



National Energy Retail Amendment (Strengthening protections for customers requiring life support equipment) Rule 2017 No. 3

under the National Energy Retail Law as applied by:

- (a) the National Energy Retail Law (South Australia) Act 2011 of South Australia;
- (b) the National Energy Retail Law (ACT) Act 2012 of the Australian Capital Territory;
- (c) the National Energy Retail Law (Adoption) Act 2012 of New South Wales;
- (d) the National Energy Retail Law (Queensland) Act 2014 of Queensland;
- (e) the National Energy Retail Law (Tasmania) Act 2012 of Tasmania; and
- (f) the Australian Energy Market Act 2004 of the Commonwealth.

The Australian Energy Market Commission makes the following Rule under the National Energy Retail Law.

John Pierce
Chairman
Australian Energy Market Commission

National Energy Retail Amendment (Strengthening protections for customers requiring life support equipment) Rule 2017 No. 3

1 Title of Rule

This Rule is the National Energy Retail Amendment (Strengthening protections for customers requiring life support equipment) Rule 2017 No. 3.

2 Commencement

Schedule 1 and 2 commence operation on 1 February 2019.

Schedule 3 commences operation on 1 February 2018.

3 Amendment of the National Energy Retail Rules

The National Energy Retail Rules are amended as set out in Schedule 1.

4 Amendment of the National Energy Retail Rules

The National Energy Retail Rules are amended as set out in Schedule 2.

5 Savings and Transitional Amendments to the National Energy Retail Rules

The National Energy Retail Rules are amended as set out in Schedule 3.

Schedule 1 Amendments of the National Energy Retail Rules

(Clause 3)

[1] New Rule 123A Definitions

After rule 123, insert:

123A Definitions

In this Part:

confirmation reminder notice – see subrule 124A(1)(b);

deregistration or **deregister** means the updating of a retailer's or distributor's registration of a customer's premises under subrules 124(1)(a), 124(3), 124(4)(a) or 124(5) to remove, for that particular premises, the requirement for *life support equipment*;

deregistration notice means a written notice issued by a retailer or distributor to inform a customer that their premises will cease to be registered as requiring *life support equipment* if the customer does not provide medical confirmation by the date specified in that deregistration notice;

Market Settlement and Transfer Solution Procedures has the same meaning as in the NER.

medical confirmation means certification 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 means a written form issued by a retailer or distributor:

- (a) when the retailer or distributor receives advice from a customer that a person residing or intending to reside at the customer's premises requires *life support equipment*; and
- (b) to facilitate the provision of medical confirmation by the customer to the retailer or distributor.

[2] Rule 124 Retailer obligations

Omit rule 124 in its entirety, including the heading, and substitute:

124 Registration of life support equipment

(1) Retailer obligations when advised by customer

When advised by a customer that a person residing or intending to reside at the customer's premises requires *life support equipment*, a retailer must:

- (a) register that a person residing or intending to reside at the customer's premises requires *life support equipment* and the date from which the *life support equipment* is required;
 - (b) subject to subrule (2), no later than 5 business days after receipt of advice from the customer, provide in writing to the customer:
 - (i) a medical confirmation form;
 - (ii) information explaining that, if the customer fails to provide medical confirmation, the customer's premises may be deregistered and, if so, the customer will cease to receive the protections under this Part;
 - (iii) advice that there may be *retailer planned interruptions* under rule 59C to the supply at the address and that the retailer is required to notify them of these *interruptions* in accordance with rule 124B;
 - (iv) advice that there may be *distributor planned interruptions* or *unplanned interruptions* to the supply at the address and that the distributor is required to notify them of a *distributor planned interruption* in accordance with rule 124B;
 - (v) information to assist the customer to prepare a plan of action in the case of an *unplanned interruption*;
 - (vi) an emergency telephone contact number for the distributor and the retailer (the charge for which is no more than the cost of a local call); and
 - (vii) advice that if the customer decides to change retailer at the premises and a person residing at the customer's premises continues to require *life support equipment*, the customer should advise their new retailer of the requirement for *life support equipment*; and
 - (c) subject to subrule (2), notify the distributor that a person residing or intending to reside at the customer's premises requires *life support equipment* and the date from which the *life support equipment* is required.
- (2) Subrules (1)(b) (other than subrules (1)(b)(iii) and (1)(b)(vi)) and (1)(c) do not apply to a retailer if:
- (a) a customer of that retailer has previously advised the distributor for the premises that a person residing or intending to reside at the customer's premises requires *life support equipment*;
 - (b) the customer advises that retailer that they have already provided medical confirmation to the distributor for the premises; and
 - (c) the retailer confirms with the distributor for the premises that the customer has already provided medical confirmation to the distributor.

