

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Additional Estimates 2011-12, 13 February 2012

Answers to Questions on Notice

Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	103
Program:	ORER		
Division/Agency:	ORER		
Topic:	Installer Accreditation		
Hansard Page EC:	EC39-40		

Senator BIRMINGHAM: Has accreditation been withdrawn for any of the installers?

Mr Livingston: Some people have had their accreditation withdrawn by the CEC and some jurisdictions have suspended the licence of some electricians.

Senator BIRMINGHAM: Do you have any statistics on that?

Mr Livingston: No, I do not. I know they are available because we have seen some. We know of some instances where it has occurred, but I do not have any statistics with me.

Senator BIRMINGHAM: Could you provide that information on notice.

Answer:

1. Accreditation for solar installers is managed by the Clean Energy Council (CEC). The Office of the Renewable Energy Regulator (ORER) is aware that the CEC has withdrawn the accreditation of some installers. While the ORER does receive advice on some actions taken by the CEC and some state regulators, the advice is not comprehensive.

The ORER provides final inspection reports to the CEC and the state regulators. The ORER is aware that the CEC and state regulators use the outcomes of inspections to inform their own activities. The ORER has not been informed of any action taken against any electrician or installer relying specifically on the results of an inspection report.

2. The ORER is not able to provide any statistics on the number of CEC accreditations that have been withdrawn.

The ORER is regularly provided a list of current accredited installers by the CEC and uses this list for validation and compliance purposes. The CEC responds to any requests from the ORER for specific information relating to the status at any time of a particular installer. The ORER does not maintain a register of changes to the CEC list of accredited installers.

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Outcome:	1	Question No:	104
Program:	ORER		
Division/Agency:	ORER		
Topic:	Envirofriendly Products (Business)		
Hansard Page EC:	Written		

Senator Birmingham asked:

Please provide a response to the following concerns raised by a constituent:

I installed a 10kW solar panel system under the Government's guidelines using the Canberra based "Envirofriendly Products" as our installers. The installation was successfully undertaken in February 2011.

Also under the Governments' guidelines we had "Envirofriendly Products" lodge a REC application (valued at around \$15,000) with the Office of Renewable Energy Regulator (ORER) on our behalf.

I understand that the computerised registration system was too complex for anyone (except regular users) to understand and manage. So "Envirofriendly Products" offer this service to their customers.

"Envirofriendly Products" has now gone into Administration, and advice from ORER is that because the company registered our RECs on our behalf, we will lose them.

We borrowed money from the bank in order to install the solar panels and the money from the sale of the RECs through the Government Clearing House was going to be used to repay some of this loan. This is now looking very unlikely because the sale of our RECs will probably go to the "Envirofriendly Products" creditors.

How can a Government program allow an organisation to have access to another person's RECs? This is another example of maladministration by this Government.

What can be done to address this situation as there are many more people who are going to be affected by this administrative incompetence?

Answer:

The Office of the Renewable Energy Regulator (ORER) is a statutory authority established to oversee the implementation of the Australian Government's Large-Scale Renewable Energy Target (LRET) and the Small-Scale Renewable Energy Scheme (SRES).

The LRET and SRES provide renewable energy power stations and the owners of solar water heaters and small generation units (small-scale solar photovoltaic), wind and hydro electricity systems with a financial incentive through the creation and trade of Small-scale Technology Certificates (STCs) or Large-scale Generation Certificates.

The SRES is not a rebate scheme and does not provide public funds. Instead, legislation creates a market for additional renewable energy using a mechanism of tradable certificates that are created by renewable energy generators and the owners of small-scale renewable energy systems.

The SRES allows the owners of eligible solar panel systems to create, at the time of their installation, STCs equivalent to 15 years of expected system output. The role of the ORER centres on the proper creation of these certificates, maintaining the certificate registry and administering the liability to surrender certificates.

