

**Clean
Energy
Regulator**



Australian Government

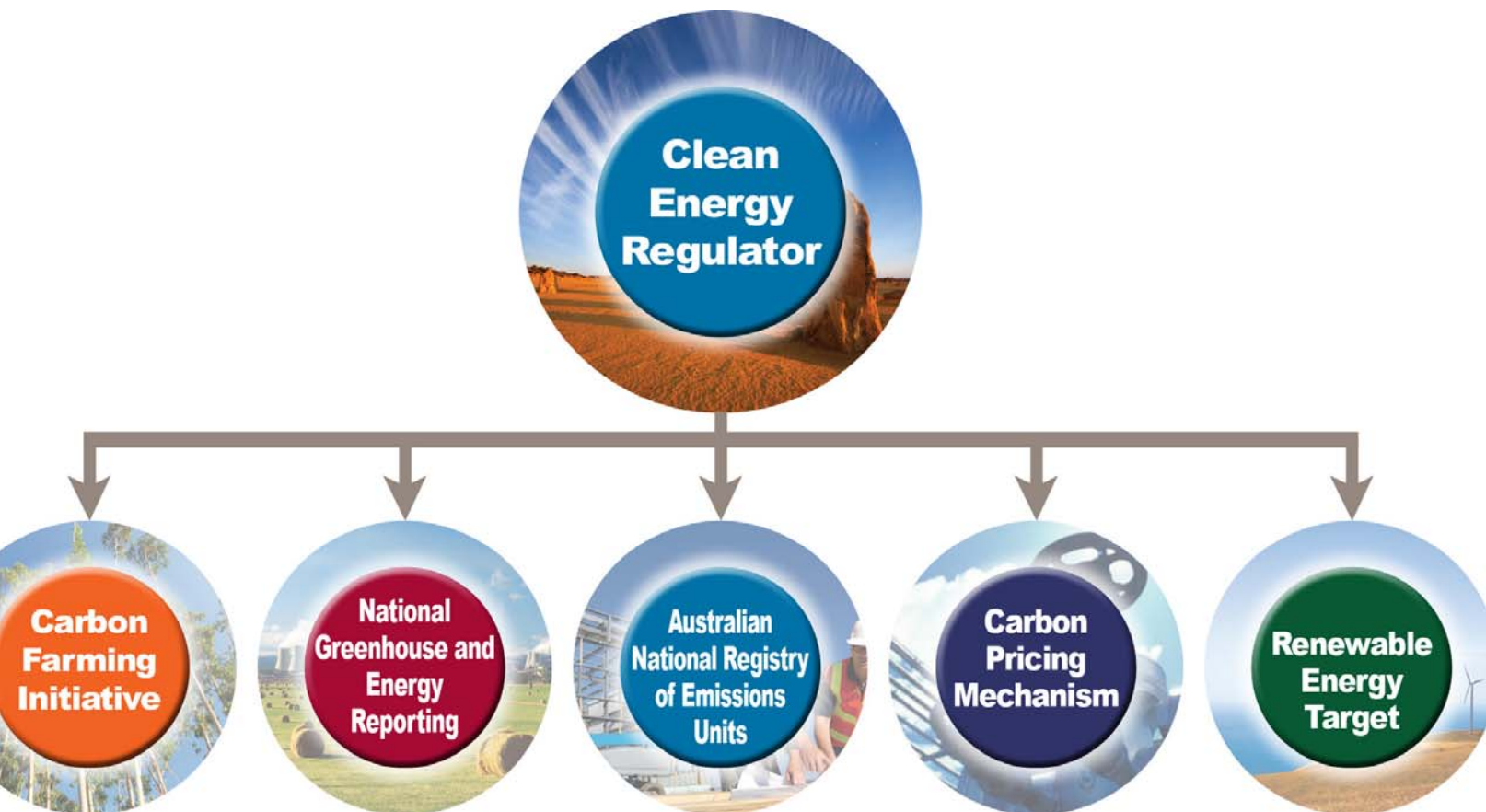
Clean Energy Regulator

The Clean Energy Regulator

October 2012



What we do





Carbon Price

- Around 350 of Australia's largest emitters
- Coal-fired electricity generators
- Landfill/waste industry
- Fuel users
- Natural gas suppliers

National Greenhouse and Energy Reporting

- Around 850 corporations on the NGER register
- Publication threshold is 50Kt CO₂-e

