



New South Wales

# Treasury and Energy Legislation Amendment Bill 2022

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

This Bill—

- (a) amends the *Government Sector Finance Act 2018* to—
  - (i) provide that particular payments between GSF agencies of money, out of the Consolidated Fund, appropriated under the Authority of an Act (***deemed appropriation money***) are taken to be appropriations to the lead Minister for the GSF agency that receives or recovers the deemed appropriation money, and
  - (ii) clarify the reporting requirements for deemed appropriations, and
  - (iii) clarify that an appropriation relating to a service, function or program may be applied by a Minister, in accordance with a determination by the Treasurer, if the service, function or program is transferred between Ministers or between GSF agencies, and
  - (iv) enable the Treasurer to make determinations about the application of deemed appropriations if a service, function or program is transferred between Ministers or between GSF agencies, and
- (b) amends the *First Home Owner Grant (New Homes) Act 2000* to enable the establishment of shared equity schemes, and
- (c) amends the *Superannuation Act 1916* to provide for the transfer of benefits from public sector schemes and trust deed schemes to successor funds, and
- (d) amends the *Electricity Supply Act 1995* to—
  - (i) regulate the conduct and cost of audits, and

- (ii) provide for regulations to be made to extend the period in which energy savings scheme certificates may be surrendered, and
- (iii) clarify when peak demand reduction scheme certificates and renewable fuel scheme certificates may be surrendered, and
- (iv) enable the Scheme Administrator to waive payment of, or reduce, an application fee in relation to the energy savings scheme, the peak demand reduction scheme or the renewable fuel scheme, and
- (e) amends the *Energy Utilities and Administration Act 1987* to remove the requirement for payments to be made into and out of the Energy Administration Account by the Department, and
- (f) amends the *Subordinate Legislation Act 1989* to exclude regulations made under the *Electricity Infrastructure Investment Act 2020* from staged repeal, and
- (g) makes consequential amendments to other Acts.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

## Schedule 1      **Amendment of Government Sector Finance Act 2018 No 55**

**Schedule 1[1]** amends the *Government Sector Finance Act 2018*, section 4.7(1) to provide that a deemed appropriation is taken to have been given to the lead Minister for a GSF agency, rather than the responsible Minister for the GSF agency.

**Schedule 1[2]** substitutes the *Government Sector Finance Act 2018*, section 4.7(2) to provide that a deemed appropriation is taken to have been given—

- (a) if the GSF agency receiving or recovering the deemed appropriation money is a special office under the annual Appropriation Act—for the services of the special office, or
- (b) otherwise—for the services of the lead Department for the GSF agency that receives or recovers the deemed appropriation money.

**Schedule 1[3]** substitutes the *Government Sector Finance Act 2018*, section 4.7(3) to provide that the definition of **deemed appropriation money** includes money received by one GSF agency from another GSF agency out of the Consolidated Fund that is appropriated under the authority of an Act to the lead Minister of the other GSF agency. **Schedule 1[4]** makes a consequential amendment.

**Schedule 1[5]** amends the *Government Sector Finance Act 2018*, section 4.7—

- (a) to insert proposed section 4.7(7), which clarifies that deemed appropriations must be offset against appropriations out of which the deemed appropriation is paid, and
- (b) to insert proposed section 4.7(8), which provides definitions of **lead Department**, **lead Minister**, **receiving GSF agency**, **relevant annual Appropriation Act** and **special office**.

**Schedule 1[7] and [8]** amend section 4.9 to clarify that a Minister may, in accordance with a determination by the Treasurer, apply an appropriation under an annual Appropriation Act for a service, function or program if responsibility for the service, function or program is transferred between Ministers or between GSF agencies. **Schedule 1[6]** makes a consequential amendment.

**Schedule 1[9]** inserts proposed section 4.9A, which enables deemed appropriations to be applied in accordance with a determination by the Treasurer if responsibility for a service, function or program is transferred between Ministers or between GSF agencies.

**Schedule 1[10]** inserts savings and transitional provisions to—

- (a) extend the amendments to the *Government Sector Finance Act 2018*, section 4.7 made by this Bill to government money that was received or recovered by a GSF agency before the commencement of the amendments, and
- (b) continue the effect of an existing deemed appropriation to a responsible Minister for a GSF agency, and any related delegation, as if the existing deemed appropriation, and delegation, was given to, and by, the lead Minister for the GSF agency.

## **Schedule 2      Amendment of First Home Owner Grant (New Homes) Act 2000 No 21**

**Schedule 2[1]** renames the *First Home Owner Grant (New Homes) Act 2000* (the *principal Act*) because of the inclusion of provisions relating to shared equity schemes.

**Schedule 2[2]** inserts proposed Part 2A, which comprises the following proposed sections, into the principal Act—

- (a) **Proposed section 24A**, which contains definitions used in the proposed Part,
- (b) **Proposed section 24B**, which sets out the definition of *shared equity scheme*, being a scheme that enables a person purchasing property to enter into an agreement with the State under which the State contributes a portion of the cost and obtains an interest in the home or land,
- (c) **Proposed section 24C**, which permits the Treasurer to establish shared equity schemes,
- (d) **Proposed section 24D**, which enables the Treasurer to publish policy guidelines for the purposes of the administration of a shared equity scheme and requires the Chief Commissioner of State Revenue (the *Chief Commissioner*) to administer the scheme in accordance with the guidelines.
- (e) **Proposed section 24E**, which gives the Chief Commissioner the functions necessary to administer and give effect to a shared equity scheme.
- (f) **Proposed section 24F**, which provides for the Chief Commissioner to use and disclose information in the exercise of functions.
- (g) **Proposed section 24G**, which requires a NSW Shared Equity Scheme Fund (the *Fund*) to be established in the Special Deposits Account.
- (h) **Proposed section 24H**, which provides for payments into and out of the Fund.
- (i) **Proposed section 24I**, which requires the Minister administering the principal Act to prepare an annual report on the activities of the Fund.
- (j) **Proposed section 24J**, which provides for the closure of the Fund by proclamation made by the Governor.
- (k) **Proposed section 24K**, which provides that the *Taxation Administration Act 1996*, Part 8 applies in relation to a participant in a shared equity scheme.
- (l) **Proposed section 24L**, which clarifies that participation in a shared equity scheme does not affect the eligibility of a person for a grant, financial assistance or a reduction in duty payable under the principal Act or another Act.

