



Thursday, 31 July 2025

Submitted via email at unsolicitedsellingreview@accc.gov.au.

Clean Energy Council submission to the Australian Competition and Consumer Commission unsolicited selling and lead generation review

The Clean Energy Council (CEC) welcomes the opportunity to provide feedback to the Australian Competition and Consumer Commission's (ACCC) review into unsolicited selling and lead generation.

The CEC is the peak body for the clean energy industry in Australia. We represent and work with Australia's leading renewable energy and energy storage businesses, as well as accredited designers and installers of solar and battery systems, to further the development of clean energy in Australia. The CEC has been actively involved in addressing key consumer protection issues for consumer energy resources (CER) and has been appointed by the New Energy Tech Consumer Code (NETCC) Council as the administrator and steward responsible for the operations of the NETCC program. We are committed to accelerating the transformation of Australia's energy system to one that is cleaner, equal, fair and transparent for all consumers.

We encourage the ACCC to promote regulatory frameworks that enable clear and effective protections for consumers experiencing unsolicited selling and promotes best practice in industry. Consumer protection is a key policy priority for the CEC, as described in our CER Roadmap "Powering Homes, Empowering People" consumer protection plays an important role in building consumer's trust and therefore confidence to adopt new clean energy technologies in their homes and businesses to better manage their energy usage and costs¹.

The CEC is supportive of enhanced consumer protections throughout the entire CER journey, rather than a blanket ban on all unsolicited sales or lead generation. A ban risks focusing efforts on a single stage of the customer journey, rather than taking a well-rounded approach to sales, installation and after-care. A ban on these sales methods may also lead to reduced clean energy adoption, limited face-to-face engagement for consumers and impacts on CER retailers with legitimate and considered business practices.

¹ [Powering-Homes-Empowering-People-CER-Roadmap.pdf](#)

We encourage the ACCC to consider the introduction of both retailer and sales accreditation to improve customer outcomes. The NETCC is an existing consumer protections framework and is a set of standards designed to protect consumers when purchasing new energy tech. To become a New Energy Tech Approved Seller, a provider must demonstrate it meets the requirements of the NETCC and is committed to ongoing compliance with its standards.

Additionally, sales accreditation would provide a compliance framework for agents regularly interacting with consumers, allowing exclusion and enforcement for sales agents practising high-pressure sales, misleading conduct or fraud.

The accreditation schemes should be supported by increased vulnerability protections for consumers and sensitivity training for sales agents. We also highlight the important role the Energy Ombudsman can play in specified dispute resolution, creating a single point of contact for consumers to raise complaints through the NETCC, with enforceable outcomes from the Ombudsman.

The CEC also recommends that large commercial and industrial (C&I) customers be excluded from the scope of this review. These customers typically have stronger bargaining power and are well-resourced, often using third-party energy advisors or procurement agents to negotiate complex energy and technology solutions. As such, the consumer protection risks that apply to residential customers do not apply in the same way to large businesses.

The following section of this submission details the role of the NETCC, in partnership with the Energy and Water Ombudsman, in minimising consumer harm and reducing the impacts of unsolicited selling and lead generation.

The CEC is interested in ongoing consultation around the development of the ACCC's unsolicited selling and lead generation review and would welcome the opportunity to engage industry in additional discussions with the ACCC. We view this Review as an important step in securing best practice and nationally consistent implementation of consumer protections across Australian jurisdictions.

If you have any queries or would like to discuss the submission in more detail, please contact Con Hristodoulidis (christodoulidis@cleanenergycouncil.org.au)

Kind regards,

A handwritten signature in black ink, reading 'CHristodoulidis'.

Con Hristodoulidis
General Manager, Distributed Energy
Clean Energy Council

The Role of the New Energy Tech Consumer Code

The CEC recommends that the NETCC provides a clear and cost-effective pathway to improving unsolicited selling and lead generation regulation.

The NETCC has been designed by peak industry and consumer bodies that builds on existing mandatory consumer protection regulations defined by the ACCC². It has also been accredited by the ACCC as a voluntary Code that would provide consumers of CER an overall net benefit. At present, the Code applies to rooftop solar, battery storage, EV chargers, home energy management systems. Retailers and installers of these technologies are required to establish and maintain business practices that meet specified standard of consumer protection standards, including fair and honest quotes, ethical sales practices, and after-sales customer service.

There are currently over 1,850 signatories, with multiple cases of NETCC being including as a requirement for retailers participating in both Federal and State Government programs. These programs include:

- Federal Government's \$1b specialist Household Energy Upgrades Fund (HEUF)
- Solar Victoria's Solar for Homes, Solar for Businesses (closed) and Solar for Apartments programs
- New South Wales's Solar for Apartment Residents program
- Western Australia's Residential Battery Program
- Tasmania's Energy Saver Loan Scheme
- ACT's Next Gen Battery Storage Program (closed)

Within these schemes, the inclusion of Approved Retailers has promoted trust in customers participating in the scheme and ensured high quality products are being installed in households. Appendix A provides more detail on signatories.

