



Climate Change (Consequential Amendments) Act 2022

No. 38, 2022

An Act to deal with consequential matters arising from the enactment of the *Climate Change Act 2022*, and for other purposes

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)

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Climate Change (Consequential Amendments) Act 2022

No. 38, 2022

An Act to deal with consequential matters arising from the enactment of the *Climate Change Act 2022*, and for other purposes

[Assented to 13 September 2022]

The Parliament of Australia enacts:

1 Short title

This Act is the *Climate Change (Consequential Amendments) Act 2022*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The later of: (a) the start of the day after this Act receives the Royal Assent; and (b) the commencement of the <i>Climate Change Act 2022</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	14 September 2022 (paragraph (b) applies)

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Part 1—Amendments

Australian Renewable Energy Agency Act 2011

1 At the end of section 3

Add:

- ; and (c) facilitate the achievement of Australia’s greenhouse gas emissions reduction targets.

2 Section 4

Insert:

Australia’s greenhouse gas emissions reduction targets means:

(a) if:

- (i) Australia’s current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
- (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

(b) in any other case—the greenhouse gas emissions reduction targets included in:

- (i) Australia’s current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
- (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

constitutional corporation means a corporation to which paragraph 51(xx) of the Constitution applies.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

2A At the end of section 8

Add:

Note: Paragraph (f) allows additional functions to be prescribed related to renewable energy technologies as well as electrification technologies or energy efficiency technologies.

3 Section 14

Repeal the section, substitute:

14 Constitutional limits

- (1) ARENA may perform its functions only in accordance with this section.

Main constitutional basis

- (2) ARENA may perform its functions with respect to external affairs, including:
 - (a) to give effect to the Climate Change Convention and the Paris Agreement, including by supporting activities and projects that could reasonably be expected to control, reduce or prevent anthropogenic emissions of greenhouse gases; and
 - (b) to give effect to another international agreement to which Australia is a party; and
 - (c) by way of performing its functions in a place outside Australia.

Other constitutional bases

- (3) In addition, ARENA may perform its functions:
 - (a) with respect to providing financial assistance for:
 - (i) research into renewable energy technologies undertaken by constitutional corporations; or

- (ii) the development, demonstration, commercialisation or deployment of renewable energy technologies by constitutional corporations; or
- (b) with respect to trade or commerce:
 - (i) between Australia and places outside Australia; or
 - (ii) among the States; or
 - (iii) within a Territory, between a State and a Territory or between 2 Territories; or
- (c) with respect to statistics; or
- (d) with respect to a postal, telegraphic, telephonic or other like service; or
- (e) with respect to the provision of a service, or financial assistance, to:
 - (i) the Commonwealth; or
 - (ii) an authority of the Commonwealth; orfor a purpose of the Commonwealth; or
- (f) with respect to a grant of financial assistance to a State; or
- (g) with respect to, or in, a Territory; or
- (h) with respect to activities that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or
- (i) with respect to the executive power of the Commonwealth; or
- (j) with respect to matters incidental to the execution of any of the legislative powers of the Parliament or the executive power of the Commonwealth.

Meaning of terms

- (4) A term used in this section and the Constitution has the same meaning in this section as it has in the Constitution.

Building Energy Efficiency Disclosure Act 2010

4 After section 2

Insert:

2A Object

The object of this Act is:

- (a) to promote the disclosure of information about the energy efficiency of buildings; and
- (b) to contribute to the achievement of Australia's greenhouse gas emissions reduction targets.

5 Section 3

Insert:

Australia's greenhouse gas emissions reduction targets means:

- (a) if:
 - (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
 - (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or
- (b) in any other case—the greenhouse gas emissions reduction targets included in:
 - (i) Australia's current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
 - (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

Carbon Credits (Carbon Farming Initiative) Act 2011

6 Paragraph 3(2)(c)

Repeal the paragraph, substitute:

- (c) the Paris Agreement;
- (d) any other international agreement.

7 At the end of section 3

Add:

Australia's greenhouse gas emissions reduction targets

- (6) The fifth object of this Act is to facilitate the achievement of Australia's greenhouse gas emissions reduction targets.

8 Section 5

Insert:

Australia's greenhouse gas emissions reduction targets means:

- (a) if:
 - (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
 - (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or
- (b) in any other case—the greenhouse gas emissions reduction targets included in:
 - (i) Australia's current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
 - (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

9 Section 5 (subparagraph (b)(ii) of the definition of *eligible carbon abatement*)

Repeal the subparagraph, substitute:
(ii) the Paris Agreement.

10 Section 5 (definition of *eligible carbon abatement*)

Omit “For the purposes of the application of the definition of *Kyoto Protocol* to subparagraph (b)(i), if the Doha Amendment is not in force for Australia, the Doha Amendment is taken to be in force for Australia.”.

