

ENERGY RETAIL CODE OF PRACTICE (LIFE SUPPORT REFORMS) AMENDMENT 2026

Amendments made by the Essential Services Commission on XX/XX/2026

1 Nature and commencement of this instrument

This instrument amends the Energy Retail Code of Practice.

Schedule 1 of this instrument comes into operation on 1 July 2026.

Schedule 2 of this instrument comes into operation on 1 January 2027.

Schedule 3 of this instrument comes into operation on 1 December 2027.

2 Schedule 1 – Table of Amendments

Clause 2 – Commencement

In clause 2, omit ‘This code of practice came into effect on 1 March 2022 and was last amended on February 2026.’ and substitute:

This code of practice came into effect on 1 March 2022 and was last amended on 1 July 2026.

Schedule 3 – Transitional arrangements

In Schedule 3 after clause 2, insert the following:

3. Transitional review of the register of life support customer and residents

- (1) Where the details of the premises of a registered life support customer have been included on the register of life support customers and residents for more than 12 months prior to 1 July 2026, a retailer or an exempt electricity seller must request on or before 31 December 2026 a life support customer to confirm whether a life support resident continues to reside at the premises of the registered life support customer and if life support equipment is still required at the premises
 - (a) If, in response to a request pursuant to subclause (1), a registered life support customer confirms that the person for whom the life support equipment is required has vacated the premises or no longer requires life support equipment, the retailer or the exempt electricity seller must deregister that life support customer pursuant to clause 166(7) or 171(6) respectively.

3 Schedule 2 – Table of Amendments

Clause 2 – Commencement

In clause 2, omit ‘This code of practice came into effect on 1 March 2022 and was last amended on 1 July 2026.’ and substitute:

This code of practice came into effect on 1 March 2022 and was last amended on 1 January 2027.

Schedule 3 Transitional Arrangements – Civil Penalty Requirements

After clause 3 of Schedule 3, insert the following:

- (2) Where the details of the premises of a registered life support customer have been included on the register of life support customers and residents for more than 12 months prior to 1 January 2027, a retailer or an exempt electricity seller must request on or before 31 December 2027 a life support customer to confirm whether a life support resident continues to reside at the premises of the registered life support customer and if life support equipment is still required at the premises.
- (b) If, in response to a request pursuant to subclause (2), a registered life support customer confirms that the person for whom the life support equipment is required has vacated the premises or no longer requires life support equipment, the retailer or the exempt electricity seller must deregister that life support customer pursuant to clause 166(7) or 171(6) respectively

3 Schedule 3 – Table of Amendments

Clause 2 – Commencement

In clause 2, omit ‘This code of practice came into effect on 1 March 2022 and was last amended on 1 January 2026.’ and substitute:

This code of practice came into effect on 1 March 2022 and was last amended on 31 December 2026.

Clause 3 – Definitions

In clause 3, in the note after the definition of ‘*exempt electricity seller*’, after ‘*Electricity Industry Act*’, insert ‘2000’ and delete the parentheses around ‘exempt categories VD1 to VD7’.

In clause 3, in the definition of ‘*deregistration notice*’, omit ‘will’ and substitute ‘may’.

In clause 3, after the definition of ‘*life support equipment*’, insert the following:

Note: see Schedule 7 of this code of practice.

In clause 3, in alphabetical order, insert the following:

life-threatening condition means a condition that a registered medical practitioner has identified in the relevant *medical confirmation* as being one where the *life support resident* would be at a high likelihood of death or permanent injury if the *life support equipment*

used by that *life support resident* was to be without power during a prolonged power outage.

In clause 3, omit definition of '*medical confirmation*' and substitute:

medical confirmation means a *medical confirmation form* in which all mandatory fields have been completed and which is signed and dated by both the *relevant customer* and a registered medical practitioner;

Note: For transitional arrangements for *medical confirmation*, see clause 4 of Schedule 3.

In clause 3, omit definition of '*medical confirmation form*' and substitute:

medical confirmation form means the form titled "Medical Confirmation Form for Life Support Equipment" published on the Commission's website from time to time and to be issued by a *retailer* or *exempt person* to a *relevant customer* to enable the *relevant customer* to provide (in hard copy or in electronic format) *medical confirmation* to the *retailer* or *exempt person* respectively;

In clause 3, omit the definition of 'register of life support customers and residents' and substitute:

means a register established, maintained and kept up to date under Part 8 of this code of practice;

In clause 3, in alphabetical order, insert the following:

secondary contact person in relation to premises that have been, or are to be, registered as requiring *life support equipment*, means an additional person (which may, without limitation, be the *life support resident*) nominated by the *life support customer*, in a *medical confirmation form* or otherwise advised by the customer to a *retailer* or to an *exempt electricity seller*, to be provided with information, notices or requests where such information, notices or requests are required to be given to a *life support customer*;

Clause 150 – Account security

After subclause (1), insert the following:

- (1A) If a *retailer* identifies an *affected customer* and the *affected customer* has nominated a *secondary contact person* in relation to an *affected customer's* premises, the *retailer* must ask the *affected customer* whether they consent to the *retailer* contacting the *secondary contact person* about matters arising under Part 8 of this code of practice.

