



Climate Change Legislation Amendment Regulation 2012 (No. 1)¹

Select Legislative Instrument 2012 No. 33

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Australian National Registry of Emissions Units Act 2011*, the *Carbon Credits (Carbon Farming Initiative) Act 2011*, the *National Greenhouse and Energy Reporting Act 2007* and the *Renewable Energy (Electricity) Act 2000*.

Dated 21 March 2012

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

GREG COMBET
Minister for Climate Change and Energy Efficiency

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1 Name of regulation

This regulation is the *Climate Change Legislation Amendment Regulation 2012 (No. 1)*.

2 Commencement

This regulation commences on the commencement of section 3 of the *Clean Energy Act 2011*.

3 Amendment of *Australian National Registry of Emissions Units Regulations 2011*

Schedule 1 amends the *Australian National Registry of Emissions Units Regulations 2011*.

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4 Amendment of *Carbon Credits (Carbon Farming Initiative) Regulations 2011*

Schedule 2 amends the *Carbon Credits (Carbon Farming Initiative) Regulations 2011*.

5 Amendment of *National Greenhouse and Energy Reporting Regulations 2008*

Schedule 3 amends the *National Greenhouse and Energy Reporting Regulations 2008*.

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

Schedule 4 amends the *Renewable Energy (Electricity) Regulations 2001*.

Schedule 1 **Amendments to the *Australian National Registry of Emissions Units Regulations 2011***

(section 3)

[1] **Subregulation 17 (1)**

substitute

Entities already identified

- (1) A person making a request who is an entity is not required to provide a document identifying the entity under this Division if:
- (a) the entity has previously submitted the document in accordance with the registration requirements under:
 - (i) the *Greenhouse and Energy Reporting Act 2007*; or
 - (ii) the *Renewable Energy (Electricity) Act 2000*; and
 - (b) the entity is currently registered under the Act in relation to which the document was previously submitted; and
 - (c) the document is still current.

[2] **Further amendments— ‘Administrator’**

The following provisions are amended by omitting each mention of ‘Administrator’ and inserting ‘Regulator’:

- regulation 3, definition of *approved form* and note
- regulation 6
- regulation 7, heading
- subregulation 9 (1)
- regulations 11 to 13
- regulation 15
- regulations 17 to 19

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- Subdivision 2.2.4, heading
 - regulation 23, including the heading
 - regulations 24 and 25
 - regulations 27 to 29
 - regulation 31
 - subregulation 32 (1)
 - regulation 32, note 2
 - regulation 33, heading
 - subregulations 33 (1) and 33 (2)
 - regulation 35, including the heading and the note
 - regulations 39 to 42
 - regulations 44 to 47
 - regulations 49 and 50.

[3] Further amendments—‘Administrator’s’

The following provisions are amended by omitting each mention of ‘Administrator’s’ and inserting ‘Regulator’s’:

- subregulation 7 (1)
- subregulation 11 (2)
- regulation 11, note
- regulation 35, note.

Schedule 2 Amendments to the Carbon Credits (Carbon Farming Initiative) Regulations 2011

(section 4)

[1] Regulation 1.3, note

insert

- Regulator

[2] Subregulation 1.10 (1)

omit

Administrator's

insert

Regulator's

[3] Subregulation 4.3 (1)

substitute

Entities already identified

- (1) An applicant who is an entity is not required to provide a document identifying the entity under this Division if:
 - (a) the entity has previously submitted the document in accordance with the registration requirements under:
 - (i) the *Greenhouse and Energy Reporting Act 2007*; or
 - (ii) the *Renewable Energy (Electricity) Act 2000*; and
 - (b) the entity is currently registered under the Act in relation to which the document was previously submitted; and
 - (c) the document is still current.

[4] Further amendments

The following provisions are amended by omitting each mention of ‘Administrator’ and inserting ‘Regulator’:

- regulation 1.3, definition of *approved form*
- regulation 1.9
- regulation 1.10, heading
- regulation 3.1
- paragraph 3.28 (2) (d)
- regulation 3.35, note 2
- paragraph 3.37 (8) (b)
- regulations 4.11 and 4.12
- regulation 7.2.

Schedule 3 Amendments to the *National Greenhouse and Energy Reporting Regulations 2008*

(section 5)

[1] Regulation 1.03, note

substitute

Note A number of terms in these Regulations are defined in the Act, including:

- audit information
- audit team member
- CFI audit
- controlling corporation
- greenhouse and energy audit
- greenhouse gas project
- group
- member
- official of the Regulator
- registered greenhouse and energy auditor
- Regulator
- subsidiary.

[2] Paragraph 6.40 (1) (a)

substitute

(a) an official of the Regulator;

[3] Further amendments—single mentions

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Regulation 1.03, definition of <i>Auditor</i> <i>Registration Instrument</i>	Greenhouse and Energy Data Officer	Regulator

