



# **Energy Grants (Cleaner Fuels) Scheme Amendment Regulations 2011 (No. 1)<sup>1</sup>**

**Select Legislative Instrument 2011 No. 194**

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I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Energy Grants (Cleaner Fuels) Scheme Act 2004*.

Dated 19 October 2011

QUENTIN BRYCE  
Governor-General

By Her Excellency's Command

BILL SHORTEN  
Assistant Treasurer

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**1 Name of Regulations**

These Regulations are the *Energy Grants (Cleaner Fuels) Scheme Amendment Regulations 2011 (No. 1)*.

**2 Commencement**

These Regulations commence on the day after they are registered.

**3 Amendment of *Energy Grants (Cleaner Fuels) Scheme Regulations 2004***

Schedule 1 amends the *Energy Grants (Cleaner Fuels) Scheme Regulations 2004*.

**Schedule 1 Amendments**

(regulation 3)

**[1] Regulation 3, after definition of *biodiesel blend***

*insert*

*duty rate* means the excise duty rate for biodiesel.

**[2] Regulation 5**

*substitute*

**5 Start and end days for entitlements**

- (1) For paragraph 5 (1) (i) of the Act, this regulation sets out a requirement for a provisional entitlement to a cleaner fuel grant for fuel mentioned in an item of the table in subregulation (2).
- (2) The qualifying time mentioned in paragraph 5 (1) (c) of the Act must occur:
  - (a) on or after the start day mentioned in the item; and

(b) before the end day (if any) mentioned in the item.

Item	Fuel	Start day	End day
1	Biodiesel blend	18 September 2003	
2	Low sulphur PULP	1 January 2006	31 December 2007
3	Ultra low sulphur automotive diesel	1 January 2007	31 December 2008

- (3) For paragraph 5 (1) (a) of the Act, the start day for fuel mentioned in an item of the table in subregulation (2) is the start day for that paragraph.

**[3] Regulation 6, formula**

*substitute*

$(V \times \text{duty rate}) - \text{previous grant}$

**[4] Regulation 6, definition of *previous grant*, notes**

*substitute*

*Note* A quantity of biodiesel might contain some components of biodiesel for which provisional entitlements arose before the qualifying time under section 5 of the Act.

**[5] Regulation 7, definition of *biodiesel rate***

*omit*

offset rate

*insert*

duty rate

**[6] Regulation 7, definition of *biodiesel rate*, note**

*omit*

**[7] Regulation 7C, formula***substitute*

$(\text{renewable diesel amount} \times \text{duty rate}) - \text{previous grant}$

**[8] Regulation 7C, definition of *previous grant*, notes***substitute*

*Note* A quantity of final fuel might contain some components of renewable diesel for which provisional entitlements arose before the qualifying time under section 5 of the Act.

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.