

## Consumer rights under the Victorian Energy Upgrades program: New code of conduct starting 1 July 2022

The Victorian Energy Upgrades program is a voluntary, market-based program that offers access to discounted products to help make your home or business more energy efficient. This includes things like in-home display units, lighting, showerheads, heating and cooling and hot water systems.

The Victorian Energy Upgrades program helps consumers to save on energy costs and reduce greenhouse gas emissions.

Over 2 million Victorian households and businesses have benefitted from the program since it was introduced by the Victorian Government in 2009. It is the largest energy efficiency program in Australia.

To support consumers who choose to take up the program every accredited provider and third-party person and business acting on their behalf to deliver products and services under the program must follow the Victorian Energy Upgrades code of conduct.

The Victorian Energy Upgrades code of conduct protects your rights as a consumer. It sets out the behaviours and standards you should expect from people and businesses delivering products and services through the program. The code provides consumer protections relating to marketing and sales, contracting and information provision, installation, after-sales processes, and dispute resolution. It is consistent with Australian Consumer Law.

This information sheet explains your consumer rights under the Victorian Energy Upgrades program and what you should expect if you are approached about the program.

### What is an accredited provider?

An accredited provider is someone approved by the Essential Services Commission to provide products and services to consumers in the Victorian Energy Upgrades program under the program rules.

Accredited businesses must also make sure third parties and sub-contractors acting on their behalf follow these rules.

Accredited provider contact information is available at <http://www.veu-registry.vic.gov.au/Public/Participants2.aspx>



## Victorian Energy Upgrades program – know your consumer rights

The Victorian Energy Upgrades program is open to all Victorian homes and businesses.

**Your participation in the program is voluntary.**

The people and businesses involved in marketing and delivering products and services under the program are not employed by the Victorian Government or the Essential Services Commission. They must follow the code of conduct when they speak with you on the phone or in person, and when they carry out installation work.



### Marketing activities

A person or business who contacts you about the Victorian Energy Upgrades program **must**:

- explain that you do not have to take part in the program and that the program is voluntary
- identify or name the business they represent
- only market the program to you if you are 18 years or older
- not say things that are misleading, false or deceptive – including lead generators and accredited providers misrepresenting themselves as working for the Victorian Government or the Essential Services Commission
- inform you about any product recommendations and requirements, and any warranties for the product and installation work
- not mislead you as to the nature, the characteristics, the suitability for their purpose or the quantity of goods or services to be supplied
- not use high-pressure tactics such as pressurising, coercion, bullying, aggression and intrusive manners to market or sell the program
- following additional rules if they use doorknocking or telemarketing.

## Doorknocking at your home or place of business

People are not allowed to doorknock if you have a 'do not knock', 'no canvassing', 'no doorknocking' or similar sign displayed at your house or business. A person or business who knocks at your door about the Victorian Energy Upgrades program **must**:

- wear an identification card with their photo, full name, contact details, relevant Australian Business Number (ABN), and main contractor details
- explain how they got your home or business address
- tell you why they are visiting your house or business
- tell you the name and address of the organisation they are working for
- tell you who is installing the upgrade if you choose to go ahead with a product or service
- provide you with the phone number of the organisation they are working for if asked
- provide a phone number for you to contact the person or company installing the upgrade
- not enter your house or business without permission
- leave your house or business immediately if asked by you (for any reason at all) and not return for 30 days
- not knock on your door on Sundays or public holidays, before 9am or after 6pm on weekdays, or before 9am or after 5pm on Saturdays.



## Telemarketing

A person or business who calls you on the telephone about the Victorian Energy Upgrades program **must**:

- tell you why they called you
- tell you how they got your phone number if asked
- identify or name the business they represent
- tell you who will install the upgrade if you choose to go ahead with a product or service
- answer reasonable questions you have about who they are working for
- not use recorded messages
- provide a phone number for you to contact the person or company installing the upgrade
- at your request, end the call and hang up immediately, and not call back for at least 30 days
- not call on Sundays or public holidays, before 9am or after 8pm on weekdays, or before 9am or after 5pm on Saturdays.

