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Consultation Paper

31 July 2025

Acknowledgement

We acknowledge the Traditional Owners of the lands and waterways on which we work and live.

We acknowledge all Aboriginal and Torres Strait Islander communities, and pay our respects to Elders past and present.

As the First Peoples of this land, belonging to the world's oldest living cultures, we recognise and value their knowledge, and ongoing role in shaping and enriching the story of Victoria.

An appropriate citation for this paper is:

Essential Services Commission 2025, [Title]: [Subtitle], 31 July

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Summary

The Essential Services Commission (the commission) is reviewing Victoria's life support protections. These protections are contained in the Victorian energy rules that retailers, distributors and exempt persons that operate embedded networks must comply with.

The changes that we are considering aim to improve the accuracy of life support registers and their use by emergency agencies. One proposed key change would help distinguish which customers critically rely on life support equipment. This information could help emergency agencies focus their efforts on those needing critical help during prolonged power outages.

We are considering the following changes to the Energy Retail Code of Practice, the Electricity Distribution Code of Practice and the Gas Distribution Code of Practice:

- introducing new definitions to distinguish between customers requiring critical and assistive life support equipment
- clearly defining medical practitioners and nominated contact persons
- improving the life support registration and medical confirmation processes
- mandating deregistration from the life support register when a medical confirmation is not provided or when there is a change in customer's circumstances
- improving how to contact life support customers
- publishing a 'Medical Confirmation Form for Life Support Equipment' template.

Commented [MP1]: Suggest that given vulnerabilities of Aboriginal customers requiring life support - critical or assistive, that they all be captured in the critical category ie a priority population

What is the purpose of life support rules?

Life support rules aim to provide protections for customers who rely on life support equipment. Life support customers are protected from being disconnected from their energy supply for non-payment. They are also entitled to receive information that helps them prepare for energy interruptions. This includes receiving information ahead of, and during, planned outages and advice to assist them to develop a back-up plan. During unplanned power outages, energy businesses provide the contact details of life support customers to emergency agencies to enable relief activities.

However, life support protections do not guarantee prioritised re-connection following an unplanned power outage. Restoring energy to specific customers during unplanned outages can be complex and will likely depend on the unique circumstances of the outage (for example, the extent of damage caused to specific energy infrastructure).

We encourage life support customers to contact their retailers and medical practitioners and develop a back-up plan that is suited to their needs. A back-up plan template is available here:

[Power Outage Plan for Life Support in the Home: Staying safe when the power goes out.](#)

Commented [P2]: This may not always be possible for vulnerable community members and suggest a summary statement to indicate how ESC or other agencies can provide proactive support to those with communication or system navigation difficulties would be reassuring for Aboriginal and Torres Strait Islander organisations.

Victorian Government reviews

The Electricity Distribution Resilience Review and the Network Outage Review were conducted in response to Victoria's 2021 and 2024 storms that led to prolonged power outages. The reviews found that the current life support registers are becoming larger and inaccurate. This means that, during prolonged power outages, emergency services are unable to identify which customers critically rely on life support equipment and need help. The reviews proposed that life support registers more clearly identify customers in critical need, particularly during prolonged power outages.

Our proposed changes consider the recommendations of these reviews and the Victorian Government's response.

Aligning Victoria with other jurisdictions

We aim to align Victoria's life support rules, to the extent possible, with the rules that apply in other jurisdictions under the National Energy Customer Framework (NECF), specifically in the National Energy Retail Rules (NERR). Uniform processes are expected to provide certainty and clarity to life support customers, particularly if they move to a different state or territory. Consistent rules across jurisdictions will also be more efficient and less costly for businesses to implement.

The amendments we are consulting on follow the '#BetterTogether – Better Protections for Life Support Customers' rule change request submitted to the Australian Energy Market Commission (AEMC) by Essential Energy and SA Power Networks ('the #BetterTogether rule change request'). This request is based on the Energy Charter's #BetterTogether Life Support Customer initiative. The AEMC is currently assessing this rule change request.¹ We consider it valuable to align processes and consult in parallel as we progress our review.

The Energy Charter is a coalition of energy businesses with the purpose of 'delivering for customers and empowering communities in the energy transition'.²

Commented [MP3]: Excellent as this very relevant for Aboriginal populations - particularly those large communities living near/across borders

¹ [Better protections for life support customers](#), AEMC, accessed 23 June 2025.

² [The Energy Charter](#), accessed on 9 July 2025.

Victoria's life support framework

In Victoria, the regulation of electricity and gas retailers is primarily governed by the *Electricity Industry Act 2000* and the *Gas Industry Act 2001*.³ Under these laws, if an electricity or gas business intends to sell electricity or gas by retail in Victoria, it must obtain a licence issued by the commission.

Under certain circumstances, a person may be exempt from obtaining a retail licence. These businesses must comply with the General Exemption Order 2022 and with applicable obligations set in the codes of practice made by the commission.⁴

A person may also be exempt from obtaining a gas distribution licence. These businesses must comply with the Gas Embedded Network General Exemption Order 2025⁵ and with applicable obligations set in the Gas Distribution Code of Practice.

The Energy Retail Code of Practice, the Electricity Distribution Code of Practice and the Gas Distribution Code of Practice are the main instruments governing life support protections in Victoria. All three codes of practice are administered by the commission.

Additionally, the General Exemption Order 2022 and the Gas Embedded Network General Exemption Order 2025 regulate persons exempt from holding a licence. The Minister for Energy and Resources issues and reviews these instruments.

If the AEMC introduces changes to life support rules in response to the #BetterTogether rule change request, those changes would not apply in Victoria. The purpose of this review is to assess whether similar amendments should be introduced in Victoria.

We are working closely with the AEMC as we respectively review life support protections in Victoria and in other states and territories regulated by the AEMC. We are also working with Victoria's Department of Energy, Environment and Climate Action (DEECA) to discuss any regulatory changes that may require legislative amendments or changes to the Gas Embedded Network General Exemption Order 2025 to improve the life support framework.

Indicative timeline

The key dates for this review are:

- Consultation period: 31 July to 4 September 2025
- Draft decision: expected November/December 2025

³ The regulation of energy businesses in Victoria is separate from other states and territories where the National Energy Customer Framework (NECF), including the National Energy Retail rules (NERR), applies. The NECF is a suite of legal instruments that regulates the sale and supply of electricity and gas to customers. Each state or territory in the NEM applies the NECF through its own laws and can change the application of aspects of those laws within that jurisdiction. The NECF has limited application to energy retail in Victoria. For further information, see [National Energy Customer Framework | AEMC](#).

⁴ [Electricity exemptions](#), Essential Services Commission, accessed 9 July 2025.

⁵ [Gas Embedded Network General Exemption Order 2025](#), Essential Services Commission, accessed 9 July 2025.

- Final decision: expected March 2026

Structure of this paper

The **Introduction** sets the key considerations and proposed approach to this review.

The [proposed reforms](#) section contains the rationale and proposed reforms to the life support framework, which we are considering in Victoria. We also explain how protections for customers relying on life support equipment are currently regulated.

Appendix A presents the Medical Confirmation Form for Life Support Equipment.

