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| FORM |
| CER-RET-008 |
| v1.4 02/04/2024 |

**Application to set the required surrender amount for the first 3 quarters of the assessment year**

Under [*Renewable Energy (Electricity) Act 2000*](https://www.legislation.gov.au/Series/C2016C00624) subsection 38AG(1) (the REE Act).

Purpose of this form

A liable entity must submit this form to the Clean Energy Regulator (CER) to set the required surrender amount (RSA) for the first 3 quarters of the current assessment year. The liable entity must propose an amount to apply for quarters 1, 2 and 3. This is instead of using the previous year’s reduced acquisitions (PYRA).

This application applies to new liable entities who made their first acquisition of electricity during the assessment year.

Once the CER determines the amount, it will calculate the liable entity’s required surrender amount for the relevant quarters of the assessment year.

A liable entity may make separate applications to propose different amounts for each quarter of the assessment year.

Eligibility

To be eligible to make an application under subsection 38AG(1), the liable entity must:

* not have lodged an energy acquisition statement from the previous assessment year before 1 April
* submit this application by 31 December of the assessment year.

Before completing this form, the liable entity must ensure that:

* it has a REC Registry account. See how to [create an account](https://www.cleanenergyregulator.gov.au/OSR/REC/Create-an-account)
* the person making this application is an activeREC Registry user with relevant permissions for liability surrender. They must also be authorised to make this application on behalf of the liable entity and subscribed to receive all emails for the liable entity
* it has made relevant acquisitions of electricity at any time during the current assessment year.

Before choosing a proposed amount, the liable entity must consider:

* all relevant acquisitions of electricity, including any future customer loads that may occur during the year
* exemption certificates from its customers that conduct emissions-intensive trade-exposed (EITE) activities into the forecast amount.

# Instructions for completing this form

Please read each part of the application carefully, fully answer all the questions, sign where indicated, and attach the required documentation.

You must complete and submit:

* **Part A:** Administrative
* **Part B:** Application information
* **Part C:** Declaration

You can choose to complete this form by:

* printing the form and filling it in by hand
* saving the form and filling in an electronic copy.

There may be times when you will need to print certain sections to sign or complete multiple entries for a single set of questions when filling in an electronic copy. These sections may be scanned back into the computer and submitted electronically with the rest of the form.

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| --- | --- |
| Pen colours | Please use a **black** or **blue** pen to write on the form. |
| Check boxes | Mark boxes like this £ with a ✔ or ✘. When an instruction asks you to ‘tick’ the box, you can still use either ✔ or ✘. |
| Go to | Where you see an instruction like this - **□** Go to **question 5** - mark the relevant box with a ✔ or ✘and then skip to the question number shown. You do not need to answer the question(s) in between.  Where an instruction has a black single arrow (4), go to the next question. Where an instruction has a black single arrow pointing down (6), fill in the field(s) directly below. |
| Mandatory questions | If all fields in a question are mandatory and must be completed, **(required)** is added to the end of the question label text. If a field in a question is mandatory only if a condition is met, **(required if any)** is added to the end of the question label text. |
| 4 | This symbol indicates an instruction on what to do next. |
| i | This symbol indicates additional useful guidance to filling in the adjacent field or section. |
| ë | This symbol advises that additional documentation to support a claim may need to be attached to the application. |
| Duplex printing | This form is designed to be duplex printed to save on paper. All new sections start on the right-hand side of a page spread. |

Help filling in this form

If you require assistance or have any questions regarding this application process, please contact the Clean Energy Regulator general enquiries line on **1300 553 542** or email [CER-RET-Liability@cer.gov.au](mailto:CER-RET-Liability@cer.gov.au)

Submitting this form

A signed copy of this form should be kept for your records.

### By post

Post your completed application with any accompanying documentation to:

Clean Energy Applications  
Clean Energy Regulator  
GPO Box 621  
Canberra ACT 2601

### By email

Submit your completed application to the Clean Energy Regulator by emailing [CER-RET-Liability@cer.gov.au](mailto:CER-RET-Liability@cer.gov.au)

When submitting a printed and scanned application form, please make sure the signed form is saved as a single scanned file and not split into parts.

Emails and attachments larger than 10MB must be sent using multiple emails that are clearly marked in the subject line (such as '1 of 3', '2 of 3', '3 of 3'). Files may be zipped to reduce their size.

You do not need to send the original hardcopy of the application by post if you submit your application by email.

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| Office use: |  |

1. Administration
2. Company name

* The liable entity’s company name must match the details in the entity’s REC Registry account.

