

### RELEASE OF CONSULTATION PAPER: AER POWERS AND CIVIL PENALTY REGIME

#### Consultation paper and implementation update

In December 2013, the former Standing Council on Energy and Resources, now Council of Australian Governments' (COAG) Energy Council, released the *Review of Enforcement Regimes under the National Energy Laws* ([the Review](#)). The purpose of the Review was to ensure enforcement regimes continue to protect the interests of consumers and maintain the integrity of the energy market.

After consultations in [February](#) and [October](#) 2014, the Energy Council agreed in December 2014 to task officials with implementing 11 of the 13 recommendations from the Review. As part of this work, in 2016 officials [consulted](#) on four of the Review's recommendations.

At its meeting in November 2017, the COAG Energy Council agreed to progress other recommendations from the Review:

- amending the national energy laws to give the Australian Energy Regulator (AER) the power to compel individuals to appear before it and give evidence (recommendation 13)
- conducting a targeted review of whether additional provisions of the national energy laws or subordinate instruments should attract the highest maximum civil penalty amount (recommendation 5).

The Energy Council's Senior Committee of Officials (SCO) has released a new consultation paper seeking stakeholder input on these issues, available [here](#).

**Stakeholders are invited to provide written submissions on the consultation paper by close of business on Friday 29 June 2018.**

**A teleconference or videoconference on this**

**project is proposed to be held on either Friday 15 June or Monday 18 June 2018. To register your interest, please email the COAG Energy Council Secretariat at the email address below.**

All stakeholder submissions will be published on the COAG Energy Council website unless stakeholders have clearly indicated that a submission should remain confidential, either in whole or in part. Electronic submissions are preferred and can be sent to the Energy Council Secretariat at [energycouncil@environment.gov.au](mailto:energycouncil@environment.gov.au)

Those who wish to provide hard copies by post may do so by addressing their submissions to:

**COAG Energy Council Secretariat  
Department of the Environment and Energy  
GPO Box 787  
Canberra ACT 2601**

Submissions on this consultation paper will be considered and used to inform Ministers at the COAG Energy Council meeting in August 2018.

Should Ministers decide to progress any of the options outlined in this paper, there will be further opportunities for consultation on any legislative changes.

30 May 2018