

Customer Guide – Retail Marketing Code of Conduct

Background

Full Retail Competition (FRC) commenced in Queensland's electricity and natural gas markets on 1 July 2007. This means residential and small business customers are now entitled to choose which retailer they purchase their electricity and gas from.

The *Electricity Industry Code* and *Gas Industry Code* (the Codes), which came into effect on 1 July 2007, regulate the marketing conduct of electricity and gas retailers. The Codes replace the *Electricity Industry Retail Marketing Conduct Rules* (the Conduct Rules), which commenced on 19 January 2007 to govern the marketing conduct of electricity retailers in the period leading up to the commencement of FRC.

Chapter 7 of the *Electricity Industry Code* and Chapter 5 of the *Gas Industry Code* contain the Marketing Code of Conduct that applies to electricity and gas retailers. These chapters contain very similar provisions to those previously contained in the Conduct Rules and apply to marketing activities by retailers to residential and small business customers.

Purpose of the Marketing Code of Conduct

The primary purpose of the Marketing Code of Conduct is to protect consumers by requiring that retailers who engage in marketing conduct:

- do not engage in conduct that may be misleading, deceptive or unconscionable;
- do not exert pressure or otherwise harass or coerce customers;
- use words and images that promote a customer's understanding of retail contracts;
- ensure information provided to customers is truthful, easy to understand and relevant to each particular customer;
- provide timely, accurate, verifiable and truthful comparisons;
- only contact customers (whether by telephone or in person) at specific hours.

If you have a complaint about a retailer

If you have a complaint about a retailer's conduct, you should first contact the retailer. All retailers have dispute resolution mechanisms and it is likely that your complaint can be resolved directly with the retailer.

If you are not happy with the retailer's response, you can refer the dispute to the Energy Ombudsman. The Energy Ombudsman is the primary dispute resolution service for Queensland electricity and natural gas customers. It has power to resolve various types of disputes between customers and electricity retailers. The Energy Ombudsman can be contacted on 1800 OMBUDS (1800 662 837).

The Energy Ombudsman's office will seek to resolve the dispute or, if appropriate, may refer the matter to one of the following regulators who can also deal with unacceptable marketing conduct:

- The Queensland Competition Authority, who has primary responsibility for enforcing the Electricity Industry Code and Gas Industry Code.
- The Office of Fair Trading who has responsibility under the *Fair Trading Act 1989* for promoting and protecting the interests of consumers by ensuring that entities who offer goods and services do so fairly and not in breach of consumer protection legislation.