



# Application for a Reporting Transfer Certificate

under section 22K of the *National Greenhouse and Energy Reporting Act 2007*

FORM
CER-RTC-001
v1.0 03/02/2015

## Purpose of this form

This form is for corporations that meet the reporting transfer test under the National Greenhouse and Energy Reporting Act 2007 (NGER Act) and that have financial control over a facility, to apply for a Reporting Transfer Certificate (RTC) in relation to the facility. Applying for an RTC is voluntary.

If an RTC is issued, the RTC holder will be required to report under section 22G of the NGER Act. This report will contain data relating to the facility's scope 1 emissions, scope 2 emissions and energy production and consumption. For the days that the RTC is in place, emissions and energy production and consumption from the facility will not count towards the NGER Act section 13 threshold assessments and section 19 reporting obligations of the controlling corporation of the corporation with operational control over the facility.

An RTC is not transferable and remains in force unless it is surrendered or cancelled. Refer to sections 22N and 22P of the NGER Act for further information about surrendering or cancelling an RTC.

### Multiple RTCs

If the applicant has financial control over a number of facilities and the same corporation has operational control over each of these facilities, the applicant can apply for more than one RTC using this form. The applicant will need to complete a separate Part E and Part F for each facility that is the subject of an RTC application and submit them together with the other completed parts of this form. Any supporting documentation submitted with this application will need to clearly identify to which facility or facilities the documentation relates.

A separate RTC will be issued for each facility and different RTCs may have different start dates.

### Relationship between RTCs and financial control liability transfer certificates (LTCs)

Financial control LTCs allow parties to agree to the transfer of liability (and the associated reporting obligations) for a facility under the Clean Energy Act 2011, from the person with operational control to the person with financial control over the facility, provided that the two entities are not members of the same corporate group.

An RTC is similar to a financial control LTC but only transfers a controlling corporation's scope 1 emissions, scope 2 emissions and energy production and consumption reporting obligations under section 19 of the NGER Act to the RTC holder. If an applicant is seeking to transfer their liability under the Clean Energy Act 2011 and their associated NGER Act reporting obligations, they should apply for a financial control LTC, not an RTC.

## Eligibility

A corporation may apply for an RTC using this form if it passes the following requirements of the reporting transfer test (under section 22J of the NGER Act):

- the facility that is the subject of this application must be under the operational control of another corporation
- the applicant must have financial control over the facility
- the applicant must be a company registered under Part 2A.2 of the Corporations Act 2001
- the applicant must be a constitutional corporation
- if the applicant is a member of a controlling corporation's group, the corporation with operational control over the facility must not be a member of that same corporate group, and
- the corporation with operational control over the facility must be a member of a controlling corporation's group.

An RTC may only be issued to a corporation with financial control over a facility. Section 22R of the NGER Act sets out the circumstances in which a corporation will be taken to have financial control over a facility. These circumstances are listed at Part F of this form, and the applicant must be able to provide documentation that supports their claim of having financial control over the facility.

The Clean Energy Regulator cannot issue an RTC unless it is satisfied that:

- the applicant passes the financial control transfer test in relation to the facility; and
- the applicant has, and is likely to continue to have:
  - » the capacity, and
  - » the access to information
- necessary for it to comply with obligations that will be imposed on it by the NGER Act in relation to the facility if the RTC is issued; and
- during a financial year, the operation of the facility that is the subject of the application has caused, or is likely to cause:
  - » greenhouse gas emissions with a carbon dioxide equivalence of 25 kilotonnes or more;
  - » production of energy of 100 terajoules or more; or
  - » consumption of energy of 100 terajoules or more.

