

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 173-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 18 October 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

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Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
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Energy industry penalty notice number: EIPN(E) 174-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 4 August 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

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1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
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2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 28 July 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

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2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
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2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 9 May 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

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3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

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9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
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3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 19 September 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

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3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

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10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 11 October 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

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4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
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[REDACTED]

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 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 2 November 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

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4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

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 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 17 May 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 181-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 7 August 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 182-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 15 August 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 183-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 1 July 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 184-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 1 September 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 185-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 20 October 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 186-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 3 June 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 187-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 21 August 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 188-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

.....
Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 22 June 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 189-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 18 July 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 190-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 3 January 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 191-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 19 April 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 192-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 19 October 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 193-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 12 October 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 194-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 29 May 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 195-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

.....

Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 1 July 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 196-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 13 February 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 197-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 4 August 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 198-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 17 January 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 199-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 10 May 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 200-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 3 November 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 201-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 29 July 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 202-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 8 April 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 203-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 24 May 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 204-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 12 July 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 205-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 3 June 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 206-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 5 May 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 207-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 19 July 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 208-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 1 April 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 209-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 23 June 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 210-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 19 September 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 211-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 13 February 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 212-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 8 May 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 213-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 28 September 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 214-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 28 March 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 215-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 2 August 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 216-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 28 July 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 217-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 7 December 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 218-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 19 October 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 219-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 10 November 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 220-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 27 June 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 221-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 9 April 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 222-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 1 August 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 223-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 12 December 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 224-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 11 November 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 225-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 13 November 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 226-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 24 October 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 227-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 3 June 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 228-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 12 July 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 229-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 26 September 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 230-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 22 August 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 231-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 5 May 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 232-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 30 October 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 233-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 27 March 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 234-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 27 March 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 235-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 29 September 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 236-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 30 January 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 237-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 11 May 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 238-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 8 April 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 239-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 14 December 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 240-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 12 December 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 241-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 8 October 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 242-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 12 September 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 243-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 15 January 2020, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 244-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 19 March 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 245-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 10 May 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 246-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 28 February 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 247-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 10 August 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 248-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 14 December 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 249-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 2 March 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 250-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

.....
Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 8 August 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 251-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 14 March 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 252-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 25 January 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 253-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 9 March 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 254-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 20 November 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 255-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 22 February 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 256-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 27 June 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 257-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 13 July 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 258-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 17 October 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 259-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 8 September 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 260-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 16 February 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 261-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 25 April 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 262-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 17 April 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 263-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 16 November 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 264-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 25 July 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 265-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 4 October 2016, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 266-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 13 August 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 267-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 7 August 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 268-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 5 June 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 269-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 23 January 2018, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 270-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 2 April 2019, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 271-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 15 March 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Origin Energy Electricity Limited (ACN 071 052 287)
Tower 1, Level 32
100 Barangaroo Avenue
BARANGAROO NSW 2000

Energy industry penalty notice number: EIPN(E) 272-2021

1. This notice is dated 16 September 2021.
2. The Essential Services Commission (the commission) alleges that Origin Energy Electricity Limited (ACN 071 052 287) (Origin Energy) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic) (ESC Act). The nature, and a brief description, of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 1 September 2021, the commission formed the belief that Origin Energy had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the ESC Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **21 October 2021**.
6. Origin Energy may pay the energy industry penalty by electronic funds transfer to the following account:

[REDACTED]

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Licensee do in response to this energy industry penalty notice?

8. Origin Energy can choose whether or not to pay this energy industry penalty notice.
9. If Origin Energy pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Origin Energy is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Origin Energy chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the ESC Act.

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Sitesh Bhojani
Commissioner
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Origin Energy holds an electricity retail licence issued by the commission.
2. Clause 21 of the electricity retail licence held by Origin Energy obliged Origin Energy to comply with all applicable laws, including the Electricity Industry Act 2000.
3. Section 40D of the Electricity Industry Act 2000 relevantly provides that:
 - (1AA) Without limiting the generality of sections 20(2) or (3) or 21, the conditions to which a licence to sell electricity is subject include a condition prohibiting, on and after the commencement of section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015, the licensee from entering into a contract for the supply or sale of electricity between the licensee and a small retail customer that imposes an exit fee on the termination of the contract unless—
 - (a) the contract is a fixed-term retail contract; and
 - (b) the following will not change during the term of the contract—
 - (i) any tariffs, charges and fees for electricity supplied under that contract;
 - (ii) any discount which applies to tariffs, charges and fees for electricity supplied under that contract;
 - (iii) any terms and conditions that apply to electricity supplied under that contract.
4. Section 10 of the Energy Legislation Amendment (Consumer Protection) Act 2015 commenced on 1 January 2016.
5. The commission has reason to believe that on 8 August 2017, Origin Energy entered into a contract for the supply or sale of electricity with the small retail customer identified below. This contract imposed an exit fee and was not for a fixed term with fixed tariffs, charges, fees, discounts, and terms and conditions, in contravention of section 40D of the Electricity Industry Act 2000:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
6. A failure to comply with the requirements of section 40D of the Electricity Industry Act is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the ESC Act, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic) (made under section 65 of the ESC Act), as applied by Schedule 1, Table 5, Item 1.