



# **National Greenhouse and Energy Reporting (Measurement) Amendment (2018 Update) Determination 2018**

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I, Josh Frydenberg, Minister for the Environment and Energy, make the following legislative instrument.

Dated 21 June 2018

Josh Frydenberg  
Minister for the Environment and Energy

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## Contents

1 Name	3
2 Commencement	3
3 Authority	3
4 Amendment of methodology determination	3
<b>Schedule 1—Amendments of the <i>National Greenhouse and Energy Reporting (Measurement) Determination 2008</i></b>	<b>4</b>

## 1 Name

This instrument is the *National Greenhouse and Energy Reporting (Measurement) Amendment (2018 Update) Determination 2018*.

## 2 Commencement

- (1) Each provision of this instrument 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.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this instrument	1 July 2018.	1 July 2018

Note: This table relates only to the provisions of this instrument as originally made.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

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

## 3 Authority

This instrument is made under subsection 10(3) of the *National Greenhouse and Energy Reporting Act 2007*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

# Schedule 1—Amendments of the *National Greenhouse and Energy Reporting (Measurement) Determination 2008*

## [1] Subsection 1.3(1)

Omit “sections 7B and”, substitute “section”.

## [2] Section 1.8

Insert:

*decommissioned underground mine* has the meaning given by the Regulations.

## [3] Paragraph 1.11(a)

After “emissions”, insert “and energy”.

## [4] Sections 1.12 and 1.13

Repeal the sections, substitute:

### 1.12 Measurement of emissions and energy

- (1) The measurement of emissions released from the operation of a facility is to be done by estimating the emissions in accordance with this Determination.
- (2) The measurement of the production and consumption of energy from the operation of a facility is to be done by estimating the production and consumption of energy in accordance with this Determination.

### 1.13 General principles for measuring emissions and energy

Estimates for this Determination must be prepared in accordance with the following principles:

- (a) transparency—emission and energy estimates must be documented and verifiable;
- (b) comparability—emission and energy estimates using a particular method and produced by a registered corporation or registered person in an industry sector must be comparable with emission and energy estimates produced by similar corporations or persons in that industry sector using the same method and consistent with the emission and energy estimates published by the Department in the National Greenhouse Accounts;
- (c) accuracy—having regard to the availability of reasonable resources by a registered corporation or registered person and the requirements of this Determination, uncertainties in emission and energy estimates must be minimised and any estimates must neither be over nor under estimates of the true values at a 95% confidence level;

- (d) completeness—all identifiable emission sources mentioned in section 1.10 must be accounted for and production and consumption of all identifiable fuels and energy commodities listed in Schedule 1 of the Regulations must be accounted for, subject to any applicable reporting thresholds.

**[5] Subsection 1.19(2)**

Omit “sourcemust”, substitute “source must”.

**[6] Subparagraphs 2.68(b)(iv) and (v)**

Repeal the subparagraphs, substitute:

- (iv) for electricity consumed from a generating unit at the facility—that each generating unit has a maximum capacity to produce at least 0.5 megawatts of electricity and produces over 100 000 kilowatt hours of electricity in a reporting year; or
- (v) for electricity consumed that was not generated by a generating unit at the facility—20 000 kilowatt hours.

**[7] Section 3.30**

Repeal the section, substitute:

**3.30 Application**

This Division applies to fugitive emissions from decommissioned underground mines from the time that they became a decommissioned underground coal mine, other than mines which have been a decommissioned underground coal mine for a continuous period of 20 years or more.

**[8] Subsection 3.31(1)**

Repeal the subsection, substitute:

- (1) Subject to sections 1.18 and 3.30, for estimating emissions released during a year from the operation of a facility that is constituted by a decommissioned underground mine the methods as set out in this section must be used.

**[9] Subsection 3.31(6)**

Omit “for combustion”.

**[10] Section 3.32 (definition of  $E_{tdm}$ )**

Omit “full year that the mine was in operation measured in CO<sub>2</sub>-e tonnes and estimated under section 3.5 or 3.6”, substitute “12 month period before the mine became a decommissioned underground coal mine, measured in CO<sub>2</sub>-e tonnes and estimated under section 3.6”.

