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Gas and Electricity (Consumer Safety) Act 2017

Order under section 12

I, Andrew Gavrielatos, Executive Director, Community Engagement, Better Regulation Division, Department of Customer Service, as delegate under the Gas and Electricity (Consumer Safety) Act 2017 (the Act):

- (1) revoke, on and from the date on which this Order is published in the *New South Wales Government Gazette*, the Order dated 9 March 2021 published in the *New South Wales Government Gazette* of 19 March 2021 No. 110 at page 2; and
- (2) pursuant to sections 12(2) and 12(3) of the *Gas and Electricity (Consumer Safety) Act 2017* by this Order, declare the electrical articles of a class described in Schedule 1 to be, on and from the date on which this Order is published in the *New South Wales Government Gazette*, declared electrical articles for the purposes of Part 2 of the *Gas and Electricity (Consumer Safety) Act 2017* and the specifications, including modifications, specified in Schedule 1 to be those applicable to electrical articles of that class.

Date: 23/09/21



Andrew Gavrielatos
Executive Director
Community Engagement
Better Regulation Division
Department of Customer Service

Attachments

- Schedule 1

Schedule 1

Declared Electrical Articles

Interpretation:

Where a Class Specification references a part two to AS/NZS 60335 then AS/NZS 60335.1 shall be used in conjunction with this part two and forms part of the Class specification.

In this schedule a reference to:-

AS/NZS 60335.1 means AS/NZS 60335.1: 2011 +A1-4; or AS/NZS 60335.1: 2020

AS/NZS 3100 means AS/NZS 3100: 2017 +A1 (until 28 June 2022) or AS/NZS 3100: 2017 +A1-2

AS/NZS 60745.1 means AS/NZS 60745.1: 2009 or AS/NZS 60745.1: 2003 +A1-3

The 2009 edition will supersede AS/NZS 60745.1: 2003 and its amendments after all of the Parts 2 of that standard have been superseded

AS/NZS 60598.1 means AS/NZS 60598.1: 2017 + A1

AS/NZS 61347.1 means AS/NZS 61347.1: 2016 +A1

AS/NZS 61535 means AS/NZS 61535: 2011

AS/NZS 61558.1 means AS/NZS 61558.1: 2008 +A1-2

AS/NZS 62841.1 means AS/NZS 62841.1: 2015 +A1

“LED” means “Light Emitting Diode”

“Simple Portable luminaire” means a luminaire within the scope of Annex ZA of *AS/NZS 60598.2.4:2005 Requirements for Simple Portable luminaires*

“Supply to separate equipment” / “supply to separate luminaires” means the equipment or luminaire is not permanently connected and disconnection would not mean the destruction of the connection (e.g. by being in the same enclosure or by having a type Z connection)

1. APPLIANCE CONNECTOR

An electrical device that –

- (a) is for attachment to a flexible cord; and
- (b) makes a detachable connection between the conductors of the cord and the pins or contacts of any low voltage appliance or equipment of a type intended or generally used for household applications;

but does not include –

- (c) a connector within the scope of AS/NZS 3123; or
- (d) a plug or socket-outlet within the scope of AS/NZS 3131; or
- (e) an installation coupler within the scope of AS/NZS 61535.1
- (f) any associated Group 2 Appliance Connectors for connection to a specific electric blanket

Class specification:

Appliance connector –
AS/NZS 60320.1: 2012

Plug connector –
AS/NZS 60320.1: 2012 and AS/NZS 60320.2.2: 2004

Sewing machine connector –
AS/NZS 60320.2.1: 2004

Standard Sheets as appropriate –
IEC 60320.2.2, IEC 60320.1 or IEC 60320.3 Edition 1 2014

Note: Group 2 Appliance Connectors for connection to a specific electric blanket are captured by the specification of BLANKET

2. AIR CONDITIONER INCORPORATING FLAMMABLE REFRIGERANT-

An electrical appliance that –

- (a) is for household use; and
- (b) incorporates motor compressors; and
- (c) is an electrical appliance designed to provide delivery of conditioned air to an enclosed space, room or zone; and
- (d) includes a refrigeration system for cooling, heating or dehumidifying the air, including hydronic room fan coil type systems; and
- (e) is portable, transportable or fixed; and
- (f) uses refrigerant having a flammability classification of Class 2 or Class 3 but not Class 2L in accordance with ISO 817. For refrigerant blends that have more than one flammability classification, the most unfavourable classification is taken.

Class specification:

AS/NZS 60335.2.40: 2015 (until 28 June 2022); or AS/NZS 60335.2.40:2019

3. ARC WELDING MACHINE

An electrical appliance that –

- (a) is for use in the electric arc welding process;
- (b) is for connection to single phase low voltage supply;
- (c) is fitted with a flexible cord and plug rated at not more than 16 A;
- (d) can easily be moved from one place to another while it is connected to supply; and
- (e) has, for GMAW (gas metal arc welding), GTAW (gas tungsten arc welding), and FCAW (flux cored arc welding) machines, a 100% output rating not exceeding 65 A.

The 100% rating is calculated from the square root of the marked duty cycle expressed in decimal form multiplied by the marked output current associated with the duty cycle in amperes;

but does not include –

- (f) an arc welding machine promoted exclusively to industry.

Class specification:

Inverter type:
IEC 60974-1:2017

Other-
AS 60974.1:2020; or IEC 60974-6:2015 plus Clause 30.2 of AS/NZS 60335.1

Note: Clause 30.2 of AS/NZS 60335.1 is only relevant for non-metallic enclosures

4. BAYONET LAMPHOLDER

An electrical device that –

- (a) accommodates a lamp with a bayonet cap of 15 mm or 22 mm nominal diameter;

but does not include –

- (b) a lampholder which by design is restricted to specific appliances; or
- (c) a lampholder which is for incorporation in industrial equipment only.

Class specification:

AS 61184: 2015 +A1-2
AS/NZS 3100 and AS/NZS 3117: 2015 +A1

5. BAYONET LAMPHOLDER ADAPTOR

An electrical device that –

- (a) is for insertion into a B22 bayonet lampholder; and
- (b) is for connection to a flexible cord; or
- (c) has one or more lampholders.

Class specification:

AS/NZS 3100 and AS 3119: 2015

6. BLANKET

An electrical appliance that –

- (a) is for the application of heat to a bed or human body;
- (b) is flexible;
- (c) has a fabric enclosure; and
- (d) has a projected surface area exceeding 0.6 square metres;

and includes -

- (e) any associated power supply or controller.
- (f) any associated Group 2 APPLIANCE CONNECTORS specific for the blanket

Class specification:

AS/NZS 60335.2.17: 2012 +A1

7. BREAD TOASTER – PORTABLE TYPE

An electrical appliance that –

- (a) is a household type;
- (b) is for toasting bread or similar foods; and
- (c) is portable.

Class specification:

AS/NZS 60335.2.9: 2014 +A1–3 (until 26 June 2023); or AS/NZS 60335.2.9:2020

8. BUILDING WIRING CABLE

A single or multicore electric cable insulated with polymeric materials that –

- (a) has one to five conductors of stranded or solid cores of copper conductors; and
- (b) has an insulated and laid up flat or circular configuration; and
- (c) is sheathed or unsheathed; and
- (d) has active phase conductors with a nominal cross-sectional area 0.5mm² to 16mm²; and
- (e) has an insulation designation of V-75, V-90, V-90HT or X-90; and

- (f) is intended for use in electrical installations at working voltages up to:-
- (i) 450/750V; or
 - (ii) 0.6/1 (1.2) kV

but does not include the following exempt types –

- (g) armoured, metallic screened and metal sheathed cables;
- (h) halogen free cables;
- (i) cables with a Fire Rating;
- (j) Supply Flexible Cords;
- (k) cables where the insulation of the conductors are not individually coloured;
- (l) cables with a conductor flexibility of Class 5 or greater according to AS/NZS 1125;
- (m) cables not captured by the scope of AS/NZS 5000.1 or AS/NZS 5000.2.

Class Specification:-

For working voltages up to 450/750V - AS/NZS 5000.2: 2006; or
For working voltages up to 0.6/1 (1.2) kV - AS/NZS 5000.1: 2005

Note: A Supply Flexible Cord is captured by the definition of ‘Supply Flexible Cord’ elsewhere in this schedule.

Note: Cables where the insulation of the conductors are not individually coloured are usually considered control cables for specialised purposes.

Note: Cables that have a conductor flexibility of Class 5 according to AS/NZS 1125 are commonly known as Flexible Cable.

Note: Cables used for the ‘consumers mains’ and Extra Low Voltage cables are previously excluded by the Act by being outside the definition of electrical installation.

Note: The scopes of AS/NZS 5000.1 and AS/NZS 5000.2 do not apply to polymeric insulated cables for special installations and service conditions or for which there are separate Australian/New Zealand Standards.

9 CLOTHES DRYER

An electrical appliance that –

- (a) is a household type; and
- (b) is for drying textile material using electrical energy.

but does not include –

- (c) a heated towel rail; or
- (d) a gas appliance having electrical connections.

Class specification:

Rotary type –

AS/NZS 60335.2.11: 2017 (until 26 June 2023); or AS/NZS 60335.2.11:2020

Cabinet type –

AS/NZS 60335.2.43: 2005(R2016) +A1-2 (until 30 November 2021); or AS/NZS 60335.2.43:2018

High Speed Spin Extractor –

AS/NZS 60335.2.4: 2010 +A1-3 (until 29 June 2021); or AS/NZS 60335.2.4: 2010 +A1-4

10. CONTROL OR CONDITIONING DEVICE

An electrical device that –

- (a) is a household type;

- (b) is for automatically controlling or conditioning the electrical input to electrical apparatus via outlet facilities of the control or conditioning device;
- (c) is portable, including devices connected to supply by integral pins for engagement with a socket-outlet;
- (d) is self-contained; and
- (e) connects to supply by means of a flexible cord and plug, appliance inlet or pins for engagement with a socket-outlet.

Class specification:

AS/NZS 3100 and 3105: 2014 +A1

11. COOKING APPLIANCE – PORTABLE TYPE

An electrical appliance that –

- (a) is a household type;
- (b) is for cooking or warming food by electrical energy; and
- (c) is portable.

Class specification:

Griller, roaster, or oven (including breadmaker)-

AS/NZS 60335.2.9: 2014 +A1-3 (until 26 June 2023); or AS/NZS 60335.2.9:2020

Warming plate and similar-

AS/NZS 60335.2.12:2018

Frying pan, deep fryer or wok-

AS/NZS 60335.2.13: 2017

Outdoor Barbecue

AS/NZS 60335.2.78: 2005 +A1-2 (until 29 November 2022); or AS/NZS 60335.2.78:2019

12. CORD EXTENSION SOCKET

An electrical device that –

- (a) is for attachment to a flexible cord;
- (b) has a maximum rating of 20 A at low voltage; and
- (c) has contacts whereby a detachable connection may be made with the corresponding pins of a plug or an inlet;

but does not include -

- (d) a connector or appliance connector designated in AS/NZS 3123; or
- (e) a socket outlet designated in AS/NZS 3131; or
- (f) an installation coupler designated in AS/NZS 61535.1

Class specification:

AS/NZS 3100 and AS/NZS 3120: 2011 +A1

13. CORD-LINE SWITCH

An electrical device that –

- (a) is for attachment in a flexible cord;
- (b) manually opens and closes an electrical circuit; and
- (c) has a rating not exceeding 16 A at low voltage;

but does not include –

- (d) bell push and pendant switches.

Class specification:

Air-break type –
AS/NZS 3100 and AS/NZS 3127: 2005

Electronic type –
AS/NZS 3100 and AS/NZS 3127: 2005, with AS/NZS 3127: 2005 Clause 12.1 modified to replace all references to AS/NZS 3133 with AS/NZS 60669.2.1

14. DC ISOLATOR

An electrical device that –

- (a) is an air-break d.c. rated isolator; and
- (b) has a rated operational current not exceeding 32 A; and
- (c) has a utilization category DC-PV2; and
- (d) is for connection to the wiring of a photovoltaic (PV) electrical installation, other renewable energy installation, or energy storage installation; and includes
- (e) the dedicated individual enclosure (if any), where the d.c. isolator is classified as enclosed outdoor.

NOTE: A ‘dedicated individual enclosure’ includes a single dc isolator in an enclosure or multiple dc isolators in a common enclosure, but does not include the enclosure where the dc isolator is to be installed integral within a power conditioning equipment (PCE) enclosure or is to be installed in an enclosure that complies with a relevant standard for assemblies for use in photovoltaic networks.

Class specification:

AS 60947.3:2018

15. DECORATIVE LIGHTING OUTFIT

An electrical appliance that –

- (a) is for decorative, display or illumination purposes;
- (b) is portable;
- (c) consists of -
 - (i) lamps (including “LED” types) or lampholders interconnected by flexible cord of less than 2.5 mm² cross-sectional area; or
 - (ii) lamps (including “LED” types) within a flexible enclosure; and
- (d) may be integral with a frame or similar support;

and includes –

- (e) any integral power supply or control device.

Class specification:

Rope lights –
AS/NZS 60598.2.21: 2018

Other, including lighting chains and festoon lighting–
AS/NZS 60598.2.20: 2018

16. DISHWASHING MACHINE

An electrical appliance that –

- (a) is a household type; and
- (b) is for washing of eating or cooking utensils.

Class specification:

AS/NZS 60335.2.5:2014 +A1-2

17. DOUBLE CAPPED LIGHT EMITTING SEMICONDUCTOR LAMP

An electrical appliance that –

- (a) is a tubular light emitting semiconductor light source;
- (b) is a double-capped lamp; and
- (c) has integral, built-in or independent control gear;

but does not include –

- (d) a self-ballasted light emitting semiconductor light source within the scope of AS/NZS 62560

Class Specification:

AS/NZS 60598.2.1: 2014 +A1 Appendix A

18. EDISON SCREW LAMPHOLDER

An electrical device that –

- (a) accommodates a lamp with an Edison screw cap of 14 mm or 27 mm nominal outside diameter;

but does not include –

- (b) a lampholder which by design is restricted to specific appliances; or
- (c) a lampholder which is for incorporation in industrial equipment only.