**Schedule 2[5]** updates existing provisions about objections and review in the principal Act to extend them to shared equity schemes. **Schedule 2[3], [4] and [6]** make consequential amendments.

**Schedule 2[7]** enables the Chief Commissioner to delegate functions related to the administration of a shared equity scheme.

**Schedule 2[8]** permits the Minister administering the principal Act to delegate the exercise of functions under the principal Act.

**Schedule 2[9]** permits the Chief Commissioner to enter into agreements with financial institutions or other persons for exercising functions related to the administration of a shared equity scheme.

**Schedule 2[10] and [11]** extend the matters the Chief Commissioner is authorised to investigate to include an investigation to determine the following—

- (a) whether an application to participate in a shared equity scheme has been properly made,
- (b) whether a participant in a shared equity scheme is eligible to participate,
- (c) whether a person has complied with a condition for participating in a shared equity scheme.

**Schedule 2[12]–[14]** authorise the Chief Commissioner to require a valuation, or other evidence as to value, of property or consideration for the purposes of the administration of a shared equity scheme and, in certain circumstances, to recover the cost of obtaining a valuation from an applicant, or former applicant, for participation in the scheme.

**Schedule 2[15]** makes it an offence to make a statement or give any information knowing that it is false or misleading in a material particular in relation to an application to participate in a shared equity scheme. The maximum penalty for the offence is a fine of \$11,000.

**Schedule 2[16]** extends a provision in the principal Act that provides for the recovery of payments to enable the recovery of payments made under a shared equity scheme. The proposed provision also authorises the Chief Commissioner to impose penalties, including—

- (a) a penalty up to the amount a person is required to repay if the amount was paid under a shared equity scheme as a result of dishonesty by a participant in the scheme, or
- (b) a penalty of up to \$3,300 on a person who fails—
  - (i) to give information the Chief Commissioner reasonably requests, or
  - (ii) to notify the Chief Commissioner of a change in circumstances required to be notified under the conditions of a shared equity arrangement under a shared equity scheme, or
  - (iii) to comply with a prescribed condition of a shared equity arrangement under a shared equity scheme.

**Schedule 2[17]–[19]** provide for the recovery of amounts by the Chief Commissioner in relation to amounts, including penalties, payable in relation to shared equity schemes.

**Schedule 2[20]** extends a provision that protects information obtained in the administration of the principal Act to apply to information about a participant in a shared equity scheme or the participant's spouse.

### **Schedule 3      Amendments relating to superannuation successor funds**

**Schedule 3.1** amends the *Superannuation Administration Act 1996* (the *principal Superannuation Act*) to insert proposed Part 7, which enables successor fund transfers from the electricity industry superannuation scheme and local government superannuation scheme. A *successor fund transfer* means the transfer to a successor fund of the benefits of members and the assets and liabilities supporting the benefits. A *successor fund* means a fund that confers on the transferred members equivalent rights to the rights that the member had under the fund from which the transfer occurred. The proposed provisions enable regulations to be made in relation to successor fund transfers and place some limitations on the circumstances in which the regulations may be made. Proposed Part 7 also provides that transferred members continue to have mobility rights between the successor fund and certain government superannuation schemes of which they were previously members.

**Subschedule 3.1** also makes amendments consequent on proposed Part 7 and makes statute law type amendments to reorganise provisions that are currently in the principal Superannuation Act and to remove redundant provisions.

The new Part is arguably shell legislation.

**Schedule 3.2–3.5** make amendments to Acts consequential on the renumbering of provisions by **Schedule 3.1**.

## **Schedule 4 Amendments relating to energy supply**

**Schedule 4.1[1]** amends the *Electricity Supply Act 1995* to provide that an energy savings certificate for energy savings may be created in a period prescribed by the regulations or if a period is not prescribed, no later than 6 months after the end of the year in which the energy savings occur.

**Schedule 4.1[2], [5] and [8]** amend the *Electricity Supply Act 1995* in relation to energy savings scheme, the peak demand reduction scheme and the renewable fuel scheme to provide particulars the regulations may provide for in relation to—

- (a) the conduct of audits, and
- (b) the fees payable for certain audits.

**Schedule 4.1[3], [6] and [9]** amend the *Electricity Supply Act 1995* to provide that the Scheme Administrator may waive payment of, or reduce, an application fee required to be paid in relation to the energy savings scheme, the peak demand reduction scheme or the renewable fuel scheme.

**Schedule 4.1[4] and [7]** amend the *Electricity Supply Act 1995* to provide that a peak reduction certificate that is no longer active, or a renewable fuel certificate that is no longer in force, may be surrendered for a compliance period if it was active or in force during the compliance period for which it is surrendered. The amendments clarify that the certificate may be surrendered for the final compliance period after the end of the compliance period.

**Schedule 4.2[1] and [2]** amend the *Energy and Utilities Administration Act 1987* to provide that money received by the Energy Corporation of New South Wales, and not the Department of Planning and Environment, must be paid into an Energy Administration Account.

**Schedule 4.3** amends the *Energy Legislation Amendment Act 2021* to remove amendments now proposed in Schedule 5 of the proposed Act.

**Schedule 4.4[1]** amends the *Subordinate Legislation Act 1989* to provide that regulations under the *Electricity Infrastructure Investment Act 2020* are not subject to staged repeal under the *Subordinate Legislation Act 1989*. **Schedule 4.4[2]** makes a consequential amendment.



New South Wales

# Treasury and Energy Legislation Amendment Bill 2022

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New South Wales

# Treasury and Energy Legislation Amendment Bill 2022

No. , 2022

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## **A Bill for**

An Act to amend the *Government Sector Finance Act 2018*, the *First Home Owner Grant (New Homes) Act 2000*, the *Superannuation Administration Act 1996*, the *Electricity Supply Act 1995*, the *Energy and Utilities Administration Act 1987* and the *Subordinate Legislation Act 1989* for particular purposes; and to make consequential amendments to other Acts.

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**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Treasury and Energy Legislation Amendment Act 2022*.

3

**2 Commencement**

4

(1) This Act, other than Schedule 4.2, commences as follows—

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(a) for Schedule 3.1[10]—on a day or days to be appointed by proclamation,

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(b) otherwise—on the date of assent to this Act.

7

(2) Schedule 4.2 is taken to have commenced on 8 April 1999.