Summary of questions for stakeholders

Topic	Questions for stakeholders
New definitions to provide better life support protections to customers	1. Do you have any views on the proposed definitions? Would they appropriately capture all life support customers' needs, including those that do not involve equipment, such as refrigeration for insulin pumps? 2. Is it appropriate to have the same list of equipment from which to draw the definitions of assistive and supportive life equipment? Are two different sets of lists needed, one for each type of equipment? 3. Are there any specific needs related to equipment that requires gas connection that we need to capture? 4. Are there any other terms that need updating or defining?
Improving registration and deregistration processes	<u>Registration and medical confirmation processes</u> 5. Do you have any views on requesting an updated medical confirmation form from life support customers every four years? Is four years a reasonable timeframe? 6. Should customers with a permanent condition be exempt from the requirement to update their medical confirmation form every four years? 7. Do you have any views on mandating life support customers to provide a medical confirmation form no older than four years to a prospective or new retailer when changing retailer? 8. Do you have any views on introducing a cap on registration attempts without medical confirmation? 9. Who should be responsible for sending reminders to customers prior to the expiry date of medical confirmation forms (distributors/exempt distributors or retailers/exempt retailers)?

Commented [P(4)]: how have these proposed changes been communicated to medical practitioners (especially GPs) who will be doing the bulk of this additional admin work? have peak medical bodies been engaged eg RACGP/ACRRM/RDAV?

	10. Are there special considerations or implementation issues we should consider if we request life support customers to provide updated medical confirmation form every four years or introduce a cap on registration attempts without medical confirmation? 11. Are there any other issues that contribute to the inaccuracy of the life support register that we should consider addressing as part of this reform? 12. Are there any specific issues we should consider in relation to exempt persons (including embedded networks)? <u>Mandatory deregistration</u> 13. Do you have any views on mandating deregistration when customers have not provided medical confirmation or when customers' circumstances have changed? 14. Are there other measures that we could consider to increase the accuracy of life support registers? 15. Are there any implementation challenges or any other issues that we need to consider? <u>Publication of a medical confirmation form template</u> 16. Does the medical confirmation form template capture all relevant information to ensure an accurate life support registration and to effectively protect and prioritise customers during planned and unplanned power outages? Is there any information that should be added or removed? 17. Should the form allow life support customers to identify as Aboriginal or Torres Strait Islander? Are there any special considerations the form should include in relation to these customers? 18. Should the form allow life support customers to identify as Culturally and Linguistically Diverse (CALD) customers? Are there any special considerations the form should include in relation to these customers? 19. Are there any issues in relation to publishing and mandating the use of a medical confirmation form template that we should consider?
Improving communication methods to contact life support customers	20. Should we allow the nomination of a secondary contact person to receive notifications and information about planned interruptions? Should the secondary contact person also receive communications about unplanned interruptions? 21. Do you have any views on allowing exempt sellers and distributors to provide information on planned interruptions to life support customers?

	and secondary contacts through electronic channels? Should this be done in addition to or in replacement of a letter by post? 22. For life support customers affected by family violence, does having to nominate a secondary contact person create any challenges? What additional rules or safeguards could better support these customers? 23. Are there any other issues in relation to communicating with life support customers that we should consider as part of this reform?
Implementation considerations	24. Do you have any views on our proposed implementation approach? Are there any alternatives we should consider? 25. Are there any further changes required to ensure that communications between energy businesses are effective and support the accuracy of life support registers? 26. Are there any specific issues we should consider in relation to exempt persons and embedded networks? 27. Are there any other issues we should consider as part of this review?

How to give us your feedback

Submissions should be made via Engage Victoria by 4 September 2025.

We note that the Australian Energy Market Commission (AEMC) is consulting on similar reforms. To facilitate engagement and reduce the consultation burden, stakeholders are welcome to provide a copy of their AEMC submission to this consultation process.

Stakeholders are also welcome to provide a short statement with additional information or insights applicable to Victoria attached to their AEMC submissions.

Submissions will be published on the commission's website, except for submissions, or any information that is identified by the submitting party as commercially sensitive or confidential, in accordance with our [Submissions Policy](#).

Submissions should clearly identify which information is sensitive or confidential, and the basis for the claim.

We are also open to meeting with individual stakeholders to discuss specific feedback. We will continue to proactively engage with the community, industry, government departments and agencies through individual meetings as this review progresses.

There will be more opportunities to be involved in our consultation process once we release our draft decision in November/December 2025. Please contact energyreform@esc.vic.gov.au if you have any questions or would like to arrange a meeting.

Introduction

The purpose of this paper is to seek stakeholder feedback on potential reforms to the life support protections within the Energy Retail Code of Practice, the Electricity Distribution Code of Practice and the Gas Distribution Code of Practice (collectively, the codes of practice). Stakeholder feedback will help inform our proposed reforms.

What are life support protections?

Energy retailers, distributors and exempt persons (exempt retailers and exempt distributors, including those that operate embedded networks) are required to keep a register of customers and residents requiring life support.⁶

The following Acts, codes of practice and regulatory instruments outline the obligations on retailers, distributors and exempt persons which form protections for life support customers:

- 1. *Electricity Industry Act 2000*
- 2. *Gas Industry Act 2001*
- 3. Energy Retail Code of Practice
- 4. Electricity Distribution Code of Practice
- 5. Gas Distribution Code of Practice
- 6. General Exemption Order 2022
- 7. Gas Embedded Network General Exemption Order 2025.⁷

Protections include not disconnecting life support customers due to lack of payment as well as providing information before and during any planned and unplanned interruptions.

Distributors must also support emergency agencies⁸ during natural disasters, by providing them with life support customer details that are used for individualised support and welfare checks if required.

Previous updates

⁶ [Electricity Industry Act 2000](#), sections 40SG–SK and 40SV; [Gas Industry Act 2001](#), sections 48DI–48DM and 48DX; See also: [Energy Retail Code of Practice](#), clause 163.

⁷ [Electricity Industry Act 2000](#), section 40SF; [Gas Industry Act 2001](#), section 48DH; [Electricity Distribution Code of Practice](#), clause 12; [Gas Distribution Code of Practice](#), clause 7.7; [Gas Embedded Network General Exemption Order 2025](#), Schedule 1.

⁸ Emergency agencies in Victoria include Victoria’s State Emergency Service, Victoria Police, Victoria’s Department of Families, Fairness and Housing (DFFH) and Victoria’s Department of Energy, Environment and Climate Action (DEECA).

Life support protections were last updated in 2019. The changes largely followed the same rules set out in the National Energy Customer Framework. The commission made a variety of changes to improve protections, including clearer processes around registration, deregistration and medical confirmation. It also extended protections to customers who require gas to fuel their life support equipment, with further protections made in 2025 by the Victorian Government through the Gas Embedded Network General Exemption Order 2025.⁹

Victorian Government review of life support protections

Extreme storms swept through Victoria in 2021 and 2024. On each occasion, hundreds of thousands of customers were left without electricity, gas and phone services, in some instances, for more than a week.¹⁰

After each event, the Victorian Government launched a review of the state's energy networks.¹¹ The reports issued following those reviews included recommendations to improve outcomes for life support customers, with particular emphasis on the accuracy of life support registers.

Network Resilience Review

The 2022 Network Resilience Review found that registers of life support customers contained inaccuracies; this creates difficulty in providing adequate support for people who rely on life support equipment during prolonged power outages. For example, when emergency agencies attempted to conduct welfare checks, many premises no longer had life support users.¹²

Network Outage Review

The 2024 Network Outage Review found that, following the February 2024 prolonged power outage, life support customers felt like those most at risk were not appropriately supported. The inaccuracy and large size of the life support register was again listed as the main reason for that outcome.

⁹ 'Strengthening protections for life support customers 2019', Essential Services Commission, accessed 23 May 2025.

¹⁰ [Electricity Distribution Network Resilience Review: Final Recommendations Report 2022](#), p. vi: as a result of the June 2021 storms, 68,000 electricity customers remained off supply after 72 hours and 9,000 customers were still without power seven days after the event. Following the October 2021 storms, 23,983 customers remained without power for 72 hours and over 2,500 customers were still without power seven days after the storm; [Storm and Power Outage Event Independent Review of Transmission and Distribution Businesses Operational Response: Final Report 2024](#), p. 4: the February 2024 storm event caused over 1 million customers to lose power, with over 531,000 customers off power at the peak of the event.

