

Our Ref: #31,190,300  
Contact Officer: Tom Soo  
Contact Phone: [REDACTED]

10 February 2026

Cameron Thompson  
Chief Executive  
Cowell Electric Supply Pty Ltd  
78 Schumann Road  
COWELL SA 5602

By email: [REDACTED]

Dear Cameron Thompson

### **Variation of conditions for Cowell Electric Supply Pty Ltd's individual retail exemption**

On 12 November 2025, we informed you of the AER's intention to vary<sup>1</sup> Cowell Electric Supply Pty Ltd's individual exemption for [the townships of Iron Knob and Pimba](#), South Australia to include new obligations relating to family violence protections and an exempt seller notification requirement.

The AER has publicly consulted on our proposed variation of Cowell Electric Supply Pty Ltd's individual exemption for a period of 20 business days<sup>2</sup> and no submissions were received.

As such, pursuant to the delegation given to me by the AER,<sup>3</sup> I have decided to vary the exemption conditions of the individual retail exemption granted to Cowell Electric Supply Pty Ltd as contained in Schedule 1, attached to this letter.

#### **What you need to do**

*From 10 March 2026*

Notify the AER of any revised contact details for Cowell Electric Supply Pty Ltd's authorised representative, including their name, email address and telephone number. You can notify the AER by emailing: [AERexemptions@aer.gov.au](mailto:AERexemptions@ aer.gov.au)

*By 1 July 2026*

Develop and implement an exempt seller family violence policy, that contains at a minimum, the standardised statements provided in the AER's *Exempt Seller Family Violence Policy template*, which can be found on our website [here](#).

<sup>1</sup> In accordance with rule 158 of the National Energy Retail Rules (**Retail Rules**)

<sup>2</sup> As per our requirements under rule 156 of the Retail Rules

<sup>3</sup> In accordance with rules 157 and 158 of the Retail Rules

## What happens if the varied conditions aren't adhered to?

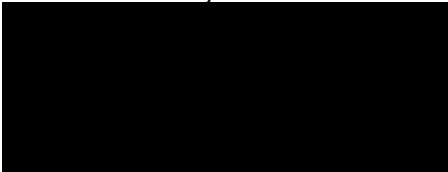
Section 112(2) of the National Energy Retail Law (**Retail Law**) requires exempt persons to comply with the conditions attached to their individual exemptions. Failing to adhere to these conditions is considered a breach of the Retail Law and may attract civil penalties.

### Next steps

We will publish the variation on our website in due course.

If you have any further queries, or would like to discuss this further, please contact Tom Soo on [REDACTED] or email [AERexemptions@aer.gov.au](mailto:AERexemptions@aer.gov.au)

Yours sincerely



Rebecca Holland  
General Manager (A/g)  
Compliance and Enforcement

Sent by email on: 10.02.2026

# Schedule 1: Instrument of Exemption

VARIATION OF CONDITIONS OF INDIVIDUAL EXEMPTION

DATE OF APPROVAL: **26 September 2019**

DATE OF VARIATION: **9 February 2026**

FORM OF ENERGY: **Electricity**

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This individual retail exemption applies to Cowell Electric Supply Pty Ltd / ABN 13 626 950 829 for the sale of electricity to premises at the townships of Iron Knob and Pimba, South Australia.

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## Condition 1 – Obligation to supply

1. An exempt person cannot refuse to sell energy to a customer who meets the criteria for this exemption class, except:
  - a) in accordance with relevant disconnection provisions and
  - b) where the exempt customer's premises have been disconnected by the exempt person for a reason other than failure to pay a bill and the matter leading to the disconnection has not been rectified. The exempt person must reconnect the premises and offer to sell energy once the matter is rectified.