8



<b>Schedule 1</b>	<b>Amendment of Government Sector Finance Act 2018 No 55</b>	1
		2
<b>[1]</b>	<b>Section 4.7 Deemed appropriations of certain money received by GSF agencies</b>	3
	Omit “responsible Minister” from section 4.7(1). Insert instead “lead Minister”.	4
<b>[2]</b>	<b>Section 4.7(2)</b>	5
	Omit the subsection. Insert instead—	6
	(2) An appropriation under this section is taken to have been given—	7
	(a) if the receiving GSF agency is a special office—for the services of the receiving GSF agency, or	8
	(b) otherwise—for the services of the lead Department for the GSF agency.	9
<b>[3]</b>	<b>Section 4.7(3)</b>	11
	Omit the subsection. Insert instead—	12
	(3) <b>Deemed appropriation money</b> means—	13
	(a) government money that a GSF agency receives or recovers, including from the Commonwealth or another entity, of a kind prescribed by the regulations, that—	14
	(i) forms part of the Consolidated Fund, and	15
	(ii) is not appropriated under the authority of an Act, or	16
	(b) government money that a GSF agency receives or recovers, from another GSF agency, of a kind prescribed by the regulations, that—	17
	(i) forms part of the Consolidated Fund, and	18
	(ii) is appropriated under the authority of an Act to the lead Minister for the other GSF agency for—	19
	(A) if the other GSF agency is a special office—the services of the other GSF agency, or	20
	(B) otherwise—the services of the lead Department for the other GSF agency.	21
<b>[4]</b>	<b>Section 4.7(4)</b>	28
	Omit “subsections (3) and (6)(a)”. Insert instead “subsections (3)(a) and (b) and (6)(a)”.	29
<b>[5]</b>	<b>Section 4.7(7) and (8)</b>	30
	Insert after section 4.7(6)—	31
	(7) At the time a receiving GSF agency receives or recovers deemed appropriation money referred to in subsection (3)(b), the appropriation to the lead Minister referred to in subsection (3)(b)(ii) is taken to have been reduced by an equivalent sum to the sum received or recovered by the receiving agency.	32
	(8) In this section—	33
	<b>lead Department</b> , for a GSF agency, means—	34
	(a) if the GSF agency is a Public Service executive agency within the meaning of the <i>Government Sector Employment Act 2013</i> —the Department specified as being the related Department for the GSF agency under that Act, Schedule 1, Part 2, or	35
		36
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(b)	if paragraph (a) does not apply and there is only 1 responsible Minister for the GSF agency—the Department responsible to the responsible Minister for the GSF agency, or	1 2 3
(c)	if paragraph (a) and (b) do not apply and there is more than 1 responsible Minister for the GSF agency and the same single Department is responsible to the responsible Ministers—the Department responsible to the responsible Ministers, or	4 5 6 7
(d)	if paragraphs (a)–(c) do not apply—the Department specified for the GSF agency in a written determination made by the Treasurer and published in the Gazette.	8 9 10
	<b>lead Minister</b> , for a GSF agency, means—	11
(a)	if amounts are appropriated, under the relevant annual Appropriation Act, to a Minister for the services of the GSF agency—the Minister to whom the amounts are appropriated under the relevant annual Appropriation Act, or	12 13 14 15
(b)	otherwise—the Minister to whom amounts are appropriated, under the relevant annual Appropriation Act, for the services of the GSF agency’s lead Department.	16 17 18
	<b>receiving GSF agency</b> means a GSF agency that receives or recovers deemed appropriation money.	19 20
	<b>relevant annual Appropriation Act</b> means the annual Appropriation Act under which appropriations are made for the reporting period for a GSF agency in which the GSF agency receives deemed appropriation money.	21 22 23
	<b>special office</b> means a GSF agency that is a special office in relation to which an appropriation is made under the relevant annual Appropriation Act.	24 25
<b>[6]</b>	<b>Section 4.9, heading</b>	26
	Insert “ <b>Ministers or</b> ” after “ <b>between</b> ”.	27
<b>[7]</b>	<b>Section 4.9(1)</b>	28
	Omit the subsection. Insert instead—	29
(1)	This section applies to an appropriation to a Minister made under an annual Appropriation Act for an annual reporting period for the NSW Government for a service, function or program if responsibility for the service, function or program is, during that period, transferred—	30 31 32 33
(a)	from one Minister to another Minister, or	34
(b)	from one GSF agency to another GSF agency.	35
(1A)	The appropriation does not lapse merely because the responsibility for the service, function or program is transferred from one Minister to another Minister, or from one GSF agency to another GSF agency, during that period.	36 37 38
<b>[8]</b>	<b>Section 4.9(2)</b>	39
	Insert “by a Minister” after “applied”.	40
<b>[9]</b>	<b>Section 4.9A</b>	41
	Insert after section 4.9—	42

<b>4.9A</b>	<b>Deemed appropriations affected by transfer of functions between GSF agencies</b>	1 2
(1)	This section applies to a deemed appropriation taken to have been given to the lead Minister for a GSF agency if responsibility for a service, function or program is transferred—	3 4 5
(a)	from the Minister to another Minister, or	6
(b)	from the GSF agency to another GSF agency.	7
(2)	The deemed appropriation may be applied by a Minister, in accordance with any determination that may be made by the Treasurer, for or towards the transferred service, function or program.	8 9 10
(3)	A determination may extend to the application of the deemed appropriation before the determination is made and operates to validate that application.	11 12
(4)	The Treasurer must cause details of any deemed appropriation to which a determination relates to be included in the Budget Papers for the next annual reporting period for the NSW Government after the annual reporting year for the NSW Government in which the determination was made.	13 14 15 16
(5)	In this section— <i>deemed appropriation</i> means an appropriation taken to have been given to a lead Minister under section 4.7. <i>lead Minister</i> , for a GSF agency, has the same meaning as in section 4.7.	17 18 19 20
<b>[10]</b>	<b>Schedule 1 Savings, transitional and other provisions</b>	21
	Insert at the end of the Schedule—	22
<b>Part 5</b>	<b>Provisions consequent on enactment of Treasury and Energy Legislation Amendment Act 2022</b>	23 24
<b>32</b>	<b>Definition for Part</b>	25
	In this Part— <i>amending Act</i> means the <i>Treasury and Energy Legislation Amendment Act 2022</i> .	26 27 28
<b>32</b>	<b>Extension of deemed appropriation money</b>	29
	Section 4.7, as amended by the amending Act, extends to government money that was received or recovered by a GSF agency before the commencement of the amending Act, Schedule 1.	30 31 32
<b>33</b>	<b>Application of existing deemed appropriations and delegations</b>	33
(1)	This clause applies in relation to—	34
(a)	an existing deemed appropriation to the responsible Minister for a GSF agency, and	35 36
(b)	a delegation given by the responsible Minister to a person that authorises the application of all or part of the existing deemed appropriation by the person.	37 38 39
(2)	On and from the commencement of the amending Act, Schedule 1—	40
(a)	the existing deemed appropriation is taken to have been given to the lead Minister for the GSF agency, and	41 42