Our Clients

Carbon Farming Initiative

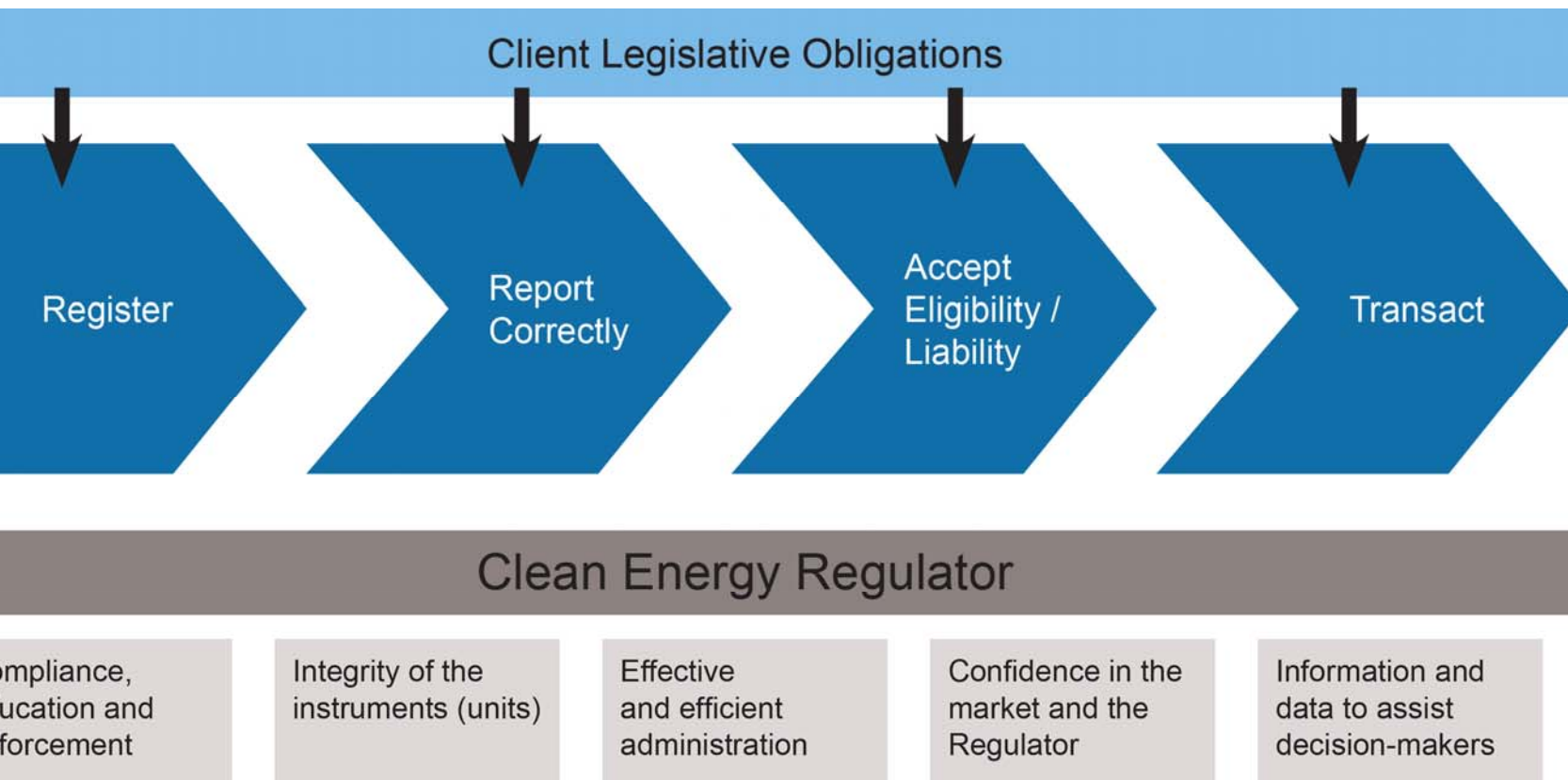
- Landholders
- Livestock and forestry industries
- Landfill operators

Renewable Energy Target

- Around 350 renewable energy power stations
- Around 1.5 million householders or their registered agents
- Around 90 electricity retailers



Our approach



Streamlining data collection

- Ensure scheme participants understand their obligations
- Streamline data collection and reduce duplication of reporting requirements across Australia
- Reduce burden on industry

NGER emissions calculators

Calculators - Windows Internet Explorer
http://www.cleanenergyregulator.gov.au/National-Greenhouse-and-Energy-Reporting/Forms-and-calculators/Pages/default.aspx

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National Greenhouse and Energy Reporting

- About NGER
- Auditors
- NGER reporters
- Publication of NGER data
- NGER eNews
- Calendar
- Fact sheets, FAQs and guidelines
- Forms and calculators**
- Legislation and regulations

Clean Energy Regulator » National Greenhouse and Energy Reporting » Forms and calculators

Forms and calculators

Forms

A number of forms are available to enable corporations to access various administrative processes under the *National Greenhouse and Energy Reporting Act 2007*.