¹¹ [Electricity Distribution Network Resilience Review: Final Recommendations Report 2022](#). Electricity Network Resilience Review Expert Panel, Department of Environment, Land, Water and Planning, Melbourne, accessed May 2025; [Storm and Power Outage Event Independent Review of Transmission and Distribution Businesses Operational Response: Final Report 2024](#). Network Outage Review Expert Panel, State of Victoria, Melbourne, accessed May 2025.

¹² [Electricity Distribution Network Resilience Review: Final Recommendations Report 2022](#). Electricity Network Resilience Review Expert Panel, Department of Environment, Land, Water and Planning, Melbourne, p. 48.

This review recommended that the Victorian Government work with the Energy Charter #BetterTogether Life Support Customer Initiative 'to support and implement in Victoria a national approach to achieve better outcomes for life support customers that meet stronger safeguards for consumer protections'.¹³

To address this recommendation and get consistency across the Victorian and national rules, this consultation paper builds on the #BetterTogether rule change request to the AEMC.¹⁴

More detailed information required

The reports issued following each review emphasised the importance of providing more detailed information on the needs of life support customers. Currently, life support registers are only required to include whether an individual uses any life support equipment. Life support registers do not record whether the equipment is assistive or necessary to sustain life.

During an emergency, emergency agencies can coordinate emergency response more effectively if distributors can accurately identify residents with critical life support needs.

The #BetterTogether rule change request

In August 2024, the Australian Energy Market Commission (AEMC) received the #BetterTogether rule change request from Essential Energy and SA Power Networks.

The rule change proposal was directly informed by the Life Support Medical Advisory Group, consisted of representatives from consumer groups, the medical industry and energy businesses. There was also input from the 'Life support in the Home Lived Experience Panel' (Panel). This Panel was supported by the Consumers Health Forum of Australia, which is a national peak body for health consumer advocacy.

The rule change request aims to improve the accuracy and value of the information contained on life support registers in the National Energy Consumer Framework (NECF), with proposed changes to the National Energy Retail rules (NERR). As the NERR does not apply in Victoria, if the AEMC makes the changes proposed in the #BetterTogether rule change request, they would not apply in Victoria.¹⁵

¹³ [Storm and Power Outage Event Independent Review of Transmission and Distribution Businesses Operational Response: Final Report 2024](#). Network Outage Review Expert Panel, State of Victoria, Melbourne, p. 30.

¹⁴ [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Essential Energy, SA Power Networks.

¹⁵ The NECF only applies in the Australian Capital Territory, Tasmania, South Australia, New South Wales and Queensland. In Victoria, only Chapter 5A of the National Electricity Rules applies. The life support framework is regulated in Victoria through the *Electricity Industry Act 2000*, the *Gas Industry Act 2001* and the commission's Energy Retail Code of Practice, Electricity Distribution Code of Practice and Gas Distribution Code of Practice.

Commented [MP5]: Were the voice of vulnerable life support users captured in this. Mainstream approaches are unlikely to have adequately reached this cohort

Commented [MP6]: If this is the case, strongly recommend addressing this

The Network Outage Review report recommended that Victoria leverage this work to:

- promote better outcomes for life support customers
- ensure consistency of life support rules across national and Victorian jurisdictions.¹⁶

The commission is considering implementing reforms to improve protections for customers relying on life support equipment, as well as ensuring consistency with other jurisdictions, where appropriate.

The #BetterTogether rule change request builds on a 2021 report from the former Australian Energy Foundation, which included a [survey of 4,000 life support customers](#).¹⁷ Many of the proposals are in response to the experiences of customers, retailers and distributors of the 2021 and 2024 prolonged power outages.

Commented [MP7]: See comment above re vulnerable life support customers and users

Proposed changes

The #BetterTogether rule change request proposed several changes, which we have grouped into five themes. We have adapted some of the proposed changes to Victoria's context, including applying the proposed changes to exempt sellers and distributors for a uniform life support framework across energy businesses in Victoria.

The #BetterTogether rule change request proposed changes are summarised below:

New and updated definitions

- New definition of 'life support user'.
- Updated definition and list of life support equipment.
- Creation of two recognised categories of life support equipment: 'critical life support equipment' and 'assistive life support equipment'.
- New definition of medical practitioner.
- New definition of nominated contact person.

Registration and medical confirmation

- Life support users would be required to provide updated medical confirmation to their energy retailer every four years, or risk being deregistered. Retailers, or in some cases distributors and exempt persons would be required to prompt customers to provide updated medical confirmation within a certain time.

¹⁶ [Storm and Power Outage Event Independent Review of Transmission and Distribution Businesses Operational Response: Final Report 2024](#). Network Outage Review Expert Panel, State of Victoria, Melbourne, p. 30.

¹⁷ [Better Outcomes for Energy Consumers Using Life Support Equipment at Home 2021](#). Australian Energy Foundation, Melbourne, accessed May 2025.

- Medical practitioners would be able to indicate that a user has a permanent condition, exempting them from needing to provide medical confirmation every four years.
- Customers would be limited to two attempts to register as a life support user without medical confirmation. If a consumer has used these two attempts, they could still re-attempt to register but would need to produce a medical confirmation at the time of the request.

Deregistration

- Distributors and retailers (and exempt sellers and distributors) would be mandated to deregister a life support user when medical evidence has not been provided, or when there is a change in customer's circumstances.

Contacting life support customers

- Allowing for the nomination of a second contact person. This could be the life support user, if they are not the customer. This could be provided in the medical confirmation form or directly to retailers, distributors and exempt persons.
- Allowing life support users to receive electronic communications (via SMS and email) and during planned power outages.

Templates

- Creation of a medical confirmation form template for medical practitioners to collect personal information about the life support user and provide medical evidence of the need for and type of life support equipment.

Changes beyond the scope of this review

The #BetterTogether rule change request suggested the following four additional changes that we consider to be out of scope for this review:

- **Changes to civil penalty tiers:** penalty tiers for life support rules sit within the Electricity Industry (Penalty Regime) Regulations 2022 and the Gas Industry (Penalty Regime) Regulations 2022. The commission does not have powers to amend these regulations.
- **Creating a central, national database for registering life support customers:** there is a proposal for the introduction of a national database to store medical confirmation and improve information sharing between businesses. This has been raised as a long-term solution outside the current rule change. As this goes beyond the commission's powers and functions, it hasn't been included in the scope of this consultation. However, we support exploring the benefits of a national database and we welcome stakeholder feedback on this matter.
- **Developing a National Life Support Information and Awareness Campaign targeting Life Support Users, their care team and the medical profession:** while developing a national

Commented [P8]: This should include that the permanent condition may not necessarily be the condition that warrants the continued energy access but may be another reason why an individual may be unable to consistently access the services to provide medical confirmation every four years (eg cognitive impairment/disability, comorbid psychosocial circumstances that may be unlikely to change in four years --> these don't require life support but may be a reason why someone with end-stage renal failure requiring home dialysis or COPD requiring oxygen, don't go to get the medical confirmation)

Commented [MP9]: What is the allowed time gap between attempts?

Commented [MP10]: 'after three attempts..'

Commented [MP11]: Is this about change in not needing life support equipment or moving from critical to assisted? If so, suggest this is articulated

Commented [MP12]: And phone call

campaign goes beyond the commission functions, if changes are implemented, the commission would raise awareness about this reform and the new rules as part of its compliance education and guidance activities.

