

2020-21 CLEAN ENERGY REGULATOR COMPLIANCE AND ENFORCEMENT PRIORITIES

The Clean Energy Regulator administers programs legislated by the Australian Government to report on or reduce Australia's carbon emissions. Responsibility for complying with scheme obligations rests with the participants concerned. Our approach includes helping scheme 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 scheme 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 scheme. The Clean Energy Regulator will use its full suite of compliance and enforcement powers to protect the integrity, and improve outcomes, of the schemes we administer as reflected in our [Compliance policy for education, monitoring and enforcement activities](#).

EMISSIONS REDUCTION FUND

Project proponents who submit inaccurate or late reports to support claims for Australian Carbon Credit Units (ACCUs)

Ensuring ACCUs are generated for genuine and additional abatement means the carbon industry is supported to grow and the Emissions Reduction Fund continues to contribute to Australia meeting its 2030 emissions reduction targets.

Project proponents who do not adhere to the guidelines for the Human-Induced Regeneration of a Permanent Even-Aged Native Forest and Native Forest from Managed Regrowth methods

Adherence to the guidelines ensures accurate claims for ACCUs.

RENEWABLE ENERGY TARGET

Ineligible claims for Small-scale Technology Certificates (STCs) with a focus on those in the supply chain who provide false information

Ensuring that STCs meet all Commonwealth eligibility requirements and represent additional renewable energy generation by focusing on Clean Energy Council (CEC) approved module importers and local manufacturers supplying solar panels to Australia, and CEC accredited installers making a true declaration.

Emissions-intensive and trade-exposed entities who provide inaccurate or incomplete exemption applications

Submission of complete and accurate applications in line with the Electricity use method will reduce regulatory burden and ensure that entities only receive the level of exemption that they are entitled to.

NATIONAL GREENHOUSE AND ENERGY REPORTING AND SAFEGUARD MECHANISM

Participants who have a history of submitting inaccurate, incomplete and/or late data, particularly where data underpins safeguard obligations

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



ENDURING PRIORITIES

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

EMISSIONS REDUCTION FUND

Fraudulent claims for Australian Carbon Credit Units (ACCUs)

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

RENEWABLE ENERGY TARGET

Fraudulent claims for Renewable Energy Certificates (RECs)

Take compliance action against agents and nominated persons who make false or misleading claims for RECs.

Outstanding shortfall debts

Monitor liable entity behaviours and actively pursue outstanding shortfall debts.

NATIONAL GREENHOUSE AND ENERGY REPORTING AND SAFEGUARD MECHANISM

Reporters with a history of non-compliance

Take 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.

