



Independent Pricing and Regulatory Tribunal
New South Wales

Retail Suppliers' Reporting Manual
under the *Water Industry Competition Act 2006 (NSW)*

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Version control

Issue number	Date issued	Notes
1	1 July 2009	First release
2	9 June 2010	Additional template for nil returns Aligning Appendix D with ministerially-imposed licence conditions
3	1 June 2016	Amended notification requirements before/after changes in insurance coverage in 2.6.2. Updated signature requirements. Document issued as final, effective from 1 July 2016.
4	27 April 2018	Amended Performance Indicators Appendices and added an Appendix for Licence data. Reporting date updated to 1 September. Removed NIL returns template, formatting and minor editorial updates. Draft for consultation.

Invitation for submissions

IPART invites written comment on this document and encourages all interested parties to provide submissions addressing the matters discussed.

Submissions are due by 24 May 2018

We would prefer to receive them electronically via our online submission form <www.ipart.nsw.gov.au/Home/Consumer_Information/Lodge_a_submission>.

You can also send comments by mail to:

Water Utility Performance Indicators Review
Independent Pricing and Regulatory Tribunal
PO Box K35
Haymarket Post Shop NSW 1240

Late submissions may not be accepted at the discretion of the Tribunal. Our normal practice is to make submissions publicly available on our website <www.ipart.nsw.gov.au> as soon as possible after the closing date for submissions. If you wish to view copies of submissions but do not have access to the website, you can make alternative arrangements by telephoning one of the staff members listed on the previous page.

We may choose not to publish a submission - for example, if it contains confidential or commercially sensitive information. If your submission contains information that you do not wish to be publicly disclosed, please indicate this clearly at the time of making the submission. However, it could be disclosed under the *Government Information (Public Access) Act 2009* (NSW) or the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), or where otherwise required by law.

If you would like further information on making a submission, IPART's submission policy is available on our website.

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1 Introduction

1.1 Legislative framework

Licensees must ensure compliance with all licence conditions and other applicable obligations under the *Water Industry Competition Act 2006* (NSW) (the WIC Act), the *Water Industry Competition (General) Regulation 2008* (NSW) (the WIC (General) Regulation) and any Codes of Conduct.¹ The WIC Act, the WIC (General) Regulation and the Licence impose licence conditions, and may refer to other legislation, statutory instruments or documents.² Compliance requirements imposed on a licensee can vary depending on the nature, scale and complexity of its authorised activities.

The Independent Pricing and Regulatory Tribunal (IPART) is responsible for administering the licences and provides advice to the Minister for Energy and Utilities. To assist licensees in reporting against licence conditions, we have produced reporting manuals for network operators and Retail Suppliers licensed under the WIC Act that:

- ▼ consolidate licence obligations for each licence type (in summary form)
- ▼ detail reporting requirements, including the format and the reporting timetable, and
- ▼ detail the range of performance indicators.

The reporting manuals do not reproduce in full the licence obligations for each licence type, and it is still necessary for the licensee to refer to the relevant source document for full details of the obligation.

All compliance reporting under the reporting manuals is exception-based. This means that only licence non-compliances are required to be reported.

IPART's reporting obligation

On or before 1 September in each year, IPART must provide to the Minister a report on the extent to which licensees have complied, or failed to comply, with the conditions imposed on their licences during the 12 months ending on 30 June in that year.³ The Minister must lay the report before both Houses of Parliament as soon as practicable after receiving it.⁴

¹ For example, the Water Industry Code of Conduct, the Marketing Code of Conduct and the Transfer Code of Conduct.

² For example, licence conditions require compliance with the Codes of Conduct, infrastructure operating plans, water quality plans and sewage management plans, and with aspects of the *Environmental Planning and Assessment Act 1979* (NSW), *Protection of the Environment Operations Act 1997* (NSW), *Public Health Act 2010* (NSW), Plumbing Code of Australia, Australian Drinking Water Guidelines and Australian Guidelines for Water Recycling.

³ *Water Industry Competition Act 2006* (NSW), s 89(1).

⁴ *Water Industry Competition Act 2006* (NSW), s 89(2).

Licensee's reporting obligation

It is a standard licence condition that the licensee must prepare and submit compliance reports in accordance with the applicable reporting manual.⁵

In addition, a licence may be subject to other conditions that specifically require the licensee to notify, provide documentation or report to IPART in accordance with the applicable reporting manual.⁶ It is the licensee's responsibility to be aware of the conditions that apply to its licence.

Licensees should contact IPART if they are not certain of the reporting frequency applicable to their licence conditions.

⁵ The Licensee must prepare and submit reports in accordance with the Reporting Manual.

⁶ These could be special licence conditions in Schedule A of the licence or other standard licence conditions in Schedule B of the licence.

2 Compliance reporting requirements

It is the responsibility of the licensees to rectify any non-compliance as soon as possible, and report these non-compliances to IPART in accordance with this reporting manual.

We have classified non-compliances as either requiring:

- ▼ immediate reporting (section 2.1), or
- ▼ annual reporting (section 2.3).

This classification is based on the risk of a non-compliance with the licence conditions impacting public health, the environment and consumers. Appendix A sets out the reporting frequency for each licence condition set out in the legislation and standard licence⁷, ie, it lists which licence conditions, if non-compliant, should be reported 'immediately', and which should be reported 'annually'. Licensees should contact IPART if the licensees are not certain of the reporting frequency applicable to their licence conditions.

We also have immediate reporting requirements for certain incidents:

- ▼ immediate incident reporting (section 2.2).

2.1 Immediate non-compliance reporting

As soon as the licensee becomes aware that a non-compliance requiring immediate reporting has occurred, the licensee should notify IPART, via:

- ▼ (02) 9113 7722 (Director, Regulation & Compliance)
- ▼ (02) 9113 7704 (Executive Director, Regulation & Compliance)

and, email:

- ▼ compliance@ipart.nsw.gov.au.

⁷ Based on current standard licence conditions template dated March 2015.

The type of information about a licence **non-compliance** that should be reported is provided in **Schedule A of Appendix B**.

- ▼ The licensee should provide follow-up written confirmation to IPART's Chief Executive Officer within five business days, using the template provided in **Appendix B**.
- ▼ Depending on how long it may take to rectify the **non-compliance**, periodic reporting may also be required.
- ▼ Once the licence **non-compliance** has been rectified, the licensee should notify IPART's Director, **Regulation & Compliance**, in writing via compliance@ipart.nsw.gov.au, of the actual date that full compliance was reached.

2.2 Immediate incident reporting

Some incidents require the licensee to notify us and/or other stakeholders immediately.

It is a condition of a Retail Supplier's licence that any incident in the conduct of the licensee's activities that threatens, or could threaten, water quality, public health or safety must be reported immediately to:

- ▼ the Minister for Health
- ▼ the Minister for **Energy and Utilities**
- ▼ IPART, and
- ▼ any licensed network operator by means of whose infrastructure the retailer supplies water or provides sewerage services.⁸

The events or incidents that require immediate notification are not further defined by the WIC (General) Regulation. The licensee is responsible for determining whether an incident falls into this category. The licensee should assess, and keep up to date, the likelihood and consequence of any potential incidents that could impact water quality, public health or safety in its risk assessment for the specific scheme.

Licensees should report such incidents in accordance with the document, "Incident Notification by Network Operators and Retail Suppliers" available from our website.⁹ **This document outlines the requirements for verbal and written notifications to IPART and other agencies when a notifiable incident occurs.**

2.3 Annual compliance reporting

Licensees are required to submit annual compliance reports to us detailing the licensee's compliance with its licence obligations, during the previous financial year ending 30 June. Reporting is exception-based. This means that only licence **non-compliances** are required to be reported. This requirement commences as soon as a licensee is granted a licence. A checklist for annual compliance reporting is provided in **Appendix C**.

Licensees must submit annual compliance reports to IPART by no later than **1 September** each year:

⁸ *Water Industry Competition (General) Regulation 2008* (NSW), Schedule 2, Part 1, cl 1(2).

