

Notice 01/2025 – Compliance Notice – Civil penalty orders and conditions imposed on accreditations

3 April 2025

Accredited Certificate Provider penalised for relying on misleading photos

The Independent Pricing and Regulatory Tribunal of NSW (**IPART**) has imposed civil penalty orders on Australian company Ecovantage Pty Ltd (**Ecovantage**) after it was found to have relied on misleading photographic evidence, supplied by its installers, to claim certificates under the NSW Government's [Energy Security Safeguard](#) schemes. IPART has ordered Ecovantage to pay \$22,000 in civil penalties for improperly creating the certificates.

IPART has also imposed conditions on Ecovantage's accreditations requiring it to conduct additional audits.

Following information identified during a regular audit, IPART instigated an investigation which found Ecovantage improperly created hundreds of Energy Savings Certificates and thousands of Peak Reduction Certificates related to installation of heat pump water heaters where photographic evidence substantiating the installations was misleading.

Ecovantage took its own action to uncover misconduct by installers and cooperated with IPART during its investigation.

While we found that Ecovantage was not initially aware of this conduct by its installers, its systems and procedures did not detect the use by its installers of misleading evidence and, therefore, resulted in the improper creation of certificates based on misleading evidence.

Ecovantage may seek a review of IPART's decision.

Accredited Certificate Providers must hold complete and accurate records

It is a condition of accreditation that an Accredited Certificate Provider (**ACP**) keep records that are set out in the [Record Keeping Guide](#) and the [Method Guide](#) for the relevant calculation method.

For the installation of heat pump water heaters this includes photographic evidence of the equipment that is being replaced.

Where an ACP relies on records created by another person to create certificates, it must have effective systems and practices in place to ensure that those records are correct before relying on them to create certificates.

We employ a variety of tools to confirm the veracity and correctness of records used to support the creation of certificates. Those tools include the use of third-party audits and information-gathering powers. We also work closely with the NSW Building Commission to share intelligence.

We may take regulatory action if certificates are created from incomplete or false records

Certificates created in contravention of a condition of accreditation are improperly created.

ACPs must not create certificates unless they hold complete, accurate and reliable records to support their creation.

We may take regulatory action where an ACP fails to meet their conditions of accreditation or improperly creates certificates by relying on incomplete or false records. Such action may include imposing conditions, ordering the surrender of improperly created certificates, issuing civil penalty notices, or commencing a prosecution. The contravention of a condition of accreditation and the improper creation of certificates are also grounds for us to cancel or suspend an accreditation under the [Energy Security Safeguard](#) schemes.

IPART's Compliance Priorities

The [Compliance Priorities](#) set out where IPART's Energy Sustainability Schemes Team will focus its compliance resources for the year.

Our 2024–25 Compliance Priorities include:

- Targeting compliance efforts to identify deceptive, fraudulent or seriously misleading conduct. Our objective is to deter misconduct, address financial gain from non-compliance and to protect the integrity of the Safeguard Schemes.
- Heat pump water heater (**HPWH**) installations. Our objective is to support industry to improve installation standards and compliance with licensing requirements relating to HPWH implementations under the Safeguard Schemes to ensure the objectives of the schemes are met and consumers get good outcomes including safe, good quality installations

Take action

ACPs should take this opportunity to review procedures and controls to ensure that they prevent the provision of incomplete or false information in support of creating certificates.

We may take regulatory action where an ACP fails to meet their conditions of accreditation or improperly creates certificates by relying on incomplete or false records. Such action may include imposing conditions, ordering the surrender of improperly created certificates, issuing penalty notices or civil penalty orders, or commencing a prosecution. The contravention of a condition of accreditation and the improper creation of a certificate are also grounds for us to cancel or suspend an accreditation under the [Energy Security Safeguard](#) schemes.

For more information on our approach to compliance, please refer to:

- The *Compliance and Enforcement Policy* available on the IPART website at www.ipart.nsw.gov.au, and
- The *Accredited Certificate Provider Compliance Guide* available on the Energy Sustainability Schemes website at www.energysustainabilityschemes.nsw.gov.au.