The Essential Services Commission and the Victorian Government do not provide private contact information to people or businesses involved in delivering products and services through the Victorian Energy Upgrades program.

To stop receiving telemarketing calls, register your number with the Do Not Call Register managed by the Australian Communications and Media Authority. To find out more or register your number, visit [www.donotcall.gov.au](http://www.donotcall.gov.au) or phone 1300 792 958.

To find out more about laws regulating telemarketing and doorknocking business practices, contact Consumer Affairs Victoria via [www.consumer.vic.gov.au/contact-us](http://www.consumer.vic.gov.au/contact-us) or call 1300 55 81 81.

## Contracts for the Victorian Energy Upgrades program

People or businesses offering contracts for a Victorian Energy Upgrades program activity **must**:

- only enter into a contract with you if you are 18 years or older
- make sure you understand the information provided for the contract
- give you information about your rights and their obligations
- give you information about the upgrade they are offering and a contract – the contract should detail the product/service, any fees, payment terms (and consequences of not meeting them), and cooling-off periods
- tell you about and make sure you understand any work to be done before it is started
- tell you who is installing the upgrade if you choose to go ahead with a product or service
- provide a phone number for you to contact the person or company installing the upgrade.



## Undertaking work for the Victorian Energy Upgrades program

People and businesses starting work on a Victorian Energy Upgrades Program activity at your house or business **must**:

- only talk to someone who is 18 years or older and can understand the contract for the work
- only start work once you have consented to the work, including costs
- cancel the job if they have not given you the details of the job – time and date, product / service to be installed, contact information for the person or business doing the installation
- cancel the job if a person 18 years or older is not present at the location when the work is to be done
- give you their contact details once the job is finished so you can contact them if required
- give you dispute resolution information for the accredited provider creating certificates for the installation at your premises, instructions and warranty information for product/services installed.

The Victorian Energy Upgrades code of conduct requires accredited providers to have a complaints and dispute resolution process in place to address consumer enquiries and complaints. Marketing and installation third parties must provide you the details of the accredited provider so you can access their dispute resolution process.

## About the Essential Services Commission

We are an independent regulator that promotes the long-term interests of Victorian consumers with respect to the price, quality, and reliability of essential services. We regulate Victoria's energy, water, and transport sectors, and administer the rate-capping system for the local government sector.

We also regulate and administer the Victorian Energy Upgrades program which aims to reduce greenhouse gases by making energy efficiency improvements more affordable for consumers.

For questions about the Victorian Energy Upgrades program or the code of conduct, email the Essential Services Commission at [veu@esc.vic.gov.au](mailto:veu@esc.vic.gov.au) or call (03) 9032 1310 during business hours. For information, visit [www.esc.vic.gov.au/victorian-energy-upgrades-program](http://www.esc.vic.gov.au/victorian-energy-upgrades-program)

This information sheet is for general informational purposes only. It does not alter or replace any obligations contained in the Victorian Energy Upgrades Code of Conduct or any relevant law. The Essential Services Commission has made every effort to ensure the quality of the information and accuracy as at the time of publication and provides this information in good faith, however it makes no representation or warranty of any kind, express or implied regarding the accuracy, adequacy, validity or completeness of the information. It is not a substitute for legal advice and we encourage you to consult with appropriate legal professionals.

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### Essential Services Commission

Level 8, 570 Bourke Street  
Melbourne Victoria VIC 3000

Phone: (+61 3) 9032 1300 or 1300 664 969

Fax: (+61 3) 9032 1303

Email: [veu@esc.vic.gov.au](mailto:veu@esc.vic.gov.au)

Website: [www.esc.vic.gov.au](http://www.esc.vic.gov.au)

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