



Australian Capital Territory

Renewable Energy Legislation Amendment Act 2016

A2016-26

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Australian Capital Territory

Renewable Energy Legislation Amendment Act 2016

A2016-26

An Act to amend the *Climate Change and Greenhouse Gas Reduction Act 2010* and the *Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011*, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

J2016-205

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Part 1 Preliminary

1 Name of Act

This Act is the *Renewable Energy Legislation Amendment Act 2016*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the *Climate Change and Greenhouse Gas Reduction Act 2010* and the *Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011*.

Part 2 Climate Change and Greenhouse Gas Reduction Act 2010

4 ACT greenhouse gas emissions target Section 6 (1)

omit

30 June 2060

substitute

30 June 2050

5 Interim greenhouse gas emissions targets Section 7 (1)

substitute

- (1) The *interim target* is to reduce greenhouse gas emissions in the ACT to 40% less than 1990 emissions by 30 June 2020.

Part 3 Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011

6 FiT capacity Section 9

omit

550MW

substitute

650MW

7 New section 26

insert

26 Electricity Feed-in (Large-scale Renewable Energy Generation) FiT Capacity Release Determination 2016 (No 2)—sch 1

- (1) The provisions set out in schedule 1 are taken, on the commencement of this section, to be a determination made under section 10 (FiT capacity release).
- (2) To remove any doubt and without limiting subsection (1), the determination may be amended or repealed as if it had been made by the Minister under section 10.
- (3) Also to remove any doubt, the determination is taken—
 - (a) to have been notified under the [Legislation Act](#) on the day the *Renewable Energy Legislation Amendment Act 2016* is notified; and
 - (b) to have commenced on the commencement of the *Renewable Energy Legislation Amendment Act 2016*; and

- (c) not to be required to be presented to the Legislative Assembly under the [Legislation Act](#), section 64 (1).
- (4) Section 10 (4) and section 11 (3) do not apply to the determination.
- (5) Subsections (1) to (4) are laws to which the [Legislation Act](#), section 88 (Repeal does not end effect of transitional laws etc) applies.
- (6) This section and schedule 1 expire on the day they commence.

8 New schedule 1

insert

Schedule 1 New FiT Capacity Release Determination

(see s 26)

Australian Capital Territory

Electricity Feed-in (Large-scale Renewable Energy Generation) FiT Capacity Release Determination 2016 (No 2)

Disallowable instrument DI2016–

made under the

Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011, section 10 (FiT capacity release)

1 Name of instrument

This instrument is the *Electricity Feed-in (Large-scale Renewable Energy Generation) FiT Capacity Release Determination 2016 (No 2)*.

2 Determination of FiT capacity release

- (1) I determine that—
- (a) a FiT capacity release of 91MW is to be made available for the grant of FiT entitlements; and
 - (b) the release is to be made available by competitive process or direct grant; and
 - (c) the minimum capacity of a large renewable energy generator's generating system in relation to which a FiT entitlement may be granted under the release is to be 9MW; and
 - (d) for a FiT entitlement that may be granted under the release—
 - (i) the term is to be 20 years; and
 - (ii) 1 or more of the following renewable energy sources must be used:
 - (A) wind;
 - (B) solar;
 - (C) an energy source declared by the Minister under the Act, section 6 to be a renewable energy source; and
 - (iii) large renewable energy generators must be located in—
 - (A) the Australian capital region; or
 - (B) a participating jurisdiction.

Note 1 **Participating jurisdiction**—see the *National Electricity (ACT) Law*, s 2.

Note 2 Terms used in this disallowable instrument have the same meaning that they have in the *Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011* (see *Legislation Act*, s 148.) For example, the following terms are defined in the Act, dict:

- Australian capital region
- capacity, of a generating system (see s 7)
- FiT capacity (see s 9)

- FiT capacity release (see s 10 (1))
- FiT entitlement (see s 8)
- large renewable energy generator (see s 6).

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 3 May 2016.

2 Notification

Notified under the [Legislation Act](#) on 12 May 2016.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Renewable Energy Legislation Amendment Bill 2016, which was passed by the Legislative Assembly on 5 May 2016.

Acting Clerk of the Legislative Assembly