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Solar Retailer Webinar – SRES Reforms

Supporting the solar sector's transition to new requirements

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Overview

- Context
- Changes of the reforms to the Small-scale Renewable Energy Scheme (SRES)
 - Retailer written statements made to Registered Agents
- Agency materials to support retailer's transition
 - Guidance for retailers
- Changes of the reforms to the SRES
 - CER regulatory powers
- Agency expectations for retailers
 - Responsibilities, expected capabilities and standards of practice
- How retailers can best prepare for change
- Q and A session
- Closing remarks

Context

- Integrity Review and Government response
 - Findings indicated opportunity to strengthen solar sector and SRES integrity
 - [CER webpage – Integrity Review](#)
- Consultation Process – amendment regulations
 - Conducted by Department of Industry, Science, Energy and Resources (DISER) 22/10/21-12/11/2021
 - [DISER consultation - SRES](#)
- Minister consideration and Executive Council review
 - December 2021
- Amendment regulations made law/published to the Federal Register of Legislation (FRL)
 - 16/12/2021
 - [Link to FRL – published regulations](#)
 - [CER news item](#)

Key changes for Retailers – SRES reforms commencing 1 April 2022

- Conditions to create STCs (20AC)
 - New written statement to be made by solar retailers
 - Statements must be true, correct and complete
- Provide your statement to the Agent
 - You must make a statement for each solar PV system you sell to a customer when participating in the Small-scale Renewable Energy Scheme (SRES)
 - Agents will ask you for your written statement – do not provide your written statement to the CER
 - In some instances, a registered person (often the system owner) will ask you for your written statement if they choose to claim STCs themselves directly (not using an agent)

The statement cannot be completed until the system has been installed.

Key changes for Retailers – written statements

- A written statement from the retailer of the unit stating:
 - The solar retailer's legal entity name and ABN (as listed on the Australian Business Register)
 - The name of the solar retailer's representative and their position
 - The name of the installer and the site/address they installed the system and whether the installer is an employee or subcontractor of the solar retailer
 - That the system will perform in accordance with the contract/accepted quote, except by circumstances outside the retailer's control
 - That the system is complete and generating electricity or capable of generating electricity
 - That if the system is grid connected that it is connected to the grid, or the retailer has completed its obligations under the contract/accepted quote related to the grid connection of the unit
 - That they provided information about tariffs and export limits, in writing, to the system owner
 - That they provided information about expected payback period, expected energy savings or expected cost savings, in writing, to the system owner
 - That any conflict of interest has been disclosed and managed appropriately
 - That they have not been declared ineligible under the SRES
 - Their statement is true, correct and complete

Guidance for Retailers

- Sample retailer written statement
 - All content we recommend to make the solar retailer written statement
- Who should make statements on behalf of your solar retail business?
 - Nominate a staff member that you want to make your business's written statement
 - Make your own business decision about who you want to represent your business
 - Ensure they are able to perform their role including:
 - Being knowledgeable about the written statement they make on behalf of your business
 - Be the contact point for any enquiries about your retailer written statement
 - Act with honesty and integrity when making statements
- Who should witness signing your written retailer statements?
 - Someone who is connected to the retailer written statement being made
 - The system owner, agent, installer or designer

Guidance for Retailers – sample retailer written statement

Retailer written retailer statement

I **(insert name)** and the authorised representative of **(insert retailer name)** that sold the solar PV system to **(insert owner name)** and verify that:

- **(insert name of installer)** installed the unit at **(insert installation address)** and they are an employee *or* subcontractor of **(insert retailer name)**
- that the unit will perform in accordance with the contract **(or the quote accepted)** for the sale of the unit to the owner of the unit, except to the extent that that performance is prevented by circumstances outside the solar retailer's control
- that the unit is complete and generating electricity *or* capable of generating electricity
- that if grid connected the unit is connected to the grid *or* **(insert retailer name)** has completed its obligations under the contract (or quote accepted) relating to the connection of the unit to the grid
- **(insert retailer name)** provided information in writing to **(insert owner name)** about the feed in tariffs and export limits for the unit
- **(insert retailer name)** has provided information in writing to the owner of the unit about one or more of the following of the unit, expected payback period *or* expected energy savings *or* expected cost savings
- any actual or potential conflicts of interest of **(insert solar retailer name)** relating to the sale or installation of the unit, or the creation of certificates for the unit, including any conflicts of interest in relation to persons or entities related to **(insert retailer name)**, have been disclosed to **(insert owner name)** and managed appropriately.
- a declaration deeming **(insert retailer name)** ineligible to make statement under regulation 20AH is not in effect on the day the statement is given.