## Condition 2 – Information provision

**Note: Conditions 2.1(e), (f) and (h) do not apply to small business customers.**

**Note: Condition 2 does not apply to large customers.<sup>4</sup>**

1. The exempt person must advise exempt customers, in writing, at the start of their tenancy/residency/agreement of the following:
  - a) the legal name, trading name (if relevant) and contact details of the exempt seller
  - b) that the exempt person is not subject to all the obligations of an authorised retailer, and the exempt customer will not receive the same protections as it would if it were purchasing from an authorised retailer
  - c) the exempt customer's rights in relation to dispute resolution including:
    - i) any right the exempt customer has to access the energy ombudsman scheme (if applicable), including to lodge a complaint or for free independent information and advice, or any other relevant external dispute resolution body in the state or territory in which the exempt customer is located and
    - ii) the exempt person's procedures for handling complaints and disputes.
  - d) the conditions applicable to the exemption that the exempt person is operating under
  - e) the availability of relevant government or non-government energy rebates, concessions and relief schemes
  - f) the forms of assistance available if the exempt customer is unable to pay energy bills due to financial difficulty, as well as the process the exempt customer should follow to seek these forms of assistance

<sup>4</sup> In South Australia, a large customer is defined as consuming 160MWh or more per annum.

- g) the energy tariffs and all associated fees and charges that will apply to the exempt customer in relation to the sale of energy
  - h) the flexible payment options that are available to the exempt customer in relation to the sale of energy, such as arrangements for payment by periodic instalments (bill smoothing)
  - i) contact numbers in the event of a gas or electricity fault or emergency.
2. The exempt person must provide the information set out in paragraph 1 of this condition at any time on request by the exempt customer or the AER.
  3. The exempt person must provide the information set out in paragraph 1 of this condition to existing exempt customers as soon as practicable but no later than three months after the Retail Law commences in the relevant state or territory.

### Condition 3 – Billing and payment arrangements

**Note: Condition 3.3(n) does not apply to small business customers.**

**Note: Condition 3 does not apply to large customers.**

1. An exempt person must ensure that bills are issued to each exempt customer at least once every three months.
2. An exempt person must offer at least two payment methods to an exempt customer. However, if an exempt person offers direct debit as one payment method, they must also offer at least two other payment methods to an exempt customer (that is, at least three methods in total). In each case, at least one of the payment methods offered must be able to be effected without internet access. For example:
  - a) in person
  - b) by telephone
  - c) by mail
  - d) by direct deposit into a bank account.
3. An exempt person must include the following particulars in a bill for an exempt customer:
  - a) the legal name, trading name (if relevant) and contact details of the exempt seller
  - b) the name of the exempt customer
  - c) the address of the exempt customer's premises
  - d) date that the account was issued
  - e) the identifier of the meter for the exempt customer's premises
  - f) the pay-by date for the bill
  - g) date of the current meter reading or estimate, as applicable
  - h) the dates to which the meter reading or estimate applies (billing period)
  - i) current meter reading or estimate in kilowatt hours and/or cubic metres, as applicable. Where the amount is an estimate, this must be clearly stated on the bill

- j) previous meter reading or estimate in kilowatt hours and/or cubic metres, as applicable. Where the amount is an estimate, this must be clearly stated on the bill
- k) the amount of energy consumed, or estimated to be consumed, in the meter reading period. For electricity, consumption must be shown in kilowatt hours. For gas, consumption must be shown in cubic metres and mega joules and must note the heating value and pressure conversion factor that has been applied (these must be the same as those applied by the retailer from whom the exempt person purchases gas for the site)
- l) tariffs, fees and charges applicable to the exempt customer
- m) the basis on which tariffs, fees and charges are calculated. This includes:
  - i) the usage rate specified in cents per kilowatt hour (c/kWh) or cents per megajoules (c/MJ)
  - ii) the daily supply charge in cents per day (c/day) (if charged)
  - iii) the number of days in the billing cycle
- n) any amount deducted, credited or received under a government or non-government funded energy charge rebate, concession or relief scheme or under a payment arrangement
- o) details of the available payment methods
- p) a telephone number for account inquiries and complaints.

