

Clean Energy Regulator Regulations 2018

made under the

Clean Energy Regulator Act 2011

**Compilation No. 2**

**Compilation date:** 1 July 2022

**Includes amendments up to:** F2021L01813

**Registered:** 6 July 2022

**About this compilation**

**This compilation**

This is a compilation of the *Clean Energy Regulator Regulations 2018* that shows the text of the law as amended and in force on 1 July 2022 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Name

This instrument is the *Clean Energy Regulator Regulations 2018*.

3 Authority

This instrument is made under the *Clean Energy Regulator Act 2011*.

4 Definitions

In this instrument:

***Act*** means the *Clean Energy Regulator Act 2011*.

5 Disclosure to certain agencies, bodies and persons

Agencies and authorities of the Commonwealth

(1) For the purposes of paragraph 49(1)(ub) of the Act, the following are prescribed:

(a) the Commonwealth Scientific and Industrial Research Organisation;

(b) the Commonwealth Bureau of Meteorology;

(c) Geoscience Australia;

(d) the Murray‑Darling Basin Authority;

(e) the National Offshore Petroleum Safety and Environmental Management Authority;

(f) Safe Work Australia;

(g) the Emissions Reduction Assurance Committee;

(ga) the Australian Crime Commission;

(h) any other agency or authority of the Commonwealth that deals with:

(i) fair trading or consumer protection; or

(ii) health, safety or emergencies.

State/Territory government bodies

(2) For the purposes of paragraph 49(1)(w) of the Act, the following are prescribed:

(a) NSW Fair Trading;

(b) that part of the Department of Justice of New South Wales known as the Office of Emergency Management;

(c) Energy Safe Victoria;

(d) that part of the Department for Energy and Mining of South Australia known as the Office of the Technical Regulator;

(e) any other State/Territory government body that deals with:

(i) fair trading or consumer protection; or

(ii) health, safety or emergencies.

International climate change body

(3) For the purposes of paragraph 49(1)(x) of the Act, the Secretariat established under Article 8 of the Climate Change Convention is prescribed.

Professional disciplinary bodies

(4) For the purposes of paragraph 49(1)(y) of the Act, the following are prescribed:

(a) the Clean Energy Council Limited (ACN 127 102 443);

(b) a scheme operator (within the meaning of Subdivision 2.3.4 of Division 2.3 of Part 2 of the *Renewable Energy (Electricity) Regulations 2001*) that is a body corporate.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Editorial changes**

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) |
| C[x] = Compilation No. x | /sub‑subparagraph(s) |
| Ch = Chapter(s) | pres = present |
| def = definition(s) | prev = previous |
| Dict = Dictionary | (prev…) = previously |
| disallowed = disallowed by Parliament | Pt = Part(s) |
| Div = Division(s) | r = regulation(s)/rule(s) |
| ed = editorial change | reloc = relocated |
| exp = expires/expired or ceases/ceased to have | renum = renumbered |
| effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = *Legislation Act 2003* | Sch = Schedule(s) |
| LIA = *Legislative Instruments Act 2003* | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given | SLI = Select Legislative Instrument |
| effect | SR = Statutory Rules |
| (md not incorp) = misdescribed amendment | Sub‑Ch = Sub‑Chapter(s) |
| cannot be given effect | SubPt = Subpart(s) |
| mod = modified/modification | underlining = whole or part not |
| No. = Number(s) | commenced or to be commenced |

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Clean Energy Regulator Regulations 2018 | 28 Nov 2018 (F2018L01623) | 29 Nov 2018 (s 2(1) item 1) |  |
| Clean Energy Regulator Amendment (Disclosure of Protected Information) Regulations 2021 | 17 Dec 2021 (F2021L01813) | Sch 2: 1 July 2022 (s 2(1) item 3) Remainder: 18 Dec 2021 (s 2(1) items 1, 2) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| s 2 | rep LA s 48D |
| s 5 | am F2021L01813 |