

Climate Change and Greenhouse Gas Reduction (Renewable Energy Target Measurement Method) Determination 2025

Disallowable instrument DI2025–92

made under the

Climate Change and Greenhouse Gas Reduction Act 2010, s 10 (Measuring renewable energy targets—determinations)

EXPLANATORY STATEMENT

Overview

This explanatory statement relates to the *Climate Change and Greenhouse Gas Reduction (Renewable Energy Target Measurement Method) Determination 2025* (the **determination**) as presented to the Legislative Assembly. It has been prepared to assist the reader of the determination. It does not form part of the determination and has not been endorsed by the Legislative Assembly.

The statement must be read in conjunction with the determination. It is not, and is not intended to be, a comprehensive description of the determination. What is written about a provision is not to be taken as an authoritative statement of the meaning of a provision, this being a task for the courts.

The instrument determines a method for measuring compliance with the renewable electricity target specified in section 9 (1) of the *Climate Change and Greenhouse Gas Reduction Act 2010* (the **Act**), as required by section 10.

The instrument revokes the *Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target Measurement Method) Determination 2020* (DI2020–17) under which the previous measurement methodology was established.

The instrument now more closely aligns the Territory’s measurement methodology with the Australian Government’s methodology presented in the National Greenhouse Accounts Factor Workbook, the main difference being that the Territory now considers the total electricity flow in the ACT, where previously the methodology only considered the electricity imported from NSW.

The new methodology continues to include the Territory’s share of pre-2000 hydro electricity generation in the NSW region; this is only included in the Australian Government’s methodology as part of the residual mix factor.

Background

The Act establishes a 100% renewable electricity target by section 9 (1). Section 10 of the Act requires the Minister to determine a methodology for measuring compliance with any renewable energy targets, including the 100% renewable electricity target.

The 100% renewable electricity target is not only met by generators within the ACT, but in a large part by generators in other locations within the National Electricity Market.

The determination details how the ACT Government will measure compliance with the 100% renewable electricity target, including what sources of renewable electricity will be counted in the target, how each component will be measured, and how electricity consumption will be measured.

The instrument commences on 1 July 2025.

Regulatory Impact Statement (RIS)

Section 34 of the *Legislation Act 2001* (the ***Legislation Act***) provides that if a proposed subordinate law or disallowable instrument (the ***proposed law***) is likely to impose appreciable costs on the community, or part of the community, then, before the proposed law is made, the Minister administering the authorising law must arrange for a RIS to be prepared for the proposed law.

Section 36 (1) of the *Legislation Act* provides for when a RIS is not required to be prepared for a proposed law or disallowable instrument. In this instance, a RIS is not required as the determination does not operate to adversely affect any person's rights and is administrative in nature as it only provides a tool to measure the ACT's compliance with the renewable electricity target.

Human Rights

The Standing Committee on Legal Affairs (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.