




Speech By
Hon. Mark Bailey

MEMBER FOR YEERONGPILLY

Record of Proceedings, 10 November 2015

ENERGY AND WATER OMBUDSMAN AMENDMENT BILL

Second Reading

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy and Water Supply) (4.19 pm): I move—

That the bill be now read a second time.

Before the debate on the Energy and Water Ombudsman Amendment Bill 2015 commences, I would like to thank the Utilities, Science and Innovation Committee for its consideration of the bill. I also wish to thank those stakeholders who took the time to participate in the committee's consultation processes. The committee handed down its report on 29 October 2015, and I am pleased to say it recommended that the bill be passed. I now table the government's response to the committee's report.

Tabled paper: Utilities, Science and Innovation Committee: Report No. 7, 55th Parliament—Energy and Water Ombudsman Amendment Bill 2015, government response [\[1601\]](#).

Before discussing the committee's report and government response, I would like to outline the key elements of the bill and why they are a good thing for Queensland. Firstly, the bill delivers on the government's commitment of supporting small business to facilitate job creation and economic growth by ensuring that high energy-using small businesses have access to a free and independent dispute resolution mechanism for electricity related matters. Currently, small businesses that consume high amounts of electricity are unable to access the services of the Energy and Water Ombudsman Queensland, known as EWOQ. As a result, they cannot resolve disputes with their electricity provider in the way that other small businesses and residents in Queensland can.

Many small businesses that are dependent on a high amount of electricity for their daily operations often do not have the time, expertise or resources to deal with issues and disputes that may arise with their electricity accounts. The amendments in this bill will allow small businesses that consume up to 160 megawatt hours of electricity per annum, such as small supermarkets, bakeries, manufacturing businesses, amateur sporting clubs, community groups and not-for-profit organisations, to access EWOQ services.

Key benefits for this type of customer include access to a free and independent dispute resolution service if they are unable to resolve a dispute with their electricity retailer, access to a valuable advocacy, investigation and information service which may also be effective in resolving disputes with their retailer avoiding litigation over contractual issues, and reducing the amount of time and resources small businesses require to resolve a dispute with their electricity retailer allowing them more time to focus on managing their enterprises.

The clear benefits for small businesses are reflected in the strong support from stakeholders including the Chamber of Commerce and Industry Queensland and the Master Electricians for the amendments. Secondly, the bill extends the functions of EWOQ to allow it to apply for recognition as

an external dispute resolution scheme, thereby making it possible for EWOQ to resolve credit information disputes between a customer and their energy provider. This is necessary for Queensland to comply with new requirements that exist as a result of changes to the Commonwealth Privacy Act 1998 regarding customer credit information and reporting. These changes require energy providers to be members of a recognised external dispute resolution scheme so they can continue to disclose and gain access to customer credit information from a credit-reporting body.

The key benefits of enabling EWOQ to apply to the Australian Information Commissioner for recognition as the official Queensland based external dispute resolution scheme will ensure retailers can continue to participate in the credit-reporting scheme and assess a customer's credit worthiness; and provide Queensland energy consumers with access to a local, convenient, fast and independent avenue of redress if they feel their credit information has been mishandled by their retailer.

Finally, the bill increases the transparency around EWOQ's invoicing practices to make it easier for Queensland energy and water utilities to reconcile the fees they are charged by EWOQ with a corresponding customer. Importantly, the customer information to be provided by EWOQ will only be used by retailers to verify that the complaints the retailer has been billed for are in fact their customers and not customers of another retailer. This will enable energy and water utilities to better account for the fees charged by EWOQ as they will be able to cross-check their own customer records and verify that no billing errors have occurred.

I will now address the committee's second recommendation which relates to this aspect of the bill. The committee recommended an amendment to the bill to enable EWOQ to disclose identifying information of a complainant to an energy or water utility entity where this is required for reconciling EWOQ user-pays fees for all case types. The bill had originally provided EWOQ with the ability to disclose customer-identifying information for refer-back-to-provider case types only. These are situations where a complainant is referred back to their provider by EWOQ.

The government accepts the committee's recommendation that EWOQ should have the ability to disclose customer-identifying information for all case types for invoicing purposes. This will allow entities to properly reconcile EWOQ bills against their own records, improving the transparency of the scheme. The government has received privacy advice that confirms the amendment proposed by the committee can be made without any material privacy implications for complainants. Clause 11 and clause 14 of the bill have been amended accordingly. I commend the bill to the House.