



Renewable Energy (Electricity) Amendment Regulations 2009 (No. 3)¹

Select Legislative Instrument 2009 No. 222

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Renewable Energy (Electricity) Act 2000*.

Dated 7 September 2009

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

PENELOPE YING YEN WONG
Minister for Climate Change and Water

1 Name of Regulations

These Regulations are the *Renewable Energy (Electricity) Amendment Regulations 2009 (No. 3)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Renewable Energy (Electricity) Regulations 2001*

Schedule 1 amends the *Renewable Energy (Electricity) Regulations 2001*.

4 Application

The amendments made by Schedule 1 apply in relation to solar water heaters that are installed after the commencement of these Regulations.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 19A

omit

For subsection 22 (1) of the Act,

insert

- (1) For subsection 22 (1) of the Act,

[2] Regulation 19A

omit everything after

installation period

insert

is:

- (a) for a solar water heater with a volumetric storage capacity up to and including 700 litres — the number set out in the Register of solar water heaters that is applicable to the model, zone and period; and
- (b) for a solar water heater with a volumetric storage capacity over 700 litres — either:
- (i) if the person who is entitled to create the certificates complies with subregulation (2) — the number set out in the Register of solar water heaters that is applicable to the model, zone and period; or
 - (ii) if the person who is entitled to create the certificates does not comply with subregulation (2) — 0.

[3] Regulation 19A*insert*

- (2) For paragraph (1) (b), the person who is entitled to create the certificates complies with this subregulation if, before the person creates any certificates in relation to the solar water heater, the person:
- (a) obtains a statutory declaration that states the matters set out in subregulation (3); and
 - (b) obtains a further statutory declaration from the owner of the heater at the time it is installed stating that the owner intends that the solar water heater will remain installed in its original configuration and location for the life of the heater; and
 - (c) gives a copy of both statutory declarations to the Regulator.
- (3) For subregulation (2) the statutory declaration must state:
- (a) the model of the solar water heater; and
 - (b) the volumetric storage capacity of the heater; and
 - (c) the premises at which the heater is to be installed and used; and
 - (d) the purposes for which the heater, and the hot water produced by the heater, are to be used; and
 - (e) that the volumetric storage capacity of the heater is appropriate for the premises at which the heater is to be installed and the purposes for which the heater, and the hot water produced by the heater, are to be used; and
 - (f) the expertise or experience of the person signing the declaration in relation to a heater of the kind covered by the declaration.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.