

Date	10 November 2025
Time	11.00 am
Location	Online
Attending organisations	IPART, NSW Department of Climate Change, Energy, Environment and Water, NSW Fair Trading, Clean Energy Council, Solar Accreditation Australia, Justice and Equity Centre, Energy Efficiency Council, Energy Savings Industry Association, Australian and New Zealand Water Heater Association, Lighting Council of Australia, Australian Energy Council
Subject	Energy Security Safeguard Industry Reference Group
Meeting number	2/2025

SUMMARY

1. Fair Trading's Approach to Telemarketing and Door Knocking:

NSW Fair Trading regulates compliance with marketing requirements under Australian Consumer Law (and NSW specific laws), focusing on improving consumer outcomes through education, engagement, investigations, and referrals.

2. IPART's Compliance Approach to Door Knocking:

From 12 September 2025, certificate creation through unsolicited door knocking is ineligible under NSW Government Safeguard Schemes, and IPART is strengthening compliance through education, monitoring, collaboration, and clear consumer guidance, while requiring ACPs to manage third-party representatives.

4. Energy Security Safeguard Stakeholder Forum:

The annual forum will be held on 18 November 2025, featuring a year in review, compliance priorities, regulator Q&A, market insights, and updates on scheme reforms, with consultation on new activities and reforms set to begin at year's end.

5. Scheme Rule changes and reforms:

DCCEEW will be consulting on scheme rule changes and reforms for 8 weeks from the end of this year.

6. Inspections:

NSW Building Commission and IPART continue targeted inspections of Safeguard activities, using intelligence and analytics to inform compliance and investigations, with inspectors clearly identified and reporting issues to ACPs as needed.

6. Member Spotlight – Justice and Equity Centre (JEC):

The JEC advocates for improved regulation and equity in energy access. Focus areas include integrating consumer energy resources to improve access for consumers locked out of CER, improving affordability especially for disadvantaged households, and enhancing demand flexibility.

7. Other Business:

Jessica Lynch is leaving the ESIA after 10 years, with thanks for her contributions.

8. Next Meeting:

The next ESSIRG meeting is scheduled for early March 2026.

1. Marketing

Fair Trading's approach to telemarketing and door knocking compliance outside of the Schemes

Australian Consumer Law (ACL) interacts with NSW legislation. ACL covers unsolicited consumer interactions including in person (door knocking), telemarketing, approaching consumers in a shopping centre and using consumer information for a purpose other than for the reason it was collected. See link for more information [Unsolicited consumer agreements | NSW Government](#)

It becomes an issue when the salesperson applies high pressure sales tactics to make the consumer buy something or sign an agreement.

ACL Rules set out:

- specified times permitted for contact
- information disclosure requirements
- written sales agreement and mandatory cooling off periods

NSW Fair Trading use a proactive and reactive approach to managing consumer issues. These include:

- education programs for consumers and businesses. See link to website for consumers [Avoiding energy scams | NSW Government](#)
- engagement with vulnerable and regional communities
- inspections and investigations
- mediations between traders and consumers
- referral of energy sector complaints to EWON
- Civil and Administrative and Criminal proceedings

Items discussed included:

- Future consideration of New Energy Tech Consumer Code (NETCC) by NSW Fair Trading in the context of consumer protection. Clean Energy Council offered to provide a briefing to NSW Fair Trading on the operation of the Code.
- The challenges faced by consumers when navigating the energy sector and the complaints process. NSW Fair Trading emphasised their "no wrong door" approach, aiming to make the complaints process straightforward for consumers. They refer complaints to EWON and relevant regulators, participate in a regulators network, and share information regularly. It was noted that the regulatory landscape for consumer energy is dynamic, with responsibilities shifting between regulators.
- Solar Accreditation Australia (SAA) noted they accredit solar and battery installers. They are working to expand the remit of the program.

IPART's compliance approach to door knocking

- From 12 September 2025, implementations resulting from unsolicited door knocking are ineligible under NSW Government Safeguard Schemes
- IPART is not an ACL regulator, but is taking steps to manage compliance within scheme requirements around doorknocking including:
 - education and support for ACPs
 - compliance monitoring
 - collaboration with NSW Fair Trading
 - publication of consumer information including a web page that sets out that door knocking is not allowed in the Schemes and how to [report misconduct](#).

