



Net Zero Economy Authority (Guidelines for Determining a Receiving Employer) Notifiable Instrument 2025

I, David Shankey, Chief Executive Officer of the Net Zero Economy Authority, make the following notifiable instrument.

Dated 18 February 2025

David Shankey
Chief Executive Officer of the Net Zero Economy Authority

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1 Name

This instrument is the *Net Zero Economy Authority (Guidelines for Determining a Receiving Employer) Notifiable Instrument 2025*.

2 Commencement

This instrument commences the day after this instrument is registered.

3 Authority

This instrument is made under subsection 6(10) of the *Net Zero Economy Authority Act 2024*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) receiving employer;
- (b) participating employees;
- (c) closing employer;
- (d) dependent employer.

In this instrument:

Act means the *Net Zero Economy Authority Act 2024*.

Authority means the Net Zero Economy Authority.

CEO has the meaning described in Section 5 of the Act.

Energy Industry Jobs Plan is established by Part 5 of the Act.

5 Guidelines for determining a receiving employer

- (1) For the purposes of subsection 6(10) of the Act, this instrument establishes the guidelines to which the CEO of the Authority must have regard when specifying receiving employers in a written determination made under subsection 6(6) of the Act.
- (2) In deciding whether to specify an employer in a determination under subsection 6(6) of the Act, the CEO will give primary consideration to the ability of an employer to support the effective delivery of the Energy Industry Jobs Plan, including the intent that the Energy Industry Jobs Plan attracts sufficient receiving employers to offer a range of suitable employment options to participating employees.
- (3) In deciding whether to specify an employer in a determination under subsection 6(6) of the Act, the CEO may also consider the following factors:

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- a. The ability of the employer to provide ongoing employment to participating employees.
 - b. The ability of the employer to provide employment in roles that are an appropriate match for the identified skills, competencies, and career aspirations of participating employees, including the employer's ability to support any additional training needs of participating employees.
 - c. The geographic proximity of the employer to closing employers or their dependent employers.
 - d. The ability of the employer to provide a safe work environment, and whether it has work health and safety policies and practices that are compliant with the relevant Commonwealth and State legislation where the receiving employer is located.
 - e. The employer's record of meeting obligations under national fair work, anti-discrimination, and work health and safety legislation.
 - f. The nature and extent of any corporate relationship between the receiving employer and a closing or dependent employer.
 - g. The specific circumstances of the relevant power station closure, including prevailing regional labour market conditions.