

Water Compliance Reporting Manual

Water Services Act 2012

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Economic Regulation Authority

WESTERN AUSTRALIA

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1. Introduction

The licensing of water services in Western Australia is provided for under the *Water Services Act 2012*. The Act creates four licence classifications:

- Water supply services (which is further categorised into potable and non-potable water supply services)
- Sewerage services
- Irrigation services
- Drainage services.

The ERA is responsible for administering the licensing scheme under the Act, including granting licences and determining their terms and conditions. An entity licensed by the ERA is required to comply with a range of obligations prescribed by the Act and its associated regulations.

It is the ERA's responsibility under the Act to monitor and report to the Minister for Water on the performance of water service providers, the water industry and the operation of the licensing scheme. The ERA is required to inform the Minister of any failure by a licensee to comply with its licence conditions.

It is important that there is a shared understanding amongst all stakeholders about the licence terms and conditions that are applicable to a licensee and the way in which the ERA will fulfil its responsibilities under the Act, including monitoring and reporting on licence compliance. In support of this objective the ERA has issued this Water Compliance Reporting Manual (Reporting Manual) to provide:

- A consolidated list of the licence obligations relevant to all licensees.
- Categorisation of licence conditions to assist with reporting obligations.
- A self-assessment framework for licensees to facilitate compliance with licence conditions and report non-compliances to the ERA.
- The format and timing of the reports that licensees must provide to the ERA.

The Reporting Manual identifies all the compliance requirements for water supply, sewerage, drainage and irrigation licensees. Compliance requirements vary for some types of operating licences. Licensees are encouraged to make note of the compliance requirements that apply to them based on their licence type and circumstances.

Performance reporting is discussed in Section 3 of this Reporting Manual.

1.1 Structure of reporting manual

This Reporting Manual is structured as follows:

- Section 3 details the nature of licensees' performance reporting requirements, including the timing of reporting and lodging requirements.
- Section 4 details the classification criteria for licence obligations.
- Section 5 details the nature of licensees' compliance reporting requirements, including the timing of reporting and lodging requirements.
- Section 6 details the format of the compliance report template.
- Section 7 details the format for reporting a non-compliance.
- Section 8 details the Type 1 reporting obligations for all licence types (i.e. where immediate notification to the ERA is required).
- Sections 9, 10, 11 and 13 detail the licence obligations applicable to each licence under the following legislative and regulatory instruments:
 - *Water Services Act 2012* (Section 9)
 - *Water Services Regulations 2013* (Section 10)
 - *Water Services Code of Conduct (Customer Service Standards) 2018* (Section 11)
 - *Water Services Code of Practice (Family Violence) 2020* (Section 13).
- Section 12 details the licence conditions.

While the ERA has taken care to compile the compliance and reporting requirements for water supply, sewerage, drainage and irrigation licensees, the omission of an obligation in this Reporting Manual does not imply a licensee is exempt from complying with that obligation. Licensees must ensure they are aware of the obligations relevant to their licence and take measures to comply with these obligations.

In Sections 8 to 13 of this Reporting Manual, the ERA's policy is to, where possible, retain the obligation numbering despite changes in legislation. This may result in some numbers being designated as 'Not used' where the original legislative requirement has been rescinded.

2. Amending this reporting manual

The ERA may amend this Reporting Manual from time to time to:

- reflect amendments to the Act
- include references to new licence obligations
- delete references to obsolete or replaced obligations
- amend the performance information that must be provided to the ERA
- improve the compliance and reporting process
- to correct any errors.

The ERA will consult with licensees, and other stakeholders as appropriate, prior to making any significant revisions to this Reporting Manual.

3. Performance reporting

Urban Framework

Western Australia signed the National Water Initiative Agreement (NWI Agreement) in 2006, joining the Commonwealth and the other States and Territories.¹ Under the NWI Agreement, the signatories agreed to report independently, publicly and on an annual basis; benchmarking data on the pricing and service quality of urban and rural water delivery agencies. The parties to the NWI Agreement have convened a Technical Reference Group to oversee the publication of annual reports on the performance of urban utilities.

To assist urban utilities with their reporting obligations under the NWI Agreement the Technical Reference Group has developed a performance reporting framework for urban utilities (Urban Framework), which comprises two documents:

- A handbook containing performance reporting indicators and definitions.
- A handbook containing the auditing requirements for the Urban Framework.

The handbooks are published by the Bureau of Meteorology.

The Urban Framework captures all urban utilities that service 10,000 or more connected properties. In Western Australia, the licences of potable water and sewerage service providers that are captured by the Urban Framework include a condition requiring these licensees to provide the ERA with annual performance data in accordance with the Framework.²

All licensees

All water licences include a condition requiring the licensee to provide to the ERA performance data specified in the ERA's *Water, Sewerage and Irrigation Performance Reporting Handbook*.

The Reporting Handbook provides the specific performance indicators for each water service undertaken by the licensee.

For further information on performance reporting refer to the Reporting Handbook, available on the ERA's website.³

3.1 Lodgement of performance reports

The Reporting Handbook specifies:

- the performance indicators that licensees are required to report against
- the definitions to be applied to the performance indicators in the performance reports
- how to calculate the performance data (where applicable)
- how and when the data is to be provided to the ERA.

Licensees are advised to refer to the Reporting Handbook for further information how to lodge their annual performance data with the ERA.

¹ The original signatory representing the Commonwealth in the NWI was the National Water Commission (NWC), which was abolished by the Australian Government in June 2015. Representation of the Commonwealth was subsequently transferred to the Bureau of Meteorology (BoM).

² For further information on NWI reporting, refer to the BoM website: <http://www.bom.gov.au/water/npr/>

³ <https://www.erawa.com.au/water/water-licensing/regulatory-guidelines>

4. Classification of compliance obligations

Table 1 sets out criteria that seek to balance:

- The cost to licensees of monitoring and reporting against their compliance obligations:
 - For example, through the suitable classification of obligations that are inherently unmeasurable or that have minimal effect on a licensee’s operations or customers. This objective has been realised through an ‘exception-based’ reporting framework for Type 2 breaches.
- Providing appropriate incentives to licensees to ensure that regulatory obligations are adhered to and that non-compliances do not become systemic:
 - For example, through a weighting towards the classification of obligations as Type 2 and the ability to reclassify non-compliances in circumstances where, although the effect may not be significant, the incidence of non-compliance has become systemic.

Table 1: Criteria for classification of compliance obligations

Rating (Type)	Classification of non-compliance	Criteria for classification
1	Major	<ul style="list-style-type: none"> • The consequences of non-compliance will cause major damage, loss or disruption to customers. or • The consequences of non-compliance will endanger or threaten to endanger the safety or health of a person.
2	Moderate	<ul style="list-style-type: none"> • The consequences of non-compliance will affect the efficiency and effectiveness of the licensee’s operations or service provision, but will not cause major damage, loss or disruption to customers. or • The regulatory obligation is not otherwise classified as Type 1 or Type NR non-compliance. <p>Reclassification of Type 2 to Type 1 may occur in circumstances of systemic non-compliance.</p>
NR (not reportable) ⁴	Minor	<ul style="list-style-type: none"> • The consequences of non-compliance are relatively minor – i.e. non-compliance will have minimal effect on the licensee’s operations or service provision, and will not cause damage, loss or disruption to customers. • Compliance with the obligation is immeasurable. • The non-compliance is required to be reported to the Regulator under another instrument, guideline or code. • The non-compliance is identified by a party other than the licensee. or • The licensee only needs to use its reasonable endeavours or best endeavours to achieve compliance, or the obligation does not otherwise impose a firm obligation on the licensee. <p>Reclassification of Type NR to Type 2 may occur in circumstances of:</p>

⁴ Compliance obligations classified as Type ‘NR’ are not reportable for purposes of the annual compliance report, but will be assessed during the independent, cyclical operational audit.

		<ul style="list-style-type: none">• systemic non-compliance or• a failure to resolve non-compliance promptly.
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The ERA will, in general, apply the criteria in Table 1 to determine the appropriate rating for a licence obligation. However, the ERA reserves the right, at its absolute discretion, to apply a higher rating to a licence obligation where it considers it is in the public interest to apply a higher level of regulatory oversight to the matters covered by the obligation.

5. Compliance reporting

This section covers both immediate notification of Type 1 non-compliances and annual compliance reports.

5.1 Notification of type 1 non-compliances

A licensee must notify the ERA immediately when it becomes aware of a breach of a Type 1 licence obligation. Type 1 obligations are listed in section 8. This notification must include:

- A telephone call to the Executive Director, Regulation & Inquiries, or the Assistant Director, Utility Services Regulation, on (08) 6557 7900 to explain the nature and effect of the breach.
- A letter from the licensee's CEO or senior executive officer to the ERA's Chair within 5 business days of the breach, which details:
 - The licence obligation that has been breached
 - The nature and extent of the breach
 - The effect of the breach, including the number of customers and other licensees affected
 - The reasons for the breach
 - The actions that the licensee has taken/will take to rectify the breach
 - The actions that the licensee has taken/will take to prevent recurrence of the breach
 - The date the licensee has, or expects to, comply again with the licence obligation that has been breached.

A licensee must lodge an electronic copy of the letter by email at licensing@erawa.com.au

5.2 Annual compliance reports

5.2.1 *Format and timing of compliance reports*

The licensee is required to submit a signed annual compliance report to the ERA by 31 August for the year ending 30 June. The annual compliance report must be approved by the licensee's CEO or senior executive officer responsible for the activities covered by the licence. The template for the compliance report is provided in Section 6. Section 7 provides a template (referred to as Schedule A) for reporting non-compliances. The compliance report requires a licensee to:

- Confirm that it has complied with all applicable Type 1 and Type 2 licence obligations during the period, other than those referred to in Schedule A of the report.
- Identify in Schedule A any Type 1 or Type 2 licence obligations that have been breached during the period and provide details of:
 - The licence obligation that has been breached
 - The nature and extent of the breach
 - The effect of the breach including the number of customers and other licensees affected
 - The reasons for the breach

- The actions that the licensee has taken to rectify the breach
- The actions taken to prevent recurrence of the breach
- The date the licensee has, or expects to, comply again fully with the licence obligation that has been breached.

