

2008-2009-2010

The Parliament of the
Commonwealth of Australia

THE SENATE

Presented and read a first time

**Renewable Energy—Electricity (Water
Heaters and Phantom Certificates) Bill
2010**

No. , 2010

(Senator Milne)

**A Bill for an Act relating to water heaters and
phantom renewable energy certificates, and for
related purposes**

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1 **A Bill for an Act relating to water heaters and**
2 **phantom renewable energy certificates, and for**
3 **related purposes**

4 The Parliament of Australia enacts:

5 **Part 1—Preliminary**
6

7 **1 Short title**

8 This Act may be cited as the *Renewable Energy—Electricity*
9 *(Water Heaters and Phantom Certificates) Act 2010*.

Part 1 Preliminary

Section 2

1 **2 Commencement**

2 This Act commences on the day after it receives the Royal Assent.

3 **3 Interpretation**

4 A word or an expression that is used in this Act that is also used in
5 the *Renewable Energy (Electricity) Act 2000* has the same meaning
6 in this Act as it has in that Act.

7 **4 Schedule(s)**

8 Each Act that is specified in a Schedule to this Act is amended or
9 repealed as set out in the applicable items in the Schedule
10 concerned, and any other item in a Schedule to this Act has effect
11 according to its terms.

1

2 **Part 2—Water heaters**

3 **5 Support for energy efficiency technologies**

4 (1) The Minister must establish by 1 July 2011 a scheme to provide
5 support and incentives for the development and use of energy
6 efficiency technologies.

7 (2) The scheme established under subsection (1) must provide ongoing
8 support and incentives for efficient water heaters that are installed
9 on or after 1 July 2012.

10 **6 Phasing-out electric resistance water heaters**

11 The Minister must ensure that the phasing-out of electric resistance
12 water heaters agreed by the Council of Australian Governments
13 and included in the National Strategy on Energy Efficiency (dated
14 July 2009) is completed by 30 June 2012.

1 **Schedule 1—Amendment of the Renewable**
2 **Energy (Electricity) Act 2000**

3 **1 Subsection 21(1)**

4 After “2001”, insert “and on or before 30 June 2012”.

5 **2 After section 40**

6 Insert:

7 **40A Required GWh of renewable source electricity for 2011 to 2016**

- 8 (1) The required GWh of renewable source electricity in section 40
9 for:
- 10 (a) the years 2011, 2012, 2013 and 2014 must be increased
11 cumulatively as specified in declarations made under
12 subsections (3) and (5) for the relevant year;
- 13 (b) the years 2015 and 2016 must be increased as specified in a
14 declaration made under subsection (5) for the relevant year.
- 15 (2) The Regulator must, by the 30 September next after each of the
16 financial years ending 30 June 2010, 30 June 2011, 30 June 2012
17 and 30 June 2013, calculate the number of certificates created
18 under Subdivision B of Division 4 of Part 2 for that financial year
19 and publish the result of that calculation on the Internet.
- 20 (3) The Regulator must, within 15 days of complying with
21 subsection (2), make a declaration increasing the required GWh of
22 renewable source electricity in section 40 for the following year to
23 offset the certificates created under Subdivision B of Division 4 of
24 Part 2 for the relevant financial year.
- 25 (4) The Regulator must, by the 30 September next after each period
26 specified in column 1 in subsection 23B(2) (a ***relevant column 1***
27 ***period***), calculate the number of certificates created in accordance
28 with the regulations mentioned in subsection 23B(2) for that period
29 and publish the result of that calculation on the Internet.

- 1 (5) The Regulator must, within 15 days of complying with
2 subsection (4), make a declaration increasing the required GWh of
3 renewable source electricity in section 40 for the following year to
4 offset the certificates created in accordance with the regulations
5 mentioned in subsection 23B(2) for the relevant column 1 period.
- 6 (6) A declaration made under subsection (3) or (6) is not a legislative
7 instrument.