The applicant must also provide the following consents and statements with their application (consent to the start date is only required where an alternate start date is nominated under question 66):

- a written statement, signed by an executive officer of the corporation with operational control, to the effect that the corporation has agreed to give the applicant such information as is necessary for the applicant to comply with obligations that will be imposed on it by the NGER Act in relation to the facility if the RTC is issued; and
- if the applicant is a member of a controlling corporation's group, and is not the controlling corporation:
  - » consent to the application, from the applicant's controlling corporation; and
- either of the following, as applicable:
  - » if the corporation with operational control of the facility is a member of a controlling corporation's group, and is not the controlling corporation:
  - » consent to the application from the controlling corporation of the corporation with operational control; and

- » if an alternate start date has been nominated in the application, the written consent to this start date, from the controlling corporation of the corporation with operational control; or
- if the corporation with operational control is the controlling corporation of its corporate group:
  - » written consent to the application from the corporation with operational control; and
  - » if an alternate start date has been nominated in the application, the written consent to this start date from the corporation with operational control.

## 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.

The applicant must complete and submit:

- Part A: Applicant details (page 5)
- Part B: Details of applicant's controlling corporation – if applicable (page 9)
- Part C: Details of corporation with operational control (page 13)
- Part D: Details of controlling corporation of corporation with operational control – if applicable (page 17)
- Part E: Facility details (page 21)
- Part F: Financial control criteria and test (page 23)
- Part G: Declaration (page 27)

If certain parts or sections of the application are not applicable to the applicant, the applicant does not need to submit those parts and sections.

<b>Pen colours</b>	Please use a <b>black</b> or <b>blue</b> pen to write on the form.
<b>Check boxes</b>	Mark boxes like this <input type="checkbox"/> with a ✓ or ✗. When an instruction asks you to 'tick' the box, you can still use either ✓ or ✗.
<b>Go to</b>	Where you see an instruction like this - <input type="checkbox"/> Go to <b>question 5</b> - 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 double arrow (▶▶), go to the next indicated part/section. Where an instruction has a black single arrow (▶), go to the next question. Where an instruction has a black single arrow pointing down (▼), fill in the field(s) directly below.
<b>Mandatory questions</b>	If all fields in a question are mandatory and must be completed, <b>(required)</b> is added to the end of the question label text. If a field in a question is mandatory only IF a condition is met, <b>(required if any)</b> is added to the end of the question label text.
▶	This symbol indicates an instruction on what to do next.
①	This symbol indicates additional useful guidance to filling in the adjacent field or section.

	This symbol advises that more than one entry may be required for the section and therefore you may need to photocopy or print the section or fill in a duplicate section.
	This symbol advises that additional documentation to support a claim may need to be attached to the application.
<b>Duplex printing</b>	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

Guidance for filling in this form is available on the [Clean Energy Regulator website](#).

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 [reporting@cleanenergyregulator.gov.au](mailto:reporting@cleanenergyregulator.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

Alternatively, email your scanned, completed application to the Clean Energy Regulator at [reporting@cleanenergyregulator.gov.au](mailto:reporting@cleanenergyregulator.gov.au).

If the email and its attachments (the application and supporting documents) are larger than 10MB, they must be sent using multiple emails that are clearly marked (ie by including an identifier in the subject line, eg '1 of 3', '2 of 3', '3 of 3'). The signed application form must be saved as a single scanned file and not split into parts. Files may be zipped to reduce their size.

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

## Part A: Applicant details

**i** The applicant is the corporation that has financial control over the facility that is the subject of this application.

### 1. Name (required)

**i** If the applicant has an entry in the Australian Business Register, this is the name that appears in that register.

Name	<input type="text"/>
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### 2. Trading name (required if any)

Trading name	<input type="text"/>
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### 3. Head office postal address (required)

Address	<input type="text"/>
	<input type="text"/>
	<input type="text"/>
Suburb/city	<input type="text"/>
State/territory	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

**4. Identifying details (required)**

- ▶ You must provide one of the following for the applicant in order of precedence: ABN, ACN, ARBN or trading name and street address.

ABN	
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- ▶ If the applicant does not have an ABN, please provide the applicant's ACN.

ACN	
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- ▶ If the applicant does not have an ABN or an ACN, please provide the applicant's ARBN.

ARBN	
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- ▶ If the applicant does not have an ABN, ACN or an ARBN, please provide the applicant's trading name and street address.

- ▶ Are the trading name and street address the same as the applicant's trading name and head office postal address provided above?

