

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 114
Hearing: Budget Estimates
Outcome: Agency
Programme: Clean Energy Regulator
Topic: CLEAN ENERGY REGULATOR'S FRAUD CONTROL PLAN
Hansard Page: N/A
Question Date: 2 June 2014
Question Type: Written

Senator Back asked:

Will you please provide details of the CER's fraud control plan and investigations team?
What are the investigative powers of the CER?

Answer:

The Clean Energy Regulator has recently updated its Fraud Control Plan (the plan) which was approved by the Chief Executive Officer on 25 March 2014. The plan was initially developed to raise the awareness of fraud within the agency and to assist staff in preventing, detecting and reporting suspected fraud. The plan meets *Commonwealth Fraud Control Guidelines* criteria and conforms to the Australian National Audit Office's *Fraud Control in Australian Government Entities – Better Practice Guide 2011*, and includes:

- widened and more current material on preventing, detecting and responding to fraud;
- more detailed advice on risk management to foster ongoing alignment with business planning;
- more broadly outlining agency roles and responsibilities.

The plan is reviewed regularly and will continue to be updated as required to ensure legislative compliance.

The Investigations and Enforcement Branch of the Clean Energy Regulator delivers agency-wide investigation and enforcement services, to support the delivery of regulatory systems underpinning agency schemes. The branch works alongside operational programs, investigating scheme-related contraventions which include improper, unlawful or dishonest behaviour by participants in the Small-scale Renewable Energy Scheme, the Large-scale Renewable Energy Target, the Carbon Farming Initiative, the National Greenhouse and Energy Reporting Scheme and the carbon pricing mechanism.

Alleged, apparent and potential fraud and non-compliance incidents are referred to this branch and are subsequently recorded and addressed in accordance with the Australian Government Investigations Standards.

The Clean Energy Regulator has a range of information gathering, audit and monitoring powers as prescribed under administered legislation, including:

- *the Australian National Registry of Emissions Units Act 2011;*
- *the Carbon Credits (Carbon Farming Initiative) Act 2011;*
- *the Clean Energy Act 2011;*
- *the National Greenhouse and Energy Reporting Act 2007;* and
- *the Renewable Energy (Electricity) Act 2000.*