



Queensland

# Rural and Regional Adjustment (Energy Savings Schemes) Amendment Regulation 2018

## Subordinate Legislation 2018 No. 145

made under the

*Rural and Regional Adjustment Act 1994*

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**1 Short title**

This regulation may be cited as the *Rural and Regional Adjustment (Energy Savings Schemes) Amendment Regulation 2018*.

**2 Regulation amended**

This regulation amends the *Rural and Regional Adjustment Regulation 2011*.

**3 Amendment of s 3 (Approval of schemes—Act, s 11)**

Section 3(1), ‘33’—  
*omit, insert—*

35

**4 Insertion of new schs 34 and 35**

After schedule 33—  
*insert—*

**Schedule 34 Large electricity  
customer adjustment  
payment scheme**

section 3(1)

**Part 1 Preliminary**

**1 Objective of scheme**

The objective of the scheme is to help large electricity customers to—

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- (a) move from being charged transitional tariffs or obsolete tariffs to being charged standard tariffs for the sale of electricity; and
- (b) implement best practice electricity management strategies identified in eligible energy efficiency audits; and
- (c) identify opportunities for energy productivity improvements through the implementation of commercially feasible energy management strategies.

## 2 Definitions

In this schedule—

***applicant*** means a person applying for financial assistance under the scheme.

***eligible energy efficiency audit***, for an applicant, means an audit of the energy efficiency of the applicant's building or business activity that is carried out under a relevant standard.

***eligible energy efficiency project***, for an applicant, means a project to implement a recommendation in a report for an eligible energy efficiency audit carried out for the applicant.

***large electricity customer*** means a person who is a large customer under the *National Energy Retail Law (Queensland)*, section 5(3)(a).

***obsolete tariff*** means a notified price under the *Electricity Act 1994*, section 90(1) that is an obsolete tariff.

***relevant chief executive*** means the chief executive of the department administering the *Electricity Act 1994*.

***relevant standard*** means—

- (a) AS/NZS 3598.1:2014 (Energy audits—Part 1: Commercial buildings), published jointly

by Standards Australia and Standards New Zealand; or

- (b) AS/NZS 3598.2:2014 (Energy audits—Part 2: Industrial and related activities), published jointly by Standards Australia and Standards New Zealand; or
- (c) AS/NZS 3598.3:2014 (Energy audits—Part 3: Transport related activities), published jointly by Standards Australia and Standards New Zealand.

*scheme* means the scheme set out in this schedule.

*standard tariff* means a notified price under the *Electricity Act 1994*, section 90(1), other than an obsolete tariff or transitional tariff.

*transitional tariff* means a notified price under the *Electricity Act 1994*, section 90(1) that is a transitional tariff.

## Part 2                      General provisions for scheme

### 3      Nature of assistance

The nature of financial assistance that may be given to an applicant under the scheme is a payment to offset the cost of an eligible energy efficiency project.

### 4      Eligibility criteria

An applicant is eligible for assistance under the scheme if the authority is satisfied that—

- (a) when the application is made, the applicant is a large electricity customer; and
- (b) a retailer under the *Electricity Act 1994* charged the applicant on a transitional tariff

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or obsolete tariff for the sale of electricity;  
and

- (c) an eligible energy efficiency audit for the applicant has been carried out and a report for the audit has been prepared; and
- (d) the eligible energy efficiency project to which the application relates is located in Queensland; and
- (e) the relevant chief executive approved a proposal made by the applicant to implement the eligible energy efficiency project.

## **5 Amount of assistance**

- (1) Subject to subsection (2), the maximum amount of assistance payable to an applicant under the scheme is 50% of the cost of the eligible energy efficiency project to which the application relates under a proposal mentioned in section 4(e).
- (2) If an eligible energy efficiency audit for the applicant was or is carried out after 30 May 2018, the amount of assistance payable to the applicant must not be more than \$250,000.

## **6 Applications**

- (1) An application for assistance under the scheme must—
  - (a) be made by an applicant on the form approved by the authority; and
  - (b) be accompanied by the documents mentioned in the form; and
  - (c) if the applicant has an Australian Business Number—state the applicant’s Australian Business Number.
- (2) The applicant must give the authority any further

documents or information the authority reasonably requires to decide the application.

## **7 Deciding applications**

- (1) The authority must approve an application if the authority is satisfied—
  - (a) the applicant is eligible for assistance under section 4; and
  - (b) the application relates to the applicant's eligible energy efficiency project.
- (2) The authority must refuse an application if the authority's assistance funds for the scheme are not enough to pay for the assistance under the scheme.

## **8 Conditions**

- (1) The payment of assistance under the scheme is subject to the conditions stated in subsections (2) and (3).
- (2) The applicant must—
  - (a) have entered into a funding agreement; and
  - (b) comply with the conditions stated in the funding agreement.
- (3) The applicant must give the authority—
  - (a) a certificate issued by a contractor stating that all electrical equipment and electrical installations installed for the applicant's eligible energy efficiency project or part of the project are installed as required under the *Electrical Safety Act 2002*, section 36; and
  - (b) tax invoices and official receipts of amounts the applicant paid under the eligible energy

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efficiency project for eligible products and any work completed by a contractor; and

- (c) evidence the tariff charged on the sale of electricity under the *Electricity Act 1994* is a standard tariff.

- (4) In this section—

**contractor** means a person who holds an electrical licence under the *Electrical Safety Act 2002* and who is appropriately qualified to complete the project or part of the project.