Yes

Go to question 5. ▶

No

Please provide the trading name and street address below. ▼

Trading name	
Street address	
Suburb/city	
State/territory	
Postcode	
Country	

## Executive officer details

- ▶ Please provide details of the executive officer of the applicant, who will sign the declaration in **Part G**.

### 5. Position (required)

Position	
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### 6. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 7. Postal address (required)

- ▶ Is the postal address the same as the head office postal address provided in **question 3**?

Yes


Go to question 8. ▶

No

Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 8. Contact details (required)

Phone number		 <i>Include area code (if applicable).</i>
Email address		

## Contact person details

- ▶ Please provide details about the person who will be acting as the contact person between the applicant and the Clean Energy Regulator.

### 9. Is the contact person the same as the executive officer noted above?

Yes  Go to Part B. ▶▶

No  Go to question 10. ▶

### 10. Position (required)

Position	
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### 11. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 12. Postal address (required)


- ▶ Is the postal address the same as the head office postal address provided in **question 3**?

Yes  Go to question 13. ▶

No  Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 13. Contact details (required)

Phone number		 <i>Include area code (if applicable).</i>
Email address		



## Part B: Details of applicant's controlling corporation

### 14. Is the applicant the controlling corporation of its corporate group?

Yes 

Go to Part C. ▶▶

No 

Go to question 15. ▶

### 15. Controlling corporation name (required)

**i** If the applicant's controlling corporation has an entry in the Australian Business Register, this is the name that appears in that register.

Name	
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### 16. Trading name (required if any)

Trading name	
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### 17. Head office postal address (required)

Address	
Suburb/city	
State/territory	
Postcode	
Country	

**18. Identifying details (required)**

- ▶ You must provide one of the following for the applicant’s controlling corporation in order of precedence: ABN, ACN, ARBN or trading name and street address.

ABN	
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- ▶ If the applicant’s controlling corporation does not have an ABN, please provide the applicant’s controlling corporation’s ACN.

ACN	
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- ▶ If the applicant’s controlling corporation does not have an ABN or an ACN, please provide the applicant’s controlling corporation's ARBN.

ARBN	
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- ▶ If the applicant’s controlling corporation does not have an ABN, ACN or an ARBN, please provide the applicant’s controlling corporation's trading name and street address.
- ▶ Are the trading name and street address the same as the applicant's controlling corporation's trading name and head office postal address provided above?

Yes

Go to question 19. ▶

No

Please provide the trading name and street address below. ▼

Trading name	
Street address	
Suburb/city	
State/territory	
Postcode	
Country	

## Executive officer details

- ▶ Please provide details about one executive officer of the applicant's controlling corporation.
- i** This will be the person who will, on behalf of the applicant's controlling corporation, provide written consent to the making of the application.

### 19. Position (required)

Position	
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### 20. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 21. Postal address (required)

- ▶ Is the postal address the same as the head office postal address provided in **question 17**?

Yes

Go to question 22. ▶

No

Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 22. Contact details (required)

Phone number		<b>i</b> Include area code (if applicable).
Email address		

## Contact person details

- ▶ Please provide details about the person who will be acting as the contact person between the applicant's controlling corporation and the Clean Energy Regulator.

### 23. Is the contact person the same as the executive officer noted above for the applicant's controlling corporation? (required)

Yes

Go to Part C. ▶▶

No

Go to question 24. ▶

### 24. Position (required)

Position	
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### 25. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 26. Postal address (required)

- ▶ Is the postal address the same as the head office postal address provided in **question 17**?

Yes


Go to question 27. ▶

No

Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 27. Contact details (required)

Phone number		 Include area code (if applicable).
Email address		

## Part C: Details of corporation with operational control

- ▶ Please provide the following details for the corporation that has operational control over the facility that is the subject of this application.

### 28. Name (required)

- i** *If the corporation with operational control has an entry in the Australian Business Register, this is the name that appears in that register.*

Name	
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### 29. Trading name (required if any)

Trading name	
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### 30. Head office postal address (required)

Address	
Suburb/city	
State/territory	
Postcode	
Country	

**31. Identifying details (required)**

- ▶ You must provide one of the following for the corporation with operational control in order of precedence: ABN, ACN, ARBN or trading name and street address.