- **Creating a template for customers to help them design a back-up plan for an unplanned interruption of energy:** the Energy Charter is leading a Power Outage Plan campaign to promote awareness about the need to have a back-up plan and to provide life support customers with a back-up plan template. The campaign can be found at: [Check.Plan.Do. Power Outage Plan](#). We support the initiative and will consider making the template available on our webpage once developed so it can be used by retailers, distributors, exempt persons, customers and registered medical practitioners in Victoria.

Our role in regulating life support customer protections

The *Electricity Industry Act 2000* and the *Gas Industry Act 2001* set out the key obligations of the life support framework. These are administered by the Minister for Energy and Resources. The Minister for Energy and Resources also administers the General Exemption Order 2022 and the Gas Embedded Network General Exemption Order 2025.

The framework is also supported by regulation that includes the Electricity Distribution Code of Practice, the Gas Distribution Code of Practice, the Energy Retail Code of Practice and the Gas Embedded Network General Exemption Order 2025. The commission, under Part 6 of the *Essential Services Commission Act 2001*, has the power to make, amend and revoke codes of practice in line with its objective of promoting the long-term interests of Victorian consumers.¹⁸

The commission is working with the Department of Energy, Environment and Climate Action (DEECA) to discuss any regulatory changes that may require legislative amendments or changes to the Gas Embedded Network General Exemption Order 2025 to improve the life support framework.

The commission is also working closely with the Australian Energy Market Commission (AEMC) to ensure consistency, to the extent possible, between life support rules across the Victorian and national regulatory frameworks.

¹⁸ [Essential Services Commission Act 2001](#), Part 2, section 8.

Our proposed reforms to enhance life support protections for Victorian consumers

New definitions to provide better life support protections to customers

We are consulting on new definitions to be used when energy businesses register life support customers. The updated definitions will distinguish between customers who:

1. need life support equipment to sustain life or prevent lifelong irreversible injury
2. need life support equipment to improve their quality of life.

We expect this will help retailers, distributors and emergency agencies prioritise support to customers who need it the most.

We also propose to review other definitions to effectively enable the proposed changes.

Commented [MP13]: How is 'improving quality of life' defined/measured/understood?

Currently, life support registers do not distinguish between customers who need life support equipment to sustain life or prevent lifelong irreversible injury, with those who need equipment to improve their quality of life.

Commented [MP14]: See comment above

The #BetterTogether rule change request proposes to update legal definitions to distinguish between these two types of life support equipment users. This will help target support to life support users who need it the most.

Proposed new and amended definitions

New definition of life support user

Proposed definition

Life support user means the person who uses life support equipment. This may be the customer or another person who resides at a customer's premises.

The proposed new definition of 'life support user' presented in the #BetterTogether rule change request is the equivalent in Victoria to the current definition of 'life support resident' in the codes of practice. The proposed change aims to differentiate between a person who needs life support equipment (life support user) and the account holder (life support customer). The two can be the same, but in many cases, the account holder requests life support protections for someone else in the household.

This distinction already exists in Victoria. Our codes of practice differentiate between a life support resident (a person who requires life support equipment) and life support customer (the life support resident or a customer at whose premises a life support resident resides or intends to reside).

Our proposed reforms

Essential Services Commission [

We are seeking to understand whether this differentiation is appropriate, or whether there is any modification required to make the life support rules clearer.

Amended definition and list of life support equipment

Proposed definition

Life support equipment means any equipment requiring a supply of energy that is necessary to support a life support user's life, including:

- (a) apnoea monitor (for children only*)
- (b) feeding pump
- (c) machine assisted dialysis equipment (cycler or heater) (e.g. haemodialysis, cyclers/heaters for peritoneal dialysis)
- (d) nebuliser (for children only* – used every day for 1-2 hours per day)
- (e) high flow device (HFD) and/or humidifier, when used with a tracheostomy
- (f) oxygen concentrator
- (g) suction pump
- (h) crigler najjar syndrome phototherapy equipment
- (i) non-invasive ventilation** e.g. positive airways pressure respirator (PAP)
- (j) any form of invasive ventilation, including via a tracheostomy
- (k) other medical equipment that a Registered Medical Practitioner certifies is required for a Life Support Customer.

Notes:

* A child is defined as any person under the age of 16 years.

** Adult – only when ventilator dependent as determined by a registered medical practitioner. Such ventilators must include back-up power and mains fail alarms. Child – only when prescribed by or in conjunction with a treating paediatrician.

The updated definition of life support equipment proposed in the #BetterTogether rule change request has some overlap with the current list of life support equipment in Victoria. This list will guide the proposed distinction between assistive life support equipment and critical life support equipment (discussed below).

We are seeking to understand whether the proposed list appropriately captures the equipment required to support life in Victoria, both from a critical and assistive perspective.

The table below indicates the difference between the current list of medical equipment in Victoria and the updated list proposed in the #BetterTogether rule change request:

Current list of life support equipment In Victoria	Proposed list of life support equipment
--	---

As prescribed in section 40SA of the Electricity Industry Act 2000 and section 48DC of the Gas Industry Act 2001

- (a) an oxygen concentrator
- (b) an intermittent peritoneal dialysis machine
- (c) a kidney dialysis machine
- (d) a chronic positive airways pressure respirator
- (e) Crigler-Najjar syndrome phototherapy equipment
- (f) a ventilator for life support
- (g) in relation to a particular customer – any other equipment (whether fuelled by electricity or gas) that a registered medical practitioner certifies is required for a person residing at the customer's premises for life support.

The Energy Retail Code of Practice provides for some explanatory, non-exhaustive life support equipment list, for the purpose of subclause (g) above:

- (i) external heart pumps
- (ii) respirators (iron lung)
- (iii) suction pumps (respiratory or gastric)
- (iv) feeding pumps (kangaroo pump, or total parenteral nutrition)
- (v) insulin pumps
- (vi) airbed vibrator
- (vii) hot water
- (viii) nebulizer, humidifiers or vaporizers

- (a) apnoea monitor (for children only¹)
- (b) feeding pump
- (c) machine assisted dialysis equipment (cycle or heater) (e.g., haemodialysis, cyders/heaters for peritoneal dialysis)
- (d) nebuliser (for children only¹ – used every day for 1–2 hours per day)
- (e) high flow device (HFD) and/or humidifier, when used with a tracheostomy
- (f) oxygen concentrator
- (g) suction pump
- (h) Crigler-Najjar syndrome phototherapy equipment
- (i) non-invasive ventilation² e.g., positive airways pressure respirator
- (j) any form of invasive ventilation, including via a tracheostomy
- (k) other medical equipment that a registered medical practitioner certifies is required for a life support customer.

Notes:

1. A child is defined as any person under the age of 16 years.
 2. Adult – only when ventilator dependent as determined by a registered medical practitioner. Such ventilators must include back-up power and mains fail alarms.
- Child – only when prescribed by or in conjunction with a treating paediatrician.

- (ix) apnoea monitors
- (x) medically required heating and air conditioning
- (xi) medically required refrigeration (xii) powered wheelchair.

New definitions of assistive life support equipment and critical life support equipment

Proposed definitions

Assistive life support equipment means any life support equipment that a registered medical practitioner considers is necessary to assist a life support user and is not critical life support equipment.

Critical life support equipment means any life support equipment that a registered medical practitioner considers is necessary to sustain life or prevent lifelong irreversible injury to a life support user.

To ensure the appropriate prioritisation of customers with critical power needs, the proposal aims to differentiate between assistive life support equipment and critical life support equipment. Registered medical practitioners identified this proposed change as critical to improving the life support framework. They suggested that this differentiation would ensure that customers with critical life support needs can be identified and appropriately prioritised and supported by the energy sector.¹⁹

Critical or assistive needs would be assessed by a medical practitioner, based on the list of life support equipment proposed above.

