

Code of Conduct

Energy companies and their marketers (telemarketers/door-to-door sales) are governed by a strict Marketing Code of Conduct which outlines how and when they can contact you to promote their service. They can contact you in person, by phone, by mail or by electronic means.

In addition, marketers are required to comply with the Competition & Consumer Act.

Under the Energy Marketing Code, marketers must:

- comply with all applicable Commonwealth and State laws;
- not engage in misleading, deceptive or unconscionable conduct, whether by act or omission;
- not exert undue pressure, harass or coerce a customer;
- use words and images that promote customers' comprehension of customer sale contracts;
- ensure that information provided to customers is truthful and in plain language;
- ensure that information provided to individual customers is relevant to that customer's circumstances;
- provide only timely, accurate, verifiable and truthful comparisons;
- except by prior appointment, a marketer or salesperson must only contact a customer at reasonable times Monday to Saturday. No contact any time on Sunday or on a public holiday. (The Competition and Consumer Act 2010 restricts those times to weekdays between 9am & 6pm, Saturdays between 9am & 5pm);
- leave your home immediately or leave your home when you ask them;
- not contact you again for 20 business days if you indicate you are not interested in their service;
- not contact a customer who has registered their phone number on the "do not call register".

If you are contacted by a marketer who does not comply with the above, you should make a complaint to the energy retail company they represent. You can also contact the Australian Competition & Consumer Commission (ACCC) on 1300 302 502.

Consumer protections

Guaranteed regulated electricity prices

Energy consumers who are in a standard retail contract are billed for their electricity based on the regulated pricing set by the Essential Services Commission of South Australia. If you accept a market contract you can choose to go back to the regulated price at the end of your contract.

Minimum contract standards

To protect the rights of consumers who enter into a market contract, minimum standards apply to all electricity and gas contracts. Your energy company must give you a Customer Charter that clearly outlines these minimum terms and conditions, which include things like billing, connections and disconnections.

Do Not Call Register

The Commonwealth Government has set up a 'Do Not Call Register', which gives you a choice about whether to receive any telemarketing calls at home. Energy telemarketers should not call your number once it has been on the register for 30 days. You can register your home, mobile phone or fax number (including business fax numbers) for five years on the register at www.donotcall.gov.au.



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Important tips

Price fact sheets

Under the Energy Price Disclosure Code, energy companies are required to provide 'small' customers (using less than 160 MWh of electricity or 1 TJ of gas per annum) with a price fact sheet upon request. This sheet sets out the information customers need to consider before entering into a market contract. Energy companies must provide a copy in a prominent and readily accessible position on their website. Price fact sheets must include information about the contract's pricing, fees, charges, rebates, incentives and the estimated annual price for specified consumption levels.

10-day cooling-off period

After you have entered into a new market contract you have 10 business days in which to 'cool off', that is, change your mind. This period begins on the date that you receive the written disclosure statement from the energy company. In order for you to 'cool off' you will need to contact your new energy company and make it clear with them that you do not wish to proceed with the contract. It is probably best to do this in writing and send it by post, fax or email and you should keep a copy for your records. You do not need a reason for your decision.

Disclosure statements

Once you have accepted a contract, your energy company must give you a written disclosure statement. It should be in plain English and explain key terms of the contract, including prices, service levels, bill frequency, duration of the contract, available payment methods, fees and charges and early termination penalties.

Read the fine print and take your time

A contract is a legally binding agreement so it makes sense to take the time to read it carefully and ensure you understand what you're entering into. Don't allow yourself to be pressured into accepting a contract you haven't read or don't understand.

Seek clarification

If you don't understand something, ask your energy company or get independent advice on what it means (Energy Industry Ombudsman South Australia cannot provide advice about whether a contract is suitable for you). Market contracts must still comply with the consumer protection requirements specified by the Energy Retail Code. However, tariffs, fees, discounts and other conditions are not regulated.

Early termination/transfer fees

You may be charged a termination fee if you choose to end your contract early so it is important to know if you will be allowed to transfer your account to another location without being charged. Marketers must tell you about the termination fee and the information must be clearly stated in your contract.

Keep copies

Always keep a copy of the information provided to you by the marketers as well as a copy of any contract you sign - if there's a dispute in the future you will need all of the original paperwork.



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