ABN	
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- ▶ If the corporation with operational control does not have an ABN, please provide their ACN.

ACN	
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- ▶ If the corporation with operational control does not have an ABN or an ACN, please provide their ARBN.

ARBN	
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- ▶ If the corporation with operational control does not have an ABN, ACN or an ARBN, please provide their trading name and street address.

- ▶ Are the trading name and street address the same as the trading name and head office postal address provided above?

Yes

Go to question 32. ▶

No

Please provide the trading name and street address below. ▼

Trading name	
Street address	
Suburb/city	
State/territory	
Postcode	
Country	

## Executive officer details

- ▶ Please provide the following details about one executive officer of the corporation with operational control.
  - ① *This will be the person who will, on behalf of the corporation with operational control:*
- provide the signed statement that it will give the applicant the information necessary to allow the applicant to comply with its obligations under the NGER Act in relation to the facility if the RTC is granted, and
- if the corporation with operational control does not have a controlling corporation:
  - » consent to the RTC application, and
  - » consent to an alternate start date (if nominated under **question 66**).

### 32. Position (required)

Position	
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### 33. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 34. Postal address (required)

- ▶ Is the postal address the same as the head office postal address provided in **question 30**?

Yes

Go to question 35. ▶

No

Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 35. Contact details (required)

Phone number		① <i>Include area code (if applicable).</i>
Email address		

## Contact person details

- ▶ Please provide details about the person who will be acting as the contact person between the corporation with operational control and the Clean Energy Regulator.

### 36. Is the contact person the same as the executive officer noted above for the corporation with operational control? (required)

Yes  Go to Part D. ▶▶

No  Go to question 37. ▶

### 37. Position (required)

Position	
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### 38. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 39. Postal address (required)


- ▶ Is the postal address the same as the head office postal address provided in **question 30**?

Yes  Go to question 40. ▶

No  Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 40. Contact details (required)

Phone number		 Include area code (if applicable).
Email address		




## Part D: Details of controlling corporation of corporation with operational control

### 41. Is the corporation with operational control the controlling corporation of its corporate group?

Yes  Go to Part E. ▶▶

No  Go to question 42. ▶

### 42. Name (required)

 *If the controlling corporation of the corporation with operational control has an entry in the Australian Business Register, this is the name that appears in that register.*

Name	
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### 43. Trading name (required if any)

Trading name	
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### 44. Head office postal address (required)

Address	
Suburb/city	
State/territory	
Postcode	
Country	

**45. Identifying details (required)**

- ▶ You must provide one of the following for the controlling corporation of the corporation with operational control in order of precedence: ABN, ACN, ARBN or trading name and street address.

ABN	
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- ▶ If the controlling corporation of the corporation with operational control does not have an ABN, please provide their ACN.

ACN	
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- ▶ If the controlling corporation of the corporation with operational control does not have an ABN or an ACN, please provide their ARBN.

ARBN	
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- ▶ If the controlling corporation of the corporation with operational control does not have an ABN, ACN or an ARBN, please provide their trading name and street address.
- ▶ Are the trading name and street address the same as the trading name and head office postal address provided above?

Yes

Go to question 46. ▶

No

Please provide the trading name and street address below. ▼

Trading name	
Street address	
Suburb/city	
State/territory	
Postcode	
Country	

## Executive officer details

- ▶ Please provide the following details about one executive officer of the controlling corporation of the corporation with operational control.

**i** This will be the person who will provide written consent on behalf of the controlling corporation of the corporation with operational control, to the making of the application, and to any proposed start date, if nominated under **question 66**.

### 46. Position (required)

Position	
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### 47. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 48. Postal address (required)

- ▶ Is the postal address the same as the head office postal address provided in **question 44**?

