

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

Question No: 218
Hearing: Supplementary Budget Estimates
Outcome: Agency
Programme: Clean Energy Regulator
Topic: SUSPENSION OF ACCREDITATION
Hansard Page: N/A
Question Date: 29 October 2014
Question Type: Written

Senator Back asked:

Does the CER agree that if evidence exists that a power station is not operating “in accordance with any relevant Commonwealth, State, Territory or local government planning and approval requirements,” that is a circumstance that triggers the CER’s discretion to suspend under s30E(5) of the Renewable Energy (Electricity) Act 2000?

Answer:

No. The discretion to suspend accreditation of an accredited power station in the circumstance mentioned in the question is set out in subsection 30E(3) of *the Renewable Energy (Electricity) Act 2000*, not subsection 30E(5) of that Act.

The circumstances which enliven the Regulator’s discretion in subsection 30E(5) are set out in regulation 20D of the Renewable Energy (Electricity) Regulations 2001.

For further details about the exercise of the discretion in subsection 30E(3) of the *Renewable Energy (Electricity) Act 2000*, please refer to Supplementary Budget Estimates 2014 Question 216.

See also Additional Estimates 2014 Question 80, and Supplementary Budget Estimates 2014 Questions 219 and 217.