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| --- | --- |
| REC Registry account ID |  |
| Company name |  |

1. Primary contact

* The primary contact is the person the Clean Energy Regulator will contact to clarify information in this form.

|  |  |
| --- | --- |
| First name |  |
| Last name |  |
| Position |  |
| Primary contact number |  |
| REC Registry email address |  |

1. Primary contact user role settings

|  |  |
| --- | --- |
|  | I confirm that the primary contact is an active REC Registry user with relevant permissions for liability surrender enabled. They are subscribed to emails for liable entities. |

* *Please update these settings if they are not currently in place before proceeding to the next question.*

1. Specify the date of your first relevant acquisition of electricity as a liable entity under the REE Act

* Please provide date in DD/MM/YYYY format

|  |  |
| --- | --- |
| Date |  |

1. Specify the assessment year this application relates to

* The assessment year is the current calendar year.

|  |  |
| --- | --- |
| Assessment year |  |

1. Were there any previous applications made by the liable entity for this assessment year under section 38AG of the REE Act?

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| --- | --- | --- |
| Yes |  | Provide details of any previous applications such as when the application was made and the amount the CER determined.4 |
| No |  | Answer ‘***not applicable’*** below. Go to question 7 6 |

|  |  |
| --- | --- |
| Details of previous applications under s38AG |  |

1. Application information
2. Specify your proposed amount (in MWh) for quarters (Q) 1, 2 and 3

* If a quarter is not relevant to this application, leave blank or enter N/A. The quarterly reduced acquisitions is multiplied by 4 to determine the total year’s estimated MWh amount. That amount is then used to determine the quarterly required surrender amount.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Estimate of reduced acquisition for **Q1** | MWh | Multiplied by 4 = | Q1 Proposed amount | MWh |
| Estimate of reduced acquisition for **Q2** | MWh | Multiplied by 4 = | Q2 Proposed amount | MWh |
| Estimate of reduced acquisition for **Q3** | MWh | Multiplied by 4 = | Q3 Proposed amount | MWh |

* *Provide information whether actual or forecast data was used to determine the proposed amount. Explain how this amount was calculated if forecast data was used. Include if it was based on the metering settlement data from AEMO for actual relevant acquisitions.*

|  |  |
| --- | --- |
| Explanation |  |

* Attach the following documents.

|  |  |
| --- | --- |
|  | Data showing how the proposed amount was calculated. This should detail the actual and forecast amounts of relevant acquisitions and exemption certificates. Include details of any exemption certificates factored into the reduced acquisitions. |
|  | Other information you believe is relevant to support your application. |

1. Were exemption certificates from your EITE customers factored into the proposed amount of reduced acquisition for each quarter?

|  |  |  |
| --- | --- | --- |
| Yes |  | Please attach the below documents. |
| No |  | Go to question 9.4 |

* Attach the following documents.

|  |  |
| --- | --- |
|  | Evidence of the electricity supply agreements with your EITE customers. |
|  | If available, the exemption letter confirming the eligibility of the site and the electricity use amount formula. |
|  | A summary of total relevant acquisitions given to your EITE customers from 1 January to the date before submitting this application. |
|  | A forecast of total relevant acquisitions to be provided to your EITE customers for the remainder of the assessment year. |

## Application requirements

* The information requested below are application requirements specified under regulation 22ZY(2) of the REE Regulations.

1. Provide reasons for choosing the proposed amounts

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| --- | --- |
| Reasons |  |

1. Provide a statement that the proposed amount is the best estimate of the amount of the liable entity’s reduced acquisitions for the relevant quarters (Q), at the time of this application

* The statement must be made by a person with responsibility for the liable entity’s compliance with the REE Act.
* Include details on the relevant acquisitions such as where the liable entity acquired the electricity from and to whom it is supplied to.

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| --- | --- |
| **Q1** statement |  |

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| --- | --- |
| **Q2** statement |  |

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| --- | --- |
| **Q3** statement |  |

1. Provide an estimate of the amount of relevant acquisitions made by the liable entity from 1 January (of the assessment year) to the day before submitting this application

* Relevant acquisitions are the amount of electricity acquired or forecasted within the assessment year. This amount must not include exemption certificates from EITEs customers.

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| Estimated amount of relevant acquisitions | MWh |

1. Specify the quarters in which the liable entity has not, or is not likely to, make any relevant acquisitions during the assessment year

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| --- | --- |
| Quarters |  |
| Reasons |  |

1. Set out any factors of which the liable entity is aware that could result in the amount of reduced acquisitions for the relevant quarter being more or less than the amount proposed for a quarter (Q)

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| --- | --- |
| **Q1** Factors |  |

|  |  |
| --- | --- |
| **Q2** Factors |  |

|  |  |
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| **Q3** Factors |  |

1. Declaration

This section must be signed by the applicant (if an individual) or by a representative of the applicant on their behalf.