It is mandatory for licensees to address all information elements in the template set out in Section 7 for each non-compliance that is included in the annual compliance report.

5.2.2 Lodgement of compliance reports

Licensees must lodge an electronic copy of the completed and signed copy of the annual compliance report to the ERA by email at licensing@erawa.com.au

It is important to note that compliance with the licence will not be achieved until a *signed* copy of the compliance report has been received by the ERA.

6. Compliance report template

Licensees must use the following format for the annual compliance report.

Compliance Report	
Time period: 1 July 20__ to 30 June 20__	
Submitted by: [<i>Licensee name</i>]	
ACN: [<i>Number</i>]	
To:	Chair Economic Regulation Authority PO Box 8469 Perth Business Centre WA 6849
[<i>Name of signing officer</i>] reports as follows:	
1.	This report documents compliance during [<i>Time period</i>] with all obligations classified as Type 1 and Type 2 obligations in the Economic Regulation Authority's current Water Compliance Reporting Manual.
2.	This report has been prepared by [<i>Licensee name</i>] with all due care and skill in full knowledge of the obligations to which it is subject under the Regulations and Codes made pursuant to the <i>Water Services Act 2012</i> and in compliance with the current Water Services Operating Licence.
3.	Schedule A to this report provides information on all obligations with which [<i>Licensee name</i>] did not comply during [<i>Time period</i>] as required by the current Water Services Operating Licence.
4.	Other than the information provided in Schedule A, [<i>Licensee name</i>] has complied with all Type 1 and Type 2 obligations to which it is subject.
5.	This compliance report has been approved and signed by [<i>Licensee</i>]'s [<i>CEO/senior executive officer</i>].
Date:
Signed:
Name:
Position:

The format of Schedule A (referred to in points 3 and 4 of the above template), is provided in Section 7 of this Reporting Manual. Note: If there are no non-compliances to report, a positive statement to that effect should be made in Schedule A (i.e. "No non-compliances to report").

7. Format for reporting non-compliances

Licensees must use the following format of Schedule A when reporting non-compliances to the ERA. The information prescribed in Schedule A should be provided for each non-compliance that is being reported. The compliance report template provided in Section 6 should be completed and Schedule A provided as an attachment.

Note: If there are no non-compliances to report, a positive statement to that effect should be made in Schedule A (i.e. “No non-compliances to report”).

Schedule A		
Water Compliance Reporting Manual Reference No. (refer to Sections 8 – 13 of the Reporting Manual)	Brief description of licence obligation that has been breached	Describe the: <ol style="list-style-type: none"> 1. nature and extent of the breach 2. effect of the breach including the number of customers and other licensees affected 3. reasons for the breach 4. actions that the licensee has taken to rectify the breach 5. actions that the licensee has taken/will take to prevent recurrence of the breach 6. date the licensee has, or expects to, comply again fully with the licence obligation that has been breached.

8. Type 1 reporting obligations for all licence types

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
1.	<i>Water Services Act</i> Sections 21(1)(a)	Clause 4.3.1(a)	The licensee must provide a water service authorised by the licence to persons entitled to the service under the Act, except to the extent otherwise provided for by the Act.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	1
21.	<i>Water Services Act</i> Section 95(3)	Clause 4.1.1	The licensee cannot cut off the supply of water to an occupied dwelling unless the occupier agrees to that.	Water supply services	1
154C.	<i>Water Services Code of Conduct (Customer Service Standards)</i> 2018 Clause 52	Clause 4.1.1	The licensee must not, under section 95(1)(b) of the Act, reduce the rate of flow of a supply of water to a supply address recorded on the preserved supply register.	Water supply services (potable water only).	1

9. Licence compliance requirements - *Water Services Act 2012*

Note: This table provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
1.	<i>Water Services Act</i> Section 21(1)(a)	Clause 4.3.1(a)	The licensee must provide a water service authorised by the licence to persons entitled to the service under the Act, except to the extent otherwise provided for by the Act.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	1
2.	<i>Water Services Act</i> Section 21(1)(b)	Clause 4.3.1(b)	The licensee must if requested, offer to provide the water service authorised by the licence to any other person (not covered by section 21(1)(a) of the Act) within the operating area of the licence on reasonable terms, unless provision of the service is not financially viable or is otherwise not practicable.	All	2
3.	<i>Water Services Act</i> Section 21(1)(c)	Clauses 4.1.1	The licensee must provide, operate and maintain the water service works specified by the ERA in the licence for the purposes of section 11(3).	All	2
4.	<i>Water Services Act</i> Section 22	Clause 4.4.1(a)	The licensee must notify the ERA as soon as practicable before commencing to provide the water service outside of the operating area of the licence.	All	2
5.	<i>Water Services Act</i> Section 23	Clause 4.5.1	All water service works used by the licensee in the provision of a water service must be held by the licensee, or must be covered by a works holding arrangement.	All	2
6.	<i>Water Services Act</i> Sections 24(1)(a) & 24(2)	Clause 5.1.1	The licensee must provide for an asset management system in respect of the licensee's water service works.	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
7.	Not used ⁵				
8.	<i>Water Services Act</i> Section 24(1)(c)	Clause 5.1.4	A licensee must provide the ERA with a report by an independent expert as to the effectiveness of its asset management system every 24 months, or such longer period as determined by the ERA.	All	2
9.	<i>Water Services Act</i> Section 25	Clause 5.3.1	A licensee must, not less than once every 24 months, or such longer period as determined by the ERA, provide the ERA with an operational audit conducted by an independent expert appointed by the ERA.	All	2
10.	<i>Water Services Act</i> Section 26(3)	Clause 4.1.1	The licensee must comply with each code of practice made by the Minister to the extent to which it applies to the licensee.	All	2
11.	Not used ⁶				
12.	Not used ⁷				
13.	<i>Water Services Act</i> Section 36	Clause 4.1.1	If the licensee ceases to provide a water service in an area, the licensee must ensure that the water service works are left in a safe condition, and must not remove any part of the works except with the approval of the Minister.	All	2
14.	<i>Water Services Act</i> Section 60	Clause 6.3.1	If the licensee is the supplier of last resort for a designated area in relation to the provision of a particular water service, the licensee must perform the functions of the supplier of last resort and must	All	2

⁵ This obligation (the requirement under section 24 of the Act that a licensee must give details of their asset management system and any changes to it to the ERA) is covered by obligations 170A and 171). Removing this obligation avoids potential double counting of a non-compliance for a licensee.

⁶ This obligation (the requirement under section 27 of the Act that a licensee must comply with the code of conduct) is not required, as an auditor will assess the individual obligations under the code. Removing this obligation avoids potential double counting of a non-compliance for a licensee.