Each form provides background information on the administrative process it applies to and basic instructions for use.

Each form can be either:

- completed onscreen and printed off, or
- printed off and completed by hand.

Once completed, and signed, the original signed copy can be submitted by posting to:

Clean Energy Regulator
GPO Box 621
Canberra ACT 2601

Application forms

- Application for deregistration (DOC 182 kB)
- Disclosure of net energy consumption (DOC 64 kB)
- Declaration of facility (DOC 256 kB)
- Declaration of operational control (DOC 269 kB)
- Information not to be published for 2009–10 reporting period (DOC 915 kB)
- Information not to be published for 2010–11 reporting period (DOC 177 kB)

Related Items

- National Greenhouse and Energy Reporting Act 2007
- National Greenhouse and Energy Reporting Regulations 2008
- Online System for Comprehensive Activity Reporting (OSCAR)
- Uncertainty calculator 2011-12 (XLS 2.01 mb)
- Uncertainty calculator 2010-11 (XLS 2 mb)
- Solid waste calculator (XLS 2.2 mb)
- Solid Waste Disposal on Land user guide (3.8 mb)
- Threshold estimator (5.12 mb)
- Threshold estimator user guide - NGER (332 kB)
- NGER wastewater (Domestic and Commercial) calculator (1.95 mb)
- NGER wastewater (Industrial) calculator (1.57 mb)

Internet | Protected Mode: On 100%

Online System for Comprehensive Reporting

- Adopted as the National Greenhouse and Energy Reporting (NGER) tool in 2007
- Enhanced to support disclosure of greenhouse and energy data for 2011-12
- New Emissions and Energy Reporting System being developed for 2012-13

Report validation and Audit Framework

- Robust validation process following each reporting period
- Detailed analysis of all reports
- Findings lead to targeted guidance and assistance to help businesses meet their obligations
- Supported by audit process and assurance process under the Audit Framework

NGER Audit Framework

- Includes Greenhouse and Energy Auditor Registration
- NGER (Audit) Determination 2009 defines requirements for undertaking audits
- Assurance based framework
- Covers audits under NGER, Carbon Farming Initiative, Jobs for Competitive Program, Renewable Energy Target, and Carbon Pricing Mechanism.
- New International Standard ISAE 3410 Assurance on Greenhouse Gas Statements

Compliance

Behaviours and motivation

VOLUNTARY COMPLIANCE

- Informed self assessment
- Management is compliance-oriented

ACCIDENTAL NON-COMPLIANCE

- Not yet compliant
- Attempting compliance (eg developing internal control systems to ensure compliance)

OPPORTUNISTIC NON-COMPLIANCE

- Resistance to compliance
- Lack of indication of intention to comply (eg no indication of systems in place to ensure compliance)

INTENTIONAL NON-COMPLIANCE

- Deliberate non-compliance
- Criminal intent or fraud
- Other illegal activity



Clean Energy Regulator's response

HELP AND SUPPORT

- The Regulator will release information and guidelines to assist understanding of participants' obligations
- The Regulator will provide opportunities for complying participants to ask questions, discuss issues of concerns and participate in educational and discussion forums
- The Regulator will use proactive audits to develop a better understanding of capabilities to comply

EDUCATE AND PROVIDE FEEDBACK

- The Regulator will provide additional guidance to targeted participants
- Where an apparent non-compliance is identified, the Regulator will provide relevant parties with an opportunity to respond
- The Regulator will provide feedback on adequacy of systems and arrangements to ensure compliance

CORRECT BEHAVIOUR

- The Regulator will respond to detected non-compliance according to the severity (eg accepting enforceable undertakings, giving infringement notices, revocation and suspension)
- Contraventions that have a serious impact will be dealt with accordingly
- Publication of information about breaches and enforcement activities