⁹ http://www.ipart.nsw.gov.au/Home/Industries/Water/Private_Sector_Licensing_WICA/Licence_Compliance_Reporting

- ▼ If the licensee has engaged in any activities authorised by their licence, the licensee should use the annual compliance report template provided in Appendix D. The licensee should also include any immediate non-compliances already reported, any non-compliances identified by operational audits during the financial year and performance indicators (see section 2.5). When reporting immediate non-compliance already reported or non-compliances identified during operational audits, the information provided in Schedule A of Appendix D should include an update of any further actions the licensee has taken with respect to the non-compliance, or
- ▼ If the licensee has not engaged in any activities authorised by their licence during the 12 months ending on 30 June, use the annual compliance report template in Appendix D, state where any information is not applicable, such as any indicators in Schedule B.
- ▼ The licensee should also include licence non-compliances identified in operational audits in their annual compliance reports.¹⁰

The annual compliance report must be prepared using all due care and skill, including to ensure that all information provided is accurate and reliable, and must be signed by a person authorised to sign on behalf of the licensee. Where the licensee is a company, it must be signed by either two Directors or a Director and the Company Secretary. Where this is not possible (for example, due to having a different corporate structure), the licensee should contact IPART for further advice on how the report must be signed.

Reporting performance indicators

Licensees are also required to report on IPART performance indicators as part of their annual compliance reports. Appendix E outlines these indicators.

Where an indicator is not relevant or applicable to a particular licensee's activities, the licensee should indicate in its annual compliance report 'not applicable' in relation to that particular indicator. If an indicator is relevant but the activity has not commenced, the licensee should report zero against that particular indicator.

The licensee may choose to include with the report an explanation of the licensee's performance, which details:

- ▼ major factors (both positive and negative) that have influenced the licensee's performance, both within and beyond the licensee's control, and
- ▼ reasons for any variation (both positive and negative) between the licensee's performance in the financial year and with performance in prior years.

Reporting on licence data

Licensees are also required to report on licence data as part of their annual compliance reports. Appendix F outlines that information.

¹⁰ For more information related to operational audits, see our relevant Audit Guidelines available on our website <http://www.ipart.nsw.gov.au>

2.3.1 Insurance expert's report

As a standard condition of the licence, licensees are required to provide a report from an insurance expert certifying that in the insurance expert's opinion, the type and level of the insurance obtained by the licensee is appropriate for the size and nature of the activities authorised under the licence.

Appendix G contains a template an insurance expert's report. The report may be formatted to suit the style of the author, as long as it contains all of the content in Appendix G. Schedule B of the Retail Supplier's licence outlines requirements for the delivery of this report. We may request an additional insurance expert's report in relation to the insurance held by the licensee at any time in accordance with Schedule B of the Retail Supplier's licence.

2.3.2 Change in insurance coverage

Licence granted, varied or reviewed from March 2015

Licences varied or granted after March 2015 include a standard licence condition in relation to the requirement for licensees to report to IPART if there is to be a change in insurance.

Table 2.1 sets out the changes in insurance that; licensees must report to IPART, the deadline for reporting, and the information to be included in the report.

Table 2.1 Insurance changes reporting

Change in insurance coverage includes	Period of notification	Information to provide to IPART where applicable
▼ Insurer ▼ Underwriting panel	30 days after the change	▼ Name and Australian financial services licence number of new insurer
▼ Type ▼ Scope	Increase in coverage 30 days after the change	▼ Name and Australian financial services licence number of new underwriting panel
▼ Sum insured/ Limit on the amount/ Limit on indemnity	Reduction in coverage 14 days prior to change initiated by the insurer	▼ New product disclosure statement(s)
	45 days prior to change initiated by the licensee	▼ Reasons for change ▼ Revised certificate of currency once finalised

2.3.3 Information in relation to the register of licences

Under a standard licence condition, licensees must provide written notice within 14 days of changes to any of the following listed in IPART's Register of licences¹¹:

- ▼ any licensed network operator or public water utility from whose water industry infrastructure the licensee supplies water to its customers
- ▼ any source from which the water handled by the water industry infrastructure referred to in item above is derived

¹¹ *Water Industry Competition (General) Regulation 2008* (NSW), cls 18(1) – 18(5).

- ▼ whether or not any of the licensee's customers are small retail customers
- ▼ any order under section 54 of the WIC Act by which the licensee is declared to be a retailer of last resort, or
- ▼ any licensed network operator or public water utility by means of whose sewerage infrastructure the licensee provides sewerage services to its customers.

We will review this information and update our Register of licences. Please note that in some cases, a licence variation would be required prior to proceeding with the change.

2.3.4 Changes to Authorised Person(s)

Licensees must provide written notice to IPART as soon as practicable but no later than 28 days before an Authorised Person ceases providing any services in relation to the activities authorised by the relevant licence.

The written notice must also include details of how the services previously undertaken by the Authorised Person will continue to be undertaken.

2.3.5 Commencement of supply of retail services

Licensees must provide to IPART written notice within 10 business days after commencing to supply water or provide sewerage services through any of the specified Water Industry Infrastructure under the Retail Supplier's licence.

Licensees must ensure that their written notification includes the following details:

- ▼ the relevant licence number
- ▼ the Specified Water Industry Infrastructure through which the licensee is supplying water or sewerage services, including a reference to the relevant table in the Retail Supplier's licence (if relevant), and
- ▼ the date operation started.

2.4 How to lodge an annual compliance report

Licensees must lodge all annual compliance reports electronically to: compliance@ipart.nsw.gov.au, or to the last email address notified by IPART. If requested by IPART, the licensee must also submit a hard copy by mail. Licensees should provide the name and contact details (phone, email) of a primary contact and should provide an alternate contact for when the primary contact is unavailable.

Hard copy reports, if requested, must be sent to:

The Chief Executive Officer

Independent Pricing and Regulatory Tribunal of NSW

PO Box K35

Haymarket Post Shop NSW 1240

or to the last address notified by IPART.

Licensees are required to provide other information or notification to IPART as set out in conditions in Schedules A and B of their licence.

Unless otherwise stated, Licensees are required to provide the information or notification to IPART electronically and addressed to Director, Regulation & Compliance.

3 Process for revision

Changes to **this** reporting manual, including amendments to the classification of licence obligations, may be necessary to:

- ▼ include new licence obligations
- ▼ delete redundant licence obligations
- ▼ reflect new government initiatives, and
- ▼ rectify problems identified through compliance monitoring and reporting.

We will consult the **affected** licensees and other interested stakeholders before making any significant revisions to the reporting requirements or indicators. We will then notify the stakeholders of the revisions to the reporting manual and the commencement date of any new reporting arrangements. In determining the commencement date for new reporting arrangements, we will allow a reasonable period for licensees to implement the new arrangements.



Appendices

A Licence obligations – reporting frequency

This Appendix sets out the reporting frequency allocated to each licence obligation. We classify each licence obligation with a reporting frequency of either ‘immediate’ or ‘annual’ reporting.

Immediate reporting is limited to those licence obligations where a **non-compliance is high risk**, for example, the **non-compliance** could threaten continuity of supply, public health or safety, or have a critical impact on the Government’s **regulatory** objective(s), or have significant impacts on other licensees.

Annual reporting is required for all other obligations. However, licensees should also include any ‘immediate’ licence **non-compliances** in the Annual Compliance Reports to IPART.

Licensees should read and understand the obligations applicable to them in their specific licences.

The licensee must identify which obligation **it is non-compliant with**, and note whether the reporting requirement is ‘immediate’ or ‘annual’ in accordance with this appendix. If ‘immediate’ reporting is required, refer to section 2.1. If ‘annual’ reporting is required, refer to section 2.3.

Examples:

- ▼ A Retail Supplier is considering terminate the supply of water to any of its customers within the area of operations. The licensee has not notified IPART and the Minister in writing at least 14 days in advance. As soon as it realised there is a **non-compliance**, it should rectify the situation, and identify that it has **not complied with** clause 11 of Schedule 2 of the WIC (General) Regulation. The reporting frequency is classified as ‘immediate’ (see #6 in **Table A.1 below**). The licensee should follow the immediate licence **non-compliance** reporting requirements in section 2.1. The licensee should also report the **non-compliance** in its annual compliance report, following the reporting requirements in section 2.3.
- ▼ A licensee has not informed its customers of a water restriction that applies to them while the restriction is in force. As soon as it is aware of such a **non-compliance**, it should rectify the situation, and identify that it has **not complied with** the licence condition set out in WIC (General) Regulation Schedule 2, clause 12. The reporting frequency is classified as ‘annual’ (see #50 in **Table A.2 below**). The licensee should follow annual reporting requirements in section 2.3.

