

## Solar Retailer Code of Conduct Re-authorisation – Stakeholder Consultation – March 2020

- Stakeholder consultation was initiated on Thursday 26 March.
- Relevant stakeholders listed in **Attachment H** were directed to the Clean Energy Council's website where an amended copy of the Solar Retailer Code of Conduct was available for download alongside a table of amendments detailing each key change.
- The consultation period closed on Friday 3 April.
- The length of the consultation period was shortened due to the need for the Clean Energy Council to prepare/transition to a working from home arrangement in response to Covid-19. As the proposed amendments are considered minor, the shortened consultation period was not anticipated to impact on stakeholder ability to provide feedback.
- During the consultation period, the Clean Energy Council received five submissions; four from Signatories to the Code and one from a State Energy Ombudsman.
- Two of the retailer submissions were in relation to the requirement in the Solar Retailer Code of Conduct to provide a five year whole of system warranty to the consumer. This requirement is unchanged in this application from the original authorisation.
- One retailer took exception to the length of time available to review the changes and provided no additional feedback.
- The final retailer stated that they had read the proposed amendments to the Code of Conduct and are happy to adopt these changes.
- The Energy & Water Ombudsman of South Australia (EWOSA) used the opportunity to comment on the fact that they receive a substantial number of out-of-jurisdiction cases against solar installers and sought to emphasise the importance of robust dispute resolution mechanisms for the associated issues. This feedback did not apply directly to any particular change in the Code of Conduct and will be discussed separately with the EWOSA. Please find **attached** the submissions received.

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**From:** Graham Smith [REDACTED]  
**Sent:** Friday, 27 March 2020 7:29 AM  
**To:** Code of Conduct  
**Cc:** 'Cheryl Smith'  
**Subject:** Proposed amendments

**Categories:** Harry

Dear CEC, I have read the proposed amendments to the Code of Conduct and am happy to adopt these changes.

Regards,

Graham Smith

Director [REDACTED]

Greenlink Solar is a Division of Rainbow Enterprises (Vic) P/L



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Mr Kane Thornton  
Chief Executive  
Clean Energy Council  
Level 15, 222 Exhibition St  
Melbourne VIC 3000

Submitted via email: [codeofconduct@cleanenergycouncil.org.au](mailto:codeofconduct@cleanenergycouncil.org.au)

2 April 2020

Dear Mr Thornton,

**Submission on the Clean Energy Council's ("CEC") Draft Consultation Solar Retailer Code of Conduct ("Draft Code")**

The Energy and Water Ombudsman (SA) Limited ("EWOSA") welcomes the opportunity to comment on the CEC's Draft Code.

EWOSA is an independent Energy and Water Ombudsman Scheme in South Australia. It receives, investigates and facilitates the resolution of complaints by customers with regard to (*inter alia*) the connection, supply or sale of electricity, gas or water.

EWOSA's submission on the Draft Code relates to solar installation:

"The Code also deliberately connects the responsibility of the retailer with the obligations of accredited installers/designers, to ensure that retailers are fully accountable for the actions of any subcontracted parties. This Code aims to address identified issues that may impact on the reputation of the solar industry. These issues include:...

- Sub-standard installation work.

...To achieve its objectives, this Code addresses four broad subject areas:...

2. Post-Sale activities

- To ensure that the consumer receives a system that is installed correctly, in accordance with existing legislation, regulations, standards and guidelines."<sup>1</sup>

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<sup>1</sup> CEC – Solar Retailer Code of Conduct March 2020 – Consultation Draft at <https://www.cleanenergycouncil.org.au/industry/retailers/code-of-conduct-re-authorisation>

As attachment A indicates, EWOSA receive a substantial number of cases about solar installers – for the 2019/20 FY, EWOSA received 115 cases. This is our largest out of jurisdiction issue. We would like to emphasise the importance of robust dispute resolution mechanisms for the associated issues.

Thank you for consideration of this submission. Should you require further information or have any enquiries in relation to this submission, please contact Jo De Silva via [REDACTED] or phone [REDACTED]

Yours sincerely,

[REDACTED]

