

National Greenhouse and Energy Reporting Amendment (2023 Measures No. 1) Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 19 June 2023

David Hurley

Governor‑General

By His Excellency’s Command

Chris Bowen

Minister for Climate Change and Energy

Contents

1 Name 1

2 Commencement 1

3 Authority 1

Schedule 1—Amendments commencing 1 July 2023 2

National Greenhouse and Energy Reporting Regulations 2008 2

Schedule 2—Amendments relating to scope 2 emissions 4

National Greenhouse and Energy Reporting Regulations 2008 4

1 Name

This instrument is the *National Greenhouse and Energy Reporting Amendment (2023 Measures No. 1) Regulations 2023*.

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.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered. | 23 June 2023 |
| 2. Schedule 1 | 1 July 2023. | 1 July 2023 |
| 3. Schedule 2 | The later of:  (a) the day after this instrument is registered; and  (b) the day on which the *National Greenhouse and* E*nergy Reporting (Measurement) Amendment (2023 Update) Determination 2023* commences.  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2023  (paragraph (b) applies) |

Note: This table relates only to the provisions of this instrument as originally made.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 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 commencing 1 July 2023

National Greenhouse and Energy Reporting Regulations 2008

1 Regulation 1.03

Insert:

***biodiesel*** means a biofuel that:

(a) is produced by esterification of oils derived from biomass; and

(b) consists mainly of esters; and

(c) is suitable for use as a blending component substitute for diesel oil.

***renewable aviation kerosene*** means a biofuel that:

(a) is produced through a process such as gasification, Fischer‑Tropsch synthesis, hydrothermal conversions or hydroprocessing; and

(b) consists mainly of alkanes and other hydrocarbons; and

(c) is either or both of the following:

(i) a synthetic blending component within the meaning of the American Society for Testing and Materials Standard *ASTM D7566: Standard Specification for Aviation Turbine Fuel Containing Synthesized Hydrocarbons*, published by ASTM International, as in force or existing from time to time;

(ii) a synthetic blending component permitted in aviation turbine fuel that meets the requirements set out in the United Kingdom Defence Standard *Def Stan 91‑091:* *Turbine Fuel, Kerosene Type, Jet A-1; NATO CODE: F-35; Joint Service Designation: AVTUR*, published by UK Defence Standardization, as in force or existing from time to time.

Note 1: In 2023, ASTM D7566 could be:

(a) purchased (in printed or digital form) from http://www.astm.org; or

(b) viewed (in printed form), by appointment, at the Department’s office in Canberra.

Note 2: In 2023, Def Stan 91‑091 could be obtained from http://www.jig.org.

***renewable diesel*** means a biofuel that:

(a) is produced through a process such as gasification, Fischer‑Tropsch synthesis, hydrothermal conversions or hydroprocessing; and

(b) consists mainly of alkane and other hydrocarbons; and

(c) is suitable for use as:

(i) a substitute for diesel oil; or

(ii) a blending component substitute for diesel oil.

2 In the appropriate position in Part 7

Insert:

Division 7.10—Application provisions relating to the National Greenhouse and Energy Reporting Amendment (2023 Measures No. 1) Regulations 2023

7.21 Application of amendments

The amendments of these Regulations made the *National Greenhouse and Energy Reporting Amendment (2023 Measures No. 1) Regulations 2023* apply in relation to a report under Part 3, 3E, 3F or 3G of the Act for:

(a) the financial year beginning on 1 July 2023; and

(b) each later financial year.

3 Schedule 1 (after table item 53)

Insert:

|  |  |  |
| --- | --- | --- |
| 53A | Renewable diesel | Primary |
| 53B | Renewable aviation kerosene | Primary |

4 Schedule 1 (table item 54)

Omit “items 52 to 53”, substitute “items 52 to 53B”.

Schedule 2—Amendments relating to scope 2 emissions

National Greenhouse and Energy Reporting Regulations 2008

1 After Subdivision 4.4.3

Insert:

Subdivision 4.4.3A—Scope 2 emissions from the consumption of purchased or acquired electricity

4.17B Emissions from purchased or acquired electricity

(1) This regulation applies in relation to scope 2 emissions released from electricity referred to in subsection 7.4(1) of the Measurement Determination.

(2) The report must include the matters set out in Part 7 of Schedule 4 to the Measurement Determination.