

National Energy Laws - Civil Penalties - Final Classification					
Civil Penalty Provision	Conduct	Proposed tier	Matrix category	Subclassification	Post consultation change
National Energy Retail Law					
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 accordance with guidelines	Tier 1	Consumer Harm Type 1/ Adverse Market Impact	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	

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	