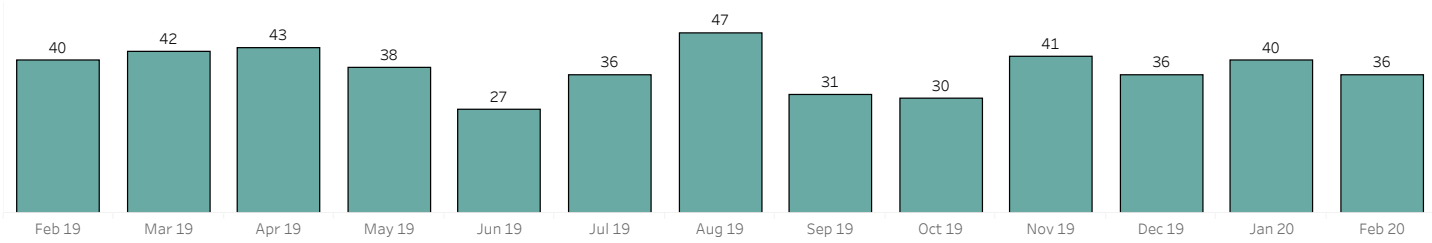
Jo De Silva  
Policy and Communications Lead  
Energy and Water Ombudsman SA

**ATTACHMENT A**

**Out of jurisdiction cases for Energy and Water Ombudsman SA**

## Dashboard 5 - Out of Jurisdiction Cases

OOJ cases received each month



## OOJ reasons

Reason	FY 2019		FY 2020			Grand Total
	Q3	Q4	Q1	Q2	Q3	
Solar Installers	22	29	29	35	19	134
Non Energy or Water	10	9	16	11	16	62
Government Agency	9	9	6	3	3	30
Interstate/Overseas	9	10	11	7	8	45
Legal Advice or Civil Dispute	5	8	14	10	2	39
Pricing Enquiry	2	4	3	4	2	15
No license/ outside license	4	1	1	1	1	7
Electrician or Gas Fitters	1	4	1	7	3	16
LPG	2	3	5	3	2	15
Credit Collection Agency		3		2		5
Issue Greater than 12 Months		2	2	1	1	6
Appliances or Internal Wiring	5	2	4	4	10	25
Case before court		3	4	1	1	9
Capital Contribution Enquiry		2	1	2		5
Battery Storage	2	3	3	2		10
Other OOJ	11	16	15	14	8	64
<b>Total</b>	<b>82</b>	<b>108</b>	<b>114</b>	<b>107</b>	<b>76</b>	<b>487</b>

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**From:** Glen Ashton [REDACTED]  
**Sent:** Thursday, 26 March 2020 11:19 AM  
**To:** Code of Conduct  
**Subject:** Feedback

**Categories:** Harry

I do not agree with the system full 5 year warranty when items on the system only have 1 year warranty like DC isolators, switches ect. It should be changed that the components have their specific warranty, it just makes more liability for companies in the industry which is unjust, I think you should take care of the companies a bit more, and not just the customers.

Sent from [Mail](#) for Windows 10

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**From:** Reilly Electrical Admin <admin@reillyelectrical.com.au>  
**Sent:** Tuesday, 31 March 2020 4:33 PM  
**To:** Code of Conduct  
**Subject:** code of conduct re-authorisation comment

**Categories:** Harry

Good afternoon,

I wish to comment on the Solar Retailer Code of Conduct as per your email request.

As a respected small business installer/solar retailer for the last 10 years and over 25years as electrical contractors, we pride ourselves on our customer service and education, quality products and total installation. As signatories to the CEC Code of Conduct we feel our business epitomises what the Approved Solar Retailer Code of Conduct is all about.

I would like to address the CEC Code of Conduct Warranty point 2.2.10 . We have absolutely no problem with a 5yr warranty on our workmanship and major components which are of top quality and offer industry leading warranties. In our 10 years of solar installation, we have never had to be called back to a job due to poor workmanship. We do however have a problem with the Whole of System Warranty applying to absolutely every component regardless of the manufacturer's warranty and feel this point needs to be addressed in the draft.

To lump a manufacturing warranty for every single component on to the solar retailer seems extremely unfair. Add to that any labour spent in travel and repair time. As example from the electrical cable, conduit, circuit breakers, surge protectors, mounting rail etc, a complete solar system has many different components, not just inverters and solar panels. The panels and microinverters we use have a 15year and 10 year product warranty respectively and we have chosen these brands for their high quality and company's longevity in the industry. Most reputable electrical component manufacturers product warranties are less than 5yrs as is many other components which make a complete solar installation. I cannot think of any other industry where a piece of equipment is literally built onsite from many components bought separately from different wholesalers/manufacturer's and still qualifies for a 5 year parts and labour warranty.

We will comply with the current ruling but believe this rule to be too broad in its description of "whole of system" is not sustainable for small business and does not address the issue of large solar retailers who are also not Registered Electrical Contractors but using inexperienced sales people and sub-contracted installers who are more likely to be the problem.

Regards

Wendy



Wendy Reilly

**Reilly Electrical & Sunvalley Solar**

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