11 Section 5

Insert:

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

12 Section 5 (paragraph (d) of the definition of *prescribed eligible carbon unit*)

Repeal the paragraph, substitute:
(d) the Paris Agreement; or
(e) any other international agreement.

13 Section 5 (definition of *prescribed eligible carbon unit*)

Omit “For the purposes of the application of the definition of *Kyoto Protocol* to paragraph (c), if the Doha Amendment is not in force for Australia, the Doha Amendment is taken to be in force for Australia.”.

14 Subparagraph 273(d)(iii)

Repeal the subparagraph, substitute:
(iii) the Paris Agreement; or
(iv) any other international agreement relating to climate change; or

15 Paragraph 273(e)

Omit “(if any) that is to be the successor (whether immediate or otherwise) to the Kyoto Protocol”, substitute “relating to climate change”.

Clean Energy Finance Corporation Act 2012

16 At the end of section 3

Add “and to facilitate the achievement of Australia’s greenhouse gas emissions reduction targets”.

17 Section 4

Insert:

Australia’s greenhouse gas emissions reduction targets means:

(a) if:

- (i) Australia’s current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
- (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

(b) in any other case—the greenhouse gas emissions reduction targets included in:

- (i) Australia’s current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
- (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

constitutional corporation means a corporation to which paragraph 51(xx) of the Constitution applies.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

18 Section 10

Repeal the section, substitute:

10 Constitutional limits

- (1) The Corporation may perform its functions only in accordance with this section.

Main constitutional basis

- (2) The Corporation may perform its functions with respect to external affairs, including:
- (a) to give effect to the Climate Change Convention and the Paris Agreement, including by investing in clean energy technologies that could reasonably be expected to control, reduce or prevent anthropogenic emissions of greenhouse gases; and
 - (b) to give effect to another international agreement to which Australia is a party; and
 - (c) by way of performing its functions in a place outside Australia.

Other constitutional bases

- (3) In addition, the Corporation may perform its functions:
- (a) with respect to:
 - (i) investing in constitutional corporations, or projects undertaken by constitutional corporations, for the purposes of the development or commercialisation of clean energy technologies; or
 - (ii) investing in the use of clean energy technologies by constitutional corporations; or

- (iii) investing in constitutional corporations that supply goods or services needed to develop or commercialise, or needed for use in, clean energy technologies; or
- (b) with respect to trade or commerce:
 - (i) between Australia and places outside Australia; or
 - (ii) among the States; or
 - (iii) within a Territory, between a State and a Territory or between 2 Territories; or
- (c) with respect to the provision of a service, or financial assistance, to:
 - (i) the Commonwealth; or
 - (ii) an authority of the Commonwealth; for a purpose of the Commonwealth; or
- (d) with respect to a Territory; or
- (e) with respect to activities that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or
- (f) with respect to the executive power of the Commonwealth; or
- (g) with respect to matters incidental to the execution of any of the legislative powers of the Parliament or the executive power of the Commonwealth.

Meaning of terms

- (4) A term used in this section and the Constitution has the same meaning in this section as it has in the Constitution.

Clean Energy Regulator Act 2011

19 At the end of section 3

Add:

- | |
|---|
| <ul style="list-style-type: none">• The regulations can also confer functions on the Regulator. |
|---|

20 Section 4

Insert:

Australia's greenhouse gas emissions reduction targets means:

- (a) if:
- (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
 - (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;
- the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
- or
- (b) in any other case—the greenhouse gas emissions reduction targets included in:
- (i) Australia's current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
 - (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

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21 After paragraph 12(b)

Insert:

- (ba) such functions contributing towards the achievement of Australia's greenhouse gas emissions reduction targets as are conferred on the Regulator by the regulations;

22 After subsection 41(3)

Insert:

- (3A) A direction under subsection (1) must not be inconsistent with Australia's greenhouse gas emissions reduction targets.

Climate Change Authority Act 2011

23 Section 3

Omit:

- The Authority is to conduct reviews under:
 - (a) the *Clean Energy Act 2011*; and
 - (b) the *Carbon Credits (Carbon Farming Initiative) Act 2011*; and
 - (c) the *National Greenhouse and Energy Reporting Act 2007*; and
 - (e) this Act.

substitute:

- The Authority is to conduct reviews under:
 - (a) the *Carbon Credits (Carbon Farming Initiative) Act 2011*; and
 - (b) the *National Greenhouse and Energy Reporting Act 2007*; and
 - (c) this Act.
- The Authority is to give advice under the *Climate Change Act 2022*.

