



# Compliance Quarterly Report

Financial year – 2024-2025

Quarter 4: 1 April 2025 to 30 June 2025



# NETCC Compliance Report

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## Introduction

The New Energy Tech Consumer Code (NETCC) protects the integrity of the program and consumers through three actions:

- Rejecting applications from NETCC Approved Sellers (Sellers) that do not meet the NETCC requirements.
- Investigating complaints against NETCC Approved Sellers (Sellers) and sanctioning those found in breach of the NETCC. Suspending, cancelling, and removing Sellers from the program where serious, repeated, or wilful violations of the NETCC are identified.
- Conducting compliance audits of Sellers to assess compliance of their sales activities.

This report covers the fourth quarter of the 2024/25 financial year (April to June 2025) and provides insight into the NETCC program trends, including applications, consumer complaints received, audits and compliance actions. It also offers case studies to help Code Sellers stay informed and enable ongoing compliance.

The mandate of the NETCC program continues to expand with the adoption of the NETCC by the Western Australian (WA) Residential Battery Scheme that was launched on 1 July 2025. This follows the mandate of the NETCC for New South Wales’ Solar for Apartments Residents’ (SoAR) Grant Program in Q3 FY24-25.

The WA Residential Battery Scheme allows consumers to access a rebate and / or a no-interest loan to purchase and install a battery to power their home. The inclusion of New Energy Tech Approved Sellers in this scheme strengthens consumer protections, promote trust among WA consumers and ensure high-quality products are being installed in households by reputable businesses.

NETCC Approved Sellers participating in the Residential Battery Scheme must have a WA address for their business in accordance with clause 4(e) of the Code. Approved Sellers will also need to comply with [additional requirements](#) of the Residential Battery Scheme in addition to all of their obligations under the NETCC.

## NETCC application trends

The Administrator is observing a steady uptake of the NETCC Program.

While the majority of new applicants have been from Sellers based in Victoria and New South Wales, this quarter has seen a noticeable increase in applications from WA.

|                           | Q1 FY24/25     | Q2 FY24/25     | Q3 FY24/25     | Q4 FY24/25     |
|---------------------------|----------------|----------------|----------------|----------------|
|                           | Jul – Sep 2024 | Oct – Dec 2024 | Jan – Mar 2025 | Apr – Jun 2025 |
| New Applications received | 140            | 91             | 98             | 264            |
| Applications approved     | 118            | 101            | 78             | 139            |

In this quarter, the NETCC has received 264 new applications. Of the new applications the largest share came from Western Australia (120, 45%) followed by Victoria (57, 21%), then New South Wales (47, 18%).

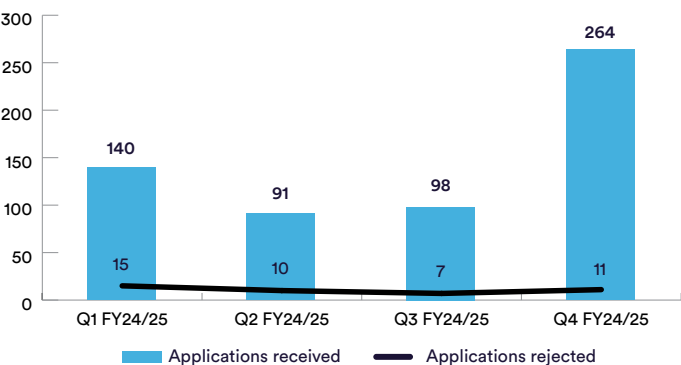
The increase in applications from WA highlights the opportunities created by state-based incentive programs that require participants to be NETCC Approved Sellers.

The Administrator guides applicants through the various stages of the application process and may request amendments to documents and processes.

## NETCC applications received and rejected

This quarter the Administrator received 264 new applications which is an increase compared to the previous quarter.

11 applications were rejected this quarter. Rejections may occur when an applicant withdraws their application or is unable to provide the requested documents in time, and they may recommence the application later. In other cases the applicant may fail to demonstrate sufficient understanding of the Code across multiple reviews, support, and submissions.