I declare that the above statements are true, correct and complete and understand that penalties apply under the *Renewable Energy (Electricity) Act 2000* and Renewable Energy (Electricity) Regulations 2001 for providing false or misleading information.

Retailer representative full name

Retailer representative position

Witness name

Retailer representative signature

Witness signature

Signature date

Signature date

Key changes for Retailers – CER regulatory powers

- Declaring solar retailers ineligible to make statements under the SRES (20AH)
 - CER can declare a solar retailer ineligible to make a statement (required as part of an STC claim) on or after 1 April 2022
 - This can happen if CER is satisfied that:
 - 3 or more statements made (on or after 1 April 2022) by a solar retailer is false or misleading or omits a key matter/information
 - In making declarations, CER must consider:
 - How serious the impacts are from the false and/or misleading information
 - Any harm or loss caused to the owners of the system from the false and/or misleading information
 - Whether any associated problems were rectified
 - Other relevant matters
 - A solar retailer may, within 28 days of a proposed declaration, make a written submission to the CER
 - CER must publish declarations on its website
 - A declaration can be in effect for up to 3 years

Agency expectations for retailers; expected capabilities and standards of practice

Capabilities

- Documented written evidence of:
 - the contract (or quote accepted) for the sale and installation of the solar PV system, including the solar retailer's obligations relating to the grid connection of the unit
 - the circumstances outside the solar retailer's control where the unit may not perform in accordance with contract (or quote accepted)
 - the name and details of the accredited designer and installer of the unit and whether they are employed by the solar retailer or a sub-contractor
 - information provided to the solar PV system owner about any feed-in tariffs and export limits relevant to the system
 - information provided to the solar PV system owner about one or more of the following for the unit:
 - the expected payback period
 - the expected energy savings, or
 - the expected cost savings
 - any potential conflicts of interest relating to the sale or installation of the unit, or the creation of certificates for the unit, including any conflicts of interest in relation to persons or entities related to the solar retailer, have been disclosed to the owner of the unit, and managed appropriately.
- A record keeping system to collect, secure and store (for at least five years) documents that assure the credibility of, and support their written statements used in the creation of small-scale technology certificates.

Agency expectations for retailers; expected capabilities and standards of practice

Standards of practice

1. Maintain up-to-date knowledge and ensure your business practices meet your responsibilities under relevant legislation.
2. Providing customers with clear information about:
 - how the solar PV system works and its expected performance,
 - system warranties and maintenance, and
 - the scheme, particularly the eligibility requirements for the creation of certificates, and guiding them through the process of assigning the right to create certificates.
3. Use accredited designers and installers.
4. Identify your business risk and exposure to third party fraud and apply due diligence in checking the background and capabilities of business partners, contractors and clients you deal with.
5. Maintain a training and monitoring system that ensures all your staff follow procedures to ensure all information is true, correct.

What you can do to prepare for reforms to the SRES

- Refer to this and other webinars post publishing
 - Use it as a resource for your business/staff/stakeholders
- Subscribe to CER updates
 - Sign up via CER's [subscribe webpage](#)
- Review our website information
 - Check out our guidance and sample forms once published
- See us at industry events:
 - Smart Energy Council installer roadshows in March 2022
 - Solar sector conferences
- Contact us directly for
 - Guidance or answers to your questions
- Review your business processes now to accommodate your new statements as part of the new requirement for STC claims
- Implement changes that enable you to comply with new requirements for systems installed from 1 April 2022 onwards
- Engage with your staff that perform a role in SRES – ensure they are prepared

Q and A session

Closing remarks and summary



RESOURCES

Visit our website for:

- Information about the SRES including changes commencing from 1 April 2022
- Events, including our SRES Reforms webinar series between 10-27 February 2022

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