



# ORER compliance and enforcement guide

The Office of the Renewable Energy Regulator (ORER) has developed a proactive policy for monitoring compliance with the *Renewable Energy (Electricity) Act 2000*.

## When will monitoring occur?

Compliance activities will occur consistently throughout the year. ORER will use intelligence analysis and risk assessment to make strategic decisions about compliance activities undertaken, with the intent to maximise the number of stakeholders who voluntarily comply with their obligations under the Act.

## What are the core elements of this approach?

The core elements of this approach are;

- ✓ assisting stakeholders to understand their rights and obligations;
- ✓ making it as easy as possible for stakeholders to meet their obligations;
- ✓ supporting stakeholders who want to do the right thing; and
- ✓ actively pursuing those who opportunistically or deliberately contravene the law.

## What form can compliance activities take?

Analysis of information reported by registered persons and corporations; desk top investigations, including data analysis, checks against 3rd party data and other innovative analysis techniques; targeted investigations using authorised officers; and audits of eligible and liable parties.

## What are the monitoring powers of Authorised Officers under the Act?

The *Renewable Energy (Electricity) Act 2000* provides for the Regulator to appoint Authorised Officers. The Act provides a number of powers to enable authorised Officers to assess compliance with the Act, these include entry to premises (with consent) at any reasonable time or entry under a monitoring warrant; search; examination; seizure; copying documents; photographing; video recording of anything that may relate to the creation or transfer of certificates or relevant acquisition of electricity.

## What if non-compliance is found?

The ORER will employ a range of responses that escalate according to the severity of the contravention or if non-compliant activities continue. Generally, education and/or warnings will be used in response to first and less serious contraventions. For serious or continuing contraventions, deterrent sanctions will be used that may include suspension of registration, suspension of accreditation, civil recovery and criminal prosecution.

## How can I learn more?

Further information about the legislation may be obtained from the [ORER website](#). For additional information about the ORER Compliance and Enforcement Policy or to report suspicions of non-compliant behaviour please contact the ORER Compliance Manager on (02) 6159 7774 or by email to [compliance@orer.gov.au](mailto:compliance@orer.gov.au)