## Definitions of a representative

* For a body corporate, the executive officer for whom details are provided in this application.
* For a trust, one of the trustees for whom details are provided in this application.
* For a corporation sole, the individual constituting the corporation sole for whom details are provided in this application.
* For a body politic or local governing body, the officeholder for whom details are provided in this application.

By signing below, the signatory:

* declares that the information supplied in this form is true and correct and that they are authorised to make this application on behalf of the applicant named in the form
* acknowledges that giving false or misleading information is a serious offence and carries penalties under the *Criminal* *Code* *Act* *1995*.

|  |  |
| --- | --- |
| Full name of signatory |  |
| Title/position |  |
| Organisation (if applicable) |  |
| Signature |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Day (dd) | Month (mm) | Year (yyyy) |
| Signature date |  |  |  |

# Application checklist

* Have you completed the following? Tick the box when you've completed the task beside it.

Part A: Administrative

|  |  |  |
| --- | --- | --- |
| Tick | Task |  |
|  | Completed all required fields. |  |

Part B: Application information

|  |  |  |
| --- | --- | --- |
| Tick | Task |  |
|  | Attached relevant documents for question 7 |  |
|  | Attached relevant documents for question 8 |  |

Part C: Declaration

|  |  |  |
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| Tick | Task |  |
|  | Completed all required fields. |  |

# Additional information

Definitions

For the purposes of this form:

|  |  |
| --- | --- |
| controlling corporation | A constitutional corporation that does not have a holding company incorporated in Australia.\* In some cases, the controlling corporation might also be the Applicant or the Person with operational control of the facility. |
| executive officer | In relation to a body corporate:   * a director of the body corporate * the chief executive officer (however described) of the body corporate * the chief financial officer (however described) of the body corporate * the secretary of the body corporate.\* |
| person | Any of the following:   * a body corporate * a trust * a corporation sole * a body politic * a local governing body * an individual.\* |
| REE Act | [*Renewable Energy (Electricity) Act 2000*](https://www.legislation.gov.au/Details/C2016C00624) |

\* Definitions marked with an asterisk are definitions repeated from legislation.

Assessment of the application

Once the Clean Energy Regulator (CER) receives your application, we will:

* notify you with a receipt of your application
* assess your application within four to six business weeks.

During the assessment process, a validation officer may ask you for more supporting data or information for clarification. Please respond to these information requests promptly to assist us with the assessment process.

The CER will notify you in writing whether your application has been approved, refused or if we have determined a different amount than your proposed amount.

Protection of information

The Clean Energy Regulator is bound by the secrecy provisions in Part 3 of the *Clean Energy Regulator Act 2011* and by the *Privacy Act 1988*.

Privacy statement

'Personal information', as defined in the *Privacy Act 1988*, means any information from which a person’s identity is apparent or can be reasonably ascertained.

Personal information collected in relation to this application will be used for the purpose of assessing the application, auditing compliance, enforcement of relevant laws and regulations and for related purposes. The collection of personal information is authorised by the *Clean Energy Regulator Act 2011.*

Disclosure of information

The Clean Energy Regulator and authorised staff are only able to disclose information relating to the affairs of a person (including personal information) collected in relation to this application in accordance with the *Clean Energy Regulator Act 2011* or as otherwise required by law.

Part 3 of the *Clean Energy Regulator Act 2011* prevents disclosure of relevant information except in circumstances set out in that Part. Those circumstances include:

* disclosure for the purposes of a climate change law
* disclosure to the Minister
* disclosure of summaries or statistics if those summaries or statistics are not likely to enable the identification of a person
* disclosure to certain bodies where the Chair of the Clean Energy Regulator is satisfied that disclosure will assist those bodies in the performance of their functions or powers, including the Australian Securities and Investment Commission, and the Australian Competition and Consumer Commission
* disclosure for the purposes of enforcement of the criminal law, enforcement of a law imposing a pecuniary penalty or for protection of the public revenue, if the Chair of the Clean Energy Regulator is satisfied that disclosure is reasonably necessary for such purpose.

Accessibility disclaimer

The Clean Energy Regulator has worked to ensure that this document is accessible but please contact us to obtain an alternative version if you are having difficulty or you have specific accessibility needs. Please call **1300 553 542** or email the name of the form and your needs to [enquiries@cleanenergyregulator.gov.au](mailto:enquiries@cleanenergyregulator.gov.au)