24 Section 4

Insert:

Australia's greenhouse gas emissions reduction targets means:

- (a) if:
 - (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
 - (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

- (b) in any other case—the greenhouse gas emissions reduction targets included in:
- (i) Australia’s current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
 - (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

25 Section 4 (definition of *Climate Change Minister*)

Omit “the *Clean Energy Act 2011*”, substitute “this Act”.

26 Section 4

Insert:

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

27 Subparagraph 11(a)(i)

Repeal the subparagraph.

28 After paragraph 11(b)

Insert:

- (ba) to give advice under Part 4 of the *Climate Change Act 2022*;

29 At the end of paragraph 12(a)

Add:

- and (viii) take account of the matters set out in Article 2 of the Paris Agreement; and
- (vix) boost economic, employment and social benefits, including for rural and regional Australia.

29A At the end of subsections 18(2) and 22(4)

Add:

- ; (q) rural and regional development;
- (r) community energy.

30 Paragraph 57(4)(a)

Repeal the paragraph.

31 After subsection 57(4)

Insert:

- (4A) A direction under subsection (1) must not be inconsistent with Australia's greenhouse gas emissions reduction targets.

32 Paragraph 82(l)

Repeal the paragraph, substitute:

- (l) Part 4 of the *Climate Change Act 2022*; or

Export Finance and Insurance Corporation Act 1991

33 Subsection 3(1)

Insert:

Australia's greenhouse gas emissions reduction targets means:

(a) if:

- (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
- (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

- (b) in any other case—the greenhouse gas emissions reduction targets included in:

- (i) Australia’s current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
- (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

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34 Subparagraph 8(2)(b)(iii)

After “agreements”, insert “(including the Paris Agreement), and Australia’s greenhouse gas emissions reduction targets”.

Greenhouse and Energy Minimum Standards Act 2012

35 Section 3

After “That Division also”, insert “sets out the constitutional application of this Act and”.

36 After paragraph 4(a)

Insert:

- (aa) to give effect to certain obligations that Australia has under the Paris Agreement; and

37 Section 5

Insert:

Paris Agreement means the Paris Agreement done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Paris Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

38 After section 7

Insert:

7A Constitutional application of this Act

Supplies of products

- (1) This Act applies to the following supplies of a product:
 - (a) supply of the product, being a supply whose regulation is reasonably appropriate and adapted to give effect to Australia's obligations under:
 - (i) the Climate Change Convention; or
 - (ii) the Paris Agreement; or
 - (iii) another agreement between Australia and one or more other countries;
 - (b) supply of the product by or to a constitutional corporation;
 - (c) supply of the product in the course of constitutional trade or commerce;
 - (d) supply of the product using a postal, telegraphic, telephonic, or other like service (within the meaning of paragraph 51(v) of the Constitution);
 - (e) supply of the product by or to the Commonwealth or a Territory, or by or to an authority or instrumentality of the Commonwealth or a Territory;
 - (f) supply of the product occurring in a Commonwealth place or a Territory.

Note: The expression *this Act* has an extended meaning (see the Dictionary in section 5).

Offers to supply products

- (2) This Act applies to the following offers to supply a product:
 - (a) an offer to supply the product, being an offer whose regulation is reasonably appropriate and adapted to give effect to Australia's obligations under:
 - (i) the Climate Change Convention; or
 - (ii) the Paris Agreement; or
 - (iii) another agreement between Australia and one or more other countries;

- (b) an offer to supply the product made by or to a constitutional corporation;
- (c) an offer to supply the product made in the course of constitutional trade or commerce;
- (d) an offer to supply the product made using a postal, telegraphic, telephonic, or other like service (within the meaning of paragraph 51(v) of the Constitution);
- (e) an offer to supply the product made by or to the Commonwealth or a Territory, or by or to an authority or instrumentality of the Commonwealth or a Territory;
- (f) an offer to supply the product occurring in a Commonwealth place or a Territory.

Uses of products

- (3) This Act applies to the following uses of a product:
 - (a) use of the product for a commercial purpose, being a use whose regulation is reasonably appropriate and adapted to give effect to Australia's obligations under:
 - (i) the Climate Change Convention; or
 - (ii) the Paris Agreement; or
 - (iii) another agreement between Australia and one or more other countries;
 - (b) use of the product for a commercial purpose by a constitutional corporation;
 - (c) use of the product for a commercial purpose in the course of constitutional trade or commerce;
 - (d) use of the product for a commercial purpose in providing a postal, telegraphic, telephonic, or other like service (within the meaning of paragraph 51(v) of the Constitution);
 - (e) use of the product for a commercial purpose by the Commonwealth or a Territory, or by an authority or instrumentality of the Commonwealth or a Territory;
 - (f) use of the product for a commercial purpose occurring in a Commonwealth place or a Territory.

39 Section 15

Omit “Division 4 sets out general provisions about the supply and use of GEMS products, and in particular the potential constitutional limitations that might apply.”.

