

PUBLIC INTEREST DISCLOSURE INITIATIVE

Introduction

- (1) The Energy Market Authority (EMA) is introducing a public interest disclosure initiative to encourage and facilitate the reporting of wrongdoings.
- (2) This programme applies to external whistleblowers, that is individuals who do not work for EMA and who wish to report certain information to EMA about the activities of companies or individuals operating in the electricity and gas industries.
- (3) Such an initiative would serve to assist the EMA in uncovering prohibited activities which may otherwise go undetected, possibly to the harm of electricity and gas consumers.

What sort of information can be reported

- (4) In general, one can report to EMA any activity of a company or individual in the electricity or gas industries which:
 - is illegal
 - is of substantial and specific danger to public safety
 - threatens the security of the electricity or gas systems
 - is anti-competitive
 - breaches codes of practice or standards

For example, this may include the following activities:

- criminal offences such as retailing of electricity or gas without a licence
- breach of licence conditions
- failure to comply with technical codes of practice or service standards such as the Market Support Services Code, Regulated Supply Services Code, or the Code of Conduct for Retail Electricity and Gas Retail Licensees
- anti-competitive behaviour such as price fixing, bid-rigging or predatory pricing by dominant companies.

What type of information/supporting documents to be furnished

- (5) Supplying detailed information will enable EMA to carry out a thorough and efficient investigation. Supporting documents would include:
 - A detailed description of the wrongdoing;
 - The name of the infringing party, entity or individual involved;
 - The agency, division and location where the wrongdoing occurred;

- The date the wrongdoing occurred;
- Any other details that may be important for EMA's investigation such as other witnesses, documents, evidence, etc.;
- What is the relevant law, regulation, direction, licence condition, code of conduct or standard of performance that may have been breached, if this is known;
- Your name, address, phone number and email contact.

Keeping the identity of the whistle-blower confidential

(6) EMA will treat the identity of the informing party with the utmost confidentiality.

(7) The identity of the informing party will be known only to the relevant Chief Investigation Officer and Chief Executive (EMA) during the investigative process and will only be disclosed in situations such as where one consents to the disclosure or when required to do so by any court or any written law.

(8) The number of EMA officers involved in the investigation will also be kept to an absolute minimum.

How to make a report

(9) If you think you have insider information as to certain wrongdoings, please make your report as early as possible. Timeliness is critical to gathering evidence and stopping prohibited activities as soon as possible.

(10) You can make your report to the EMA by contacting either of the following officers:

Contact Officers:

Mr Yeo Yek Seng
Deputy CE, Regulation Division
DID: +65 6835 8030
e-mail: yeo_yek_seng@ema.gov.sg

Mr Liu Sern Yang
Director, Regulatory Review & Legal
DID: +65 6835 8032
e-mail: liu_sern_yang@ema.gov.sg