

Guidelines: Raising consumer awareness of Utilities Disputes and Powerswitch services

Decisions and summary of submissions

Decision

12 January 2021



Executive summary

From 1 April 2021 retailers and distributors will need to provide information about Powerswitch and Utilities Disputes to consumers

From 1 April 2021 the new clauses 11.30A to 11.30E of the Code will require:

- (a) all retailers and distributors to provide clear and prominent information about Utilities Disputes¹:
 - (i) on their website
 - (ii) when responding to queries from consumers
 - (iii) in outbound communications directed to consumers about electricity services and bills.
- (b) retailers that trade at a residential ICP recorded on the registry to provide clear and prominent information about Powerswitch²:
 - (i) on their website
 - (ii) in outbound communications to residential consumers about price and service changes
 - (iii) to residential consumers on an annual basis
 - (iv) in outbound communications directed to residential consumers about the consumer's bill.

These new obligations are designed to raise consumer awareness of the Utilities Disputes and Powerswitch services.

Raising consumer awareness of Utilities Disputes and Powerswitch will result in an empowered consumer base. This will create a more efficient and competitive electricity industry in New Zealand.

The Authority consulted on guidelines to help industry implement the changes and focus on consumer outcomes

The Authority developed draft guidelines to support participants to make changes to meet these new obligations. The formal consultation ran from 29 September to 10 November 2020. On 15 October we held a workshop, to answer questions about the Code change and to discuss how the Authority could help retailers and distributors to comply with the Code requirements.

Feedback on the proposed guidelines was generally supportive with constructive feedback focussed on how to make the guidance more practical and meaningful for industry.

¹ Utilities Disputes is the dispute resolution scheme identifier under Clause 3 of Schedule 4 of the Electricity Industry Act 2010 (Act)

² Powerswitch is the electricity plan comparison website

The Authority has made the following key changes as a result of feedback

We heard	We have
The Code is onerous, and the guidelines are confusing.	Updated the guidelines to reduce confusion and to address concerns around implementation.
The guidelines should not stifle innovation.	Updated the guidelines to reinforce the Authority view that innovation can occur.
Consumer queries are an area of concern.	Updated the guidelines to clarify requirements for responding to queries.
It is not clear what is covered by 'directed outbound communications'.	Updated the guidelines to clarify requirements relating to 'directed outbound communications'.
More information is needed on what is covered by communications about electricity services and bills.	Updated the guidelines to clarify what communications about electricity services and bills means.
The Code and guidelines do not cater for emergency communications.	Included a section on emergency communications.
More clarity is needed around how to handle in person communications.	Updated the guidelines to clarify requirements relating to in person communications.
The alignment between Utilities Disputes scheme rules and the Code requirements is unclear and confusing.	Worked with Utilities Disputes to develop a joint factsheet. Included a section on alignment with the Utilities Disputes scheme rules.

We have also made minor changes to the guidelines and updated the Frequently Asked Questions (FAQ) section as a result of submissions.

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1 Authority's decision

- 1.1 The Electricity Authority (Authority) has decided to publish finalised guidelines to support the implementation of the Code amendment to raise consumer awareness of Utilities Disputes and Powerswitch.
- 1.2 These guidelines have been updated to incorporate feedback received during a stakeholder workshop on 15 October 2020 as well as formal submissions received during the consultation period.

2 About this paper

- 2.1 On 29 September 2020, we published a, *Consultation Paper - Guidelines for improving consumer awareness of Utilities Disputes and Powerswitch*.³ We consulted on proposed guidelines to support retailers and distributors to implement the *Requirements to Improve Awareness of Dispute Resolution Scheme and the Electricity Plan Comparison Site 2020* Code amendment (Code amendment).⁴
- 2.2 The guidelines sought to provide practical and meaningful guidance to retailers and distributors. The guidelines include information on how compliance could be achieved and visual examples of how these changes could be incorporated into communications.
- 2.3 This prescriptive example approach is designed to support participant compliance and understanding. The examples are not intended to replace participants' ability to innovate to comply with the Code.