(3) Retailer obligations when advised by distributor

When notified by a distributor:

- (a) under subrule (4)(c), a retailer must register that a person residing or intending to reside at the customer's premises requires *life support equipment* and the date from which the *life support equipment* is required; and
- (b) under subrule 124B(2)(b), a retailer must:
 - (i) register that a person residing or intending to reside at the customer's premises requires *life support equipment* and the date from which the *life support equipment* is required; and
 - (ii) no later than 5 business days after receipt of advice from the distributor, provide the customer with the information required by subrules (1)(b)(iii) and (1)(b)(vi), if not already provided by the retailer to the customer in respect of the customer's premises.

(4) Distributor obligations when advised by customer

When advised by a customer that a person residing or intending to reside at the customer's premises requires *life support equipment*, a distributor must:

- (a) register that a person residing or intending to reside at the customer's premises requires *life support equipment* and the date from which the *life support equipment* is required;
- (b) no later than 5 business days after receipt of advice from the customer, provide in writing to the customer:
 - (i) a medical confirmation form;
 - (ii) information explaining that, if the customer fails to provide medical confirmation, the customer's premises may be deregistered and, if so, the customer will cease to receive the protections under this Part;
 - (iii) advice that there may be *retailer planned interruptions* under rule 59C to the supply at the address and that the retailer is required to notify them of these *interruptions* in accordance with rule 124B;
 - (iv) advice that there may be *distributor planned interruptions* or *unplanned interruptions* to the supply at the address and that the distributor is required to notify them of a *distributor planned interruption* in accordance with rule 124B;
 - (v) information to assist the customer to prepare a plan of action in the case of an *unplanned interruption*;

- (vi) an emergency telephone contact number for the distributor and the retailer (the charge for which is no more than the cost of a local call); and
 - (vii) advice that if the customer decides to change retailer at the premises and a person residing at the customer's premises continues to require *life support equipment*, the customer should advise their new retailer of the requirement for *life support equipment*; and
- (c) notify the retailer that a person residing or intending to reside at the customer's premises requires *life support equipment* and the date from which the *life support equipment* is required.

(5) Distributor obligations when advised by retailer

When notified by a retailer under subrule (1)(c), a distributor must register that a person residing or intending to reside at the customer's premises requires *life support equipment* and the date from which the *life support equipment* is required.

(6) Content of medical confirmation form

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

(7) **Application of this rule to standard retail contracts**

This rule applies in relation to standard retail contracts.

(8) **Application of this rule to market retail contracts**

This rule applies in relation to market retail contracts.

[3] Rule 124A Registration details kept by retailer

Omit rule 124A in its entirety, including the heading, and substitute:

124A Confirmation of premises as requiring life support equipment

- (1) Where a medical confirmation form is provided under rule 124, the retailer or distributor (as the case may be) must:
 - (a) from the date of the medical confirmation form, give the customer a minimum of 50 business days to provide medical confirmation;
 - (b) provide the customer at least two written notices to remind the customer that the customer must provide medical confirmation (each a **confirmation reminder notice**);
 - (c) ensure the first confirmation reminder notice is provided no less than 15 business days from the date of issue of the medical confirmation form;
 - (d) ensure the second confirmation reminder notice is provided no less than 15 business days from the date of issue of the first confirmation reminder notice; and
 - (e) on request from a customer, give the customer at least one extension of time to provide medical confirmation. The extension must be a minimum of 25 business days.
- (2) A confirmation reminder notice must:
 - (a) be dated;
 - (b) state the date by which the medical confirmation is required;
 - (c) specify the types of equipment that fall within the definition of *life support equipment*; and
 - (d) advise the customer that:
 - (i) the customer must provide medical confirmation;
 - (ii) the premises is temporarily registered as requiring *life support equipment* until the medical confirmation is received;

- (iii) failure to provide medical confirmation may result in the premises being deregistered; and
- (iv) the customer can request an extension of time to provide medical confirmation.