Victoria’s regulation currently does not contain this differentiation.²⁰ We are seeking to understand whether it is appropriate to introduce it. We would also like to understand whether it is appropriate to have a differentiation that draws from the same list of life support equipment or whether there is a need for two different lists (one for assistive life support equipment and one for critical life support equipment).

¹⁹ As part of the preparation of the #BetterTogether rule change request, the Energy Charter set up the Life Support Medical Advisory Group (LMAG). From a medical perspective, the LMAG had representatives from the Royal Australian College of General Practitioners, the Australian Medical Association and the Ethics Committee of the Royal Australasian College of Physicians.

²⁰ The [Electricity Industry Act 2000](#) and the [Gas Industry Act 2001](#) only contain a definition of life support equipment, with no differentiation between assistive or critical. This definition is replicated in the [Energy Retail Code of Practice](#), the [Electricity Distribution Code of Practice](#) and the [Gas Distribution Code of Practice](#).

Currently, under Victoria’s regulation, life support users are protected from disconnection. If implemented, the proposed changes will not remove this protection – both assistive and critical life support users will remain protected against disconnection for non-payment.

New definition of registered medical practitioner

Proposed definition
Registered medical practitioner means a person registered to practice as a medical practitioner under the Health Practitioner Regulation National Law.

Victoria’s life support regulatory framework doesn’t currently have a definition of registered medical practitioner.²¹

We propose a new definition of registered medical practitioner to provide clarity around who can provide valid medical confirmation of life support conditions to enable registration on the life support register.

New definition of nominated contact person

Proposed definition
Nominated contact person in relation to premises that have been, or are to be, registered as requiring life support equipment, means an additional person nominated by a customer to be notified of retailer planned interruptions or distributor planned interruptions affecting that premises (this may be the life support user where different to the customer).

Victoria’s current regulatory life support framework doesn’t have a definition of nominated contact person.

We are proposing a definition of nominated contact person as an additional way to contact life support users. This person would be contacted during planned interruptions, in addition to the life support user.

We are seeking to understand whether this new definition poses any challenges or concerns and whether the interaction with the contact person should be extended to unplanned interruptions.

²¹ A definition of ‘registered medical practitioner’ is, however, provided in other Victorian legislative instruments such as the *Public Health and Wellbeing Act 2008*. This Act defines **registered medical practitioner** as ‘a person registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student)’.

Commented [MP15]: Perhaps a plain language statement would also be helpful ie include examples of the types of medical practitioners and different terms (GP, doctor, surgeon, etc) - this may be more appropriate the medical form provided to the life support customer

Other definitions that may require updates

Our codes of practice contain other definitions related to life support that may need to be updated to enable consistency within our framework and alignment, to the extent possible, with the national framework. This will be informed by feedback from this consultation process.

We welcome your feedback on whether the definitions proposed in the #BetterTogether rule change request will impact any of the life support definitions below. We are also seeking to understand whether we need to consider introducing any other definitions in our codes to enable the introduction of the proposed changes.

Definitions currently prescribed in our codes of practice include:

Term	Definition
Life support customer details	(a) information that evidences that the customer is a life support customer; (b) the personal details of each life support resident residing or intending to reside at the premises of the life support customer; and (c) the date from which life support equipment is required at the premises of the life support customer by each life support resident.
Life support protections	The protections against disconnection of a life support customer under Part 2, Division 5C of the <i>Electricity Industry Act 2000</i> or Part 3, Division 4AA of the <i>Gas Industry Act 2001</i> .
Medical confirmation	Certification using a medical confirmation form from a registered medical practitioner that a person residing or intending to reside at a customer's premises requires life support equipment.
Medical confirmation form	A written form issued by a retailer or exempt person to enable the relevant customer to provide medical confirmation to the retailer or exempt person respectively.

Questions for stakeholders

1. Do you have any views on the proposed definitions? Would they appropriately capture all life support customers' needs, including those that do not involve equipment, such as refrigeration for insulin pumps?
2. Is it appropriate to have the same list of equipment from which to draw the definitions of assistive and supportive life equipment? Are two different sets of lists needed, one for each type of equipment?
3. Are there any specific needs related to equipment that requires gas connection that we need to capture?
4. Are there any other terms that need updating or defining?

Commented [MP16]: See comment above

Improving registration and deregistration processes

Registration and medical confirmation processes

We are considering the following changes to the registration process to make energy businesses' life support registers more accurate and to deliver better assistance to life support customers:

- medical confirmation of life support equipment needs would be valid for four years (except if a customer has a permanent condition)
- customers who have registered twice on their businesses' life support register without providing medical confirmation would be required to provide medical confirmation at the time of registration if they want to register for a third time

The number of registered life support equipment users has grown substantially in recent years.²² The registers maintained by energy businesses are currently inaccurate. They include customers who are not (or are no longer) eligible for life support.²³ This issue was raised in the #BetterTogether rule change request.

This inaccuracy makes it difficult to identify life support customers who are at serious risk and can delay critical help during emergencies.²⁴ A large register that doesn't accurately reflect life support

²² This was highlighted by the [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Data provided in the proposal shows that between 2019 and mid 2023 some energy businesses experienced register growth between 45% and 178%.

²³ [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Essential Energy and SA Power Networks, pp. 11–12; [Electricity Distribution Network Resilience Review: Final Recommendations Report 2022](#). Electricity Network Resilience Review Expert Panel, Department of Environment, Land, Water and Planning, Melbourne, p 48.

²⁴ The [Electricity Distribution Network Resilience Review: Final Recommendations Report 2022](#) (p. 48) stated that: 'There are a large number of customers registered as having life support equipment. Ensuring that life support registers

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needs also imposes extra costs on businesses. This includes maintenance costs and provision of appropriate protections for all customers registered as life support users.

We are considering changes to the registration process to:

- clarify requirements for life support users
- assist retailers, distributors and exempt persons in meeting their obligations.

Provision of an updated medical confirmation form

Under the current Victorian rules, there is no need for customers to provide a regularly updated medical confirmation form to remain on the life support register.²⁵

We are considering that life support users should **provide updated medical confirmation of their need for life support equipment every four years**. This would also apply to life support customers who are changing retailers: they would need to provide medical confirmation no older than four years to a prospective or new retailer. Energy retailers, and in some cases, distributors or exempt persons, would be required to prompt customers to provide an updated medical confirmation form prior to its expiry date. **An exception could apply to customers with critical ongoing medical conditions (identified as such in their most recent medical confirmation form).**

We will also consider the AEMC's 2021 'Maintaining life support customer registration when switching' rule change that enables life support customers who switch retailers or move premises to reuse a previously submitted medical confirmation document.²⁶

Permanent critical condition exception

An exception could be made for life support users who have a permanent, critical condition for which they require *critical life support equipment* (a term that is proposed to be defined as mentioned in section 1 of this consultation paper). **For these customers, medical practitioners could indicate the permanent nature of the condition in the medical confirmation, and a medical confirmation would only need to be provided once.**

Customers without a permanent condition would be able to resubmit their medical confirmation form to other retailers or distributors (for example, if a customer moves to a different address), as long as the form is no older than four years. Customers with a permanent critical medical condition would be able to resubmit the same form even if it is older than four years.

are accurate, up to date, and accessible is crucial to effective prioritisation of supply restoration. Inaccurate data can put lives at risk – omissions can result in life support customers not receiving critical help, and registrations of premises that do not, or no longer have life support customers present can misdirect scarce and vulnerable relief efforts.'

²⁵ [Energy Retail Code of Practice](#), clauses 163 (5) and 168 (3); [Electricity Distribution Code of Practice](#), clauses 12.2.3 and 12.7.5 (b); [Gas Distribution Code of Practice](#), clause 7.5.