Class specification:

AS/NZS 3100 and AS/NZS 3140: 2014 +A1 or
AS/NZS 60238: 2015 +A1-2

19. EVAPORATIVE COOLER

An electrical appliance that —

- (a) is a device that cools air through evaporation of water;
- (b) incorporates a fan for moving air; and
- (c) is fixed with one or more vents.

But does not include:

- (d) An evaporative cooler that has a rated airflow greater than 3,500 L/s.

Class specification:

AS/NZS 60335.2.98:2005 +A1-2 (R2016)

20. FAN

An electrical appliance that –

- (a) is a household type;
- (b) has a primary function of moving air in its vicinity for comfort or extraction purposes; and
- (c) is self-contained;

and includes –

- (d) duct fans,
- (e) any associated ancillary equipment

Class specification:

AS/NZS 60335.2.80: 2016

21. FENCE ENERGISER

An electrical appliance that regulates and controls the supply of electrical energy to an electric fence.

Class specification:

AS/NZS 60335.1 and AS/NZS 60335.2.76: 2003 +A1-4 (until 28 June 2022); or
AS/NZS 60335.2.76: 2019

22. FLEXIBLE HEATING PAD – an electrical appliance that–

- (a) is for the application of heat to parts of the human body; and
- (b) is in the form of a flexible pad (which may or may not contain a liquid); and
- (c) has a projected area not exceeding 0.6 m².

and includes:-

- (d) an electric hot water bottle

but does not include:-

- (e) appliances specifically intended for use under direct medical supervision.

Class specification:

Foot warmer, foot mat, electric hot water bottle:

AS/NZS 60335.2.81: 2015 +A1-2

Other:

AS/NZS 60335.2.17: 2012 +A1

23. FLOOR POLISHER SCRUBBER

An electrical appliance that –

- (a) is a household type; and
- (b) is used to polish or scrub floors.

Class Specification:

AS/NZS 60335.2.10: 2006 +A1

24. FLUORESCENT LAMP BALLAST

An electrical device that –

- (a) is for controlling the magnitude of current flowing through the discharge path of a fluorescent lamp;
- (b) is of the independent or built-in type intended for use with luminaires (portable or fixed); or
- (c) is of the integral type, rated at 60 watts or less, such that it forms a non-replaceable part of a fluorescent lamp/ballast combination; or
- (d) is of the adaptor type such that it allows the insertion of a fluorescent lamp into the ballast by the user;

and includes –

- (e) any capacitor incorporated in or supplied with the ballast;

but does not include –

- (f) a ballast which is incorporated in luminaires certified for compliance with the requirements for electrical equipment with increased safety type protection (Ex e) for use in hazardous locations.

Class specification:

Integral (self-ballasted lamp) magnetic and electronic types-
AS/NZS 60968: 2001

Other magnetic type-
AS/NZS 61347.1 and AS/NZS 61347.2.8: 2003

Other electronic type
AS/NZS 61347.1 and AS/NZS 61347.2.3: 2016

Fluorescent lamp adaptors (T8:T5)
AS/NZS 61347.1 and AS/NZS 61347.2.3: 2016 and the relevant requirements of AS/NZS 60598.2.1: 2014 +A1

25. FLUORESCENT LAMP STARTER

An electrical device that –

- (a) is for starting preheat type fluorescent lamps;
- (b) is a glow-start type; and
- (c) has an enclosure of insulating material.

Class specification:

AS/NZS 60155: 2000 +A1-2

26. GLUE GUN

An electrical appliance that –

- (a) is a household type;
- (b) is hand held; and
- (c) is for melting and applying sticks of solid adhesive;

but does not include—

- (d) a glue gun promoted exclusively to industry.

Class specification:

AS/NZS 60335.2.45: 2012

27. HAIR CARE APPLIANCE

An electrical appliance that –

- (a) is a household type or a commercial hand-held type; and
- (b) is for drying, styling or the caring of human hair.

Class specification:

AS/NZS 60335.2.23: 2017

28. HEDGE CLIPPER

An electrical appliance that –

- (a) is for trimming hedges; and
- (b) has one or more reciprocating blades; and
- (c) is hand held.

Class specification:

AS/NZS 60745.1 and AS/NZS 60745.2.15: 2010

29. IMMERSION HEATER

An electrical appliance that –

- (a) is a household type;
- (b) is for heating liquid in which it may be immersed; and
- (c) is self-contained;

and includes –

- (d) aquarium type immersion heaters.

Class specification:

Aquarium type-
AS/NZS 60335.2.55: 2011

Portable (other than aquarium) type-
AS/NZS 60335.2.74: 2018

Fixed type-
AS/NZS 60335.2.73: 2005 +A1-2

30. INSECT ELECTROCUTOR

An electrical appliance that –

- (a) is a household type; and
- (b) kills insects by the application of electrical energy.

Class specification:

AS/NZS 60335.2.59: 2005 +A1-3

31. INSPECTION HANDLAMP

An electrical appliance that –

- (a) is for inspection purposes using illumination;

- (b) contains an electric light source; and
- (c) is hand held;

but does not include –

- (d) handlamps with a magnification facility.

Class specification:

AS/NZS 60598.1 and AS/NZS 60598.2.8: 2015

32. IRON

An electrical appliance that –

- (a) is a household type;
- (b) is for smoothing or pressing fabric by the application of heat or steam; and
- (c) is hand held except for any separate steam generator;

and includes –

- (d) any associated equipment.

Class specification:

Fabric steamer –
AS/NZS 60335.2.85: 2018

Other –
AS/NZS 60335.2.3: 2012 +A1

33. KITCHEN MACHINE

An electrical appliance that –

- (a) is a household type;
- (b) is for the preparation of food by mechanical means; or
- (c) is for opening cans; or
- (d) is for sharpening of knives.

Class specification:

AS/NZS 60335.2.14: 2017

34. LAWN CARE APPLIANCE

An electrical appliance that –

- (a) is a household type; and
- (b) is for cutting grass or lawn.

Class specification:

Mower -
AS/NZS 60335.2.77: 2002 +A1

Trimmer (with non-metallic filament line or cutter/s)-
60335.2.91: 2008 +A1

Trimmer (other)-
AS/NZS 60335.2.91: 2008 +A1

Grass Shears:
AS/NZS 60335.2.94: 2008

35. LIGHT EMITTING SEMICONDUCTOR LAMP (SELF BALLASTED)

An appliance that –

- (a) incorporates a light emitting semiconductor light source; and
- (b) has any additional elements necessary for stable operation of the light source incorporated within the lamp body and permanently connected to the light source; and
- (c) has a rated voltage greater than 50 V and up to and including 250 V; and
- (d) has a rated Wattage no greater than 20W or for LED PAR types no greater than 25W; and
- (e) intended for connection to supply via means of a B15, B22, E14, E27, G9 or GU10 lamp cap for insertion into a lampholder.

but does not include—

- (f) a double capped light emitting semiconductor lamp.

Class specification:
AS/NZS 62560: 2017

36. LIQUID HEATING APPLIANCE

An electrical appliance that –

- (a) is a household type;
- (b) is portable;
- (c) has a capacity not exceeding 10L; and
- (d) heats liquid for:
 - (i) humidifying room air; or
 - (ii) use in, or as, a hot beverage; or
 - (iii) cooking.

Class specification:

Humidifier-
AS/NZS 60335.2.98: 2005 +A1-2

Other-
AS/NZS 60335.2.15: 2013 +A1-3 (until 29 November 2022); or AS/NZS 60335.2.15:2019

37. LUMINAIRE - PORTABLE TYPE

An electrical appliance that –

- (a) is a household type;
- (b) provides illumination or for decorative purposes, produces light;
- (c) is fitted with a supply flexible cord, an appliance inlet socket or a power supply unit with integral pins for insertion into a socket outlet;
- (d) is for standing on a table or floor, or is fitted with a clamp or similar for attachment to vertical or horizontal surfaces;
- (e) is for use with tungsten filament, tubular fluorescent or other discharge lamps or Light Emitting Diode “LED” types; and is either –
- (f) constructed to represent a model, person or animal and by its design and materials is likely to be treated by a child as a toy; or
- (g) has metal parts which are required to be earthed or double insulated from live parts (excluding live parts of an all insulated lampholder)

but does not include –

(d) Simple Portable Luminaires

Class specification:

Child appealing type (refer to clause (f))-
AS/NZS 60598.1 and AS/NZS 60598.2.10: 2015

Type fitted with a built-in transformer or convertor- AS/NZS 60598.1 and AS/NZS 60598.2.6: 1998. (R2013)

Type for Garden Use - AS/NZS 60598.1 and AS 60598.2.4:2019;

Other- AS/NZS 60598.1 and
AS 60598.2.4:2019

38. MASSAGE APPLIANCE

An electrical appliance that –

- (a) is a household type;
- (b) is for massaging the human body;
- (c) is portable; and
- (d) is self-contained.

Class specification:

AS/NZS 60335.2.32: 2014 (until 27 November 2023); or AS/NZS 60335.2.32:2020

39. MICROWAVE OVEN

An electrical appliance that –

- (a) is a household type; and
- (b) applies heat to food, liquid or other substances in a chamber by means of high frequency electromagnetic radiation.

Class specification:

AS/NZS 60335.2.25: 2011 +A1-2 (until 18 December 2023); or AS/NZS 60335.2.25:2020

40. MINIATURE OVERCURRENT CIRCUIT-BREAKER

An electrical device that –

- (a) is an enclosed air-break switch;
- (b) opens a low voltage circuit automatically under pre-determined conditions of overcurrent;
- (c) has a nominal rating not exceeding 125 A; and has –
 - (i) a current breaking capacity up to but not including 10kA and/or
 - (ii) a projected panel mounting area not exceeding 4000 square millimetres per pole;

but does not include –

- (d) miniature overcurrent circuit-breakers as defined but which:
 - (i) are intended and marked as being only for use in industrial application; or
 - (ii) are intended only for use within and for protection of electrical equipment as distinct from circuit wiring and are appropriately marked.

Class specification:

AS/NZS 60898.1: 2004; or
AS/NZS 60898.2: 2004 (R2016); or
AS 60947.2: 2015 (for DC circuit breakers outside the scope of AS/NZS 60898.2); or

41. NIGHTLIGHT - MAINS SOCKET OUTLET MOUNTED

An electrical appliance that –

- (a) is a household type;
- (b) incorporates integral pins for insertion into a socket outlet; and
- (c) is intended to provide a source of low-level illuminance in areas not normally illuminated at night.

but does not include –

- (d) other appliances with indicator lamps.

Class specification: AS/NZS 60598.2.12: 2015

42. OUTLET DEVICE

An electrical device that –

- (a) is a household type;
- (b) as its primary function, extends supply from a socket-outlet;
- (c) is portable;
- (d) incorporates facilities for the insertion of a plug or plugs; and
- (e) has a rating not exceeding 20 A;

but does not include –

- (f) a cord extension set.

Class specification:

Integral pin type (including travel adaptor) –
AS/NZS 3100 and AS/NZS 3122: 2015.

In this specification AS/NZS 3122: 2015 is modified to preclude types that can be wired or rewired by the user.

Other:-

AS/NZS 3100 and AS/NZS 3105: 2014 +A1

43. PLUG

An electrical device that –

- (a) makes a detachable connection between the contacts of a socket-outlet and the conductors of a flexible cord;
- (b) has two, three or four pins for insertion into a socket-outlet; and
- (c) has a rating not exceeding 20A;

but does not include -

- (d) a plug which is within the scope of AS/NZS 3123: 2005 and is intended for industrial use; or
- (e) a plug which is within the scope of AS/NZS 3131: 2001 or AS/NZS 61535: 2011.

Class specification:

AS/NZS 3100 and AS/NZS 3112: 2017

Note: It is intended to preclude plugs of a non-Australian type.

44. POWER SUPPLY OR CHARGER

An electrical appliance that –

- (a) provides an output not exceeding 50 volts a.c. or 120 volts ripple free d.c.; and
- (b) is a type to provide supply to separate luminaires; or
- (c) is a household type for either charging batteries or to provide a supply to separate equipment.

but does not include:

- (d) Information Technology and Audio Video equipment that can use the output to also transmit data that is not associated with a power supply or charger function.

Class specifications:

Power supply for general use-

AS/NZS 61558.1 and AS/NZS 61558.2.6: 2009 +A1; or
AS/NZS 61558.2.16: 2010 +A1-3 (for switched mode types).

Power supply (electronic or transformer types) designated for use with specific electronic equipment-

AS/NZS 60065: 2018 (until 15 Feb 2023); or
AS/NZS 60950.1:2015 (until 15 Feb 2023); or
AS/NZS 61558.1 and AS/NZS 61558.2.16: 2010 +A1-3 (for switched mode types); or
AS/NZS 62368.1: 2018

Power supply for toys-

AS/NZS 61558.1: 2008 and 61558.2.7: 2008 +A1; or
AS/NZS 61558.2.16: 2010 +A1-3 (for switched mode types)

Power supply for bells or chimes-

AS/NZS 61558.1 and AS/NZS 61558.2.8: 2011 +A1; or
AS/NZS 61558.2.16: 2010 +A1-3 (for switched mode types)

Power supply for lighting purposes-

Electronic Type, LED module: AS/NZS 61347.1 and AS 61347.2.13:2018
Electronic Type, Other: AS/NZS 61347.1 and AS/NZS 61347.2.2: 2007
Ferromagnetic Type: AS/NZS 61558.2.6: 2009 +A1

Power supply for Handlamps-

AS/NZS 61558.1 and AS/NZS 61558.2.9: 2011 +A1; or
AS/NZS 61558.2.16: 2010 +A1-3 (for switched mode types).

Power Supply for fence energiser-

AS/NZS 61558.1 and AS/NZS 61558.2.6: 2009 +A1 together with
AS/NZS 60335.2.76: 2003 +A1-4 (R2016); or
AS/NZS 61558.2.16: 2010 +A1-3 together with AS/NZS 60335.2.76: 2003 +A1-4 (until 28 June 2022) or
AS/NZS 60335.2.76: 2019. (for switched mode types)

Battery charger-

AS/NZS 60335.2.29: 2017

45. PROJECTOR

An electrical appliance that –

- (a) is a household type; and
- (b) is for projecting an image from a photographic slide or moving film.

Class specification:

AS/NZS 60335.2.56: 2006 +A1-2

46. RANGE

An electrical appliance that –

- (a) is a household type;
- (b) is for cooking food using heat produced by electrical energy; and
- (c) is stationary.