Yes

Go to question 49. ▶

No

Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 49. Contact details (required)

Phone number		<b>i</b> Include area code (if applicable).
Email address		

## Contact person details

- ▶ Please provide details about the person who will be acting as the contact officer between the controlling corporation of the corporation with operational control and the Clean Energy Regulator.

### 50. Is the contact person the same as the executive officer noted above for the controlling corporation of the corporation with operational control? (required)

Yes

Go to Part E. ▶▶

No

Go to question 51. ▶

### 51. Position (required)

Position	
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### 52. Name (required)

Title	
Given name	
Middle name(s)	
Family name	

### 53. Postal address (required)

- ▶ Is the postal address the same as the head office postal address provided in **question 44**?

Yes

Go to question 54. ▶

No


Please provide the address below. ▼

Address	
Suburb/city	
State/territory	
Postcode	
Country	

### 54. Contact details (required)

Phone number		<i>Include area code (if applicable).</i>
Email address		

## Part E: Facility details

 If you are nominating more than one facility, please photocopy or print this part, complete a copy for each facility which is the subject of this application, and attach the copy(ies) to this application.

### 55. Name of facility (required)

Facility name

### 56. Industry sector (required)

- ▶ Specify the industry sector to which the activities constituting the facility are attributable.

 Refer to Schedule 2 of the NGER Regulations for relevant code and classification.

	ANZSIC code (2 or 3 digits)	Classification
ANZSIC	<input type="text"/>	<input type="text"/>

### 57. Street address of the facility (required if any)

Address	<input type="text"/>
	<input type="text"/>
	<input type="text"/>
Suburb/city	<input type="text"/>
State/territory	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

### 58. State or territory (required)

- ▶ If the facility is NOT a network or pipeline facility, specify the state or territory to which the activities constituting the facility are attributable, OR
- ▶ If the facility IS a network or pipeline facility, specify the state or territory in which the facility is located. Note that a network or pipeline facility may be located in more than one state or territory, so list all applicable.

State/territory

**59. Type of facility (required)**

▶ By ticking the appropriate box, indicate which of the following applies to the facility:

<input type="checkbox"/>	Transport facility that is not a single site facility and does not have a street address (complete question 59(a) only)
<input type="checkbox"/>	Network or pipeline facility that is not a single site facility and does not have a street address (complete question 59(a) only)
<input type="checkbox"/>	Other facility (complete question 59(b) only)

**a) Facility description**

▶ Please provide a brief description of the location of the facility and a brief description of the activities constituting the facility.


Description of location of facility	
Activities constituting the facility	


**b) Coordinates of the facility**

▶ If the facility has been described as 'Other facility', provide the facility location in latitude and longitude to three decimal places.

	Latitude	Longitude
Facility coordinates		

## Part F: Financial control criteria and test


 If you are nominating more than one facility, please photocopy this part, complete it and attach the evidence requested in **questions 61 and 65** and the consents/acknowledgements required in **question 67** for each facility which is the subject of this application.

 An RTC can only be issued to the applicant if, in accordance with section 22R of the NGER Act, the applicant has financial control over the facility that is the subject of the application.

### Financial control of a facility

#### 60. Financial control test (required)

► Tick the box next to the one criterion the applicant satisfies in relation to the facility. Tick only one box as the applicant only needs to satisfy one of the criteria.

 In determining whether the applicant meets any of the criteria and, as such, has financial control over the facility, consider the economic and commercial substance of the matters mentioned below.