3 What we consulted on

- 3.1 The Authority consulted on guidelines to support retailers and distributors in implementing the Code amendment that⁵:
 - (a) requires all retailers and all distributors to provide clear and prominent information about Utilities Disputes:
 - (i) on their website
 - (ii) when responding to queries from consumers
 - (iii) in outbound communications directed to consumers about electricity services and bills
 - (b) requires retailers that trade at a residential ICP recorded on the registry to provide clear and prominent information about Powerswitch:
 - (i) on their website
 - (ii) in outbound communications to residential consumers about price and service changes
 - (iii) to residential consumers on an annual basis

³ <https://www.ea.govt.nz/development/work-programme/consumer-choice-competition/raising-consumer-awareness-of-utilities-disputes-and-powerswitch-services/consultation/#c18703>

⁴ <https://www.ea.govt.nz/assets/dms-assets/27/Published-Gazette-Notice-EIPCA-Requirements-to-Improve-Awareness-of-Dispute-Resolution-Scheme-and-the-Electricity-Plan-Compar.pdf>

⁵ Clauses 11.30A to 11.30E

- (iv) in outbound communications directed to residential consumers about the consumer's bill

3.2 The guidelines included clarification around the goal of the Code amendment, the terms used in the Code and included an FAQ section and visual examples.

Formal consultation

3.3 Between 29 September 2020 and 10 November 2020 the Authority consulted on proposed guidelines to support the implementation of the [Requirements to Improve Awareness of Dispute Resolution Scheme and the Electricity Plan Comparison Site 2020](#) Code amendment.

3.4 The Authority received 11 submissions on the proposal. Four from distributors (one of which is also a metering equipment provider), three from retailers and one each from an individual consumer, an industry advocate, the Powerswitch plan comparison service provider and the dispute resolution service provider.

Table 1: Summary of submitters

Name	Role
Consumer New Zealand	Powerswitch plan comparison service provider
Dr. David Hingston	Electricity consumer
EA Networks	Distributor
Electric Kiwi	Retailer
ERANZ	Industry advocate
Flick Electric	Retailer
Mercury	Retailer
Network Waitaki	Distributor
Utilities Disputes	Dispute resolution service provider
Vector	Distributor and Metering Equipment Provider
Wellington Electricity	Distributor

3.5 Copies of the submissions are available on the [Authority website](#).

3.6 Overall submissions were generally positive and provided constructive feedback on uncertainties and how the guidance could be improved.

Industry workshop

3.7 In addition to the formal consultation process, the Authority held a two hour industry workshop, via Zoom, on 15 October 2020. The purpose of this workshop was to provide

an alternative mechanism for retailers and distributors to provide input into the submission process.

- 3.8 35 organisations registered for the workshop and at its peak there were 56 individuals in attendance.

Table 2: Summary of workshop attendees

Role	Number
Industry consultant	3
Distributor	17
Retailer	10
Industry advocate	1
Other	4

- 3.9 The workshop identified 12 themes that were summarised and circulated to workshop attendees after the workshop. The workshop notes are also available on the [Authority website](#).
- 3.10 The workshop was constructive and teased out many of the concerns participants had around the application and implementation of the Code amendment that the guidelines support.

4 What changed as a result of consultation

- 4.1 We identified the following themes in the workshop and submissions. Based on that feedback, we have improved the guidelines for industry use.

We heard: The Code is onerous and the guidelines are confusing

- 4.2 Workshop attendees raised concerns that meeting the new requirements will be onerous, hard to implement and may be overwhelming. Workshop attendees said that the Authority had not considered the number of communications that will be affected.
- 4.3 Workshop attendees requested a more exhaustive list of when information is required in communications.
- 4.4 This request for detail was mirrored in submissions requesting more detail on how to apply the Code in specific situations. However; one submitter requested less detail and suggested that the guidelines should focus more on design principles.
- 4.5 Mercury NZ Ltd raised concerns that incorporating information into their bills would require a complete re-design of their billing template.

We have updated the guidelines to clarify requirements

- 4.6 As a result of the workshop and submissions the Authority has amended the guidelines. The updated guidelines include a simplified visual decision tree to help participants understand when awareness of services needs to be raised.
- 4.7 The underlying design principles has been made clearer in the examples provided.
- 4.8 We have updated the guidelines to address requests for more detailed information.

- 4.9 Companies that are finding it challenging to include clear and prominent information about Utilities Disputes and Powerswitch on their bills may want to consider alternative solutions such as including the information within the billing communication or as part of a separate communication about the bill.