Your constituent has asked how an Australian Government program can allow an organisation to have access to another person's certificates. The legislation that establishes the SRES allows homeowners who install an eligible system to assign (in effect to transfer ownership) of their STCs to another party which appears to be what the constituent has done. This is often done by homeowners as part of their commercial arrangement with their supplier. There is no requirement under the legislation for a homeowner to assign their certificates in this way but rather it is an option provided for convenience.

If the constituent has validly assigned their rights to create their STCs to the company, the Renewable Energy Regulator has no role other than ensuring eligibility criteria are met when the company creates the STCs. The Regulator may only deal with the party to whom the certificates have been assigned.

The Regulator has no responsibility in relation to market conduct or to enforcing contracts between buyers and sellers of systems. It is the ORER's standard practice to advise anyone with an issue about marketing, payment or other contractual matters to contact their installing agent in the first instance or, in your constituent's case, the appointed administrator. If there is no resolution the ORER then recommends people contact the relevant state Fair Trading Office, the Australian Competition and Consumer Commission or the Australian Securities and Investments Commission as appropriate.

If your constituent believes they have not validly assigned their right to create their STCs to Envirofriendly Products they should contact the ORER's Compliance Team as soon as possible.

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Outcome:	1	Question No:	105
Program:	ORER		
Division/Agency:	ORER		
Topic:	STC Clearing House		
Hansard Page EC:	Written		

Senator Birmingham asked:

1. How many businesses are still waiting to be paid through the STC clearing house?
2. What is the average amount of money outstanding?
3. What is the largest amount due to one business?
4. What is the current market rate if these businesses decide not to wait for the STC clearing house and trade them on the market instead?
5. How long does ORER think it will take to clear the backlog, if ever?

Answer:

1. As of mid-March 2012, there are 2,985 accounts with Small-scale Technology Certificates (STCs) for sale in the clearing house queue. The Renewable Energy Certificate Registry does not allow the Office of the Renewable Energy Regulator (ORER) to clearly distinguish businesses and individuals.
2. These accounts have a total of 6,982,565 STCs for sale in the clearing house, which equates to an average value of \$279 million at \$40 per STC price (GST may or may not be applicable).
3. The single account with the largest number of STCs has 1,175,376 STCs for sale in the clearing house queue.
4. In early to mid-March 2012 the STC spot price has fluctuated about \$29.
5. The ORER is not able to forecast how long it will take before buyers begin purchasing in the STC Clearing House. There are many factors affecting the STC market which influence the purchase of STC through the clearing house. The annual setting of the Small Scale Technology Percentage is structured in a way that any STC oversupply in one year may be cleared by the end of the following year.

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Outcome:	1	Question No:	106
Program:	ORER		
Division/Agency:	ORER		
Topic:	Staffing		
Hansard Page EC:	Written		

Senator Fisher asked:

1. How many ongoing staff recruited this financial year to date? What classification are these staff?
2. How many non ongoing positions exist or have been created this financial year to date? What classification are these staff?
3. This financial year to date, how many employees have been employed on contract and what is the average length of their employment period?

Answer:

1. The Office of the Renewable Energy Regulator (ORER) has recruited 11 ongoing staff this financial year to date. Of this 11 there were two APS6, one APS5, five APS4 and three APS3.
2. Nine non-ongoing positions exist year to date and the classifications of these positions are: one APS6, two APS5, five APS4 and one APS3.
3. Year to date the ORER employed nine staff on contract with an average period of employment of three months.

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Climate Change and Energy Efficiency Portfolio

Outcome: 1 **Question No:** 107
Program: ORER
Division/Agency: ORER
Topic: Staffing - Turnover
Hansard Page EC: Written

Senator Fisher asked:

1. How many ongoing staff left in the year 2010-11? What classification were these staff?
2. How many non ongoing staff left in the year 2010-11? What classification were these staff?