(3) **Application of this rule to standard retail contracts**

This rule applies in relation to standard retail contracts.

(4) **Application of this rule to market retail contracts**

This rule applies in relation to market retail contracts.

[4] New Rule 124B Ongoing retailer and distributor obligations

After rule 124A, insert:

124B Ongoing retailer and distributor obligations

(1) **Retailer obligations**

Where a retailer is required to register a customer's premises under subrule 124(1)(a) or 124(3), the retailer has the following ongoing obligations:

- (a) give the distributor relevant information about the *life support equipment* requirements for the customer's premises and any relevant contact details for the purposes of updating the distributor's registration under subrule 124(4)(a) or 124(5), unless the relevant information was provided to the retailer by the distributor;
- (b) when advised by a customer or distributor of any updates to the *life support equipment* requirements for the customer's premises or any relevant contact details, update the retailer's registration;
- (c) except in the case of a *retailer planned interruption* under rule 59C, not arrange for the de-energisation of the premises from the date the *life support equipment* will be required at the premises; and
- (d) in the case of a *retailer planned interruption* under rule 59C from the date the *life support equipment* will be required at the premises, give the customer at least 4 business days written notice of the *retailer planned interruption* to supply at the premises (the 4 business days to be counted from, but not including the date of receipt of the notice).

(2) **Distributor obligations**

- (a) Where a distributor is required to register a customer's premises under subrule 124(4)(a) or 124(5), the distributor has the following ongoing obligations:

- (i) give the retailer relevant information about the *life support equipment* requirements for the customer's premises and any relevant contact details for the purposes of updating the retailer's registration under subrule 124(1)(a) or 124(3), unless the relevant information was provided to the distributor by the retailer;
 - (ii) when advised by a customer or retailer of any updates to the *life support equipment* requirements for the customer's premises or any relevant contact details, update the distributor's registration;
 - (iii) except in the case of an *interruption*, not arrange for the de-energisation of the premises from the date the *life support equipment* will be required at the premises; and
 - (iv) in the case of an *interruption* that is a *distributor planned interruption* from the date the *life support equipment* will be required at the premises, give the customer at least 4 business days written notice of the *interruption* to supply at the premises (the 4 business days to be counted from, but not including the date of receipt of the notice).
- (b) In addition to the obligations specified in subrule (2)(a), where a distributor is required to register a customer's premises under subrule 124(4)(a), if the distributor becomes aware (including by way of notification in accordance with the Market Settlement and Transfer Solution Procedures) that the customer has subsequently transferred to another retailer (a **new retailer**) at that premises, the distributor must notify the new retailer that a person residing at the customer's premises requires *life support equipment*.

(3) **Application of this rule to standard retail contracts**

This rule applies in relation to standard retail contracts.

(4) **Application of this rule to market retail contracts**

This rule applies in relation to market retail contracts.

[5] Rule 125 Distributor obligations

Omit rule 125 in its entirety, including the heading, and substitute:

125 Deregistration of premises

- (1) A retailer or distributor may only deregister a customer's premises in the circumstances permitted under this rule 125.
- (2) If a customer's premises is deregistered:
 - (a) by a retailer, the retailer must, within 5 business days of the date of deregistration, notify the distributor of the date of deregistration and reason for deregistration;

- (b) by a distributor, the distributor must, within 5 business days of the date of deregistration, notify the retailer of the date of deregistration and reason for deregistration; and
- (c) the retailer and the distributor must update their registrations under subrules 124(1)(a), 124(3), 124(4)(a) and 124(5) as required by rule 126.

Cessation of retailer and distributor obligations after deregistration

- (3) The retailer and distributor obligations under rule 124B cease to apply in respect of a customer's premises once that customer's premises is validly deregistered.