²⁶ [Maintaining life support customer registration when switching](#), AEMC, accessed 2 July 2025.

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Commented [MP17]: This is important to reduce burden on LS customers/users in terms of costs (see GP), administrative burden, and risk slipping through the crack

Commented [P18]: could the onus also be put upon the original energy provider to ensure that when someone who is a life support customer seeks to change provider, that they also have to double check that the new energy provider is aware of this information? This may reduce the administrative burden on potentially vulnerable and/or priority populations.

Commented [MP19]: Very worthwhile

Commented [MP20]: Will this rely on the customer or the retailer. This method needs to be considered as the risk of administrative burden on vulnerable LS customers/users and again 'falling through the cracks.

Commented [P21]: agree and see my point above

An exception for resubmission would reduce the burden for customers with a permanent critical condition. However, it could result in complexity in the process. If all customers must resubmit their medical confirmation every four years, this could simplify the assessment for a medical practitioners and reduce the risk of inaccurate life support registers (for example, if a household member relying on life support equipment no longer lives at the address).

We welcome stakeholders' views on whether customers with a permanent critical condition should be exempt from resubmitting their medical confirmation form.

Limited ability to register as a life support customer without medical confirmation

Currently, in Victoria, a customer can register as a life support user and then provide medical evidence afterwards.²⁷ If they do not provide a medical confirmation and get deregistered, they can still request to be registered without medical confirmation. The Victorian life support regulatory framework doesn't limit the number of registrations, so this process can be repeated multiple times. This means that some customers are currently listed on the life support register and, therefore receiving life support protections, despite not providing medical confirmation.

The ability to register for life support repeatedly, without providing medical evidence, is part of the reason for the large and inaccurate register. According to energy retailers and distributors, there is a subset of customers without life support needs who may enter into the register to avoid disconnection for non-payment.²⁸

To minimise the misuse of the life support register, we are considering requiring a customer who has registered twice without providing a medical confirmation, to provide medical confirmation when they register for the third time. This would not prevent customers from registering, but would limit the time that customers can remain on the register without medical confirmation.

Questions for stakeholders

5. Do you have any views on requesting an updated medical confirmation form from life support customers every four years? Is four years a reasonable timeframe?²⁹
6. Should customers with a permanent condition be exempt from the requirement to update their medical confirmation form every four years?

²⁷ [Energy Retail Code of Practice](#), clauses 163 (1) (a) (i) and (ii), 168 (1) (a) (i) and (ii); [Electricity Distribution Code of Practice](#), clauses 12.2.1 (c) (i) and (ii) and 12.7.5 (a) (iii) (A) and (B); [Gas Distribution Code of Practice](#), clause 7.3 (c) (i) and (ii).

²⁸ For instance, in one extreme instance raised in the #BetterTogether rule change request, a customer has been deregistered 20 times and has applied for the 21st time. [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Essential Energy and SA Power Networks, p. 28.

²⁹ For example, in the telecommunication industry, the priority assistance program for customers with life-threatening medical conditions requires an updated registration every 3 years. See: [Telstra Priority Assistance Program Policy](#), Clause 4.3.1.

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Commented [MP22]: Supportive of this and do not see any risks to the customer/user - other than issues outlined above - administrative transfer should sit with retailer

Commented [MP23]: What is the ime gap for current LS users/customers between being on register without med confirmation and the next application. Helpful if this can be stated as this will be important in the transition process. In the future, new customer would not be on the register until medical confirmation is received, right? Again, if this is the case, then helpful if this is articulated.

Commented [MP24]: Agree seems reasonable. See comments above re clarity on other timeframes.

Commented [MP25]: Yes, reduce burden on customer

7. Do you have any views on mandating life support customers to provide a medical confirmation form no older than four years to a prospective or new retailer when changing retailer?
8. Do you have any views on introducing a cap on registration attempts without medical confirmation?
9. Who should be responsible for sending reminders to customers prior to the expiry date of medical confirmation forms (distributors/exempt distributors or retailers/exempt retailers)?
10. Are there special considerations or implementation issues we should consider if we request life support customers to provide an updated medical confirmation form every four years or introduce a cap on registration attempts without medical confirmation?
11. Are there any other issues that contribute to the inaccuracy of the life support register that we should consider addressing as part of this reform?
12. Are there any specific issues we should consider in relation to exempt persons (including embedded networks)?

Commented [MP26]: Seems reasonable. See comment above about reducing burden on customer. Could the old retailer transfer med form to new retailer with customer permission?

Commented [MP27]: 3 attempts seems fair. Helpful if it was not a closed book/set in stone ie flexibility (eg 4 attempts) under rare but exceptional circumstances

Commented [MP28]: Recommend targeted and tailored communications e.g. for Aboriginal communities/customers/Aboriginal community controlled health organisations. Also use Aboriginal community controlled organisations to get message out eg ACCOs deliver health services, gathering places, etc)

Mandatory deregistration

To improve the accuracy of life support registers, we are considering mandating retailers, distributors and exempt persons to deregister life support customers when:

- a medical confirmation is not provided by the customer
- there is a change in a customer's circumstances (at a customer's request).

As mentioned above, the number of people registered as life support users has increased greatly in recent years. This has increased the inaccuracy of energy businesses' life support registers, as customers who are not eligible for life support protections are listed on these registers.

This undermines the purpose of a life support register, as it minimises the ability to identify, triage and provide support to customers who have critical needs during emergencies. It also causes distress and problems for life support customers and their families. For example, customers have reported being contacted about life support users who are no longer at the premises, often because the life support user has died. On occasion, this has occurred years later.³⁰

In addition to making it more difficult to assist life support customers, a large and inaccurate register also increases maintenance costs for retailers, distributors and exempt persons. This leads to higher costs of energy for all customers.³¹

³⁰ [Storm and Power Outage Event Independent Review of Transmission and Distribution Businesses Operational Response: Final Report 2024](#). Network Outage Review Expert Panel, State of Victoria, Melbourne; [Better Outcomes for Energy Consumers Using Life Support Equipment at Home 2021](#). Australian Energy Foundation, Melbourne.

³¹ [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Essential Energy and SA Power Networks, p. 18.

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Deregistration of life support customers

The current Victorian life support rules do not mandate the deregistration of customers who don't require or are no longer eligible for life support. Instead, the current rules provide that retailers and distributors 'may' deregister life support customers.³² This has led many businesses to retain customers' registration when a medical confirmation is not provided or when customers' circumstances have changed, to reduce the risk of disconnecting users that genuinely need life support.³³

We are considering mandating retailers, distributors and exempt persons to deregister life support customers when:³⁴

- medical confirmation is not provided by the customer
- there is a change in a customer's circumstances (at a customer's request).

This will increase the accuracy of life support registers, improve outcomes for life support customers, and reduce administrative costs for businesses, which are generally passed on to customers.

Under this proposal, the current process for retailers, distributors and exempt persons to undertake deregistration would be retained, including the provision of reminder notices, deregistration notices and wait periods.

Questions for stakeholders

13. Do you have any views on mandating deregistration when customers have not provided medical confirmation or when customers' circumstances have changed?
14. Are there other measures that we could consider to increase the accuracy of life support registers?
15. Are there any implementation challenges or any other issues that we need to consider?

Commented [MP29]: After 3 attempts is reasonable if the time gap between each of the attempts is reasonable. Is there a maximum allowed time between applications?

Commented [MP30]: see comments re medical form below

Commented [MP31]: Ensure communications to life support customers and users are appropriately tailored and targeted. Some vulnerable life support users may be in unstable housing situations, etc - so need to look creatively at comms, networks. May be a case (that with permission) an acco is another point of contact ie on the medical form.