Answer:

1. Five ongoing staff left the Office of the Renewable Energy Regulator (ORER) in 2010-11.

Classification	Number
APS6	1
APS5	2
APS4	1
APS3	1

2. Five non-ongoing staff left the ORER in 2010-11.

Classification	Number
APS4	2
APS3	2
APS2	1

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Outcome:	1	Question No:	108
Program:	ORER		
Division/Agency:	ORER		
Topic:	Staffing - Reduction		
Hansard Page EC:	Written		

Senator Fisher asked:

1. Are there any plans for staff reduction? If so, please advise details ie. reduction target, how this will be achieved, services/programs to be cut etc.
2. If there are plans for staff reductions, please give the reason why these are happening.

Answer:

1. There are no plans to reduce ORER staff.
2. Not applicable.

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Outcome:	1	Question No:	109
Program:	ORER		
Division/Agency:	ORER		
Topic:	Staffing - SES		
Hansard Page EC:	Written		

Senator Fisher asked:

Please list the SES positions have you in your department/agency in the years 2007-08, 2008-09, 2009-10, 2010-11 and financial year to date. Identify the different levels and how many are permanent positions.

Answer:

The Office of the Renewable Energy Regulator does not have any Senior Executive Service positions. The Renewable Energy Regulator is a statutory office holder at the Principle Executive Officer level.

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Outcome:	1	Question No:	110
Program:	ORER		
Division/Agency:	ORER		
Topic:	Staffing – Graduates		
Hansard Page EC:	Written		

Senator Fisher asked:

1. How many graduates have been engaged this year? Where have they been placed in the department/agency? Were these empty positions or are they new positions?
2. List what training will be provided, the name of the provider and the cost.

Answer:

1. The ORER does not have any graduates or graduate positions.
2. Not applicable. Please refer to the previous response.

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Outcome:	1	Question No:	111
Program:	ORER		
Division/Agency:	ORER		
Topic:	Consultancies		
Hansard Page EC:	Written		

Senator Fisher asked:

1. How many consultancies were undertaken in 2007-08, 2008-09 and 2009-10?
2. How many consultancies have been undertaken this financial year to date? Identify the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement, and the method of procurement (ie. open tender, direct source, etc). Also include total value for all consultancies.
3. How many consultancies are planned for this calendar year? Have these been published in your Annual Procurement Plan (APP) on the AusTender website and if not why not? In each case please identify the subject matter, duration, cost and method of procurement as above, and the name of the consultant if known.

Answer:

1. As reported in the Office of the Renewable Energy Regulator's (ORER) Financial Annual Report for the financial year 2007-08, the ORER did not enter into any new consultancy contracts. The ORER had no other ongoing consultancy contracts during that period.

As reported in the ORER Financial Annual Report for the financial year 2008-09, the ORER did not enter into any new consultancy contracts. The ORER had no other ongoing consultancy contracts during that period.

There was one consultancy undertaken in the ORER for the 2009-10 financial year.

2. There have been four consultancies undertaken in the ORER for this financial year to date. The total value of the consultancies to date is \$161,585.10 (GST exclusive). The details of the consultancies are below:

Consultant name	Subject matter	Duration	Cost (GST exclusive)	Procurement method
Sinclair Knight Merz	Economic Analysis	November 2011 to February 2012	\$75,477.60	Open
ACIL Tasman	Economic Analysis	November 2011 to February 2012	\$53,607.50	Open
Green Energy Markets	Economic Analysis	November 2011 to February 2012	\$25,000.00	Open
HBA Consulting	Industrial relations	September 2011	\$7,500.00	Direct source

3. The ORER's current tenders are on the AusTender website.

The consulting services provided by HBA Consulting in the 2011-12 financial year were in relation to the preparation and management of ORER's 2011-14 Enterprise Agreement. The contract relating to this consultancy was signed in the 2010-11 financial year. However, this contract expired and was required to be extended.

The three consultancies provided by Sinclair Knight Merz, ACIL Tasman, and Green Energy markets have been published in the ORER's Annual Procurement Plan.

