



Economic Regulation Authority

Freedom of Information

Information statement

September 2025

Acknowledgement of Country

At the ERA we value our cultural diversity and respect the traditional custodians of the land and waters on which we live and work.

We acknowledge their continuing connection to culture and community, their traditions and stories. We commit to listening, continuously improving our performance and building a brighter future together.

Economic Regulation Authority

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This document can also be made available in alternative formats on request.

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1. Overview

Our role and responsibilities

The ERA is Western Australia's independent economic regulator. Our role is to regulate the electricity, gas and rail industries, and license providers of gas, electricity and water services. We also conduct inquiries into economic matters referred to us by the Treasurer and have regulatory and review roles in the Wholesale Electricity Market and retail gas market.

We aim to ensure that the delivery of electricity, gas, water and rail services in Western Australia is in the long-term interest of consumers. Through our monitoring, compliance and enforcement work, we aim to provide businesses and consumers with confidence that utilities markets operate efficiently and effectively.

The ERA has numerous regulatory and monitoring functions across the Western Australian electricity, gas, water and rail industries. Our functions are designed to maintain a competitive and fair commercial environment.

The ERA was established by the *Economic Regulation Authority Act 2003*. This Act gives us the function to carry out economic inquiries and other functions under various Acts of Parliament. A full list of legislation applying to the ERA is available in our Annual Report.

More information on our role and current projects can be found on our website at www.ERAWA.com.au.

Governance and organisation structure

The ERA is made up of a three-member Governing Body, supported by a Secretariat. The Governing Body is the decision-making authority and performs the functions of the ERA.



Public information

Most of the ERA's decisions, supplementary information and corporate publications are available free of charge on our website at www.ERAWA.com.au in PDF format and can be made available in different formats upon request.

If seeking access to a specific document which cannot be located online, an applicant should contact the ERA on 08 6557 7900 or info@erawa.com.au with their request prior to lodging a Freedom of Information application. Where possible, the ERA will grant access to documents outside a formal Freedom of Information process.

Public consultation

Public consultation is an important part of the ERA's transparent decision-making process. We invite public submissions to gain the views of stakeholders and interested parties on the projects we undertake through our [Current Consultations](#) webpage. All submissions received are considered in our decision-making.

2. Non-public information

Types of non-public information held by the ERA

The ERA holds some non-public information, including:

- administration information
- staff information
- contract information.

Procedures for obtaining access to documents not publicly available

The *Freedom of Information Act 1992* (FOI Act) provides a general right to access documents held by State and local government agencies where they are not routinely available.

While the FOI Act provides a general right of access to documents it also recognises that some documents require a level of protection and these documents must meet specific exemption criteria in Schedule 1 of the Act; [Exemption Clauses - Schedule 1 to the FOI Act](#). The FOI Act does not apply to the ERA's regulatory function relating to access to gas pipelines.¹

To make a Freedom of Information application, a formal request for information must:

- be in writing
- give enough information to enable the requested documents to be identified
- give an address in Australia to which notices can be sent
- give any other information or details required under the regulations and
- be lodged with the ERA with any application fee payable under the regulations.

Applications should be addressed to the FOI Coordinator and can be lodged by:

- **Email:** FOI@erawa.com.au (preferred)
- **Hand or Post:** Level 4, Albert Facey House, 469 Wellington Street, Perth WA 6000.

Amendment of personal information held by the ERA

The right to amend personal information in a document held by the ERA exists to ensure that personal information which may be used by the ERA does not unfairly harm the person referred to, does not misrepresent the facts or does not give a misleading impression.

Applicants must provide details and if necessary, documentation in support of their claim that the information they seek to have amended is inaccurate, out of date or misleading. In addition,

¹ Schedule 2, clause 7A of the FOI Act.

applicants must indicate how they wish the amendment to be made within the options set out in the FOI Act, namely:

- altering information
- striking out or deleting information
- inserting information
- inserting a note in relation to information.

On reaching a decision the ERA will, within 30 days of receipt, give the applicant a written notice of its decision. Where the decision is made to amend information, the notice will give details of the amendment and where practicable, will include a copy of the amended document.

Requests for amendment of personal information held by the ERA can be made to the FOI Coordinator.

Processing of Freedom of Information applications

The ERA's FOI Coordinator is the initial contact point for members of the public and will liaise with the applicant, relevant decision maker or internal reviewer and third parties for all FOI related matters.

The ERA aims to make information available promptly and at the least possible cost.

Applications will be acknowledged in writing and the ERA will notify the applicant of the decision within 45 calendar days.

After processing the application and locating relevant documents, the ERA will make a decision about access to the requested information.

Once a decision has been made, the applicant will receive a Notice of Decision which includes the following information:

- The date which the decision was made.
- The name and the designation of the officer who made the decision.
- If the document is exempt or contains exempt matter, the reasons for classifying it as exempt or the reason behind an edited copy being provided.
- The details of any amount payable to the ERA, if applicable.
- Information on the right to review the decision.

Fees and charges

Fees and charges determined under the *Freedom of Information Act 1992* are listed below. Where specified, the charges must be paid in full before access to non-exempt documents will be permitted.

Processing an application and documents may incur a charge, which is in addition to the application fee. There is no fee or charge for personal information about the applicant.

Type of fee	
Personal information about applicant	No fee
Application fee (for non-personal information)	\$30
Type of charge	
Charge for time taken dealing with the application (per hour or pro rata)	\$30 per hour
Charge for access time supervised by staff (per hour or pro rata)	\$30 per hour
Charge for photocopying time (per hour or pro rata)	\$30 per hour
Charge per photocopy	20 cents
Transcribing from tape, film or computer (per hour or pro rata)	\$30 per hour
Duplicating a tape, film or computer information	Actual cost
Delivery, packaging and postage	Actual cost
Deposits	
Advance deposit may be required of the estimated charges	25%
Further advance deposit may be required to meet the charges for dealing with the application	75%
For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced	25% reduction

Rights of review

While the *Freedom of Information Act 1992* encourages open government through the release of documents and information, there is a provision to refuse access on a range of grounds. Applicants have a right of appeal in these cases, in the first instance to an internal review process and subsequently to the Information Commissioner. The ERA's Freedom of Information Coordinator can explain applicants' rights in these cases.

The ERA also has a [complaints handling policy](#) and is committed to handling any complaints or feedback fairly, efficiently and effectively.