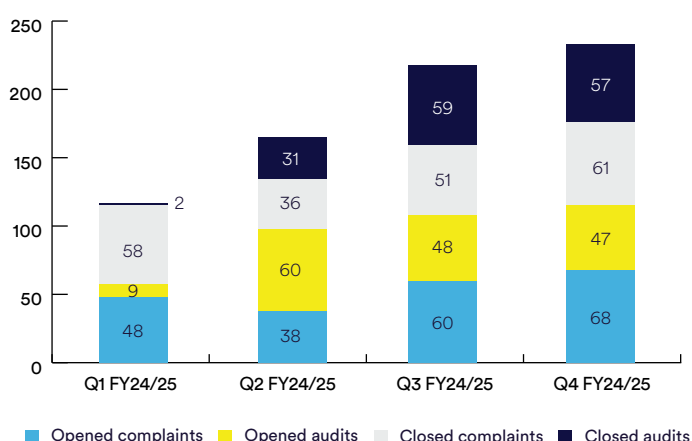
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## NETCC compliance cases opened and closed

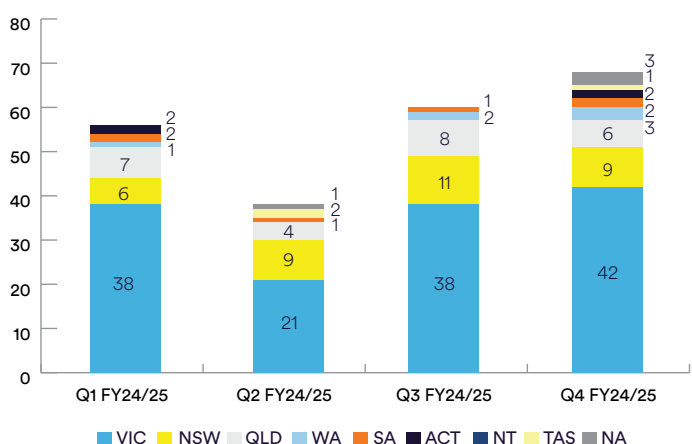
This quarter, the Administrator opened 115 cases and closed 118 cases following a complaint or audit investigation. Of these, the Administrator opened 68 cases following a complaint and closed 61 cases following a complaint investigation.



\*Audits started in Q1 FY 24/25

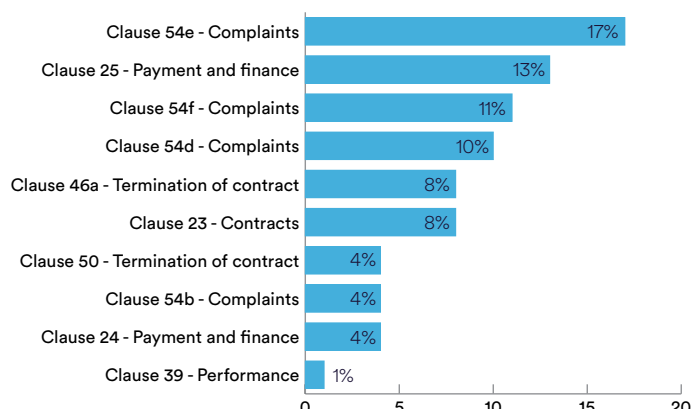
## NETCC complaints received by Origin of Case (state / territory)

67% of complaints received over the last quarter originated from Victoria. For each of the prior four quarters, Victoria had the largest number of complaints by origin of case compared with other states and territories. This is consistent with the higher proportion of Sellers operating in Victoria.



## NETCC compliance audits opened and closed

71 competency audit questionnaires were completed this quarter to test Sellers by examining their knowledge of the Code. An analysis of the questionnaire results indicates that questions relating to 'Complaints' represented 3 out of the 5 most incorrectly answered audit questions.



Of the 47 audit cases opened this quarter, 38 were opened after Sellers failed to pass or complete a competency audit, and 9 were opened to investigate recent sales activity under robust audits. Of the 57 audit cases closed this quarter, 49 were cases related to competency audits, and 8 were robust audit cases.