Deregistration where medical confirmation not provided

- (4) Where a customer, whose premises have been registered by a retailer under subrule 124(1)(a) (and subrule 124(2) does not apply), fails to provide medical confirmation, the retailer may deregister the customer's premises only when:
 - (a) the retailer has complied with the requirements under rule 124A;
 - (b) the retailer has taken reasonable steps to contact the customer in connection with the customer's failure to provide medical confirmation in one of the following ways:
 - (i) in person;
 - (ii) by telephone; or
 - (iii) by electronic means;
 - (c) the retailer has provided the customer with a deregistration notice no less than 15 business days from the date of issue of the second confirmation reminder notice issued under subrule 124A(1)(d); and
 - (d) the customer has not provided medical confirmation before the date for deregistration specified in the deregistration notice.
- (5) Where a customer, whose premises have been registered by a distributor under subrule 124(4)(a), fails to provide medical confirmation, the distributor may deregister the customer's premises only when:
 - (a) the distributor has complied with the requirements under rule 124A;
 - (b) the distributor has taken reasonable steps to contact the customer in connection with the customer's failure to provide medical confirmation in one of the following ways:
 - (i) in person;
 - (ii) by telephone; or

- (iii) by electronic means;
 - (c) the distributor has provided the customer with a deregistration notice no less than 15 business days from the date of issue of the second confirmation reminder notice issued under subrule 124A(1)(d); and
 - (d) the customer has not provided medical confirmation before the date for deregistration specified in the deregistration notice.
- (6) A deregistration notice must:
- (a) be dated;
 - (b) specify the date on which the customer's premises will be deregistered, which must be at least 15 business days from the date of the deregistration notice;
 - (c) advise the customer the premises will cease to be registered as requiring *life support equipment* unless medical confirmation is provided before the date for deregistration; and
 - (d) advise the customer that the customer will no longer receive the protections under this Part when the premises is deregistered.
- (7) A distributor may deregister a customer's premises registered under subrule 124(5) after being notified by the retailer that the retailer has deregistered the customer's premises pursuant to subrule (4).
- (8) A retailer may deregister a customer's premises registered under subrule 124(3) after being notified by the distributor that the distributor has deregistered the customer's premises pursuant to subrule (5).

Deregistration where there is a change in the customer's circumstances

- (9) Where a customer whose premises have been registered by a retailer under subrule 124(1)(a) or 124(3) advises the retailer 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 may deregister the customer's premises on the date specified in accordance with subrule (9)(a)(ii) if:
- (a) the retailer has provided written notification to the customer advising:
 - (i) that the customer's premises will be deregistered on the basis that the customer has advised the retailer that the person for whom the *life support equipment* is required has vacated the premises or no longer requires the *life support equipment*;
 - (ii) the date on which the customer's premises will be deregistered, which must be at least 15 business days from the date of that written notification;

- (iii) that the customer will no longer receive the protections under this Part when the premises is deregistered; and
 - (iv) that the customer must contact the retailer prior to the date specified in accordance with subrule (9)(a)(ii) if the person for whom the *life support equipment* is required has not vacated the premises or requires the *life support equipment*; and
 - (b) the customer has not contacted the retailer prior to the date specified in accordance with subrule (9)(a)(ii) to advise that the person for whom the *life support equipment* is required has not vacated the premises or requires the *life support equipment*.
- (10) Where a customer whose premises have been registered by a distributor under subrule 124(4)(a) or 124(5) advises the distributor that the person for whom the *life support equipment* is required has vacated the premises or no longer requires the *life support equipment*, the distributor may deregister the customer's premises on the date specified in accordance with subrule (10)(a)(i) if:
 - (a) the distributor has provided written notification to the customer advising:
 - (i) that the customer's premises will be deregistered on the basis that the customer has advised the distributor that the person for whom the *life support equipment* is required has vacated the premises or no longer requires the *life support equipment*;
 - (ii) the date on which the customer's premises will be deregistered, which must be at least 15 business days from the date of that written notification;
 - (iii) that the customer will no longer receive the protections under this Part when the premises is deregistered; and
 - (iv) that the customer must contact the distributor prior to the date specified in accordance with subrule (10)(a)(ii) if the person for whom the *life support equipment* is required has not vacated the premises or requires the *life support equipment*; and
 - (b) the customer has not contacted the distributor prior to the date specified in accordance with subrule (10)(a)(ii) to advise that the person for whom the *life support equipment* is required has not vacated the premises or requires the *life support equipment*.
- (11) A retailer may deregister a customer's premises after being notified by the distributor that the distributor has deregistered the customer's premises pursuant to subrule (10).
- (12) A distributor may deregister a customer's premises after being notified by the retailer that the retailer has deregistered the customer's premises pursuant to subrule (9).