⁷ This obligation (the requirement under section 29 of the Act that a licensee must comply with the duties imposed on it by the Act in relation to its licence and must carry out its operations in respect of the licence in accordance with the Act) is not required, as an auditor will assess the individual obligations under the Act. Removing this obligation avoids potential double counting of a non-compliance for a licensee.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
			comply with the relevant duties and carry out the relevant operations prescribed.		
15.	<i>Water Services Act</i> Section 70(2)	Clause 6.2.1	The licensee must not supply water services to customers unless the licensee: <ul style="list-style-type: none"> • is a member of the water services ombudsman scheme; and • is bound by the scheme; and • will comply with any decision or direction of the water services ombudsman under the scheme. 	All	2
16.	<i>Water Services Act</i> Section 77(3)	Clause 4.1.1	The licensee must take reasonable steps to minimise the extent or duration of any interruption of water services it is responsible for.	All	2
17.	<i>Water Services Act</i> Sections 82(4) & (5)	Clause 4.1.1	If a person must give the licensee notice of any building work to be carried out on land in the operating area of a license, the licensee must return a copy of the plans and specifications contained in the notice with any written directions about the proposed building work that the licensee considers necessary to ensure the safety and efficacy of the provision of water services provided, or to be provided. The licensee must do this within 7 days of receiving the fee for dealing with the notification.	Water supply services, sewerage services & drainage services Note: This obligation does not apply to Bunbury Water Corporation or Busselton Water Corporation (see regulation 28 of the <i>Water Services Regulations 2013</i>).	2
18.	<i>Water Services Act</i> Section 84(2)	Clause 4.1.1	If the licensee has given a notice under section 83(3)(a) of the Act, and the licensee is satisfied that the person given the notice is not going to comply with the notice within a reasonable time, the licensee must give the person 21 days' notice of its intention to commence the works.	Water supply services, sewerage services & drainage services	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
19.	<i>Water Services Act</i> Section 87(2)	Clause 4.1.1	If a person makes an application with the State Administrative Tribunal for a review of a decision in respect of the licensee providing additional water services when a person has not responded to the licensee's notice, the licensee cannot provide the works until the application has been finally dealt with, except in limited circumstances.	Water supply services, sewerage services & drainage services	2
20.	<i>Water Services Act</i> Section 90(7)	Clause 4.1.1	If the licensee gives a compliance notice to a person who is undertaking construction or carrying out similar works in the vicinity of water service works, the licensee must, to the extent practicable, consult with the owner of the land on which the obstruction is located or the activity is taking place if the person to be given the notice is not the owner of the land.	All	NR
21.	<i>Water Services Act</i> Section 95(3)	Clause 4.1.1	The licensee cannot cut off the supply of water to an occupied dwelling unless the occupier agrees to that.	Water supply services	1
22.	<i>Water Services Act</i> Section 96(1)	Clause 4.1.1	If the licensee provides water supply reticulation works, or enters into an agreement for the provision of water supply reticulation works, the licensee must install fire hydrants attached to those works in accordance with the requirements of FESA, or the relevant local government as to the location and type of hydrant.	Water supply services	2
23.	<i>Water Services Act</i> Section 96(5)	Clause 4.1.1	The licensee must comply with requests made by FESA or a local government under sections 96(3) and 96(4) of the Act to the extent practicable and within a reasonable time.	Water supply services	NR
24.	<i>Water Services Act</i> Section 98(3)	Clause 4.1.1	If required to by the Minister, the licensee must connect a wastewater inlet on land to the sewerage works of the licensee.	Sewerage services	2
25.	<i>Water Services Act</i> Section 106(2)	Clause 4.1.1	The licensee must include the information specified in a compliance notice given in relation to failure to maintain fittings, fixtures and pipes.	Sewerage services	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
26.	<i>Water Services Act</i> Section 110(3)	Clause 4.1.1	If required to by the Minister, the licensee must connect a drainage asset on land to the drainage works of the licensee.	Drainage services	2
27.	<i>Water Services Act</i> Section 112(5)	Clause 4.1.1	If required by the Minister, the licensee must modify the property drainage connection.	Drainage services	2
28.	<i>Water Services Act</i> Section 119(2)	Clause 4.1.1	The licensee must include the information specified in a compliance notice given in relation to the matters set out in section 119(1).	All	2
29.	<i>Water Services Act</i> Section 122(2)	Clause 4.1.1	If a person makes an application to the State Administrative Tribunal under section 122(1), the licensee cannot take, or continue to take, action against the person except in the circumstances specified.	All	2
30.	<i>Water Services Act</i> Section 125(2)	Clause 4.1.1	If the licensee provides a water supply, sewerage or drainage service to 2 or more dwellings on land by a single property connection, the licensee may apportion fees. The licensee cannot apportion fees to the extent inconsistent with any agreement related to such a provision of services, or section 66 of the <i>Strata Titles Act 1985</i> .	Water supply services, sewerage services & drainage services	2
31.	<i>Water Services Act</i> Section 128(4)	Clause 4.1.1	If the licensee has previously lodged a memorial with the Registrar, the licensee must lodge a withdrawal of memorial with Registrar along with the prescribed fee (if any) if the charge or contribution has been paid.	All	2
32.	<i>Water Services Act</i> Section 129(5)	Clause 4.1.1	If a routine inspection or maintenance is likely to cause disruption to the occupants of a place at least 48 hours' notice of a proposed entry must be given to the occupier of the place unless the occupier agrees otherwise.	All	2
33.	<i>Water Services Act</i> Section 139(3)	Clause 4.1.1	If the licensee removes or erects a fence or gate when exercising a works power conferred by the Act, the licensee must take all reasonable steps to notify the owner before doing so.	All	NR
34.	<i>Water Services Act</i> Section 141(1)	Clause 4.1.1	A person authorised by the licensee may enter a road and exercise a works power of the licensee without consent, notice or warrant	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
			unless the exercise of the power involves opening or breaking up the surface of the road, or would cause a major obstruction of the road or disruption of the traffic, in which case the licensee must give at least 48 hours' notice to the public authority that has control or management of the road.		
35.	<i>Water Services Act</i> Sections 142	Clause 4.1.1	The licensee must comply with sections 143 and 144 of the Act in relation to the proposed major works, and has given any notice required by section 148.	All	2
36.	<i>Water Services Act</i> Sections 143 (2)	Clause 4.1.1	Before the licensee submits a proposal for the provision of major works to the Minister, the licensee must prepare, publish and make available plans and details of those major works as specified.	All	2
37.	<i>Water Services Act</i> Sections 143 (3)	Clause 4.1.1	The licensee must, within 5 days of publishing the plans and details on the licensee's website, give notice setting out the matters prescribed in section 143(4) to the persons and agencies specified.	All	2
38.	<i>Water Services Act</i> Sections 144(3)	Clause 4.1.1	The licensee must have regard to an objection or submission lodged within the relevant period.	All	2
39.	<i>Water Services Act</i> Section 145(2)	Clause 4.1.1	If the licensee makes alterations to the plans or details referred to in section 143(2), the licensee must give written notice of the alterations to any person who is likely to be adversely affected by those alterations.	All	2
40.	<i>Water Services Act</i> Section 147(3)	Clause 4.1.1	The licensee must comply with a direction given by a Minister in respect of a proposal to provide water service works that are major works under section 143(3).	All	2
41.	<i>Water Services Act</i> Section 147(4)	Clause 4.1.1	If the Minister gives a direction that further notices in relation to the proposed major works be given under section 143(3), the licensee must resubmit the proposal.	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
42.	<i>Water Services Act</i> Section 151(1)	Clause 4.1.1	A licensee proposing to provide water service works that are general works must prepare plans and details of the proposed works and publish and make them available for inspection.	All	2
43.	<i>Water Services Act</i> Section 151(2)	Clause 4.1.1	The licensee must give a notice of general works setting out the matters referred to in section 151(3) to the persons and agencies specified.	All	2
44.	<i>Water Services Act</i> Section 152(3)	Clause 4.1.1	The licensee must have regard to an objection or submission lodged by the date specified in the notice given under section 151(2).	All	2
45.	<i>Water Services Act</i> Section 153(3)	Clause 4.1.1	If the licensee makes alteration to those plans or details referred to in section 151, the licensee must give written notice of the alterations to any person who is likely to be adversely affected by those alterations.	All	2
46.	<i>Water Services Act</i> Section 166(5)	Clause 4.1.1	On being advised by the Minister that an interest in land is appropriate to the licensee's needs, the licensee is required to acquire the interest.	All	2
47.	<i>Water Services Act</i> Section 166(6)	Clause 4.1.1	Any costs incurred in taking an interest in land are to be paid by the licensee.	All	2
48.	<i>Water Services Act</i> Section 170	Clause 4.1.1	The licensee must not sell an interest in land if the purchaser would hold a parcel of land that did not comply with the minimum lot size and zoning requirements under the <i>Planning and Development Act 2005</i> , unless the Minister permits the licensee to do so.	All	2
49.	<i>Water Services Act</i> Section 173(4)	Clause 4.1.1	In relation to entry to a place for the purposes of doing works, in the circumstances specified the licensee is required to give 48 hours' notice of proposed entry to a place to the occupier or owner, as applicable, unless the occupier or owner agrees otherwise.	All	2
50.	<i>Water Services Act</i> Section 174(1)	Clause 4.1.1	Notice of a proposed entry by the licensee must be in writing and must set out the purpose of the entry, including (if applicable) any work proposed to be carried out.	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
51.	<i>Water Services Act</i> Section 174(3)	Clause 4.1.1	Even if in a particular instance the licensee may enter a place under the Act without having to give notice of proposed entry, the licensee must when practicable, and when it will not compromise the reason for entry, give notice of entry to the occupier.	All	2
52.	<i>Water Services Act</i> Section 175(2)	Clause 4.1.1	If an occupier is present when the licensee proposes to enter a dwelling, the licensee must perform the prescribed actions before entering the premises.	All	2
53.	<i>Water Services Act</i> Section 175(5)	Clause 4.1.1	If the licensee enters a dwelling that is unoccupied, the licensee must leave a notice, which includes the prescribed information, or a copy of the warrant (as applicable) in a prominent position in the dwelling before leaving the dwelling.	All	2
54.	<i>Water Services Act</i> Section 176(1)	Clause 4.1.1	If the licensee has entered a place with or without consent, the licensee must leave the premises as soon as practicable after being notified that the owner or occupier has refused or withdrawn their consent.	All	2
55.	<i>Water Services Act</i> Section 176(3)	Clause 4.1.1	The licensee must produce their certificate of authority if asked to do so, and must not perform, or continue to perform, a function under the Act if they are not able to do so.	All	2
56.	<i>Water Services Act</i> Section 176(4)	Clause 4.1.1	If the licensee enters or proposes to enter a place, and the owner or occupier requests the licensee produce evidence of authority for that entry, then the licensee must leave the place if they are unable to do so unless the owner or occupier agrees otherwise.	All	2
57.	<i>Water Services Act</i> Section 181	Clause 4.1.1	The licensee, or a person assisting the licensee, must, as far as is practicable comply with any reasonable request from the owner or occupier intended to limit interference with the lawful activities of the owner or occupier.	All	NR
58.	<i>Water Services Act</i> Section 186	Clause 4.1.1	If the licensee applies for a warrant, the application must contain the prescribed information.	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
59.	<i>Water Services Act</i> Section 187(1) – (3)	Clause 4.1.1	If the licensee applies for a warrant to enter, the application must be made in accordance with the procedures specified depending on the location of the applicant and the justice.	All	2
60.	<i>Water Services Act</i> Section 190(4)	Clause 4.1.1	Unless required to give a copy of the warrant, the licensee executing the warrant must produce the warrant for inspection by the occupier of the place concerned on entry (if practicable), and if requested to do so.	All	2
61.	<i>Water Services Act</i> Section 190(5)	Clause 4.1.1	On completing the execution of a warrant the licensee must record the prescribed information on that warrant.	All	2
62.	<i>Water Services Act</i> Section 210(5)	Clause 4.1.1	If the licensee designates a person as an inspector or compliance officer, the licensee must give that person a certificate of authority that includes certain prescribed information.	All	2
63.	<i>Water Services Act</i> Section 218(2)	Clause 4.1.1	In the exercise or purported exercise of a power under the Act, the licensee must ensure that, to the extent practicable, the free use of any place is not obstructed, and that as little damage, harm or inconvenience is caused as is possible.	All	NR
64.	<i>Water Services Act</i> Section 218(3)	Clause 4.1.1	If the licensee does any physical damage in the exercise of a works power or a power of entry, the licensee must ensure that the damage is made good, and pay compensation to the extent that it is not practicable to make good the damage.	All	2