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Outcome:	1	Question No:	112
Program:	ORER		
Division/Agency:	ORER		
Topic:	Efficiency dividend		
Hansard Page EC:	Written		

Senator Fisher asked:

1. How will the efficiency dividend applied in the 2011-12 Mid-Year Economic and Fiscal Outlook be implemented in your agency/department?
2. What percentage of your budget must be cut?
3. Will any staff position be cut to meet the efficiency dividend? If yes, provide details of where the positions are located, the classification, whether the position is ongoing or not.
4. Please list where and what spending has been reduced to meet the efficiency dividend.

Answer:

1. The efficiency dividend has been implemented in the Office of the Renewable Energy Regulator (ORER) by way of a reduction to the ORER's departmental supplier expenses.
2. An overall efficiency dividend of 4 per cent was applied to departmental appropriations in 2012-13.

An overall efficiency dividend of 21.5 per cent was applied against the ORER's Departmental Capital Budget in 2012-13.
3. No staff positions will be cut to meet the efficiency dividend.
4. The reduction has been applied to departmental suppliers overall and not to any specific items.

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Outcome:	1	Question No:	113
Program:	ORER		
Division/Agency:	ORER		
Topic:	Efficiency dividend		
Hansard Page EC:	Written		

Senator Humphries asked:

1. What is the effect of the efficiency dividend increase from 1.5 percent to 4 percent on the ORER's budget bottom line during financial years 2012/13, 13/14, 14/15?
2. What percentage of the ORER's budget is designated to staffing?
3. What is the size of the ORER's staffing establishment? Include figures for FTE, PT, casual, contractors, and consultants.
4. What specific strategies will the ORER adopt to ensure continued operation within budget?
5. Will or has consideration been made to reducing staffing compliment including contractors, and consultants?

Answer:

1. The efficiency dividend will reduce the Office of the Renewable Energy Regulator's (ORER's) budget bottom line in 2012-13, 2013-14 and 2014-15.

As of 2 April 2012, the ORER will become a part of the Clean Energy Regulator (CER) and, as such, the ORER's forward years' budgets will be a component of the CER budget.

2. For the financial year 2011-12, expenditure on staffing is expected to constitute approximately 38 per cent of the ORER's budget.

3. The ORER's staffing establishment is as follows:

Staff Type	Number
Full time equivalent	44
Part time	4
Casual	0
Contractor	10
Consultant	0

4. The ORER has made changes to its internal budget to reduce its departmental supplier expenditure in order to operate within the budget.
5. Consideration has been given to reducing the ORER's contractor numbers. This will be revisited when operational needs allow a reduction in contractor numbers to occur.

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Outcome:	1	Question No:	114
Program:	ORER		
Division/Agency:	ORER		
Topic:	Advertising		
Hansard Page EC:	Written		

Senator Fisher asked:

1. What was the total cost of all advertising for 2007-08, 2008-09, 2009-10 and 2010-11?
2. For each of those years, list whether the advertising is campaign or non-campaign and details of each advertising, including the program the advertising was for, the total spend and the business that provided the advertising services.
3. Did the Department of Finance and Deregulation provide any advice about the advertising? Provide details of each advertising item.
4. Did the Advertising comply with the Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies? Provide the details for each advertising item.
5. Provide details for any other communications program, including details of the program, the total spend and the business that provided the communication services.
6. What advertising – Campaign and Non-Campaign – and other communications programs is the Department/Agency undertaking, or are planning to undertake?

Answer:

1. Total cost of advertising is as follows:

Financial Year	Total cost
2009-10	\$50,793.56
2010-11	\$3,310.52

The Office of the Renewable Energy Regulator (ORER) no longer has access to financial records prior to 2009-10 in a way that would readily allow answers to be provided to these questions. To attempt to provide this level of detail would involve an unreasonable diversion of resources.

2. The ORER has undertaken some non-campaign advertising for the purposes of recruitment of new staff and a small placement of advertisements for workshops.