- (13) A retailer or distributor may, at any time, request a customer whose premises have been registered under rule 124 to confirm whether the person for whom *life support equipment* is required still resides at the premises or still requires *life support equipment*.

Deregistration where there is a change in the customer's retailer

- (14) Where a distributor has registered a customer's premises pursuant to subrule 124(5) and the distributor becomes aware (including by way of notification in accordance with the Market Settlement and Transfer Solution Procedures) that the customer has subsequently transferred to another retailer at that premises, the distributor may deregister the customer's premises on the date specified in accordance with subrule (14)(a)(ii) if:
- (a) the distributor has provided written notification to the customer advising:
 - (i) that the customer's premises will be deregistered;
 - (ii) the date on which the customer's premises will be deregistered, which must be at least 15 business days from the date of that written notification;
 - (iii) that the customer will no longer receive the protections under this Part when the premises is deregistered; and
 - (iv) that the customer must contact the distributor prior to the date specified in accordance with subrule (14)(a)(ii) if a person residing at the customer's premises requires *life support equipment*; and
 - (b) the customer has not contacted the distributor prior to the date specified in accordance with subrule (14)(a)(ii) to advise that a person residing at the customer's premises requires *life support equipment*.
- (15) Nothing in subrule (14) affects the operation of subrules 124(4)(a) and 124(5) following a customer's transfer to the other retailer.

(16) Application of this rule to standard retail contracts

This rule applies in relation to standard retail contracts.

(17) Application of this rule to market retail contracts

This rule applies in relation to market retail contracts.

[6] Rule 126 Registration details kept by distributor

Omit rule 126 in its entirety, including the heading, and substitute:

126 Registration and deregistration details must be kept by retailers and distributors

Retailers and distributors must:

- (a) Establish policies, systems and procedures for registering and deregistering a premises as requiring *life support equipment* to facilitate compliance with the requirements in this Part.
- (b) Ensure that *life support equipment* registration and deregistration details maintained in accordance with rules 124, 124A, 124B and 125 are kept up to date, including:
 - (i) the date when the customer requires supply of energy at the premises for the purposes of the *life support equipment*;
 - (ii) when medical confirmation was received from the customer in respect of the premises;
 - (iii) the date when the premises is deregistered and the reason for deregistration; and
 - (iv) a record of communications with the customer required by rules 124A and 125.

Schedule 2 Amendments of the National Energy Retail Rules

(Clause 4)

[1] Schedule 1 Model terms and conditions for standard retail contracts

Omit clause 6.3, excluding heading, and substitute:

- (a) If a person living or intending to live at your premises requires *life support equipment*, you must:
 - (i) register the premises with us or your distributor; and
 - (ii) provide *medical confirmation* for the premises.
- (b) Subject to satisfying the requirements in the Rules, your premises may cease to be registered as having *life support equipment* if *medical confirmation* is not provided to us or your distributor.
- (c) You must tell us or your distributor if the *life support equipment* is no longer required at the premises.
- (d) If you tell us that a person living or intending to live at your premises requires *life support equipment*, we must give you:
 - (i) at least 50 business days to provide *medical confirmation* for the premises;
 - (ii) general advice that there may be a *distributor planned interruption, retailer planned interruption* or *unplanned interruption* to the supply of energy to the premises;
 - (iii) at least 4 business days' notice in writing of any *retailer planned interruption* to the supply of electricity to the premises;
 - (iv) information to assist you to prepare a plan of action in case of an *unplanned interruption*; and
 - (v) emergency telephone contact numbers.

[2] Schedule 1 Model terms and conditions for standard retail contracts

After clause 23.2, insert the following new definitions in alphabetical order:

distributor planned interruption means an *interruption* for:

- (a) the planned maintenance, repair or augmentation of the transmission system; or

- (b) the planned maintenance, repair or augmentation of the distribution system, including planned or routine maintenance of a *meter* (excluding a *retailer planned interruption*): or
- (c) the installation of a new connection or a connection alteration;

medical confirmation means certification from a registered medical practitioner of the requirement for *life support equipment* at your premises;

[3] Schedule 2 Model terms and conditions for deemed standard connection contracts