10. Licence compliance requirements - *Water Services Regulations 2013*

Note: This table provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
65.	<i>Water Services Regulations 2013</i> Regulation 23(2)	Clause 4.1.1	If the licensee provides a water supply service in respect of a multi-unit development, the licensee must, on the request of the owner or the strata company, assess whether a sub-meter is satisfactory for measuring the quantity or flow of water passing through a pipe supplying water to the unit.	All Note: this obligation does not apply to Water Corporation	2
66.	<i>Water Services Regulations 2013</i> Regulation 24(4)	Clause 4.1.1	If the licensee gives a compliance notice to a person in respect of access to meters, the notice must specify the specified information.	All	2
67.	<i>Water Services Regulations 2013</i> Regulations 26(3)	Clause 4.1.1	If the owner or occupier requests the licensee to test a meter and pays the charge (if any) for testing that type of meter, the licensee must test the meter in accordance with a procedure approved by the CEO for the purpose of this regulation.	All	2
68.	<i>Water Services Regulations 2013</i> Regulation 26(5)	Clause 4.1.1	If a meter test finds that the meter is outside the prescribed tolerance applicable, the licensee must take the specified actions, bear the costs of testing and refund or credit any charges paid under regulation 26(3).	All	2
69.	<i>Water Services Regulations 2013</i> Regulation 29(1)	Clause 4.1.1	The licensee must, on the written request of a developer who is required to pay the licensee an infrastructure contribution in respect of a subdivided lot, defer the payment of the contribution unless regulations 29(3) or 29(4) applies.	All	2
70.	<i>Water Services Regulations 2013</i> Regulation 42(2)	Clause 4.1.1	The written order requiring the owner or occupier of land to install a backflow prevention device must set out the date by which the device must be installed and tested (which must be at least 7 days after the day on which the order is given to the owner or occupier).	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
71.	<i>Water Services Regulations 2013</i> Regulation 43(3)	Clause 4.1.1	The compliance notice given by the licensee to the owner or occupier of land must specify that the backflow prevention device be tested or maintained in accordance with the standard and the date by which the testing or maintenance is required to be done (which must be at least 7 days after the day the notice is given to the owner or occupier).	All	2
72.	<i>Water Services Regulations 2013</i> Regulation 43(6)	Clause 4.1.1	The compliance notice requiring the owner or occupier of land to have their backflow prevention device made good as specified in the notice must include the work that is required to be done, the manner in which the work is to be done and the date by which the work is to be done (which must be at least 7 days after the day the notice is given to the owner or occupier).	All	2
73.	Not used				
74.	<i>Water Services Regulations 2013</i> Regulation 60(2)	Clause 4.1.1	If the licensee proposes to exercise a works power in a road and considers that it is necessary to alter the position of infrastructure, the licensee must notify the person who is responsible for the infrastructure and may request that the person make the alterations within the time specified in the notice.	All	2
75.	<i>Water Services Regulations 2013</i> Regulation 63	Clause 4.1.1	If the licensee opens or breaks up the surface of a road, the licensee must complete the relevant work and reinstate and make good the road, and must take all reasonable measures to prevent that part of the road from being hazardous.	All	2
76.	<i>Water Services Regulations 2013</i> Regulation 65(1)	Clause 4.1.1	The licensee must maintain records for all land in respect of which water service charges apply.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
77.	<i>Water Services Regulations 2013</i> Regulation 65(2)	Clause 4.1.1	The records for all land in respect of which water service charges apply must contain the prescribed information.	Water Corporation, Bunbury Water Corporation and	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
				Busselton Water Corporation	
78.	<i>Water Services Regulations 2013</i> Regulation 65(4)	Clause 4.1.1	Unless regulation 65(5) applies, the licensee must make the records for all land in respect of which water service charges apply available for inspection by any person without charge, and give a copy of particular records to a person with a material interest in them, on payment of the prescribed charge, if any, for giving a copy of the records.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
78A.	<i>Water Services Regulations 2013</i> Regulations 65(5) and 65(6)	Clause 4.1.1	Unless a customer gives their consent under regulation 65(6), the licensee must not make a record relating to a customer available for inspection by a person, or give a copy of a particular record relating to the customer to a person, if doing so would disclose information that the customer has requested be kept confidential because the customer believes that disclosure could increase the risk of family violence to the customer or an associated person.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
79.	<i>Water Services Regulations 2013</i> Regulation 67	Clause 4.1.1	Except as otherwise provided under the Act, the records maintained by the licensee for a period in relation to land are the basis upon which the licensee must determine the water service charges applicable for the period.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
80.	<i>Water Services Regulations 2013</i> Regulation 68(5)	Clause 4.1.1	The licensee must consider an objection to the records maintained by a licensee under regulation 65 as soon as practicable.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	NR
81.	<i>Water Services Regulations 2013</i> Regulation 68(6)	Clause 4.1.1	The licensee must give the person by whom the objection was made written notice of the licensee's decision on the objection together with a brief statement of the licensee's reasons for the decision.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
82.	<i>Water Services Regulations 2013</i> Regulation 68(7)	Clause 4.1.1	If the licensee allows an objection, wholly or in part, to entries in the records maintained by a licensee under regulation 65, the licensee must advise the person who objected of any consequent amendment of the records.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
83.	<i>Water Services Regulations 2013</i> Regulation 68(8)	Clause 4.1.1	If the licensee disallows an objection, wholly or in part, to entries in the records maintained by a licensee under regulation 65, the licensee must advise the person of the time within which and the manner in which a review of the decision may be sought.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
84.	<i>Water Services Regulations 2013</i> Regulation 69(3)	Clause 4.1.1	Upon receipt of a notice from a person dissatisfied with a decision of the licensee on an objection, the licensee must promptly refer the relevant records to the State Administrative Tribunal for a review.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
85.	<i>Water Services Regulations 2013</i> Regulation 70(2)	Clause 4.1.1	Upon receipt of a notice from a person dissatisfied with a decision of the licensee to refuse to extend the time for giving an objection to the licensee or a notice under regulation 69(2), the licensee must promptly refer the decision to the State Administrative Tribunal for a review.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
86.	<i>Water Services Regulations 2013</i> Regulation 74(1)	Clause 4.1.1	The licensee must make any amendment of the records necessary as a consequence of an allowance, wholly or in part, of an objection under the Act or the <i>Valuation of Land Act 1978</i> or as a consequence of a review by the State Administrative Tribunal.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
87.	<i>Water Services Regulations 2013</i> Regulation 74(2)	Clause 4.1.1	The licensee must, if necessary as a consequence of the amendment to the records under regulation 74(1), determine or re-determine any water service charge; and, if necessary, provide a rebate or refund.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
88.	<i>Water Services Regulations 2013</i> Regulation 75(1)	Clause 4.1.1	If a person is liable, under an agreement with the owner of land, for payment of the water service charges in respect of certain land, the person is entitled to receive from the licensee all information necessary for the person to assess his or her liability under the agreement.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
88A.	<i>Water Services Regulations 2013</i> Regulation 80H	Clause 4.1.1	The licensee must, within 60 days after receiving a water efficiency management plan from an owner or occupier of a non-residential lot, approve the plan, request further information, or request a revised plan by written notice.	Water Corporation, Bunbury Water Corporation, Busselton Water Corporation, Hamersley Iron Pty Ltd and Robe River Mining Company Pty Ltd	2
89.	<i>Water Services Regulations 2013</i> Regulation 85	Clause 4.1.1	Compliance notices issued by the licensee must include a brief description of the possible consequences under the Act of not complying with the notice, and the rights of review under the Act in relation to the notice and who may apply for review.	All	2
90.	<i>Water Services Regulations 2013</i> Regulation 86(6)	Clause 4.1.1	If the licensee appoints an employee as an authorised or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2, the licensee must issue the officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2
91.	<i>Water Services Regulations 2013</i> Regulation 86(9)	Clause 4.1.1	The licensee must maintain a list of persons appointed to be authorised officers or approved officers for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2, and must, on request, give a copy of the list to the CEO or to the chief executive officer of the Public Services principally assisting in the administration of the <i>Criminal Procedure Act 2004</i> .	Water Corporation, Bunbury Water Corporation and Busselton Water Corporation	2

11. Licence compliance requirements - *Water Services Code of Conduct (Customer Service Standards) 2018*

Note:

- This table provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.
- Under clause 5 of the *Water Services Code of Conduct (Customer Service Standards) 2018*, a licensee and a customer who is not a residential customer can enter into an agreement that varies or displaces the requirements of this code in relation to the licensee or customer. Where there is an agreement between a licensee and a customer that was in effect on 18 November 2013 and remains in effect, and has provisions that are inconsistent with the requirements of the code in relation to the licensee or customer, the provisions of the agreement prevail to the extent of the inconsistency.⁸
- Clause 6 of the *Water Services Code of Conduct (Customer Service Standards) 2018* states that if the *Local Government Act 1995* has provisions that are inconsistent with this code in relation to a licensee that is a local government or a customer of a licensee that is a local government, the provisions of the *Local Government Act 1995* prevail to the extent of the inconsistency. This includes regulations and local laws made under the *Local Government Act 1995*. This manual does not identify which clauses may be inconsistent with the *Local Government Act 1995*. Therefore, licensees and auditors should use their judgement when determining whether an obligation in this section applies to a licensee.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
92.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 8(1)-(3)	Clause 4.1.1	The licensee must have written information for customers about the prescribed matters regarding connections and the information must be publicly available. (Note: the information required by clause 8(2)(a) applies to the Water Corporation, Bunbury Water Corporation and Busselton Water Corporation only and the information required by clause 8(2)(g) applies only to licensees that supply potable water).	Water supply services (potable water or non-potable water that is supplied on the basis that the customer is responsible for treating the water to make it fit for humans to drink), sewerage services.	2