Table A.1 Retail Supplier – general reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
1	WIC Act s14(3)	WIC Act s14(3)	A Retail Supplier must pay the annual licence fee determined by the Minister.	Annual
2	WIC Act s18(2)	WIC Act s18(2)	A Retail Supplier must comply with any direction of the Minister to take specified action to reduce or eliminate a risk to public health or public safety arising from certain activities.	Immediate
3	WIC Act s50(1)	WIC Act s50(1)(a)	A Retail Supplier to small retail customers must be a member of an approved ombudsman scheme.	Annual
4	WIC Act s50(1)	WIC Act section 50(1)(b)	A Retail Supplier must comply with any decision of the ombudsman relating to a dispute or complaint with a small retail customer.	Annual
5	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(1)	A Retail Supplier must provide the Minister or IPART with such information as directed in relation to Licensee's activities under licence.	Annual
6	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(2)(a)	A Retail Supplier must immediately notify IPART of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
7	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(2)(b)	A Retail Supplier must immediately notify the Minister administering the <i>Public Health Act 2010</i> (NSW) and the <i>Public Health Regulation 2012</i> (NSW) of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
8	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(2)(c)	A Retail Supplier must immediately notify the Minister administering Part 2 of the <i>Water Industry Competition Act 2006</i> (NSW) of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
9	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(2)(d)	A Retail Supplier must immediately notify any licensed network operator by means of whose infrastructure the retailer supplies water or provides sewerage services of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
10	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(3)(a)	A Retail Supplier must permit the publication on IPART's website of matters recorded on the Register of licences.	Annual
11	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(3)(b)	A Retail Supplier must permit disclosure between government agencies of information the licensee has provided to any one of them.	Annual
12	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 1(3)(c)	A Retail Supplier must permit disclosure to the general public of information about reported incidents.	Annual
13	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 2(1)(a)	A Retail Supplier of small retail customers must implement any relevant government policy that applies to it.	Annual
14	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 2(1)(b)	A Retail Supplier of small retail customers must ensure the details of any relevant government policy are forwarded to each customer at least once a quarter.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
15	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 2(1)(c)	A Retail Supplier of small retail customers must furnish a report to IPART and the Department Head each quarter relating to the following: (i) the identity of each customer to whom any payment assistance, discount or rebate has been given during that quarter pursuant to any relevant government policy and (ii) the amount of any such payment assistance, discount or rebate.	Annual
16	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 2(1)(d)	A Retail Supplier of small retail customers must furnish a report to other Retail Suppliers to which there is a transfer of water supplies or sewerage services in respect of a customer referred to in paragraph 2(1)(c)(i) of Schedule 2 to the WIC (General) Regulation, as soon as practicable after the transfer takes effect as to: (i) the fact that the customer has been receiving any payment assistance, discount or rebate pursuant to any such policy and (ii) the amount of any such payment assistance, discount or rebate.	Annual
17	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 3	Any notice a Retail Supplier of small retail customers is required to send its customers must include or be accompanied by information (in various languages) about available community translation services.	Annual
18	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 4(1)(a)	A Retail Supplier of small retail customers must establish and comply with a code of practice for customer complaints whether in relation to: (i) the supply of water or the provision of sewerage services, by the Retail Supplier or (ii) the operation of the water or sewerage infrastructure from which that water is supplied or those services provided.	Annual
19	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 4(1)(b)	A Retail Supplier of small retail customers must provide copies of its code of practice for customer complaints to the Minister, IPART and the ombudsman.	Annual
20	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 4(1)(c)	A Retail Supplier of small retail customers must keep its customers informed as to (i) the provisions of the code of practice for customer complaints and (ii) the existence of and procedure for referring complaints or disputes to the ombudsman.	Annual
21	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 4(1)(d)	A Retail Supplier of small retail customers must furnish periodic reports to the Minister and IPART in relation to complaints it receives, in such form and containing such information as the Minister or IPART requires.	Annual
22	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 4(2)	A Retail Supplier of small retail customers' code of practice for customer complaints must conform to the requirements of AS/ISO 10002-2006.	Annual
23	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 5(1)(a)	A Retail Supplier of small retail customers must establish and comply with a code of practice for debt recovery.	Annual
24	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 5(1)(b)	A Retail Supplier of small retail customers must provide copies of its code of practice for debt recovery to the Minister, IPART and to the ombudsman.	Annual
25	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 5(1)(c)	A Retail Supplier of small retail customers must keep its customers informed as to the provisions of the code of practice for debt recovery.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
26	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 5(2)	A Retail Supplier of small retail customers' code of practice for debt recovery must provide for the deferment, in whole or in part, of payments owed by customers suffering financial hardship.	Annual
27	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 6	A Retail Supplier must comply with any water industry code of conduct, marketing code of conduct and transfer code of conduct.	Annual
28	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7(1)(a)	In its activities under the licence, a Retail Supplier must comply with the requirements of the <i>Environmental Planning and Assessment Act 1979</i> (NSW) and any environmental planning instruments under that Act.	Annual
29	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7(1)(b)	In its activities under the licence, a Retail Supplier must comply with the requirements of the <i>Protection of the Environment Operations Act 1997</i> (NSW) and any regulations under that Act, in relation to the protection of the environment.	Annual
30	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(1)(a)	Before commencing activities under a Retail Supplier's licence, a Retail Supplier must prepare and forward to IPART a retail supply management plan that indicates the arrangements the licensee has made, or proposes to make, in relation to the events and circumstances that could adversely affect the licensee's ability to supply water or provide sewerage services (or both), as authorised by the licence.	Annual
31	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(1)(b)	Before commencing activities under a Retail Supplier's licence, a Retail Supplier must prepare and forward to IPART a retail supply management plan that indicates the arrangements the licensee has made, or proposes to make, in relation to the probability of the occurrence of any such event or circumstance.	Annual
32	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(1)(c)	Before commencing activities under a Retail Supplier's licence, a Retail Supplier must prepare and forward to IPART a retail supply management plan that indicates the arrangements the licensee has made, or proposes to make, in relation to the measures to be taken by the licensee: <ul style="list-style-type: none"> (i) to prevent the occurrence, or minimise the effect, or any such event or circumstance and (ii) to arrange for alternative supplies of water or the provision of sewerage services (or both), as authorised by the licence, in response to any such event or circumstance. 	Annual
33	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(1)(d)	Before commencing activities under a Retail Supplier's licence, a Retail Supplier must prepare and forward to IPART a retail supply management plan that indicates the arrangements the licensee has made, or proposes to make, to ensure that it complies with <ul style="list-style-type: none"> (i) its code of practice for complaints by small retail customers and its code of practice for debt recovery from such customers and (ii) the marketing code of conduct and transfer code of conduct. 	Annual
34	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(2)(a)	The Retail Supplier must ensure that its retail supply management plan is fully implemented and kept under regular review and, in particular, that all of its activities are carried out in accordance with that plan.	Annual
35	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(2)(b)	The Retail Supplier must, if the Minister so directs, amend its retail supply management plan in accordance with the Minister's direction.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
36	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(3)(a)	If the Minister or IPART so demands, or if any significant change is made to its retail supply management plan, the Retail Supplier must provide the Minister or IPART with a report, prepared by an approved auditor in such manner and form as the Minister or IPART may direct, as to the adequacy of the plan.	Annual
37	WIC (General) Reg cl 13	WIC (General) Reg Schedule 2, cl 7A(3)(b)	Alternatively, the Retail Supplier must pay the Minister's or IPART's costs of conducting an investigation into the adequacy of the amended retail supply management plan.	Annual

a This refers to the timing of reporting on a non-compliance with the obligation in this table.