In subclause (3), omit 'a person who is or has been a joint account holder with an *affected customer*.' and substitute a colon (:).

After subclause (3), insert the following:

- (a) a person who is or has been a joint account holder with an *affected customer*;
and
- (b) a person who is, or is nominated to be, a *secondary contact person* or an authorised representative on the account of an *affected customer*.

In subclause (5), after 'or provide information to a *small customer*', insert 'or a *secondary contact person*'.

Clause 163 – Registration of life support equipment (SRC and MRC)

In subclause 163(1)(a)(i), omit 'in accordance with subclause (5)'.

After subclause 163(1)(a)(i), insert the following:

- (ia) the date by which the *relevant customer* must provide *medical confirmation* to the *retailer*;
- (ib) information explaining that the *relevant customer* can request an extension of time to provide the *medical confirmation*;

After subclause 163(1)(a)(ii), insert the following:

- (iia) information explaining that, where the *relevant customer* has a *medical confirmation* signed and dated by the *relevant customer* and a registered medical practitioner within the last four years and which is a version of the *medical confirmation form* required by subclause (1)(a)(i), the *relevant customer* may provide that *medical confirmation* to the *retailer* and is not required to (but may) complete a *new medical confirmation*;

Delete subclause 163(2) in its entirety. Insert '[deleted]'.

Delete subclause 163(5) in its entirety. Insert '[deleted]'.

After the now deleted subclause 163(5), insert the following:

- (6) A *retailer* must not accept that *medical confirmation* under this code of practice has occurred unless the *medical confirmation form* has been signed and dated and all mandatory fields have been completed.

Clause 164 – Reminders for confirmation of premises as requiring life support equipment

In subclause 164(1)(a), delete 'from the date of the *medical confirmation form*'. After 'to provide *medical confirmation*', insert 'from the date the *medical confirmation form* was issued to the *relevant customer*'.

In subclause 164(1)(b), after 'must provide *medical confirmation*' but before the text in parentheses, insert 'and that failure to do so may result in the *relevant customer* being *deregistered*'.

In subclause 164(2)(b), delete the second instance of the word 'the', between 'which' and '*medical confirmation*'. After the final semi-colon, insert 'and'.

Delete subclause 164(2)(c) and substitute '[deleted]'.

In subclause 164(2)(d)(i), after '*medical confirmation*' insert the following:

for the *retailer* to record in the *register of life support customers and residents* the *life support equipment* used by the *life support resident* and whether the *life support resident* suffers from a *life-threatening condition*, being information that may assist in responding to an unplanned interruption

Clause 165 – Ongoing retailer obligations

In subclause 165(1), omit '40SG(1) or 40SH(1)' and substitute '40SG(1), 40SH(1) or 40SI(1)'. Omit '48DI or 48DJ(1)' and substitute '48DI, 48DJ(1) or 48DK(1)'.

Delete subclause 165(1)(a) and insert '[deleted]'.

Delete subclause 165(1)(b) and insert '[deleted]'.

After the now deleted subclause 165(1)(b) but before the subsequent note, insert the following:

- (c) record or update the register of life support customers and residents within one business day after receiving:
 - (i) any relevant information related to relevant customer's or secondary contact's details and communication preferences, either at the relevant customer's request or upon receipt of medical confirmation;
 - (ii) any relevant information as to life support equipment or whether the life support resident has a life-threatening condition, upon receipt of a medical confirmation;
- (d) within one business day after recording or updating information in the register of life support customers and residents, give such information to the distributor for the purposes of the distributor recording or updating information in its register of life support customers and residents under clause 12.2.2(a) of the Electricity Distribution Code of Practice, or clause 7.4 of the Gas Distribution Code of Practice, or any further updates required to the register of life support customers and residents.

Clause 165A – 12-monthly reviews of registration of registered life support customers

After clause 165, insert the following:

165A 12-monthly reviews of registration of registered life support customers

- (1) At least once every 12 months, a *retailer* must request a *registered life support customer* and any *secondary contact person* to confirm whether a *life support resident* continues to reside at the premises of the *registered life support customer*.

