

YOUR RIGHTS, YOUR METER, YOUR PROPERTY

A plain-language guide to using the Smart Meter Defence Template Suite

For Australian residential electricity customers facing a smart meter installation they have not consented to

If you are reading this, you have probably received a letter from your energy retailer telling you that a smart meter will be installed at your home, presenting it as a done deal. It is not a done deal. You have rights you have not been told about, legal instruments available to you that the energy industry would prefer you did not know existed, and a documented evidentiary record that the regulatory process behind this mandate was conducted without the independent safety review it was legally required to perform.

This guide accompanies two formal legal documents: the Smart Meter Formal Objection and Default Notice (Template v3) and the Conditional Acceptance Notice (CAN Template). Together they constitute a two-track defence that operates in regulatory law, contract law, and Commonwealth statutory law simultaneously. You do not need to be a lawyer to use them. You do need to read this guide first, and you need to follow the instructions carefully.

Take a breath. The situation is more navigable than it appears.

1. What Is Actually Happening Here

In November 2024, the Australian Energy Market Commission (AEMC) made a rule requiring the replacement of all remaining analogue and non-communicating digital meters in Australia with smart meters by November 2030. The rule came into force on 1 June 2025. Your retailer's installation notice flows directly from this rule.

What the AEMC did not tell you, and is not required to tell you, is this: the rule change was initiated by a request lodged by SA Power Networks, Intellihub, and Alinta Energy — all commercial entities with direct financial interests in accelerated smart meter deployment. No consumer body and no public health organisation was among the applicants. Energy Consumers Australia, the statutory body created to represent consumer interests within the energy market, formally submitted to the AEMC's own consultation process that binding decisions were being made before any evidence-based review of consumer health impacts had been conducted.

The AEMC is not a biomedical safety authority. It is an economic market regulator. Its statutory mandate under the National Electricity Law requires it to act in consumers' long-term interests with respect to safety; not merely price and reliability. Safety is a statutory criterion the Commission must satisfy before making any rule. The November 2024 determination was made without any independent biomedical safety review. The Commission satisfied its safety criterion by deferring entirely to ARPANSA — whose own website carries a disclaimer stating that it accepts no liability for any injury, loss, or damage arising from reliance on its information.

The circle of regulatory accountability is empty. Every authority in the chain disclaims responsibility. The one party without a disclaimer is the company that installs the device on your wall.

2. Why the Science Is Not Settled

You will be told that smart meters are safe because ARPANSA says so and ARPANSA follows international guidelines. Here is what that means in practice.

ARPANSA follows the ICNIRP standard, which sets exposure limits based exclusively on the thermal (heating) effects of radiofrequency radiation. It does not consider non-thermal biological effects, of which there is now a substantial peer-reviewed literature. A systematic review published in the journal *Environment International* in 2025, conducted under WHO auspices, concluded with high certainty that radiofrequency electromagnetic field exposure causes cancer in laboratory animals. The BioInitiative Report, independently compiled by researchers across multiple countries, synthesised over 3,800 peer-reviewed studies documenting biological effects at exposure levels well below ARPANSA's thresholds.

In 2011, the International Agency for Research on Cancer classified radiofrequency radiation as a Group 2B possible carcinogen. Reclassification to a higher category is under active international scientific consideration.

In 2023, France's national frequency regulator (ANFR) tested 141 mobile phones under real-world conditions and found the iPhone 12 registering 43% above the applicable SAR limit. Forty-two devices across multiple manufacturers were required to be taken off sale. The European Commission upheld these findings in August 2025. The certification system that ARPANSA and the AEMC rely upon for safety assurance was independently found to be systematically inadequate.

At a US Senate Commerce Committee hearing on 6 February 2019, wireless industry executives acknowledged under direct questioning by Senator Richard Blumenthal that no safety research had been conducted specifically on 5G frequencies by industry, the FCC, or the FDA. The phrase used on the public record was that regulators were "flying blind."

If you have an older meter on a bedroom wall, a 2002 peer-reviewed Australian clinical study (Maisch, Podd and Rapley, published in the *Journal of the Australasian College of Nutritional and Environmental Medicine*) found that the electrical distribution meter box on a bedroom wall was the single largest identified residential electromagnetic field exposure source in a group of patients with Chronic Fatigue Syndrome. This finding predates smart meters entirely and concerns the basic electrical infrastructure already in place.

3. Why the Insurance Industry Knows Something Regulators Are Hiding

The most revealing single fact in this entire debate is not a scientific study. It is a business decision.

