



## Energy exempt sellers – requirements and obligations regarding residential customers

- Are you the owner or manager of a caravan park, retirement village or apartment block and do you sell energy to your residents?
- If you buy energy from another person or business—usually an authorised energy retailer—and then sell it to residents at your caravan park, retirement village or apartment block you likely need an exemption from the requirement to be an authorised energy retailer. Persons who require an exemption from the requirement to be an authorised energy retailer are called exempt sellers.
- The AER is responsible for administering retail exemptions. As an exempt seller you must comply with a number of exemption conditions, designed to protect your customers.
- This factsheet is not intended to refer to every condition of your exemption. You should refer to the full list of your obligations as set out in the [AER's Retail Exempt Selling Guideline](#).

### Exemptions and how they apply

- There are three types of exemptions: deemed, registrable and individual.

#### Deemed exemptions

- A deemed exemption applies automatically to certain types of energy sellers
- If you are eligible for a deemed exemption, you do not need to apply or register with us. Eligibility will depend on the type of energy selling activities you undertake
- Activities that might qualify include caravan parks that sell metered energy to people in short term holiday accommodation. A full list of activities that require a deemed exemption is set out in the [Retail Exempt Selling Guideline](#)
- You must comply with the conditions attached to your deemed exemption.

## Registrable exemptions

- If you are eligible for a registrable exemption, you must register your energy selling activities with the AER by completing the [online registration form](#). The AER will publish your exemption on the [public register of retail exemptions](#)
- Activities that might qualify include caravan parks, residential parks, retirement villages or apartment buildings that sell metered energy to permanent residents. A full list of activities that require a registrable exemption is set out in the [Retail Exempt Selling Guideline](#)
- You must comply with the conditions attached to your registrable exemption.

## Individual exemptions

- If you are not eligible for a deemed or registrable exemption you can apply to the AER for an individual exemption
- Individual exemptions are generally intended for unusual or one-off energy selling arrangements which do not fit into any of the deemed or registrable exemption categories. They allow the AER to tailor the conditions of the exemption to the specific situation
- You should contact the AER to discuss your specific circumstances if you are thinking of applying for an individual exemption.

## Exempt selling obligations

- Your exempt selling obligations will depend on your relevant exemption. A full list of your obligations can be found in the [Retail Exempt Selling Guideline](#).

### As an exempt seller you must join:

- the [energy ombudsman scheme in your state or territory](#). In the event that a dispute between you and your customers over the sale or supply of energy can't be resolved, your customers can go to the energy ombudsman for help and advice.

### As an exempt seller you must inform your:

- customers of their rights and protections
- retailer and distributor if you have any customers requiring life support equipment such as oxygen concentrators, chronic positive airways pressure respirators and dialysis machines.

### As an exempt seller you must not charge:

- higher tariffs than the local area retailer would charge under their standing offer
- fees that the local area retailer could not charge under their standing offer.

### As an exempt seller you must provide your customers with:

- a bill at least once every three months that:
  - › includes details of all tariffs, fees and charges that will apply
  - › gives at least 13 business days for the bill to be paid
  - › clearly states when an estimated meter reading is used (which should not be done unless you cannot reasonably or reliably base the bill on an actual meter reading).

### **As an exempt seller you must notify your customers of:**

- any price changes as soon as practicable and no later than the customer's next bill
- your process to resolve disputes and advise customers of their right to access the energy ombudsman scheme
- any relevant government or non-government support that is available to help customers, including concessions, rebates, or relief schemes.

### **As an exempt seller you must:**

- maintain a hardship policy that outlines your processes when a residential customer informs you that they are experiencing payment difficulties, including setting up a payment plan
- provide contact details for account and other enquiries
- maintain a record of all your customers.

### **As an exempt seller you cannot disconnect a customer:**

- who has informed you they are experiencing financial difficulties and has either not yet agreed to a payment plan, or is on a payment plan and is keeping to it
- without first giving them a reminder notice and a disconnection warning letter
- at certain times of the day (for example, before 8.00 am or after 3.00 pm) or on certain days of the year (such as weekends and public holidays)
- on life support equipment (for example, oxygen concentrators, dialysis machines and chronic positive airways pressure respirators)
- for issues unrelated to energy, for example, not paying rent or maintenance problems (unless allowed by jurisdictional legislation).

### **What happens if I do not meet all of my obligations?**

- You must comply with all the conditions of your exemption and keep up to date with any changes to conditions
- If you do not, the AER may take enforcement action against you, which can include a significant financial penalty.

### **Can my exemption be revoked?**

- **Yes** – the AER has the power to revoke an exemption. This means you could not legally sell energy.

**Please see the [Retail Exempt Selling Guideline](#) for more information.**

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