer* who is registered in the *register of life support customers and residents* established and maintained by that electricity retailer or exempt electricity seller, as the case requires;

P. Amendments to Part 20 (Interpretation)

(58) In clause 20.1.2, insert the words “of Practice” after code.

(59) In clause 20.1.3, insert the words “of Practice” after code.

Q. Amendments to Part 21 (Transitional Provisions)

(60) In clause 21.1, insert the words “of Practice” after “this Code”.

(61) In the note under clause 21.2(1) insert the words “*of Practice*” after code.

(62) In the note under clause 21.3(1), insert the words “*of Practice*” after code.

R. Amendment to Schedule 2

(63) In Schedule 2, delete the words “the code” and insert “this Code of Practice”.