



Australian  
Competition &  
Consumer  
Commission



AUSTRALIAN  
ENERGY  
REGULATOR

# Energy marketing—your rights

Under the Australian Consumer Law and the National Energy Retail Law you have a number of rights and protections when you receive an uninvited sales offer over the phone or at your door.

By law, energy retailers must comply with a number of specific rules for these types of sales marketing. This includes restricted hours of contact, the right to change your mind at no cost and written information on the energy offer.

## What rules must a salesperson follow?

Under the Australian Consumer Law salespeople who call or contact you uninvited are required to:

- provide identification and tell you the reason for their visit or call
- tell you their name and the energy company they work for
- tell you they must leave your residence immediately if asked and not come back for 30 days
- clearly explain the offer they are making to you
- summarise the important elements of the proposed contract
- give you a written copy of the contract. If the sale is over the phone this must occur within five business days, and for door to door sales immediately after you sign.

Under the National Energy Retail Law additional protections for energy marketing require retailers to:

- provide you with an Energy Price Fact Sheet and
- maintain a 'no contact' list.

## What is an Energy Price Fact Sheet?

It is a short summary of the terms and conditions of the contract. It includes the price and the contact details for the retailer and any discounts or charges that apply.

## Can a salesperson call or visit at any time?

No, salespeople have restricted hours when they can call or visit you. A salesperson can:

- come to your door between 9.00 am and 6.00 pm Monday to Friday and 9.00 am and 5.00 pm Saturday
- call you between 9.00 am and 8.00 pm Monday to Friday and 9.00 am and 5.00 pm Saturday.

Salespeople cannot contact you on Sundays or public holidays. However, a salesperson may visit you at any time with your agreement.

## Quick tip

Under the National Energy Retail Law, salespeople must not visit if you are displaying a no canvassing sign such as 'do not knock', 'no marketing' or 'no advertising material'.

## I am not interested in what the salesperson is offering—what can I do?

Say 'no thanks'. Do not feel pressured to buy anything from someone who comes to your door.

Always say 'no' if a salesperson:

- offers a deal that sounds too good to be true
- asks for payment before they provide any goods or services
- is behaving in a way that makes you nervous or uncomfortable.

Salespeople must not make misleading statements or put you under pressure to sign on the spot.

## Remember

Beware of statements such as “I’m from the government” or “I’m just here to make sure your bill is correct” or “I’m the new retailer for your area”.

These people may not be genuine salespeople, and if they are, they may be breaking the law.

Always ask to see their identification and report any concerns or complaints you have to the energy business they represent.

## I am interested in the offer—what should I do?

Before you sign up to a new energy contract you should:

- check your current bill to see how the new offer compares to what you are currently paying
- check facts and consider the details of the offer including the length of the contract, price, early exit fees, billing and payment arrangements and any incentives or discounts
- discuss it with someone else (family, friends)
- ask yourself questions, like: “Is this the right deal for me based on my own energy use?” and “Do I have enough information to decide?”
- remember the salesperson cannot ask you to make any payments during the 10 business day cooling off period.

If you do not speak English well, you should ask for a copy of the agreement in your preferred language.

## I signed an agreement and have changed my mind—what can I do?

If you sign a contract and then change your mind:

- you have 10 business days, starting the first business day after you sign the agreement to cool off
- you can terminate the agreement verbally or in writing any time during the cooling-off period. Written termination can be delivered personally, sent via post, emailed or sent via fax
- the salesperson must not try to convince you to waive your rights to cool off
- the agreement will be cancelled from the day you give notice.

## What are no-contact lists?

Energy retailers are required to maintain a list containing the details of customers who do not wish to receive salespeople or marketing material at their home. If you wish to be placed on a no-contact list, you can tell the salesperson to contact the retailer and request to be placed on their no-contact list. If you do not wish to be contacted by phone you can sign up to the Australian Government’s Do Not Call Register on 1300 792 958, or visit [www.donotcall.gov.au](http://www.donotcall.gov.au)

## More information

### Australian Energy Regulator

AER Infoline 1300 585 165

AER website [www.aer.gov.au](http://www.aer.gov.au)

Energy Made Easy [www.energymadeeasy.gov.au](http://www.energymadeeasy.gov.au)

### Other contacts

Indigenous Infoline 1300 303 143

For information in languages other than English call 13 1450 and ask for 1300 585 165

Speak and Listen users phone 1300 555 727 and ask for 1300 585 165

TTY users phone 13 3677 and ask for 1300 585 165

Internet relay users connect to the National Relay Service ([www.relayservice.com.au](http://www.relayservice.com.au)) and ask for 1300 585 165

Australian Competition and Consumer Commission  
23 Marcus Clarke Street, Canberra, Australian Capital Territory 2601  
©Commonwealth of Australia 2013

### Important notice

The information in this publication is for general guidance only. It does not constitute legal advice or other professional advice, and should not be relied on as a statement of the law in any jurisdiction. Because it is intended only as a general guide, it may contain generalisations. You should obtain professional advice if you have any specific concern.

The ACCC has made every reasonable effort to provide current and accurate information, but it does not make any guarantees regarding the accuracy, currency or completeness of that information.

ISBN 978 1 921973 12 3

ACCC 01/13\_574