b Notification of an incident that threatens, or could threaten, water quality, public health or safety must be made in accordance with the document "Incident Notification by Network Operators and Retail Suppliers" available from our website at www.ipart.nsw.gov.au. However, where a Licensee has failed to provide immediate notification of an incident that should have been immediately notified, a breach of this licence obligation has occurred which must be reported immediately in accordance with sections 2.1 and 2.2 of this reporting manual

Table A.2 Retail Suppliers – water infrastructure – general reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
38	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 7B(1)(a)	The Retail Supplier must have an internet website on which the following matters are available for inspection by members of the public: (i) the Retail Supplier's standard water supply contract for small retail customers and (ii) the existence of any water restriction order that is in force in its area of operations.	Annual
39	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 7B(1)(c)	The Retail Supplier's website must contain the retail supply management plan.	Annual
40	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 7B(1)(d)	The Retail Supplier's website must contain the Retail Supplier's code of practice for complaints by small retail customers.	Annual
41	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 7B(1)(e)	The Retail Supplier's website must contain the Retail Supplier's code of practice for debt recovery from small retail customers.	Annual
42	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 7B(1)(f)	The Retail Supplier's website must contain details of any relevant government policy that applies to the Retail Supplier.	Annual
43	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 7B(1)(g)	The Retail Supplier's website must contain the most recent auditor's report on the retail supply management plan.	Annual
44	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 10(1)(a)	A Retail Supplier must not enter into water supply arrangements under which it assumes obligations that it is unable to meet, or advertise that it is willing to enter into such arrangements, having regard to the capacity of the relevant water source to supply water or the volume of water available to the Retail Supplier from that source.	Annual
45	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 10(1)(b)	A Retail Supplier must not enter into water supply arrangements under which it assumes obligations that it is unable to meet, or advertise that it is willing to enter into such arrangements, having regard to the quality of the water derived from that water source.	Annual
46	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 10(1)(c)	A Retail Supplier must not enter into water supply arrangements under which it assumes obligations that it is unable to meet, or advertise that it is willing to enter into such arrangements, having regard to the water infrastructure from which the water is to be supplied.	Annual
47	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 10(1)(d)	A Retail Supplier must not enter into water supply arrangements under which it assumes obligations that it is unable to meet, or advertise that it is willing to enter into such arrangements, having regard to the conditions on which the Retail Supplier has access to the infrastructure services provided by that infrastructure, whether pursuant to an access agreement or access determination or otherwise.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
48	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 10(2)	A Retail Supplier must not enter into a water supply arrangement with a customer unless the premises to which the water is to be supplied are connected to, or readily connectible to, a water main to which the licensee has access.	Annual
49	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 11	A Retail Supplier must not terminate the supply of water to any of its customers within the whole or any part of its area of operations unless it has given IPART and the Minister at least 14 days' written notice.	Immediate
50	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 12	A Retail Supplier must ensure its customers are kept informed of any water restriction that applies to them in any bill or other correspondence it sends to them while the restriction is in force.	Annual
51	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(1)	A Retail Supplier must not supply water to a small retail customer otherwise than under a water supply contract.	Annual
52	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(2)	A Retail Supplier of small retail customers' water supply contracts must address certain matters set out in the Table in clause 14 of Schedule 2 of the WIC (General) Regulation.	Annual
53	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(3)(a)	The contract to supply water of a Retail Supplier of small retail customers must provide that the licensee must not disconnect the customer's premises from the licensee's water main as a consequence of a customer's non-payment of a debt.	Annual
54	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(3)(b)	The contract to supply water of a Retail Supplier of small retail customers must provide that the licensee must not reduce the flow of drinking water from a Retail Supplier's main below that necessary for basic sustenance and hygiene as a consequence of a customer's non-payment of a debt.	Annual
55	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(4)	A Retail Supplier that proposes to supply water to a small retail customer on terms that are different from those set out in the licensee's standard water supply contract must notify the customer of the various differences before the customer enters into the contract.	Annual
56	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(5)(a)	Before entering into a contract to supply water to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the customer's name, and the address of the premises to be supplied.	Annual
57	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(5)(b)	Before entering into a contract to supply water to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the date on which supply is to commence.	Annual
58	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(5)(c)	Before entering into a contract to supply water to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the fees and charges that will be payable in respect of the supply.	Annual
59	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(5)(d)	Before entering into a contract to supply water to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the circumstances in which the customer's premises may be disconnected from the water main.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
60	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(5)(e)	Before entering into a contract to supply water to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the Retail Supplier's procedures for handling customer complaints.	Annual
61	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(5)(f)	Before entering into a contract to supply water to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the existence of any government-funded rebates for which the customer may be eligible.	Annual
62	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 14(5)(g)	Before entering into a contract to supply water to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies where the customer can obtain a copy of the contract.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.3 Retail Suppliers – supply of non-potable water – reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
63	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 9(1)(a)	A Retail Supplier of non-potable water must inform any customer to which such water is supplied as to the authorised purposes in relation to that water.	Annual
64	WIC (General) Reg cl 13(1)(a)	WIC (General) Reg Schedule 2, cl 9(1)(b) and cl 9(2)	A Retail Supplier of non-potable water must not supply such water to any customer for use for an unauthorised purpose unless the water is to be processed by the customer to become water for which that purpose is an authorised purpose.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.4 Retail Suppliers – provision of sewerage services – reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
65	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 7B(1)(b)	The Retail Supplier must have an internet website on which its sewerage service contract for small retail customers is available for inspection by members of the public.	Annual
66	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 7B(1)(c)	The Retail Supplier's website must contain the retail supply management plan.	Annual
67	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 7B(1)(d)	The Retail Supplier's website must contain the Retail Supplier's code of practice for complaints by small retail customers.	Annual
68	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 7B(1)(e)	The Retail Supplier's website must contain the Retail Supplier's code of practice for debt recovery from small retail customers.	Annual
69	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 7B(1)(f)	The Retail Supplier's website must contain details of any relevant government policy that applies to the Retail Supplier.	Annual
70	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 7B(1)(g)	The Retail Supplier's website must contain the most recent auditor's report on the retail supply management plan.	Annual
71	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 16(1)(a)	A Retail Supplier must not enter into sewerage service arrangements under which it assumes obligations that it is unable to meet, or advertise that it is willing to enter into such arrangements, having regard to the sewerage infrastructure from which those services are to be provided.	Annual
72	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 16(1)(b)	A Retail Supplier must not enter into sewerage service arrangements under which it assumes obligations that it is unable to meet, or advertise that it is willing to enter into such arrangements, having regard to any limitations on the capacity of that infrastructure to dispose of waste.	Annual
73	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 16(1)(c)	A Retail Supplier must not enter into sewerage service arrangements under which it assumes obligations that it is unable to meet, or advertise that it is willing to enter into such arrangements, having regard to the conditions on which the Retail Supplier has access to the infrastructure services provided by that infrastructure, whether pursuant to an access arrangement or access determination or otherwise.	Annual
74	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 16(2)	A Retail Supplier must not enter into a sewerage service arrangement with a customer unless the premises to which the water is to be supplied are connected to, or readily connectable to, a sewer main to which the licensee has access.	Annual
75	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 17	A Retail Supplier must not terminate the provision of sewerage services to any of its customers within the whole or any part of its area of operations unless it has given IPART and the Minister at least 14 days' written notice.	Immediate
76	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(1)	A Retail Supplier must not provide a sewerage service to a small retail customer otherwise than under a sewerage service contract.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
77	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(2)	A Retail Supplier's sewerage service contracts for small retail customers must address certain matters set out in the Table in clause 19 of Schedule 2 of the WIC (General) Regulation.	Annual
78	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(3)(a)	A Retail Supplier's sewerage contracts for small retail customers must provide that the licensee must not disconnect the customer's premises from the Retail Supplier's sewer main as a consequence of the customer's non-payment of a debt.	Annual
79	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(3)(b)	A Retail Supplier's sewerage contracts for small retail customers must provide that the licensee must not reduce the flow of sewage into a Retail Supplier's sewer main below that necessary for basic hygiene as a consequence of the customer's non-payment of a debt.	Annual
80	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(4)(a)	Before entering into a contract to supply a sewerage service to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the customer's name, and the address of the premises to be supplied.	Annual
81	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(4)(b)	Before entering into a contract to supply a sewerage service to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the date on which supply is to commence.	Annual
82	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(4)(c)	Before entering into a contract to supply a sewerage service to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the fees and charges that will be payable in respect of the supply.	Annual
83	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(4)(d)	Before entering into a contract to supply a sewerage service to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the circumstances in which the customer's premises may be disconnected from the sewer main.	Annual
84	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(4)(e)	Before entering into a contract to supply a sewerage service to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the Retail Supplier's procedures for handling customer complaints.	Annual
85	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(4)(f)	Before entering into a contract to supply a sewerage service to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies the existence of any government-funded rebates for which the customer may be eligible.	Annual
86	WIC (General) Reg cl 13(1)(b)	WIC (General) Reg Schedule 2, cl 19(4)(g)	Before entering into a contract to supply a sewerage service to a small retail customer, a Retail Supplier must provide the customer with a disclosure notice that specifies where the customer can obtain a copy of the contract.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.5 Retail Suppliers – Monopoly suppliers – reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
87	WIC Act s52(3)	WIC Act s52(3)	A monopoly supplier must comply with any IPART determination in relation to the pricing for any service in respect of which a declaration is in force under section 51.	Annual
88	WIC Act s53(1)	WIC Act s53	A monopoly supplier must, in accordance with the declaration for that service, supply that service to any eligible premises to which the owner of the premises requests the supplier to provide that service.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.6 Retail Suppliers – Retailers of Last Resort (RoLR) – reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
89	WIC Act s55(4)(a)	WIC Act s55(1)	As soon as practicable after becoming an RoLR, the RoLR must, in accordance with the regulations, submit a contingency plan for meeting their obligations for the Minister's approval.	Annual
90	WIC Act s55(4)(b)	WIC Act s55(4)(b)	A RoLR must maintain the arrangements set out in its contingency plan.	Annual
91	WIC Act s57(2)	WIC Act s57(2)	In the case of a RoLR that is a licensed retail supplier, compliance with a Ministerial order is a condition of the retail supplier's licence.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.7 Retail Suppliers - reporting requirements under Schedule A of the licence