#### Condition 4 – Estimation as basis for bills

**Note: Condition 4 does not apply to large customers.**

1. An exempt person must use best endeavours to ensure that the meter for each exempt customer is read and used as the basis, or apportioned, for any bill issued.
2. An exempt person cannot rely on an estimation of the meter value at the start of an energy supply arrangement with an exempt customer, or for the purpose of issuing a final bill to an exempt customer.
3. An exempt person may base an exempt customer's bill on an estimation of the exempt customer's consumption of energy where the exempt person is not able to reasonably or reliably base the bill on an actual meter reading.
4. Where an estimation is used as the basis for an exempt customer's bill, the estimation must be based on:
  - a) historical metering data for the exempt customer reasonably available to the exempt person or
  - b) where this is not available, the average usage of energy by a comparable customer over the corresponding period.
5. If a customer's bill is based on an estimation this must be clearly stated on the exempt customer's bill.

## Condition 5 – Pay-by date

**Note: Condition 5 does not apply to large customers.**

1. The pay-by date for a bill must not be less than 13 business days from the date on which the exempt person issues the bill.

## Condition 6 – Receipts

**Note: Condition 6 does not apply to large customers.**

1. An exempt person must provide each exempt customer with a receipt for any amount paid for energy, except where payment has been made by:
  - a) direct debit or
  - b) credit card over the phone and the customer is provided with a receipt number.
2. An exempt person must provide the exempt customer with a separate receipt if a payment for energy was made together with a rent payment but has not been separately identified on the rent receipt.

## Condition 7 – Pricing

**Note: Condition 7 does not apply to large customers.**

1. An exempt person must not charge the exempt customer tariffs higher than the standing offer price that would be charged by the relevant local area retailer for new connections, if the local area retailer were to supply that quantity, or estimated quantity, of energy directly to the premises of the exempt customer.<sup>5</sup>
2. An exempt person must provide notice to the exempt customer of any change in the exempt customer tariff as soon as practicable and no later than the exempt customer's next bill.
3. An exempt person must not impose any charge on an exempt customer that is not charged by the relevant local area retailer for new connections under a standard retail contract. A 'charge' includes, but is not limited to, account establishment fees, late payment fees, debt collection fees, disconnection and reconnection charges and security deposits.<sup>6</sup> The amount of any allowable charge must not be greater than that charged under the relevant local area retailer's standard retail contract.

## Condition 8 – Undercharging and overcharging

**Note: Condition 8 does not apply to large customers.**

1. Where an exempt customer has been undercharged, an exempt person can recover the amount undercharged subject to the following:
  - a) where the undercharging was not the result of the exempt customer's fault or unlawful act or omission, the exempt person is limited to recovering the amount undercharged in

<sup>5</sup> The standing offer price includes the supply price and the usage price. Exempt sellers must ensure that the price they charge for each of these parts does not exceed the price charged for the equivalent part of the standing offer.

<sup>6</sup> The fees and charges allowable under a standard retail contract are governed by Division 6 of the National Energy Retail Rules (which sets out the requirements for charging a security deposit under a standard retail contract) and may also be governed by jurisdictional legislation.

the 9 months before the date on which the exempt customer is notified of the undercharging

- b) the exempt person cannot charge interest on the undercharged amount
  - c) the exempt person must offer the exempt customer time to pay the undercharged amount by instalments, over a period nominated by the customer (up to 12 months, but no longer than the period of the undercharging).
2. Where an exempt customer has been overcharged, an exempt person must inform the exempt customer within 10 business days after becoming aware of the overcharging and repay the amount overcharged subject to the following:
- a) where the amount overcharged is \$25 or more, the exempt person must refund the amount to the exempt customer if requested, or if no such request is made, credit the amount to the exempt customer's next bill. Where the exempt customer no longer purchases energy from the exempt person, the exempt person must use best endeavours to refund the amount within 10 business days
  - b) where the amount overcharged is less than \$25, the exempt person must credit that amount to the exempt customer's next bill. Where the exempt customer no longer purchases energy from the exempt person, the exempt person must use best endeavours to refund the amount within 10 business days
  - c) no interest is payable on the overcharged amount
  - d) where the overcharging was the result of the exempt customer's fault or unlawful act or omission, the exempt person is limited to repaying the amount overcharged in the 12 months before the date on which the error was discovered.