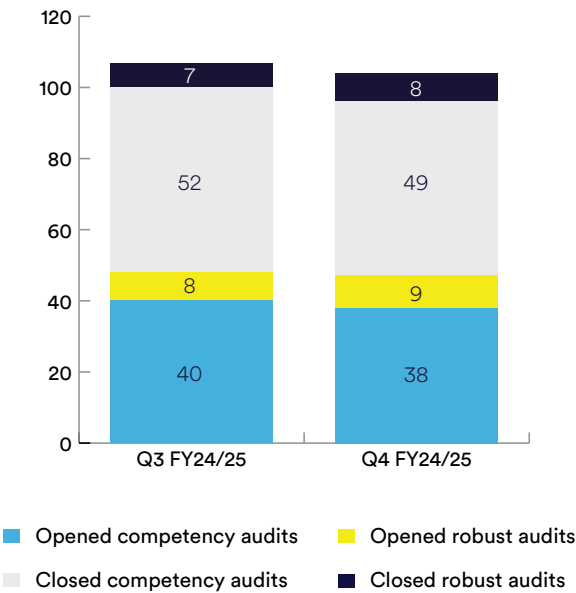
Clauses 19 to 23 of the NETCC set out various requirements relating to the 'Contracts' section of the Code. A key requirement is clause 23 of the NETCC, which was observed to be a commonly breached requirement in response to the Competency Audit questionnaire.

- Clause 23 states that "both of us will sign the contract and any amendments. Equivalent methods of legal agreement other than physically signing a written contract in person are also permitted (for example, electronic acceptance)". That is, any amendments to an agreement must be documented in writing (or equivalent legal method) by both the Seller and consumer.

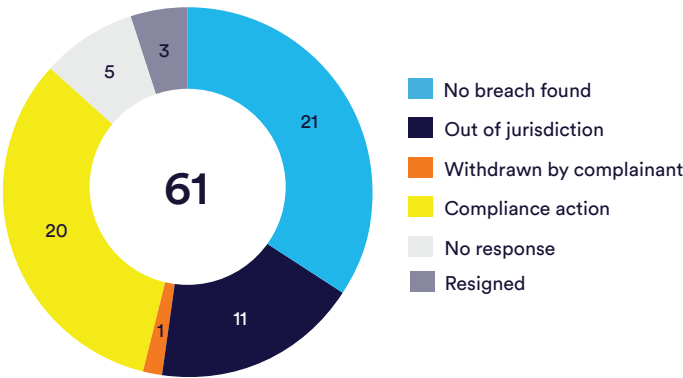


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5 cases were closed following no response, which means the Administrator was unable to progress the investigation as the complainant failed to provide further information.

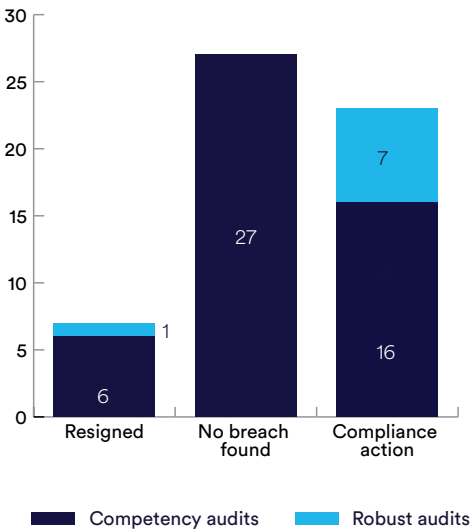


40% of the closed 57 audit cases resulted in compliance action. 70% of the closed audit cases that resulted in compliance action were competency audit cases. This quarter, 12% of the closed audits cases were as a result of the Seller resigning from the program.

## Closed complaint case outcomes

This quarter, the Administrator closed 61 complaint-based compliance cases. Of these cases, 5% were closed as the signatory resigned their NETCC status before the investigation was finalised. These unresolved cases are considered when businesses or associated individuals reapply to enter the program. Re-entry into the NETCC is not permitted where applicants cannot demonstrate they have resolved a case that was closed due to resignation.

33% of closed complaint cases resulted in compliance action against Sellers. Compliance action is recorded against the Seller as a Support to Comply (STC) or a breach. Breaches generally require the Seller to deliver more significant corrective actions to resolve the breach, while an STC acts as a formal warning and does not require extensive remedial actions.