**funding agreement** means an agreement between an applicant and the authority that provides for—

- (a) the applicant to carry out an eligible energy efficiency project; and
- (b) the authority to pay the applicant an amount to offset the cost of the eligible energy efficiency project.

**official receipt** means a receipt of an amount paid by an applicant to an entity that includes—

- (a) the name and address of the entity that issued the receipt; and
- (b) if the entity has an Australian Business Number—the Australian Business Number; and
- (c) a description of each item to which the receipt relates.

## Schedule 35 Energy savers plus extension payment scheme

section 3(1)



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## Part 1 Preliminary

### 1 Objective of scheme

The objective of the scheme is to help electricity customers who conduct businesses primarily in an agricultural industry to—

- (a) identify energy savings; and
- (b) reduce energy consumption; and
- (c) identify opportunities for energy productivity improvements through the implementation of commercially feasible energy management strategies.

### 2 Definitions

In this schedule—

***agricultural industry*** means an industry classified under ANZSIC, division A, subdivisions 1 and 2, groups 011 to 020, within eligible class codes 0111 to 0203.

***ANZSIC*** means the document called ‘Australian and New Zealand Standard Industrial Classification (ANZSIC), 2006 (Revision 1.0)’ published in February 2006 by the Australian Bureau of Statistics.

***applicant*** means a person applying for financial assistance under the scheme.

***applicant’s proposal*** means a proposal for an eligible energy efficiency project that is made by an applicant on the form approved by the authority.

***customer*** see the *Electricity Act 1994*, section 23(1).

***electricity customer*** means a person who is a customer of Energex Limited ACN 078 849 055

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or Ergon Energy Corporation Limited ACN 087 646 062.

*eligible energy efficiency audit*, for an applicant, means an audit of the energy efficiency of the applicant's building or business activity that is carried out under a relevant standard.

*eligible energy efficiency project*, for an applicant, means a project to implement a recommendation in a report for an eligible energy efficiency audit carried out for the applicant.

*relevant chief executive* means the chief executive of the department administering the *Electricity Act 1994*.

*relevant standard* means—

- (a) AS/NZS 3598.1:2014 (Energy audits—Part 1: Commercial buildings), published jointly by Standards Australia and Standards New Zealand; or
- (b) AS/NZS 3598.2:2014 (Energy audits—Part 2: Industrial and related activities), published jointly by Standards Australia and Standards New Zealand; or
- (c) AS/NZS 3598.3:2014 (Energy audits—Part 3: Transport related activities), published jointly by Standards Australia and Standards New Zealand.

*scheme* means the scheme set out in this schedule.

## **Part 2                      General provisions for scheme**

### **3      Nature of assistance**

The nature of financial assistance that may be given to an applicant under the scheme is a

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payment to offset the cost of an eligible energy efficiency project.

#### **4 Eligibility criteria**

An applicant is eligible for assistance under the scheme if the authority is satisfied that—

- (a) the applicant is an electricity customer who conducts a business primarily in an agricultural industry; and
- (b) the relevant chief executive approved a request by the applicant for an eligible energy efficiency audit for the applicant to be carried out; and
- (c) the eligible energy efficiency audit has been carried out and a report for the audit has been prepared; and
- (d) the eligible energy efficiency project to which the application relates is located in Queensland; and
- (e) the authority approved the applicant's proposal to carry out the eligible energy efficiency project; and
- (f) the authority gave the applicant written notice of the approval.

#### **5 Amount of assistance**

The maximum amount of assistance payable to an applicant under the scheme is the lesser of the following—

- (a) 50% of the cost of implementing the eligible energy efficiency project to which the application relates;
- (b) \$20,000.

## **6 Applications**

- (1) An application for assistance under the scheme must—
  - (a) be made by an applicant on the form approved by the authority; and
  - (b) be accompanied by the documents mentioned in the form; and
  - (c) if the applicant has an Australian Business Number—state the applicant’s Australian Business Number.
- (2) The applicant must give the authority any further documents or information the authority reasonably requires to decide the application.

## **7 Deciding applications**

- (1) The authority must approve an application if the authority is satisfied—
  - (a) the applicant is eligible for assistance under section 4; and
  - (b) the application relates to the applicant’s eligible energy efficiency project.
- (2) The authority must refuse an application if the authority’s assistance funds for the scheme are not enough to pay for the assistance under the scheme.

## **8 Conditions**

- (1) The payment of assistance under the scheme is subject to the conditions stated in subsection (2).
- (2) The applicant must give the authority—
  - (a) a certificate issued by a contractor stating that all electrical equipment and electrical installations installed for the applicant’s eligible energy efficiency project or part of

the project are installed as required under the *Electrical Safety Act 2002*, section 36; and

- (b) tax invoices and official receipts of amounts the applicant paid under the eligible energy efficiency project for eligible products and any work completed by a contractor.

- (3) In this section—

**contractor** means a person who holds an electrical licence under the *Electrical Safety Act 2002* and who is appropriately qualified to complete the project or part of the project.

**official receipt** means a receipt of an amount paid by an applicant to an entity that includes—

- (a) the name and address of the entity that issued the receipt; and
- (b) if the entity has an Australian Business Number—the Australian Business Number; and
- (c) a description of each item to which the receipt relates.

ENDNOTES

- 1 Made by the Governor in Council on 6 September 2018.
- 2 Notified on the Queensland legislation website on 7 September 2018.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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