NETCC is overseen by the NETCC Council, comprising representatives of peak consumer and industry organisations, including Energy Consumers Australia, Consumer Action Law Centre, Energy Networks Australia, Renew, Australian Energy Council, Energy Efficiency Council and the Clean Energy Council (CEC). This mixed membership ensures consumer interests and industry standards are balanced. The CEC acts as the Administrator and steward, responsible for day-to-day. Crucially, compliance and enforcement are overseen by a separate Code Monitoring and Compliance Panel, composed of industry and consumer experts. This governance arrangement safeguards independence in decision-making, investigations, and appeals³.

The NETCC undergoes regular 5-year reviews with the ACCC, guaranteeing futureproofing is built into the scheme. This is a far more flexible way to ensure consumer protection keeps up with market innovation.

² [New Energy Tech Consumer Code | ACCC](#)

³ [NETCC | NETCC | Who Runs The New Energy Tech Consumer Code?](#)

Specified dispute resolution under the role of the Ombudsman

The CEC supports giving the Energy Ombudsman responsibility for resolving customer disputes about new and emerging energy technologies. This can be done through a Memorandum of Understanding (MoU) between the Ombudsman and the NETCC. If a customer is unhappy with how a NETCC signatory handles their complaint, especially around unsolicited sales or lead generation, they would then have a clear and trusted path to take their issue to the Ombudsman.

This approach would make it easier for customers to understand where to go for help and would ensure complaints are handled fairly and consistently. Under this model, the Ombudsman would focus on resolving the issue for the customer, while the NETCC administrator would separately investigate and act against the business if the Code was breached.

The CEC's proposal builds on the current system; customers first go through the NETCC complaints process, and if that does not lead to a fair outcome, they can then take the matter to the Ombudsman. This is similar to how energy retailers handle disputes; retailers get the first chance to resolve the issue before it can be escalated externally.

We also recommend that Ombudsman membership fees be scaled to the size of the business and the number of complaints they generate. This would ensure larger CER providers that place more demand on the Ombudsman service contribute fairly to its costs.

This structure would encourage businesses to resolve complaints properly through the NETCC process and discourage repeat breaches of the Code, improving outcomes for customers and strengthening trust in the sector.

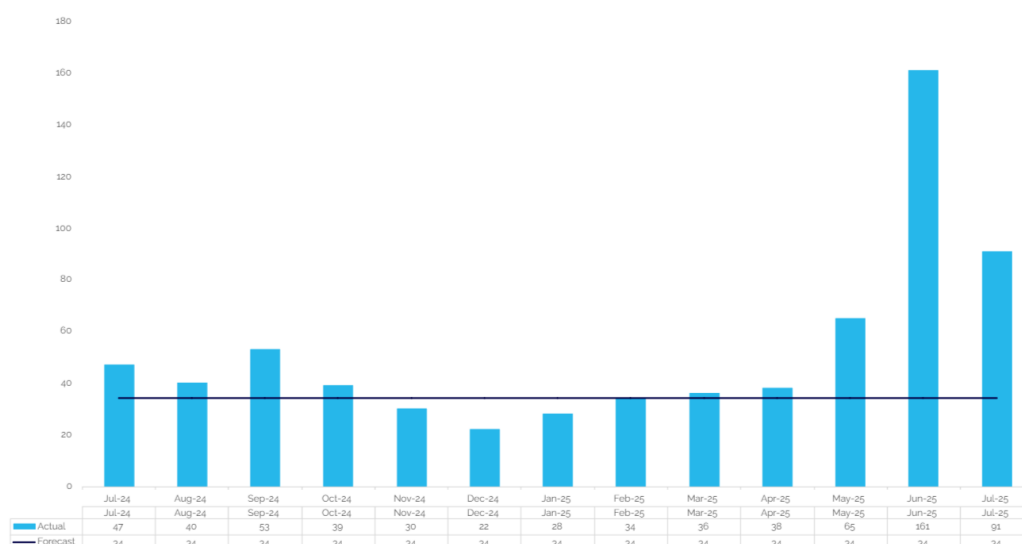
Appendix A – July 2025 NETCC Update

New Application Trends

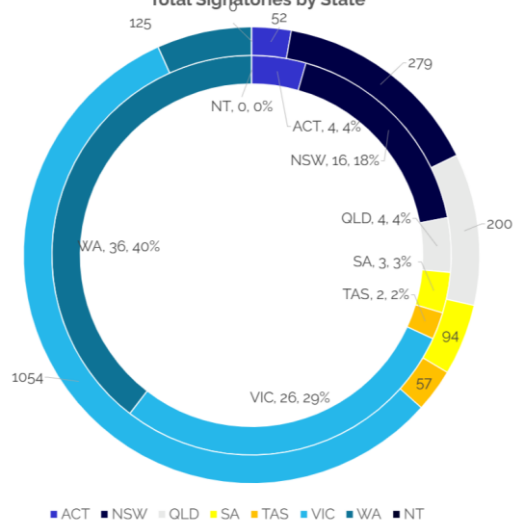
In July 2025, the NETCC received 91 new applications. The high volume of new applications in the last quarter is attributed to applicants joining as a result of the NSW Solar for Apartment Resident program and the WA Residential Battery Scheme, requiring NETCC accreditation to participate in the program.

