



ACT
Government

ENERGY EFFICIENCY IMPROVEMENT SCHEME

APPROVED ENERGY SAVINGS PROVIDER APPLICATION GUIDE

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Important Note: This information is for guidance only.

Introduction

This guide seeks to inform businesses and people interested in becoming an [Approved Energy Savings Provider](#) (AESP) under the [Energy Efficiency \(Cost of Living\) Improvement Act 2012](#) (the Act) about the application, reporting requirements, obligations under the scheme and provide information on the different options available to deliver activities.

The Energy Efficiency Improvement Scheme (EEIS) is a regulatory scheme that places an obligation on NERL retailers* operating in the ACT to achieve energy savings in households and small-to-medium sized businesses. The Scheme was established in 2013 under the Act.

*Note: **NERL retailer** means a person who holds a retailer authorisation under the [National Energy Retail Law \(ACT\)](#) to sell electricity to premises in the ACT for consumption.

The Objects of the Act are to:

- Encourage the efficient use of energy
- Reduce greenhouse gas (GHG) emissions associated with energy use in the Territory
- Reduce household and business energy use and costs
- Increase opportunities for priority households to reduce energy use and costs.

An AESP is a registered person/entity under the EEIS who can undertake approved EEIS activities and trade or sell the energy savings obtained to NERL retailers.

NERL Retailer obligations

Under the Act, a Territory-wide Energy Savings Target (EST) is established, which determines the total energy savings to be achieved by individual retailers in a compliance period (calendar year), expressed as a percentage of their total electricity sales in the ACT. A Retailer's Energy Savings Obligation (RESO) for a compliance period is calculated as follows: EST (%) x electricity sales (in megawatt hours or MWh). The EST is considered and set by the relevant Minister each compliance period and can be found on the latest [Energy Efficiency \(Cost of Living\) Improvement \(Energy Savings Target\) Determination](#).

Under the Scheme, electricity retailers (as the obligated parties) are classified into two tiers: 'Tier 1' NERL retailers have at least 5000 customers in the ACT and sell at least 500,000 megawatt hours (MWh) of electricity to customers in the ACT within a compliance period. All NERL retailers not meeting these criteria fall under the category 'Tier 2'.

To meet the RESO, Tier 1 NERL retailers can deliver eligible energy savings activities to households and small-to-medium businesses and/or acquire energy savings factors (ESFs) from AESPs. Tier 2 NERL retailers can deliver eligible energy savings activities, acquire ESFs from AESPs, and/or pay an Energy Savings Contribution (ESC) to the ACT Government. The ESC is used to fund initiatives in accordance with the objects of the Act. Eligible activities are determined by the relevant Minister and can be found on the latest [Energy Efficiency \(Cost of Living\) Improvement \(Eligible Activities\) Determination](#).

Approved Energy Savings Providers

The Act allows the EEIS Administrator to approve a person/entity as an AESP.

Part 3 Section 17A(1) of the Act states:

(1) A person, other than a NERL retailer or a contractor engaged by a retailer, may apply to the administrator for approval to undertake an eligible activity as an energy savings provider.

As the EEIS provides no government funding for the delivery of eligible energy saving activities, it is up to individual applicants to assess whether registering as an AESP meets their business requirements.

Eligibility

- a) Applicants must be an Accredited Certificate Provider (ACP) in the NSW Energy Saving Scheme (ESS) and/or an accredited provider in the Victorian Energy Upgrade (VEU) program and/or a Registered Agent in the Clean Energy Regulator (CER) Small-scale Renewable Energy Scheme (SRES).
- b) Applicants should be able to:
 - outline evidence that they have the means to provide energy savings to an NERL retailer under the EEIS; and
 - provide details of their intended method for doing so.

Application process

Before applying to become an AESP, all applicants should ensure that they understand the requirements outlined in the Act for being an AESP. Successful participation in the EEIS will require your business to meet the EEIS administrative and compliance obligations and relevant licencing for the intended eligible activity/activities.

To be approved as an AESP, an entity must apply to the EEIS Administrator as required under Part 3, Section 17A of the Act. This will include, but may not be limited to, the steps below:

1. All applications must include information and/or evidence that the applicant meets the requirements set out in the Eligibility section of this guide.
2. All applications must include the information listed in the Application Requirements section of this guide.
3. Applications will be reviewed by the EEIS Administrator:
 - The Administrator reserves the right to reject applications based solely on the submitted application,
 - The Administrator may request further information or clarifications as may be required to assess the application, and
 - If an application is rejected, the Administrator will endeavour to provide feedback to the applicant regarding reasons for the decision.