Class specification:

Fixed outdoor barbecue-

AS/NZS 60335.2.78: 2005 +A1-2 (until 29 November 2022); or AS/NZS 60335.2.78:2019

Other-

AS/NZS 60335.2.6: 2014 +A1 (until 28 June 2022) or;

AS/NZS 60335.2.6: 2014 +A1-2

47. RANGE HOOD

An electrical appliance that –

- (a) is a household type;
- (b) collects and/or filters air; and
- (c) is for installation above, or adjacent to, a cooking appliance.

Class specification:

AS/NZS 60335.2.31: 2013 +A1-3 (until 27 November 2022); or AS/NZS 60335.2.31:2020

48. RAZOR/HAIR CLIPPER

An electrical appliance that –

- (a) is a household type; and
- (b) shaves, cuts or trims human hair.

Class specification:

AS/NZS 60335.2.8: 2013 +A1

49. REFRIGERATOR/FREEZER

An electrical appliance that –

- (a) is a household type; and
- (b) cools and stores food.

but does not include –

- (c) wine coolers

Class specification:

AS/NZS 60335.2.24: 2010 +A1-2

50. RESIDUAL CURRENT DEVICE

An electrical device that –

- (a) isolates or initiates a tripping signal to isolate a low-voltage supply to protected circuits, sockets-outlets or equipment in the event of a current flow to earth which exceeds a predetermined level;
- (b) may be fixed or portable;

- (c) has a rated residual current not exceeding 300 mA for devices intended for connection to fixed wiring or 30 mA for other devices; and
- (d) has a rated load current not exceeding 125 A for devices intended for connection to fixed wiring or 20 A for other devices;

but does not include -

- (e) a device intended to be used with a particular circuit-breaker other than a miniature overcurrent circuit-breaker; or
- (f) a device intended to protect an electricity supply authority distribution system; or
- (g) a device covered by AS 2081 and intended for mines use.

Class specification:

In this Class specification, AS/NZS 3190: 2016 means either:
AS/NZS 3190: 2016 plus Amendment 1 clause 5.11; or
AS/NZS 3190: 2016 plus Amendment 1 (from 10 July 2021)

Without integral overcurrent protection -
AS/NZS 61008.1: 2015 or AS/NZS 3190: 2016

With integral overcurrent protection -
AS/NZS 61009.1: 2015 or;
AS/NZS 3190: 2016 and AS/NZS 3111: 2009 +A1-2

Type 'B' and 'F' devices: IEC 62423
Type SPE – PRCD's: IEC 62335

For portable types –

- (a) AS/NZS 3190: 2016; or
- (b) AS/NZS 3190: 2016 together with AS/NZS 3012: 2010 +A1 (Type PSOA); or
- (c) IEC 61540 and the PRCD and PSOA requirements of AS/NZS 3190

51. ROOM HEATER

An electrical appliance that –

- (a) is a household type; and
- (b) is for heating, by electrical energy, the atmosphere for comfort purposes;

and includes –

- (c) an appliance that accommodates one or more heatlamps;

but does not include -

- (d) an air-conditioning appliance; or
- (e) a heating system that is intended to heat the atmosphere of a room primarily by raising the temperature of any floor, wall, or ceiling area; or
- (f) an under-carpet heating system.

Class specifications:

Thermal storage type-
AS/NZS 60335.2.61: 2005 +A1-2

Other-
AS/NZS 60335.2.30: 2015 +A1-3

52. SEWING MACHINE

An electrical appliance that –

- (a) is a household type; and
- (b) is for stitching fabric or other material.

Class specification:

AS/NZS 60335.2.28: 2006 +A1

53. SOCKET-OUTLET

An electrical device that –

- (a) is for fixing at a point at which fixed wiring terminates;
- (b) provides a detachable connection with the pins of a plug;
- (c) has two, three or four contacts; and
- (d) has a rating not exceeding 20A.;

but does not include -

- (e) an outlet within the scope of AS/NZS 3123 or AS/NZS 3131 or AS/NZS 61535.

Class specifications:

AS/NZS 3100 and AS/NZS 3112: 2017; or
AS/NZS 60884.1: 2013 (including annex ZZ).

Socket Outlets shall not allow projected plug portions for any aperture set to be overlapped.

54. SOLDERING IRON

An electrical appliance that –

- (a) is for the application or removal of solder; and
 - (b) is hand held;
- and includes -
- (c) any integral or associated power supply or controller;

but does not include –

- (d) a soldering iron promoted exclusively to industry.

Class specification:

AS/NZS 60335.2.45: 2012

55. SUBMERSIBLE PUMP

This definition becomes mandatory on 1 January 2023

An electrical appliance that –

- (a) is a household type;
- (b) is for pumping liquids (including a mixture of water and small solids) having a temperature not exceeding 90 °C;
- (c) has a rated voltage being not more than 250 V for single-phase appliances and 480 V for other appliances;
- (d) has any electrical part, or enclosure around any electrical part, completely or partially immersed in the liquid being pumped during normal use; and
- (e) is portable or fixed in position

but does not include -

- (f) swimming pool or spa equipment.

Class specification: AS/NZS 60335.2.41:2013 +A1

Note: SUBMERSIBLE PUMPS supplied from a separate extra low voltage supply (at or less than 50 VAC or 120 VDC) are not captured by this definition

56. SUPPLY FLEXIBLE CORD

An electrical cord that –

- (a) is unscreened and flexible;
- (b) is designed for use at low voltage;
- (c) consists of two or three elastomer or PVC insulated cores of multistrand construction;
- (d) has a cross-sectional area of each conductor not exceeding 2.5 square millimetres; and
- (e) has for other than tinsel cords, individual wire strandings not exceeding -
 - (i) 0.21 mm for conductor sizes up to 1 square millimetre; or
 - (ii) 0.26 mm for conductor sizes exceeding 1 square millimetre;

but does not include -

- (f) a flexible cord which is marked in accordance with the CENELEC HAR marking scheme for flexible cords that is either;
 - directly connected to equipment; or
 - directly connected to approved non-rewirable accessories.
- (g) wiring contained entirely within the enclosure of equipment or an appliance.

Class specifications:

General flexible cord-

AS/NZS 3191: 2008; or

AS/NZS 60227.5: 2003 +A1 (PVC) or AS/NZS IEC 60227.5:2019; or

AS/NZS 60245.4: 2003 +A1 (Rubber) or AS/NZS IEC 60245.4:2020.

Halogen-free thermoplastic insulation cord-

EN 50525-3-11: 2011 or IEC 62821-3:2015

Halogen-free crosslinked insulation cord-

EN 50525-3-21: 2011

57. SWIMMING POOL OR SPA EQUIPMENT

An electrical appliance or device that –

- (a) is a transportable spa pool or transportable spa-bath, or
- (b) is for circulating air or water in a conventional bath; or
- (c) is for use in the operation or cleaning of a swimming pool, non-transportable spa pool or non-transportable spa-bath.

but does not include –

- (d) an appliance or device exclusively promoted for commercial use; or
- (e) a heat pump

Class specifications:

Pump-

AS/NZS 60335.2.41: 2013 (until 30 November 2022); or AS/NZS 60335.2.41: 2013 +A1

Spa pool, Spa bath or an appliance intended to circulate air or water in a conventional bath-

AS/NZS 60335.2.60: 2006 +A1 (until 30 November 2021) or;
AS/NZS 60335.2.60: 2018

UV radiation water treatment appliances-
AS/NZS 60335.2.109: 2011 +A1-2

Other-
AS/NZS 3100 and AS/NZS 3136: 2001 +A1-2

58. TELEVISION RECEIVER

An electrical appliance that –

- a) is for household use;
- b) is for the display of public or subscription television broadcasts; and
- c) incorporates a single cathode ray picture tube.

Class specification:
AS/NZS 60065: 2018; or
AS/NZS 62368.1: 2018

59. THERAPEUTIC LAMP

An electrical appliance that –

- (a) is a household type;
- (b) produces optical radiation for personal, cosmetic or nail hardening purposes; and
- (c) is portable.

Class specification:

For appliances incorporating lasers and intense light sources –
AS/NZS 60335.2.113: 2017

Other -
AS/NZS 60335.2.27: 2016 +A1 (until 26 June 2023); or AS/NZS 60335.2.27:2020

60. TOOL - PORTABLE TYPE

An electrical appliance that –

- (a) is for machining, drilling, sawing, or surface preparation; and
- (b) may be entirely supported by hand during operation;

but does not include –

- (c) a tool, portable type, promoted exclusively to industry.

Class specifications:

AS/NZS 60745.1 plus the in-effect AS/NZS 60745 Series Part 2

Where the published AS/NZS 60745 Series Part 2 has been superseded or does not exist:-

AS/NZS 62841.1 plus the appropriate AS/NZS 62841 Series Part 2

Other (where an AS/NZS 60745 Part 2 or AS/NZS 62841 Part 2 is not available) AS/NZS 3100 and AS/NZS 3160

61. VACUUM CLEANER

An electrical appliance that –

- (a) is a household type;
- (b) is portable; and
- (c) removes dust, dirt or moisture and the like from floor coverings by suction; or
- (d) removes garden refuse from lawns or paths and the like by suction.

Class specification:

Hand held garden type-
AS/NZS 60335.2.100: 2003

Other;
AS/NZS 60335.2.2: 2018

62. WALL SWITCH

An electrical device that –

- (a) is a household type; and
- (b) is either an air-break switch or an electronic switch; and
- (c) is for connection to the wiring of an electrical installation; and
- (d) is primarily for mounting on a vertical surface; and
- (e) is intended to turn a load ON or OFF; and
- (f) has a rating not exceeding 20 A;

but does not include—

- (g) automatic operation by means of motion sensors such as Passive Infrared sensors, Microwave sensors, Ultrasonic sensors or the like.

Class specification:

Air-break type –
AS/NZS 3100 and AS/NZS 3133: 2013 +A1-2; or
AS/NZS 3100 and AS/NZS 3133: 2020 (from 27 November 2022); or

Electronic type (including relay contacts or solid state contacts) –
AS/NZS 60669.1: 2013 and AS/NZS 60669.2.1: 2013

63. WASHING MACHINE

An electrical appliance that –

- (a) is a household type; and
- (b) is used for washing clothes.

Class specification:

AS/NZS 60335.2.7: 2012 +A1-2 (until 26 June 2023); or AS/NZS 60335.2.7:2020

64. WATER BED HEATER

An electrical appliance that –

- (a) is for installation under a water bed envelope; and
- (b) heats water contained in that envelope;

and includes –

- (c) any associated control device.

Class specification:

AS/NZS 60335.2.66: 2012

65. WATER HEATER

An electrical appliance that –

- (a) is for heating and storage of water for bathing, washing or similar purposes;
 - (b) incorporates a heating element;
 - (c) is unvented; and
 - (d) has a storage capacity not less than 4.5 L nor more than 680 L.
- or
- (e) is for heating water;
 - (f) is of the instantaneous type; and
 - (g) incorporates live parts in contact with water.

Class specification:

Pressure storage –

AS/NZS 60335.2.21: 2013 +A1 (until 28 June 2021) or;

AS/NZS 60335.2.21: 2013 +A1-2

Instantaneous –

AS/NZS 60335.2.35: 2013 +A1

-

Gazette notice for the amendment of the NSW Social Programs for Energy Code

ELECTRICITY SUPPLY ACT 1995 AND GAS SUPPLY ACT 1996

The NSW Social Programs for Energy Code

I, Matt Kean MP, Minister for Energy and Environment:

1. in accordance with clause 21(5) of the *Electricity Supply (General) Regulation 2014* and clause 5(5) of the *Gas Supply (Natural Gas Retail) Regulation 2014*, revoke Version 6.0 of the NSW Social Programs for Energy Code ('the Code'), which took effect on 1 May 2019 (NSW Government Gazette No. 41 of 3 May 2019 of page 1294), with the revocation to take effect on 1 November 2021; and
2. in accordance with clause 21(3) of the *Electricity Supply (General) Regulation 2014* and clause 5(3) of the *Gas supply (Natural Gas Retail) Regulation 2014*, adopt Version 7.0 of the Code as set out in Schedule 1 to this notice, with Version 7.0 of the Code to take effect on 1 November 2021 immediately after the revocation of Version 6.0 of the Code in accordance with paragraph 1.

Dated at Sydney, this 24th day of September 2021



Matt Kean MP
Minister for Energy and Environment

NSW Social Programs for Energy Code

Low Income Household Rebate

NSW Gas Rebate (including NSW Gas Rebate for LPG customers)

Life Support Rebate

Medical Energy Rebate

Family Energy Rebate

Energy Accounts Payment Assistance (EAPA) Scheme

Seniors Energy Rebate

Effective Date: 1 November 2021

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NSW Social Programs for Energy Code

Electricity Supply Act 1995

Gas Supply Act 1996

This Social Programs for Energy Code (the Code) has been prepared and adopted pursuant to clause 21 of the *Electricity Supply (General) Regulation 2014* (ES Regulation) and clause 5 of the *Gas Supply (Natural Gas Retail) Regulation 2014* (GS Regulation) for the purpose of facilitating the NSW Government's social programs for electricity and gas. Any person to which the Code applies must comply with the requirements of the Code pursuant to clause 22(3) of the ES Regulation and clause 6(3) of the GS Regulation. The Minister may conduct audits to determine compliance with the Code. The Minister may also accept undertakings to ensure compliance with the Code and take Court action to enforce those undertakings.