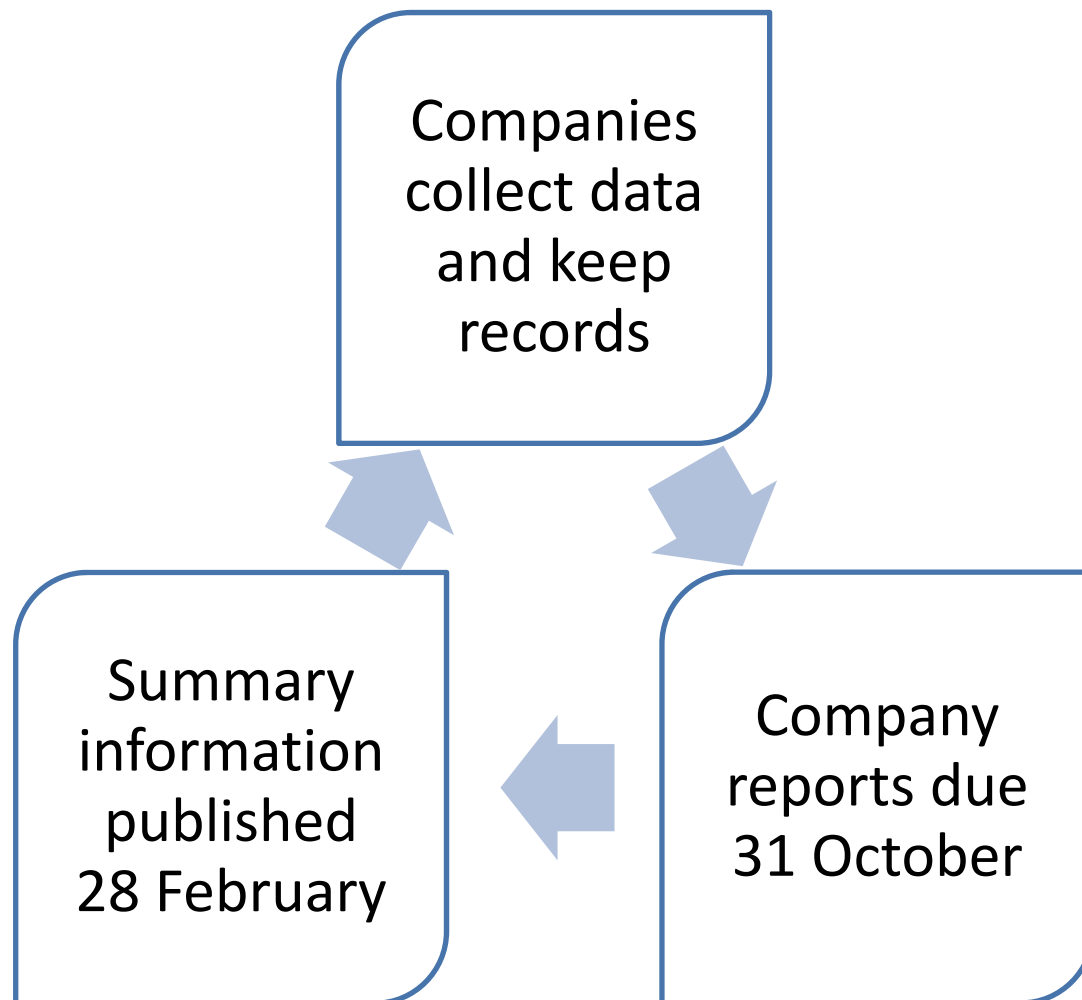
ENFORCE THE LAW

- Where appropriate, the Regulator will initiate investigations, pursue civil action or refer any relevant cases for criminal prosecution

Public disclosure / confidentiality rules

- We manage market sensitive information appropriately
- Legislation administered by the Clean Energy Regulator places strict restrictions on the disclosure of information that is not publicly available

Data collection and reporting obligations



Liable Entities Public Information Database (LEPID)

The Clean Energy Regulator is required to make an entry for a person in the LEPID if it

'has reasonable grounds to believe that a person is, or is likely to be, a liable entity for an eligible financial year'

Currently there are 316 entities listed on the LEPID

The LEPID is updated as new information is made available

LEPID – Information that will be included

The LEPID will include the following information when it becomes available:

- emission numbers
- number and type of surrendered emission units
- number of emission units required to be relinquished and number of relinquished emission units under the Jobs and Competitiveness Program of the *Clean Energy Act 2011*, and
- any unit shortfall and any unpaid unit shortfall charge.