Omit clause 6.4 excluding heading, and substitute:

- (a) If a person living or intending to live at your premises requires *life support equipment*, you must:
 - (i) register the premises with your retailer or with us; and
 - (ii) provide *medical confirmation* for the premises.
- (b) Subject to satisfying the requirements in the Rules, your premises may cease to be registered as having *life support equipment* if *medical confirmation* is not provided to us or your retailer.
- (c) You must tell us or your retailer if the *life support equipment* is no longer required at the premises.
- (d) If you tell us that a person living or intending to live at your premises requires *life support equipment*, we must give you:
 - (i) at least 50 business days to provide *medical confirmation* for the premises; and
 - (ii) general advice that there may be a *distributor planned interruption*, *retailer planned interruption* or *unplanned interruption* to the supply of energy to the premises; and
 - (iii) at least 4 business days' notice in writing of any *distributor planned interruptions* to the supply of energy to the premises; and
 - (iv) information to assist you to prepare a plan of action in case of an *unplanned interruption*; and
 - (v) emergency telephone contact numbers.

[4] Schedule 2 Model terms and conditions for deemed standard connection contracts

After clause 19.3, insert the following new definition in alphabetical order:

medical confirmation means certification from a registered medical practitioner of the requirement for *life support equipment* at your premises;

Schedule 3 Savings and Transitional Amendments to the National Energy Retail Rules

(Clause 5)

[1] Schedule 3 Savings and Transitional Rules

In Schedule 3, after Part 8, insert:

Part 9 Rules consequential on the making of the National Energy Retail Amendment (Strengthening protections for customers requiring life support equipment) Rule 2017

1 Definitions

(1) In this Part:

Amending Rule means the National Energy Retail Amendment (Strengthening protections for customers requiring life support equipment) Rule 2017.

deemed life support customer means a customer whose premises are registered as having *life support equipment* as at the start date, but who has not provided a distributor or a retailer with medical confirmation prior to the effective date.

effective date means 1 February 2019.

existing life support customer means a customer whose premises are registered as having *life support equipment* as at the effective date.

medical confirmation in respect of a customer, means confirmation from a registered medical practitioner that a person residing at that customer's premises requires *life support equipment*.

new Part 7 means Part 7 of the Rules as in force immediately after the effective date.

new subrule 124(1)(a) means subrule 124(1)(a) of the Rules as in force immediately after the effective date.

new subrule 124(1)(b) means subrule 124(1)(b) of the Rules as in force immediately after the effective date.

new subrule 124(1)(c) means subrule 124(1)(c) of the Rules as in force immediately after the effective date.

new subrule 124(4)(a) means subrule 124(4)(a) of the Rules as in force immediately after the effective date.

new subrule 124(4)(b) means subrule 124(4)(b) of the Rules as in force immediately after the effective date.

new subrule 124(4)(c) means subrule 124(4)(c) of the Rules as in force immediately after the effective date.

new rule 124A means rule 124A of the Rules as in force immediately after the effective date.

new subrule 125(4) means subrule 125(4) of the Rules as in force immediately after the effective date.

new subrule 125(5) means subrule 125(5) of the Rules as in force immediately after the effective date.

registered life support customer means a customer whose premises are registered as having *life support equipment* as at the start date, but who has not provided a distributor or a retailer with medical confirmation prior to the start date.

required alterations means the amendments set out in Schedule 2 of the Amending Rule.

start date means 1 February 2018.

transition period means the period starting from the start date until, but not including, the effective date.

transitional distributor life support customer means a customer who advises a distributor during the transition period that a person residing at the customer's premises requires *life support equipment*, but does not provide the distributor with medical confirmation prior to the effective date.

transitional retailer life support customer means a customer who advises a retailer during the transition period that a person residing at the customer's premises requires *life support equipment*, but does not provide the retailer with medical confirmation prior to the effective date.

- (2) Italicised terms used in this Part have the same meaning as in new Part 7.

2 Application of Part 7 of Rules during the transition period

- (1) During the transition period, a transitional retailer life support customer is taken to have provided the retailer with medical confirmation for the purposes of subrule 124(1A)(b).
- (2) During the transition period, a transitional distributor life support customer is taken to have provided the distributor with medical confirmation for the purposes of subrule 125(1)(b).
- (3) During the transition period:
- (a) a registered life support customer is taken to have provided the retailer with medical confirmation for the purposes of subrule 124(1A)(b); and
- (b) a registered life support customer's retailer is taken to have advised the distributor for the purposes of subrule 125(1)(a) that a person residing at the customer's premises requires *life support equipment*.