PART A

A1. Dictionary

- A1.1 **administration fee** means:
- (a) for **rebates** (other than the Family Energy Rebate), \$0.80/365 multiplied by the total number of **eligible customers** as at the end of the month and multiplied by the number of days in the month; or
 - (b) for the Family Energy Rebate, \$0.80 multiplied by the total number of **eligible customers** paid by the **retailer** as at the end of the month.
- A1.2 **account holder** is a customer.
- A1.3 **acquittal statement** means the relevant statement for each **rebate** and **EAPA** prepared and submitted by the **retailer** using a template provided by the **Department**.
- A1.4 **approved life support equipment** are the items listed at Appendix B3.1.
- A1.5 **Code** means this NSW Social Programs for Energy Code.
- A1.6 **customer retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.7 **Department** means the Secretary of the Department of Planning, Industry and Environment or the Secretary's nominee.
- A1.8 **Department's website** means energysaver.nsw.gov.au, energy.nsw.gov.au, service.nsw.gov.au and/or any other website as notified by the Department to **retailers** from time to time.
- A1.9 **EAPA** means Energy Accounts Payment Assistance.
- A1.10 **EAPA Provider** means an entity approved by the **Department** to deliver the **EAPA** Scheme .
- A1.11 **eligible customer(s)** is as defined for each **rebate** and **EAPA** voucher at clauses B1.1, B2.1, B2A.2, B3.1, B4.1, C1.1, D.1.2.3 and E1.2.
- A1.12 **embedded network** has the same meaning as in the *National Electricity Rules*.
- A1.13 **energy** means electricity or gas or both.
- A1.14 **Energy Retailer Audit Framework** means the **Department's** guide for how it will audit **retailers** as made available to **retailers** at any given time.
- A1.15 **exempt seller** has the same the meaning as exempt seller in the *National Energy Retail Law (NSW)*.
- A1.16 **gross amount of the bill** means the total charges for the billing cycle, including usage charges and daily supply charges, less any applicable discounts.
- A1.17 **hardship customer** has the same meaning as in the *National Energy Retail Law*

(NSW).

- A1.18 **market offer** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.19 **market retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.20 **Minister** means the New South Wales Minister for Energy and Environment.
- A1.21 **on-supply customer** is an embedded network customer who resides in NSW and purchases metered **energy** from:
- (a) an **exempt seller**; or
 - (b) a **retailer** where that **retailer** directly bills the customer; and
 - (c) is not on a **market retail contract** or **standard retail contract**.
- A1.22 **payment error** means a **rebate** or **EAPA** payment on to a **residential customer** energy bill or invoiced to the **Department**:
- (a) which was not calculated in accordance with the requirements set out in this **Code**; or
 - (b) to a customer that was not eligible, or cannot be established as having been eligible, to receive a **rebate** at the time the **retailer** was last required under this Code to verify the customer's eligibility for the **rebate**.
- A1.23 **residential customer** means a customer who purchases energy principally for personal, household or domestic use at premises on a **market retail contract** or **standard retail contract**.
- A1.24 **rebate(s)** refers to any or all of the Low Income Household Rebate, NSW Gas Rebate (including NSW Gas Rebate for LPG Customers), Life Support Rebate, Medical Energy Rebate, Family Energy Rebate and Seniors Energy Rebate as relevant.
- A1.25 **reporting period** means the period from 1 January to 30 June or 1 July to 31 December (as applicable).
- A1.26 **retailer(s)** means the holder of a retailer authorisation and includes Ergon Energy Queensland Pty Ltd (ACN121 177 802) for the purposes of the **Code**;
- A1.27 **retailer payment** means the sum of the **administration fee** and the total value of **rebates** paid each month.
- A1.28 **social programs for energy** means a NSW Government program to ensure that energy services (including connection services and **energy** supply) are available to those who are in need, including those who suffer financial hardship and those who live in remote areas, and includes:
- (a) any program for **energy** bills payment assistance including **EAPA**,
 - (b) any program for rebates to eligible pensioners,
 - (c) any program for rebates with respect to electricity used for life support systems; and
 - (d) any program designed to improve information about the energy offers available for energy services provided to those in need.
- A1.29 **standard retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.30 **supporting documentation template** means a template provided by the **Department** to **retailers** or otherwise published on the **Department's website** in order for the **retailer** to comply with a reporting obligation under this **Code**.
- A1.31 **white label partnership** means a relationship entered into by a **retailer** with a third party who is not a **retailer** where the third party is marketing and/or delivering energy services under the **retailer's** authorisation.

Words and expressions used in this **Code** that are not defined in clause A1 but are defined in the *Electricity Supply Act 1995 (NSW)*, *Gas Supply Act 1996 (NSW)* or the *National Energy Retail Law (NSW)*, have the same meaning as they have in the relevant Act.

In the event of an inconsistency between the meaning of a term as defined in clause A1 and in another legislative instrument, the meaning in the **Code** is to prevail to the extent of the inconsistency.

A2. Purpose

- A2.1 This **Code** has been adopted in accordance with clause 21 of the *Electricity Supply (General) Regulation 2014* and clause 5 of the *Gas Supply (Natural Gas Retail) Regulation 2014* for the purpose of facilitating the delivery of the following **social programs for energy**:
- A2.1.1 Low Income Household Rebate;
 - A2.1.2 NSW Gas Rebate (including NSW Gas Rebate for LPG customers);
 - A2.1.3 Life Support Rebate;
 - A2.1.4 Medical Energy Rebate;
 - A2.1.5 Family Energy Rebate;
 - A2.1.6 **EAPA**; and
 - A2.1.7 Seniors Energy Rebate.
- A2.2 This version of the **Code** takes effect on 1 November 2021 and replaces the previous version 6.0.
- A2.3 The **Code** consists of five parts:
- A2.3.1 Part A outlines the general requirements applicable to the Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate;
 - A2.3.2 Part B outlines additional requirements that are specific to each of the Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate;
 - A2.3.3 Part C outlines the requirements applicable to the Family Energy Rebate;
 - A2.3.4 Part D outlines the requirements applicable to the **EAPA** Scheme; and
 - A2.3.5 Part E outlines the requirements applicable to the Seniors Energy Rebate.
- A2.4 Parts A, B, C, D and E apply to all electricity **retailers**.
- A2.5 Parts A and B apply to all gas **retailers** in respect of the NSW Gas Rebate. Part D applies to all gas **retailers**.
- A2.6 Parts A, B, C, D and E apply to Ergon Energy Queensland Pty Ltd (ACN 121 177 802), as an exempt person under clause 21(2) of the *Electricity Supply (General) Regulation 2014*, in relation to **eligible customers** connected to the distribution system of Ergon Energy Corporation Limited (ACN 087 646 062).

A3. Overview of social programs for energy

- A3.1 The Low Income Household Rebate is designed to provide assistance in relation to an **eligible customer's** electricity expenses.

- A3.2 The NSW Gas Rebate is designed to provide assistance in relation to an **eligible customer's** gas expenses. The NSW Gas Rebate for LPG customers is a subset of the NSW Gas Rebate and is designed to provide assistance to **eligible customers** who do not have a reticulated gas supply and must purchase liquid petroleum gas (LPG) or other gas bottles, or refills of bottles, for basic household needs as outlined in Part B2A.
- A3.3 The Life Support Rebate is designed to provide assistance where **approved life support equipment** that is essential to support life is used by the **eligible customer** or another person who lives at the same address as the **eligible customer**. This **rebate** is not means tested and depends on the type of machine in use, and in some cases, the frequency of such use.
- A3.4 The Medical Energy Rebate is designed to provide assistance where an **eligible customer** or a person who lives at the same address as the **eligible customer** has an inability to self-regulate body temperature and the **eligible customer** holds one of the required concession cards. An inability to self-regulate body temperature may be associated with certain medical conditions.
- A3.5 The Family Energy Rebate is designed to assist families to manage their energy costs. It is only available to **eligible customers** who receive the Commonwealth Government's Family Tax Benefit A or B.
- A3.6 Each of the **rebates** set out in A3.1, A3.3 & A3.4 are applied to a **residential customer's** electricity bill.
- A3.7 The **EAPA** Scheme is designed to assist **residential customers** who are experiencing difficulty in paying their **energy** bill owing to a crisis or emergency situation.
- A3.8 The Seniors Energy Rebate is designed to provide assistance to **eligible customers** who receive the Commonwealth Seniors Health Card to help cover the cost of their electricity.
- A3.9 The **Department** must review the **Code** by 1 November 2023.

A4. Retailer obligations – all rebates and EAPA

- A4.1 A **retailer** must:
- A4.1.1 as soon as practicable after an election is made by any person who is or may be an **eligible customer**, for the provision of **energy** supply, inform that person of the availability of the **social programs for energy** and provide an application form, if requested;
- A4.1.2 include information on the availability of **social programs for energy** in all bills issued to **residential customers** and **on-supply customers**;
- A4.1.3 include information relating to the availability of **social programs for energy** on its website;
- A4.1.4 acknowledge that the relevant **social programs for energy** is funded by the NSW Government in any promotional material that refers to the **social programs for energy**;
- A4.1.5 inform **on-supply customers** who are on-supplied residential community residents, on-supplied retirement village residents and on-supplied strata scheme residents of the availability of the **rebate(s)** if contacted by these customers and direct them to the **Department's website** for information on how to apply;
- A4.1.6 from 1 February 2022, inform **on-supply customers** of the availability of the **rebate(s)** if contacted by these customers and direct them to the **Department's website** for information on how to apply; and

- A4.1.7 publish links on its website in community languages to the relevant part of the **Department's website** which provides the following information in the relevant community language:
- (a) the types and monetary values of **rebates** that are available for customers in NSW who are supplied **energy**;
 - (b) the eligibility criteria that applies to each type of **rebate**; and
 - (c) how an **eligible customer** can apply for each **rebate**.

Note: Not all residential community, retirement village or strata scheme residents are on-supplied **energy**. Some residential community, retirement village and strata scheme residents are supplied **energy** directly by a **retailer** through a **market retail contract** or **standard retail contract** and are considered eligible for all **rebates** subject to meeting all eligibility criteria outlined in Parts B, C and D. **Retailers** must meet the obligations outlined in the **Code** for these customers.

A4.2 **Retailers** may promote the **social programs for energy** together with their own products as part of their overall marketing strategy but must, at all times, comply with clause A4.1.

A4.3 **White label partnerships**

A4.4.1 **Retailers** must ensure all requirements under this **Code** and the *National Energy Retail Law (NSW)* are met when engaging in a **white label partnership**.

A.4.4.2 **Retailers** engaging in a **white label partnership** must:

- (a) inform the **Department** of the arrangement in writing before marketing the partnership to **residential customers** and/or **on-supply customers** and placing **residential customers** and/or **on-supply customers** on contracts, with an assurance that the **retailer** is meeting A4.4.1;
- (b) explicitly inform any customer of the **white label partnership** who their **retailer** is;
- (c) ensure affected customers energy bills:
 - (i) comply with the *National Energy Retail Law (NSW)*;
 - (ii) explicitly identify the **retailer** as the licensed entity to sell energy (e.g. 'powered by' or 'authorised by' after the white label partner's name/logo); and
- (d) provide the **Department** with a template energy bill ahead of launching the **white label partnership**.

A4.4 Clause A4.1.5 does not apply from 1 February 2022.

A5. General Information – Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate

A5.1 **Application of this section**

A5.1.1 In this section A5, references to **rebate(s)** applies to the Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate.

A5.1.2 **Retailers** must have systems in place to enable them to deliver all **rebates** in line with the requirements contained in the **Code**.

A5.2 **Information to customers**

A5.2.1 An **eligible customer** may receive one or more **rebates** concurrently, or more than one payment under the Life Support Rebate, subject to meeting the eligibility requirements for each **rebate**.

A5.2.2 Where one or more **rebates** are payable, **retailers** must identify each

rebate as a separate credit amount on the **eligible customer's** bill.

A5.2.3 A **retailer** must use the following descriptions (as relevant) for each separate credit amount on the bill:

A5.2.3.1 “NSW Gvt Household rebate” or “NSW Low Income Household Rebate”;

A5.2.3.2 “NSW Government Gas Rebate”;

A5.2.3.3 “NSW Government Life Support Rebate” or “NSW Government Rebate for the [insert specific machine type]”;

A5.2.3.4 “NSW Medical Energy Rebate”; and

A5.2.3.5 “NSW Family Energy Rebate”.

A5.3 Verification of new customers with Services Australia (SA)/the Commonwealth Department of Veterans' Affairs (DVA)

A5.3.1 Where required under the eligibility criteria for each **rebate**, a **retailer** must verify the Pensioner Concession Card, SA Health Care Card or DVA Gold Card status of each new customer with SA before a **rebate** is applied to that customer's bill.

A5.3.2 Despite clause A5.3.1, if a **retailer** verifies the eligibility of new customers with SA in weekly or monthly batches, rather than using a single enquiry to verify a customer individually, reasonable attempts must be made by that **retailer** to ensure eligibility is verified before the **rebate** is applied to a **customer's** bill.

Note: To avoid errors in entering the Pensioner Concession Card, SA Health Care Card or DVA Gold Card number in the system, **retailers** are encouraged to use the SA algorithm which verifies whether the SA customer reference number/DVA file number is genuine and prevents the system accepting incorrect numbers. To gain access to the SA algorithm, **retailers** must apply directly to SA.

A5.4 Notifying ineligible customers

A5.4.1 A **retailer** must notify a customer who applies for a **rebate**, but is found to be ineligible to receive the **rebate** applied for, of their ineligibility as soon as practicable.

A5.4.2 The notification given by the **retailer** must include the reason(s) for declining the application.

A5.5 Date of commencement

A5.5.1 Once an **eligible customer** is assessed as eligible to receive a **rebate**, the **retailer** must pay the **rebate** from the date on which the application was made by the **eligible customer**

A5.5.2 Subject to clause A5.6, **rebates** must not be back-dated prior to the date on which an **eligible customer's** application is made.

A5.5.3 Where an **eligible customer** is determined to be eligible to receive the relevant **rebate** but is subsequently supplied by a new **retailer**, the date the **eligible customer's** supply commences with the new **retailer** will be the date from which the new **retailer** is responsible for applying the **rebate**. This will ensure that the **rebate** is continuously paid to the **eligible customer** during the transfer from one **retailer** to another.

A5.6 Ensuring eligible customers continue to receive the Rebate

A5.6.1 **Retailers** must ensure that **eligible customers** continue to receive the **rebate** without interruption (provided there is no change to their circumstances that would render the customer ineligible) in the following circumstances:

- (a) after changing contracts;
- (b) after changing **retailer**;
- (c) after moving residence; or
- (d) during the annual verification process.