OR	<input type="checkbox"/>	Under a contract between the corporation with operational control over the facility and the applicant, the corporation with operational control operates the facility on behalf of the applicant.
OR	<input type="checkbox"/>	Under a contract between the corporation with operational control over the facility and the applicant and one or more other persons, the corporation with operational control operates the facility on behalf of the applicant and those other persons.
OR	<input type="checkbox"/>	The applicant is able to control the trading or financial relationships of the corporation with operational control over the facility, in relation to the facility.
OR	<input type="checkbox"/>	The applicant has the economic benefits from the facility.
OR	<input type="checkbox"/>	All of the following conditions are satisfied: The applicant is a participant in a joint venture. There is one other participant in the joint venture. The applicant shares the economic benefits from the facility with the other participant. The applicant's share equals or exceeds the share of the other participant.
OR	<input type="checkbox"/>	All of the following conditions are satisfied: The applicant is a participant in a joint venture. There are two or more other participants in the joint venture. The applicant shares the economic benefits from the facility with the other participants. No other participant has a share that exceeds the share of the applicant.
OR	<input type="checkbox"/>	All of the following conditions are satisfied: The applicant is a partner in a partnership. There is one other partner in the partnership. The applicant shares the economic benefits from the facility with the other partner. The applicant's share equals or exceeds the share of the other partner.
OR	<input type="checkbox"/>	All of the following conditions are satisfied: The applicant is a partner in a partnership. There are two or more other partners in the partnership. The applicant shares the economic benefits from the facility with the other partners. No other partner has a share that exceeds the share of the applicant corporation.
OR	<input type="checkbox"/>	The applicant is able to direct or sell the output of the facility.

#### 61. Evidence of financial control (required)

► Evidence is required for the information provided in response to **question 60**. Provide the evidence listed (code EV001) in support of the application and tick the box to confirm this evidence is attached.

Code      Attach

	ed
Documentary evidence that verifies the information provided in response to <b>question 60</b> .	EV001 <input type="checkbox"/>

 To assist in assembly and document tracking, mark each attachment with the relevant code and attach it to this application.

## Other conditions

### 62. The following conditions must be met (required)

▶ By ticking the box below, you make the following statements:

<input type="checkbox"/>	<p>The facility is under the operational control of a corporation, other than the applicant; and the applicant has financial control over the facility; and the applicant is a company registered under Part 2A.2 of the <i>Corporations Act 2001</i>; and the applicant is a constitutional corporation; and if the applicant is a member of a controlling corporation's group — the corporation with operational control over the facility is not a member of the same corporate group; and the corporation with operational control over the facility is a member of a controlling corporation's group.</p>
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## Capacity and access to information

### 63. The applicant confirms capacity and access to information (required)

▶ By ticking the box below, you make the following statements:

<input type="checkbox"/>	<p>The applicant has, and is likely to continue to have: the capacity, and the access to information necessary for it to comply with obligations that will be imposed on the applicant by the NGER Act in relation to the facility if the RTC is issued.</p>
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## Thresholds

### 64. The applicant confirms that the facility meets, or is likely to meet, thresholds (required)


▶ By ticking the box below, you make the following statements:

<input type="checkbox"/>	<p>During a financial year, the operation of the facility has caused, or is likely to cause: greenhouse gas emissions with a carbon dioxide equivalence of 25 kilotonnes or more; production of energy of 100 terajoules or more; and/or consumption of energy of 100 terajoules or more.</p>
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### 65. Evidence (required)

▶ Evidence is required for the information provided in response to **question 64**. Provide the evidence listed (code EV002 in support of the application and tick the box to confirm this evidence is attached).

	Code	Attached
Documentary evidence that verifies the information provided in response to <b>question 64</b> .	EV002	<input type="checkbox"/>

 To assist in assembly and document tracking, mark each attachment with the relevant code and attach it to the application.



## Start date

- i *Nomination of a start date is optional. Where no start date is specified, the RTC, if granted, will come into force on the day that the RTC is issued.*
- i *The nominated start date may be earlier than the day on which the RTC is issued, provided that the start date occurs in the same financial year as the day on which the RTC is issued, or in the financial year preceding the financial year in which the RTC is issued. The nominated start date may be later than the day on which the RTC is issued, provided that the start date occurs in the same financial year as the day on which the RTC is issued, or in the next financial year.*
- i *By signing this application, the executive officer of the applicant consents on behalf of the applicant to the nominated start date.*

### 66. Do you wish to nominate a start date for the RTC for the facility? (required)

No 

Go to question 67. ▶

Yes 

Provide the start date below. ▼

	Day (dd)	Month (mm)	Year (yyyy)	
Proposed date				<i>Numbers only.</i>

## Consent / acknowledgement

### 67. Consents/acknowledgments

- ▶ The following documents are required to support the application. Provide the documents listed (codes EV003, EV004 and EV005) in support of the application and tick the box to confirm this evidence is attached.

