



Renewable Energy (Electricity) Amendment Regulations 2011 (No. 6)¹

Select Legislative Instrument 2011 No. 270

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Renewable Energy (Electricity) Act 2000*.

Dated 7 December 2011

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

GREG COMBET
Minister for Climate Change and Energy Efficiency

1 Name of Regulations

These Regulations are the *Renewable Energy (Electricity) Amendment Regulations 2011 (No. 6)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Renewable Energy (Electricity) Regulations 2001*

Schedule 1 amends the *Renewable Energy (Electricity) Regulations 2001*.

Schedule 1 Amendments

(regulation 3)

[1] After Division 2.2

insert

Division 2.2A Eligible WCMG

10A Eligible WCMG starting day

- (1) For subparagraph 17A (1) (a) (i) of the Act, 1 July 2012 is prescribed as the starting day.
- (2) However, subregulation (1) does not take effect if section 3 of the *Clean Energy Act 2011* does not commence on or before 1 July 2012.

10B Meaning of *waste coal mine gas*

- (1) This regulation is made for subsection 17A (2) of the Act.

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- (2) For the purposes of the Act, *waste coal mine gas* means either of the following:
- (a) coal seam gas that, as part of a coal mining operation, is drained from a coal mine that is covered by a coal mining lease (however called) that authorises coal mining;
 - (b) coal seam gas that is drained from a closed coal mine that is, or was, covered by a coal mining lease (however called) that authorises coal mining.

10C Limitations on eligible WCMG

For subsection 17A (3) of the Act, waste coal mine gas is not eligible WCMG if:

- (a) an abatement certificate under the *Electricity Supply Act 1995* (NSW); or
- (b) a gas electricity certificate under the *Electricity Act 1994* (Qld); or
- (c) an abatement certificate under the *Electricity (Greenhouse Gas Emissions) Act 2004* (ACT)

is created in relation to electricity generated using the waste coal mine gas.

[2] Paragraph 20D (c)

omit

by the power station.

insert

by the power station; or

[3] After paragraph 20D (c)

insert

(d) both:

- (i) at least one certificate has been created in relation to electricity generated by the power station using eligible WCMG; and

- (ii) after the creation of the certificate, one of the following is created in relation to electricity generated by the power station using waste coal mine gas:
- (A) an abatement certificate under the *Electricity Supply Act 1995* (NSW);
 - (B) a gas electricity certificate under the *Electricity Act 1994* (Qld);
 - (C) an abatement certificate under the *Electricity (Greenhouse Gas Emissions) Act 2004* (ACT).

[4] Further amendments — renewable energy

The following provisions are amended by omitting each mention of ‘renewable energy’ and inserting ‘energy’.

- subregulation 14 (1), definition of *FSL*
- subregulation 14 (1), definition of *AUX*, note
- regulation 15
- paragraph 15A (c)
- regulation 16
- paragraph 18 (1) (e)
- subparagraph 18 (1) (j) (ii)
- paragraph 20D (a)
- subparagraphs 20E (1) (a) (iii) and (2) (a) (iii)
- Schedule 1, paragraph 1.1 (a)
- Schedule 1, subclause 1.2 , note
- Schedule 1, subclause 3.1

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.