

2019-20 CLEAN ENERGY REGULATOR COMPLIANCE AND ENFORCEMENT PRIORITIES

The Clean Energy Regulator (CER) administers programs legislated by the Australian Government to report on or reduce Australia's carbon emissions. Responsibility for complying with program obligations rests with the participants concerned. Our approach includes helping program participants to understand how to comply, educating those who want to do the right thing, and a commitment to deter, detect and respond to non-compliance and misconduct to ensure ongoing program integrity.

The annual compliance and enforcement priorities identify specific areas of focus for compliance and enforcement. The priorities complement the data driven and risk-based approach to managing compliance in each program. The CER will use its full suite of compliance and enforcement powers to protect the integrity, and improve outcomes, of the programs we administer as reflected in our [Compliance policy for education, monitoring and enforcement activities](#).



EMISSIONS REDUCTION FUND

Binding contractual obligations

Ensuring that contractors deliver carbon abatement means the ERF continues to contribute to Australia meeting its 2020 and 2030 emissions reduction targets.

Adherence to the guidelines for the Human-Induced Regeneration of a Permanent Even-Aged Native Forest and Native Forest from Managed Regrowth methods

To support accurate claims of Australian Carbon Credit Units (ACCUs).



RENEWABLE ENERGY TARGET

Agent's small-scale renewable energy certificates (STCs) claims that are not backed by Solar Panel Validation (SPV)

SPV apps are an efficient means for participants to ensure compliance providing higher levels of assurance on STC claims.

STC claims from agents that have not completed Small-scale Renewable Energy Scheme (SRES) Smart

SRES Smart allows agents to check that they have the capabilities to be successful in the SRES.

Incomplete power station accreditation applications

Ensuring complete applications are lodged will reduce regulatory burden on participants and application processing timeframes.



NATIONAL GREENHOUSE AND ENERGY REPORTING AND SAFEGUARD MECHANISM

Participants with repeated non-compliance with reporting obligations, particularly where the data underpins safeguard baselines

Ensuring the consistency and accuracy of emissions and energy data to inform policy-making, the public and meet Australia's international obligations.



AUDITORS

Auditors who have deficiencies identified through the auditor inspection program

Auditors play a key role in providing independent assurance of the programs. Ensuring confidence in the performance and compliance of auditors is key to the integrity of the programs.



RECORD KEEPING

Accuracy and adequacy of record keeping

Reliable and accurate business records substantiate participant claims for benefits and reports.

ENDURING PRIORITIES

The CER is committed to minimising harm caused by non-compliance. There are some forms of behaviour from program participants that the CER will always regard as a priority for appropriate enforcement action, including where necessary pursuing civil penalties and/or criminal prosecutions.

RENEWABLE ENERGY TARGET

Outstanding shortfall debts

Monitor liable entity behaviours and actively pursue outstanding shortfall debts.

False claims for Renewable Energy Certificates

Take action against agents and nominated persons who make false or misleading claims for renewable energy certificates.

Seriously non-compliant agents

Take compliance or enforcement action against agents and nominated persons who have a high rate of failure for certificates and who fail to apply due diligence.



EMISSIONS REDUCTION FUND

Fraudulent ACCU claims

Take compliance action against participants who have made claims for ACCUs based on false or misleading information.



NATIONAL GREENHOUSE AND ENERGY REPORTING AND SAFEGUARD MECHANISM

Reporters with a history of non-compliance

Take proportionate compliance action against late reporters or those that have a history of submitting inaccurate data.



AUDITORS

Seriously non-compliant auditors

Deregister auditors who are non-compliant or poor-performing.



A firm but fair regulator