- (4) During the transition period, a retailer is not required to comply with subrules 124(1)(b) or 124(1)(e) in respect of registered life support customers.
- (5) During the transition period, a distributor is not required to comply with subrules 125(2)(b) or 125(2)(e) in respect of registered life support customers.

3 Application of new Part 7 of Rules to existing life support customers

- (1) Where an existing life support customer (other than a deemed life support customer, transitional distributor life support customer or transitional retailer life support customer) has provided a retailer with medical confirmation prior to the effective date, on and from the effective date:
 - (a) the customer's premises is taken to be registered in accordance with new subrule 124(1)(a);
 - (b) the retailer is taken to have notified the distributor for the purposes of new subrule 124(1)(c);
 - (c) the customer is taken to have given *medical confirmation* to the retailer for the purposes of new Part 7;
 - (d) the retailer is not required to comply with new subrule 124(1)(b) in respect of that existing life support customer; and
 - (e) new rule 124A and new subrule 125(4) do not apply in respect of that existing life support customer.
- (2) Where an existing life support customer (other than a deemed life support customer, transitional distributor life support customer or transitional retailer life support customer) has provided a distributor with medical confirmation prior to the effective date, on and from the effective date:
 - (a) the customer's premises is taken to be registered in accordance with new subrule 124(4)(a);
 - (b) the distributor is taken to have notified the retailer for the purposes of new subrule 124(4)(c);
 - (c) the customer is taken to have given *medical confirmation* to the distributor for the purposes of new Part 7;
 - (d) the distributor is not required to comply with new subrule 124(4)(b) in respect of that existing life support customer; and
 - (e) new rule 124A and new subrule 125(5) do not apply in respect of that existing life support customer.
- (3) Where an existing life support customer is a deemed life support customer or a transitional retailer life support customer, on and from the effective date:
 - (a) the customer's premises is taken to be registered in accordance with new subrule 124(1)(a);

- (b) the retailer is taken to have notified the distributor for the purposes of new subrule 124(1)(c);
 - (c) subject to subrule (3)(f), the retailer is not required to comply with new subrule 124(1)(b) in respect of that existing life support customer;
 - (d) the retailer may deregister a customer's premises pursuant to new subrule 125(4) where a deemed life support customer or transitional retailer life support customer has not provided *medical confirmation* to the retailer;
 - (e) other than where the retailer has determined to deregister the existing life support customer in accordance with subrule (3)(d), the retailer is not required to comply with new rule 124A in respect of that existing life support customer; and
 - (f) where the retailer is required to comply with new rule 124A under subrule (3)(e), the retailer must provide the customer with the information and documentation required by new subrule 124(1)(b)(i)-(vii) prior to seeking *medical confirmation* under new rule 124A.
- (4) Where an existing life support customer is a transitional distributor life support customer, on and from the effective date:
- (a) the customer's premises is taken to be registered in accordance with new subrule 124(4)(a);
 - (b) the distributor is taken to have notified the retailer for the purposes of new subrule 124(4)(c);
 - (c) subject to subrule (4)(f), the distributor is not required to comply with new subrule 124(4)(b) in respect of that existing life support customer;
 - (d) the distributor may deregister a customer's premises pursuant to new subrule 125(5) where a transitional distributor life support customer has not provided *medical confirmation* to the distributor;
 - (e) other than where the distributor has determined to deregister the existing life support customer in accordance with subrule (4)(d), the distributor is not required to comply with new rule 124A in respect of that existing life support customer; and
 - (f) where the distributor is required to comply with new rule 124A under subrule (4)(e), the distributor must provide the customer with the information and documentation required by new subrule 124(4)(b)(i)-(vii) prior to seeking *medical confirmation* under new rule 124A.

4 Variation date

- (1) Retailers and distributors must make the required alterations to their standard retail contracts and deemed standard connection contracts by the effective date.
- (2) Alterations made under subrule (1) must take effect on and from the effective date.

[END OF RULE AS MADE]