Lloyd's of London, via its CFC Underwriting arm, explicitly excludes from commercial liability policies any coverage for claims arising from electromagnetic fields, electromagnetic radiation, radio waves, or noise, specifically including "illnesses caused by continuous long-

term non-ionising radiation exposure." This exclusion applies across the Lloyd's market as standard.

Swiss Re has categorised electromagnetic field consequences in its SONAR emerging risk reports as "high impact," describing a long-latency harm pattern it explicitly compares to asbestos: inconclusive early research, harm accumulating slowly over decades, ultimately vast liability.

Swisscom, one of the world's largest telecommunications companies, filed an international patent application in 2003 that cited DNA damage and cancer risk from its own wireless technology. It did so in a legal document while its public communications said otherwise.

The companies publicly asserting the technology is safe cannot obtain commercial insurance against the possibility that it is not. That is not a fringe observation; it is a market outcome.

4. The Fire Risk Is Documented and Real

Smart meters use a switch-mode power supply (SMPS) that generates high-frequency electrical transients conducted through your home's wiring. Your house wiring was certified as safe for the load profile it was designed to carry under the Australian Wiring Rules (AS/NZS 3000) current at the time of construction. A smart meter's SMPS introduces an emissions and over-current profile that wiring from earlier decades was never designed, tested, or certified to accommodate.

This is not theoretical. A house fire in Thornbury, Victoria was directly attributed to a smart meter by the Metropolitan Fire Brigade. Saskatchewan, Canada removed over 100,000 smart meters after nine fires. Portland General Electric in Oregon replaced 70,000 meters after fires were attributed to internal disconnect switch faults. Forensic engineering analysis of one fire found all damage consistent with extreme heat at the switch contacts inside the meter: a fault zone entirely inaccessible to the property owner, originating within a device the distributor installed.

Australian distributors have a documented pattern of attending fire scenes and removing burned smart meters before fire investigators can examine them. This pattern has been noted publicly.

When you use the template documents, you will require the energy retailer to provide a written indemnity accepting liability for any fire or damage arising from the installation. They will not provide it. The point of requiring it is to create a documented record that you put them on notice, and that they either refused to accept liability or failed to respond at all.

5. The Two Documents and What They Do

The template suite consists of two instruments that operate simultaneously on different legal tracks. Serve both at the same time, to the same address, by the same method.

i DOCUMENT 1: FORMAL OBJECTION AND DEFAULT NOTICE (TEMPLATE V2)

Track: Regulatory, administrative, criminal, civil, and human rights law.

What it does: challenges the AEMC mandate on twelve documented grounds; demands specific written answers to questions the retailer cannot adequately answer; refuses all installation without conditions being met; and builds an automatic default record. If the retailer does not respond adequately within five business days, every ground stated in the letter is deemed uncontested and the matter is closed on your terms — without any further action required from you.

Section 7 of this document invokes Queensland Criminal Code 1899 provisions (or your state equivalent) on assault, threatening conduct, duty of care, and common nuisance. Following the framework of Tasmanian barrister Raymond J. Broomhall LLB GDLP, it places the retailer on formal notice that proceeding after written objection engages potential criminal liability. Regulatory compliance does not extinguish this: it operates in addition to it.

The escalation path culminates in referral to Queensland Police (or your state police) and formal complaint to the AER and Energy Ombudsman.

i DOCUMENT 2: CONDITIONAL ACCEPTANCE NOTICE (CAN TEMPLATE)

Track: Contract law and Commonwealth statutory law.

What it does: treats the retailer's installation notice as a proposed variation to your existing electricity contract, and responds with a conditional acceptance — ten specific conditions that must all be satisfied in writing before any installation is authorised. A conditional acceptance is not a refusal; it is a counter-offer. The retailer must satisfy every condition or no variation to the contract has occurred.

The CAN also invokes a Commonwealth statutory argument that most Australians do not know exists: if your existing meter was installed before 1 January 2013, it holds a permanent exemption from the National Measurement Act 1960 (Cth) under Regulation 5.6 of the National Trade Measurement Regulations 2009 (Cth). The AEMC's mandate is subordinate legislation; the NMA is a Commonwealth Act. Under section 109 of the Constitution, the Commonwealth instrument prevails. Condition 7 of the CAN requires the retailer to cite the express statutory authority that extinguishes this exemption — or to acknowledge in writing that it cannot.