**[11] Section 3.33**

Omit “between  $T$  and  $T-1$ ”, substitute “between  $T$  and  $T-N$ ”.

**[12] Section 3.33 (definitions of  $A$  and  $T$ )**

Repeal the definitions, substitute:

$A$  is:

- (a) for a gassy mine— $\frac{0.23}{12}$ ; or
- (b) for a non-gassy mine— $\frac{0.35}{12}$ .

$T$  is the number of whole months since the mine became a decommissioned underground coal mine, at the end of the reporting year.

$N$  is:

- (a) if  $T$  is less than 12—the value for  $T$ ; or
- (b) if  $T$  is 12 or greater—12.

**[13] Section 3.34**

Omit the equation, substitute:

$$\frac{M_{WI}}{M_{VV}} \times \frac{\text{months}}{12}$$

**[14] Section 3.34 (definition of years)**

Repeal the definition, substitute:

*months* is the number of whole months since the mine became a decommissioned underground coal mine, at the end of the reporting year.

**[15] Section 3.91 (equation)**

At the end of the equation, add “-  $E_{ij}$ ”

**[16] Section 3.91 (paragraph (a) of the definition of  $\gamma_j$ )**

Omit “21”, substitute “25”.

**[17] Section 3.91 (after the definition of  $RCCS_j$ )**

Add:

$E_{ij}$  is the fugitive emissions ( $j$ ) from the injection of a greenhouse gas into a geological formation during the reporting year, measured in CO<sub>2</sub>-e tonnes and calculated in accordance with Subdivision 3.4.3.2.

**[18] Section 3.92 (paragraph (a) of the definition of  $\gamma_j$ )**

Omit “21”, substitute “25”.

**[19] Section 4.66 (definition of  $Q_i$  in Step 1)**

Repeal the definition, substitute:

$Q_i$  is the quantity of fuel type ( $i$ ) or carbonaceous input material ( $i$ ) delivered for the activity during the year measured in an appropriate unit and estimated in accordance with:

- (a) criterion A in Divisions 2.2.5, 2.3.6, 2.4.6 and 4.2.5; or
- (b) if the quantity of fuel or carbonaceous input material is not acquired as part of a commercial transaction—industry practice, consistent with the principles in section 1.13.

**[20] After subsection 5.23(1)**

Insert:

- (1A) However, this Part is not applicable to a person providing a report to the Regulator under the Act whose primary activities lie outside of item 192, Water supply, sewerage and drainage services (ANZSIC code 281), in Schedule 2 of the Regulations.

**[21] After section 9.10**

Insert:

**9.11 Amendments made by the *National Greenhouse and Energy Reporting (Measurement) Amendment (2018 Update) Determination 2018***

The amendments made by the *National Greenhouse and Energy Reporting (Measurement) Amendment (2018 Update) Determination 2018* apply in relation to:

- (a) the financial year starting on 1 July 2018; and
- (b) later financial years.

**[22] Part 6 of Schedule 1**

Repeal the Part, substitute:

## Part 6—Indirect (scope 2) emission factors from consumption of electricity purchased or lost from grid

<b>Indirect (scope 2) emissions factors from consumption of electricity purchased or lost from grid</b>		
<b>Item</b>	<b>Column 1 State, Territory or grid description</b>	<b>Column 2 Emission factor kg CO<sub>2</sub>-e/kWh</b>
77	New South Wales and Australian Capital Territory	0.82
78	Victoria	1.07
79	Queensland	0.80
80	South Australia	0.51
81	South West Interconnected System in Western Australia	0.70
82	Tasmania	0.19
83	Northern Territory	0.64

### [23] Amendment of listed provisions

<b>Further amendments—liable entity</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Subparagraph 1.18(3)(b)(ii)	liable entity	registered person
2	Subsection 1.19(4)	liable entity	registered person
4	Paragraph 1.19(4)(b)	entity	person
4	Subsection 1.19(6)	liable entity	registered person
5	Section 2.25 (cell at table item 2, column headed “Frequency”)	liable entity	registered person
6	Section 2.71 (in three places)	liable entity	registered person