



Fact sheet

Protections for life support customers in electricity on-selling arrangements

Information for on-sellers and residential customers in embedded networks

July 2022

IMPORTANT INFORMATION



Unplanned power outages do occur and people who require life support equipment should ensure they have a suitable back-up plan. This may include access to a battery or generator. Further suggestions for suitable back-up plans can be found [here](#).

This fact sheet provides information on customer protections for residents in electricity on-selling arrangements who require life support equipment.

If you require life support equipment and live in an electricity on-selling arrangement, such as a caravan park, strata complex or retirement village, and have registered with your on-seller, there are certain protections in place. These protections ensure that qualifying residents are notified in advance of any planned interruptions to their electricity supply, enabling them to have contingency plans in place.

To support these protections, there are certain steps that on-sellers and residents must take. These steps are outlined in this fact sheet.

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What are the customer protections for people who require life support equipment (in an embedded network)?

Customers who have registered their property as a *life support address* are provided the following protections:

1. Priority restoration of power at the property in the event of an unplanned power supply outage.
2. A minimum of 48 hours notice of an upcoming planned power supply outage.
3. Not be disconnected for failure to pay their on-seller for an electricity bill (although residents are encouraged to pay their bill and contact their on-seller if they are experiencing difficulties in making a payment).

What is the on-supply of electricity?

The on-supply of electricity occurs where a person, known as the **on-seller**, purchases electricity from a licensed retailer (such as Synergy) at a master meter and on-sells the electricity to customers (usually tenants) in the embedded network controlled by the on-seller. Supply is usually made through sub-meters.

In on-selling arrangements, your contractual and billing relationship is with the embedded network operator. In some instances, the embedded network operator may contract these services out to a third-party who has experience in operating billing and metering services.

If you are not in an embedded network and have life support equipment, please contact Synergy or Horizon Power to discuss your life support requirements.

What is an on-seller?

The **on-seller** is usually the property owner but can be someone that operates the embedded network on the owner's behalf.



On-sellers that on-supply electricity in embedded networks are **exempt** from the requirement to hold a retail licence provided they adhere to the conditions of their Exemption Order.

Who is affected by these requirements?

The requirements **affect**:

- on-sellers, for example managers of strata complexes, retirement villages, caravan parks and other businesses that on-sell electricity to residents who require life support equipment; and
- residents requiring life support equipment who live in such places.

The requirements **do not affect** persons who require life support equipment and purchase electricity directly from a licensed electricity retailer, such as Synergy.

What are the on-seller's obligations?

A comprehensive list of an on-seller's obligations, including the requirement to compile and maintain a **register** of residents in the embedded network who require the use of life support equipment, is provided in [Table 1](#).

What does the on-seller need to do to maintain the register?

The information an on-seller needs to maintain in a **register** does not need to be in any particular form, as long as it contains the following:

1. The address or site number of the property where life support equipment is required.
2. The resident's contact details. If a resident does not have a phone number and/or an email address, then this should be noted in the register.
3. A copy of the medical certification by an appropriately qualified medical practitioner that a person residing at the property requires life support equipment.

The register could be in the form of a written list (e.g. in a notebook), an electronic register (e.g. an Excel spreadsheet), or a collection of completed [Registration Forms](#).

An on-seller is required to ensure that the register is kept up to date. If a resident advises of a change of contact details, the on-seller must amend the register.

It is recommended that the register and copies of medical certificates are kept in a secure location, such as a locked filing cabinet or a password-protected computer, to protect the privacy of residents.

What kinds of medical apparatus are classified as life support equipment?

The medical equipment listed below is classified as life support equipment for the purposes outlined in this fact sheet.

Specified Life Support Equipment
Ventilators - VPAP or BPAP
Ventilator - CPAP Adult - when clinically prescribed for adults with obesity hypoventilation syndrome, tracheomalacia, obstructive sleep apnoea with sleep hypoventilation, or other life-threatening disease as determined by a specialist with usage over four hours per night. Child - when prescribed for severe obstructive sleep apnoea, tracheomalacia or other life-threatening disease as determined by the treating specialist.
Oxygen Concentrator (Adult - standard capacity)
Oxygen Concentrator (Adult - high capacity "New Life Intensity")
Oxygen Concentrator (Child - standard capacity)
Feeding Pump
Suction Pump
Apnoea Monitor (Child only)
Heart Pump
Nebuliser Adult - when a tracheostomy is expected to be in place for more than 6 months and nebulised therapy is required for life support purposes. Child - when used every day for 1-2 hours per day
Machine Assisted Peritoneal Dialysis Equipment (cyclor or heater)

What are the resident's obligations?