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
92	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1, Table 1.1, A2.1, Table 2.1, A3.1 Table 3.1	The Retail Supplier and the authorised third parties have supplied water or provided sewerage services by means of the water industry infrastructure.	Annual
93	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1, Table 1.2, A2.1, Table 2.2, A3.1 Table 3.2	The Retail Supplier and the authorised third parties have supplied water or provided sewerage services by means of the water industry infrastructure specified in the licence.	Annual

94	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1, Table 1.3, A2.1, Table 2.3, A3.1 Table 3.3	The Retail Supplier and the authorised third parties have supplied water or provided sewerage services by means of the water industry infrastructure for the authorised purposes.	Annual
95	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1, Table 1.4, A2.1, Table 2.4, A3.1 Table 3.4	The Retail Supplier and the authorised third parties have supplied water or provided sewerage services within the area of operations specified in the licence.	Annual

a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.8 Retail Suppliers - reporting requirements under Schedule B of licence

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
96	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B1	The licensee must have the technical capacity to carry out the activities authorised by the licence. If the licensee ceases to have this capacity, it must report this to IPART immediately.	Immediate
97	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B1	The licensee must have the financial capacity to carry out the activities authorised by the licence. If the licensee ceases to have this capacity, it must report this to IPART immediately.	Immediate
98	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B1	The licensee must have the organisational capacity to carry out the activities authorised by the licence. If the licensee ceases to have this capacity, it must report this to IPART immediately.	Immediate
99	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B2.1(a), B2.2(a)(i), B2.3(a), B2.4(a)(i), B2.5(a), B2.6(a)(i)	Before commencing to supply water and/or provide sewerage services through the <i>Specified Water Industry Infrastructure</i> under the licence, the Retail Supplier must obtain insurance that is appropriate for the size and nature of the activities authorised under the licence.	Immediate
100	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B2.1(b), B2.2(a)(ii), B2.3(b), B2.4(a)(ii), B2.5(b), B2.6(a)(ii)	Before commencing to supply water and/or provide sewerage services through the <i>Specified Water Industry Infrastructure</i> under the licence, the Retail Supplier must provide a copy of each certificate of currency of the insurance obtained to IPART.	Immediate
101	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B2.1(c), B2.2(b), B2.3(c), B2.4(b), B2.5(c), B2.6(b)	<p>Before commencing to supply water and/or provide sewerage services through the <i>Specified Water Industry Infrastructure</i> under the licence/Within 6 months of the date on which the licence is granted or by a later date specified by IPART (if any), the licensee must demonstrate that the insurance obtained is appropriate for the size and nature of the activities authorised under the Licence by providing a report to IPART from an insurance expert that:</p> <ul style="list-style-type: none"> (i) certifies that in the insurance expert's opinion, the type and level of the insurance obtained by the licensee is appropriate for the size and nature of the activities authorised by the licence (ii) is in the form prescribed by the reporting manual (see Appendix I). 	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
102	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.1	The Retail Supplier must maintain insurance that is appropriate for the size and nature of the activities authorised under the licence.	Annual
103	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.2	The Retail Supplier must provide a copy of each certificate of currency of the insurance maintained by the licensee to IPART in accordance with the reporting manual.	Annual
104	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.3	If there is to be a change in: <ul style="list-style-type: none"> a) the insurer or underwriting panel in respect of an insurance policy held by the licensee; or b) the type, scope or limit on the amount of insurance held by the licensee, in relation to the activities authorised under the licence, the licensee must provide a report to IPART in accordance with the reporting manual.	Annual
105	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.4	When requested in writing by IPART, the Retail Supplier must provide a report to IPART, in the manner, form and time specified by IPART, from an insurance expert, certifying that in the insurance expert's opinion, the type and level of insurance held by the licensee is appropriate for the size and nature of the activities authorised under the licence.	Annual
106	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B4	The Retail Supplier must carry out activities authorised by the licence in compliance with any requirements of NSW Health that IPART has agreed to and are notified from time to time to the licensee by IPART in writing.	Immediate
107	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B5	The Retail Supplier must comply with any Audit Guidelines issued by IPART.	Annual
108	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B6	The Retail Supplier must prepare and submit reports in accordance with the reporting manual.	Annual
109	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(a)	Within 14 days of any change to any licensed network operator or public water utility from whose the <i>Specified Water Industry Infrastructure</i> the licensee supplies water to its customers, the Retail Supplier must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
110	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(b)	Within 14 days of any change to any source from which the water handled by the <i>Specified Water Industry Infrastructure</i> is derived, the Retail Supplier must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
111	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(c)	Within 14 days of any change to whether or not any of the Retail Supplier's (water supply) customers are small retail customers, the licensee must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
112	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(d)	Within 14 days of any change to any order under section 54 of the Act by which the Retail Supplier is declared to be a retailer of last resort (for water supply services), the licensee must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
113	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(e)	Within 14 days of any change to any licensed network operator or public water utility by means of whose sewerage infrastructure the Retail Supplier provides sewerage services to its customers, the licensee must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
114	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(f)	Within 14 days of any change to whether or not any of the licensee's (sewerage services) customers are small retail customers, the Retail Supplier must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
115	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(g)	Within 14 days of any change to any order under section 54 of the Act by which the Retail Supplier is declared to be a retailer of last resort (for sewerage services), the licensee must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
116	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B8.1	Whenever the Retail Supplier makes a significant amendment to a Plan, the licensee must provide a copy of the amended Plan to IPART at the same time that it provides a copy to the approved auditor engaged to prepare a report as to the adequacy of the amended Plan, as required under the WIC (General) Regulation.	Immediate
117	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.1	Delineating responsibility – interconnections If a code of conduct has not been established under cl. 25 of the WIC (General) Regulation, the Retail Supplier must establish its own code of conduct by the date specified by IPART.	Annual
118	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.2(a)	The Retail Supplier's Code of Conduct must set out the respective responsibilities of the Licensee.	Annual
119	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.2(b),(c)	The Retail Supplier's <i>Code of Conduct</i> must set out the respective responsibilities of each licensed network operator, licensed Retail Supplier and/or public water utility that: <ul style="list-style-type: none"> ▼ supplies water, provides sewerage services by means of; or ▼ constructs, maintains or operates any water industry infrastructure that is connected to <i>Specified Water Industry Infrastructure</i> ; by, at a minimum, providing for who is responsible for repairing, replacing or maintaining any pipes, pumps, valves, storages or other infrastructure connecting the <i>Specified Water Industry Infrastructure</i> to the other water industry infrastructure.	Annual
120	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.2(d)	The Retail Supplier's <i>Code of Conduct</i> must set out of the respective responsibilities of who is responsible for water quality.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
121	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.2(e)	The Retail Supplier's <i>Code of Conduct</i> must set out who is liable in the event of unavailability of water.	Annual
122	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.2(f)	The Retail Supplier's <i>Code of Conduct</i> must set out who is liable in the event of failure of the <i>Specified Water Industry Infrastructure</i> .	Annual
123	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.2(g)	The Retail Supplier's <i>Code of Conduct</i> must set out the fees and charges payable in respect of the use of the <i>Specified Water Industry Infrastructure</i> .	Annual
124	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.2(h)	The Retail Supplier's <i>Code of Conduct</i> must set out who is responsible for handling customer complaints.	Annual
125	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.3 or B9.4	<ul style="list-style-type: none"> ▼ Greenfield schemes: Before commencing commercial operation through the <i>Specified Water Industry Infrastructure</i> under the licence or by a later date specified by IPART (if any); ▼ Brownfield schemes: Within 6 months of the date on which the licence is granted or by a later date specified by IPART (if any); <p>the Retail Supplier's <i>Code of Conduct</i> must be agreed in writing between the Licensee and other licensed network operators, licensed Retail Suppliers and/or public water utilities.</p>	Annual
126	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9.5	The Retail Supplier must not contravene the Licensee's <i>Code of Conduct</i> to the extent that it makes the Licensee responsible or liable for the matters set out in it.	Annual
127	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.1	If an Authorised Person ceases, proposes to cease, or receives notification to cease providing any of the services relating to the activities authorised by the licence, the Retail Supplier must provide IPART with written notice as soon as practicable but no later than 28 days before the date of cessation of the services. The written notice must include details of how the services previously undertaken by the Authorised Person will continue to be undertaken.	Immediate
128	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B11.1 and/or B11.2	The Retail Supplier must only source and supply water, or provide sewerage services, by means of water industry infrastructure maintained and operated by a licensed network operator or public water utility.	Immediate
129	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B12.2(a)	The Retail Supplier must notify IPART in accordance with the reporting manual that it has commenced to supply water through the relevant <i>Specified Water Industry Infrastructure</i> under the licence.	Immediate
130	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B12.2(b)	The Retail Supplier must provide such notification within 10 days after such commencement.	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
131	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B12.3(a)	The Retail Supplier must notify IPART in accordance with the reporting manual that it has commenced to provide sewerage services through the relevant <i>Specified Water Industry Infrastructure</i> under the licence.	Immediate
132	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B12.3(b)	The Retail Supplier must provide such notification within 10 days after such commencement.	Immediate