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Paragraphs 2.08 (2) (d) and (e)	Greenhouse and Energy Data Officer	Regulator
Subregulation 2.08 (3)	Greenhouse and Energy Data Officer	Regulator
Paragraph 2.09 (3) (b)	Greenhouse and Energy Data Officer	Regulator
Subregulations 2.09 (4), (5) and (7) and 2.10 (3)	Greenhouse and Energy Data Officer	Regulator
Paragraphs 2.11 (2) (d) and (e)	Greenhouse and Energy Data Officer	Regulator
Subregulation 2.11 (3)	Greenhouse and Energy Data Officer	Regulator
Paragraph 2.12 (3) (b)	Greenhouse and Energy Data Officer	Regulator
Subregulations 2.12 (4), (5) and (7), 2.13 (3) and 3.03 (1)	Greenhouse and Energy Data Officer	Regulator
Regulations 3.04 and 3.06	Greenhouse and Energy Data Officer	Regulator
Subregulation 4.02 (1)	Greenhouse Energy Data Officer	Regulator
Subregulations 4.02 (4) and 4.33 (1)	Greenhouse and Energy Data Officer	Regulator
Paragraph 4.33 (1) (b)	Greenhouse Energy Data Officer	Regulator
Subregulations 6.07 (1), 6.12 (2), 6.14 (2), 6.14A (2), 6.15 (2), 6.16 (2), 6.19 (3), 6.20 (4), 6.21 (4), 6.23 (1) and 6.24 (1)	Greenhouse and Energy Data Officer	Regulator
Subregulation 6.24 (2), note	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.25 (2), (3) and (5) and 6.26 (1) and (4)	Greenhouse and Energy Data Officer	Regulator

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Regulations 6.27 and 6.28	Greenhouse and Energy Data Officer	Regulator
Regulation 6.29, heading	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.29 (1) and (2)	Greenhouse and Energy Data Officer	Regulator
Subregulation 6.29 (2)	Greenhouse and Energy Data Officer's	Regulator's
Paragraph 6.29 (3) (d)	Greenhouse and Energy Data Officer	Regulator
Regulation 6.30, heading	Greenhouse and Energy Data Officer's	Regulator's
Subregulations 6.30 (1), (2) and (4) and 6.31 (1)	Greenhouse and Energy Data Officer	Regulator
Regulation 6.33	Greenhouse and Energy Data Officer	Regulator
Regulation 6.34, heading	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.34 (1) to (3)	Greenhouse and Energy Data Officer	Regulator
Subregulation 6.34 (3)	Greenhouse and Energy Data Officer's	Regulator's
Subregulation 6.35, heading	Greenhouse and Energy Data Officer's	Regulator's
Subregulations 6.35 (1) and (2) and 6.37 (1) and (3)	Greenhouse and Energy Data Officer	Regulator
Subregulation 6.37 (3)	the Officer	the Regulator
Subregulation 6.38 (1), note	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.40 (2) and 6.41 (1)	Greenhouse and Energy Data Officer	Regulator
Subregulation 6.41 (1)	Greenhouse and Energy Data Officer's	Regulator's

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Subregulations 6.41 (3) and (4)	Greenhouse and Energy Data Officer	Regulator
Paragraph 6.45 (2) (d)	Greenhouse and Energy Data Officer	Regulator
Subregulation 6.47 (1), note	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.47 (3) and (5), 6.53 (2), 6.61 (1), (2) and (4)	Greenhouse and Energy Data Officer	Regulator
Paragraphs 6.62 (2) (c) and (4) (a) and 6.63 (a)	Greenhouse and Energy Data Officer	Regulator
Regulation 6.64A, definition of <i>alternative audit</i>	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.64 (2), 6.65 (3), 6.66 (2), 6.67 (1) and (3) and 6.69 (1) and (2)	Greenhouse and Energy Data Officer	Regulator
Paragraph 6.69 (3) (f)	Greenhouse and Energy Data Officer	Regulator
Regulation 6.71, heading	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.71 (4) and 6.72 (2)	Greenhouse and Energy Data Officer	Regulator
Regulation 6.73, heading	Greenhouse and Energy Data Officer	Regulator
Regulation 6.73	Greenhouse and Energy Data Officer	Regulator

[4] Further amendments—multiple mentions

<i>Provision</i>	<i>omit each mention of</i>	<i>insert</i>
Subregulation 2.09 (6)	Greenhouse and Energy Data Officer	Regulator

<i>Provision</i>	<i>omit each mention of</i>	<i>insert</i>
Paragraph 2.10 (2) (b)	Greenhouse and Energy Data Officer	Regulator
Subregulation 2.12 (6)	Greenhouse and Energy Data Officer	Regulator
Paragraph 2.13 (2) (b)	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.26 (2), 6.30 (3) and 6.31 (4)	Greenhouse and Energy Data Officer	Regulator
Regulation 6.36	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.40 (1), 6.47 (7), 6.54 (5), 6.61 (3) and 6.62 (1)	Greenhouse and Energy Data Officer	Regulator
Paragraphs 6.62 (2) (b) and (4) (b)	Greenhouse and Energy Data Officer	Regulator
Subregulations 6.68 (1) and 6.71 (3)	Greenhouse and Energy Data Officer	Regulator

Schedule 4 **Amendments to the Renewable Energy (Electricity) Regulations 2001**

(section 6)

[1] **Regulation 3A, note**

substitute

Note A copy of the document mentioned in subparagraph (3) (c) (ii) is available by post from the Regulator, GPO Box 621, Canberra ACT 2601. The document can be viewed on and downloaded from the Regulator's website: www.cleanenergyregulator.gov.au.

[2] **Further amendments—Renewable Energy Regulator**

The following provisions are amended by inserting 'or the Renewable Energy Regulator' after 'the Regulator':

- paragraph 18 (1) (f)
- paragraph 20H (3) (a)
- paragraph 20K (5) (a)
- paragraph 20M (2) (a).

[3] **Further amendments— Office of the Renewable Energy Regulator**

The following provisions are amended by omitting each mention of 'Office of the Renewable Energy':

- subregulation 24 (2)
- regulations 25 and 25A.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.