Note: For transitional arrangements for the commencement of this clause, see clause 3(1) of Schedule 3.

- (2) The request under subclause (1) must:
 - (a) be made at least once every 12 months from the date on which the *relevant customer* was registered on the *register of life support customers and residents*;
 - (b) include information explaining that, if the *registered life support customer* fails to provide confirmation that a *life support resident* continues to reside at the premises of the *registered life support customer*, the details of the *life support customer* may be removed from the *register of life support customers and residents* and, if so, the *life support resident* will cease to receive the *life support protections*; and

- (c) ask for any update to:
 - (i) contact details;
 - (ii) details of any *secondary contact person*;
 - (iii) communication preferences;
 - (iv) *life support equipment*, noting that any update to *life support equipment* will only be recorded in the *register of life support customers and residents* where a replacement *medical confirmation* is provided; and
 - (v) whether the *life support resident* is or is not suffering from a *life-threatening condition*, noting that any update will only be recorded in the *register of life support customers and residents* where a replacement *medical confirmation* is provided.
 - (d) advise the *life support customer* to prepare a plan of action in the case of an unplanned interruption.
- (3) Where a *life support customer* subject of a request pursuant to subclause (1) has not previously provided *medical confirmation* to the *retailer*, the *retailer* must also provide a *medical confirmation form* with the request and follow the process set out in clause 164 in connection with that *medical confirmation form*.
- (4) If, in response to a request pursuant to subclause (1), a *registered life support customer* confirms that the person for whom the *life support equipment* is required has vacated the premises or no longer requires the *life support equipment*, the *retailer* must *deregister* that *life support customer*, pursuant to clause 166(7).

Clause 165B – Communications

After clause 165, insert the following:

165B Communications

- (1) A *retailer* must:
- (a) provide information, notices and requests in connection with *life support equipment* in accordance with the preferences identified in a *medical confirmation* or as updated by the *relevant customer* from time to time (including providing such information and notices to the *relevant customer* electronically where, in accordance with clause 10(1)(a)(iii), the *relevant customer* has given *explicit informed consent* to receiving the notice or other document electronically);
 - (b) inform the *relevant customer* and *secondary contact person* how the *relevant customer* or *secondary contact person* can nominate or update their preferred method of communication, for example, by contacting the *retailer* by telephone, via a website or by return text message.

Clause 166 – Deregistration of customers

Delete subclause 166(2) in its entirety and substitute the following:

- (2) Where a *retailer* is required to *deregister a relevant customer* or may *deregister a relevant customer*, the *retailer* must:
- (a) within one *business day* of being required to *deregister a relevant customer* or deciding to *deregister a relevant customer*, *deregister the relevant customer*; and
 - (b) within five business days of the date of *deregistration*, notify the *distributor* of the date of *deregistration* and reason for *deregistration* of the *relevant customer*.

Delete subclause 166(3) and insert '[deleted]'.

Delete subclauses 166(4)(a) and 166(4)(b) and substitute the following:

- (a) within one *business day* of being notified by the *exempt person* that it has *deregistered a relevant customer*, *deregister the relevant customer*; and
- (b) within five *business days* of receipt of notification of *deregistration*, notify the *distributor* of the date of *deregistration* and reason for *deregistration*.

In subclause 166(6), insert 'is' between 'confirmation' and 'not'.

In subclause 166(6), before subclause 166(6)(a), insert the following:

- (aa) Where a *relevant customer* fails to provide *medical confirmation* following the *retailer* providing the *relevant customer* with a *medical confirmation* form pursuant to clause 163(1)(a)(i) or clause 165A(4), and after the process set out in clause 164 in connection with that *medical confirmation form* has been complied with, the *retailer* must:
 - (i) use best endeavours to contact the *relevant customer* and any *secondary contact person* by their preferred method of communication (where known) in connection with the *relevant customer's* failure to provide *medical confirmation* including by attempting to contact the *relevant customer* and any *secondary contact person* in at least two of the following ways:
 - (A) in person;
 - (B) by post;
 - (C) by telephone;
 - (D) by electronic methods; and
 - (ii) provide the *relevant customer* and any *secondary contact person* with a *deregistration notice* no less than 15 *business days* from the date of issue of the second *confirmation reminder notice* issued under subclause 164(1)(d).

In subclause 166(6)(a), omit 'under section 40SG(1) of the *Electricity Act* and section 48DI(1) of the *Gas Industry Act*.