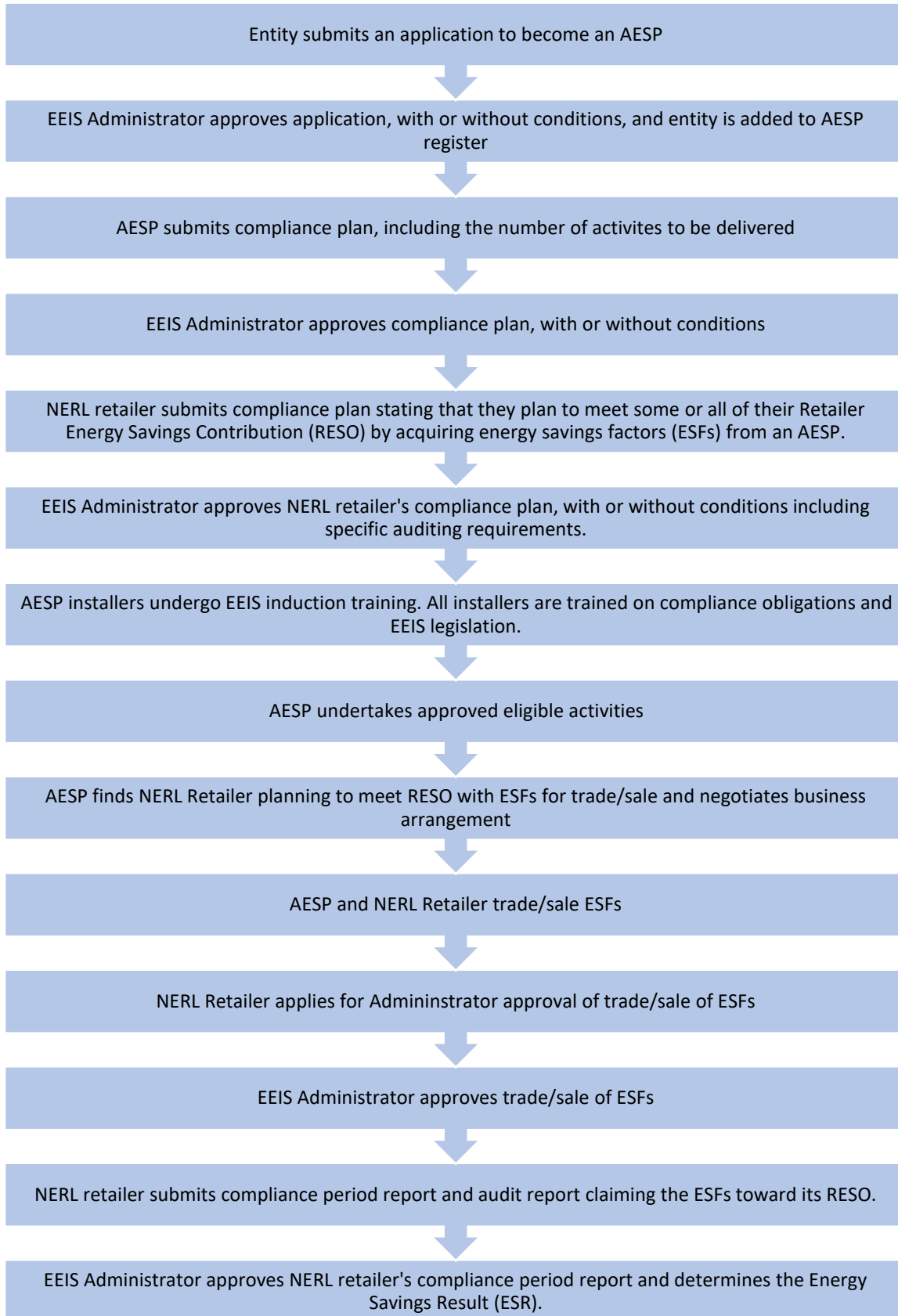


4. Successful applicants will be notified and added to the publicly available [Register of Approved Energy Savings Providers](#) on the EEIS website.

When submitting your AESP application, consider which activities you are applying to deliver and ensure that you have registration to deliver the intended eligible activity under the ESS, VEU or CER schemes. Your AESP application must align with the activities you are registered to deliver under one of those schemes.

For guidance regarding the application process, please contact the Energy Efficiency Improvement Scheme team on email EPD-EEIS@act.gov.au.

Process chart for AESP application and acquiring energy savings



Legal context

This guide and the underlying requirements for Approved Energy Savings Providers are provided for by the following legislation:

- [*Energy Efficiency \(Cost of Living\) Improvement Act 2012*](#)
- *Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Determination*
- *Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Code of Practice*
- *Energy Efficiency (Cost of Living) Improvement (Record Keeping and Reporting) Code of Practice*

Links to these documents and other relevant legislation are available at

<https://www.climatechoices.act.gov.au/policy-programs/energy-efficiency-improvement-scheme/legislation>.

Note: This application guide is a guide only and should not be relied upon as legal advice. Where there is inconsistency between this guide and the legislative source documents, the content in the legislative documents applies.