40 Division 4 of Part 3

Repeal the Division.

Infrastructure Australia Act 2008

41 Section 3

Insert:

Australia’s greenhouse gas emissions reduction targets means:

(a) if:

- (i) Australia’s current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
- (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

(b) in any other case—the greenhouse gas emissions reduction targets included in:

- (i) Australia’s current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
- (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

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42 At the end of paragraph 5(a)

Add:

and (iii) Australia's greenhouse gas emissions reduction targets;

43 After subparagraph 5B(1)(c)(ii)

Insert:

(iia) Australia's greenhouse gas emissions reduction targets;
and

44 Paragraph 5C(1)(ba)

After "climate change", insert ", including the achievement of Australia's greenhouse gas emissions reduction targets".

National Greenhouse and Energy Reporting Act 2007

45 Subsection 3(2)

Omit "ensure", substitute "contribute to the achievement of Australia's greenhouse gas emissions reduction targets by ensuring".

46 Section 7

Insert:

Australia's greenhouse gas emissions reduction targets means:

(a) if:

- (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
- (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

- (b) in any other case—the greenhouse gas emissions reduction targets included in:

- (i) Australia's current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
- (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

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Northern Australia Infrastructure Facility Act 2016

47 Section 5

Insert:

Australia's greenhouse gas emissions reduction targets means:

(a) if:

- (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
- (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

(b) in any other case—the greenhouse gas emissions reduction targets included in:

- (i) Australia's current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
- (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of

the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

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48 Subparagraph 7(1A)(g)(ii)

Omit “or”, substitute “and”.

49 At the end of paragraph 7(1A)(g)

Add:

- (iii) contributing to the achievement of Australia’s greenhouse gas emissions reduction targets; or

Offshore Electricity Infrastructure Act 2021

50 Section 8

Insert:

Australia’s greenhouse gas emissions reduction targets means:

(a) if:

- (i) Australia’s current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
- (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;

the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or

(b) in any other case—the greenhouse gas emissions reduction targets included in:

- (i) Australia’s current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or

- (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

51 At the end of subsection 19(1)

Add:

- ; (e) Australia’s greenhouse gas emissions reduction targets.

52 At the end of subsection 22(3)

Add:

- ; (e) Australia’s greenhouse gas emissions reduction targets.

53 At the end of subsection 23(3)

Add:

- ; (e) Australia’s greenhouse gas emissions reduction targets.

54 After paragraph 26(3)(b)

Insert:

- (ba) must have regard to Australia’s greenhouse gas emissions reduction targets; and

Renewable Energy (Electricity) Act 2000

55 Section 3

Omit:

<p>The objects of this Act are:</p> <p>(a) to encourage the additional generation of electricity from renewable sources; and</p>
--

- (b) to reduce emissions of greenhouse gases in the electricity sector; and
- (c) to ensure that renewable energy sources are ecologically sustainable.

substitute:

- The objects of this Act are:
- (a) to encourage the additional generation of electricity from renewable sources; and
 - (b) to reduce emissions of greenhouse gases in the electricity sector; and
 - (c) to ensure that renewable energy sources are ecologically sustainable; and
 - (d) to contribute to the achievement of Australia's greenhouse gas emissions reduction targets.

56 Subsection 5(1)

Insert:

Australia's greenhouse gas emissions reduction targets means:

- (a) if:
 - (i) Australia's current nationally determined contribution was communicated in accordance with Article 4 of the Paris Agreement in June 2022; and
 - (ii) that nationally determined contribution has not been adjusted in accordance with paragraph 11 of Article 4 of the Paris Agreement;the greenhouse gas emissions reduction targets set out in paragraphs 10(1)(a) and (b) of the *Climate Change Act 2022*;
or
- (b) in any other case—the greenhouse gas emissions reduction targets included in:
 - (i) Australia's current nationally determined contribution communicated in accordance with Article 4 of the Paris Agreement; or
 - (ii) if that nationally determined contribution has been adjusted in accordance with paragraph 11 of Article 4 of

the Paris Agreement—that nationally determined contribution, as adjusted and in force from time to time.

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

Science and Industry Research Act 1949

57 Section 7

Insert:

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as amended and in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

58 After subparagraph 9(1)(a)(iii)

Insert:

- (iiia) contributing to giving effect to Australia’s obligations under the Paris Agreement;

Part 2—Transitional

59 Transitional—infrastructure plans

The amendment of section 5B of the *Infrastructure Australia Act 2008* made by this Schedule does not affect the continuity of a plan that was given to the Minister (within the meaning of that Act) before the commencement of this item.

[*Minister's second reading speech made in—
House of Representatives on 27 July 2022
Senate on 5 September 2022*]