



## **Draft National Energy Retail Amendment (Maintaining life support customer registration when switching) Rule 2020**

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.

Merryn York  
Acting Chairperson  
Australian Energy Market Commission

## **Draft National Energy Retail Amendment (Maintaining life support customer registration when switching) Rule 2020**

### **1 Title of Rule**

This Rule is the *Draft National Energy Retail Amendment (Maintaining life support customer registration when switching) Rule 2020*.

### **2 Commencement**

This Rule commences operation on [4 March 2021].

### **3 Amendment to the National Energy Retail Rules**

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

## **Schedule 1      Amendment to the National Energy Retail Rules**

(Clause 3)

### **[1] Rule 123A      Definitions**

In rule 123A, omit the definition of "**medical confirmation**" and substitute:

**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* (including details of the type of equipment required), which may take the form of a medical certificate or section(s) completed by a registered medical practitioner within a medical confirmation form;

### **[2] Rule 123A      Definitions**

In rule 123A, in the definition of "**medical confirmation form**", omit "when the retailer or distributor" and substitute "when a retailer or distributor".

### **[3] Rule 124      Registration of life support equipment**

In subrule 124(1)(b)(vi), omit "and" at the end of the subrule.

### **[4] Rule 124      Registration of life support equipment**

In subrule 124(1)(b)(vii), omit "and" at the end of the subrule.

### **[5] Rule 124      Registration of life support equipment**

After subrule 124(1)(b)(vii), insert:

(viii) information explaining that for the purpose of providing medical confirmation, the customer may submit to the retailer a copy of the medical confirmation that was submitted to their previous retailer or distributor (**existing confirmation**), provided the existing confirmation:

(A) is dated less than 4 years ago; and

(B) is legible; and

### **[6] Rule 124      Registration of life support equipment**

In subrule 124(4)(b)(vi), omit "and" at the end of the subrule.

### **[7] Rule 124      Registration of life support equipment**

In subrule 124(4)(b)(vii), omit "and" at the end of the subrule.

**[8] Rule 124 Registration of life support equipment**

After subrule 124(4)(b)(vii), insert:

(viii) information explaining that for the purpose of providing medical confirmation, the customer may submit to the distributor a copy of the medical confirmation that was submitted to their previous retailer or distributor (**existing confirmation**), provided the existing confirmation:

(A) is dated less than 4 years ago; and

(B) is legible; and

**[9] Rule 124A Confirmation of premises as requiring life support equipment**

In subrule 124A(1), omit "rule 124" and substitute "subrules 124(1)(b)(i) or 124(4)(b)(i)".

**[10] Rule 124B Ongoing retailer and distributor obligations**

After subrule 124B(1), insert:

(1A) Subject to any applicable privacy laws, where a retailer has registered a customer's premises under subrules 124(1)(a) or 124(3) and the customer has provided medical confirmation, on request of that customer the retailer must provide the customer with a copy of the medical confirmation form or medical confirmation used to register the customer's premises within 10 business days of that request.

**[11] Rule 124B Ongoing retailer and distributor obligations**

After subrule 124B(2), insert:

(2A) Subject to any applicable privacy laws, where a distributor has registered a customer's premises under subrules 124(4)(a) or 124(5) and the customer has provided medical confirmation, on request of that customer the distributor must provide the customer with a copy of the medical confirmation form or medical confirmation used to register the customer's premises within 10 business days of that request.

**[12] Rule 126 Registration and deregistration details must be kept by retailers and distributors**

Number the first paragraph of rule 126 as subrule (1).

**[13] Rule 126**

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

After subrule 126(1), insert:

- (2) Where a retailer or distributor has registered a customer's premises under subrules 124(1)(a) or 124(4)(a) (as applicable) and the customer has provided medical confirmation, the retailer or distributor (as applicable) must keep a copy of the medical confirmation form and medical confirmation for:
  - (a) the period of time the person remains a customer; and
  - (b) 110 business days from the date the person ceases to be a customer.