



# **Future Made in Australia (Guarantee of Origin Charges) Act 2024**

**No. 122, 2024**

**An Act to impose charges on profiles and facilities registered under the *Future Made in Australia (Guarantee of Origin) Act 2024*, and for related 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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**An Act to impose charges on profiles and facilities registered under the *Future Made in Australia (Guarantee of Origin) Act 2024*, and for related purposes**

*[Assented to 10 December 2024]*

**The Parliament of Australia enacts:**

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*No. 122, 2024      Future Made in Australia (Guarantee of Origin Charges) Act 2024*

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## Part 1—Preliminary

### 1 Short title

This Act is the *Future Made in Australia (Guarantee of Origin Charges) Act 2024*.

### 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) at the same time as the <i>Future Made in Australia (Guarantee of Origin) Act 2024</i> commences.  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	

Note: This table relates only to the provisions of this Act as originally enacted.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 Act to bind Crown

This Act binds the Crown in right of each of the States, of the Australian Capital Territory and of the Northern Territory.

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However, it does not bind the Crown in right of the Commonwealth.

#### 4 Extension to external Territories

This Act extends to the external Territories.

#### 5 Extra-territorial application

This Act extends to acts, omissions, matters and things outside Australia.

#### 6 Act does not impose tax on property of a State

- (1) This Act does not impose a tax on property of any kind belonging to a State.
- (2) In this section, *property of any kind belonging to a State* has the same meaning as in section 114 of the Constitution.

#### 7 Act does not impose charge that is a duty of customs or excise

This Act imposes charge only so far as that charge is neither a duty of customs nor a duty of excise within the meaning of section 55 of the Constitution.

#### 8 Definitions

In this Act:

*accredited power station* has the same meaning as in the *Future Made in Australia (Guarantee of Origin) Act 2024*.

*aggregated system* has the same meaning as in the *Future Made in Australia (Guarantee of Origin) Act 2024*.

*consumption profile* has the same meaning as in the *Future Made in Australia (Guarantee of Origin) Act 2024*.

*delivery profile* has the same meaning as in the *Future Made in Australia (Guarantee of Origin) Act 2024*.

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***production profile*** has the same meaning as in the *Future Made in Australia (Guarantee of Origin) Act 2024*.

***registered profile*** has the same meaning as in the *Future Made in Australia (Guarantee of Origin) Act 2024*.

***registered renewable electricity facility*** has the same meaning as in the *Future Made in Australia (Guarantee of Origin) Act 2024*.



## **Part 2—Charges**

### **9 Charge payable in relation to production profile**

- (1) A charge is imposed by this subsection on a production profile, for a financial year ending on or after the commencement of this section, if the profile is a registered profile at any time during the financial year.
- (2) The amount of charge is the amount prescribed by the regulations.

### **10 Charge payable in relation to delivery profile**

- (1) A charge is imposed by this subsection on a delivery profile, for a financial year ending on or after the commencement of this section, if the profile is a registered profile at any time during the financial year.
- (2) The amount of charge is the amount prescribed by the regulations.

### **11 Charge payable in relation to consumption profile**

- (1) A charge is imposed by this subsection on a consumption profile, for a financial year ending on or after the commencement of this section, if the profile is a registered profile at any time during the financial year.
- (2) The amount of charge is the amount prescribed by the regulations.

### **12 Charge payable in relation to accredited power station**

- (1) A charge is imposed by this subsection on a facility that is an accredited power station, for a financial year ending on or after the commencement of this section, if the facility is a registered renewable electricity facility at any time during the financial year.
- (2) The amount of charge is the amount prescribed by the regulations.

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**13 Charge payable in relation to electricity generation system other than an accredited power station**

- (1) A charge is imposed by this subsection on a facility that is an electricity generation system other than an accredited power station, for a financial year ending on or after the commencement of this section, if the facility is a registered renewable electricity facility at any time during the financial year.
- (2) The amount of charge is the amount prescribed by the regulations.

**14 Charge payable in relation to energy storage system**

- (1) A charge is imposed by this subsection on a facility that is an energy storage system, for a financial year ending on or after the commencement of this section, if the facility is a registered renewable electricity facility at any time during the financial year.
- (2) The amount of charge is the amount prescribed by the regulations.

**15 Charge payable in relation to aggregated system**

- (1) A charge is imposed by this subsection on a facility that is an aggregated system, for a financial year ending on or after the commencement of this section, if the facility is a registered renewable electricity facility at any time during the financial year.
- (2) The amount of charge is the amount prescribed by the regulations.

**16 Matters relating to amount of charges**

- (1) Without limiting subsection 33(3A) of the *Acts Interpretation Act 1901*, the regulations may prescribe an amount (including a nil amount) of charge:
  - (a) by specifying an amount as the charge; or
  - (b) by specifying a method for calculating the amount of the charge; or
  - (c) by specifying different amounts, or different methods, for different circumstances.

- (2) Before the Governor-General makes regulations for the purposes of this Part, the Minister must be satisfied that the effect of those regulations will be to recover no more than the Commonwealth's likely costs in connection with the administration of the *Future Made in Australia (Guarantee of Origin) Act 2024*.

## Part 3—Miscellaneous

### 17 Exemptions from charges

The regulations may provide for exemptions from a charge imposed by subsection 9(1), 10(1), 11(1), 12(1), 13(1), 14(1) or 15(1).

### 18 Regulations

The Governor-General may make regulations prescribing matters:

- (a) required or permitted by this Act to be prescribed by the regulations; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

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*[Minister's second reading speech made in—  
House of Representatives on 12 September 2024  
Senate on 28 November 2024]*

(114/24)