## Condition 9 – Payment difficulties and disconnection or de-energisation

**Note: Condition 9.1(a) does not apply to small business customers.**

**Note: Condition 9 does not apply to large customers.**

1. Where an exempt customer informs the exempt person that they are unable to pay energy bills due to financial difficulty, the exempt person must:
- a) offer the exempt customer a payment plan (subject to Condition 12) and
  - b) direct the exempt customer to the Australian government energy efficiency website or another information resource with energy efficiency advice and
  - c) ensure that the exempt customer is aware of relevant government or non-government energy rebates, concessions and relief schemes and
  - d) not charge the exempt customer a late payment fee and
  - e) not charge the exempt customer a security deposit.
2. Subject to Condition 10, an exempt person must not proceed with disconnection or cessation of energy supply to an exempt customer unless the following requirements have been met:
- a) the exempt customer has requested disconnection or
  - b) continuity of supply to the premises would be unsafe or

- c) the exempt customer's tenancy/residency/agreement has ended and the exempt customer is vacating the premises or
  - d) the exempt customer has not paid a bill by the pay-by date, and has not agreed to a payment plan, or having agreed to a payment plan has failed to adhere to the plan and:
    - i) following non-payment by the pay-by date, the exempt person has given the exempt customer a reminder notice requesting payment by a date at least 6 business days from the date of issue of the reminder notice, and, in the case of residential exempt customers, has offered the exempt customer more flexible payment terms to pay any amount outstanding and has restated the forms of assistance available if the non-payment is due to financial difficulty and
    - ii) following non-payment by the date specified in the reminder notice, or, in the case of residential customers, the establishment of more flexible payment terms, the exempt person has given the exempt customer a disconnection warning notice informing the exempt customer that disconnection may occur if payment of the outstanding bill is not made by a date at least 6 business days from the date of issue of the warning notice and
    - iii) the exempt person has, after issuing the disconnection warning notice, used its best endeavours to contact the customer in person or by telephone in connection with the failure to pay and
    - iv) the exempt customer has, by the date specified in the disconnection warning notice, refused or failed to take any reasonable action towards settling the debt.
3. A reminder warning issued pursuant to condition 9(2)(d)(i) must:
- a) state the date of its issue and
  - b) state the date on which the reminder notice period ends and
  - c) include details of the exempt seller's telephone number for complaints and disputes.
4. A disconnection warning notice issued pursuant to condition 9(2)(d)(ii) must:
- a) state the date of its issue and
  - b) state the date on which the disconnection warning period ends and
  - c) inform the exempt customer of applicable re-connection procedures and (if applicable) that a charge will be imposed for reconnection and
  - d) include details (where applicable) of the existence and operation of the energy ombudsman, including contact details and
  - e) include contact details for the exempt seller.
5. Where an exempt customer is disconnected in accordance with paragraph 2(b) of this condition, the exempt person must use its best endeavours to notify the exempt customer in person or by telephone prior to the disconnection, and must arrange for reconnection of the premises as soon as practicable.
6. This condition does not apply where state or territory legislation sets out the process and requirements for the disconnection or cessation of energy supply by the exempt person on the basis that they are a landlord, body corporate or similar.