³² [Energy Retail Code of Practice](#), clause 166; [Electricity Distribution Code of Practice](#), clause 12.5.5 (a); [Gas Distribution Code of Practice](#), clause 7.10.1.

³³ [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Essential Energy and SA Power Networks, p. 22.

³⁴ [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#) (p.p. 24-25) also proposes a second option to address this matter, which we are not considering in this paper. This second option would mean making distributors responsible for medical confirmation and deregistration of life support customers, although still maintain customer's ability to register and de-register either through their retailers or distributors. This option was highlighted as being more costly to distributors and have the possibility of undermining the customer-retailer relationship, as retailers are currently the interface with the retailer in the energy market.

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Publication of a medical confirmation form template

To make information collection more accurate and uniform across all retailers, distributors and exempt persons in Victoria, we are considering the publication of a standard medical confirmation form template for use by all energy businesses. This would be the same form that the #BetterTogether rule change request has recommended the AEMC to make available in states and territories regulated by the NERR.

This would allow Victorian life support customers to use the same medical confirmation form as customers in other jurisdictions and consistently capture relevant information across different businesses in different states and jurisdictions.

For life support registers to operate optimally, it is important that all appropriate information is collected accurately and consistently by different retailers and distribution businesses. Currently, there is no uniform medical confirmation form template that businesses and practitioners can use, which leads to medical confirmation being provided with different levels of detail.

Victoria's current rules list the elements that a medical confirmation form needs to contain to be accepted as evidence of life support equipment needs. This includes date, property address, identification of medical equipment and medical confirmation, date from which support will be required and procedural information on entering the life support register.³⁵ However, there is no standardised format for this information to be provided.

Medical Confirmation Form for Life support Equipment

We are proposing the introduction of a 'Medical Confirmation Form for Life Support Equipment' template (template). This would be available on the commission's website for download. Energy businesses would also need to make the template available to customers and practitioners in a way that is easy to access and use.

The use of the template would be mandatory for energy businesses and medical practitioners. The use of this template would provide guidance to medical practitioners and consistency in the information that is collected.

It would collect all relevant information for a customer to be placed on a life support register.

³⁵ [Energy Retail Code of Practice](#), clause 163 (5); [Electricity Distribution Code of Practice](#), clause 12.2.3; [Gas Distribution Code of Practice](#), clause 7.5.

Medical confirmation template

The #BetterTogether rule change request includes a medical confirmation form template. The template was drafted in consultation with life support customers and customer advocates, medical practitioners, retailers and distributors.

The template includes details about the:

- life support-user and the address where the life support equipment is required
- life support-customer
- nominated contact person
- chosen communication means
- life support equipment required, including whether it is critical or assistive.

If the customer requires critical life support equipment, the template also includes details about whether the life support customer has a permanent condition, and therefore would not need to provide updated medical evidence every four years.

Victoria to align with other jurisdictions

We are seeking stakeholder feedback on the template proposed in the #BetterTogether rule change request. We are interested in hearing whether the template could be improved to maximise its usability and accessibility. This includes:

- Logical sequencing and grouping
- Plain English and language consistency
- Formatting cue
- Relevant context and key information
- Amendments to address form design barriers that may result in some life support customers (especially CALD and First Nation customers) not completing the form, or completing the form incorrectly.

We will continue to work with the AEMC for a standardised medical confirmation form across different states and territories. This will enable life support customers, medical practitioners, retailers, distributors and exempt persons to use a standardised form for life support, regardless of where they live.

See Appendix A – Medical Confirmation Form for Life Support Equipment.

Questions for stakeholders

16. Does the medical confirmation form template capture all relevant information to ensure an accurate life support registration and to effectively protect and prioritise customers during

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planned and unplanned power outages? Is there any information that should be added or removed?

- 17. Should the form allow life support customers to identify as Aboriginal or Torres Strait Islander?
- 18. Should the form allow life support customers to identify as Culturally and Linguistically Diverse (CALD) customers? Are there any special considerations the form should include in relation to these customers?
- 19. Are there any issues in relation to publishing and mandating the use of a medical confirmation form template that we should consider?

Commented [MP32]: The design of the form is very complex. It is likely to be off putting for those with low English literacy. Suggest have the life support user information upfront as this form goes to the customer in the first instance, right? Have the medical practitioner section below.

The form requires the LS user, LS customer and GP to fill in. This may add to the complexity.

The form has a high 'respondant' burden for GPs/medical practitioner. Some of the medical information could be filled out by a practice nurse or Aboriginal health worker or (if in hospital) Aboriginal Hospital Liaison Officer ie Part 2 and 3. This can be stated on the form.

Medical practitioner - will the consumer understand the language 'medical practitioner', consider use of the Doctor/local doctor?

Note, the medical practitioner completing the form may not be the practitioner that prescribed the medical equipment - need to change wording to reflect this

Commented [MP33]: Yes, allow identification of Aboriginal or Torres Strait Islander. The considerations for the form should include as per all populations - more simple language and design of the form - see comments above. Furthermore, adding references to Aboriginal community controlled health service and Aboriginal health worker could be included

Improving communication methods to contact life support customers

To reassure that customers are contacted in cases of power outages, we are considering allowing customers at a premises with registered life support equipment to nominate a second contact person.

We are also considering allowing life support customers to nominate their preferred method of contact to receive information about planned power outages. For example, via electronic communication channels (SMS and email).

Ability to nominate a secondary contact person

One of the key functions of life support registers is to ensure that life support users can be contacted in a timely manner and provided with key information in the case of planned and unplanned power outages.

In Victoria, life support registers must contain 'life support customer details'.³⁶ As defined in the codes of practice, this includes 'the personal details of each life support resident residing or intending to reside at the premises of the life support customer'.

Under Victoria's current rules:

- A **life support customer** is the account owner at the property where life support equipment is being used.
- A **life support resident** is a person who requires life support.³⁷

This means that a life support customer is not necessarily the person who requires life support (the life support resident).

We are considering allowing the nomination of a secondary contact person. This could be the life support user (equivalent to a life support resident, in Victoria) themselves. Alternatively, they may be any other contact person who can receive communications in addition to the life support customer.

Life support customers and their nominated secondary contact person would have their phone number and email address requested and recorded, in addition to their physical address.

³⁶ [Energy Retail Code of Practice](#); [Electricity Distribution Code of Practice](#); [Gas Distribution Code of Practice](#). Definition of 'life support customer details' in the definition sections.

³⁷ [Energy Retail Code of Practice](#); [Electricity Distribution Code of Practice](#); [Gas Distribution Code of Practice](#). Definitions of 'life support customer' and 'life support residents' in the definition sections.

Distributors would be required to contact and inform both the resident and their nominated secondary contact about a planned energy interruption. We are seeking stakeholder feedback on whether nominated contacts should also be contacted during an unplanned outage.

Alternative communication means

Distributors, exempt distributors and exempt sellers have obligations under the codes of practice to provide written notice to customers about planned interruptions.³⁸

According to the #BetterTogether rule change request, businesses currently interpret this as a letter by post.³⁹ In their 2019 report, the Australian Energy Foundation examined life support customer contact preferences. They found that most customers preferred electronic communications for both planned and unplanned power outages and that letters in the post were generally less preferred.⁴⁰

Improving communication channels

We are considering clarifying that energy businesses can collect and use electronic communication channels (SMS and email). In the case of exempt sellers, exempt distributors and distributors, these details could be used to provide life support customers and nominated contacts with information about planned energy interruptions where mobile numbers or email addresses have been provided.