⁸ This captures agreements with any customer, not just customers who are not residential customers.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
93.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 9(2) and (4)	Clause 4.1.1	The licensee must ensure that, in any 12-month period, 90% of water supply service connections are completed before the end of 10 business days, starting on the day on which the customer has paid the relevant fees and complied with the relevant requirements.	Water supply services (as per obligation 92)	2
94.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 10(2)	Clause 4.1.1	If the licensee charges a fixed charge, the licensee must issue a bill for a fixed charge to each customer at least once in every 12-month period.	Water supply services (as per obligation 92), sewerage services.	2
95.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 11(2)	Clause 4.1.1	If the licensee charges a quantity charge, the licensee must issue a bill -for a quantity charge to each customer at least once in every 4-month period.	Water supply services (as per obligation 92), sewerage services.	2
96.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 11(3)	Clause 4.1.1	A bill for usage must be based on a meter reading to ascertain the quantity supplied or discharged.	Water supply services (as per obligation 92), sewerage services.	2
97.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 11(4)	Clause 4.1.1	If an accurate meter reading is not possible, a bill for usage must be based on an estimate, in accordance with the prescribed regulations (if any), of the quantity of water supplied or wastewater discharged. (Note: The <i>Water Services Regulations 2013</i> did not address the estimation of bills at the time this Reporting Manual was published).	Water supply services (as per obligation 92), sewerage services.	2
98.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 11(5)	Clause 4.1.1	If an accurate meter reading is not possible and there are no applicable regulations, a bill for usage must be based on a reasonable estimate of supply or discharge using one of the prescribed methods.	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
98A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 11(6)	Clause 4.1.1	Despite subclauses 11(4) and (5), a bill for usage based on a meter reading must be issued at least once in every 12-month period.	Water supply services (as per obligation 92), sewerage services.	2
99.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 12	Clause 4.1.1	The licensee must send a bill to the address of the place where the water service is provided or, if the customer nominates another address, to the nominated address.	Water supply services (as per obligation 92), sewerage services.	2
100.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 13(1)	Clause 4.1.1	Each bill must contain the prescribed information.	Water supply services (as per obligation 92), sewerage services.	2
100A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 13(3)	Clause 4.1.1	A bill issued for 2 or more water services must specify the charge payable for each water service.	Water supply services (as per obligation 92), sewerage services.	2
101.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 13(4)	Clause 4.1.1	Each bill for usage for a metered water service must contain the specified information.	Water supply services (as per obligation 92), sewerage services.	2
101A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 13(5)	Clause 4.1.1	If a bill for usage for a metered water service was based on an estimate, the bill must inform the customer that the licensee will tell the customer the prescribed information on request.	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
102.	Not used				
102A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 13(6)	Clause 4.1.1	Each bill must contain the prescribed information.	Water supply services (as per obligation 92), sewerage services.	2
103.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 14(1)	Clause 4.1.1	If a bill is based on an estimate, the licensee must tell the customer on request the basis of the estimate and the reason for the estimate.	Water supply services (as per obligation 92), sewerage services.	2
104.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 14(2)	Clause 4.1.1	If a bill is based on an estimate, the licensee must make any adjustments to the next bill to take into account the extent to which the estimate was not reasonable having regard to a subsequent and accurate meter reading.	Water supply services (as per obligation 92), sewerage services.	2
104A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 15(3)	Clause 4.1.1	Each bill for usage to which clause 15 applies must, in addition to the requirements of clause 13, contain the prescribed information.	Water supply services (as per obligation 92), sewerage services.	2
105.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 16(1)	Clause 4.1.1	The licensee must provide to the customer on request a meter reading and a bill (or revised bill if applicable) for outstanding charges outside of the usual bill cycle, or in case the customer disputes an estimate.	Water supply services (as per obligation 92), sewerage services.	2
106.	<i>Water Services Code of Conduct (Customer Service</i>	Clause 4.1.1	The licensee must have a written policy, standard or set of guidelines (available on the licensee's website and a hardcopy provided to a customer upon request at no charge) in relation to granting a discount to a customer whose meter reading indicates a water usage that is	Water supply services (as per	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
	<i>Standards) 2018</i> Clause 17(2) & (3)		higher than normal for the customer but is likely to have been wasted because of a leak from the customer's system.	obligation 92), sewerage services.	
107.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 18(2)	Clause 4.1.1	The licensee cannot recover an undercharged amount from a customer unless it is for water services provided in the 12-month period ending on the day on which the licensee informed the customer of the undercharging.	Water supply services (as per obligation 92), sewerage services.	2
108.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 18(3)	Clause 4.1.1	An undercharged amount must be the subject of, and explained in, a special bill or a separate item in the next bill.	Water supply services (as per obligation 92), sewerage services.	2
109.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 18(4)	Clause 4.1.1	The licensee must not charge interest or late payment fees on an undercharged amount.	Water supply services (as per obligation 92), sewerage services.	2
110.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 18(5)	Clause 4.1.1	The licensee must allow a customer to pay an undercharged amount by way of a repayment plan that has effect for the duration of the shorter of the prescribed periods starting on the day that the bill in clause 18(3) is issued.	Water supply services (as per obligation 92), sewerage services.	2
111.	Not used				
111A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 19(2)	Clause 4.1.1	The licensee must, within 15 business days of becoming aware of an overcharge, credit the overcharged amount to the customer's account or send the customer a notice informing the customer of the overcharging and recommending options for how the overcharged amount may be refunded or credited to the customer's account.	Water supply services (as per obligation 92), sewerage services.	2
112.	Not used				