7. This condition does not apply to interruptions under conditions 18 and 19.

### Condition 10 – When disconnection or de-energisation is prohibited

**Note: Conditions 10.1(a) and (b) do not apply to large customers.**

**Note: Condition 10 does not apply to large customers.**

1. An exempt person must not disconnect or cease energy supply to an exempt customer's premises where:
  - a) a person residing at the exempt customer's premises requires life support equipment that depends on energy for its operation or
  - b) an application has been made by or on behalf of the exempt customer for assistance to an organisation responsible for a rebate, concession or relief available under any government or non-government funded energy charge rebate, concession or relief scheme and a decision on the application has not been made or
  - c) the exempt customer has made a complaint directly related to the proposed reason for disconnection or de-energisation to the exempt person, the energy ombudsman or another relevant external dispute resolution body and the complaint remains unresolved or
  - d) the disconnection or de-energisation would occur on:
    - i) a business day before 8am or after 3pm or
    - ii) a Friday or the day before a public holiday or
    - iii) a weekend or a public holiday or
    - iv) the days between 20 December and 31 December (inclusive) in any year.
2. For electricity, the exempt person must determine whether disconnection of a retail customer in the relevant jurisdiction would be prohibited on that day due to extreme weather conditions. If extreme weather conditions are expected on that day, the exempt person must not disconnect the exempt customer's premises.
3. This condition does not apply where the exempt customer has requested disconnection.
4. This condition does not apply where continuity of supply to the premises would be unsafe.
5. This condition does not apply where the energy supply agreement between the exempt person and exempt customer has been terminated.

### Condition 11 – Reconnection or re-energisation

1. Where an exempt customer is disconnected in accordance with conditions 9 and 10 and the customer makes a request for reconnection, the exempt person must reconnect the premises as soon as practicable after a request for reconnection is made. A request for reconnection may be made ten business days after disconnection, or as soon as the matter that led to the disconnection is rectified, and
  - a) any charges for reconnection are paid and

- b) if the exempt customer still has outstanding amounts owed under the exempt customer's energy account, the customer agrees to enter into a payment plan with the exempt seller.<sup>7 8</sup>
- 2. Subject to condition 11(1), the exempt person must reconnect the premises as soon as practicable, and no later than two business days from when the request was made.
- 3. Subject to condition 11(1), the exempt person cannot refuse to supply an exempt customer on the grounds that they owe outstanding amounts on their energy account.

## Condition 12 – Payment plans

**Note: Condition 12.1 does not apply to small business customers.**

**Note: Condition 12.1 does not apply to large customers.**

- 1. An exempt person must offer flexible energy payment options to an exempt customer who has identified themselves as being in financial difficulty. Flexible payment options may include arrangements for a payment plan.
- 2. In establishing a payment plan the exempt seller must have regard to:
  - a) the exempt customer's capacity to pay and
  - b) any outstanding amounts owed by the exempt customer and
  - c) the exempt customer's expected energy consumption needs over the following 12-month period or the duration of their tenancy/residency/agreement if the tenancy/residency/agreement is less than 12 months.
- 3. An exempt seller who offers a payment plan to an exempt customer under this condition must inform the exempt customer of:
  - a) the duration of the plan and
  - b) the amount of each instalment payable under the plan, the frequency of instalments and the date by which each instalment must be paid.
- 4. This condition does not apply where the exempt customer has:
  - a) had two payment plans cancelled by the exempt person in the previous 12 months due to non-payment or
  - b) been convicted of an offence involving illegal use of energy in the previous two years.

<sup>7</sup> The requirement for exempt customers to wait 10 days before requesting reconnection does not preclude an exempt seller from reconnecting prior to this date where it is directed to do so under jurisdictional legislation.

<sup>8</sup> The AER recommends that exempt sellers consider the AER Sustainable Payment Plans Framework when agreeing a payment plan with an exempt customer. The framework can be found at <https://www.aer.gov.au/retail-markets/retail-guidelines-reviews/aer-sustainable-payment-plans-framework>.

## Condition 13 – Concessions and rebates

**Note: Condition 13 does not apply to small business customers.**

**Note: Condition 13 does not apply to large customers.**

1. Where an exempt customer is eligible to receive a government or non-government energy rebate, concession or assistance under a relief scheme, the exempt person must not hinder an exempt customer's attempts to establish eligibility.
2. If the government or non-government energy rebate, concession or assistance under a relief scheme can only be claimed by the exempt person on behalf of the eligible exempt customer, then, assuming there is no legal impediment, the exempt person must make that claim and, if successful, must apply the rebate, concession or assistance to the exempt customer's bill.