- (b) the delegation continues in effect as if the delegation had been given by the lead Minister for the GSF agency. 1  
2
- (3) In this clause— 3  
*existing deemed appropriation*, to a responsible Minister for a GSF agency, 4  
means an appropriation taken to have been given to the Minister under the Act, 5  
section 4.7 as in force before the commencement of the amending Act, 6  
Schedule 1. 7

<b>Schedule 2</b>	<b>Amendment of First Home Owner Grant (New Homes) Act 2000 No 21</b>	1
		2
[1]	<b>Section 1 Name of Act</b>	3
	Omit “(New Homes)”. Insert instead “and Shared Equity”.	4
[2]	<b>Part 2A</b>	5
	Insert after section 24—	6
	<b>Part 2A Shared equity schemes</b>	7
	<b>Division 1 Preliminary</b>	8
24A	<b>Definitions</b>	9
	In this Part—	10
	<i>financial year</i> means a year ending on 30 June.	11
	<i>Fund</i> means the NSW Shared Equity Scheme Fund established under Division 4.	12
	<i>shared equity scheme</i> —see section 24B.	13
24B	<b>Meaning of “shared equity scheme”</b>	14
	In this Part—	15
	<i>shared equity scheme</i> means a scheme established under this Part that enables a person who is purchasing property to enter into an agreement with the State under which—	16
	(a) the State contributes a portion of the—	17
	(i) purchase price, and	18
	(ii) associated construction costs, if relevant, and	19
	(b) the State obtains an interest in the property.	20
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	<b>Division 2 Establishment of scheme</b>	24
24C	<b>Establishment of shared equity scheme</b>	25
	(1) The Treasurer may, by order published in the Gazette, establish a shared equity scheme and specify matters in relation to the scope or administration of the scheme.	26
		27
		28
	(2) More than 1 scheme may be established.	29
24D	<b>Policy guidelines</b>	30
	(1) The Treasurer may publish policy guidelines for the purposes of the administration of a shared equity scheme.	31
		32
	(2) The Chief Commissioner must administer a shared equity scheme in accordance with published policy guidelines for the scheme.	33
		34
	<b>Division 3 Functions of Chief Commissioner</b>	35
24E	<b>Functions of Chief Commissioner</b>	36
	The Chief Commissioner has the functions necessary to administer and give effect to a shared equity scheme, including the following functions—	37
		38

(a)	to establish application processes relating to participation in the scheme,	1
(b)	to receive and assess applications,	2
(c)	to enter contracts or other arrangements for the purposes of administering the scheme,	3 4
(d)	to monitor compliance with requirements of the scheme,	5
(e)	other functions prescribed by the regulations.	6
<b>24F</b>	<b>Use of information obtained under other Acts</b>	7
	The Chief Commissioner may, for the purposes of exercising functions under this Part, use and disclose information obtained by the Chief Commissioner under this Act or another Act.	8 9 10
<b>Division 4</b>	<b>The Fund</b>	11
<b>24G</b>	<b>NSW Shared Equity Scheme Fund</b>	12
(1)	A NSW Shared Equity Scheme Fund (the <i>Fund</i> ) must be established in the Special Deposits Account.	13 14
(2)	The purpose of the Fund is to provide greater opportunities for home ownership by—	15 16
(a)	facilitating the State to enter into shared equity arrangements with eligible persons under shared equity schemes, and	17 18
(b)	managing money for the purposes of shared equity schemes.	19
(3)	The Chief Commissioner must manage the Fund.	20
<b>24H</b>	<b>Payments into and out of Fund</b>	21
(1)	The following must be paid into the Fund—	22
(a)	all money appropriated by Parliament, or advanced by the Treasurer, for the purposes of payment into the Fund,	23 24
(b)	the proceeds of the investment of money in the Fund,	25
(c)	fees and charges payable under this Part,	26
(d)	all other money directed or authorised to be paid into the Fund by or under an Act or law,	27 28
(e)	amounts received from the repayments of money provided under a shared equity scheme,	29 30
(f)	all money received from the sale of assets acquired under a shared equity scheme,	31 32
(g)	amounts recovered under this Act as debts related to a shared equity scheme.	33 34
(2)	The following may be paid out of the Fund—	35
(a)	amounts for the acquisition of interests in property under a shared equity scheme,	36 37
(b)	money required to meet administrative expenses related to the Fund,	38
(c)	amounts for the purpose of making investments,	39
(d)	amounts the Treasurer directs to be paid into the Consolidated Fund.	40
(3)	The investments must, despite the <i>Government Sector Finance Act 2018</i> , only be invested in a way approved by the Treasurer.	41 42

<b>24I Annual reports for Fund</b>	1
(1) The Minister must produce an annual report on the activities of the Fund during each financial year, including—	2
(a) payments in and out of the Fund, and	3
(b) details of investments.	4
(2) The annual report must also set out the aggregate value, at the end of the financial year, of interests in property under each shared equity scheme.	5
(3) The Treasurer may specify the following—	6
(a) the form of the report,	7
(b) matters relating to valuation requirements, including how an aggregate value is to be calculated for the purposes of subsection (2),	8
(c) other information to be included in the report.	9
(4) The report must include an audit of the Fund by the Auditor-General, which includes an assessment of whether payments from the Fund have been made in accordance with this Act.	10
(5) The report is to be made publicly available within 6 months after the end of the financial year to which it relates.	11
<b>24J Closure of Fund</b>	12
(1) The Governor may close the Fund by proclamation published on the NSW legislation website.	13
(2) The Governor may make the proclamation only if satisfied that the Minister and the Treasurer support the closure of the Fund.	14
(3) A proclamation under this section must not close the Fund within 2 years after the commencement of this Part.	15
(4) A proclamation under this section may include savings and transitional provisions in relation to the closure of the Fund, including specifying what is to be done with—	16
(a) any amount left in the Fund, and	17
(b) future amounts that would have been payable to the Fund.	18
<b>Division 5 Miscellaneous</b>	19
<b>24K Application of Taxation Administration Act 1996</b>	20
(1) The <i>Taxation Administration Act 1996</i> , Part 8 applies in relation to a participant in a shared equity scheme, with the following modifications—	21
(a) a reference to a taxpayer is to be read as a reference to a participant,	22
(b) a reference to a tax liability is to be read as a reference to compliance with the terms and conditions of the shared equity scheme,	23
(c) a reference to a taxation law, including in relation to the functions of an authorised officer or tax officer, is to be read as the terms and conditions of the shared equity scheme.	24
(2) In this section—	25
<i>participant</i> includes a former participant.	26

