



Competition and Consumer (Industry Code— Electricity Retail) Regulations 2019

made under the

Competition and Consumer Act 2010

Compilation No. 3

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About this compilation

This compilation

This is a compilation of the *Competition and Consumer (Industry Code—Electricity Retail) Regulations 2019* that shows the text of the law as amended and in force on 7 April 2022 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part 1—Preliminary	1
Division 1—Preliminary	1
1 Name.....	1
3 Authority.....	1
4 Simplified outline of this instrument.....	1
Division 2—Definitions etc.	2
5 Definitions	2
6 Small customers	4
7 Civil penalty provisions	4
Division 3—Scope of this instrument	5
8 Distribution regions to which this instrument does not apply	5
8A Solar feed-in tariffs	5
Part 2—Electricity Retail Code of Conduct	6
Division 1—Introduction	6
9 Mandatory industry code in Division 2.....	6
Division 2—Electricity Retail Code of Conduct	7
Subdivision A—Caps on standing offer prices	7
10 Caps on standing offer prices.....	7
Subdivision B—Communicating prices to small customers	7
12 Communication to small customers must compare retailer’s prices with reference price.....	7
13 Alternative requirement for offers.....	9
13A Keeping records	9
Subdivision C—Advertising conditional discounts	10
14 Advertising conditional discounts.....	10
Part 3—Functions of the AER	12
14A Purpose of this Part	12
15 Functions of the AER.....	12
16 Determining model annual usage and annual prices	12
17 Requirements relating to making determinations.....	13
Part 4—Application and transitional provisions	15
Division 1—Application of this instrument	15
19 Application of this instrument.....	15
20 No acquisition of property otherwise than on just terms	15
Division 2—Amendments made by the Competition and Consumer Legislation Amendment (Electricity Retail) Regulations 2020	16
21 Application of amendments—Schedule 1	16
22 Application of amendments—Schedule 2.....	16
Endnotes	17
Endnote 1—About the endnotes	17
Endnote 2—Abbreviation key	18

Endnote 3—Legislation history	19
Endnote 4—Amendment history	20

Part 1—Preliminary

Division 1—Preliminary

1 Name

This instrument is the *Competition and Consumer (Industry Code—Electricity Retail) Regulations 2019*.

3 Authority

This instrument is made under the *Competition and Consumer Act 2010*.

4 Simplified outline of this instrument

Part 2 prescribes a mandatory industry code for supplying electricity to small customers (i.e. most residential customers and small business customers: see section 6).

Under the code:

- (a) standing offer prices must be set such that, were a small customer to be supplied in a financial year at those prices with the amount of electricity determined by the AER for the financial year under Part 3 (the *model annual usage*), the total amount the customer would have to pay for the supply would not exceed the price determined by the AER under that Part (the *reference price*) (see section 10); and
- (b) small customers must be told how prices for supplying electricity compare with the reference price (see section 12); and
- (c) an advertisement for supplying electricity to small customers must not have a discount as its most conspicuous price-related matter, and must state any conditions on discounts clearly (see section 14).

Under Part 3, the AER determines a model annual usage and reference price in relation to each distribution region and each type of small customer.

This instrument does not apply in relation to supplying electricity in:

- (a) small distribution regions; or
- (b) distribution regions where standing offer prices are set under a State or Territory law.

(See section 8).