## Condition 14 – Contact details

**Note: Condition 14 does not apply to large customers.**

1. An exempt person must provide a means of contact for account inquiries and complaints that can be readily accessed by exempt customers. Where a telephone number is provided, the charge for this call must be no more than the cost of a local call.

## Condition 15 – Dispute resolution

**Note: Condition 15 does not apply to large customers.**

1. An exempt person must develop and make a set of procedures detailing the exempt person's procedures for handling complaints and disputes, and those procedures must be provided to exempt customers in accordance with condition 2(1)(c)(i).
2. The procedures must be consistent with the Australian Standard *AS/NZS 10002:2014 Guidelines for complaint management in organizations* as amended and updated from time to time.
3. In the event of a complaint or dispute concerning the sale of energy to an exempt customer, and in the absence of a determination of the relevant tenancy tribunal if the customer is a tenant, the exempt person must:
  - a) deal with the complaint or dispute in accordance with the exempt person's procedures for handling complaints and disputes and
  - b) make reasonable endeavours to resolve the dispute and
  - c) advise the exempt customer:
    - i) of any right the exempt customer has to access an energy ombudsman (if applicable), including to lodge a complaint or for free independent information and advice, or any other external dispute resolution body in the state or territory where the exempt customer is located, and
    - ii) of the telephone number and other contact details of the energy ombudsman (if applicable).

## Condition 16 – Member of energy ombudsman scheme

**Note: Condition 16 does not apply to small business customers.**

**Note: Condition 16 does not apply to large customers.**

1. An exempt person must, if permitted by an energy ombudsman scheme:
  - a) be a member of, or subject to, an energy ombudsman scheme for each jurisdiction where it sells energy to exempt customers and
  - b) comply with the requirements of that scheme.

## Condition 17 – Planned interruptions to supply

**Note: Condition 17 does not apply to large customers.**

1. For planned interruptions, the exempt seller must notify each affected exempt customer at least two business days before the date of the interruption.
2. The notification must:
  - a) specify the expected date, time and duration of the interruption and
  - b) include a telephone number for enquiries (the charge for which is no more than the cost of a local call) and
  - c) include a statement that any enquiries regarding planned interruptions are to be directed to the exempt seller.
3. The exempt seller must use its best endeavours to restore the exempt customer's supply as soon as possible.

## Condition 18 – Unplanned interruptions to supply

**Note: Condition 18 does not apply to large customers.**

1. In the case of an unplanned interruption, the exempt seller must:
  - a) within 30 minutes of being advised of the interruption, or otherwise as soon as practicable, make available information on the nature of the interruption and an estimate of the time when supply will be restored or when reliable information on restoration of supply will be available and
  - b) if providing a telephone response that is automated, provide options for exempt customers who call the service to be directly connected to a telephone operator if required and
  - c) use its best endeavours to restore supply to affected exempt customers as soon as possible.

## Condition 19 – Life support customers

**Note: Condition 19 does not apply to large customers.**

**Note: Condition 19 does not apply to small business customers.**

1. Where an exempt customer provides an exempt person with confirmation from a registered medical practitioner that a person residing at the exempt customer's premises requires life support equipment, the exempt person must:

- a) advise the **relevant parties** that a person residing at the premises requires life support equipment and
  - b) provide the **relevant parties** with any relevant information about the premises for the purposes of updating their records and registers.
2. The same process and obligations set out in condition 19(1) apply in relation to notification of deregistration of a life support customer.
  3. For the purposes of condition 19, the **relevant parties** are:
    - a) the person whose distribution network the sale of energy is occurring within (if different from the exempt person);
    - b) the exempt person's electricity supplier (exempt seller or authorised retailer);
    - c) the operator of the network connected to the distribution network the sale of energy is occurring within; and
    - d) the registered Network Service Provider for the South Australian distribution network operated by South Australian Power Networks at the time of the grant of this exemption.
  4. An exempt person must maintain records of any exempt customers who have life support equipment that depends on energy for its operation on their premises.