In subclause 166(6)(a)(i), after 'under clause 164', insert 'and subclause 166(6)(aa)'. After the final semi-colon, insert 'and'.

Delete subclause 166(6)(a)(ii) in its entirety and substitute '[deleted]'.

Delete subclause 166(6)(a)(iii) and substitute '[deleted]'.

In subclause 166(6)(b)(iii), omit 'they will' and substitute 'and any *secondary contact person* that the *relevant customer* may'.

In subclause 166(6)(b)(iv), omit 'that' and substitute 'and any *secondary contact person* that if the *relevant customer* is *deregistered*,'. Omit 'when the *relevant customer* is *deregistered*'.

Delete subclause 166(6)(c) in its entirety and substitute '[deleted]'.

After the now deleted subclause 166(6)(c), insert the following:

- (d) Where a *retailer* is permitted to *deregister* a *relevant customer* pursuant to subclause 166(6)(a), *the retailer* must make and retain a record of the reasons for the decision to not *deregister* the *relevant customer* each time the *retailer* follows the process set out in clause 164.
- (e) A *retailer* must ensure that the record required to be made and retained pursuant to subclause 166(6)(d) is retained for at least two years after the date the *relevant customer* is *deregistered*.
- (f) A *retailer* may only *deregister* a *life support customer* under clause 166(6) within 15 *business days* after the date specified in the *deregistration notice* under subclause 166(6)(b)(ii). If the *retailer* has not *deregistered* the *life support customer* within this period, the *retailer* may only *deregister* the *life support customer* after having again completed the reminder process for confirmation of premises as requiring *life support equipment* set out in clause 164.

In subclause 166(7), omit 'and' and substitute 'or'. After 'advises the retailer', insert (as part of the review pursuant to clause 165S or otherwise). Omit 'may deregister the relevant customer' and substitute 'must'.

Delete subclause 166(7)(a) in its entirety and substitute the following:

- (aa) provide written notification to the *relevant customer* and any *secondary contact person* advising:
 - (i) that the *relevant customer* will be *deregistered* on the basis that the *relevant customer* has advised the *retailer* that the person for whom the *life support equipment* is, or was, required has vacated the premises or no longer requires the *life support equipment*;
 - (ii) the date on which the *relevant customer* will be *deregistered*, which must be at least 15 *business days* from the date of the written notification;
 - (iii) that the *relevant customer* will no longer receive the *life support protections* when the premises is *deregistered*; and
 - (iv) that the *relevant customer* must contact the *retailer* prior to the date specified in accordance with subparagraph (ii) if the person for whom the *life support equipment* is required has not vacated the premises and requires the *life support equipment*;

Delete subclause 166(7)(a) in its entirety and insert the following:

- (aa) provide written notification to the *relevant customer* and any *secondary contact person* advising:
 - (i) that the *relevant customer* will be *deregistered* on the basis that the *relevant customer* has advised the retailer that the person for whom the *life support equipment* is, or was, required has vacated the premises or no longer requires the *life support equipment*;
 - (ii) the date on which the *relevant customer* will be *deregistered*, which must be at least 15 *business days* from the date of the written notification;
 - (iii) that the *relevant customer* will no longer receive the *life support protections* when the premises is *deregistered*; and
 - (iv) that the *relevant customer* must contact the *retailer* prior to the date specified in accordance with subparagraph (ii) if the person for whom the *life support equipment* is required has not vacated the premises and requires the *life support equipment*;
- (a) Deregister the relevant customer within one business day after the earlier of:
 - (i) the date specified in accordance with subclause (7)(aa)(ii) if the relevant customer has not, prior to that date, contacted the retailer confirming that the person for whom the life support equipment is required has not vacated the premises or otherwise still requires the life support equipment; or
 - (ii) a date prior to the date specified in accordance with subclause (7)(aa)(ii) if the relevant customer or their authorised representative gives explicit informed consent to the relevant customer being deregistered on or after a date prior to the specified date.

Delete subclause 166(7)(b) and substitute '[deleted]'.

Delete subclause 166(8) in its entirety and substitute '[deleted]'.

In subclause 166(9), omit the first instance of the word 'A' and substitute 'Notwithstanding clause 165A, a'.

Clause 167 – Registration and deregistration details must be maintained and kept up to date by retailers

In clause 167, before the word 'kept', insert 'maintained and'. After the word 'kept', insert 'up to date'.

In subclause 167(1)(a), delete 'for registering and *deregistering life support customers*,'. After 'this Division', insert ', including for registering and *deregistering life support customers*, conducting reviews pursuant to clause 165A and updating the *register of life support customers and life support residents*'. Delete the final instance of 'and'.

