



New South Wales

National Energy Retail Law (Adoption) Amendment Regulation 2019

under the

National Energy Retail Law (Adoption) Act 2012

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *National Energy Retail Law (Adoption) Act 2012*.

MATT KEAN, MP
Minister for Energy and Environment

Explanatory note

The object of this Regulation is to amend the *National Energy Retail Law (Adoption) Regulation 2013* to modify the application of the *National Energy Retail Rules* in New South Wales to prohibit energy retailers from charging certain vulnerable customers for the de-energisation or re-energisation of the customer's premises.

This Regulation is made under the *National Energy Retail Law (Adoption) Act 2012*, including section 12 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *National Energy Retail Law (Adoption) Amendment Regulation 2019*.

2 Commencement

This Regulation commences on 1 June 2019 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of National Energy Retail Law (Adoption) Regulation 2013

Clause 10B

Insert after clause 10A:

10B Charges for de-energisation and re-energisation prohibited

The *National Energy Retail Rules* are modified by inserting after rule 76 the following rule:

76A Charges for de-energisation and re-energisation prohibited

- (1) A retailer must not impose a charge or fee on a vulnerable customer to:
 - (a) de-energise or re-energise the customer's premises, or
 - (b) arrange to de-energise or re-energise the customer's premises.
- (2) A term or condition of a customer retail contract with a small customer who is a vulnerable customer has no effect to the extent that the term or condition requires the payment of a charge or fee for any of the following (however described):
 - (a) to de-energise or re-energise the customer's premises,
 - (b) to arrange to de-energise or re-energise the customer's premises.
- (3) This rule does not apply to the payment of a bill specified in a disconnection warning notice under rule 110.
- (4) This rule ceases to have effect at the beginning of 1 June 2020.
- (5) In this rule:

energy concession recipient means a customer who:

 - (a) received the Low Income Household Rebate, the Medical Energy Rebate, the Life Support Rebate or the Family Energy Rebate, or
 - (b) paid any part of a bill by way of a voucher issued under the Energy Accounts Payment Assistance Scheme.

vulnerable customer means a customer who:

 - (a) is a hardship customer, or
 - (b) is on a payment plan (within the meaning of the NER), or
 - (c) is an energy concession recipient, or
 - (d) was, within 12 months before a retailer de-energises or re-energises the customer's premises, a customer of a kind described in paragraph (a), (b) or (c).