### Condition 20 – Termination of energy supply agreement

1. An energy supply agreement between the exempt person and an exempt customer will terminate:
  - a) on a date agreed by the exempt person and exempt customer or
  - b) five business days (or a different time agreed by the exempt person and exempt customer) from the date when the exempt customer gives the exempt person a termination notice or
  - c) at the conclusion of the exempt customer's lease for, or occupancy of, the premises to which the energy is supplied or
  - d) when the exempt customer starts receiving energy retail services from a different retailer or exempt person or
  - e) when a different exempt customer starts receiving customer retail services for the premises or
  - f) at the end of a period of 10 business days commencing on the day the exempt customer's premises are disconnected, where the conditions for reconnection have not been met.
2. Termination of an arrangement to supply energy does not affect any rights or obligations that have already accrued under the agreement.

### Condition 21 – Maintaining records

1. An exempt person must maintain records of the following for each of its exempt customers:
  - a) the name of the exempt customer
  - b) the address of the exempt customer's premises

- c) the identifier of the meter for the exempt customer's premises (if applicable)
- d) the date that the customer account was created
- e) copies of any bills issued for the previous 12 months
- f) the date of the most recent meter read for the customer (if applicable)
- g) the basis for determining any estimates of consumption for the purpose of billing where a meter read could not be obtained.

## Condition 22 – Hardship policy

1. An exempt seller must develop, implement, maintain, and comply with, a plain English hardship policy for their residential exempt customers that contains at a minimum, the standardised statements provided in the AER's *Exempt seller hardship policy template* published on the AER's website and as in force from time to time.
2. An exempt seller's hardship policy must be implemented no later than 3 months from the exemption registration/approval date to which this condition applies.
3. An exempt seller's residential exempt customer hardship policy must include:
  - a) processes for the early response by the exempt seller in the case of residential exempt customers identifying themselves as experiencing payment difficulties due to hardship,
  - b) flexible payment options (including payment plans) for the payment of energy bills by residential exempt customers experiencing hardship,
  - c) processes for notifying residential exempt customers experiencing hardship of appropriate government concession programs and appropriate financial counselling services, and
  - d) processes to assist residential exempt customers with strategies to improve their energy efficiency.
4. An exempt seller's hardship policy must not include unreasonable conditions that a residential exempt customer has to meet before being eligible for hardship support, including that the exempt customer must:
  - a) attend financial counselling
  - b) be represented by a third party such as a financial counsellor
  - c) submit to an energy audit
  - d) make a one-off payment or make a certain number of instalments towards their debt
  - e) pay their bills on time.
5. An exempt seller's customer hardship policy must specify that the exempt seller:
  - a) will take into account all of the circumstances of the residential exempt customer, and having regard to those circumstances, act fairly and reasonably, and
  - b) will provide a customer who is entitled to receive assistance under the exempt seller's customer hardship policy with that assistance, in a timely manner.
6. If an exempt seller deems a residential exempt customer to be ineligible for hardship assistance, the exempt seller must:
  - a) provide the residential exempt customer the reasons why, and
  - b) advise the residential exempt customer of their right to contact the energy ombudsman scheme within their state.