A5.7 Retailer error and rebates to eligible customers

- A5.7.1 If an action or inaction by a **retailer** results in **rebate** payments not being commenced correctly, or such payments being interrupted incorrectly, including for any of the reasons listed in A5.6, the **retailer** must reimburse the **eligible customer** for any amounts they would have otherwise been entitled to receive calculated from the date of the action or inaction by the **retailer**.
- A5.7.2 For clarity, a **retailer** is permitted to calculate any reimbursement in these circumstances for any period determined in accordance with clause A5.7.1 without prior agreement of the **Department**.
- A5.7.3 If a **retailer** makes a **payment error**, the **retailer** must reimburse the **Department** for any amounts the customer was paid but was not entitled to receive and any **administration fee** that the **retailer** received for administering the **rebate**.
- A5.7.4 Without limiting clause A5.7.3 and subject to clause A5.7.5, a retailer must bear the cost of any payment error and must not seek to recover such costs from a customer, including by reversing a credit applied to a customer's bill as a result of the payment error.
- A5.7.5 A **retailer** can reverse any credit applied to a customer's bill as a result of a **payment error** within 30 calendar days after a bill showing the **payment error** has been issued to the customer. To avoid doubt, from the date that is 30 calendar days after a bill showing a payment error has been issued to a customer, clause 5.7.4 will apply in relation to that **payment error**.

A5.8 Arrangements for retailer payment

- A5.8.1 A **retailer payment** will be provided to **retailers** each month where **retailers** have provided an invoice and **acquittal statement** as required by this **Code** except as provided for in clause A5.8.7.
- A5.8.2 The **retailer payment** for **rebates** must include:
- (a) the total value of the **rebates** paid to **eligible customers** during the month; and
 - (b) the **administration fee**.
- A5.8.3 The **retailer** must record the total value of the **rebates** paid by the **retailer**, the **administration fee** claimed by the **retailer** and the number of **eligible customers** based on the figures contained in the **retailer's** system records.
- A5.8.4 Each **retailer** must submit the following documents to the **Department** by the 10th business day of each subsequent month:
- (a) a completed and certified monthly **acquittal statement**; and
 - (b) a tax invoice for the **retailer payment** which complies with the invoicing procedures provided by the **Department** to **retailers** or otherwise published on the **Department's website**; and
 - (c) a completed **supporting documentation template** to substantiate the **retailer's** claims in the tax invoice and **acquittal statement**. The data used to complete the **supporting documentation template** must be sourced from the system

records referred to in clause A5.8.3.

A5.8.5 The **acquittal statement** must be certified and signed by an appropriately responsible person nominated by the **retailer**. Each **retailer** must communicate the name of the nominated person/s to the **Department** for verification purposes.

A5.8.6 Any changes to the **acquittal statement** and/or **supporting documentation template** will be made by the **Department** only after appropriate consultation with **retailers**.

A5.8.7 A **retailer payment** will not be paid where the invoice for that **retailer payment** is received by the **Department** more than three months after the due date specified in clause A5.8.4.

A5.9 Credit balance

A5.9.1 If the total of an **eligible customer's** bill is less than the **rebate** amount, the difference is to be applied as a credit to the **residential customer's** account and is to be carried forward to the next billing cycle.

A5.9.2 Where an **eligible customer** with a **rebate** credit elects to change his or her **retailer** or close their **energy** account with a **retailer**, that **retailer** must refund to the **eligible customer** the credit amount at the date of transfer to the new **retailer** or the date that the **eligible customer** closed the account with that **retailer**.

A5.10 Customers required to notify their retailer

A5.10.1 A **retailer** must advise **residential customers** that they are required to notify their **retailer**, as soon as possible, of any changes in their circumstances that would affect their pending application or continued eligibility for a **rebate**.

A5.11 Compliance

A5.11.1 **Retailers** must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the **Code**.

A5.11.2 **Retailers** must, upon request, provide such reports to the Minister, the **Department** or any auditor appointed by the **Department**.

A5.11.3 **Retailers** must maintain records to substantiate compliance with the **Code** for a period of seven years.

A5.11.4 **Retailers** must undertake auditing in relation to **rebates and EAPA** in accordance with the **Energy Retailer Audit Framework**.

A5.12 Calculation of the rebate

A5.12.1 The Low Income Household Rebate and the Medical Energy Rebate must be:

- (a) calculated on the applicable daily rate basis (e.g. \$285/365 days) which is multiplied by the number of days in each billing cycle (e.g. for quarterly bills, 92 days); and
- (b) offset against the **gross amount of the bill** before GST is applied.

A5.12.2 The Life Support Rebate must be:

- (a) calculated on the applicable daily rate (24 hours or less than 24 hours) which is multiplied by the number of days in each billing cycle; and
- (b) offset against the **gross amount of the bill** before GST is applied.

A5.12.3 The NSW Gas Rebate must be:

- (a) calculated on the applicable daily rate basis (e.g. \$110/365 days) which is multiplied by the number of days in each billing cycle (e.g. for quarterly bills, 92 days); and
- (b) offset against the **gross amount of the bill** before GST is applied.

A5.13 Confidentiality

Retailers are required to protect the confidentiality of **residential customers** and **on-supply customers** to ensure that their records are not used for any purpose other than the delivery of **social programs for energy**.

A5.14 Reporting

A.5.14.1 By 30 January and 31 July each year, the **retailer** must provide for the immediately preceding **reporting period**, the following information to the **Department** in accordance with the **supporting documentation template**:

- (a) the postcode for each **residential customer** who received a **rebate** from the **retailer**;
- (b) in relation to a bill of a **residential customer** who received a **rebate**:
 - (i) the amount of electricity that was consumed and exported (where applicable);
 - (ii) the amount of gas that was consumed (where applicable);
 - (iii) the amount payable by the customer before the **rebate** was applied;
 - (iv) the amount of the **rebate** paid to the customer;
 - (v) the amount of any other payments made to the customer in relation to their energy usage; and
 - (vi) the amount of any discounts paid to the customer;
- (c) in relation to a bill of a **residential customer** who received **EAPA**:
 - (i) the amount of electricity that was consumed and exported (where applicable);
 - (ii) the amount of gas that was consumed (where applicable);
 - (iii) the amount payable by the customer before the **rebate** or was applied; and
 - (iv) the amount of **EAPA** provided to the customer;
- (d) in relation to a **residential customer** who received a **rebate** or **EAPA** and whose service was disconnected during the **reporting period**:
 - (i) whether the customer was a **hardship customer** in the 12 months prior to the disconnection;
 - (ii) whether the customer had been on a payment plan in the 12 months prior to the disconnection;
 - (iii) the amount owed by the customer at the time of the disconnection, including any additional costs and penalties;
 - (iv) the date the service was disconnected; and

- (v) if the service was reconnected, the date the service was reconnected;
 - (e) any other information relating to the delivery or improvement of a **social program for energy** required by the **supporting documentation template**.
- A5.14.2 By 31 July each year, the **retailer** must provide for the immediately preceding **reporting period** the following information in relation to the **retailer's** obligations under clause A6 of the **Code**:
- (a) the number of **residential customers** receiving a **rebate** who are being supplied **energy** from that **retailer** under a **standard retail contract**;
 - (b) the steps taken by the **retailer** to inform the **residential customer** of the **market offers** available to that customer;
 - (c) the number of **residential customers** who changed from being supplied **energy** under the **retailer's standard retail contract** to the **retailer's market retail contract**;
 - (d) in relation to the **residential customers** identified under subparagraph (c), the estimated yearly monetary savings to the customer from changing contracts; and
 - (e) the method the **retailer** has used to determine the most appropriate **customer retail contract** for customers for the purposes of clause A6.1.1 (if applicable).
- A5.14.2A The quality and accuracy of information provided under this clause A5.14 must be of a standard which is reasonably acceptable to the **Department**.
- A5.14.3 The information provided under this clause A5.14 must be presented in a manner that does not disclose any personal information relating to customers.
- A5.14.4 The **Department** may request further information or details in relation to any matter the subject of a report provided by a **retailer** under this clause A5.14.
- A5.14.5 The **retailer** must provide the information requested by the **Department** under clause A5.14.4 within 10 business days of receipt of the request, or such other timeframe agreed between the **Department** and the **retailer** in writing.

A6. General Information – all rebates

A6.1 Assistance to residential customers

- A6.1.1 Notwithstanding any other provision of this **Code**, a **retailer** must determine whether a **residential customer** is on the most appropriate **customer retail contract** for that **residential customer** at the following times:
- (a) within 20 business days of receipt of an application for a **rebate** which complies with the requirements of this **Code**; and
 - (b) in respect of **residential customers** already receiving a **rebate**, once every financial year and at, or within 40 days before, the expiry of each **residential customer's** contract or benefit.
- A6.1.2 The **retailer** must make a determination in accordance with clause A6.1.1 having regard to (without limitation):
- (a) the **residential customer's** consumption profile over a period of

- at least 12 months (if this is available to the **retailer**);
- (b) the objective of reducing the **residential customers** costs of buying **energy**;
 - (c) the estimated yearly monetary savings for the **residential customer** from accepting an alternative **market offer**; and
 - (d) the price and non-price terms and conditions of the **retailer's** offers.
- A6.1.3 A **retailer** can make a determination under clause A6.1.1 based on information already held by the **retailer**. A **retailer** is not required to seek additional information from a **residential customer** to make a determination under clause A6.1.1.
- A6.1.4 If the **retailer** determines in accordance with clause A6.1.1 that a **residential customer** is not on the most appropriate **customer retail contract** for that **residential customer**, the **retailer** must:
- (a) as soon as possible after the **retailer** makes a determination in accordance with clause A6.1.1, make a reasonable attempt to inform the **residential customer** of the option of switching to that **customer retail contract**; and
 - (b) use all reasonable endeavours to assist the **residential customer** to change to the most appropriate **customer retail contract** for that **residential customer** if the **residential customer** wishes to change.
- A6.1.5 Clause A6.1.4 does not apply if:
- (a) the **retailer** forms the view that there is no **market offer** that would provide the **residential customer** with a better alternative than the **residential customer's** current **customer retail contract**; or
 - (b) the **residential customer** has expressly requested not to receive marketing information or material from the **retailer**.

PART B

B1. Low Income Household Rebate

In this clause B1, references to **rebate** are to the Low Income Household Rebate.

B1.1 Eligibility criteria

B1.1.1 To be eligible for the Low Income Household Rebate a person must:

- (a) be a resident in New South Wales;
- (b) be:
 - (i) a **residential customer** of the **retailer**;
 - (ii) a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; or
 - (iii) an **on-supply customer** on or after 1 February 2022;

whose name appears on the electricity account for supply to his or her principal place of residence; and

- (c) hold a:
 - (i) Pensioner Concession Card issued by SA/ DVA;
 - (ii) SA Health Care Card; or
 - (iii) DVA Gold Card marked with:
 - a. War Widow or War Widower Pension;
 - b. Totally and Permanently Incapacitated (TPI); or
 - c. Disability Pension (EDA).

B1.1.2 Notwithstanding clause B1.1.1, if the person is assessed as eligible to receive the NSW Gas Rebate in accordance with clause B2, the person will be taken to be assessed to be eligible to receive the Low Income Household Rebate from the same date.

B1.1.3 Clause B1.1.1(b)(ii) does not apply from 1 February 2022.

B1.2 Application process

B1.2.1 A person may apply for the Low Income Household Rebate in person, in writing or by telephone.

B1.2.2 A **retailer** must establish a standard pro-forma application that requires an applicant to provide the following information:

- (a) the full name of the applicant;
- (b) the applicant's address;
- (c) the name and number of the concession card that makes the customer eligible for the Low Income Household Rebate;
- (d) the date of grant or expiry of the concession card;
- (e) the date of application for the Low Income Household Rebate;
- (f) whether the applicant is also sold gas by the **retailer**.

B1.2.3 The pro-forma application must include a statement to the following effect:

- (a) the eligibility details provided by the customer in their application will be used to check their Pensioner Concession Card/Health Care Card/Gold Card status with SA/DVA;

- (b) the customer has the right to revoke their consent to the eligibility check at any time in writing;
 - (c) if the customer refuses to give consent, they will no longer receive the Low Income Household Rebate unless they can provide written verification of their continuing eligibility from SA/DVA;
 - (d) if the customer is eligible for the Low Income Household Rebate and is also sold gas by the **retailer**, they will automatically be eligible for the NSW Gas Rebate.
- B1.2.4 When an application is made in writing or in person, the customer must sign the application form.
- B1.2.5 When an application is made by telephone, the officer receiving the application must:
- (a) inform the applicant of the statements set out in clause B1.2.3;
 - (b) request the applicant's consent to check their Pensioner Concession Card/Health Care Card/Gold Card status with SA/DVA; and
 - (c) record the applicant's consent/refusal.
- B1.2.6 If a **retailer** identifies an error in a customer's application, the **retailer** must:
- (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B1.2.7 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Low Income Household Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the **rebate**, the **retailer** must:
- (a) immediately cease any **rebate** payments to the customer which the customer is not eligible to receive;
 - (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the **rebate**, as soon as practicable after becoming aware of the error; and
 - (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Low Income Household Rebate.
- B1.2.8 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the **rebate** in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents, on-supplied strata scheme residents and **on-supply customers** must submit their application for the Low Income Household Rebate to the **Department**.

B1.3 Ongoing verification to ascertain continued eligibility of customers

- B1.3.1 A **retailer** must verify the details of all **rebate** recipients who hold a SA Health Care Card for continued eligibility with SA at least once every three months.
- B1.3.2 A **retailer** must verify the details of all other **rebate** recipients for continued eligibility with SA or DVA at least once a year.
- B1.3.3 At the same time that it conducts the verifications under clauses B1.3.1

and B1.3.2, the **retailer** must ascertain whether the **rebate** recipient is also a gas customer of the **retailer** and whether the customer is receiving the NSW Gas Rebate.

- B1.3.4 If under clause B1.3.3, the **retailer** determines that the customer is eligible for the NSW Gas Rebate but not receiving it, the **retailer** must notify the customer and commence paying the NSW Gas Rebate from the date the **retailer** determines the customer's eligibility.
- B1.3.5 If a **residential customer** fails a verification check, the **retailer** must inform the customer as soon as practicable.
- B1.3.6 The results of the above verification checks must, upon request, be provided to the **Minister**, the **Department** or any auditor appointed by the **Department**. The results must include the following information:
- (a) the number of eligible Pensioner Concession Card, Health Care Card and Gold Card holders in each category;
 - (b) the total number of initial mismatches; and
 - (c) the total number of customers determined as ineligible from the verification process.
- B1.3.7 All **retailers** must have a contractual arrangement with SA before verifying customers' details with SA.

B1.4 Rebate indexation

For **eligible customers**, the **rebate** will be \$285 per annum unless advised otherwise in writing by the **Department**.