We note that the Electricity Distribution Code of Practice already contains provisions that allow life support customers to nominate their preferred contact method for planned interruptions.⁴¹ This means that customers receive communications through their preferred electronic method, in addition to written communication by post. This proposal would extend this provision to the Gas Distribution Code of Practice.

³⁸ [Energy Retail Code of Practice](#), clause 170 (1) (d); [Electricity Distribution Code of Practice](#), clauses 11.5.1 (b), 12.4.1 (d), 12.4.3 (d) and 12.7.2 (b) and (c); [Gas Distribution Code of Practice](#), clauses 5.1 (e); 5.2 (a) and (c), noting that the cGas Distribution Code of Practice provisions are not life support specific. Also note that, in Victoria, retailers do not install meters. Therefore, unlike in the National Energy Retail Rules, there are no 'retailer planned interruptions'. By extension, retailers do not have the same contact obligations as distributors and exempt sellers in relation to planned interruptions.

³⁹ [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Essential Energy and SA Power Networks, p. 29.

⁴⁰ [Better Outcomes for Energy Consumers Using Life Support Equipment at Home 2021](#). Australian Energy Foundation, Melbourne, pp. 16–17.

⁴¹ [Electricity Distribution Code of Practice](#), clause 11.5.1 (b) (ii) (A).

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Questions for stakeholders

- 20. Should we allow the nomination of a secondary contact person to receive notifications and information about planned interruptions? Should the secondary contact person also receive communications about unplanned interruptions?
- 21. Do you have any views on allowing exempt sellers and distributors to provide information on planned interruptions to life support customers and secondary contacts through electronic channels? Should this be done in addition to or in replacement of a letter by post?
- 22. For life support customers affected by family violence, does having to nominate a secondary contact person create any challenges? What additional rules or safeguards could better support these customers?
- 23. Are there any other issues in relation to communicating with life support customers that we should consider as part of this reform?

Commented [MP34]: Yes for both questions. Given the secondary contact person is the person on life support.

Commented [MP35]: Electronic comms good. General comment for those who may not have data on phone if wifi comms can be used eg some secure medium such as WhatsApp or other?

Commented [MP36]: Given the life support user is likely to be the more vulnerable person with complex needs, having the user as the secondary contact is important. Suggest looking at having the ACCO as a contact as well.

Commented [MP37]: Given some life support users may be vulnerable for a variety of reasons (insecure housing, financially, other chronic conditions,,etc) consideration should be tailored and targeted to this cohort.

Implementation considerations

We are seeking stakeholder feedback on implementation timeframes, transitional arrangements and how to ensure life support users remain protected during any transitional period if the changes presented in this consultation paper are implemented.

We are also interested in hearing about the implications for the business-to-business process and whether any additional amendments are needed.

Proposed implementation

If we implement the changes outlined in this consultation paper, a key consideration is to ensure that life support users remain protected during any transitional period, including avoiding being accidentally removed from any life support register.

It is also important that life support users have appropriate time to adapt to the changes, and **medical practitioners**, businesses and other key stakeholders have sufficient time to implement these reforms. However, we note that the longer implementation takes, the longer life support users go without improved outcomes.

Commented [MP38]: The current form as is very onerous for medical practitioners let alone customers/users

Transitional period arrangements

We are proposing that after any rule change, all life support customers are listed as needing assistive life support equipment, as these protections are equivalent to the current protections. Life support customers could then apply to be registered as needing critical life support equipment as required. This would help minimise the number of people unnecessarily registered as needing critical life support equipment, which would help prioritisation during an emergency.

Timing

We propose that the four-year limit on medical evidence would be taken from the date when the last medical evidence was provided to a retailer or distributor.

Energy businesses would be required to:

1. **Within 18 months, from the publication of the updated rules:**
 - Contact life support customers to confirm whether they still require life support equipment.
 - Follow up with any life support customers who haven't yet provided a medical confirmation form; where medical confirmation is not provided within the timeframes prescribed in regulation, deregistration would occur.
 - Make any changes required to their systems as a result of the new rules.

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- **Within four years from the publication of the updated rules:**⁴²
 - Finalise the updates to the life support register, including adding any additional customer information that was not captured while IT systems were being updated.

Understanding business-to-business processes

During the Victorian Government inquiries, which were launched after the 2021 and 2024 prolonged power outages, expert panels recommended the improvement of information sharing of life support registers with government agencies. They also heard that at least part of the reason for incorrect information in life support registers is inadequate communications and processes between businesses.⁴³ The #BetterTogether rule change request confirms this.⁴⁴

We are seeking feedback from energy businesses and government organisations to assess:

- any existing issues with business-to-business processes
- how these processes might be impacted by the changes we are considering in this consultation paper
- whether any amendments to our codes of practice are required to improve information sharing, noting existing requirements under the *Privacy Act 1988 (Cth)*.

Questions for stakeholders

24. Do you have any views on our proposed implementation approach? Are there any alternatives we should consider?
25. Are there any further changes required to ensure that communications between energy businesses are effective and support the accuracy of life support registers?
26. Are there any specific issues we should consider in relation to exempt persons and embedded networks?
27. Are there any other issues we should consider as part of this review?

Commented [MP39]: Consideration of needs of vulnerable life support customers and life support users. These people may be at risk of 'falling through the cracks'. Eg low literacy ,financial insecurity, unstable housing. Did any of the user/consumer consultations include vices of vulnerable and Aboriginal people? There is scope for amplifying the needs/the voices of vulnerable uses. It is critical that any changes made in life support registration and it's implementation overcome barriers/inclusion and reflect the needs of priority populations.

⁴² We note that the #BetterTogether rule change request considers a six-year period. However, we consider that four years provides sufficient time for businesses to review their life support register and allows customers to benefit from these changes at an earlier date.

⁴³ [Electricity Distribution Network Resilience Review: Final Recommendations Report 2022](#). Electricity Network Resilience Review Expert Panel, Department of Environment, Land, Water and Planning, Melbourne; [Storm and Power Outage Event Independent Review of Transmission and Distribution Businesses Operational Response: Final Report 2024](#). Network Outage Review Expert Panel, State of Victoria, Melbourne.

⁴⁴ [Rule Change Request – #BetterTogether – Better Protections for Life Support Customers 2024](#). Essential Energy and SA Power Networks.

Our proposed reforms

Essential Services Commission [

Next steps

The Better Protections for Life Support Customers in Victoria review will follow the commission's regular rule change process.

Key milestones and indicative dates are as follows:

- Consultation Paper consultation: 31 July to 4 September 2025
- Draft decision paper and draft amendments to the Energy Retail Code of Practice, Electricity Distribution Code of Practice and Gas Distribution Code of Practice: expected November / December 2025
- Final decision paper and updated codes of practice: expected March 2026
- Updated rules to take effect: pending stakeholder feedback.

How to give us your feedback

Submissions should be made via Engage Victoria by 4 September 2025.

We note that the Australian Energy Market Commission (AEMC) is consulting on similar reforms. To facilitate engagement and reduce the consultation burden, stakeholders are welcome to provide a copy of their AEMC submission to this consultation process.

Stakeholders are also welcome to provide a short statement with additional information or insights attached to their AEMC submissions.

Submissions will be published on the commission's website, except for the submission of any information that is identified by the submitting party as commercially sensitive or confidential, in accordance with our [Submissions Policy](#).

Submissions should clearly identify which information is considered to be sensitive or confidential, and the basis for the claim.

We are also open to meeting with individual stakeholders to discuss specific feedback. We will continue to proactively engage with the community, industry, government departments and agencies through individual meetings as this review progresses.

There will be more opportunities to be involved in our consultation process once we release our draft decision in November/December 2025.

Please contact energyreform@esc.vic.gov.au if you have any questions or would like to arrange a meeting.

Next steps

Essential Services Commission [Title]