



# **Renewable Energy (Electricity) Regulations 2001**

**Statutory Rules No. 2, 2001**

made under the

*Renewable Energy (Electricity) Act 2000*

## **Compilation No. 79**

**Compilation date:** 1 July 2022

**Includes amendments up to:** F2022L00114

**Registered:** 18 July 2022

**This compilation includes commenced amendments made by F2021L01828**

Prepared by the Office of Parliamentary Counsel, Canberra

---

## About this compilation

### This compilation

This is a compilation of the *Renewable Energy (Electricity) Regulations 2001* 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](http://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If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

---

# Contents

<b>Part 1—Preliminary</b>	<b>1</b>
1	Name of Regulations..... 1
3	Definitions ..... 1
3A	Conditions for solar water heater ..... 4
3B	Definition of <i>auxiliary loss</i> ..... 5
<b>Part 2—Renewable energy certificates</b>	<b>6</b>
<b>Division 2.1A—Registration</b>	<b>6</b>
3L	Determining fit and proper person ..... 6
<b>Division 2.1—Accreditation</b>	<b>9</b>
3S	Final day for including eligible WCMG in application..... 9
4	Eligibility for accreditation ..... 9
5	1997 eligible renewable power baselines ..... 9
5A	2008 WCMG limit ..... 9
<b>Division 2.2—Eligible renewable energy sources</b>	<b>10</b>
6	Meaning of certain energy sources that are eligible renewable energy sources (Act s 17)..... 10
7	Meaning of certain energy sources that are not eligible renewable energy sources (Act s 17)..... 10
8	Meaning of <i>wood waste</i> ..... 11
9	Energy crops (Act s 17) ..... 12
10	Special requirements—ocean, wave and tide..... 12
<b>Division 2.2A—Eligible WCMG</b>	<b>13</b>
10A	Eligible WCMG starting day ..... 13
10B	Meaning of <i>waste coal mine gas</i> ..... 13
10C	Limitations on eligible WCMG ..... 13
<b>Division 2.3—Eligible electricity generation</b>	<b>14</b>
<b>Subdivision 2.3.1—Accredited power stations</b>	<b>14</b>
13	Working out electricity generation for a power station ..... 14
14	General formula ..... 14
15	Ineligible fuel component ..... 15
15A	Electricity omitted from calculation..... 15
16	Supplementary generation..... 15
18	Electricity generation returns for accredited power stations (Act s 20) ..... 15
<b>Subdivision 2.3.2—Solar water heaters</b>	<b>17</b>
19	Creation of certificates for solar water heaters (Act s 21) ..... 17
19A	Number of certificates..... 17
19B	Determination of method for determining number of certificates..... 18
19BA	Determination of number of certificates ..... 18
19BB	Variation of determination ..... 19
19BC	Requests for determination ..... 20
19BD	Invitation for requests for determination..... 21
19BE	Working out number of certificates that may be created..... 21
19C	Register of solar water heaters (Act s 23AA)..... 21

---

---

<b>Subdivision 2.3.3—Small generation units</b>	22
19D Creation of certificates for small generation units (Act s 23A) .....	22
20 Number of certificates that may be created (Act s 23B) .....	24
20AA Multiplying number of certificates (Act s 23B) .....	27
20AAA Further circumstances for multiplying number of certificates .....	28
20AB Regulator may make determinations about particular premises .....	30
20AC Conditions for creation of certificates (Act s 23A) .....	30
20AD Provision of serial numbers for inverters and photovoltaic modules .....	35
20AE Publisher of lists of approved inverters and photovoltaic modules .....	36
20AF Regulator may declare models of inverters or photovoltaic modules ineligible .....	37
20AG Regulator may declare persons ineligible to design or install small generation units .....	38
20AH Regulator may declare persons ineligible to make solar retailer statements .....	39
20AI Making declarations under regulations 20AG and 20AH .....	39
20A Assignment of small generation unit certificates (Act s 23C) .....	40
20B Election to not create certificates (Act s 23E) .....	40
20BA Record keeping for small generation units .....	40
<b>Subdivision 2.3.4—Designer and installer accreditation scheme</b>	41
20BB Approval of accreditation schemes .....	41
20BC Interpretation .....	41
20BD Applying for accreditation .....	41
20BE Matters to be included in applications .....	42
20BF Further information .....	43
20BG Regulator to approve or refuse application .....	44
20BH Approval of accreditation scheme .....	44
20BI Notification of decision .....	45
20BJ Duration of approval .....	45
20BK Revocation of approval .....	45
20BL Notice of proposed revocation .....	46
20BM Effect of revocation .....	47
20BN Further approvals if no approved accreditation scheme .....	48
<b>Division 2.5A—Suspension of registration</b>	49
20CL Determining fit and proper person .....	49
<b>Division 2.5—Suspending accreditation of a power station</b>	50
20DA Matters relevant to a decision to suspend the accreditation of a power station (Act s 30D) .....	50
20D Circumstances for suspending accreditation of an accredited power station (Act s 30E) .....	50
<b>Division 2.6—Varying 1997 eligible renewable power baseline for an accredited power station</b>	52
20E Circumstances for varying 1997 eligible renewable power baseline for an accredited power station (Act s 30F) .....	52
20F Notification of determination under regulation 20E .....	53

---

---

<b>Division 2.7—Varying 2008 WCMG limit for an accredited power station</b>	55
20FA Guidelines for varying 2008 WCMG limit .....	55
20FB Circumstances for varying 2008 WCMG limit for an accredited power station.....	55
20FC Redistribution of 2008 WCMG limits between accredited power stations .....	56
20FD Notification of determination.....	56
<b>Part 2A—Clearing house for small-scale technology certificates</b>	58
20G Operation of clearing house .....	58
20H Application to enter small-scale technology certificates into clearing house .....	58
20I Entering small-scale technology certificates into the clearing house.....	59
20J Removing small-scale technology certificates from clearing house transfer list.....	59
20K Regulator may withdraw small-scale technology certificates from clearing house.....	59
20L Owner may request Regulator to withdraw small-scale technology certificates .....	60
20M Persons not entitled to purchase small-scale technology certificates through clearing house.....	60
20N Small-scale technology certificates to be transferred or created within 3 days .....	60
20O Refunds .....	61
20P GST registration.....	61
<b>Part 3—Acquisition of electricity</b>	62
21A Prescribed person or body.....	62
21 Amount of electricity acquired.....	62
22 Capacity of grids .....	63
<b>Part 3A—Exemption Certificates</b>	64
<b>Division 1—Interpretation</b>	64
22A Interpretation.....	64
22B Conditions for production to be referable to a site.....	67
22C Meaning of <i>saleable quality</i> .....	68
<b>Division 2—Emissions-intensive trade-exposed activities</b>	70
22D Emissions-intensive trade-exposed activities.....	70
<b>Division 3—Publication of information</b>	71
22E Information about exemptions to be published—section 38C of the Act .....	71
<b>Division 4—Applications for exemption certificates</b>	72
<b>Subdivision A—Who may apply—prescribed persons</b>	72
22F Prescribed persons—subsection 46A(1) of the Act.....	72
22G Prescribed person—person with contract for supply of electricity to site.....	72
22H Prescribed person—liable entity with operational control .....	72
22I Prescribed person—liable entity for future activity .....	73

---