<b>24L Eligibility for first home buyer schemes not affected</b>	1
Nothing in this Part affects the eligibility of a person for a grant, financial assistance or a reduction in duty payable under this or another Act.	2 3
<b>Note</b> — This includes a first home buyer grant, the First Home Buyers Assistance Scheme under the <i>Duties Act 1997</i> and the <i>Property Tax (First Home Buyer Choice) Act 2022</i> .	4 5 6
<b>[3] Part 2, Division 6, heading</b>	7
Omit the heading. Insert instead—	8
<b>Part 2B Objections and review</b>	9
<b>[4] Part 2B, subdivision 1, heading</b>	10
Omit the heading.	11
<b>[5] Section 25</b>	12
Omit the section. Insert instead—	13
<b>25 Grounds of objection—first home owner grant</b>	14
(1) A person who is an applicant or former applicant for a first home owner grant who is dissatisfied with any of the following decisions of the Chief Commissioner may make an objection under this Part—	15 16 17
(a) a decision on the person’s application, including a decision to vary or reverse an earlier decision made independently of an objection under this Act,	18 19 20
(b) a decision to require the person to repay an amount under section 45,	21
(c) a decision to require the person to pay a penalty under section 45.	22
(2) A person who is dissatisfied with a decision of the Chief Commissioner to require the person, instead of a grant recipient, to pay a recoverable amount under section 46A may make an objection under this Part.	23 24 25
<b>25A Grounds of objection—shared equity schemes</b>	26
A person who is an applicant or former applicant for participation in a shared equity scheme who is dissatisfied with any of the following decisions of the Chief Commissioner may make an objection under this Part—	27 28 29
(a) a decision on the person’s application, including a decision to vary or reverse an earlier decision made independently of an objection under this Act,	30 31 32
(b) a decision to require the person to repay an amount under a shared equity arrangement under a shared equity scheme,	33 34
(c) a decision to require the person to repay an amount under section 45,	35
(d) a decision to require the person to pay a penalty under section 45.	36
<b>25B Making objections</b>	37
(1) An objection must be made by giving written notice (an <i>objection notice</i> ) to the Chief Commissioner.	38 39
(2) The grounds of objection must be stated fully and in detail in the objection notice.	40 41
(3) The objection notice must be given to the Chief Commissioner within—	42



	(a) 60 days after the date of the notice of the decision to which the objection relates, or	1 2
	(b) if the Chief Commissioner is satisfied that a person has a reasonable excuse for not giving the objection notice within the 60-day period—the longer period approved by the Chief Commissioner.	3 4 5
<b>[6]</b>	<b>Part 2B, subdivision 2, heading</b>	6
	Omit the heading.	7
<b>[7]</b>	<b>Section 31</b>	8
	Insert “or a shared equity scheme” after “scheme”.	9
<b>[8]</b>	<b>Section 31A</b>	10
	Insert after section 31—	11
	<b>31A Delegation by Minister</b>	12
	The Minister may delegate the exercise of any function of the Minister under this Act, other than this power of delegation, to—	13 14
	(a) the Chief Commissioner, or	15
	(b) a person employed in the Public Service.	16
<b>[9]</b>	<b>Section 32(1)</b>	17
	Insert “or a shared equity scheme” after “scheme”.	18
<b>[10]</b>	<b>Section 34 Authorised investigations</b>	19
	Omit section 34(a). Insert instead—	20
	(a) whether the following have been properly made—	21
	(i) an application under this Act or a corresponding law for a first home owner grant,	22 23
	(ii) an application under this Act to participate in a shared equity scheme, or	24 25
<b>[11]</b>	<b>Section 34(d1) and (d2)</b>	26
	Insert after paragraph (d)—	27
	(d1) whether a participant in a shared equity scheme is eligible to participate, or	28 29
	(d2) whether a person has complied with a condition for participating in a shared equity scheme, or	30 31
<b>[12]</b>	<b>Section 36A Power to require valuation or other evidence</b>	32
	Omit “the purposes of determining the total value of a transaction”.	33
	Insert instead “a relevant purpose”.	34
<b>[13]</b>	<b>Section 36A(1)(a)</b>	35
	Omit the paragraph. Insert instead—	36
	(a) require, by written notice, the following to give to the Chief Commissioner evidence of the value of property or consideration that the Chief Commissioner considers appropriate—	37 38 39
	(i) an applicant for a first home owner grant,	40

(ii)	an applicant for participation in a shared equity scheme,	1
<b>[14]</b>	<b>Section 36A(2)–(4)</b>	2
	Insert after section 36A(1)—	3
(2)	The Chief Commissioner may recover from the applicant the cost of obtaining a valuation of property under subsection (1)(b) if—	4 5
(a)	the value of the property in the valuation obtained by the Chief Commissioner differs from the value of the property provided by the applicant by at least 10%, or	6 7 8
(b)	the applicant fails to comply with a written notice given to the applicant under subsection (1)(a)(ii) within 60 days after the notice is issued.	9 10
(3)	The Chief Commissioner may require the Valuer-General to make a valuation for the purposes of this section.	11 12
(4)	In this section—	13
	<i>applicant</i> includes a former applicant.	14
	<i>relevant purpose</i> means—	15
(a)	determining the total value of a transaction, or	16
(b)	the administration of a shared equity scheme.	17
<b>[15]</b>	<b>Section 44 Knowingly giving false or misleading information</b>	18
	Omit section 44(2). Insert instead—	19
(2)	A person must not make a statement or give information knowing it is false or misleading in a material particular in relation to—	20 21
(a)	an application for a first home owner grant, or	22
(b)	an application to participate in a shared equity scheme.	23
<b>[16]</b>	<b>Section 45</b>	24
	Omit the section. Insert instead—	25
<b>45</b>	<b>Power to require repayment and impose penalty</b>	26
(1)	The Chief Commissioner may, by written notice given to a person, require the person for whom an amount was paid under this Act to repay the amount if—	27 28
(a)	the amount was paid in error, or	29
(b)	the Chief Commissioner reverses the decision under which the amount was paid for another reason.	30 31
(2)	The Chief Commissioner may impose a penalty not exceeding the amount the person is required to repay if—	32 33
(a)	the amount was paid under a first home owner grant as a result of dishonesty by an applicant for the grant, or	34 35
(b)	the amount was paid under a shared equity scheme as a result of dishonesty by a participant in the scheme, or	36 37
(c)	the person fails to make a repayment required—	38
(i)	under this section, or	39
(ii)	by the conditions of a first home owner grant.	40
(3)	The penalty may be imposed in the notice under subsection (1) or in a separate written notice given to the person.	41 42