After subclause 167(1)(a)(ii), insert the following:

- (iia) whether the *life support resident* has a *life-threatening condition* as indicated in the most recent *medical confirmation* provided by the *relevant customer* in connection with that *life support resident*;
- (iib) the *life support equipment* used by the *life support resident* as indicated in the most recent *medical confirmation* provided by the *relevant customer* in respect of that *life support resident*;
- (iic) contact details and preferred communication method of the *life support customer* and of any *secondary contact person*;

After subclause 167(1)(b)(iv), insert the following:

- (c) remove the details of any *secondary contact person* if the *relevant customer* or the *secondary contact person* requests those details to be removed, or if the *relevant customer* does not consent to the *retailer* contacting the *secondary person*, pursuant to Clause 150(1A);
- (d) where the *secondary contact person* has requested the removal of their details pursuant to subclause (c), the *retailer* must inform the *relevant customer* that those details are to be removed and ask the *relevant customer* whether they want to provide the details of any alternative *secondary contact person*.

Clause 168 – Information to be given by an exempt electricity seller when advised by a customer

In subclause 168(1)(a)(i), omit 'in accordance with subclause (3)'.

After subclause 168(1)(a)(i), insert the following:

- (ia) the date by which the relevant customer must provide *medical confirmation* to the *exempt electricity seller*;
- (ib) information explaining that the *relevant customer* can request an extension of time to provide the *medical confirmation*;

After subclause 168(1)(a)(ii), insert the following:

- (iia) information explaining that, where the *relevant customer* has a *medical confirmation* signed and dated by the *relevant customer* and a registered medical practitioner within the last four years and which is a version of the *medical confirmation* form required by subclause (1)(a)(i), the *relevant customer* may provide that *medical confirmation* to the *exempt electricity seller* and is not required to (but may) complete a new *medical confirmation*;

In subclause 168(1)(a)(iii), after '*Electricity Distribution Code of Practice*', insert '*and the Energy Retail Code of Practice*'.

Delete subclause 168(1)(c) in its entirety and substitute '[deleted]'.

In subclause 168(2)(a), after 'give the *relevant*', insert '*customer* the information that is specified in subclause (1)(a) unless the *exempt electricity seller* has previously provided that information to the *relevant customer* at the *relevant customer's* current premises.'

Delete subclause 168(2)(b).

Delete subclause 168(3) in its entirety and substitute '[deleted]'.

After the now deleted subclause 168(3), insert the following:

- (4) An *exempt electricity seller* must not accept that *medical confirmation* under this code of practice has occurred unless the *medical confirmation* form has been signed and dated and all mandatory fields have been completed.

Clause 169 – Reminders for confirmation of premises as requiring life support equipment

In subclause 169(1), omit 'under clause 168' and substitute 'to a relevant customer'.

In subclause 169(1)(a), delete 'from the date of the *medical confirmation form*'. After 'to provide *medical confirmation*', insert 'from the date the *medical confirmation form* was issued to the *relevant customer*'.

In subclause 169(1)(b), after '*medical confirmation*', insert 'and that failure to do so may result in the *relevant customer* being *deregistered*'.

In subclause 169(2)(b), after the semi-colon, insert 'and'.

Delete subclause 169(2)(c) and insert '[deleted]'.

In subclause 169(d)(i), after '*medical confirmation*', insert 'for the *exempt electricity seller* to record in the *register of life support customers and residents* the *life support equipment* used by the *life support resident* and whether the *life support resident* suffers from a *life-threatening condition*, being information that may assist in responding to an unplanned interruption'.

Clause 170 – Ongoing exempt electricity seller obligations

Delete subclause 170(1)(a) and substitute the following:

- (a) if the *exempt electricity seller* was required to give notice to a *retailer* under section 40SJ(4) of the *Electricity Industry Act* the *exempt electricity seller* must:
- (i) within one *business day* after a *relevant customer* advises the *exempt electricity seller* that a *life support resident* resides, or is intending to reside, at the *relevant customer's* premises, give the *retailer* any information the *relevant customer* has provided to the *exempt electricity seller* as to the *life support equipment* requirements for the *relevant customer's* premises and any relevant contact details;
 - (ii) within one *business day* after receiving *medical confirmation* from the *relevant customer*, provide a copy of the *medical confirmation* to the *retailer*; and
 - (iii) within one *business day* after being advised by a *relevant customer* of any update to any relevant contact details (including as to any *secondary contact person* and communication preferences), provide that information to the *retailer*;

Note: subclause 170(1)(a) does not apply where the relevant information was provided to the *exempt electricity seller* by the *retailer*.