	Code	Attached
If the applicant is a member of a controlling corporation's group and is not the controlling corporation - written consent from the applicant's controlling corporation, to the making of the application.	EV003	<input type="checkbox"/>
If the corporation with operational control over the facility is a member of a controlling corporation's group, and is not the controlling corporation - written consent to the application and written consent to the start date (if nominated under <b>question 66</b> ), from the controlling corporation.	EV004	<input type="checkbox"/>
OR		
If the corporation with operational control is the controlling corporation of its corporate group – written consent to the application and written consent to the start date (if nominated under <b>question 66</b> ), from the corporation with operational control.		
From the named executive officer of the corporation with operational control, a signed statement to the effect that the corporation has agreed to give the applicant such information as is necessary for the applicant to comply with obligations that will be imposed on it under the NGER Act in relation to the facility if the RTC is issued.	EV005	<input type="checkbox"/>

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## Part G: Declaration

This section must be signed on behalf of the applicant by the executive officer for whom details are provided in Part A of this application.

By signing below, the signatory:

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




Name of signatory	
Title/position	
Name of the applicant	
Signature	

	Day (dd)	Month (mm)	Year (yyyy)	
Signature date				<i>Numbers only.</i>

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## Application checklist

▶ Have you completed the following?

- Part A: Applicant details**
- Part B: Details of applicant's controlling corporation – if applicable**
- Part C: Details of corporation with operational control**
- Part D: Details of controlling corporation of corporation with operational control – if applicable**
- Part E: Facility details**
  -  *Provided completed copies of **Part E** for any additional facilities.*
- Part F: Financial control criteria and test**
  -  *Provided completed copies of **Part F** for any additional facilities.*
  -  *Attached the documentary evidence and consents requested in **questions 61 and 65** and the consents/acknowledgements required in **question 67** for each facility which is the subject of this application.*
- Part G: Declaration**

## Additional information

### Definitions

applicant	means the corporation with financial control over the facility that is the subject of this application. This corporation, if granted an RTC, will be required to report on the facility's scope 1 and scope 2 emissions and energy production and consumption. This corporation is also referred to as the transferee corporation and the second corporation in the NGER Act.
applicant's controlling corporation	means, where the applicant is a member of a controlling corporation's group (and is not the controlling corporation itself), the controlling corporation of that group. If the applicant is the controlling corporation of its group, Part B of this form should be left blank after ticking the first box of that Part.
controlling corporation	means a constitutional corporation that does not have a holding company incorporated in Australia.
controlling corporation of the corporation with operational control	means, where the corporation with operational control over the facility that is the subject of this application is a member of a controlling corporation's group (and is not the controlling corporation itself), the controlling corporation of that group. This is the controlling corporation that, in the absence of an RTC, is required to report under section 19 of the NGER Act in relation to the facility. If the corporation with operational control over the facility is the controlling corporation of its group, Part D of this form should be left blank after ticking the first box of that Part.
corporation with operational control	means the corporation that has operational control over the facility that is the subject of this application. This corporation is also referred to as the transferor corporation and the operator in the NGER Act.
executive officer	means, in relation to a body corporate: <ul style="list-style-type: none"> <li>a director of the body corporate</li> <li>the chief executive officer (however described) of the body corporate</li> <li>the chief financial officer (however described) of the body corporate, or</li> <li>the secretary of the body corporate.</li> </ul>
NGER Act	means the National Greenhouse and Energy Reporting Act 2007.

### Assessment of applications

Once a complete application has been received, the Clean Energy Regulator will consider the application and the supporting documentation provided in accordance with the provisions of the NGER Act. For each RTC application, the Clean Energy Regulator will decide whether to issue an RTC to the applicant or refuse the application. The Clean Energy Regulator may seek further information from the applicant to inform the decision, and in such case will specify the period within which such further information must be provided. If the applicant does not provide the further information sought by the Clean Energy Regulator, or does not provide it within the period specified by it, the Clean Energy Regulator may refuse to consider the application or refuse to take any action, or any further action, in relation to the application.