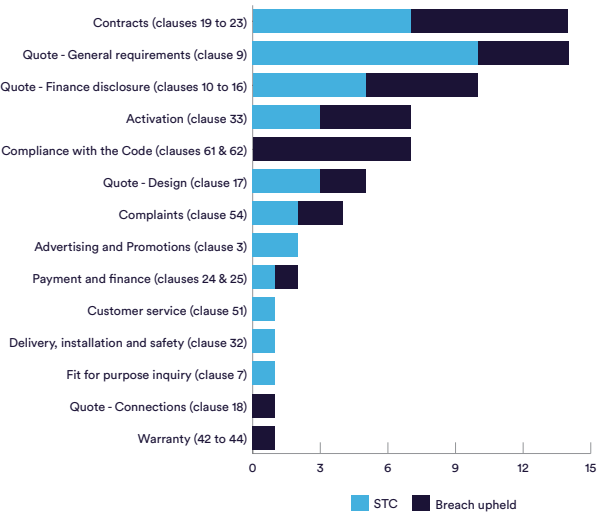


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## Breaches and support to comply (STC) notices issued



For a full description of the clauses, please refer to the New Energy Tech Consumer Code itself:  
[New-Energy-Tech-Consumer-Code.pdf](#)

Of the 61 closed compliance cases that originated from complaints, 70 instances of non-compliance were recorded this quarter where a Seller failed to comply with a requirement of the Code. Of the 70 instances, 36 were issued under support to comply notice, which acts as a formal warning, and 34 were recorded as breaches.

All 70 instances of non-compliance with the Code's requirements require the Seller to complete remedial actions with recorded breaches demanding more substantial actions.

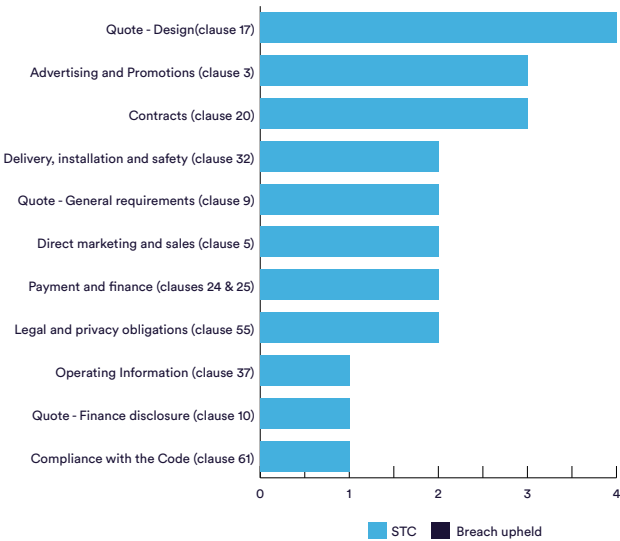
Following this quarter's complaint investigations, the Administrator found that some of the most common breaches of the Code were in relation to:

- Quote – General Requirements (clause 9) – 10 STCs, 4 breaches

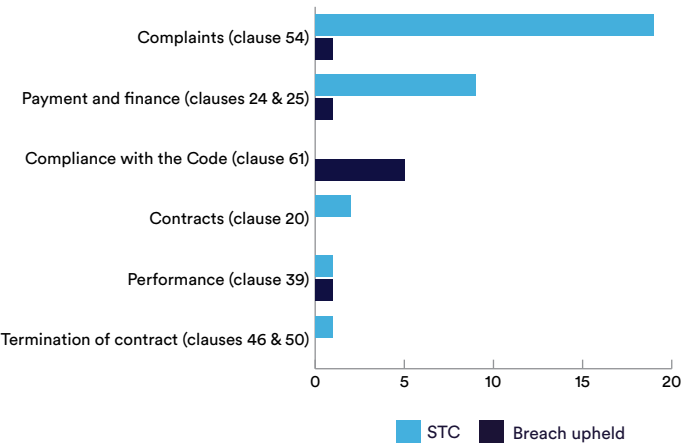
Clause 9 of the Code sets out general requirements of a written quote, of which the key requirements are summarised as follows:

- Clause 9(b) - requires that the New Energy Tech supplied must be itemised and include information about the manufacturer, model, year, quantities, configuration and performance specifications.
- Clause 9(c) - information about how the New Energy Tech operates.
- Clause 9(e) - information about product or system limitations e.g. where a battery doesn't provide a back-up facility.

- Clause 9(f) - provide reasonably based performance estimates using reputable sources.
- Clause 9(h) - estimated delivery and installation timeline.
- Clause 9(o) - requires that the front page of the quote include a prominent disclaimer about the consumer's right to terminate the sales agreement within 10 business days if the sale was unsolicited.
- Clause 9(q) - a Seller is bound by the NETCC.



