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| **National Energy Retail Law – Final Classification of Tiers** | | | | | |
| **Civil Penalty  Provision** | **Conduct** | **Proposed tier** | **Matrix category** | **Subclassification** | **Post consultation change** |
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| Section 20(2) |  |  |  |  |  |
| Retailer cannot provide customer retail services to small customers under any other kind of contract or arrangement than standard retail contract or market retail contract | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 22(1)  and (3) | Obligation to make offer to small customers | Tier 1 | Consumer Harm Type 1 | Financial harm or economic loss |  |
| Section 23(1) | Retailer must publish standing offer prices | Tier 1 | Consumer Harm Type 1/  Adverse Market Impact | Consumers' access to electricity and gas services / Financial harm to market | **ADD:** Financial  harm to market  participants |
| Section 24 | Retailer must present standing offer prices in accordancewith guidelines | Tier 1 | Consumer Harm Type 1/  Adverse Market Impact | participants  Consumers' access to electricity and gas  services / Financial harm to market participants |
| Section 25 | Adoption of standard form contract | Tier 1 | Consumer Harm Type 1/  Adverse Market Impact | Consumers' access to electricity and gas services / Financial harm to market participants |
| Section 27 | Obligation to comply with standard form contract | Tier 1 | Consumer Harm Type 1 | Financial harm or economic loss |  |
| Section 37 | Retailer must present market offer prices | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 38 | Requirement for explicit informed consent for certain transactions | Tier 1 | Consumer Harm Type 1 | Financial harm or economic loss |  |
| Section 43(2)  and (3)(b) | Customer hardship policies | Tier 1 | Consumer Harm Type 1 | Failure to deal with hardship customers appropriately |  |
| Section 50(1) | Retailer must offer and apply payment plans for hardship customers | Tier 1 | Consumer Harm Type 1 | Failure to deal with hardship customers appropriately |  |
| Section 53(2) | Compliance with Energy Marketing Rules | Tier 1 | Consumer Harm Type 1 | Financial harm or economic loss |  |
| Section 57 | Contractual arrangements for use of prepayment meter systems | Tier 1 | Consumer Harm Type 1 | Financial harm or economic loss |  |
| Section 59(1) | Must not enter into prepayment meter market retail contract with persons on life support equipment | Tier 1 | Consumer Harm Type 1 | Death or serious injury |  |
| Section 63 | AER information gathering powers for pricing guidelines and comparator | Tier 2 | Inappropriate Market  Participant Behaviour | General reporting obligations |  |
| Section 66 | Obligation to provide customer connection services | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 69(1) | Adoption of form of deemed standard connection contract | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 71(1) | Distributor obligations to comply with deemed standard connection contract and to bill retailer | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 88 | Requirement for authorisation or exemption | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 103(8) | Transfer application obligations | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 105(9) | Surrender of retailer authorisation | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |

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| Section 106 | Transfer of customers following surrender | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 108 | Transfer of customers following revocation | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 112(2) | Exempt seller must comply with AER conditions | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 120(11) | Revocation process—retailer authorisations and exemptions | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 143(2)(a) | Compliance requirements following service of RoLR notice | Tier 1 | Consumer Harm Type 1 | Consumers' access to electricity and gas services |  |
| Section 156 | Compliance with RoLR regulatory information notices | Tier 2 | Inappropriate Market  Participant Behaviour | General reporting obligations |  |
| Section 274(1) | Obligation of regulated entities to provide information and data about compliance | Tier 1 | Unacceptable Market  Participant Behaviour | Failure to comply with specific notices or requests from a regulator |  |
| Section 276(1),  (2), (4) | Compliance audits by regulated entities | Tier 1 | Unacceptable Market  Participant Behaviour | Failure to comply with specific notices or requests from a regulator |  |
| Section 282(1) | Obligation of regulated entities to provide information and data about performance | Tier 1 | Unacceptable Market  Participant Behaviour | Failure to comply with specific notices or requests from a regulator |  |