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
112A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 19(3)	Clause 4.1.1	If the licensee sends the customer an overcharging notice and receives instructions from the customer about the refunding or crediting of the overcharged amount, the licensee must refund the overcharged amount, or credit the overcharged amount to the customer's account within 15 business days of the licensee receiving the instructions.	Water supply services (as per obligation 92), sewerage services.	2
112B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 19(4)	Clause 4.1.1	If instructions from the customer about the refunding or crediting of the overcharged amount have not been received by the licensee at the end of the period of 10 business days starting on the day an overcharging notice is sent, the licensee must credit the overcharged amount to the customer's account before the end of the period of the next 15 business days.	Water supply services (as per obligation 92), sewerage services.	2
112C.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 19(5)	Clause 4.1.1	The licensee must notify the customer immediately after crediting the overcharged amount to the customer's account under subclause (2)(a), (3) or (4).	Water supply services (as per obligation 92), sewerage services.	2
113.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 20(1)	Clause 4.1.1	The licensee must review a bill on the customer's request.	Water supply services (as per obligation 92), sewerage services.	2
114.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 20(2)	Clause 4.1.1	The license must have a written procedure for the review of a bill on the customer's request.	Water supply services (as per obligation 92), sewerage services.	2
115.	<i>Water Services Code of Conduct (Customer Service</i>	Clause 4.1.1	The review procedure in clause 20(2) must include the specified information and be available on the licensee's website and a hardcopy provided to a customer upon request at no charge.	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
	<i>Standards) 2018</i> Clauses 20(3) & (6)				
116.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 20(4)	Clause 4.1.1	The review procedure must state that the customer may, but does not have to, use the licensee's complaints procedure mentioned in clause 46 before or instead of applying to the water services ombudsman or, if available, making an appeal from, or applying for a review of, the decision under regulations mentioned in section 222(2)(k) of the Act.	Water supply services (as per obligation 92), sewerage services.	2
117.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 20(5)	Clause 4.1.1	The licensee must inform the customer of the outcome of a review of the customer's bill as soon as practicable or otherwise less than 15 business days from the day the customer's request for review was received.	Water supply services (as per obligation 92), sewerage services.	2
117A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 21	Clause 4.1.1	The licensee must notify each of its customers of any change to the amount or rate of a water service charge in accordance with the requirements in clause 21(2).	Water supply services (as per obligation 92), sewerage services.	2
118.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 23	Clause 4.1.1	The time set by the licensee for the payment of a bill must be after 14 days from when the bill is issued.	Water supply services (as per obligation 92), sewerage services.	2
119.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 24(1)	Clause 4.1.1	The licensee must allow a customer to pay a bill using any of the prescribed methods selected by the customer.	Water supply services (as per obligation 92), sewerage services.	2
120.	<i>Water Services Code of Conduct (Customer Service</i>	Clause 4.1.1	The licensee must, when offering bill payment method options, inform the customer of the fees and charges (if any) associated with each bill payment method offered.	Water supply services (as per	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
	<i>Standards) 2018</i> Clause 24(2)			obligation 92), sewerage services.	
121.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 25(1)	Clause 4.1.1	Before receiving a bill payment by direct debit the licensee must obtain the express consent of the customer or of an adult person nominated by the customer to give consent.	Water supply services (as per obligation 92), sewerage services.	2
122.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 26(1)	Clause 4.1.1	The licensee must accept payment in advance from a customer on a customer's request.	Water supply services (as per obligation 92), sewerage services.	2
123.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 27	Clause 4.1.1	The licensee must on request and at no charge redirect a customer's bills because of the customer's absence or illness.	Water supply services (as per obligation 92), sewerage services.	2
124.	Not used				
124A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 28(2)	Clause 4.1.1	The licensee must advise a customer who has been assessed as experiencing payment difficulties that they have a right to pay the bill under a payment plan or other arrangement under which the customer is given more time to pay the bill or arrears, and the licensee must offer to enter into an appropriate plan or arrangement with the customer.	Water supply services (as per obligation 92), sewerage services.	2
124B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 28(3)	Clause 4.1.1	When formulating a payment plan or other arrangement for a customer that the licensee has assessed as experiencing payment difficulties, the licensee must take the customer's capacity to pay the bill into account. In the case of a bill for usage, the licensee must also take into account how much water has been supplied or wastewater has been discharged in previous billing periods.	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
124C.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 28(4)	Clause 4.1.1	The licensee must consider and decide whether or not the payment plan or other arrangement for a customer who has been assessed as experiencing payment difficulties should be interest-free, or fee-free, or both.	Water supply services (as per obligation 92), sewerage services.	2
125.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clauses 29(1) & (2)	Clauses 4.1.1 and Schedule 3, clause 1.1.1	The licensee must have a written policy in relation to financial hardship that is approved by the ERA.	Water supply services (as per obligation 92), sewerage services.	2
126.	Not used				
126A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 29(3)	Clause 4.1.1	Unless the ERA approves otherwise, the licensee's financial hardship policy must comply with the ERA's guidelines (if any) in relation to financial hardship policies.	Water supply services (as per obligation 92), sewerage services.	2
126B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 29(4)	Clause 4.1.1	Unless the ERA approves otherwise, amendments to the licensee's financial hardship policy must be approved by the ERA and comply with the ERA's guidelines (if any) in relation to financial hardship policies.	Water supply services (as per obligation 92), sewerage services.	2
127.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 29(5)	Clause 4.1.1	The licensee's financial hardship policy must be in effect within 6 months of the day of the grant of the license.	Water supply services (as per obligation 92), sewerage services.	2
128.	<i>Water Services Code of Conduct (Customer Service</i>	Clause 4.1.1	The licensee's financial hardship policy must be available on the licensee's website and a hardcopy provided to a customer upon request at no charge.	Water supply services (as per	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
	<i>Standards) 2018</i> Clause 29(6)			obligation 92), sewerage services.	
129.	Not used				
129A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 29(7)	Clause 4.1.1	The licensee must review its financial hardship policy at least once in every 5-year period.	Water supply services (as per obligation 92), sewerage services.	2
129B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 29(8)	Clause 4.1.1	The licensee must review its financial hardship policy if directed to do so by the ERA.	Water supply services (as per obligation 92), sewerage services.	2
129C.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 29(9)	Clause 4.1.1	The licensee must consult with relevant consumer organisations when formulating or reviewing its financial hardship policy.	Water supply services (as per obligation 92), sewerage services.	2
130.	Not used				
130A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 30(2)	Clause 4.1.1	The licensee must advise a customer who has been assessed as experiencing financial hardship that they have a right to pay the bill under an interest-free and fee-free payment plan or other arrangement under which the customer is given more time to pay the bill or arrears, and the licensee must offer to enter into an appropriate plan or arrangement with the customer.	Water supply services (as per obligation 92), sewerage services.	2
130B.	<i>Water Services Code of Conduct (Customer Service</i>	Clause 4.1.1	When formulating a payment plan or other arrangement for a customer that the licensee has assessed as experiencing financial hardship, the licensee must take the customer's capacity to pay the bill into account. In the case of a bill for usage, the licensee must also take into account	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
	<i>Standards) 2018</i> Clause 30(3)		how much water has been supplied or wastewater has been discharged in previous billing periods.		
131.	Not used				
131A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 30(4)(a)	Clause 4.1.1	The licensee must consider reducing the amount owing by the customer.	Water supply services (as per obligation 92), sewerage services.	2
131B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 30(4)(b)	Clause 4.1.1	The licensee must review, upon request, how a customer is paying a bill under clause 30(2) and (3) and revise the payment plan or arrangement if the review indicates the customer is unable to meet the obligations.	Water supply services (as per obligation 92), sewerage services.	2
131C.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 30(4)(c)	Clause 4.1.1	The licensee must provide the specified written information to a customer.	Water supply services (as per obligation 92), sewerage services.	2
132.	Not used				
133.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clauses 31(4) & (5)	Clause 4.1.1	The licensee must have written information regarding the payment schemes and other assistance that is available to customers. The information must be available on the licensee's website and a hardcopy provided to a customer upon request at no charge.	Water supply services (as per obligation 92), sewerage services.	2
133A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 32	Clause 4.1.1	The licensee must not charge interest or fees for late payment of a bill by a customer in the specified circumstances.	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
134.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 33(1)(a)-(c)	Clause 4.1.1	The licensee must not commence or continue proceedings to recover a debt from a customer if the customer is complying with a payment plan or other arrangement, is being assessed for payment difficulties or is being assessed for financial hardship.	Water supply services (as per obligation 92), sewerage services.	2
134A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 33(1)(d)-(e)	Clause 4.1.1	The licensee must not commence or continue proceedings to recover a debt from a customer if a complaint made by the customer to the licensee or water services ombudsman, which directly relates to the water service charge to which the debt relates, is not resolved by the licensee (or is not determined or is upheld by the ombudsman).	Water supply services (as per obligation 92), sewerage services.	2
135.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 40(1)	Clause 4.1.1	If the licensee has cut off or reduced the rate of flow of water to land under section 95(1)(b) of the Act, the licensee must restore the supply of water if the amount owing is paid, or if the customer enters into a payment arrangement for the amount owing that is satisfactory to the licensee.	Water supply services (as per obligation 92).	2
136.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 40(2)	Clause 4.1.1	If the licensee has, under section 95(1)(a), (c), (d) or (e) of the Act, cut off or reduced the flow of water, the licensee must restore the supply of water if the licensee is satisfied that the reason for the disconnection or reduction no longer applies.	Water supply services (as per obligation 92).	2
137.	Not used				
137A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 36(1)	Clause 4.1.1	The licensee must not start a water supply restriction unless the licensee has given the customer a reminder notice (that includes the information specified in clause 35), the water service charge has still not been paid in full, and the licensee has given the customer a restriction notice.	Water supply services (as per obligation 92).	2
137B.	<i>Water Services Code of Conduct (Customer Service</i>	Clause 4.1.1	The licensee must not give a customer a restriction notice less than 7 days before the day on which the water supply restriction is proposed to start	Water supply services (as per obligation 92).	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
	<i>Standards) 2018</i> Clause 36(2)				
137C.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 36(3)	Clause 4.1.1	The restriction notice must include the specified information.	Water supply services (as per obligation 92).	2
138.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 37(1)(a)-(e) & (h).	Clause 4.1.1	The licensee must not start a water supply restriction if the specified circumstances apply.	Water supply services (as per obligation 92).	2
138A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 37(1)(f)-(g)	Clause 4.1.1	The licensee must not start a water supply restriction if the specified circumstances apply.	Water supply services (as per obligation 92).	2
138B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 38	Clause 4.1.1	The licensee must not start a water supply restriction on or during the specified times.	Water supply services (as per obligation 92).	2
139.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 39	Clause 4.1.1	The licensee must not, under section 95(1)(b) or (2) of the Act, reduce the rate of flow of water to a customer to below 2.3 litres each minute.	Water supply services (as per obligation 92).	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
140.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 41(2)	Clause 4.1.1	The Water Corporation must restore a water supply to land in the metropolitan region within the specified timeframe, unless the licensee and customer expressly agree otherwise.	Water Corporation	2
141.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 41(3)	Clause 4.1.1	The Water Corporation must restore a water supply to land outside the metropolitan region within the specified timeframe, unless the licensee and customer expressly agree otherwise.	Water Corporation	2
142.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 41(4)	Clause 4.1.1	The licensee (other than the Water Corporation) must restore a water supply to land within the specified timeframe, unless the licensee and customer expressly agree otherwise.	Water supply services (as per obligation 92), except for the Water Corporation	2
143.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 41(5)	Clause 4.1.1	The Water Corporation must ensure that there is a 90% compliance rate with clauses 41(2) and 41(3) in any 12-month period ending on 30 June.	Water Corporation	2
144.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 41(6)	Clause 4.1.1	The licensee (other than the Water Corporation) must ensure that there is a 90% compliance rate with clause 41(4) in any 12-month period ending on 30 June.	Water supply services (as per obligation 92), except for the Water Corporation	2
144A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 43(1)	Clause 4.1.1	The licensee must give notice of any planned service interruption to each customer that will be affected by the service interruption.	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
144B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 43(2)	Clause 4.1.1	The notice of any planned service interruption must be given within the prescribed timeframes.	Water supply services (as per obligation 92), sewerage services.	2
144C.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 44(1)	Clause 4.1.1	The licensee must have policies, practices and procedures for dealing with and minimising the impact of a burst, leak or blockage in its water supply works or sewerage works.	Water supply services (as per obligation 92), sewerage services.	2
144D.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 44(2)	Clause 4.1.1	The policies, practices and procedures under clause 44(1) must deal with the prescribed matters.	Water supply services (as per obligation 92), sewerage services.	2
144E.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 45	Clause 4.1.1	The licensee must provide a 24 hour information line by means of which, at the cost of a local telephone call (excluding mobile telephones), a customer can notify the licensee of emergencies and faults, and get information about the reason for, and the expected duration of, any unplanned service interruption.	Water supply services (as per obligation 92), sewerage services.	2
145.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 46(1)	Clause 4.1.1	The licensee must have a written complaints procedure in relation to investigating and dealing with complaints of customers about the provision of water services by the licensee or a failure by the licensee to provide a water service.	Water supply services (as per obligation 92), sewerage services.	2
146.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 46(2)	Clause 4.1.1	The licensee's complaints procedure must be developed using as minimum standards the relevant provisions of AS/NZS 10002-2014 and the ERA's guidelines (if any).	Water supply services (as per obligation 92), sewerage services.	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
147.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 46(3)	Clause 4.1.1	The licensee's complaints procedure must provide for the matters specified in relation to lodgement of complaints, responding to complaints, dispute resolution arrangements and resolving complaints.	Water supply services (as per obligation 92), sewerage services.	2
148.	Not used				
148A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 46(4)	Clause 4.1.1	The licensee's complaints procedure must list the procedures available to the customer under the Act as to applying to the water services ombudsman or making an appeal from, or applying for a review of, the decision that gave rise to the complaint, if an appeal or review is available under regulations mentioned in section 222(2)(k).	Water supply services (as per obligation 92), sewerage services.	2
149.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 46(5)	Clause 4.1.1	The licensee's complaints procedure must be available on the licensee's website and a hardcopy provided to a customer upon request at no charge.	Water supply services (as per obligation 92), sewerage services.	2
149A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 47	Clause 4.1.1	When the licensee considers that a customer's complaint has been resolved the licensee must advise the customer accordingly, inform the customer that the customer has a right to apply to the water services ombudsman for a review of the complaint, and provide a Freecall telephone number for the water services ombudsman.	Water supply services (as per obligation 92), sewerage services.	2
150.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 48(1)	Clause 4.1.1	The licensee must provide a customer with the specified services on request and at no charge.	Water supply services (as per obligation 92), sewerage services.	2
151.	Not used				
152.	<i>Water Services Code of Conduct</i>	Clause 4.1.1	The licensee must make available to each customer, at no charge, the customer's personal account information including information about	Water supply services (as per	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
	<i>(Customer Service Standards) 2013</i> Clause 48(2)		bills previously issued to the customer and about the quantity of water supplied to, or wastewater discharged by, the customer in previous billing periods.	obligation 92), sewerage services.	
153.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 49(1)	Clause 4.1.1	The licensee must make the prescribed information publicly available.	Water supply services (as per obligation 92), sewerage services.	2
154.	<i>Water Services Code of Conduct (Customer Service Standards) 2013</i> Clause 49(2)	Clause 4.1.1	The licensee must ensure that the specified information about bills may be obtained from its website.	Water supply services (as per obligation 92), sewerage services.	2
154A.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 49(3)	Clause 4.1.1	The licensee must ensure that its website contains a link to the current version of this code appearing on the website that is maintained by or on behalf of the Western Australian Government and that provides public access to electronic versions of Western Australian legislation.	Water supply services (as per obligation 92), sewerage services.	2
154B.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 51(1) & (3)	Clause 4.1.1	The licensee must maintain an up-to-date preserved supply register for the purposes of Part 9 of the Code if the licensee meets the criteria in clause 51(2). The register must record the prescribed information in clause 51(3) if the criteria in clause 51(2) applies to the licensee.	Water supply services (as per obligation 92).	2
154C.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 52	Clause 4.1.1	The licensee must not, under section 95(1)(b) of the Act, reduce the rate of flow of a supply of water to a supply address recorded on the preserved supply register.	Water supply services (as per obligation 92).	1