23 instances of non-compliance with the Code were recorded as an STC following the 7 robust audit cases that resulted in compliance action. These audits are designed to investigate pre-sales activities with a focus on the online presence of Sellers and the quotes and contracts they have supplied under recent sales. The audits are designed to proactively monitor the presales activity of NETCC Sellers with the aim of educating businesses to better comply with the Code however, repeated instances of non-compliance will result in breaches upheld. If breaches are upheld, Sellers will be required to undertake appropriate remedial actions to retain their status as a NETCC Seller.





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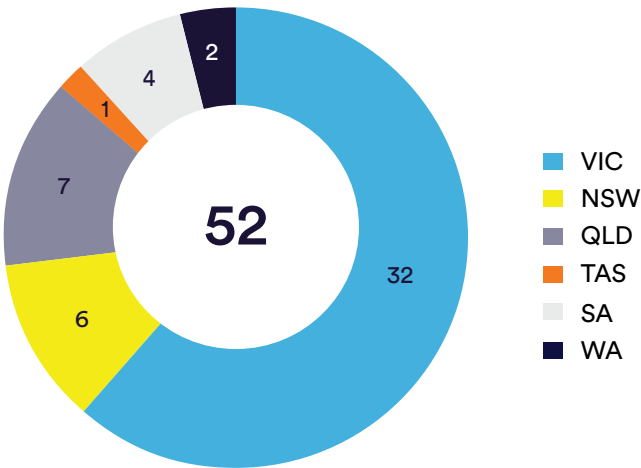


40 instances of non-compliance with the Code were recorded as STCs and breaches following 16 competency audit cases that were finalised under compliance action in the last quarter. These audit cases were raised in response to the Sellers failing to pass the competency audit questionnaire by scoring less than 80%. Sellers who fail to attempt the questionnaire audit are suspended and expelled if they do not complete the audit within a reasonable timeframe. Most instances of non-compliance with the Code were due to incorrect questionnaire responses relating to ‘Complaints’ (complaints handling), ‘Contracts’ and ‘Compliance with the Code’ for failure to cooperate or respond to the Code Administrator within given timeframes.

## Referrals by region

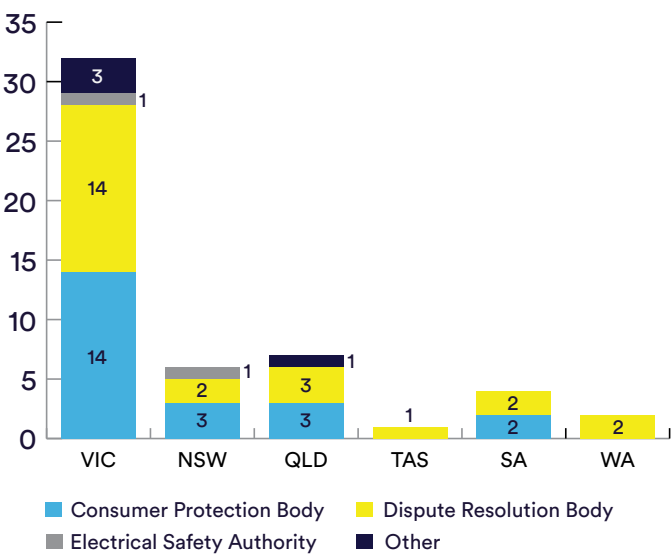
Referrals are made where incidents are outside NETCC jurisdiction and cannot be investigated. In these situations, the complainant is provided the contact information for their relevant consumer protection authority, dispute resolution body or regulator, depending on the nature of the issue. The Administrator cannot act as a dispute resolution body and does not have the jurisdiction to settle commercial, civil, or financial disputes under the Code.

No referral advice was provided for complaint cases from the ACT and no complaint cases from the NT were finalised.



Of the 52 referral advice notices sent to consumers:

- 22 were for consumer state or territory consumer protection authorities
- 24 were for state or territory dispute resolution bodies
- 2 were for state electrical safety authorities
- 4 other referral notices were sent to other external bodies such as Solar Accreditation Australia and the Australian Communications and Media Authority.



The highest percentage of referral advice was provided to complainants from Victoria at 62% followed by Queensland at 13%.

## Compliance actions

Three Sellers were expelled from the NETCC program this quarter. One Seller was suspended from the NETCC program and had its suspension lifted this quarter.