## Condition 23 – Assistance for customers affected by family violence

1. An exempt seller must develop, implement, maintain, and comply with, a plain English family violence policy for exempt customers, that contains at a minimum, the standardised statements provided in the *AER's Exempt seller family violence policy template*, published on the AER website and as in force from time to time.
2. An exempt seller's family violence policy must be implemented no later than 1 July 2026.
3. An exempt seller's family violence policy must include:
  - a) information explaining what family violence is, including examples of what family violence can include,
  - b) processes for the early response by the exempt seller in the case of affected exempt customers identifying themselves as experiencing family violence,
  - c) processes to keep the affected exempt customer's energy account information<sup>9</sup> confidential,
  - d) information about the impact of family violence,
  - e) assistance available to affected exempt customers experiencing payment difficulties, and
  - f) referrals to appropriate family violence support services.
4. An exempt seller's family violence policy must not include unreasonable conditions that an affected exempt customer, or their nominated representative, has to meet before being eligible for support, including requiring an affected exempt customer to:
  - a) provide evidence of family violence or police notification, as a precondition for accessing the protections and support set out in this condition and the exempt seller's family violence policy,
  - b) be represented by a third party,
  - c) make a one-off payment or make a certain number of instalments towards their debt, or
  - d) pay their bills on time.
5. An exempt seller must, in any dealing with an affected exempt customer, have regard firstly to their safety, and take into account their particular circumstances.
6. An exempt seller must:
  - a) take reasonable steps to identify the affected exempt customer's preferred method of communication,
  - b) offer alternative methods of communication if the affected exempt customer's preferred method of communication identified in subclause (6)(a) is not practicable, and
  - c) use the identified method in all communications with the affected exempt customer.
7. An exempt seller must implement a secure process that:
  - a) provides a method for any person acting on its behalf<sup>10</sup> to identify the account of an affected exempt customer, with the affected exempt customer's permission,

<sup>9</sup> 'Affected exempt customer information' refers to any information that may be used to identify, communicate with or locate an affected exempt customer, including information about their whereabouts, contact details, or financial or personal circumstances.

<sup>10</sup> This may include, but is not limited to, members; employees; or third-party service providers.

- b) avoids the need for an affected exempt customer to repeatedly disclose or refer to their experience of family violence, and
  - c) records an affected exempt customer's preferred communication method (as per subclause (6)).
8. An exempt seller must not:
- a) require an affected exempt customer to provide documentary evidence of family violence as a precondition to receiving assistance under these conditions, or
  - b) disclose or provide access to affected exempt customer information, related to their energy account,<sup>11</sup> to any other person<sup>12</sup> without the consent of the affected customer, unless required by law to provide the information.
9. An exempt seller must:
- a) waive any late payment fees associated with the energy debt of an affected exempt customer, and
  - b) take into account the potential impact of debt recovery action on an affected exempt customer, including whether other persons are jointly or severally responsible for the debt, before transferring affected exempt customer debt to a third-party debt collector.
10. An exempt seller must not disconnect an affected exempt customer if:
- a) the de-energisation will impact the affected exempt customer's safety,
  - b) other persons are jointly or severally responsible for the relevant non-payment, or
  - c) the non-payment is a result of financial abuse.
11. An exempt seller must ensure that any person acting on its behalf,<sup>13</sup> who engages with its exempt customers:
- a) has reviewed the exempt seller's family violence policy,
  - b) acts in accordance with the obligations under this condition.
12. An exempt seller must ensure the terms and conditions set out in any exempt customer energy contract are consistent with the obligations under this condition, except where State or Territory laws take precedence.
13. The exempt seller must advise exempt customers, in writing, at the start of their tenancy/residency/agreement of the forms of assistance available if the exempt customer is affected by family violence, as well as the process the exempt customer should follow to seek this assistance. The exempt seller must inform an exempt customer of the availability of its family violence policy and offer to provide a hardcopy or electronic link to the policy.
14. Where an exempt customer informs the exempt seller that they are experiencing payment difficulties, the exempt seller must provide the exempt customer a hardcopy or electronic link to its family violence policy established in accordance with this condition.

<sup>11</sup> 'Affected exempt customer information' refers to any information that may be used to identify, communicate with or locate an affected exempt customer, including information about their whereabouts, contact details, or financial or personal circumstances.

<sup>12</sup> 'Any other person' means a person other than the affected exempt customer and includes a person who is or has been a joint account holder with an affected exempt customer, but does not include a contractor, subcontractor or agent of the exempt seller that requires access to the affected exempt customer's information in order to perform services for the exempt seller.

<sup>13</sup> This may include, but is not limited to, members; employees; or third-party service providers.

### **Condition 24 – Notification requirement condition**

1. An exempt seller must notify the AER within 20 business days of any revised contact details of the exempt seller's authorised representative, including their name, email address and telephone number.