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
154D.	<i>Water Services Code of Conduct (Customer Service Standards) 2018</i> Clause 53	Clause 4.1.1	Despite clause 43(3), in the case of a service interruption that will affect a supply address recorded on the preserved supply register, the notice required by clause 43(1) must be sent by post or delivered to that supply address.	Water supply services (as per obligation 92).	2

12. Licence compliance requirements - Licence conditions

Note: This table provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
155.	<i>Water Services Act</i> Section 12	Clause 4.2.1	The licensee must pay the applicable fees and charges in accordance with the <i>Economic Regulation Authority (Licensing Funding) Regulations 2014</i> .	All	2
156.	Not used ⁹				
157.	Not used				
158.	Not used				
159.	<i>Water Services Act</i> Section 12	Clause 4.1.2	The licensee must comply with a direction from the ERA in relation to a breach of applicable legislation.	All	2
159A.	Not used ¹⁰				
160.	<i>Water Services Act</i> Section 12	Clause 4.6.1	The licensee and any related body corporate must maintain accounting records that comply with standards issued by the Australian Accounting Standards Board or equivalent International Accounting Standards.	All	2
161.	<i>Water Services Act</i> Section 12	Clause 5.2.1	The licensee must comply with any individual performance standards prescribed by the ERA.	All	2
162.	<i>Water Services Act</i> Section 12	Clause 5.3.4	The licensee must cooperate with the independent expert and comply with the ERA's audit and review guidelines dealing with the operational audit.	All	2

⁹ This obligation (the requirement under clause 4.1.1 of the licence that a licensee must comply with any applicable legislation) is not required, as an auditor will assess the individual obligations under the applicable legislation. Removing this obligation avoids potential double counting of a non-compliance for a licensee.

¹⁰ This obligation (the requirement under clause 4.1.3 of the licence that a licensee must comply with the terms and conditions of the licence) is not required, as an auditor will assess the individual obligations under the licence. Removing this obligation avoids potential double counting of a non-compliance for a licensee.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
163.	<i>Water Services Act</i> Section 12	Clauses 4.7.1(a), (b), (c)	The licensee must report to the ERA, in the manner prescribed, if a licensee is under external administration or there is a change in the circumstances upon which the licence was granted which may affect a licensee's ability to meet its obligations.	All	2
164.	Not used				
165.	<i>Water Services Act</i> Section 12	Clause 4.8.1	The licensee must provide the ERA specified information relevant to the operation of the licence or the licensing scheme, or the performance of the ERA's function under the Act in the manner and form specified by the ERA.	All	2
166.	Not used				
167.	<i>Water Services Act</i> Section 12	Clause 4.8.2	The licensee must provide the ERA with the data required for performance reporting purposes that is specified in the <i>Water, Sewerage and Irrigation Licence Performance Reporting Handbook</i> , and the National Performance Framework that apply to the licensee.	All	2
168.	<i>Water Services Act</i> Section 12	Clauses 3.8.1 and 3.8.2	Subject to clause 3.8.3, the licensee must publish within the specified timeframe any information that the ERA has directed the licensee to publish under clause 3.8.1.	All	2
169.	<i>Water Services Act</i> Section 12	Clause 3.7.1	Unless otherwise specified, all notices must be in writing.	All	2
170.	Not used				
170A.	<i>Water Services Act</i> Section 12	Clause 5.1.2 (a), (b)	The licensee must notify the ERA of the details of the asset management system within five business days from the later of: a) the commencement date; or b) the completion of construction of the licensee's water service works.	All	2
171.	<i>Water Services Act</i> Section 12	Clause 5.1.3	The licensee must notify the ERA of any material change to the asset management system within 10 business days of the change.	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
172.	<i>Water Services Act</i> Section 12	Clause 5.1.7	The licensee must cooperate with the independent expert and comply with the ERA's audit and review guidelines dealing with the asset management system review.	All	2
172A.	<i>Water Services Act</i> Section 12	Clause 6.1.1	If the ERA considers that one or more of a licensee's standard terms and conditions of service is no longer in the public interest, the ERA may direct the licensee: a) to amend: i) the standard term or condition of service; or ii) the standard term or condition of service in accordance with a term proposed by the ERA; and b) to do so within a specified period.	All	2
172B.	<i>Water Services Act</i> Section 12	Clause 6.1.2	The licensee must comply with a direction given to the licensee under clause 6.1.1.	All	2
173.	Not used				
174.	Not used				
175.	Not used				
176.	Not used				
177.	Not used				
178.	Not used				
179.	Not used				
180.	Not used				
181.	<i>Water Services Act</i> Section 12	Clause 6.3.1	If the licensee is appointed as the supplier of last resort for a designated area in relation to the provision of a particular water service, the licensee must perform the functions of a supplier of last resort, comply with the	All	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
			duties imposed by the Act and carry out its operations under or for the purpose of the last resort plan in accordance with the Act.		
182.	<i>Water Services Act</i> Section 12	Clause 4.4.1(b)	If the licensee provides a water service outside of the operating area the licensee must apply to amend the licence unless otherwise notified by the ERA.	All	2
183.	Not used				
184.	<i>Water Services Act</i> Section 12	Clause 7.1.1	Where the licensee provides potable water, the licensee must enter into a Memorandum of Understanding with the Department of Health as soon as practicable after the commencement date or as otherwise agreed with Department of Health.	Potable water supply	NR
184A.	<i>Water Services Act</i> Section 12	Clause 7.1.2	Where the licensee provides sewerage services, the licensee must, if required by the Department of Health, enter into a Memorandum of Understanding with the Department as soon as practicable after the commencement date or as otherwise agreed with Department.	Sewerage services ¹¹	NR
184B.	<i>Water Services Act</i> Section 12	Clause 7.1.3	If the licensee provides both potable water and sewerage services, the licensee must enter into a separate Memorandum of Understanding with the Department of Health in respect of each of the potable water service and sewerage service.	Potable water supply, sewerage services	NR
185.	<i>Water Services Act</i> Section 12	Clause 7.1.4	A Memorandum of Understanding must comply with the specified requirements in relation to legal standing of the document and compliance audits by the Department of Health.	Potable water supply, sewerage services	2
186.	<i>Water Services Act</i> Section 12	Clause 7.1.5	The licensee must comply with the terms of a Memorandum of Understanding.	Potable water supply, sewerage services	2

¹¹ Auditors should confirm if the Department of Health has informed the licensee that a Memorandum of Understanding is required.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
187.	<i>Water Services Act</i> Section 12	Clause 7.1.6	The licensee must publish in the form agreed with the Department of Health, a Memorandum of Understanding and any amendments to a Memorandum of Understanding within one month of signing or making the amendment.	Potable water supply, sewerage services	2
188.	<i>Water Services Act</i> Section 12	Clause 7.1.7	The licensee must publish the audit report on compliance with its obligations under a Memorandum of Understanding on its website within one month of the completion of the audit.	Potable water supply, sewerage services	2
189.	<i>Water Services Act</i> Section 12	Clause 7.1.8	The licensee must publish, in a form agreed with the Department of Health, any other reports required by the Department of Health or required by a Memorandum of Understanding on the licensee's website, at a reporting frequency specified by the Department of Health.	Potable water supply, sewerage services	2
190.	<i>Water Services Act</i> Section 12	Schedule 2 ¹²	The licensee must comply with the standards set out in Schedule 2 of the licence.	All	2

¹² In addition to giving a rating for obligation 190, the auditor may also choose to rate the individual clauses of schedule 2; if taking this approach, only the overall rating for obligation 190 should be counted when calculating the ratings totals for the compliance and controls ratings summary table in the report (see Table 8 in the ERA's 2019 *Audit and Review Guidelines – Water Licences*).

13. Licence compliance requirements - *Water Services Code of Practice (Family Violence) 2020*

Note:

- This table provides a summary description of obligations. Licensees should refer to the source documents referred to in the table to view the obligations in full.
- Clause 4 of the *Water Services Code of Practice (Family Violence) 2020* applies the Code to a licensee that provides a water service to a residential customer. A “residential customer” in the Code means a customer who uses the place where a water service is provided, solely or primarily as the customer’s dwelling. In practice it is likely that the Code will only apply to licensees that provide potable water supply or sewerage services.
- Family violence is defined in section 5A of the *Restraining Orders Act 1997*. Section 5A(2) lists examples of behaviour that may constitute family violence.

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
191.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 5(1)	Clause 4.1.1	The licensee must have a family violence policy that sets out the matters specified in clause 5(1).	Potable water supply, sewerage services	2
192.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 5(2)	Clause 4.1.1	The licensee must have a family violence policy before the end of the six-month period starting on either: 9 December 2020; or if the day of the grant of the licensee’s licence is after 9 December 2020, the day of the grant of the licensee’s licence.	Potable water supply, sewerage services	2
193.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 6	Clause 4.1.1	A licensee must publish its family violence policy on its website and provide a hard copy of the policy to a customer on request and at no charge.	Potable water supply, sewerage services	2

No.	Obligations under licence condition	Licence condition	Summary description	Licensee	Type
194.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 7	Clause 4.1.1	A licensee must review its family violence policy at least once in every 5-year period, and additionally, if directed to do so by the Minister.	Potable water supply, sewerage services	2
195.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 8(1)	Clause 4.1.1	A licensee must maintain adequate records in relation to compliance with this code or any policy made under the code. If the licensee is a government organisation, as defined in section 3(1) of the <i>State Records Act 2000</i> (WA), then records must be maintained in accordance with its obligations under that Act.	Potable water supply, sewerage services	2
196.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 8(2)	Clause 4.1.1	If the licensee is not a government organisation according to the <i>State Records Act 2000</i> (WA), a record that relates to a customer, must be retained for at least 7 years after the last communication between the licensee and the customer, or water services ombudsman. If the record does not relate to a customer, then the record must be kept for at least 7 years after the record is made.	Potable water supply, sewerage services	2
197.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 9	Clause 4.1.1	When a customer affected by family violence first contacts a licensee about a particular matter relating to the family violence, the licensee must inform the customer of the existence and operation of the licensee's complaints procedure under clause 46 of the <i>Water Services Code of Conduct (Customer Service Standards) 2018</i> .	Potable water supply, sewerage services	2
198.	<i>Water Services Code of Practice (Family Violence) 2020</i> Clause 10	Clause 4.1.1	A licensee must ensure that its website contains a link that provides access to the current version of the code as it appears on the website that is maintained by or on behalf of the Western Australian Government and that provides public access to electronic versions of Western Australian legislation.	Potable water supply, sewerage services	2