6. Before You Send Anything: Five Checks

✓ DO THESE BEFORE SERVING THE DOCUMENTS

1. **CONFIRM YOUR METER INSTALLATION DATE.** If your existing meter was installed before 1 January 2013, the Commonwealth statutory exemption in Part 2 of the CAN applies in full. Check your property records, ask your distributor in writing, or look at the meter itself for a manufacture or installation date. This is the sharpest single argument in the suite.
2. **NOTIFY YOUR HOME AND CONTENTS INSURER IN WRITING.** Send a brief email to your insurer describing the proposed installation and the documented fire risk profile (SMPS technology, Victorian precedent, Saskatchewan recall). Their response — or their silence — becomes part of your record.
3. **COMPLETE EVERY AMBER BOX.** Both templates have amber fill-in boxes for your personal details. Fill in every one before printing or sending. Missing details undermine the document's authority.
4. **CALCULATE YOUR FIVE-BUSINESS-DAY DEADLINE.** Write the exact date five business days from your sending date into the red default box in the Formal Objection Notice. This is the clock that triggers the automatic default.
5. **USE REGISTERED POST AND EMAIL SIMULTANEOUSLY.** Send to the retailer's compliance address — not the general customer service number. Keep the registered post receipt. Proof of delivery determines when the default clock starts.

7. What to Expect After You Serve the Documents

Most retailers will respond in one of four ways. Understanding these in advance removes the anxiety from the process.

A form letter pointing to ARPANSA or the AEMC rule. This is not an adequate response. Your documents ask twelve specific questions that require specific written answers. A form letter answering none of them does not satisfy the response requirement. File it, note the date, and proceed to the AER and Ombudsman simultaneously on day six.

Silence. This is the most common outcome and the best one for you. Silence within five business days triggers the automatic default in the Formal Objection Notice. The matter is closed on your terms. No separate follow-up letter is required. If an installer subsequently appears at your property, inform them on arrival that no installation is authorised, that a formal default record exists, and that you will be contacting police and the AER if they proceed.

A negotiating response offering a Type 4A non-communicating meter. The Type 4A is the minimum fallback position confirmed in the AER's own Guidance to Retailers. If they offer it, the Formal Objection Notice makes clear that even this is conditional on the indemnity, the independent wiring assessment, and the other requirements. None of those conditions can be adequately met. The offer of a Type 4A without the conditions is not an adequate response.

A genuine attempt to engage with the substance. This is rare but possible. If it occurs, you have succeeded in forcing the conversation onto your terms rather than theirs. Engage in writing only; take advice if needed.

8. If You Have Health Symptoms: The Disability Discrimination Act

If you experience any symptoms you associate with electromagnetic field exposure — sleep disruption, headaches, fatigue, tinnitus, concentration difficulties, skin sensitivity — you have an additional Commonwealth law argument available: section 24 of the Disability Discrimination Act 1992 (Cth).

Under section 24, a person with a disability is entitled to reasonable adjustments that enable them to access services on the same basis as a person without a disability. Retaining your existing non-communicating meter is a reasonable adjustment. The DDA is a Commonwealth Act of Parliament; the AEMC's rule is subordinate legislation made under the National Electricity (South Australia) Act 1996. In any conflict between them, the DDA prevails.

To activate this argument you need a supporting letter from your GP or a specialist. You do not need a formal diagnosis of Electromagnetic Hypersensitivity. A letter stating that, in the doctor's clinical opinion, minimising your radiofrequency exposure is medically advisable is sufficient. Before your appointment, provide your doctor with the BioInitiative Report (available at bioinitiative.org) and the Physicians for Safe Technology resources at mdsafetech.org/problems/5g/. Ask them to document your symptoms and provide a brief written recommendation.

With that letter in hand, serve a separate DDA section 24 accommodation request on your retailer. This becomes a third legal instrument running alongside the Formal Objection Notice and the CAN, on a third independent track.

9. The Nuclear Option: Off-Grid NMI Abolishment

Going fully off-grid is legal in every Australian state and territory. The process is called NMI abolishment: the permanent removal of your National Metering Identifier from the electricity supply database. Once abolished, your property has no grid connection and therefore no metering obligation. The AEMC's mandate has nothing to attach to. The relationship with your retailer ends permanently.

Under the federal government's Cheaper Home Batteries Program, 28 kWh LFP (lithium iron phosphate) battery systems are currently available from installers in most states at approximately \$7,900 to \$9,500 installed after rebate. Total transition costs including any additional solar works and the abolishment process itself run between \$9,000 and \$12,000 for a typical residential property. The abolishment process itself typically costs between \$400 and \$1,500 depending on your distributor.

Whether or not this is financially viable for you, naming it explicitly in your correspondence as a live commercial option creates genuine asymmetric leverage: the retailer faces the

permanent loss of a customer versus the cost of leaving your existing meter in place. These are not equivalent outcomes for a commercial organisation.

