

## **Terms of reference and procedural terms: Senate Select Committee on Energy Planning and Regulation in Australia**

That a select committee, to be known as the Select Committee on Energy Planning and Regulation in Australia, be established to inquire into the institutional structures, governance, regulation, functions, and operation of the Australian energy market, with reference to:

- (a) the three overarching laws within which energy markets are governed:
  - National Electricity Law,
  - National Gas Law, and
  - National Energy Retail Law;
- (b) the role and function of the Australian Energy Regulator;
- (c) the role and function of the Australian Energy Market Operator (AEMO), including its development of the Integrated System Plan in accordance with the National Electricity Objectives;
- (d) the role and function of the Australian Energy Market Commission;
- (e) the role and function of Energy Consumers Australia;
- (f) the role and function of state energy regulators;
- (g) the statutory framework which supports consideration of stakeholder views and the public interest; and
- (h) any other related matters.

That the committee present its final report on **20 December 2024**.

That the committee consist of 7 senators, as follows:

- (a) two nominated by the Leader of the Government in the Senate;
- (b) two nominated by the Leader of the Opposition in the Senate;
- (c) one nominated by the Leader of the Australian Greens in the Senate;
- (d) Senator Van; and
- (e) Senator David Pocock.

That:

- (a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator;
- (b) participating members may participate in hearings of evidence and deliberations of the committee and have all the rights of members of the committee but may not vote on any questions before the committee; and

(c) a participating member shall be taken to be a member of a committee for the purpose of forming a quorum of the committee if 3 members of the committee constituting a quorum are not present.

That if a member of the committee is unable to attend a meeting of the committee, that member may in writing to the chair appoint a participating member to act as a substitute member of the committee at that meeting. If the member is incapacitated or unavailable, a letter to the chair appointing a participating member to act as a substitute member of the committee may be signed on behalf of the member by the leader of the party or group on whose nomination the member was appointed to the committee.

That 3 members of the committee constitute quorum, where one member present is a minority party or independent senator, one member was appointed on the nomination of the Leader of the Government in the Senate and one member was appointed on the nomination of the Leader of the Opposition in the Senate.

That the committee may proceed to the dispatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.

That Senator Van chair the committee, and the committee elect as its deputy chair a member nominated by the Leader of the Government in the Senate.

That the deputy chair shall act as chair when the chair is absent from a meeting of the committee, or the position of chair is temporarily vacant.

That the chair, or the deputy chair when acting as chair, may appoint another member of the committee to act as chair during the temporary absence of both the chair and deputy chair at a meeting of the committee.

That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider.

That 2 members of any subcommittee constitute quorum where one member present is a minority party or independent senator, and one member was appointed on the nomination of the Leader of the Government in the Senate.

That the committee and any subcommittee have:

- (a) power to send for and examine persons and documents;
- (b) power to move from place to place;
- (c) power to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives; and
- (d) leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.

That the committee be provided with all necessary staff, facilities and resources.

That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.