We heard: *The Guidelines should not stifle innovation*

- 4.10 Submitters acknowledged that the guidelines are written to support implementation and enable flexibility but emphasised the need to allow innovation to flourish within the boundaries of raising consumer awareness of Utilities Disputes and Powerswitch.
- 4.11 Submitters also noted that the guidelines are already clear on this point but wanted to emphasise that this should not change in the future.
- 4.12 Concerns were raised that over time the guidelines could become pseudo-mandatory. This could have a negative effect on innovation.

We have updated the guidelines to reinforce the Authority view that innovation can occur

- 4.13 Where we heard there was uncertainty, the guidelines have been updated to provide options and examples of how compliance can be achieved, while not stifling innovation.

We heard: *Consumer queries is an area of concern*

- 4.14 Workshop attendees raised concerns about a lack of clarity in the guidelines relating to responding to queries. The workshop attendees spent time discussing what a query was and concluded that almost all inbound communications could be considered a query.
- 4.15 EA Networks raised concerns that information may be provided at incorrect touchpoints in the consumer journey, which will create an incentive to focus on compliance over the consumers' needs and may create confusion for consumers. EA networks also raised concerns that the guidelines are open to interpretation, which will impact consistency of application.
- 4.16 Mercury NZ Ltd raised concerns that the definition of query used in the guidelines was prescribing the way in which participants must apply the Code amendments.
- 4.17 Mercury notes that they can make their own determination as long as it is defensible.
- 4.18 Vector sought more clarity on the definition of a query for compliance purposes, and at which point(s) information needs to be provided.
- 4.19 Utilities Disputes submitted that when consumers are engaging with a chatbot, is the chatbot responding to a query as the participant, which and will trigger the Code requirements.
- 4.20 Utilities Disputes raised concerns that "public communications" (unsolicited messages from participants) are being conflated with "public responses to queries" (a response to a consumer query in a public forum) and provided some examples where they believe participants were responding to consumer queries.

We have updated the guidelines to clarify requirements for responding to queries

- 4.21 The guidelines have been updated to provide more examples of what could occur when responding to queries, including for chatbots and social media interactions.

- 4.22 The guidelines have been updated to clarify that an interactive voice response (IVR) implementation could be used to achieve compliance when responding to telephone queries, but it remains up to the participant how they meet the requirements.
- 4.23 Where the Code does not define a term, such as 'query' the plain English meaning of the term should be used. The Cambridge Dictionary definition of the term "query"; used in the guidelines is clear and defensible. Participants using an alternative dictionary definition should ensure their definition is clear and defensible. Additionally, actions to comply should be taken in context with the clause and goal of the Code amendment.

We heard: It is not clear what is covered by 'directed outbound communications'

Definition of directed outbound communications

- 4.24 Workshop attendees questioned what was meant by 'directed outbound communications'. There was confusion regarding whether group messages were covered, especially if when directed to an individual through technology such as a mail merge.
- 4.25 Similar questions were asked about automated communications such as e-mails and text message broadcasts. Questions were also asked about communications arising from automated processes, e.g.: from switching.
- 4.26 EA Networks and Network Waitaki requested more information around the requirement as it applies to text messages, such as advising of an appointment, scheduled work being completed and power back on. They noted that there were only a limited number of characters in a text message and in some cases they may not be sure whether consumers are receiving information via alternative mechanisms such as e-mail.
- 4.27 Vector requests clarification in the guidelines around they types of communication (with examples) covered by these requirements. Clarity was also requested around the use of social media, apps and push notifications. This was also reflected in workshop discussions.
- 4.28 Vector also queried whether it is sufficient to provide a link to a website in a text message. This was also reflected in the workshop where concerns were raised about the level of information required to improve consumer awareness.

We have updated the guidelines to clarify 'directed outbound communications'

- 4.29 We have updated the guidelines to provide more information on 'directed outbound communications' and what this means. The term used in the Code is communications personalised for a specific named consumer.
- 4.30 This means in addition to being directed to a specific consumer the communication must be personalised for that consumer. A personalised communication will contain content that is specific to that consumer, for example a bill has information specific to them.
- 4.31 Information has been provided to cover the scenarios discussed, including apps and push notifications.
- 4.32 The guidelines have been updated to clarify the level of detail required. The information needs to be sufficient to raise consumer awareness of the service and should consider

the form of communication. For example, a text message may include a short link for the consumer, whereas a telephone call may use the service name and phone number.