B2. NSW Gas Rebate

In this clause B2, references to **rebate** are to the NSW Gas Rebate.

B2.1 Eligibility criteria

- B2.1.1 To be eligible for the NSW Gas Rebate a person must:
- (a) be resident in New South Wales;
 - (b) be:
 - (i) a **residential customer** of the **retailer**;
 - (ii) a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; or
 - (iii) an **on-supply customer** on or after 1 February 2022; whose name appears on the gas account for supply of natural gas to his or her principal place of residence; and
 - (c) hold a:
 - (ii) Pensioner Concession Card issued by the SA/DVA;
 - (iii) SA Health Care Card; or
 - (iv) DVA Gold Card marked with:
 - a. War Widow or War Widower Pension;
 - b. Totally and Permanently Incapacitated (TPI); or
 - c. Disability Pension (EDA).
- B2.1.2 Notwithstanding clause B2.1.1, if the person is assessed as eligible to receive the Low Income Household Rebate in accordance with clause B1, the person will be taken to be assessed to be eligible to receive the NSW Gas Rebate from the same date.

B2.1.3 Clause B2.1.1(b)(ii) does not apply from 1 February 2022.

B2.2 Application process

- B2.2.1 A person may apply for the NSW Gas Rebate in person, in writing or by telephone.
- B2.2.2 A **retailer** must establish a standard pro-forma application that requires an applicant to provide the following information:
- (a) the full name of the applicant;
 - (b) the applicant's address;
 - (c) the name and number of the concession card that makes the customer eligible for the NSW Gas Rebate;
 - (d) the date of grant or expiry of the concession card;
 - (e) the date of application for the NSW Gas Rebate;
 - (f) whether the applicant is also sold electricity by the **retailer**.
- B2.2.3 The pro-forma application must include a statement to the following effect:
- (a) the eligibility details provided by the customer in their application will be used to check their Pensioner Concession Card/Health Care Card/Gold Card status with SA/DVA;
 - (b) the customer has the right to revoke their consent to the eligibility check at any time in writing;
 - (c) if the customer refuses to give consent, they will no longer receive the NSW Gas Rebate unless they can provide written verification of their continuing eligibility from SA/DVA; and
 - (d) if the customer is eligible for the NSW Gas Rebate and is also sold electricity by the **retailer**, they will automatically be eligible for the Low Income Household Rebate.
- B2.2.4 When an application is made in writing or in person, the customer must sign the application form.
- B2.2.5 When an application is made by telephone, the officer receiving the application must:
- (a) inform the applicant of the statements set out in clause B2.2.3;
 - (b) request the applicant's consent to check their Pensioner Concession Card/Health Care Card/Gold Card status with SA /DVA; and
 - (c) record the applicant's consent/refusal.
- B2.2.6 If a **retailer** identifies an error in a customer's application, the **retailer** must:
- (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B2.2.7 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the NSW Gas Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:
- (a) immediately cease any rebate payments to the customer which

the customer is not eligible to receive;

- (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and
- (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the NSW Gas Rebate.

B2.2.8 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents, on-supplied strata scheme residents, and **on-supply customers** must submit their application for the NSW Gas Rebate to the **Department**.

B2.3 Ongoing verification to ascertain continued eligibility of customers

B2.3.1 A **retailer** must verify the details of all **rebate** recipients who hold a SA Health Care Card for continued eligibility with SA at least once every three months.

B2.3.2 A **retailer** must verify the details of all other **rebate** recipients for continued eligibility with SA or DVA at least once a year.

B2.3.3 At the same time that it conducts the verifications under clauses B2.3.1 and B2.3.2, the **retailer** must ascertain whether the **rebate** recipient is also an electricity customer of the **retailer** and whether the customer is receiving the Low Income Household Rebate.

B2.3.4 If under clause B2.3.3, the **retailer** determines that the customer is eligible for the Low Income Household Rebate but not receiving it, the **retailer** must notify the customer and commence paying the Low Income Household Rebate from the date the **retailer** determines the customer's eligibility.

B2.3.5 If a customer fails a verification check, the **retailer** must inform the customer as soon as practicable.

B2.3.6 The results of the above verification checks must, upon request, be provided to the **Minister**, the **Department** or any auditor appointed by the **Department**. The results must include the following information:

- (a) the number of eligible Pensioner Concession Card, Health Care Card and Gold Card holders in each category;
- (b) the total number of initial mismatches; and
- (c) the total number of customers determined as ineligible from the verification process.

B2.3.7 All **retailers** must have a contractual arrangement with the SA before verifying customers' details with the SA.

B2.4 Rebate indexation

B2.4.1 For **eligible customers**, the **rebate** will be \$110 per annum unless advised otherwise in writing by the **Department**.

B2A. NSW Gas Rebate for LPG Customers

In this Part B2A, references to **rebate** are to the NSW Gas Rebate for LPG customers.

B2A.1 Overview

B2A.1.1 The provisions in Part B2 in this **Code** do not apply to Part B2A.

B2A.1.2 The **rebate** is available to **eligible customers** who purchase LPG or other gas bottles, or refills of bottles, for basic household needs such as cooking, heating or hot water.

B2A.1.3 Any customer that receives the **rebate** is not eligible for the NSW Gas Rebate in Part B2.

B2A.2 Eligibility criteria

B2A.2.1 For the **rebate** in a given financial year a person must:

- (a) be a resident in New South Wales;
- (b) hold a:
 - (i) Pensioner Concession Card issued by SA/DVA
 - (ii) SA Health Care Card; or
 - (iii) DVA Gold Card marked with:
 - a. War Widow or War Widower Pension;
 - b. Totally and Permanently Incapacitated (TPI); or
 - c. Disability Pension (EDA);
- (c) be an **eligible customer** for LPG or other gas bottles, or refills of bottles, that are at least 45 kilograms/88 litres in mass, for basic household needs from a commercial LPG or bottled gas supplier; and
- (d) provide a printed invoice from the LPG or bottled gas supplier that includes:
 - (i) the customer's name;
 - (ii) the customer's principal place of residence as the delivery address;
 - (iii) the date of purchase;
 - (iv) the name and contact details of the LPG or bottled gas supplier, in a stamped or printed format; and
 - (v) the volume/size of LPG or bottled gas supplied.

B2A.2.2 A household can only receive one rebate each financial year even if more than one eligible customer lives in the household.

B2A.2.3 A customer in a household cannot receive the rebate if any person in the household receives the NSW Gas Rebate in Part B2.

B2A.3 Application process

B2A.3.1 An applicant must apply to the **Department** for the **rebate** in the form designated on the **Department's website**.

B2A.4 Ongoing eligibility

B2A.4.1 An **eligible customer**, who completes a valid application and receives confirmation of eligibility from the **Department**, will be paid the **rebate** once per financial year into their nominated bank account.

B2A.4.2 **Eligible customers** must reapply for the **rebate** each year.

B2A.5 Rebate indexation

B2A.5.1 For **eligible customers**, the **rebate** will be \$121 per annum unless advised otherwise in writing by the **Department**.

B2A.6 Retailer obligations

B2A.6.1 The obligations in this B2A.5 only apply to retailers when they directly bill an **eligible customer**.

B2A.6.2 Retailers must comply with the obligations in Part A4 of the Code in relation to the **rebate**.

B3. Life Support Rebate

In this clause B3, references to **rebate** are to the Life Support Rebate.

B3.1 Eligibility criteria

B.3.1.1 To be eligible for the Life Support Rebate a person must:

- (a) be resident in New South Wales;
- (b) be:
 - (i) a **residential customer** of the **retailer**;
 - (ii) a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; or
 - (iii) an **on-supply customer** on or after 1 February 2022; whose name appears on the electricity account for supply to his or her principal place of residence where approved equipment (see approved list in Appendix B3.1) is used by the customer or another person who lives at the same address; and
- (c) submit a valid application form as provided by the **Department** (which will be made available to customers on the **Department's website**), duly signed by a registered medical practitioner (who is not the applicant) to verify that the use of the approved life support equipment is required at his or her principal place of residence.

B3.1.2 Clause B3.1.1(b)(ii) does not apply from 1 February 2022.

B3.2 Application process

B3.2.1 Applications must be made in writing using the application form provided by the **Department**. The application form will also be made available for download on the **Department's website**. Relevant parts of the application form must be completed and signed by both the applicant and a medical practitioner.

B3.2.2 Applicants must send their signed application form to their **retailer**.

B3.2.3 Before applying the **rebate** to a customer's account, **retailers** must verify that the application form is properly completed and signed by both the applicant and a registered medical practitioner (who is not the applicant). Certificates from equipment manufacturers or from sleep clinics (without the signature of a registered medical practitioner) are not acceptable.

B3.2.4 In the event that an applicant lives in remote or regional NSW and is being treated by the Royal Flying Doctor Service (RFDS), the application form may be signed by any medical practitioner under the RFDS.

B3.2.5 Customers must re-apply for the **rebate** every two years.

B3.2.6 At the time of application, in order to confirm the applicant's continued eligibility for the **rebate**, the **retailer** must bring to the attention of the

- applicant that an updated application form will be required every two years from the date of the initial approval for the **rebate**.
- B3.2.7 Customers who are currently receiving the **rebate** are not required to submit a fresh application form until they are due for their two year verification.
- B3.2.8 In order to ensure continuity of the **rebate** where a customer changes his or her **retailer**, the date the customer's supply commences with the new **retailer** will be deemed to be the date the customer applied for the **rebate**. However, the customer must complete and submit an application to the new **retailer** before the **rebate** can be applied by the new **retailer**. Note that this may cause some inconvenience to the customer but the **retailer** requires the relevant information in order to ensure ongoing priority of supply for the customer.
- B3.2.9 **Retailers** must conduct a verification audit of the **rebate** every two years in accordance with the **supporting documentation template** to confirm it is only being provided to **eligible customers** and provide the results of the audit to the **Department**, or its auditor, on request.
- B3.2.10 The amount of the **rebate** for each item of **approved life support equipment** is set out at Appendix B3.1.
- B3.2.11 If a **retailer** identifies an error in a customer's application, the **retailer** must:
- (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B3.2.12 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Life Support Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:
- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
 - (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and
 - (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Life Support Rebate.
- B3.2.13 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents, on-supplied strata scheme residents and **on-supply customers** must submit their application for the Life Support Rebate to the **Department**.

B3.3 Rebate indexation

For **eligible customers**, the **rebate** will be the daily rate applicable to each piece of approved equipment as listed in Appendix B3.1 unless advised otherwise by the **Department**.

Appendix B3.1 – Approved Equipment List

List of Approved Life Support Equipment		
Equipment	Examples of brand names*	Daily rate
Positive Airways Pressure (PAP) Device	Continuous Positive Airways Pressure (CPAP), Bilevel or Variable Positive Airways Pressure (BiPAP or V-PAP) etc	\$0.36 for less than 24 hour usage \$0.71 for 24 hour usage
Enteral feeding pump	Kangaroo pump Companion- Abbott Flexiflow patrol pump	\$0.44
Phototherapy equipment	Blue light therapy	\$3.68
Home dialysis	Haemodialysis or Peritoneal automated cyclers machines – Brand names include: Fresenius, Gambro, Baxter	\$1.54
Ventilators Equipment does not include nebulisers, humidifiers or vaporisers	LTV series, Breas, PLV-100 etc, Iron Lung	\$3.68
Oxygen concentrators	Devilbiss etc	\$1.85 for less than 24 hour usage \$3.11 for 24 hour usage
Total Parenteral Nutrition (TPN) pump	Volumatic pump Flowguard pump	\$0.84
External heart pump	Left Ventricular Assist Device	\$0.11
Power wheelchairs for quadriplegics Equipment does not include mobility scooters.	Electric wheelchairs – Brand names include: Quickie, Zippie, etc,	\$0.30

NOTE: List of brand names against each piece of equipment has been included for information only and is not exhaustive.

B4. Medical Energy Rebate

In this clause B4, references to **rebate** are to the Medical Energy Rebate.

B4.1 Eligibility criteria

B4.1.1 To be eligible for the Medical Energy Rebate a person must:

- (a) be a resident in New South Wales;
- (b) be:
 - (i) a **residential customer** of the **retailer**;
 - (ii) a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; or
 - (iii) an **on-supply customer** on or after 1 February 2022; whose name appears on the electricity account for supply to his or her principal place of residence; and
- (c) submit a valid application form as provided by the **Department** (which will be made available to customers on the **Department's** website), duly signed by a registered medical practitioner (who is not the applicant) to verify that either the customer named on the bill or anyone residing at the residence has an inability to self-regulate body temperature as defined at B4.1.2 below; and
- (d) hold a:
 - (i) Pensioner Concession Card issued by SA/DVA;
 - (ii) SA Health Care Card; or
 - (iii) DVA Gold Card.

B4.1.2 For the purpose of this **rebate**, an **eligible customer** has an inability to self-regulate body temperature where the **eligible customer** (or someone living at the supply address of the **eligible customer**) has been assessed by a registered treating medical practitioner (who is not the applicant) who has been treating them for at least three months as meeting one of the following four primary qualifying conditions and one of the three secondary qualifying conditions:

- (a) Primary qualifying conditions:
 - (i) autonomic system dysfunction (Medical conditions in which the autonomic system has been damaged e.g. severe spinal cord injury, stroke, brain injury and neurodegenerative disorders);
 - (ii) loss of skin integrity or loss of sweating capacity (for example, significant burns greater than 20%, severe inflammatory skin conditions and some rare forms of disordered sweating);
 - (iii) objective reduction of physiological functioning at extremes of environmental temperatures (for example, advanced multiple sclerosis); and
 - (iv) hypersensitivity to extremes of environmental temperature leading to increased pain or other discomfort or an increased risk of complications (for example, complex regional pain syndrome and advanced peripheral vascular disease).

- (b) Secondary qualifying conditions:
 - (i) severe immobility (for example, such as occurs with Quadriplegia or high level Paraplegia, particularly above mid thoracic level (T7) resulting in problems with self-regulation of body temperature due to loss of sympathetic nervous system control);
 - (ii) demonstrated significant loss of autonomic regulation of sweating, heart rate or blood pressure; and
 - (iii) demonstrated loss of physiological function or significant aggravation of clinical condition at extremes of environmental temperature.

B4.1.3 Clause B4.1.1(b)(ii) does not apply from 1 February 2022.