Delete subclauses 170(1)(b) and 170(1)(c) and insert:

- (b) if the *exempt electricity seller* was required to give notice to an *exempt distributor* under section 40SJ(5) of the *Electricity Industry Act*, the *exempt electricity seller* must:
- (i) within one *business day* after a *relevant customer* advises the *exempt electricity seller* that a *life support resident* resides, or is intending to reside, at the *relevant customer's* premises, give the *exempt distributor* any information the *relevant customer* has provided to the *exempt electricity seller* as to the *life support equipment* requirements for the *relevant customer* and any relevant contact details;
 - (ii) within one *business day* after receiving a *medical confirmation* (including a *medical confirmation* replacing an earlier *medical confirmation*) identifying the *life support equipment* requirements for the *relevant customer's* premises, whether the *life support customer* has a *life-threatening condition* and relevant contact details (including as to any *secondary contact person* and communication preferences), give that information to the *exempt distributor*;
 - (iii) within one *business day* after being advised by a *relevant customer* of any update to any relevant contact details (including as to any *secondary contact person* and communication preferences), give that update to the *exempt distributor*,

for the purposes of updating the *distributor's* registration under clause 12.6 of the *Electricity Distribution Code of Practice*;

- (c) when advised by a *relevant customer* or *retailer* of any updates to any relevant contact details (including preferences), update the *register of life support customers and residents*, within one *business day* from receipt of the advice;
- (ca) within one *business day* after receiving *medical confirmation* (including a *medical confirmation* replacing an earlier *medical confirmation*) identifying the *life support equipment* requirements for the *relevant customer's* premises, whether the *life support resident* has a *life-threatening condition* and relevant contact details (including as to any *secondary contact person* and communication preferences), record that information in the *register of life support customers and residents*; and

Clause 170A – 12-monthly reviews of registration of registered life support customers

After clause 170, insert the following:

170A 12-monthly reviews of registration of registered life support customers

- (1) At least once every 12 months an *exempt electricity seller* must request a *registered life support customer* and any *secondary contact person* to confirm whether a *life support resident* continues to reside at the premises of the *registered life support customer*.

Note: For transitional arrangements for the commencement of this clause, see Schedule 3 Subclause 3(2).

- (2) The request under subclause (1) must:
- (a) be made at least once every 12 months from the date on which the *relevant customer* was registered on the *register of life support customers and residents*;
 - (b) include information explaining that, if the *registered life support customer* fails to provide confirmation that a *life support resident* continues to reside at the premises of the *registered life support customer*, the details of the *life support customer* will be removed from the *register of life support customers and residents* and, if so, the *life support resident* will cease to receive the *life support protections*; and
 - (c) ask for any update to:
 - (i) contact details;
 - (ii) details of a *secondary contact person*;
 - (iii) communication preferences;
 - (iv) *life support equipment*, noting that any update to *life support equipment* will only be recorded in the *register of life support customers and residents* where a replacement *medical confirmation* is provided; and
 - (v) whether the *life support resident* is or is not suffering from a *life-threatening condition*, noting that any update will only be recorded in the *register of life support customers and residents* where a replacement *medical confirmation* is provided.
- (3) Where a *life support resident* subject of a request pursuant to subclause (1) has not previously provided a *medical confirmation* to the *exempt electricity seller*, the *exempt electricity seller* must also provide a *medical confirmation form* and follow the process set out in clause 169 in connection with that *medical confirmation form*.
- (4) If, in response to a request pursuant to subclause (1), a *registered life support customer* confirms that a *life support resident* no longer resides at the premises, the *exempt electricity seller* must remove any *life support customer* details relating to that registered *life support customer* from its *register of life support customers and residents*, pursuant to clause 171.

Clause 170B – Communications

After clause 170A, insert the following:

170B Communications

- (1) An *exempt electricity seller* must:
- (a) provide information, notices and requests in connection with *life support equipment* in accordance with the preferences identified in a *medical confirmation form* or as updated by the *relevant customer* from time to time (including providing such information, notices and requests to the *relevant customer* electronically where, in accordance with clause

10(1)(a)(iii), the *relevant customer* has given *explicit informed consent* to receiving the notice or other document electronically);

- (b) inform the *relevant customer* and *secondary contact person* how the *relevant customer* or *secondary contact person* can nominate or update their preferred method of communication, for example, by contacting the *retailer* by telephone, via a website or by return text message.

Clause 171 – Deregistration of customers

In clause 171, omit 'premises' and insert 'customers'.