Scope 1 and Scope 2 emissions

Scope 1 – direct result of facility's activities

Scope 2 – direct result of activities that generate electricity, heating, cooling or steam consumed by the facility

NGER reporting covers both Scope 1 and scope 2 emissions.

The carbon pricing mechanism only counts Scope 1 emissions towards liable entity carbon emissions.

Carbon pricing mechanism

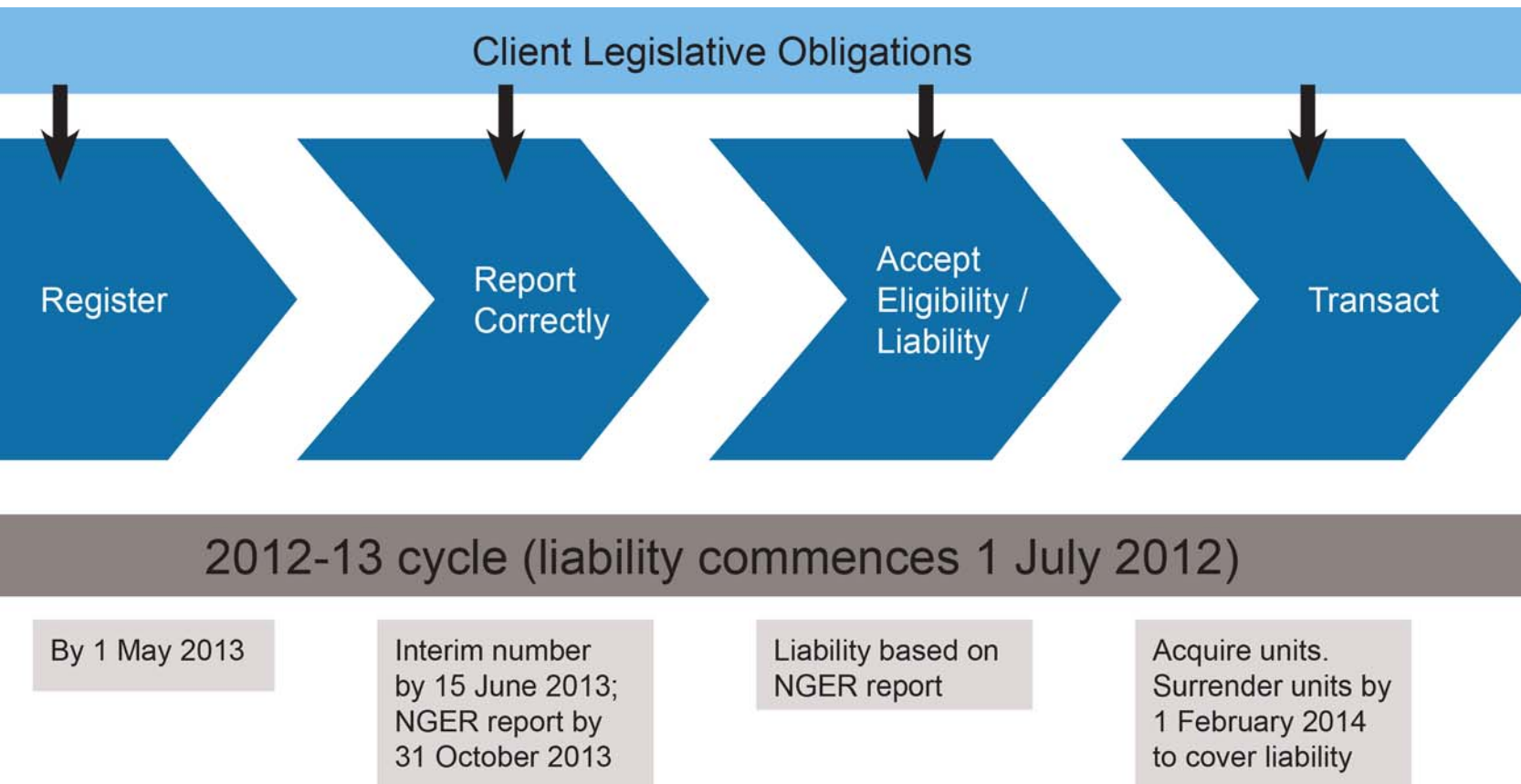
Stage 1: Fixed price period

- Three years from 1 July 2012
- Liable entities purchase units up to emissions levels
- Units cannot be traded or banked

Stage 2: Flexible price period

- From 1 July 2015
- Auctions to commence first half of 2014
- Pollution caps set by Government through Regulations

First year timeline



Thank you

Questions?