(4)	The Chief Commissioner may, by written notice given to a participant in a shared equity scheme, impose a penalty of up to \$3,300 on the person if the person fails—	1 2 3
(a)	to give the Chief Commissioner information the Chief Commissioner reasonably requests from the person for the administration of the scheme, or	4 5 6
(b)	to notify the Chief Commissioner of a change in circumstances required to be notified to the Chief Commissioner under the conditions of the person's participation in the scheme, or	7 8 9
(c)	to comply with a condition of a shared equity arrangement under a shared equity scheme and the condition is prescribed by the regulations.	10 11
<b>[17]</b>	<b>Section 46 Power to recover certain amounts</b>	12
	Omit section 46(1)–(3). Insert instead—	13
(1)	This section applies to the following amounts—	14
(a)	an amount required to be repaid under the conditions of a first home owner grant or shared equity scheme or by the Chief Commissioner under this Act, by—	15 16 17
(i)	an applicant or former applicant for a first home owner grant, or	18
(ii)	a participant or former participant in a shared equity scheme,	19
(b)	the amount of a penalty imposed on and payable by—	20
(i)	an applicant or former applicant for a first home owner grant, or	21
(ii)	a participant or former participant in a shared equity scheme,	22
(c)	the amount a person is required to repay under section 45.	23
(2)	An amount to which this section applies is payable to the Chief Commissioner.	24
(2A)	If the amount is payable by more than 1 person, each person is jointly and severally liable to pay the amount.	25 26
(3)	The liability of a person to pay an amount to which this section applies is—	27
(a)	a first charge on the person's interest in a home if—	28
(i)	the home is one for which a first home owner grant was obtained, and	29 30
(ii)	the person was an applicant for the grant, and	31
(iii)	the person is liable to pay an amount referred to in subsection (1)(a) or (b), or	32 33
(b)	a charge on the person's interest in property if—	34
(i)	the property is the subject of a shared equity arrangement under a shared equity scheme, and	35 36
(ii)	the person is a participant in the scheme, and	37
(iii)	the person is liable to pay an amount referred to in subsection (1)(a) or (b).	38 39
<b>[18]</b>	<b>Section 46(4)</b>	40
	Omit the subsection.	41
<b>[19]</b>	<b>Section 46(5A)</b>	42
	Insert after section 46(5)—	43

(5A) An amount to which this section applies is a referable debt within the meaning of the *State Debt Recovery Act 2018*. 1  
2

**[20] Section 47 Protection of confidential information** 3

Omit section 47(1), definition of *protected information*. Insert instead— 4

*protected information* means information obtained in the course of work related to the administration of this Act about— 5  
6

- (a) an applicant for a first home owner grant or the applicant's spouse, or 7
- (b) an applicant, including a former applicant, for participation in a shared equity scheme or the applicant's spouse. 8  
9

<b>Schedule 3</b>	<b>Amendments relating to superannuation successor funds</b>	1
		2
<b>3.1</b>	<b>Superannuation Administration Act 1996 No 39</b>	3
[1]	<b>Part 5, heading</b>	4
	Omit the heading. Insert instead—	5
	<b>Part 5 Offences and remedies relating to officers</b>	6
[2]	<b>Part 5, Division 1, heading</b>	7
	Omit the heading.	8
[3]	<b>Part 5, Division 2, heading</b>	9
	Omit the heading. Insert instead—	10
	<b>Part 6 Public sector schemes</b>	11
[4]	<b>Sections 129B and 129C</b>	12
	Renumber sections 125 and 126 as sections 129B and 129C and relocate after section 129A.	13
[5]	<b>Sections 125–127</b>	14
	Renumber sections 127, 128, 128A and 128B as sections 125, 126, 126A and 127 and relocate the renumbered sections after the heading to Part 6 and update all cross-references to the renumbered sections wherever occurring in the Act.	15 16 17
[6]	<b>Section 126A (as renumbered by item [5]), heading</b>	18
	Omit “and EISS”.	19
[7]	<b>Section 126A (as renumbered by item [5])</b>	20
	Omit section 126A(1), definition of <i>electricity industry superannuation scheme</i> .	21
[8]	<b>Section 126A(2) and (3) (as renumbered by item [5])</b>	22
	Omit “the electricity industry superannuation scheme or” wherever occurring.	23
[9]	<b>Section 126A(7) (as renumbered by item [5])</b>	24
	Omit “electricity industry and local government superannuation schemes”.	25
	Insert instead “local government superannuation scheme”.	26
[10]	<b>Section 126A (as renumbered by item [5])</b>	27
	Omit the section.	28
[11]	<b>Part 7, heading</b>	29
	Insert before section 127A—	30
	<b>Part 7 Successor funds</b>	31
	<b>127AA Definitions</b>	32
	In this Part—	33