a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.9 Retail Suppliers – specified Licensees only^a

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^b
#	[Licensee's name], Licence number #	Schedule A, cl A#	[Brief description]	[Immediate/ Annual]
#	[Licensee's name], Licence number #	Schedule A, cl A#	[Brief description]	[Immediate/ Annual]

a Some Licensees will be subject to non-standard Ministerially-imposed licence conditions specific to their licensed activities. At this point in time, IPART anticipates that non-standard Ministerially-imposed licence conditions will be the exception, rather than the rule. Please contact IPART if this applies to your licence.

b This refers to the timing of reporting on a non-compliance with the obligation in this table.

B Immediate licence non-compliance report template

Immediate licence non-compliance report

Time of licence non-compliance *[Insert date and time]*

Submitted by [Licensee]

ACN: [ACN]

[Licensee] reports as follows:

1. The company currently holds the following New South Wales WIC Act Licence(s) (strike out any that do not apply):
 - Retail Supplier
 - Network Operator
2. On *[Insert date]* and at *[insert time]*, **there was/were (a) non-compliance(s)** with the following licence clause(s):

*[Insert licence clauses(s) **that were non-compliant**]*
3. This report has been prepared by [Licensee] with all due care and skill, **using all reasonable efforts to verify** that all information provided in the report is **true and correct**, in full knowledge of conditions to which **the Licensee** is subject and in compliance with IPART's current Retail Supplier's Reporting Manual under the *Water Industry Competition Act 2006* (NSW).
4. Schedule A provides information on the licence non-compliance(s) incurred by [Licensee].
5. Once the licence **non-compliance(s)** have been rectified, [Licensee] will notify IPART of the actual date of full compliance.

IPART should liaise with [Name of primary contact] when communicating with [Licensee] with regard to the non-compliance. [Name of primary contact] may be contacted at [telephone number], [email address].

If [Name of primary contact] is unavailable at any time, IPART should liaise with [Name of alternate contact]. [Name of alternate contact] may be contacted at [telephone number], [email address].

Signed for and on behalf of

[Insert Licensee's Name]

ACN *[Insert ACN of Licensee]*



[signature of Director/Company Secretary] *[signature of Director]*

Name of Director/Company Secretary Name of Director
[Print name] *[Print name]*

(Strike out any that do not apply)

Schedule A Details of licence non-compliance(s)

Details of licence non-compliance	
Date and time that IPART <i>Director, Regulation & Compliance</i> was verbally notified of the non-compliance	
The obligation with which the licensee is non-compliant	
Extent and nature of non-compliance (brief description)	
How many customers are affected?	
How many other licensees are affected?	
Reason(s) for the licence non-compliance	
Corrective action(s) taken to rectify the non-compliance and preventive actions taken to minimise reoccurrence of the non-compliance	
Contact details for person managing response to event	Name: Telephone number: Email address: Address:
Anticipated date of full compliance	

C Checklist for annual reporting

By no later than **1 September** each year, all licensees must lodge an electronic **copy, and if requested a hard copy, of** their Annual Compliance Report comprising of the following:

- Annual Compliance Report Certification (**Appendix D**)
- Licence **non-compliance** schedule (**schedule A in Appendix D**)
- Performance indicators and licence data (**schedule B in Appendix D**)
- Name and contact details (phone, email) of the main person we can liaise with when assessing the licensee's compliance. Please also nominate an alternate person for those times when the main contact is unavailable.

D Annual compliance report template

Annual Compliance Report *[Insert Year]*

For 20__/__/__

Submitted by [Licensee]

ACN: [ACN]

To: The Chief Executive Officer
Independent Pricing and Regulatory Tribunal of NSW
PO Box K35
Haymarket Post Shop NSW 1240

[Licensee] reports as follows:

1. This report:

- a) documents all non-compliances with the licence conditions to which [Licensee] is subject by virtue of its Retail Supplier's licence during [most recent financial year ending 30 June]; and
- b) includes all Performance Indicators and Licence Data about [Licensee's] operations required to be reported in accordance with Schedule B of this Reporting Manual.

2. This report has been prepared by [Licensee] with all due care and skill, including to ensure that all information provided in the report is accurate and reliable, in full knowledge of conditions to which it is subject and in compliance with IPART's current Retail Supplier's Reporting Manual under the *Water Industry Competition Act 2006* (NSW).
3. Schedule A provides information on all obligations with which [Licensee] did not fully comply during [financial year].
4. Other than the information provided in Schedule A, [Licensee] has complied with all conditions to which it is subject.

IPART should liaise with [Name of primary contact] in regard to [Licensee] Annual Compliance Report. [Name of primary contact] may be contacted at [telephone number], [email address].

If [Name of primary contact] is unavailable at any time, IPART should liaise with [Name of alternate contact]. [Name of alternate contact] may be contacted at [telephone number], [email address].