To enable quick assessment of your application, please ensure that all details provided in this application are accurate, up-to-date and complete. An RTC application will only be assessed if the required information is provided.

The Clean Energy Regulator will take all reasonable steps to ensure a decision is made on the application within 90 days of the application or, if the Clean Energy Regulator requires further information to be provided, within 90 days of the applicant providing the information. The Clean Energy Regulator will notify the applicant and the person transferring operational control in writing of the result of the application.

If you have any questions concerning an application for an RTC, please contact the Clean Energy Regulator on 1300 553 542 or email [reporting@cleanenergyregulator.gov.au](mailto:reporting@cleanenergyregulator.gov.au).

## Publishing of information

Under section 16 of the NGER Act, the Clean Energy Regulator is required to maintain a register known as the National Greenhouse and Energy Register.

Once an application for an RTC is approved, the Clean Energy Regulator will register the RTC holder, and enter their details on the National Greenhouse and Energy Register. These details include, but are not limited to, the corporation's name, identifying details, the first year it was registered, information about its compliance with the NGER Act and information about any greenhouse and energy audits carried out in relation to it.

The Clean Energy Regulator may make all, or any part of, the National Greenhouse and Energy Register available for public inspection and must, by 28 February of each year, publish on its website the name of each person registered under the NGER Act during the previous financial year.

Under section 24 of the NGER Act, the Clean Energy Regulator must publish on its website, by 28 February, the greenhouse gas emissions data and the net energy consumption data that is reported by RTC holders under section 22G of the NGER Act. A corporation holding an RTC may apply to the Clean Energy Regulator under section 25 of the NGER Act for information not to be published if the information reveals, or could be capable of revealing:

- trade secrets
- any other matter having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed, or
- about a facility, technology or corporate initiative relating to the corporation.

## Protection of information

The Clean Energy Regulator is bound by the secrecy provisions of Part 3 of the Clean Energy Regulator Act 2011 (CER Act) in regard to information it collects in relation to this application and also by the Privacy Act 1988 in regard to personal information it collects.

## Privacy Notice

'Personal information' is defined in the Privacy Act 1988 to mean information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

The collection of personal information relating to this application is authorised by the National Greenhouse and Energy Reporting Act 2007 (NGER Act) and the National Greenhouse and Energy Reporting Regulations 2008.

Personal information collected in relation to this application will be used for the purposes of assessing the application, auditing compliance, enforcement of relevant laws and regulations and for related purposes. We cannot process the application if we do not collect relevant personal information.

The Clean Energy Regulator's Privacy Policy contains information about the agency's procedures for handling personal information including how a person can access their personal information held by the agency, and how to seek correction of such information. The Privacy Policy also contains information about how to complain about a breach of the Australian Privacy Principles. The Clean Energy Regulator's Privacy Policy can be found at [www.cleanenergyregulator.gov.au](http://www.cleanenergyregulator.gov.au).

## Disclosure of information

The Clean Energy Regulator is only able to disclose information relating to this application (including personal information) in accordance with the Clean Energy Regulator Act 2011, the NGER Act, the Privacy Act 1988 or as otherwise required by law.

The circumstances in which such information may be disclosed include:

- Disclosure to other agencies, persons or organisations to enable the verification of information contained in the application
- Disclosure to the Secretary or authorised officer of a Department for the purpose of administering a program or collecting statistics relating to greenhouse gas emissions, energy consumption or energy production
- Disclosure to certain agencies, bodies or persons where the Regulator is satisfied that disclosure will enable or assist those agencies, bodies or persons to perform or exercise their functions or powers, including the Australian Securities and Investments Commission, the Australian Competition and Consumer Commission and the Commissioner of Taxation
- Disclosure for the purposes of law enforcement, and
- Disclosure to States and Territories in accordance with the NGER Act.

## Accessibility disclaimer

While the Clean Energy Regulator has worked to ensure this document is accessible, 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).