10. Your Escalation Path If the Retailer Ignores You

If no adequate response is received within five business days, proceed simultaneously with all of the following. Do not wait and do not send further letters to the retailer first.

- File a formal complaint with the Australian Energy Regulator (AER) at aer.gov.au. State that your retailer has failed to respond to a formal objection notice within the stipulated period and has not confirmed your right to refuse a Type 4 meter as stated in the AER's own Guidance to Retailers.
- Contact your state Energy Ombudsman by phone and in writing on the same day. Ombudsman contacts: QLD 1800 662 837; NSW 1800 246 545; VIC 1800 500 509; SA 1800 665 565; WA 1800 754 004; TAS 1800 001 170; ACT via ACAT. Reference the formal default notice, the unanswered questions, and the retailer's failure to confirm insurance coverage.
- If you have a GP letter documenting health symptoms, serve the DDA section 24 accommodation request simultaneously.
- Write a brief note to your home insurer confirming the installation has been disputed and that a formal record exists. Ask them to confirm in writing whether a smart meter installation against your expressed objection would affect your policy coverage.
- If any installer appears at your property before the matter is resolved, do not allow access. Inform them politely but firmly that no installation is authorised, that a formal legal record exists, and that you will be contacting police if they proceed. Write down the name of the installer, their company, and the time and date. Photograph the attempt if possible.

11. A Note on Solidarity

You are not alone in this. Thousands of Australians have successfully retained their analogue or non-communicating meters through exactly this kind of formal, documented, fight-first engagement. In Victoria, where the smart meter rollout was declared complete in 2013, approximately 17,000 households have retained their legacy meters to this day by responding clearly to every installation attempt. Victorian distributors themselves have now submitted to the AER that pursuing further attempts against resistant customers would not be "timely, cost-effective, fair and safe" and that they intend a "light touch" and "walk away" strategy for anyone who refuses.

Jemena Electricity Networks has formally stated in its Legacy Meter Replacement Plan that it "will not replace meters where customers have clearly communicated their refusal to have smart meters installed." That statement, made to a regulator, is a direct consequence of sustained, documented resistance by ordinary Australians who understood their rights and exercised them.

The documents you hold are not complaints. They are notices of right, served to a party that is betting you do not know what your rights are. The bet fails the moment you serve them.

Stand your ground.

Key Resources and Contacts

REGULATORY COMPLAINTS

Australian Energy Regulator: aer.gov.au / 1300 585 165
Energy and Water Ombudsman QLD (EWOQ): 1800 662 837
Energy & Water Ombudsman NSW (EWON): 1800 246 545
Energy and Water Ombudsman VIC (EWOV): 1800 500 509
Energy and Water Ombudsman SA (EWOSA): 1800 665 565
Energy and Water Ombudsman WA (EWOWA): 1800 754 004
Ombudsman Tasmania: 1800 001 170
ACT: ACT Civil and Administrative Tribunal (ACAT)

SCIENCE AND HEALTH REFERENCES

BioInitiative Report (3,800+ peer-reviewed studies): bioinitiative.org
Physicians for Safe Technology: mdsafetech.org/problems/5g/
Maisch (2010), The Procrustean Approach (PhD thesis, UOW): ro.uow.edu.au/theses/3148/
Raymond Broomhall LLB GDLP legal education resources: emrlegaleducation.com/5gsummit
Stop Smart Meters Australia: stopsmartmeters.com.au
AEMO Guideline for Clarification of the National Measurement Act: available at aemo.com.au

COMMONWEALTH STATUTORY REFERENCES

National Trade Measurement Regulations 2009 (Cth), Regulation 5.6: legislation.gov.au
National Measurement Act 1960 (Cth), section 4A: legislation.gov.au
Acts Interpretation Act 1901 (Cth), section 46: legislation.gov.au
Disability Discrimination Act 1992 (Cth), section 24: legislation.gov.au
Australian Constitution, section 109 (Commonwealth supremacy): legislation.gov.au
AER Guidance to Retailers (Type 4A right): aer.gov.au/consumers/smart-meter-rollout

IMPORTANT DISCLAIMER

This guide and the accompanying template documents are provided for educational purposes only. They do not constitute legal advice and are not a substitute for qualified legal counsel. The law is complex, it changes, and your specific circumstances may require advice that these general documents cannot provide.

Nothing in these documents should be taken as a guarantee of any particular outcome. These documents have been constructed on the basis of publicly available law, peer-reviewed scientific literature, and documented regulatory history. Their purpose is to equip you with the knowledge and instruments to exercise rights that already exist — not to create rights that do not.

If you face any immediate legal action, court proceedings, or threats of disconnection, seek qualified legal advice immediately.