<i>electricity industry superannuation scheme</i> means the scheme established under a trust deed entered into by the Treasurer and Energy Industries Superannuation Scheme Pty Ltd, as trustee.	1 2 3
<i>local government superannuation scheme</i> means the scheme established under a trust deed entered into by the Treasurer and LGSS Pty Ltd, as trustee.	4 5
<i>successor fund</i> has the same meaning as in the <i>Superannuation Industry (Supervision) Regulations 1994</i> of the Commonwealth.	6 7
<i>successor fund transfer</i> means the transfer to a successor fund of—	8
(a) the benefits of members, and	9
(b) the assets and liabilities supporting the benefits.	10
<b>[12] Section 127A, heading</b>	11
Omit the heading. Insert instead—	12
<b>127A Transfers from STC schemes to successor funds</b>	13
<b>[13] Sections 127B–128B</b>	14
Insert after section 127A—	15
<b>127B Transfers from EISS and LGSS to successor funds</b>	16
(1) The regulations may provide for successor fund transfers from the following (a <i>former scheme</i> )—	17 18
(a) the electricity industry superannuation scheme,	19
(b) the local government superannuation scheme.	20
(2) Regulations may be made about the following in relation to a successor fund transfer under this section—	21 22
(a) transferring benefits of members,	23
(b) transferring assets and liabilities,	24
(c) paying transferred benefits,	25
(d) establishing funds and reserves in relation to the successor fund,	26
(e) preserving or deferring transferred benefits,	27
(f) the entitlements, rights and obligations of a member whose benefit is transferred,	28 29
(g) deeming employers—	30
(i) to be no longer employers under the former scheme, and	31
(ii) to be employers under the successor fund,	32
(h) requiring employers—	33
(i) to be bound by the trust deed of the successor fund, and	34
(ii) to make payments and contributions to the successor fund.	35
(3) The Minister must not recommend the making of a regulation under this section in relation to a successor fund transfer before the successor fund transfer has occurred unless the Minister is satisfied the trustees of the former scheme and the successor fund agree the transfer will comply with—	36 37 38 39
(a) the <i>Superannuation Industry (Supervision) Act 1993</i> of the Commonwealth, and	40 41
(b) the regulations or other instruments under that Act.	42

(4)	The Minister must not recommend the making of a regulation under this section in relation to a successor fund transfer after the successor fund transfer has occurred unless the Minister is satisfied the regulation corrects an error.	1 2 3
<b>128</b>	<b>Mobility between public sector schemes and successor funds</b>	4
(1)	An employee has a right to transfer from an STC scheme to a successor fund if the employee—	5 6
(a)	is a member of or contributor to an STC scheme because of employment with a public sector employer prescribed by the regulations, and	7 8
(b)	subsequently transfers employment to an employer that is responsible for the payment of benefits in respect of a successor fund, and	9 10
(c)	meets the eligibility requirements prescribed by the regulations.	11
(2)	An employee has a right to transfer from a successor fund (the <i>current successor fund</i> ) to an STC scheme if—	12 13
(a)	the employee was previously a member of or contributed to the STC scheme, and	14 15
(b)	the employee has transferred—	16
(i)	directly from the STC scheme to the current successor fund, or	17
(ii)	from the STC scheme to the current successor fund by way of other successor funds or relevant schemes, and	18 19
(c)	each transfer was—	20
(i)	in accordance with regulations made under this Part or Part 6, or	21
(ii)	by the exercise of an option under this Act or another Act establishing an STC scheme, and	22 23
(d)	the employee subsequently transfers employment from an employer that is responsible for the payment of benefits in respect of the current successor fund to a public sector employer prescribed by the regulations, and	24 25 26 27
(e)	the employee meets the eligibility requirements prescribed by the regulations.	28 29
(3)	In this section—	30
	<i>relevant scheme</i> means—	31
(a)	the electricity industry superannuation scheme, or	32
(b)	the local government superannuation scheme	33
<b>128A</b>	<b>Regulations about mobility between funds</b>	34
(1)	Regulations may be made about the following—	35
(a)	the eligibility requirements for an employee to exercise a right of transfer under section 128 (a <i>transfer option</i> ),	36 37
(b)	the circumstances in which a transfer of employment is taken to have occurred for the purposes of a transfer option,	38 39
(c)	how a transfer option may be exercised, including the way, form and time for exercising the option,	40 41
(d)	the terms and conditions to which the employee's membership of the fund is subject once the employee exercises a transfer option,	42 43
(e)	the transfer of assets and liabilities between funds in relation to an employee who exercises a transfer option,	44 45

(f)	the resolution by a person or body of disputes relating to the exercise of a transfer option,	1
		2
(g)	the payment of employer superannuation liabilities, including—	3
(i)	employer contributions, and	4
(ii)	benefits, and	5
(iii)	insurance premiums.	6
(2)	Regulations may also be made about the rights and obligations of the employee and associated beneficiaries, in relation to the employee’s membership of or contributions to the fund from which the employee is transferred under the transfer option, including—	7
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		10
(a)	the preservation or deferral of a benefit in the fund, and	11
(b)	the calculation of the preserved or deferred benefit, and	12
(c)	the payment of the benefit to the fund to which the employee is transferred despite—	13
		14
(i)	a minimum qualifying period of membership, or	15
(ii)	another limit of the fund that would otherwise prevent or restrict the preservation or deferral of the benefit.	16
		17
(3)	A regulation made under this section may confer a transfer option even if the relevant transfer of employment took place before the regulation commenced.	18
		19
<b>128B</b>	<b>Part has effect despite other Acts and trust deeds</b>	20
	This Part, including regulations made under this Part, has effect despite any provision of—	21
		22
(a)	an Act under which an STC scheme is constituted, or	23
(b)	the trust deeds constituting the following—	24
(i)	the electricity industry superannuation scheme,	25
(ii)	the local government superannuation scheme,	26
(iii)	a successor fund.	27
<b>[14]</b>	<b>Part 8, heading</b>	28
	Insert before section 128C—	29
	<b>Part 8 Miscellaneous</b>	30
<b>3.2</b>	<b>State Authorities Non-contributory Superannuation Act 1987 No 212</b>	31
	<b>Section 20A Scheme closed for new employees</b>	32
	Omit “section 128A” from section 20A(1)(d). Insert instead “Part 6 or Part 7”.	33
<b>3.3</b>	<b>State Authorities Superannuation Act 1987 No 211</b>	34
	<b>Section 2B Employee may resume contributions after break in employment</b>	35
	Omit “section 128A” from section 2B(2). Insert instead “Part 6 or Part 7”.	36
<b>3.4</b>	<b>Superannuation Act 1916 No 28</b>	37
	<b>Section 1A Closure of Scheme to persons employed on or after 1.7.1985</b>	38
	Omit “section 128A” from section 1A(3)(c1). Insert instead “Part 6 or Part 7”.	39



<b>3.5 Government Sector Audit Regulation 2021</b>	1
<b>Schedule 1 Prescribed entities</b>	2
Omit “section 127” from Part 1. Insert instead “section 125”.	3