Items discussed included:

- ACP's responsibility for managing their third-party representatives. ACPs should have systems and processes in place to manage all representatives including third party marketers. IPART will be checking at application and at audit that these systems and processes are in place and are adequate to manage the risk of unsolicited door knocking.
- Telemarketing has not been included in the Safeguard rules. NSW Government will continue to monitor the impact of marketing on consumers in the Safeguard and will act if necessary.

2. Energy Security Safeguard Stakeholder Forum

IPART's annual Energy Security Safeguard Stakeholder Forum will be held on 18 November at Customs House. About 100 people in person and about 100 online have registered. ESSIRG Members are encouraged to register to attend using this link [2025 Safeguard Stakeholder Forum | IPART](#)

The agenda includes:

- Year in review
- Compliance priorities
- Regulators Panel Q&A
(**IPART, GEMS, Building Commission NSW, Clean Energy Regulator, Fair Trading**)
- Market insights (**Energy Savings Industry Association**)
- Value of smart charging and vehicle to grid (**enX Consulting**)
- Presentation from the NSW Department of Climate Change, Energy, the Environment and Water

3. Scheme changes and reforms

DCCEEW will be consulting on new Peak Demand Reduction Scheme activities and potential reforms to the Safeguard schemes. Consultation for rule change and the reforms is on track to start at the end of this year and will be open for approximately 8 weeks.

The reform paper is quite wide-ranging including consumer protection and core policy matters.

The rule change consultation may include commercial and industrial-scale batteries, batteries for apartments, electric vehicle charging, and combining PDRS incentives with the Australian Government's Cheaper Home Batteries Program (CHBP) for households and groups that face additional barriers to accessing batteries.

4. Inspections

Building Commission NSW

The Building Commission is continuing its inspection program with both metro and regional inspections focussed on solar, batteries and heat pump water heaters. Inspection data to be confirmed.

IPART Inspections

IPART inspections are complementary to other compliance functions. They are targeted using intelligence, data analytics and areas of high or emerging risks. Unlike audits that assess activities which can be up to a year old, inspections allow us to see what is happening earlier and help shape audit approaches and inform investigations. They are also used to ground truth intelligence and build the team's knowledge and understanding of industry practice.

IPART inspectors have Certificate 4 in Government Investigations. The team has diverse professional qualifications and work experience with some having law or engineering degrees and others with industry experience including energy efficiency and law enforcement.

Inspectors will be clearly identifiable as IPART staff including photo ID and will exercise their inspection powers to enter premises, gather records and seize evidence appropriately. They will always be courteous and professional, and we expect they will be treated the same in return. We note it is an offence to hinder or obstruct an inspector, but we haven't experienced this so far and haven't needed to rely on coercive powers to date.

IPART provides reports back to ACPs if issues of concern are identified.

5. Member spotlight

The Justice and Equity Centre (JEC), formerly the Public Interest Advocacy Centre, has worked since the 1980s to improve regulation and policy for better access to clean energy and water. Their focus is on reducing disadvantage and improving equity for consumers, especially vulnerable households in NSW. They work with community groups to understand the issues and advocate on their behalf, noting that disadvantaged communities are not static and change over time.

The JEC advocates for a co-ordinated approach to energy regulation as it is complex and hard for consumers to navigate. Schemes should aim for fair distribution of benefits and improved consumer protections and prioritise outcomes over process or financial incentives. Three focus areas are:

- Integration of Consumer Energy Resource (CER) to share benefits with all consumers especially those locked out of the private benefits of CER including renters and low-income householders that can't afford to install solar PV and batteries to reduce energy costs.
- Improve affordability by lifting the most disadvantaged, rather than just focusing on the average consumer.
- Focusing more on demand flexibility which is underdeveloped as supply side has been the focus.

6. Other business

IPART noted that Jessica Lynch will be leaving the ESIA after 10 years and thanked her for her contribution to the schemes.

7. Next meeting

Early March 2026