We heard: More information is needed on what is covered by communications about electricity services and bills

- 4.33 Wellington Electricity requested clarity around what communications are in scope and noted that the communications were only in relation to the “terms and conditions for the supply or electricity or line functions services to the consumer”.
- 4.34 This concern was also reflected by Vector, and workshop attendees requested clarity around whether communications such as tree felling notices were covered by the Code.

We have updated the guidelines to clarify what communications about electricity services and bills means

- 4.35 The guidelines have been updated to provide more information on what communications about electricity services and bills mean, including clarification that tree felling notices are not an electricity service communication unless they are covered by the terms and condition for supply.
- 4.36 The guidelines have been updated to clarify that the Code is only referring to electricity services, not other services.

We heard: The Code and guidelines do not cater for emergency communications

- 4.37 The workshop attendees raised strong concerns that the requirement to provide information would be a barrier to supporting consumers during emergency situations, which generally lead to a spike in urgent inbound calls. It was recommended that the guidelines consider this.
- 4.38 These concerns were echoed by Vector and Wellington Electricity submissions, where reactive communications to a major event need to focus on resolving consumers issues.

We have included a section on emergency communications

- 4.39 We have updated the guidelines to include a section on emergency communications. This section covers both proactive communications (where there is a communication directed to a named consumer) and reactive communications (where the consumer is contacting the participant with a query).

We heard: More clarity is needed around how to handle in person communications

- 4.40 The workshop attendees raised concerns about how in-person communications, such as a lines technician attending a supply fault, are impacted.
- 4.41 Consumer New Zealand requested that the guidelines remind participants of their direct sales obligations under the Fair Trading Act and recommended that information on Powerswitch is provided within the cooling off period.

We have updated the guidelines to clarify requirements for in person communications

- 4.42 We have updated the guidelines to clarify how in person communications, such as a technician attending the site, could be handled. This includes providing verbal information, leaving a leaflet or providing the information in a follow-up communication.

- 4.43 We have also updated the guidelines to remind participants of their obligations under the Fair Trading Act and recommend information about Powerswitch is provided within the cooling off period to help consumers.

We heard: *The alignment between Utilities Disputes scheme rules and the Code requirements is unclear and confusing*

- 4.44 Submissions included feedback on the difference between the Code and Utilities Disputes scheme rules.

We have worked with Utilities Disputes to develop suitable guidance

- 4.45 We are working with Utilities Disputes to develop a joint factsheet to help participants understand the differences between the Utilities Disputes scheme rules and the Code requirements and how compliance could be achieved separately or within the same communication.
- 4.46 We have also updated the guidelines to describe how the existing information provided under the Utilities Disputes scheme rules could be modified to support compliance with the Code at the same time.

We also heard the following feedback:

Monitoring of outcomes

- 4.47 ERANZ and Consumer New Zealand recommended that the outcomes are monitored to ensure the guidelines are working.
- 4.48 The Authority intends to assess the impact on consumer awareness regularly, starting in late 2021 via a consumer survey. The results of this survey will determine whether further action is required.

Regular reviews

- 4.49 ERANZ and Vector recommended the guidelines are reviewed on at least annually to ensure they remain up to date.
- 4.50 ERANZ recommended that minor updates to the guidelines could be tested and published rather than requiring formal consultation.
- 4.51 Vector suggested it could be considered as part of the annual omnibus Code review and should be seen as a reference document that can be updated over time.
- 4.52 The Authority will include the guidelines in its schedule of guidelines to review and maintain.
- 4.53 Consistent with our approach to other guidelines we will consider the context of the update and if it is in the interests of the industry and consumers to consult on the update before it is finalised.

Additional visual examples

- 4.54 ERANZ requested additional visual examples of acceptable and unacceptable practice.
- 4.55 Utilities Disputes provided examples of responding to queries via social media they believe should be included in the guidelines.
- 4.56 The Authority has incorporated additional visual examples into the guidelines.

Minor changes

- 4.57 ERANZ, Flick Electric and Utilities Disputes suggested changes to wording within the guidelines that could improve clarity.
- 4.58 The Authority has updated the guidelines based on this feedback.

Additional FAQs

- 4.59 Submissions included additional FAQs that participants would like answered. These have been be incorporated into the guidelines.

Out of scope submissions

- 4.60 We also received the following submissions, which are out of scope of developing the guidelines. No additional action has been taken as a result of these submissions.