B4.2 Application process

- B4.2.1 An applicant must apply in writing using the application form provided by the **Department**. The application form will also be made available for download on the **Department's website**. Relevant parts of the application form must be completed and signed by both the applicant and a medical practitioner (who is not the applicant) who has been treating the patient for at least three months.
- B4.2.2 An applicant must send the signed application form to their **retailer**.
- B4.2.3 Before applying the **rebate** to the customer's account, a **retailer** must verify that the application form is properly completed and signed by both the customer and a registered medical practitioner (who is not the applicant).
- B4.2.4 In the event that a customer lives in remote or regional NSW and is being treated by the Royal Flying Doctor Service (RFDS), the application form may be signed by any medical practitioner under the RFDS if the customer has been treated by the RFDS for at least three months.
- B4.2.5 The **retailer** must verify each new customer's Pensioner Concession Card, SA Health Care Card or DVA Gold Card status with the SA before the **rebate** may be applied to a customer's bill.
- B4.2.6 If the customer named on the bill is claiming the **rebate** for another person who is living at the same address as the customer named on the bill, the **retailer** must check that the application form states that the address of the patient is the same as that of the customer.
- B4.2.7 In order to ensure continuity of the **rebate** where a customer changes his or her **retailer**, the date the customer's supply commences with the new **retailer** will be deemed to be the date the customer applied for the **rebate**. However, the customer must complete and submit an application to the new **retailer** before the **rebate** can be applied by the new **retailer**.

Note: This may cause some inconvenience to the customer but the **retailer** requires the relevant information in order to ensure ongoing eligibility for the **rebate**.

- B4.2.8 If a **retailer** identifies an error in a customer's application, the **retailer** must:
 - (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B4.2.9 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Medical Energy Rebate, including where

the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:

- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
- (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and
- (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Medical Energy Rebate.

B4.2.10 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents, on-supplied strata scheme residents and **on-supply customers** must submit their application for the Medical Energy Rebate to the **Department**.

B4.3 Ongoing verification to ascertain continued eligibility of customers

B4.3.1 A **retailer** must verify the details of all **rebate** recipients who hold a SA Health Care Card for continued eligibility with the SA at least once every three months.

B4.3.2 A **retailer** must verify the details of all other **rebate** recipients for continued eligibility with the SA or DVA at least once a year.

B4.3.3 The results of the above verification checks must, upon request, be provided to the **Minister**, the **Department** or any auditor appointed by the **Department**. The results must include the following information:

- (a) the number of eligible Pensioner Concession Card holders, the SA Health Care Card and Gold Card holders in each category;
- (b) the total number of initial mismatches; and
- (c) the total number of customers determined as ineligible from the verification process.

B4.3.4 All **retailers** must have a contractual arrangement with the SA before verifying customers' details with the SA.

B4.4 Rebate indexation

For **eligible customers**, the **rebate** will be \$285 per annum thereafter unless advised otherwise in writing by the **Department**.

PART C

C1. Family Energy Rebate (FER)

In this Part C, references to **rebate** are to the Family Energy Rebate.

C1.1 Eligibility criteria

C1.1.1 To be eligible for the Family Energy Rebate in a given financial year a person must:

- (a) be a resident in New South Wales;
- (b) be:
 - (i) a **residential customer**, or a person with the authority to act on behalf of the **residential customer**, of the **retailer**;
 - (ii) a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; or
 - (iii) an **on-supply customer**, or a person with the authority to act on behalf of the **on-supply customer**, of the **retailer** on or after 1 February 2022;

whose name appears on the electricity account for supply to his or her principal place of residence; and

- (c) have been assessed by SA as being eligible for the Family Tax Benefit (FTB) A or B during the financial year immediately preceding the financial year in which an application for the FER is made and have received a payment of FTB in respect of that eligibility.

C1.1.2 Clause C1.1.1(b)(ii) does not apply from 1 February 2022.

C1.2 Application process

C1.2.1 An applicant must apply in writing to the **Department** for the **rebate** using either the digital application form available from the **Department's website** or a paper application form also available from the **Department's website**. These same application forms should also be provided by electricity **retailers**.

C1.2.2 **Retailers** must, on request by a customer, provide access to the **Department's** application forms for the customer to complete and submit to the **Department**.

C1.2.3 If a **retailer** identifies an error in a customer's application, the **retailer** must:

- (a) notify the customer as soon as practicable after becoming aware of the error; and
- (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.

C1.2.4 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Family Energy Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the **rebate**, the **retailer** must:

- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
- (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the **rebate**, as

soon as practicable after becoming aware of the error; and

- (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Family Energy Rebate.

C1.2.5 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

C1.3 Ongoing eligibility

C1.3.1 An **eligible customer**, who completes a valid application form and receives confirmation of eligibility from the **Department**, will be paid the **rebate** once per financial year.

C1.3.2 Customers must reapply for the **rebate** each year.

C1.3A Calculation of the rebate

C1.3A.1 The Family Energy Rebate must be offset against the **gross amount of the bill** before GST is applied.

C1.4 Application of the rebate

C1.4.1 **Retailers** must credit the **rebate** to customers' electricity accounts in accordance with a confidential data set provided by the **Department** frequently throughout each calendar month through a dedicated, secure website. The data set will contain the following information:

- (a) FER Application ID (labelled "FER Reference Number");
- (b) First Name (labelled "Family Tax Benefit Recipient First Name");
- (c) Last Name (labelled "Family Tax Benefit Recipient Last Name");
- (d) Electricity Account Number (labelled "Electricity Account Number");
- (e) **Rebate** Amount (labelled "**Rebate** Amount (\$)"); and
- (f) **Rebate** Applied Flag (labelled "**Rebate** Credit Applied to Electricity Account"). No data is supplied in this column by the **Department**.

C1.4.2 **Retailers** must download secure Departmental data sets at least weekly, and import updated data sets in the same week, thereby advising the **Department** which customers have had a **rebate** credited against their accounts, and which have not.

C1.4.3 **Retailers** must verify the relevant data set against the information for each customer in the **retailer's** billing system and pay the relevant amount to each customer if the Family Tax Benefit, Recipient Last Name and Electricity Account Number in the data set match a valid customer account.

C1.4.4 **Retailers** must display the **rebate** on **eligible customers'** next available electricity bill after the date the **retailer** credits the **rebate** against accounts, after receiving the confidential data set from the **Department**, and to offset it against the **gross amount of the bill** before GST is applied.

C1.4.5 **Retailers** must supply a confidential data set to the **Department** using the dedicated, secure website containing the following information:

- (a) FER Application ID (labelled "FER Reference Number");
- (b) First Name (labelled "Family Tax Benefit Recipient First Name");
- (c) Last Name (labelled "Family Tax Benefit Recipient Last Name");
- (d) Electricity Account Number (labelled "Electricity Account Number");
- (e) Rebate Amount (labelled "Rebate Amount (\$)"); and

- (f) Rebate Applied Flag (labelled “Rebate Credit Applied to Electricity Account”). Retailer to supply only ONE of the following data options: Y or N or leave the cell blank.

C1.5 Retailer obligations

- C1.5.1 **Retailers** are required to comply with the following obligations in relation to the **rebate**:
- (a) all obligations outlined in A4 of Part A above;
 - (b) the following obligations in A5 of Part A above: A5.2, A5.7, A5.8, A5.9, A5.10, A5.11, A5.13 and A5.14; and
 - (c) all obligations outlined in A6 of Part A above.
- C1.5.2 In relation to the **rebate**, in the event of an inconsistency between the Part A and Part C, Part C is to prevail to the extent of the inconsistency.

C1.6 Information to customers

- C1.6.1 A customer may receive one or more **rebates** concurrently, subject to meeting the eligibility requirements for each particular **rebate**.
- C1.6.2 A **retailer** must identify each **rebate** as a separate credit amount on the **eligible customer's** bill.
- C1.6.3 A **retailer** must use the following description – “NSW Family Energy Rebate” – when crediting the **rebate** to the bill.

C1.7 Arrangements for retailer payment

- C1.7.1 A **retailer payment** will be provided to each applicable **retailer** each month.
- C1.7.2 The **retailer payment** for **rebates** must include:
- (a) the total value of **rebates** paid to **eligible customers** calculated on the basis of the data set provided by the **Department** to the **retailer**; and
 - (b) the **administration fee**.
- C1.7.3 Each **retailer** must submit the following documents to the **Department** by the 10th business day of each subsequent month:
- (a) a completed and certified **monthly acquittal statement** in the form published by the **Department** on the **Department's website**; and
 - (b) a tax invoice for the **retailer payment**, which must be submitted to the **Department** for each calendar month and is for **rebates** that have been credited to customers' accounts during that month (regardless of whether an actual bill has been issued in that month) in line with the dataset provided by the **Department** to the **retailer**.
- C1.7.4 The **retailer** must record the total value of the **rebates** paid by the **retailer**, the **administration fee** claimed by the **retailer** and the number of **eligible customers** based on the figures contained in the **retailer's** system records.
- C1.7.5 The **acquittal statement** must be certified and signed by an appropriately responsible person nominated by the **retailer**. Each **retailer** must communicate the name of the nominated person/s to the **Department** for verification purposes.
- C1.7.6 Any changes to the **acquittal statement** will be made by the **Department** only after appropriate consultation with **retailers**.

C1.8 Credit balance

- C1.8.1 If the total of a customer's bill is less than the **rebate** amount, the difference is to be applied as a credit to the customer's account and is to be carried forward to the next billing cycle.
- C1.8.2 Where a customer with a **rebate** credit elects to change his or her **retailer** or close their electricity account with a **retailer**, that **retailer** must refund to the customer the credit amount at the date of transfer to the new **retailer** or the date that the customer closed the account with that **retailer**.

C1.9 On-supplied residents of retirement villages, residential communities and strata schemes and on-supply customers

- C1.9.1 Long term residents of on-supplied residential communities, or residents of an on-supplied retirement village, or residents of an on-supplied strata scheme, and **on-supply customers**; must apply directly to the **Department** by submitting a completed application form available on the **Department's website**. **Eligible customers** will be paid the relevant **rebate** amount by the **Department**.
- C1.9.2 For eligible residents of on-supplied residential communities, retirement villages and strata schemes and **on-supply customers**, the Family Energy Rebate will be deposited via EFT into the customer's nominated bank account by the **Department**.

C1.10 Rebate indexation

For **eligible customers**, the **rebate** will be \$180 per annum or \$20 per annum where the customer is also deemed to be eligible for the Low Income Household Rebate.

PART D

D1. Energy Accounts Payment Assistance (EAPA)

D1.1 Overview

D1.1.1 The **EAPA** Scheme is a NSW Government scheme designed to help **residential customers** who are financially disadvantaged and experience difficulty paying their residential **energy** bill owing to a crisis or emergency situation. The **EAPA** Scheme is administered by the **Department** and is aimed at helping these people stay connected to essential energy services.

D1.1A Retailer assistance to EAPA customers

D1.1A.1 The **EAPA** Scheme is a crisis program and is not intended to offer ongoing income support, nor is the **EAPA** Scheme intended to relieve **retailers** of their obligations to manage their customers' debts in a fair and equitable manner.

D1.1A.2 **Retailers** must consider whether it is appropriate to offer additional assistance to a **residential customer** who has been assessed as eligible for **EAPA** in accordance with the **retailer's** hardship program.

D1.1A.3 A **residential customer** may receive **EAPA**, concurrently with any **rebates**, subject to meeting the eligibility requirements for each particular **social program for energy**.

D1.2 Delivery of EAPA by EAPA Providers

D1.2.1 **EAPA** vouchers are generally issued by **EAPA Providers** using the **Department's** on-line application tool in the form of \$50 vouchers. These vouchers will be sent electronically to the customer's **retailer** by the **Department's** electronic system as a contribution towards the customer's energy bills.

D1.2.2 Rules and procedures for the administration of **EAPA** by **EAPA Providers** are outlined in the **EAPA** Delivery Guidelines.

D1.2.3 **EAPA Providers** are responsible for assessing eligibility for **residential customers** for **EAPA**. **EAPA Providers** can only provide **EAPA** vouchers to **residential customers**:

- (a) whose principal place of residence is in New South Wales;
- (b) who are the primary **account holder** of an authorised energy **retailer** and that account is active; and
- (c) who the **EAPA Provider** has assessed as being financially disadvantaged and experiencing difficulty in paying their **energy** bill owing to a crisis or emergency situation.

D1.2.4 **Retailers** must not inform customers that they will receive a certain amount of **EAPA**. The amount of **EAPA** provided to a customer is determined by the **EAPA Provider**.

D1.2.5 **Retailers** must also make all attempts to assist **EAPA Providers** in complying with the Guidelines (for example, by providing direct, dedicated, free call numbers to **retailer** hardship units and working cooperatively to resolve issues concerning customers).

D1.3 Acceptance of EAPA by retailers

D1.3.1 **Retailers** must have systems in place to process online applications for **EAPA** from the **Department**, including electronic systems as notified by the **Department**, to enable them to deliver **EAPA** in accordance with the **Code**.

D1.3.2 **Retailers** must process within two business days all **EAPA** for individual

residential customers of each **retailer** transmitted by the **Department** and:

- (a) credit the amount reported by the **Department** to the account of each **residential customer** as directed by the **Department**; or
- (b) advise the **Department** of any invalid **EAPA**.

D1.3.3 **Retailers** will report to the **Department** within two business days the outcome of processing of **EAPA** transmitted by the **Department** using the electronic systems provided by the **Department**. This includes vouchers that are approved or rejected under D1.3.4.

D1.3.4 Where a **retailer** identifies that the total amount of vouchers transmitted for a **residential customer's** account will place that account into credit, the **retailer** must reject as many vouchers as required to ensure the account is not placed into credit and inform the **Department** within two business days using the electronic reporting system.

D1.3.5 **Retailers** must accept all valid **EAPA** vouchers offered in payment of an account (except in any of the circumstances specified in clause D1.4).

D1.4 Circumstances where EAPA is not to be used

D1.4.1 **EAPA** vouchers must not be applied to a **residential customer's** electricity or gas account:

- (a) where vouchers would place a customer's account into credit as per D1.3.4; or
- (b) for payment of non-consumption related charges (for example, late fees, disconnection and reconnection fees).