A comprehensive list of the resident's obligations, including the requirement to provide certain information to the on-seller and obtaining certification from an **appropriately qualified medical practitioner**, is provided in [Table 2](#).

What does appropriately qualified medical practitioner mean?

An *appropriately qualified medical practitioner* means:

- within the Perth Metropolitan Area, a specialist medical practitioner, a hospice doctor, or a practitioner working in a specialist department of a hospital; or
- outside of the Perth Metropolitan Area, a doctor or general practitioner if he/she also works on an occasional basis from a local hospital or rural health service.

Who can register a property as requiring life support equipment?

The following parties can **register** a property:

- the user of the life support equipment; or
- the legal representative of the resident requiring the life support equipment; or
- someone else residing at the property.



A person requiring life support equipment does not need to be the owner or renter of the apartment, caravan site or similar for the protections to apply. The important thing is that the medical certificate confirms that someone residing at the property requires the use of life support equipment at that address.

How can a resident check that their address has been registered?

Residents who have submitted the life support registration form can seek confirmation directly from their on-seller that their address has been registered. If you are unsure, seek confirmation from the on-seller's electricity retailer.

What is the difference between a supply address, a life support address and a registered property?

A *supply address* means the property owned or managed by the on-seller.

A *life support address* means an address where a person requiring life support equipment resides. A life support address can include a caravan site.

A *registered property* means the address identified on the register kept by the on-seller as being a life support address. A registered property can include a caravan site.

How do I plan for an unplanned outage?

We recommend that you talk to your medical practitioner and put a plan in place for any unexpected outages. Here's some options to help to start the conversation:

- Always have an alternative power source nearby - such as a battery back-up system or a generator
- Keep emergency phone numbers handy - for your doctor, fire department, police and ambulance services
- Know the location of your nearest hospital. Always have a phone available that doesn't rely on mains power
- Have a battery-operated radio on hand with fresh batteries
- During a storm or potential emergency situation, listen to the radio to keep up to date with the latest conditions
- Be fully prepared to leave your home if an extended outage occurs.

What do I do if my contact details have changed?

If a resident changes their contact details, they should notify the on-seller accordingly who will record the new contact details in the register.

If a resident moves to another address where electricity is also on-sold, they should notify the new on-seller of their requirements.

What happens if my on-seller changes?

If the on-seller for a property changes, for example if the business is sold, the new on-seller must undertake the following within 48 hours:

- notify the resident of each residential property that they have become the on-seller; and
- ask each resident to inform them whether anyone at the property requires life support equipment.

What legislative framework is applicable?

Residential electricity on-selling in retirement villages and strata title arrangements is governed by the [Electricity Industry Exemption Order 2005](#). In caravan parks, it is governed by the [Electricity Industry \(Caravan Park Operators\) Exemption Order 2005](#).

What happens if the on-seller does not comply?

On-sellers who do not comply with the conditions of their Exemption Order will no longer be exempt from the requirement to hold a retail licence.



Without a licence or an exemption, an on-seller cannot legally on-sell electricity to residents.

Where can residents or on-sellers go if they have a dispute or complaint?

Exempt on-sellers who operate embedded electricity networks are not permitted to be members of the Western Australian Energy and Water Ombudsman Scheme (licensed retailers are). This means a customer of an exempt on-seller does not have access to the Ombudsman's complaint and dispute resolution services if a problem arises.

In the first instance, on-sellers and residents should attempt to resolve any dispute or complaint between themselves. If the dispute or complaint cannot be resolved, the following organisations may be able to assist.

Department of Mines, Industry Regulation and Safety – Consumer Protection Division

The Consumer Protection Division of the Department of Mines, Industry Regulation and Safety provides advice and information for Western Australian consumers, businesses, landlords and tenants. It also provides a conciliation service to consumers with individual complaints about product or service suppliers.