Delete subclause 171(2) and insert the following:

- (2) Where an *exempt electricity seller* is required to *deregister a relevant customer* or may *deregister a relevant customer*, the *exempt electricity seller* must within one *business day* of being required to *deregister a relevant customer* or deciding to *deregister a relevant customer*, *deregister the relevant customer*.

In subclause 171(3), after 'registered', insert 'at a supply point'.

In subclause 171(4), after 'clause 170', insert 'and 170A'.

In subclause 171(5), set 'Deregistration' and 'medical confirmation' in italics. After 'medical confirmation', insert 'is'.

In subclause 171(5), before subclause 171(5)(a), insert the following:

- (aa) Where a *relevant customer* who has been registered by an *exempt electricity seller* under section 40SJ(1) or 40SK(1) of the Electricity Industry Act fails to provide *medical confirmation* after being provided with a *medical confirmation form* pursuant to clause 168(1)(a)(i) or clause 170A(3) and after the process set out in clause 169 has been complied with, the *exempt person* must:
 - (i) use best endeavours to contact the *relevant customer* and any *secondary contact person* by their preferred method of communication (where known) in connection with the *relevant customer's* failure to provide *medical confirmation* including by attempting to contact the *relevant customer* and any *secondary contact person* in at least two of the following ways:
 - (A) in person;
 - (B) by post;
 - (C) by telephone;
 - (D) by electronic methods; and
 - (ii) provide the *relevant customer* and any *secondary contact person* with a deregistration notice no less than 15 *business days* from the date of issue of the second *confirmation reminder notice* issued under subclause 169(1)(d).

In subclause 171(5)(a), omit 'under sections 40SJ(1) or 40SK(1) of the *Electricity Industry Act*'. Omit '*person*' and substitute '*electricity seller*'.

In subclause 171(5)(a)(i), after 'clause 169', insert 'and subclause 171(5)(aa)'. After the semi-colon, insert 'and'.

Delete subclause 171(5)(a)(ii) in its entirety and substitute '[deleted]'.

Delete subclause 171(5)(a)(iii) and substitute '[deleted]'.

In subclause 171(5)(b)(iii), omit 'they will' and substitute 'and any *secondary contact person* that the *relevant customer* may'.

In subclause 171(5)(iv), omit 'that' and substitute 'and any *secondary contact person* that if the *relevant customer* is *deregistered*'.

After subclause 171(5)(iv), insert the following:

- (c) Where an *exempt electricity seller* is permitted to *deregister a relevant customer* pursuant to subclause 171(5)(a), the *exempt electricity seller* must make and retain a record of the reasons for the decision to not *deregister the relevant customer* each time the *exempt electricity seller* follows the process set out in clause 169.
- (d) An *exempt electricity seller* must ensure that the record required to be made and retained pursuant to subclause 171(5)(c) is retained for at least two years after the date the *relevant customer* is *deregistered*.
- (e) An *exempt electricity seller* may only *deregister a relevant customer* under clause 171(5) within 15 *business days* after the date specified in the *deregistration* notice under subclause 171(5)(b)(ii). If the *exempt electricity seller* has not *deregistered the relevant customer* within this period, the *exempt electricity seller* may only *deregister the relevant customer* after having again completed the medical confirmation reminder process set out in clause 169.

In subclause 171(6), between '*exempt electricity seller*' and 'that', insert '(as part of the review pursuant to clause 170A or otherwise)'. Omit 'may *deregister the relevant customer* on' and substitute 'must'.

Delete subclause 171(6)(a) in its entirety and insert the following:

- (aa) provide written notification to the *relevant customer* and any *secondary contact person* advising:
 - (i) that the *relevant customer* will be *deregistered* on the basis that the *relevant customer* has advised the *exempt electricity seller* that the person for whom the *life support equipment* is, or was, required has vacated the premises or no longer requires the *life support equipment*;
 - (ii) the date on which the *relevant customer* will be *deregistered*, which must be at least 15 *business days* from the date of the written notification;
 - (iii) that the *relevant customer* will no longer receive the *life support protections* when the premises is *deregistered*; and

- (iv) that the *relevant customer* must contact the *exempt electricity seller* prior to the date specified in accordance with subparagraph (ii) if the person for whom the *life support equipment* is required has not vacated the premises and requires the *life support equipment*;
- (a) *deregister* the *relevant customer* within one *business day* after the earlier of:
 - (i) the date specified in accordance with subclause (6)(aa)(ii) if the *relevant customer* has not, prior to that date, contacted the *exempt electricity seller* confirming that the person for whom the *life support equipment* is required has not vacated the premises and requires the *life support equipment*; or
 - (A) [deleted]
 - (B) [deleted]
 - (C) [deleted]
 - (D) [deleted]
 - (E) [deleted]
 - (ii) a date prior to the date specified in accordance with subclause (6)(aa)(ii) if the *relevant customer* or their authorised representative gives *explicit informed consent* to the *relevant customer* being *deregistered* on or after a date prior to the specified date.

