

## VEU code of conduct workshop for aggregator accredited persons – 2 August 2022

### Open forum – questions and answers

**If an LED lighting supplier had a batch of faulty lights that were installed under the VEU, is it the accredited person's fault if the lighting supplier doesn't resolve the issues?**

This is not a question of fault but a question of customer care and responsibility. Accredited persons are responsible for the products installed under the VEU program associated with their creation of certificates.

Clause 28(1) of the code requires accredited persons to have a dispute resolution framework to cover the conduct of anyone completing a regulated activity. Under clause 28(3)(d) of the code, the accredited person is required to provide consumers with information about the appropriate person or body to handle their complaint if the nature of their complaint is outside of the code. The accredited person must also assist the consumer to contact that person or body and to support them, if possible, to resolve the complaint.

An accredited person is required to take all reasonable steps to complete the internal dispute resolution process within 20 business days.

**The commission's role is to approve products in the VEU program. What will the commission do when it receives multiple complaints about a product?**

The commission's role is to ensure a product complies with the technical requirements of the VEU legislation. If the complaint is about not meeting technical requirements, we will liaise with the manufacturer. If the complaint is about other performance issues, the commission will contact the accredited person and raise the product issue with them and seek resolution.

**Why must accredited persons try to resolve issues where the manufacturer may be at fault?**

It is the responsibility of the accredited person to ensure a product it has installed is fit for purpose and complies with Australian consumer law.

Clause 24(2) of the code states “for the purposes of subclause (1), the undertaking and completion of a prescribed activity includes all installation, replacement or decommissioning activities”.

The commission strongly advocates that replacement includes providing consumers with operational products when they fail to meet the standards expected, or otherwise stated, at the time of entering into a contract with the accredited person or scheme participant. It should fall to the accredited person to ensure that this occurs, whether that be with an identical product, or a similar one of alternative brand.

The code places the obligation on accredited persons to resolve the problem on the consumer’s behalf in a timely manner. It is up to accredited persons to include provisions as part of any contractual disputes (e.g. damages) between them and other parties such as suppliers and scheme participants.

### **What role do product suppliers play in consumer complaints?**

It is the responsibility of the accredited person to ensure a product it has installed is fit for purpose and complies with Australian consumer law. If the product does not work, or is not fit for purpose, then the accredited person should replace the product with another approved product in the VEU program. The accredited person might seek after-the-fact arrangements with suppliers independent of this process.

### **When do I share our complaints process with the consumer?**

The accredited person or scheme participant must provide consumers with the accredited person’s dispute resolution process (which includes complaints handling) at the time of lead generation or marketing **and** upon completion of the prescribed activity.

### **Sometimes it’s not possible to resolve a complaint within 20 business days, especially if a third party is involved. What do I do in this situation?**

The code places responsibility on the accredited person to take all reasonable steps to resolve complaints. Accredited persons must be able to demonstrate they took all reasonable steps to resolve the matter and keep accurate records and documentation. It is possible for the accredited person to resolve a complaint for the consumer whilst a parallel process is underway with a third party.

### **What is the process for checking the qualifications of electricians and plumbers?**

Accredited persons need to register the relevant electrician or plumber for certain activities prior to submitting a claim for that activity. More information about those activities is available on the [commission's website](#). You can also refer to the [relevant activity guide](#) to learn more about installer qualification requirements.