Signed for and on behalf of
[Insert Licensee's Name]
ACN *[Insert ACN of Licensee]*

[signature of Director/Company Secretary] *[signature of Director]*

Name of Director/Company Secretary Name of Director
[Print name] *[Print name]*

(Strike out any that do not apply)

Schedule A Non Compliances¹²

# ^a	List obligations breached, including a brief description of each obligation ^b	Describe:
		<ul style="list-style-type: none">i Date or period of licence non-complianceii Nature and extent of licence non-compliance (including whether and how many customers and/or other licensees have been affected)iii Reasons for licence non-complianceiv Remedial action takenv Actual/anticipated date of full compliance

[Insert rows as required]

^a See Appendix A. Licensees should indicate the relevant requirement number in column 1, for example, Retail Supplier #37.

^b See Appendix A. Licensees should include, for example: WIC (General) Reg cl 13, WIC (General) Reg Schedule 2, cl 1(1) - A Retail Supplier must provide the Minister or IPART with such information as required in relation to licensee's activities under licence.

¹² Licensees should report only non-compliances that were identified during the reporting period.

Schedule B

Table 1 - Performance indicators¹³

Indicator set	Performance indicator # ^a	Report in relation to indicator
Assets		
Customer		
<i>[Insert rows as required]</i>		

^c See Appendix E.

Table 2 - Licence data

Licence data#	Licence data ^a
L1	
L2	
<i>[Insert rows as required]</i>	

^d See Appendix F.

Note: This template is available in Excel format at IPART's website.

¹³ The Licensee must report against all applicable indicators, as determined by IPART in consultation with the Licensee.

E IPART performance indicators

The table in this Appendix E sets out the performance indicators developed by IPART that WIC Act Retail Suppliers must report on.

Table E.1 Proposed IPART performance indicators

Performance area	Indicator number	Indicator	Definition
Assets	A1	Number of properties that experience an unplanned water interruption that lasts for more than five continuous hours	Number of properties that experience an unplanned water interruption that lasts for more than five continuous hours in the financial year.
	A2	Number of properties that experience three or more unplanned water interruptions that each lasts for more than one hour	Number of properties that experience three or more water interruptions that each lasts for more than one hour in the financial year.
	A3 ^a	Total number of unplanned water interruptions – water supply	The total number of unplanned interruptions where customers are without potable water supply, during the reporting year (interruptions).
	A4 ^b	Average duration of unplanned water interruptions – water supply	The average duration for which a customer is without potable water, due to an unplanned supply interruption during the reporting year minutes (minutes).
	A10	Number of properties that experience a water pressure failure	Number of properties that experience a water pressure failure in the financial year.
	A11	Number of properties (other than public properties) that experience an uncontrolled wastewater overflow in dry weather	Number of properties (other than public properties) that experience an uncontrolled wastewater overflow in dry weather in the financial year.
	A12	Number of properties (other than public properties) that experience three or more uncontrolled wastewater overflows in dry weather	Number of properties (other than public properties) that experience three or more uncontrolled wastewater overflows in dry weather in the financial year.
Customers	No indicators required.		

^a NWI indicator IC17

^b NWI indicator C15

Definitions

Property

Means any single real property which is connected to the water utility's drinking water supply system, to the water utility's sewerage system or to the water utility's non-potable (or recycled) water system and a charge for the services provided by one or more of those systems is levied on the owner of the real property;

Uncontrolled wastewater overflow

Refer to the WIC Act utility's current Infrastructure Operating Plan for a definition of when a property is taken to have experienced an Uncontrolled Wastewater Overflow.

Water Pressure Failure

Refer to the WIC Act utility's current Infrastructure Operating Plan for a definition of when a property is taken to have experienced Water Pressure Failure if it breaches the System Performance Standard for water pressure.

For the purpose of this indicator:

A Property is taken to have experienced a Water Pressure Failure:

- a) when a person notifies the water utility that the Property has experienced a Water Pressure Failure and the water utility confirms that the Property has experienced a Water Pressure Failure; or
- b) when the water utility identifies that the Property has experienced a Water Pressure Failure (including through its data collection systems and hydraulic analysis).

Despite above, a Property will not be taken to have experienced a Water Pressure Failure if that Water Pressure Failure occurred only because of:

- a) water usage in the case of a fire or other abnormal demand; or
- b) a short term or temporary operational problem (such as a main break) which is remedied within Four days of its commencement.

Unplanned Water Interruption

Means an event which:¹⁴

- a) commences when the supply of Drinking Water at the first cold water tap of a Property is interrupted without the Customer or Consumer having received prior notice of that interruption from the water utility; and
- b) ceases when a normal supply of Drinking Water is restored to the Property referred to in paragraph (a).

¹⁴ Sydney Water Operating Licence 2015-2020 12.1 Definitions and Hunter Water Operating Licence 2017-2022 7.1 Definitions

F Licence data

IPART requires the information outlined below for administrative purposes (ie, to calculate the annual fees of WIC Act Retail Suppliers) and to inform our risk-based compliance approach.¹⁵ Before 1 July 2018 IPART collected that information under the Performance Indicators section. As that information does not relate to water utilities' performance, we are now collecting it separately. The Licensee is to report these under Table 2 in the Schedule B under Appendix D.

¹⁵ *Water Industry Competition Act 2006* (NSW), s14.

Table F.1 Licence data for Retail Suppliers

Data number	Licence data	Definition
L1 ^a	Total volume of water supplied (ML)	The total volume of drinking and non-potable water supplied, including for environmental flows and bulk water exports in the financial year.
L2 ^b	Total volume of non-potable water supplied (ML)	The total volume of non-potable water supplied by the utility during the reporting year, in megalitres (ML).
L3 ^c	Total volume of wastewater collected (ML)	The total volume of wastewater collected by the utility during the reporting year, in megalitres (ML).
L4 ^d	Connected residential properties – water supply (000s)	The number of connected residential properties receiving water supply services from the utility during the reporting year (properties 000s).
L5 ^e	Connected non-residential properties – water supply (000s)	The number of connected non-residential properties receiving water supply services from the utility during the reporting year (properties 000s).
L6	Connected residential properties – wastewater (000s)	The number of connected residential properties receiving wastewater services from the utility during the reporting year (properties 000s).
L7	Connected non-residential properties – wastewater (000s)	The number of connected non-residential properties receiving wastewater services from the utility during the reporting year (properties 000s).
L8 ^f	Connected residential properties – recycled water supply (000s)	The number of connected residential properties receiving recycled water services from the utility during the reporting year (properties 000s).
L9 ^g	Connected non-residential properties – recycled water supply (000s)	The number of connected non-residential properties receiving recycled water services from the utility during the reporting year (properties 000s).

^a Current indicator WIC Act#18 in Retail Suppliers Reporting Manual

^b NWI indicator W26

^c NWI indicator W18

^d NWI indicator C2

^e NWI indicator C3

^f NWI indicator C6

^g NWI indicator C7

Definitions

Property: as per performance indicators definitions.

Connected residential properties include:¹⁶

- ▼ each apartment in a high-rise apartment complex
- ▼ each property in a department of housing unit complex
- ▼ each individual stand-alone residential property within a retirement village.

Connected non-residential properties include:¹⁷

- ▼ commercial and municipal properties
- ▼ shopping centres
- ▼ schools, universities, and technical colleges (TAFEs),
- ▼ hospitals and nursing homes
- ▼ shopping centres with separate connections for each shop are to be counted as one non-residential connection.

¹⁶ Supporting notes to NWI indicator C2, National urban water utility performance reporting framework: indicators and definitions handbook, January 2018

¹⁷ Supporting notes to NWI indicator C3, *ibid*

G Insurance expert's report template

It is a standard Licence condition for all licensed retailer suppliers under the WIC Act to obtain appropriate insurance prior to commencing commercial operation of the infrastructure (see Schedule B, clause B2 of the licence for full details).

Licensees must demonstrate that the insurance they have obtained is appropriate. This is established by providing a report to IPART from an insurance expert, certifying that in the insurance expert's opinion, the type and level of insurance obtained is appropriate for the size and nature of the activities authorised under the licence, and attaching all certificates of currency of insurances obtained. The insurance expert must be an insurance broker, holding an Australian financial services licence (AFSL) under Part 7.6 of the *Corporations Act 2001* (Cth) that authorises it to provide financial product advice for, and deal in, insurance contracts.