Delete subclause 171(6)(b) and insert '[deleted]'.

In subclause 171(7), omit 'An' and substitute 'Notwithstanding clause 170A, an'.

Clause 172 – Registration and deregistration details must be maintained and kept up to date by exempt electricity sellers

In clause 172, before 'kept', insert 'maintained and'. After 'kept', insert 'up to date'.

Delete subclause 172(1)(a) and insert the following:

- (a) establish policies, systems and procedures to facilitate compliance with the requirements in this Division, including for registering and *deregistering life support customers*, conducting reviews pursuant to clause 170A, including new information in and updating the *register of life support customers and life support residents*;

After subclause 172(1)(b)(ii), insert the following:

- (iia) whether the *life support resident* has a *life-threatening condition* as indicated in the most recent *medical confirmation* provided by the *relevant customer* in connection with that *life support resident*;
- (iib) the *life support equipment* used by the *life support resident* as indicated in the most recent *medical confirmation* provided by the *relevant customer* in respect of that *life support resident*;

- (iic) contact details and communication preferences of the *life support customer* and any *secondary contact person*;

After subclause 171(1)(b)(iv), insert the following:

- (c) remove the details of any secondary contact person if the relevant customer or the secondary contact person requests those details to be removed, or if the relevant customer does not consent to the exempt electricity seller contacting the secondary person, pursuant to Clause 150(1A);
- (d) where the *secondary contact person* has requested removal of their details pursuant to subclause (c), the *exempt electricity seller* must inform the *relevant customer* that those details are to be removed and request the *relevant customer* to provide the details of any alternative *secondary contact person*.

Clause 173 – Obligations of retailers with respect to deemed exempt persons and exempt distributors

In subclause 173(2)(c), omit 'clause' and substitute 'clauses'. After '165', insert ', 165A, 165B and 167'.

Clause 174 – Obligations of deemed exempt persons

In subclause 174(1)(a), omit 'intends to resides' and substitute 'intends to reside'.

In subclause 174(2)(a), omit 'clause' and substitute 'clauses 168(1)'. After '170', insert ', 170A and 170B'.

Schedule 1 – Civil Penalty Requirements

In the table of civil penalty requirements, in the second column of the sixth row, insert '163(1); 163(6)' at the start of the cell. Omit '165(2)' and substitute '165A; 165B; 166(2); 166(4); 166(6); 166(7);'. Omit 168(1). After '169(2);', insert '170A; 170B; 171(2); 171(3); 171(5); 171(6);'.

In the same cell, after the list of clauses, insert the following:

Note: clause 168(1) of this code of practice is proposed not to be specified as a civil penalty requirement, as the primary obligation is provided by section 40SJ(3) of the *Electricity Industry Act 2000* which is listed as a civil penalty requirement in the *Electricity Industry (Penalty Regime) Regulations 2022*.

Schedule 2 clause 6.3 – Life support equipment

In Schedule 2 clause 6.3(b)(ii), delete 'or your distributor'.

In Schedule 2 clause 6.3(c), delete 'or your distributor'.

In Schedule 2 clause 6.3(d), delete 'or your distributor'.

Schedule 2 – Simplified explanation of terms

In the Simplified explanation of terms in Schedule 2, delete the definition of 'medical confirmation' and insert the following:

medical confirmation means a *medical confirmation form* in which all mandatory fields have been completed and which is signed and dated by both *the relevant customer* and a registered medical practitioner;

In the Simplified explanation of terms in Schedule 2, delete the definition of 'medical confirmation form' and insert the following:

medical confirmation form means the form titled "Medical Confirmation Form for Life Support Equipment" published on the Commission's website (including in an electronic format) from time to time and to be issued by a *retailer* to a *relevant customer* to enable the customer to provide *medical confirmation* to the *retailer*;

Schedule 3 – Transitional arrangements

In Schedule 3 after clause 3, insert the following:

4. Medical confirmation for life support customers

- (1) *A life support customer* that, prior to 1 December 2027, was registered and had provided *medical confirmation* in a form valid at the time they provided *medical confirmation* is deemed to have provided *medical confirmation* for the purposes of this Code.