

Know your obligations under the Victorian Energy Upgrades program

How to comply with the telemarketing and doorknocking ban



'Cold-call' telemarketing and doorknocking activities will be banned from the Victorian Energy Upgrades (VEU) program in 2024. Under the ban, you can only telephone or visit residential and business consumers to market a VEU activity if you obtain express prior consent.

Prohibited activity under telemarketing and doorknocking bans

From 1 May 2024, you will be prohibited from the following 'cold-call' telemarketing activity without express prior consent from the consumer:

- making telemarketing phone calls
- requiring or permitting an employee, agent or contractor to make a telemarketing call
- purchasing consumer contact details that were obtained from a telemarketing call.

From 1 August 2024, you will be prohibited from the following doorknocking activity without express prior consent from the consumer:

- lead generating or marketing a VEU activity at a consumer's home or business premises
- requiring or permitting an employee, agent or contractor to lead generate or market a VEU activity at a consumer's home or business premises
- purchasing consumer contact details that were obtained from calling at a consumer's home or business premises.

Permitted phone calls and visits under the bans

The bans affect unsolicited marketing and lead generation activities only. You can still telephone or visit consumers to do other permitted work. This includes work to:

- confirm or clarify information for a quote or contract
- arrange a pre-installation inspection
- arrange installation or delivery of a service agreed with the consumer
- arrange a repair, replacement, removal or remediation following installation
- contact the consumer to confirm the upgrade has been delivered appropriately (i.e. to conduct an audit call)
- provide follow-up support, information or to seek feedback about a delivered product or service, such as providing safety or recall information
- provide dispute resolution services.



When contacting consumers to engage in other permitted work, you can't use these calls to lead generate or market other VEU activities unless express prior consent has been provided by the consumer.

Phone calls and visits where consumers have given express prior consent, including those responding to consumer initiated enquires are also permitted under the bans.

Obtaining express prior consent

Accredited persons must keep a written record of 'express prior consent' which evidences the consumer has consented to being contacted by the person/organisation making the call and that the consent is valid at the time of the call.

We recommend, where possible, that the record include:

- name of the consumer who gave consent
- the phone number of the consumer
- the address of the consumer (where consent is provided for the consumer to be called on at their premises)
- who the consumer gave consent to (i.e. who can call or visit the consumer)
- the prescribed activity(s) they consented to obtaining information about
- date consent was given
- duration of consent
- confirmation that the person is over 18 (residential activities).
- whether consent has been withdrawn.

Prior to telephoning or visiting a consumer, you should consult the consent record and confirm that the consent is valid. Consent given by a person to an accredited person or scheme participant is no longer valid after three months, unless a longer period is specified when consent is given.

What happens if you do not meet your obligations

The Essential Services Commission can take enforcement action against accredited persons, their officers, and anyone conducting activity on their behalf who breach the code of conduct. This includes any person involved in lead generation or other marketing activities.

Enforcement action may include penalty notices, civil penalty litigation and prosecution. Accredited persons in breach of the code, or who are no longer considered 'fit and proper' or 'competent and capable' under [new accreditation standards](#) may also:

- have conditions imposed on their accreditation
- have their accreditation suspended, cancelled or disqualified
- have to surrender Victorian energy efficiency certificates associated with the alleged breach
- be subject to an assurance or compliance audit.



More information and resources about your obligations

- [Frequently asked questions](#) providing more information on how to comply with the telemarketing and doorknocking ban
- [Code of conduct website page](#): providing detailed information about obligations and more resources to support compliance, including the code of conduct guideline and fact sheets.

This fact sheet provides general guidance and does not constitute legal or other professional advice. While every reasonable effort has been made to provide current and accurate information, please consider obtaining professional advice if you have a specific concern.