Table 3: Out of scope submissions

Submitter	Submission	Authority response
Dr David Hingston	In my experience and opinion Utility Disputes is not fit for purpose. If Utility Disputes is not fit for purpose, it should not be promoted as fit for purpose.	The decision to mandate Utilities Disputes was made by the Minister under Schedule 4 of the Electricity Industry Act 2010 . Concerns about the service should be directed to the Minister.
Dr David Hingston	It is incorrect to say that free or independent.	This concern is out of scope of the guidelines. The statement in the consultation paper is based on how Utilities Disputes promotes its service. ⁶ Any concerns regarding information provided as part of the promotion Utilities Disputes should be referred to Utilities Disputes or the Commerce Commission.
Electric Kiwi	It is essential, in conjunction with raising awareness, that the Powerswitch methodology is reviewed to ensure the site fairly and accurately represents all relevant pricing plans.	Consumer NZ is actively working to address this concern.

⁶ https://www.utilitiesdisputes.co.nz/UD/About_us/UD/About_us_home.aspx

Submitter	Submission	Authority response
Electric Kiwi	Care is needed to ensure consumers are not overloaded with information, particularly on invoices.	Noted. We expect participants will provide clear and prominent information in a way that does not overload consumers.
ERANZ	The Authority should consider the requirements of this Code amendment alongside other changes required to retailer communications.	The guidelines have been considered in parallel with other workstreams, including the consumer care guidelines.
Flick Electric	We continue to be surprised that the Authority is 'endorsing' one particular price comparison website in its approach to raising awareness.	Please refer to the decision to amend the Code for the reasons for increasing consumer awareness of the Powerswitch service.
Mercury NZ Ltd	Given the further commitment of resources that this consultation requires, we would like comfort that UDL and Powerswitch's services will be fit for purpose and that funding for these services will be allocated fairly.	Noted. The source of funding for these services and level of service provided by Utilities Disputes and Powerswitch are outside of the scope of the changes to the guidelines that increase consumer awareness of these services.
Wellington Electricity	We believe that the Code amendment could 'invite' unnecessary complaint referrals to Utilities Disputes, which may not necessarily be in the best interests of any party; given that we are able to satisfactorily resolve the majority of complaints directly. We would therefore ask that the Code amendment is reconsidered in this respect.	Please refer to the decision to amend the Code, where these concerns were considered.

Source: Electricity Authority

5 Implementation and next steps

Guidelines have been published

- 5.1 In parallel with this decision and summary of submissions, the Authority has updated the guidelines and these have been published at the same time as this decision paper.
- 5.2 The Code will come into force on 1 April 2021. This implementation date is approximately six months after the publication of the decision to amend the Code. A 1 April 2021 implementation date gives time for participants to make appropriate changes to their systems and printed stock orders as needed.

5.3 We expect participants to implement changes necessary to comply with the new Code requirements gradually up until 1 April 2021.

The participant audit regime will be updated to cover the new requirements

5.4 Participants will be assessed for compliance against the Code requirements during their existing participant audits.

5.5 Audit documentation will be updated prior to 1 April 2021 to enable auditors to incorporate it into their audit processes.

5.6 For avoidance of doubt, audits that started before 1 April 2021 will not need to cover this requirement.

Monitoring will occur from late 2021

5.7 The impact of this change on the level of consumer awareness of Utilities Disputes and Powerswitch will be incorporated into the Authority's regular electricity consumer surveys.

5.8 The Authority will also engage with the Consumer Advocacy Council on the effectiveness of this change and any refinements that may be required to deliver long term benefits for consumers.

Appendix A Approved Code amendment

Insert new clauses 11.30A to 11.30E in Part 11 of the Code:

11.30A Provision of information on dispute resolution scheme

- (1) Each **retailer** and **distributor** must provide information in the circumstances specified in subclauses (2) and (3) about the dispute resolution scheme identified under clause 3 of Schedule 4 of the Act.
- (2) The information required by subclause (1) must be clearly and prominently published on any website that—
 - (a) is maintained by, or on behalf of, the **retailer** or **distributor**; and
 - (b) deals with, describes or offers the supply of **electricity** or **line function services** by the **retailer** or **distributor**, or by an agent or related entity of the **retailer** or the **distributor**.
- (3) The information required by subclause (1) must also be clearly and prominently provided—
 - (a) as part of or accompanying any communication personalised for a specific named **consumer** (whether in print, electronic or other medium) from the **retailer** or **distributor**, or by an agent or related entity of the **retailer** or **distributor**, about—
 - (i) billing or charges to, or payments owed by or made by, the **consumer** for the supply of **electricity** or **line function services**, including any invoice, request for payment or statement of account; or
 - (ii) the terms and conditions for the supply of **electricity** or **line function services** to the **consumer**, including the prices, tariffs, energy plan, price plan, tariff plan and terms of service for the **consumer**; and
 - (b) in association with or in the course of the **retailer** or **distributor**, or any person on behalf of the **retailer** or **distributor**, responding in any form, to any query from a **consumer**, including—
 - (i) in association with or in the course of any telephone call from a **consumer**; or
 - (ii) in any emails.
- (4) A **retailer** or **distributor** may meet the requirement in sub-paragraph (3)(b)(i) by providing the information as part of initial automatic answering systems or call holding systems, provided in each case the information is reasonably likely to come to the attention of the **consumer**.

11.30B Provision of information on electricity plan comparison site

- (1) Each **retailer** that supplies **electricity** at any **ICP** for which the relevant business classification code for the purposes of clause 9(1)(k) of Schedule 11.1 is “000000” or “Residential” must provide clear information in the circumstances specified in subclauses (2) to (4) about the electricity plan comparison website or other platform, as identified on the **Authority’s** website.

- (2) The information required by subclause (1) must be clearly and prominently published on any website that—
 - (a) is maintained by, or on behalf of, the **retailer**; and
 - (b) deals with, describes or offers the supply of **electricity** at any such **ICP** by the **retailer**, or by an agent or related entity of the **retailer**.
- (3) The information required by subclause (1) must also be clearly and prominently provided as part of or accompanying any communication personalised to a specific named **consumer** (whether in print, electronic or other medium) from the **retailer**, or by an agent or related entity of the **retailer**, about—
 - (a) billing or charges to, or payments owed or made by, the **consumer** for the supply of **electricity** at any such **ICP**, including any invoice, request for payment or statement of account; or
 - (b) the terms and conditions for the supply of **electricity** at any such **ICP**, including the prices, tariffs, energy plan, price plan, tariff plan and terms of service for the **consumer**.
- (4) The information required by subclause (1) must also be clearly and prominently provided at least once every calendar year to each customer whose **electrical installation** is connected to an **ICP** referred to in subclause (1).
- (5) If the **Authority** changes the web address of the electricity plan comparison website, establishes a new platform to perform the same purpose, or changes that platform or its location descriptor, each **retailer** must change the information published or provided under clause 11.30A to refer to the new address, platform or location descriptor as soon as reasonably possible and no later than 3 months from the date the change is notified on the **Authority's** website.

11.30C Specific requirements for information provided on websites and by other electronic means

The information provided under clauses 11.30A(2) and 11.30B(2)—

- (a) must be prominently provided on, or linked to, a page or pages of the **retailer's** or **distributor's** website, which a **consumer** seeking information on or in relation to the supply of **electricity** or **line function services**, or on the complaint processes of the **retailer** or **distributor**, is reasonably likely to view; but
- (b) does not need to be provided on every such page or every part, provided a **consumer** seeking such information is reasonably likely to come across the information in the course of visiting the website.

11.30D Limitations on required information disclosure under clause 11.30A or 11.30B

- (1) If a **retailer** or a **distributor** has provided the information required by clause 11.30A or 11.30B to a **consumer**—
 - (a) in a **consumer** communication under clause 11.30A(3)(a) or 11.30B(3), the **retailer** or **distributor** does not need to continue to provide the information in any subsequent **consumer** communication on the same matter; or

- (b) in response to any query under clause 11.30A(3)(b), the **retailer** or **distributor** does not need to continue to provide the information in any further responses to the same or related queries.
- (2) Under subclause (1):
- (a) an invoice and any request for payment, reminder notice, notice of late payment, demand, or disconnection notice in respect of the amount in the invoice are on the same matter; but
 - (b) invoices that apply to different periods are not on the same matter.

11.30E Meaning of “related entity”

For the purposes of clause 11.30A and 11.30B, the term “related entity” has the meaning set out in section 2(3) of the Companies Act 1993, where the reference in that section to “company” is read as if it referred to either a “company” or a “body corporate”.