For more information on current NETCC suspension and expulsion findings, please visit [newenergytech.org.au/compliance-activity](https://newenergytech.org.au/compliance-activity).

## Connect with us

### Report a breach

Help us find Approved Sellers who are in breach of the Code and protect the integrity of the program and consumers. You can anonymously report any suspected breaches of the Code via our online Complaint Form. To learn more about the evidential requirements and supporting documentation: [newenergytech.org.au/make-a-complaint](https://newenergytech.org.au/make-a-complaint)

### Feedback

The NETCC team welcomes feedback, including how this report can be more effective for you. Please email us at [compliance@newenergytech.org.au](mailto:compliance@newenergytech.org.au)

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## Case study – Product/ System Specifications

### The Breach

A consumer lodged a complaint with the NETCC Administrator following a dispute after a Seller failed to specify sufficient information about Emergency Power Supply (EPS) in the quote, leading to a misunderstanding of the battery's backup capability.

The consumer engaged a retailer for the sale and installation of a solar and battery system with EPS backup included. The consumer understood that the battery would automatically switch to back up in an outage. When this did not occur, they contacted the retailer for assistance. An ongoing dispute then commenced between the retailer and the consumer as the retailer believed the consumer had misunderstood the EPS setup and had confused it with an Automatic Transfer Switch (ATS). Approximately two years after installation the consumer lodged a court claim for the retailer to install an ATS to automatically handle the switching of the EPS to the backup circuits in the event of an outage.

During the investigation, the retailer installed an ATS at the consumer's property free of charge and offered compensation to resolve the complaint.

### NETCC Requirements

Clause 9(b) of the NETCC states that we (the Seller) will provide you (the consumer) with a written quote that sets out an itemised list of the New Energy Tech to be supplied, including relevant specifications. For products and systems, this will include the manufacturer, model, year, quantities, configuration and performance specifications. For services, this will include the nature and purpose of the services, whether the services are ongoing, scheduled (and if so what frequency) or responsive to your request, the duration of the service commitment and whether the services will be provided remotely or at your premises.

### Compliance Action

The Administrator did not receive any evidence demonstrating that the consumer was promised automatic blackout protection. However, the quote failed to specify whether the EPS protection offered would be automatic or manual. The Seller acknowledged that insufficient information was included in the quote to distinguish between EPS and ATS functionality and their quote template was updated to avoid any future misunderstanding about this issue.

As a result of the identified non-compliance of clause 9(b), the Administrator's preference was to downgrade an alleged breach of clause 9(b) to a Support to Comply Warning with a view to ensuring that no further breaches occur. The Seller remained cooperative throughout the investigation and confirmed their understanding of the requirements of clause 9(b) of the NETCC.



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## Recommendations

- All quotes for a battery should state whether EPS covers 'blackout or brownout protection' or not.
- All efforts should be made to avoid vague or generic terminology within a quote such as 'blackout proof for essential loads only' and 'EPS Protection Wiring' to assist in ensuring the consumer understands the type of blackout or brownout protection in the agreement.
- All quotes that offer EPS should specify the type of blackout or brownout protection (manual vs. automatic) and describe how the backup feature operates in practical terms.
- We recommend ensuring that a quote includes information about if the EPS can be charged from other electrical power sources in a blackout/brownout event.
- If a consumer signs a contract for a battery with manual EPS, then written instructions about how to operate this function must be provided to the consumer.

## Consumer Information Products

The NETCC website contains various [Consumer Information Products](#) to assist consumers with the installation and use of their new energy tech.

These products inform consumers how to research their options before purchasing and can help consumers get the most value from their energy system. These free Consumer Information Products were developed in collaboration with Energy Consumers Australia to explain key information to help consumers make informed purchased decisions. The guides cover:

- Solar
- Battery Storage
- Home Energy Monitoring
- Going off Grid
- Electric Vehicles

## Technical Guidance Documents

The NETCC website contains [NETCC Technical Guidance Documents](#) to help support businesses comply with the Code. We encourage NETCC Sellers to familiarise themselves with these documents to ensure ongoing compliance. The available technical guidance documents are listed below:

- Photovoltaic Systems
- Battery Energy Storage Systems
- New Energy Tech - General
- Additional or Retrofitted Battery Energy Storage Systems







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