Information on consumer rights, the complaint handling process and the conciliation service is available on the [Department of Mines, Industry Regulation and Safety website](#).

Energy Policy WA

Energy Policy WA administers energy licence exemptions and is responsible for this fact sheet. It is not a complaint handling body like the Consumer Protection Division, which has statutory powers to investigate complaints.

Energy Policy WA can provide information on licence exemptions and the regulatory framework that exempt persons operate within but cannot formally investigate complaints about a person operating under a licence exemption, such as an electricity on-seller.

Energy Policy WA can be contacted by phone on (08) 6551 4600 or by email at licence-exemptions@energy.wa.gov.au.

Personal information and privacy

Information contained in resident life support equipment registrations cannot be used for any purpose other than to comply with the conditions of the on-seller's licence exemption.

The on-seller is required to provide this information to their electricity retailer to comply with their obligations under the Exemption Order.

It is recommended that on-sellers obtain consent from residents to pass information related to the registration to an electricity retailer. The sample [Registration Form](#) can be used to obtain informed consent for this purpose.

Table 1: On-seller's obligations

On-seller obligations	
1.	Collect and maintain records of properties where a person requiring life support equipment resides. Each record should include: <ul style="list-style-type: none">• a copy of the medical certification stating that the person requires life support equipment;• the property address; and• the phone number and email address of the occupier of the property, who can be the person who requires life support equipment or a different person residing at the property.
2.	Notify their electricity retailer that a person residing at their electricity supply address requires life support equipment and provide the retailer with a copy of the person's medical certification within 48 hours of receiving it. This must be done for each person who requires life support equipment, even if they live at the same property.
3.	On being informed that a person requiring life support equipment has either vacated their property or no longer requires the use of life support equipment, the on-seller must: <ul style="list-style-type: none">• notify their electricity retailer of this situation within 48 hours;• remove the property from the register; and• if more than one person at the property requires life support equipment, not remove the property from the register unless there is no one at the property who requires life support equipment.
4.	If there is a planned interruption to the supply of electricity to a registered property (e.g. to do electrical work on site), either: <ul style="list-style-type: none">• give at least 48 hours notice to the occupier of the property of the planned interruption; or• obtain the consent of the occupier to interrupt the supply of electricity to the property.
5.	Not disconnect the registered property for a failure to pay an electricity bill.
6.	Pass on, within 48 hours of receiving notification, to the occupier of the registered property any planned outage notifications from the network service provider (Western Power or Horizon Power).
7.	Pass on, within a reasonable time, to the occupier of the registered property requests from the electricity retailer for annual renewal of the registration and three-yearly re-certification to confirm that a person continues to require life support equipment.
8.	If an on-seller is replaced by another on-seller, the new on-seller must within 48 hours: <ul style="list-style-type: none">• notify each occupier of the supply address that they are now the on-seller; and• ask each occupier whether any person at the address requires life support equipment.

Table 2: Resident's obligations

Resident obligations

1. Notify their electricity on-seller that they rely on life support equipment.
This can be done by completing the sample [Registration Form](#) (or similar form), including obtaining certification from an *appropriately qualified medical practitioner*.
The Registration Form:
 - will provide an accurate record of the phone, email and address details and confirmation that the person requires life support equipment at the address; and
 - may be filled out by a person with legal authority to act on behalf of the person who requires life support equipment.

2. Provide complete and accurate information regarding their requirement for life support equipment.



Providing false, incomplete or misleading information may result in the address not being registered as a property where life support equipment is required and the resident not being subject to the protections for persons who require life support equipment.

If a resident does not provide written confirmation of the requirement for the use of life support equipment at their address, the on-seller is not obliged to provide the customer protections to the resident specified in the relevant Exemption Order.

3. Respond to requests for written confirmation from the on-seller's electricity retailer that they require or continue to require life support equipment. This includes:
 - written confirmation every 12 months; and
 - re-certification from an *appropriately qualified medical practitioner* every three years.

If an occupier does not respond to periodic requests for confirmation of the continued requirement for the use of life support equipment, their property may be removed from the register of properties where life support equipment is required.

4. Ensure they have suitable contingency plans in place if there is a planned or unplanned electricity outage, such as a back-up electricity generator or battery. Further suggestions can be found [here](#).