More information

More information on the EEIS can be found on our website:

<https://www.climatechoices.act.gov.au/policy-programs/energy-efficiency-improvement-scheme>

You can contact the EEIS team via epd-eeis@act.gov.au. We can assist interested agencies with the application process and to explain eligibility requirements. While we can provide limited assistance with interpretation of legislation, we do not provide advice on draft applications.

Appendix: Application requirements

The tables below outline the information and supporting documentation that must be supplied to the EEIS Administrator as part of an application.

1. Applicant details:

- a) Name
- b) Legal name
- c) Trading name
- d) ABN
- e) ACN
- f) Physical address
- g) Mailing address
- h) Phone
- i) Email
- j) Website
- k) Contact name
- l) Contact phone
- m) Contact email
- n) Primary function of business

Include a statement that describes your organisations core business.

2. Registration details:

- a) Details of the applicant's registration as an ACP in the ESS and/or an accredited provider in the VEU and/or a Registered Agent in the SRES

Include a statement detailing which scheme you have registration under, when this was achieved, and the activity you are registered for.

- b) Proposed EEIS activities

Include a statement describing your organisation's relevant experience in the industry/field relating to the prescribed activities you have applied for. For instance, if you are applying to undertake prescribed activities associated with water heating, describe your organisation's experience in the water heating industry.

- c) Expected energy savings factor creation

Include the energy savings factor calculations for the relevant activities from the latest [Energy Efficiency \(Cost of Living\) Improvement \(Eligible Activities\) Determination](#).

- d) Whether contractors or third parties proposed are to be utilised

Include the role of the contractor or third party in the delivery of the eligible activity.

- e) Contractors'/third parties' details,

Include details such as contractors' contact details and relevant industry experience including formal qualifications.

- f) How contractors will be engaged

*This **can** include any contracts that you intend to use when engaging third parties to deliver EEIS eligible activities on your behalf.*

- g) Roles and responsibilities of all persons involved

Provide an organisation chart that outlines the structure and roles and responsibilities of all persons involved in delivery of eligible activities under the EEIS; or submit a statement that details the roles and responsibilities of all persons involved in the delivery of eligible activities under the EEIS including administrative functions, customer management and installation of product (if relevant).

- h) Quality assurance arrangements/processes

Provide a statement that identifies the personnel responsible for compliance and quality assurance, the systems your organisation will use to monitor EEIS compliance.

- i) Record keeping and reporting details and quality assurance, consistent with the activity record form approved by the EEIS Administrator.

Include a description of your organisation's record keeping policy. To be deemed complete, your statement must include reference to the methods of collecting and storing relevant information as detailed in the latest [Energy Efficiency \(Cost of Living\) Improvement \(Record Keeping and Reporting\) Code of Practice](#).

3. Supporting documents

- a) A declaration giving the EEIS Administrator the right to request and receive documents, information and advice regarding the applicant's compliance history in the ESS, VEU, SRES and/or other similar schemes operated in the Territory or another jurisdiction as applicable.
- b) Insurance details
- i. Company:
 - 1) Public Liability
 - 2) Professional indemnity insurance
 - ii. Contractors:
 - 3) Public Liability
 - 4) Professional indemnity insurance.
- c) Example of the Activity Record Form to be used
- d) Customer service and complaints procedures
- i. Complaints regarding the products your representatives install and
 - ii. Complaints regarding the conduct of you representatives
- e) Training that will be provided
- i. Provide a description of internal training that will be provided including,

- 1) how the training will be delivered
 - 2) who will deliver the training (including their qualifications/experience)
 - 3) any testing or assessment that will be conducted at the conclusion of the training.
- ii. Provide a description of external training that will be provided (if any), including mandatory safety training (if required).
- f) Risk assessments and SWMS for activities to be undertaken.
 - g) Example of data to be recorded for the activity in line with EEIS requirements

Refer to the corresponding eligible activities under the latest [Energy Efficiency \(Cost of Living\) Improvement \(Eligible Activities\) Code of Practice](#) to identify the required data for the eligible activity.

- h) Example of evidence to be collected in line with EEIS requirements
- i) Delivery process flow chart for each activity, including persons, documents, quality assurance, processes etc.
- j) A signed declaration giving approval of the application from –
 - i. the Chief Executive Officer or General Manager of the applicant company; or
 - ii. a person holding an equivalent position to Chief Executive Officer of the applicant company; or
 - iii. a person holding a delegation from the applicant company to exercise the powers and functions of the applicant company at a level equivalent to that held by a Chief Executive Officer; or
 - iv. the person acting as Chief Executive Officer or equivalent position during an absence of the substantive officeholder.

Note: The above must be supplied for the applicant and any proposed contractors or third parties that will be involved in the delivery of activities.