

# Ministerial Council on Energy

## Standing Committee of Officials Bulletin No. 197

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### **Australian Energy Market Agreement Amendments Endorsed**

The Council of Australian Governments (COAG) has endorsed amendments to the Australian Energy Market Agreement 2004 (AEMA). The amendments recognise the progress on particular aspects of energy market reform and provide a foundation for future development and implementation of this reform.

Broadly, the amendments to the AEMA will:

- provide that the new national framework for the non-economic regulation of energy distribution and retail functions, known as the National Energy Customer Framework (NECF) is to be delivered through a new National Energy Retail Law;
- ensure greater transparency of the conferral of functions, powers and duties by jurisdictions on the Australian Energy Regulator (AER) through local instruments; and
- clarify the processes for progressing COAG's agenda on retail energy pricing reform.

These amendments do not change the scope of the AEMA. However, they are essential to allow the AER to exercise regulatory functions, powers and duties under the NECF and to provide greater transparency around the process for jurisdictions to confer new functions, powers, or duties on the AER in the future. The amendments also:

- clarify the voting arrangements for matters related to retail energy markets;
- clarify the process for retail competition reviews by the Australian Energy Market Commission; and
- include a number of minor updates to reflect other developments, such as the establishment of the Australian Energy Market Operator and the renaming of the former *Trade Practices Act 1974* (Cth) as the *Competition and Consumer Act 2010* (Cth), with the passage of the Australian Consumer Law.

The specific amendments are identified in the 'Notice of Amendment' at Clause 1 of the AEMA, which specifies the clauses that have been modified, added or removed as a result of this process. The amended AEMA can be accessed at [www.mce.gov.au](http://www.mce.gov.au).

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