D1.5 Retailers assisting EAPA Providers

D1.5.1 Each **retailer** must have in place a direct dedicated, telephone enquiry number for **EAPA Providers** to contact that **retailer** to confirm the details of a **residential customer** seeking **EAPA**. Calls to this line must be answered or call backs made as soon as reasonably practicable, as an inability to contact a **retailer** may cause difficulties for the **EAPA Provider** in assessing the customer for **EAPA**.

D1.5.2 These contact details must be provided to the **Department** by each **retailer** and any changes must be notified to the **Department** immediately.

D1.5.3 Current contact listings for **EAPA Providers** that are able to assess **residential customers** for **EAPA** are on the **Department's website**.

D1.5.4 **Retailers** are required to provide to their **residential customers** information on Government funded **rebates** and programs, including **EAPA**. This means a **retailer** can refer a **residential customer** to one or more **EAPA Providers** only if the assistance provided to a **residential customer** by the **retailer** is not sufficient to help a **residential customer** resolve their difficulty paying an energy bill or where additional assistance may be appropriate. **EAPA Providers** will assess **residential customers** under the Guidelines and it is at the discretion of the **EAPA Providers** whether or not **EAPA** will be granted to a **residential customer**.

D1.5.5 **Retailers** can also assist their **residential customer** to be assessed for **EAPA** by implementing an appropriate payment plan or making other appropriate referrals, for instance, to a financial counsellor.

D1.5.6 Where a **retailer** refers a **residential customer** to an **EAPA Provider**, the **retailer** must also inform the **residential customer** of the requirement to take their original bill when they attend an **EAPA**

assessment interview.

- D1.5.7 The “original bill” refers to the first issued bill for the current payment period, for which the **residential customer** is seeking **EAPA**. A copy of an original bill supplied by a **retailer** may be considered an original bill.
- D1.5.8 **Retailers** may be required to assist an **EAPA Provider** to establish the details of a **residential customer** seeking **EAPA** (for example, where a **residential customer** does not have an original bill). If a **residential customer** does not have their original bill or receives their bill via email, the **EAPA Provider** will be required to contact the **retailer** to confirm the **residential customer’s** account details.
- D1.5.9 It is generally not appropriate to refer **residential customers** with large debts that have been allowed to accumulate over a long period of time to an **EAPA Provider** without adequate consideration of other options and attempts to assist the customer in accordance with laws and internal policy and without discussing the matter with the **EAPA Provider**. In many cases, an **EAPA Provider** will not be equipped to handle such cases and other types of referrals may be more appropriate (for example, to a financial counsellor).

D1.6 Prohibition on disconnection during EAPA assessment

- D1.6.1 If a **residential customer** is awaiting assessment for **EAPA**, the **retailer** is required to defer electricity or natural gas disconnection until an **EAPA Provider** has assessed the customer.

D1.7 Residential electricity and gas consumption only

- D1.7.1 **EAPA** vouchers may only be used as payment towards electricity and natural gas consumption (cost of energy and standing charges or service to property charges) supplied under a residential tariff (or rural tariff for home electricity and/or natural gas), and only on behalf of the person/s named on the account.
- D1.7.2 If vouchers are presented for payment of non-consumption charges (e.g. late fees or disconnection charges), the **retailer** must advise the **residential customer** that the vouchers have not been applied to their account. The **retailer** must reject any such vouchers and report this to the **Department** within two business days using the electronic reporting system.
- D1.7.3 **EAPA** can only be used for **residential customers** residing in NSW, regardless of their retailer.

D1.8 EAPA vouchers issued by two or more EAPA Providers

- D1.8.1 A **residential customer** may be eligible to be issued vouchers by more than one **EAPA Provider** for each bill and the circumstances of such grants of vouchers will be managed by the **Department** using the **EAPA Delivery Guidelines**.
- D1.8.2 Without breaching the other provisions of the **Code**, a **retailer** will process all **EAPA** transmitted by the **Department** for an individual customer into the electricity or gas account of that customer.

D1.9 Fraud or misrepresentation

If a **retailer** suspects or has evidence that either an **EAPA Provider** or customer fraud or misrepresentation has occurred, the **retailer** must contact the **Department** immediately and then confirm the suspicion in writing, either by letter or email.

D1.10 Voucher storage

Retailers must retain **EAPA** vouchers presented by **residential customers** and

which were valid prior to 1 July 2017 for a minimum of seven years from the date of redemption and make these available for audits by the **Department**, or an agent of the **Department**, upon request.

D1.11 Recording EAPA usage

- D1.11.1 A **retailer** must use the following descriptions for each separate **EAPA** credit amount applied on the bill:
- (a) '**EAPA** Voucher';
 - (b) Date; and
 - (c) Dollar amount credited.
 - (d) For example: Payment History: "EAPA VOUCHER 12/07/2013 \$200".

D1.12 Acquittal statement

- D1.12.1 Reimbursement is made by the **Department** for valid **EAPA** vouchers applied by the **retailer** to **residential customers** accounts, during the previous month.
- D1.12.2 **Retailers** must provide the **Department** with a tax invoice and an **acquittal statement** corresponding to each monthly report. The **acquittal statement** is to state the amount for which the **retailer** is seeking reimbursement. Monthly reimbursement for administration costs must also be claimed at this time.
- D1.12.3 Administration costs are to be calculated based on \$0.80 per bill (per **residential customers** account) regardless of how many vouchers are presented in a transaction.
- D1.12.4 The **acquittal statement** must be certified and signed by an appropriately responsible person nominated by the **retailer**. Each **retailer** must communicate the name of the nominated person/s to the **Department** for verification purposes.
- D1.12.5 For clarity, a **retailer** cannot claim administration costs for **EAPA** vouchers that are not valid or were not applied to an account.

D1.13 Compliance and retailer obligations

- D1.13.1 **Retailers** must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the **Code**.
- D1.13.2 **Retailers** must, upon request, provide such reports to the Minister, the **Department** or any auditor appointed by the **Department**.
- D1.13.3 **Retailers** must maintain records to substantiate compliance with the **Code** for a period of seven years.
- D1.13.4 **Retailers** are required to comply with the following obligations in relation to **EAPA**:
- (a) all obligations outlined in A4 of Part A above; and
 - (b) the following obligations in A5 of Part A above: A5.4, A5.7, A5.8, A5.11, A5.13 and A5.14.

All relevant references to rebates in these provisions should be read as a reference to **EAPA**.

- D1.13.5 In relation to **EAPA**, in the event of an inconsistency between the Part A and Part D, Part D is to prevail to the extent of the inconsistency.

PART E

E1. Seniors Energy Rebate

In this Part E, references to **rebate** are to the Seniors Energy Rebate.

E1.1 Overview

E1.1.1 The Seniors Energy Rebate provides assistance to **eligible customers** who receive the Commonwealth Seniors Health Card to help cover the cost of their electricity.

E1.2 Eligibility criteria

E1.2.1 To be eligible for the **rebate** in a given financial year a person must:

- (a) be a resident in New South Wales;
- (b) be:
 - (i) the primary **account holder** of an electricity **retailer**;
 - (ii) a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; or
 - (iii) an **on-supply customer** and whose name appears on the electricity account for supply to his or her principal place residence;

whose name appears on the electricity account for supply to his or her principal place of residence; and

- (c) hold a Commonwealth Seniors Health Care Card issued by SA/DVA.

E1.2.2 A household can only receive one **rebate** each financial year even if more than one eligible person lives at the same address.

E1.3 Application process

E1.3.1 An applicant must apply to the **Department** for the **rebate** using the form available from the **Department's website**.

E1.4 Ongoing eligibility

E1.4.1 An **eligible customer**, who completes a valid application and receives confirmation of eligibility from the **Department**, will be paid the **rebate** once per financial year into their nominated bank account.

E1.4.2 Customers must reapply for the **rebate** each year.

E1.5 Rebate indexation

E1.5.1 For **eligible customers**, the rebate will be \$200 per annum unless advised otherwise in writing by the **Department**.

E1.6 Retailer obligations

E1.6.1 **Retailers** are required to comply with the following obligations in relation to the **rebate**:

- (a) all obligations outlined in A4 of Part A above; and
- (b) A5.13 in Part A above.

E1.6.2 In relation to the **rebate**, in the event of an inconsistency between the Part A and Part E, Part E is to prevail to the extent of the inconsistency.

Notification Area *Karangi Dam* Amendment Order 2021

under the

Dams Safety Act 2015 and the Interpretation Act 1987

I, Chris Salkovic, by delegation under section 13 of the *Dams Safety Act 2015*, make the following Order pursuant to section 48(1) of the *Dams Safety Act 2015* and section 43 of the *Interpretation Act 1987*.

Dated 29 September 2021

Chris Salkovic

CEO Dams Safety NSW

Dams Safety NSW
by delegation

BN21/5074

Explanatory note

The object of this Order is to amend the *Karangi Dam* Notification Area as described in Schedule 1 of this Order.

Notification Area (*Karangi Dam*) Amendment Order 2021

under the

Dams Safety Act 2015 and the Interpretation Act 1987

1 Name of Order

This Order is the *Karangi Dam Amendment Order 2021*.

2 Commencement

This Order commences on the day it is published in the Gazette.

3 Duration

This Order will remain in force until it is revoked.

4 Amendment of *Karangi Dam* Notification Area

This Order amends the *Karangi Dam* Notification Area declared by the *Karangi Dam* Order 04 July 2008 as described in Schedule 1.

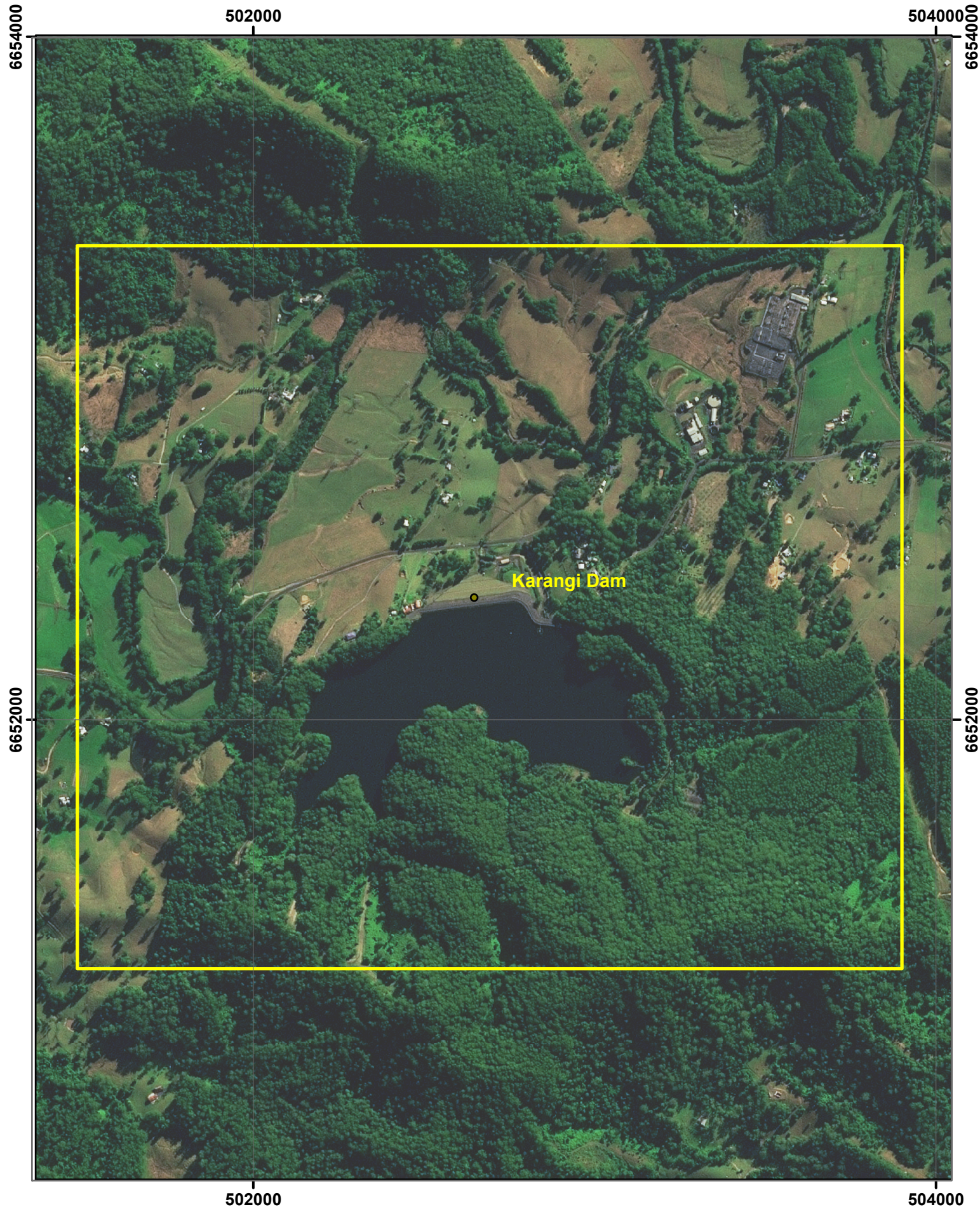
SCHEDULE 1

The amended *Karangi Dam* Notification Area is the area bounded by straight lines joining the following 4 ordered points on map Coffs Harbour 9537-III-N. The ordered points are specified by Map Grid of Australia 1994 co-ordinates in Zone 56.

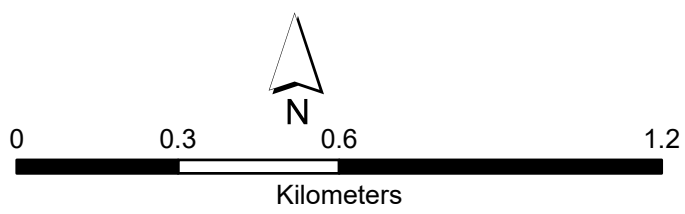
<i>Point</i>	<i>MGAEast</i>	<i>MGANorth</i>
1	501484	6651271
2	501484	6653388
3	503900	6653388
4	503900	6651271

The above data points and *Karangi Dam* Notification Area Map showing the amended *Karangi Dam* Notification Area is available from Dams Safety NSW.

Karangi Dam notification area



Plan No : 507
NA Label : Karangi Dam
Dam Name(s): Karangi Dam
Date: 08/06/2021



Datum : GDA 94
Grid : MGA Zone 56
1 October 2021