Of the 91 new applications received this month, the largest share came from Western Australia (40%), followed by Victoria (29%) and New South Wales (18%). These shifts suggest growing interest from NSW and WA retailers, which may indicate emerging opportunities arising from state incentive programs requiring NETCC as a requirement of the program.

New Applications Per Month (FY24/25)



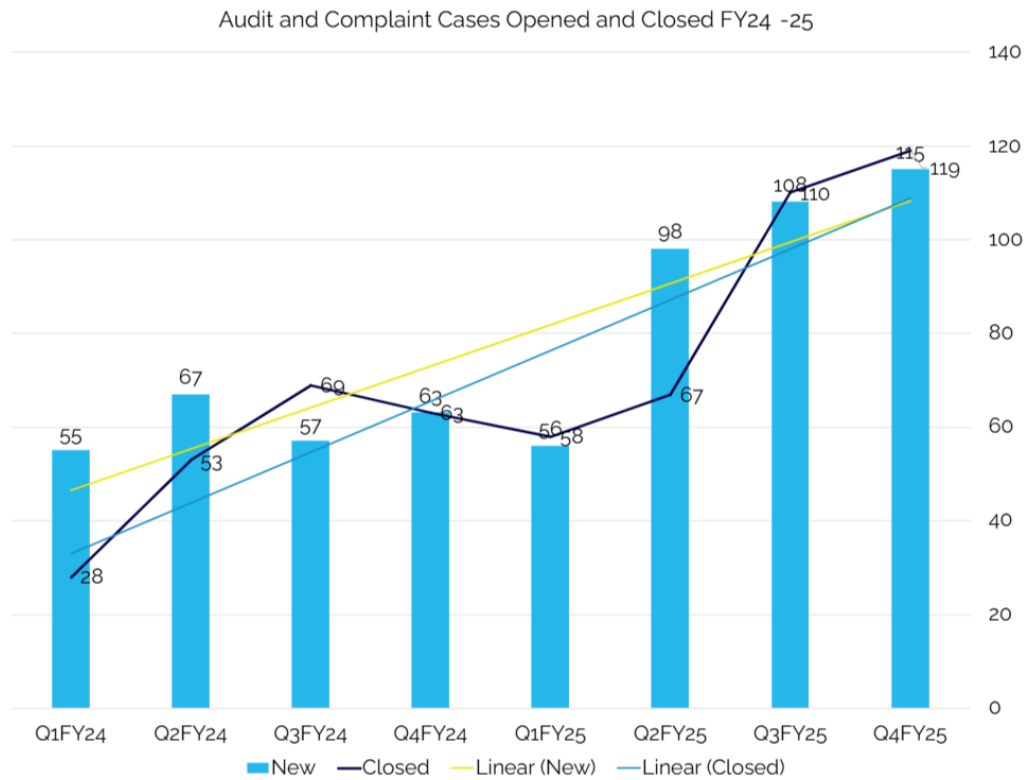
Composition of Applicants received by State (July 2025) & Total Signatories by State



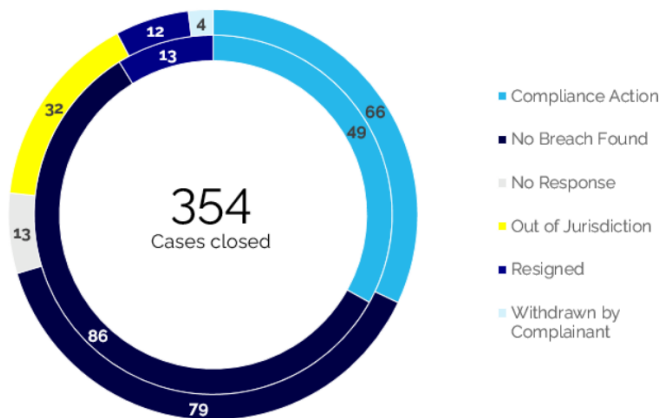
1,853
signatories
91 new applications in
July 2025

Inner circle - New applications received in the month of July 2025
Outer circle - Total NETCC Signatories

Compliance Case Summary (Complaints and Audits)



Case Outcomes (FY24/25)



Outcome Insights

- The outer circle includes complaint case outcomes for FY24- 25
- The inner circle includes audit case outcomes for the same period.
- A total of 354 cases closed in this FY25, 32% of which resulted in compliance action.