Amendment Record Sheet:

Amendment date	Description of amendment
May 2011	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • The removal of any references to incident reporting. • Basis for NWI urban indicator references changed from the 2007-08 version of the <i>National Performance Framework – Urban Water Performance Report – Indicators and Definitions Handbook</i> to the 2009-10 version. • Basis for NWI rural indicator references changed from the 2006-07 version of the <i>National Performance Framework – Rural National Performance Report – Indicators and Definitions Handbook</i> to the 2009-10 version. • Section 6 - Minor re-wording to the Compliance Report Template. • Section 7 - This section has been reworded to specify that Schedule A has been provided as the format for reporting non-compliances on an annual basis (i.e. as an attachment to the annual compliance report). • Section 11 - Summary description of Schedule 3, Clause 2.5 has been expanded. • Section 11 - Summary description of Clause 9.1 has been updated. • Section 11 - Summary description of Clause 15.1 has been expanded. • Section 11 - The compliance type classifications for items 47 and 48 have been changed from NR (not reportable) to Type 2. • Section 12 - Inclusion of a licence reference for indicator LPW 3. • Section 12 - Frequency of reporting for indicator LPW 6 has been clarified as being on an annual basis. • Section 17 - Updated the indicator number for sewer main breaks and chokes from A12 to A14 (A14 is the indicator that replaces A12). • Section 17 - Updated the indicator definition of indicator E13 (sewer overflows). • Section 18 - Re-ordering of indicators so they appear in numerical order of NWI Indicator Number. • Section 18 - Updated the indicator description for E.1 (changed the word 'agency' to 'provider'). Section 19.1 - A column titled 'Applicable Licensee' has been added to show which licensee(s) a particular indicator applies to. • Section 19.2 - A column titled 'Applicable Licensee' has been added to show which licensee(s) a particular indicator applies to. • Section 19.2 - The NWI indicator reference for CH 7 changed from S.2 to S.6. • Appendix 1 - Moama Lifestyle Villages Pty Ltd added to the list of sewerage licensees not subject to NWI reporting.
July 2012	<p>Updated the contact information to the ERA. Updated the document to reflect current year.</p> <p>Section 18 – Removed indicators C.4, C.6 and C.9 to reflect the changes from the 2009-10 version of the <i>National Performance Framework – Rural National Performance Report – Indicators and Definitions Handbook</i> to the 2011-12 version.</p> <p>Section 19.2 - Removed indicators CH 6 and CH7 and renumbered the remaining indicators (CH1-5).</p>
March 2014	<p>Amended section 3.1 to require licensees to refer to the <i>Water, Wastewater and Irrigation Licence Performance Reporting Handbook</i> for information on their annual performance reporting obligations.</p> <p>Amended section 5.3.3 to permit licensees with the option to provide a copy of the signed compliance report in place of the original signed version.</p>

Amendment date	Description of amendment
	<p>Updated the manual to reflect the new licensing framework under the <i>Water Services Act 2012</i> – see sections 8 – 12.</p> <p>Removed sections 12 – 19 and Appendix 1 (performance reporting obligations). These obligations have been moved into the <i>Water, Wastewater and Irrigation Licence Performance Reporting Handbook</i>.</p>
May 2014	<p>Amended section 1 to include reference to the title of the Act, Regulations and Code applicable to water licences.</p> <p>Amended section 3 to direct licensees to refer to the Reporting Handbook for information on how to lodge annual performance reports with the ERA.</p> <p>Amended sections 5.1 and 5.2 to include the addresses that can be used to lodge Type 1 breach notifications and the annual compliance report with the ERA.</p>
June 2016	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • Section 1 now includes an explanation of the ERA’s policy with regards to numbering the obligations. • Section 3 has been edited to update information on performance reporting requirements. • Section 5.1 was amended to remove the option of notifying Type 1 non-compliances by hand to the ERA’s office. • Section 5.2.2 was amended to remove the option of delivering compliance reports by hand to the ERA’s office. • Sections 8 to 12 were amended to reflect the changes in the structure of the water licences dated 1 July 2016, following the 2016 Water Licence Review. • Obligations 142 and 144 were amended to apply to water service providers other than Water Corporation. • Obligations 184 to 186 were amended to apply to potable water providers. • References to the Authority have been replaced by the reference to ERA throughout the Manual. • References to the Chairman have been replaced by reference to the Chair. • Typographical errors were corrected in the document.
October 2017	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • Obligations 65 and 69 were reworded slightly, following amendments to the <i>Water Services Regulations 2013</i>. • Obligation 73 was deleted, following amendments to the <i>Water Services Regulations 2013</i>. • Obligations 76 to 88 were re-classified to apply to the Water Corporation, the Bunbury Water Corporation and the Busselton Water Corporation only. • Obligation 88A was added, following amendments to the <i>Water Services Regulations 2013</i>. • Obligations 90 to 91 were amended to clarify that they apply to the Water Corporation, the Bunbury Water Corporation and the Busselton Water Corporation.
May 2018	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • Update to reflect the new <i>Water Services Code of Conduct (Customer Service Standards) 2018 (Code)</i>. • Obligation 1: The applicable licensee categories were corrected. • Obligation 2: The summary description was amended to improve clarity.

Amendment date	Description of amendment
	<ul style="list-style-type: none"> • Obligation 96: The words ‘the licensee must’ were deleted to achieve consistency with the wording in the corresponding Code clause. • Obligation 108: Wording was deleted from the summary description that related to clauses 16(4) and (5) of the 2013 Code (clauses 18(4) and (5) of the 2018 Code), as those clauses are addressed by obligations 109 and 110 respectively. • Obligation 151: The obligation was deleted as it was a duplication of obligation 152. • Various obligations: the words ‘publicly available’ were expanded to say ‘available on the licensee’s website and a hardcopy provided to a customer upon request at no charge’, as this reflects the Code’s definition of ‘publicly available’. • Typographical errors were corrected in the document.
May 2020	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • The amendments made to licences following the water licence review 2019 (see the final decision on the water licence review for further details). • Amendments to the summary descriptions of obligations 3, 7, 15, 17, 18, 19, 34, 35, 53, 67, 70, 71, 72, 82, 83, 92, 93, 97, 153, 154B, 155, 190 to make them clearer. • Changing obligations 11, 12, 156 and 159A to ‘Not used’, as they are general obligations that require a licensee to comply with a legislative instrument or licence as a whole, when compliance is already covered by the individual obligations within the legislative instrument or licence. Removing these obligations avoids potential double counting of an obligation. • Changing ‘drinking’ to ‘potable’ to reflect that a licence authorises a licensee to supply ‘potable water’. • Typographical changes to reflect updates to the ERA’s document styles. <p>The track change version of the 2020 Manual shows in detail the changes made to the 2018 Manual.</p>
March 2021	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • Section 1.1 – Structure of the reporting manual <ul style="list-style-type: none"> – Addition of section 13 (<i>Water Services Code of Practice (Family Violence) 2020</i>) as a legislative and regulatory instrument. • Section 7 – Format for reporting non-compliances <ul style="list-style-type: none"> – Updated section references in the first column of Schedule A from 8 – 12 to 8 – 13. • Section 11 – <i>Water Services Code of Conduct (Customer Service Standards) 2018</i> <ul style="list-style-type: none"> – Obligations 92 to 139, 142 and 144 to 154D: clarified that licensees that provide non-potable water on the basis that the customer is responsible for treating the water to make it fit for humans to drink are also captured by these obligations due to the definition of “drinking water” in the Code. – Obligations 135 and 136: Incorrect reference to the version of the Water Code of Conduct updated from 2013 to 2018. • Section 12 – Licence conditions <ul style="list-style-type: none"> – Obligation 189 – sewerage services added to the “Licensee” column as this clause also applies to sewerage services.

Amendment date	Description of amendment
	<ul style="list-style-type: none"> - Obligation 190 – footnote added to clarify how audit ratings should be calculated where the auditor has chosen to rate each clause of schedule 2 of the licence. • Section 13 – <i>Water Services Code of Practice (Family Violence) 2020</i> <ul style="list-style-type: none"> - Obligations 191 to 198: created following the introduction of the <i>Water Services Code of Practice (Family Violence) 2020</i>. <p>The tracked change version of the 2021 manual (copy available on the ERA website) shows in detail the changes made to the 2020 Manual.</p>
October 2021	<p>Amendments to this Manual include:</p> <ul style="list-style-type: none"> • Sections 5.1 and 5.2.2 – <ul style="list-style-type: none"> - Requiring licensees to only submit an electronic copy of documents. - Removing the postal address of the ERA and updating the email address. • Section 9 – <i>Water Services Act 2012</i> <ul style="list-style-type: none"> - Changing obligation 7 to ‘Not used’ as the requirement to give details of an asset management system and changes to it are covered by obligations 170A and 171. • Section 10 – <i>Water Services Regulations 2013</i> <ul style="list-style-type: none"> - Following the insertion of regulation 23(1A) into the regulations, obligation 65 no longer applies to the Water Corporation. Also replaced ‘meter’ with ‘sub-meter’. - Obligation 78 updated to include reference to regulation 65(5) and that a prescribed charge for giving a copy of records does not apply in all cases. - Obligation 78A inserted to require that the information given under regulation 65(4) must not be given if a customer is affected by family and domestic violence unless the customer consents to the disclosure. • Section 12 – Licence conditions <ul style="list-style-type: none"> - Obligation 184A amended to clarify that a licensee is only required to enter into a sewerage services Memorandum of Understanding at the request of the Department of Health.