The report must be in the form prescribed by the reporting manual. This form is set out below. The report should also set out the insurance expert's AFSL number and ABN (or attach a copy of an AFS licence register search from ASIC providing these details). The expert must be able to state in the report that they have no conflicts of interest preventing them from providing the report.

This report may take four to six weeks (or potentially longer) to obtain, as it will require the insurance expert to undertake or review a risk assessment of the licensed activities in order to provide the information required in the report. Licensees should allow for sufficient time to obtain the report before commencing supply of retail services (or, for Brownfield schemes that have already commenced retail supply, within six months of the date on which the licence is granted or by a later date specified by IPART (if any)).

Insurance expert's report template

The insurance expert's report required under licence condition B2 is to contain a certification statement with supporting attachments. The below certification statement is to be provided on the insurance broker's letterhead and signed by a Partner, Director or Senior Manager of the brokerage.

[Licensee's name and ACN] (Licensee) has engaged [Insurance broker's name, ACN and Australian financial services licence number] to provide this report to the Independent Pricing and Regulatory Tribunal (IPART).

This report concerns the licensee's insurance arrangements in relation to the activities authorised under the Network Operator's licence [insert No.] and/or Retail Supplier's licence [insert No.] (Licence) granted to the licensee under the *Water Industry Competition Act 2006* (NSW) (Act). Those activities are [enter a brief description of the authorised activities eg, the construction, operation and maintenance of and/or supply of recycled water from, the recycled water scheme at Rooty Hill]. The provision of this report is required by licence condition B2.

Licensee's Insurance Arrangements

The attached Schedule A sets out:

- ▼ the type and level of insurance obtained by the licensee in relation to the activities authorised under the licence (Licensee's insurance arrangements), and
- ▼ the reasons as to why the Licensee's Insurance Arrangements are appropriate for the size and nature of the activities authorised under the licence.

Certification

[Insurance broker's name] certifies to IPART that in its opinion, the Licensee's Insurance Arrangements are appropriate for the size and nature of the activities authorised under the Licence. In reaching this opinion, [Insurance broker's name] has:

- ▼ identified and analysed the key risks of the licensee undertaking the activities authorised by the licence as set out in the attached Schedule C, using the approach or methodology set out in the attached Schedule B
- ▼ reviewed the Licensee's Insurance Arrangements, and
- ▼ based on the information set out below:
 - considered whether the Licensee's Insurance Arrangements are appropriate for the size and nature of the activities authorised under the licence using the risk analysis set out in the attached Schedule C, and
 - considered any risks that remain wholly or partially uninsured and explained in the attached Schedule D what those risks are, why they are wholly or partially uninsured, and why this does not affect the certification given in this report.

In preparing this report, [Insurance broker's name] has:

- ▼ been briefed by the licensee on the activities authorised by the licence and on the Licensee's Insurance Arrangements

- ▼ reviewed the risk assessment in the following operational plans provided by the licensee:
 - Network Operator's Water Quality Plan [*delete if not applicable*]
 - Network Operator's Sewage Management Plan [*delete if not applicable*]
 - Network Operator's Infrastructure Operating Plan [*delete if not applicable*]
 - Retail Supplier's Retail Supply Management Plan [*delete if not applicable*]
- ▼ reviewed the risk register developed by the licensee
- ▼ reviewed evidence of the licensee's current insurance policies, or of the insurance policies that the licensee will obtain before commencing commercial operation or supply of services, in the form of certificates of currency (where currently available) and the relevant policy schedules and policy wording. Where an insurance policy is written in a foreign language, [*Insurance broker's name*] has reviewed an English translation or English summary of the policy, and
- ▼ [*insert details of other information/ documents reviewed or any other inquiries made*].

Acknowledgments

[*Insurance broker's name*] has prepared this report for the licensee.

[*Insurance broker's name*] acknowledges that IPART may disclose this report:

- ▼ to the Minister administering the Act (Minister) and the Department of Planning and Environment (which currently administers the Act on the Minister's behalf), and
- ▼ under the *Government Information (Public Access) Act 2009* (NSW) or the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), or where otherwise required by law.

[*Insurance broker's name*] also acknowledges that this report is for the benefit of the Minister and IPART, and that the Minister and IPART will rely on the report in performing their respective functions under the Act.

[*Include the following section if attaching certificates of currency to this report on behalf of the licensee*]

Certificates of Currency

All certificates of currency for the insurances are attached in Schedule E.

[*Insert page break*]

SCHEDULE A: Summary of current insurance arrangements

Include a brief statement of the insurance arrangements the licensee has or intends to have in place prior to commencing commercial operation and/or supply of services.

For each insurance policy, the following information is to be summarised:

Policy type/class	<i>(eg, Public & Products Liability, Professional Indemnity, Industrial Special Risks, Environmental Impairment Liability, Workers Compensation, etc)</i>
Parties Insured	<i>[full name of entity to be insured – ensure covers the licensee, particularly where the licensee is a subsidiary company]</i>
Policy number	
Policy period	
Insurer	
Risks/Interests insured	<i>[Summary of what the insurance covers]</i>
Limit of Liability, including notable sub-limits	<i>[eg, \$ amount/s or ‘as provided under Legislation’]</i>
Key Exclusions	
Policy Extensions	<i>[if applicable]</i>
Geographical Limits	
Evidence of Policy	<i>[ie, Policy Wording & Schedules (or Policy summary/translation where policy issued in another language); Certificate of Currency dated x (where available)]</i>
Appropriateness of Policy	<i>[insert commentary]</i>

[Insert page break]

SCHEDULE B: Risk profiling and analysis approach

Insert details of the approach used to identify and analyse risks. All business risks must be considered, whether insurable or not. The approach used should be consistent with the International Standard ISO 31000-2009, Risk Management – Principles and guidelines, as published by the International Organization for Standardization.

Explain how the risk is evaluated (or rated) and set out your risk evaluation criteria or descriptors in tables below.

[Insert page break]

SCHEDULE C: Insurable risk analysis – key risks

Set out in table form the following:

- ▼ each key risk identified, including a general risk type (eg, Product liability – water; Financial risks; etc) and a more detailed description of the risk or the risk scenario identified (eg, product causing property damage or personal injury; failure of critical equipment; inadequate funds available resulting in licensee’s bankruptcy; etc)
- ▼ your assessment or evaluation of the consequences of each key risk, including your risk rating (eg, this will be numbers and/ or descriptors, as described in Schedule B)
- ▼ an indication of whether or not the key risk is insurable or not (eg, yes/no/partially)
- ▼ an indication of what the applicable insurance or insurances for that key risk would be (ie, the policy type)
- ▼ an indication of whether the key risk is in fact insured (eg, yes/no/partially)
- ▼ any further insurance comments on the insurance cover for the risk (eg, extent of the cover) and the appropriateness of that cover (eg, This exposure will be picked up under the property policies of the asset owner; Generally the combined liability policy will provide cover for these risks, except in relation to...; etc)

[Insert page break]

SCHEDULE D: Wholly or partially uninsured risks

For each key risk that is currently wholly or partially uninsured, the following information should be set out in table form:

- ▼ a description of each wholly or partially uninsured risk (eg, Legislative non-compliances of WHS, environmental, etc; Asset damage; Inadequate funds available resulting in licensee's bankruptcy; etc)
- ▼ whether there is an available insurance solution (eg, Yes, No, Partial or an explanatory comment such as: 'A statutory liability policy is available to provide cover for innocent non-compliances of legislation', etc) and
- ▼ comment as to why the risk is wholly or partially uninsured, and why this does not affect the certification given in this report (eg, A commercial decision has been made to self insure these exposures, and it is not considered a material risk exposure with respect to the licensee's project; Responsibility for insurance of the asset rests with the owner of the asset, not the licensee; Such cover is not typically purchased due to the high cost of obtaining such cover and therefore the licensee's insurance arrangements are considered standard industry practice; etc).

[Insert page break]

SCHEDULE E: Certificates of currency

The insurance broker may attach certificates of currency to the report where the insurances are already in place. If the certificates of currency are not attached to the report, the licensee must separately provide them to IPART before commencing commercial operation or supply of services.