<b>Schedule 4</b>	<b>Amendments relating to energy supply</b>	1
<b>4.1</b>	<b>Electricity Supply Act 1995 No 94</b>	2
<b>[1]</b>	<b>Schedule 4A Energy security safeguard schemes</b>	3
	Omit clause 34(1)–(3). Insert instead—	4
	(1) An energy savings certificate for energy savings arising from a recognised energy saving activity that occur during a particular year may be created—	5
	(a) if the regulations prescribe a period for the creation of the certificate—	6
	in the period prescribed by the regulations, or	7
	(b) otherwise—no later than 6 months after the end of the year in which the energy savings occur.	8
	(2) An energy savings certificate is not created until an application is made under clause 46 for registration of the certificate.	9
		10
		11
		12
<b>[2]</b>	<b>Schedule 4A, clause 58</b>	13
	Omit clause 58(2) and (3). Insert instead—	14
	(2) Without limiting subclause (1), the regulations may provide for the following matters—	15
	(a) matters that may be the subject of audits,	16
	(b) persons who may conduct audits,	17
	(c) matters relating to decisions about who will conduct audits, including, for example, providing for the Scheme Regulator or Scheme Administrator to make decisions about whether to conduct audits personally or require audits to be conducted by an auditor engaged by the Scheme Regulator, Scheme Administrator or scheme participant,	18
	(d) functions that may be exercised by persons conducting audits,	19
	(e) fees payable for audits, including—	20
	(i) who determines whether fees are payable for particular types of audits or audits in particular circumstances, and	21
	(ii) how and by whom the amount of the fees payable for audits are determined, and	22
	(iii) the maximum fees payable for audits generally or particular types of audits, and	23
	(iv) to whom the fees for audits are payable,	24
	(f) offences relating to obstructing or hindering, or refusing or failing to comply with requirements made by, persons who conduct audits.	25
	(3) If the regulations provide that a fee, as determined by or under the regulations, is payable for the carrying out of particular types of audit or audits in particular circumstances, each scheme participant and accredited certificate provider is liable to pay the fee for the carrying out of an audit of that type or in those circumstances in relation to the participant or provider.	26
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<b>[3]</b>	<b>Schedule 4A, clause 77A</b>	40
	Insert after clause 77—	41

<b>77A Waiver or reduction of application fees</b>	1
The Scheme Administrator may waive payment of, or reduce, an application fee required to be paid under this Part.	2 3
<b>[4] Schedule 4A, clause 104</b>	4
Omit clause 104(1)(a). Insert instead—	5
(a) the certificate—	6
(i) is registered as active in the register of certificates, or	7
(ii) was registered as active during the compliance period for which the certificate is surrendered, and	8 9
<b>[5] Schedule 4A, clause 127</b>	10
Omit clause 127(2). Insert instead—	11
(2) Without limiting subclause (1), the regulations may provide for the following matters—	12 13
(a) matters that may be the subject of audits,	14
(b) persons who may conduct audits,	15
(c) matters relating to decisions about who will conduct audits, including, for example, providing for the Scheme Regulator or Scheme Administrator to make decisions about whether to conduct audits personally or require audits to be conducted by an auditor engaged by the Scheme Regulator, Scheme Administrator or scheme participant,	16 17 18 19 20
(d) functions that may be exercised by persons conducting audits,	21
(e) fees payable for audits, including—	22
(i) who determines whether fees are payable for particular types of audits or audits in particular circumstances, and	23 24
(ii) how and by whom the amount of the fees payable for audits are determined, and	25 26
(iii) the maximum fees payable for audits generally or particular types of audits, and	27 28
(iv) to whom the fees for audits are payable,	29
(f) offences relating to obstructing or hindering, or refusing or failing to comply with requirements made by, persons who conduct audits.	30 31
(2A) If the regulations provide that a fee, as determined by or under the regulations, is payable for the carrying out of particular types of audit or audits in particular circumstances, each scheme participant and accredited certificate provider is liable to pay the fee for the carrying out of an audit of that type or in those circumstances in relation to the participant or provider.	32 33 34 35 36
<b>[6] Schedule 4A, clause 143A</b>	37
Insert after clause 143—	38
<b>143A Waiver or reduction of application fees</b>	39
The Scheme Administrator may waive payment of, or reduce, an application fee required to be paid under this Part.	40 41
<b>[7] Schedule 4A, clause 168</b>	42
Omit clause 168(1)(a). Insert instead—	43

(a)	the certificate—	1
(i)	is registered as in force in the register of certificates, or	2
(ii)	was in force during the compliance period for which the certificate is surrendered, and	3
		4
<b>[8]</b>	<b>Schedule 4A, clause 192</b>	5
	Omit clause 192(2). Insert instead—	6
(2)	Without limiting subclause (1), the regulations may provide for the following matters—	7
(a)	matters that may be the subject of audits,	8
(b)	persons who may conduct audits,	9
(c)	matters relating to decisions about who will conduct audits, including, for example, providing for the Scheme Regulator or Scheme Administrator to make decisions about whether to conduct audits personally or require audits to be conducted by an auditor engaged by the Scheme Regulator, Scheme Administrator or scheme participant,	10
(d)	functions that may be exercised by persons conducting audits,	11
(e)	fees payable for audits, including—	12
(i)	who determines whether fees are payable for particular types of audits or audits in particular circumstances, and	13
(ii)	how and by whom the amount of the fees payable for audits are determined, and	14
(iii)	the maximum fees payable for audits generally or particular types of audits, and	15
(iv)	to whom the fees for audits are payable,	16
(f)	offences relating to obstructing or hindering, or refusing or failing to comply with requirements made by, persons who conduct audits.	17
(2A)	If the regulations provide that a fee, as determined by or under the regulations, is payable for the carrying out of particular types of audit or audits in particular circumstances, each scheme participant and accredited certificate provider is liable to pay the fee for the carrying out of an audit of that type or in those circumstances in relation to the participant or provider.	18
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<b>[9]</b>	<b>Schedule 4A, clause 225A</b>	27
	Insert after clause 225—	28
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<b>4.3 Energy Legislation Amendment Act 2021 No 34</b>	1
<b>Schedule 1 Amendment of Electricity Supply Act 1995 No 94</b>	2
Omit Schedule 1[44], [51], [52], [79] and [80].	3
<b>4.4 Subordinate Legislation Act 1989 No 146</b>	4
<b>[1] Section 10 Staged repeal of statutory rules</b>	5
Insert after section 10(2)—	6
(3) This section does not apply in relation to the following statutory rules—	7
(a) a regulation made under the <i>Electricity Infrastructure Investment Act 2020</i> ,	8
(b) a regulation that sets out management rules for marine parks or aquatic reserves made under the <i>Marine Estate Management Act 2014</i> .	9
<b>[2] Section 10(5)</b>	10
Omit the subsection.	11
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