

Associate Professor Penelope Crossley

Associate Professor in Energy and Resources Law, Sydney Law School

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Dear Ms Kolacz,

Consultation on the re-authorisation of the Clean Energy Council's Solar Retailer Code of Conduct

Thank you for the opportunity to comment on the Consultation on the re-authorisation of the Clean Energy Council's Solar Retailer Code of Conduct (**'Solar Retailer Code'**).

I understand that the purpose of seeking re-authorisation of the Solar Retailer Code is to ensure that there is a transition period, assuming the New Energy Technology Consumer Code (**'NETCC'**) is approved by the Australian Competition Tribunal.

I have reviewed the proposed changes to the Solar Retailer Code and have the following comments:

1. The proposed changes to 2.1.6, especially 2.1.6(g) will ensure adequate consumer protections are available.
2. The proposed changes to 2.1.10 are to be commended and represent best practice.
3. The change of control provisions for Signatories in 2.4.7 will ensure that consumers are protected throughout a change of control and that the CEC can make appropriate checks to the proposed processes of the new Signatory.
4. The proposed changes to the Breach Matrix appear appropriate and fair, considering both the potential risks posed to consumers and the proposed outcome of such a breach to a Signatory.
5. The changes to 4.1.1 - 4.1.3 mean that consideration may be given to the history of conduct, including past disputes and any breaches of consumer law, of a party seeking to apply to become a Signatory to the Solar Retailer Code. This will enable an assessment of the likelihood of future breaches of the code based on previous conduct, and where appropriate, undertakings that quality improvement measures have been implemented to prevent a repeat of previous breaches.

In conclusion, I believe that the proposed changes to the Solar Retailer Code will not only improve the consumer protections but will also strengthen competition within the sector, by providing a voluntary quality standard. As such, I am supportive of the proposed changes and the re-authorisation of the Solar Retailer Code.

Should you wish to discuss any of these issues further with me, I may be contacted either on [REDACTED] or alternatively, via email at [REDACTED].

Yours sincerely

Associate Professor Penelope Crossley