2009-10

Purpose	Amount (GST exclusive)
Recruitment advertising	\$2,163.76
Workshop advertisement placement fee	\$48,629.80

2010-11

Purpose	Amount (GST exclusive)
Advertisement placement fee	\$2,495.92
Recruitment advertising	\$814.60

The ORER no longer has access to financial records prior to 2009-10 in a way that would readily allow answers to be provided to these questions. To attempt to provide this level of detail would involve an unreasonable diversion of resources.

3. The Department of Finance and Deregulation has not provided the ORER with any advice about advertising.
4. The recruitment advertising was not considered to be an advertising campaign when referenced against the Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies
5. No other communications programs have been undertaken by ORER.
6. The ORER has undertaken the following non-campaign advertising in the 2011-12 financial year to date:

Purpose	Amount (GST exclusive)
Recruitment advertising	\$758.50

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Outcome:	1	Question No:	115
Program:	ORER		
Division/Agency:	ORER		
Topic:	Hospitality and Entertainment		
Hansard Page EC:	Written		

Senator Fisher asked:

1. What is the ORER's hospitality spend for this financial year to date? Detail date, location, purpose and cost of all events.
2. What is the ORER's entertainment spend for this financial year to date? Detail date, location, purpose and cost of all events.
3. What hospitality spend is the ORER planning on spending? Detail date, location, purpose and cost of all events.
4. What entertainment spend is the Department/Agency's planning on spending? Detail date, location, purpose and cost of all events.

Answer:

1. The Office of the Renewable Energy Regulator's (ORER's) hospitality spend for the 2011-12 financial year to date is \$2,631.27 (GST exclusive).

The breakdown of hospitality is detailed below:

Date	Location	Purpose	Cost (GST exclusive)
July 2011	Canberra (onsite)	Stakeholder meeting and workshop for Great Plains software implementation	\$127.64
August 2011	Canberra (onsite)	Working lunch for in-house training day (in-house Excel training course)	\$295.36
August 2011	Canberra (onsite)	Working lunch for in-house training day (in-house Excel training course)	\$241.18
August 2011	Canberra (onsite)	Working lunch for in-house training day (in-house Excel training course)	\$257.09
August 2011	Canberra (offsite)	Working lunch to discuss ORER Corporate Plan (ORER management and service provider)	\$804.00
October 2011	Canberra (onsite)	Working lunch meeting with stakeholders (Potential service providers)	\$114.09
November 2011	Canberra (onsite)	All ORER staff workshop	\$705.91
February 2012	Canberra (onsite)	Stakeholder meeting (Great Plains Post Implementation Review)	\$86.00

No alcohol was provided at any of the above working lunches.

1. The ORER's entertainment spend for 2011-12 financial year to date is nil (\$0.00 GST exclusive).
2. The ORER's 2011-12 planned hospitality spend is \$2,700. The ORER intends to use this as it is needed.
3. The ORER's 2011-12 planned entertainment spend is \$1,000. The ORER intends to use this as it is needed.

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Outcome:	1	Question No:	116
Program:	1.1		
Division/Agency:	CSMD		
Topic:	Forestry – Biomass		
Hansard Page EC:	Written		

Senator Rhiannon asked:

1. What are the current guidelines for each federal government renewable energy program in relation to native forest biomass?
2. What is the definition used in each instance?

Answer:

The Department of Climate Change and Energy Efficiency in consultation with relevant departments has identified the following renewable energy initiatives that may involve native forest biomass:

- the Renewable Energy Target scheme administered by the Clean Energy Regulator;
- the Emerging Renewables Program administered by the Department of Resources, Energy and Tourism (DRET); and
- the Advanced Biofuels Investment Readiness Program also administered by DRET.

Renewable Energy Target (RET)

The RET scheme is designed to deliver on the Government's commitment that the equivalent of at least 20 per cent of Australia's electricity comes from renewable sources by 2020.

The RET scheme Regulations exclude biomass from native forests as an eligible renewable energy resource. This exclusion was announced as part of the Government's suite of new policies and initiatives under the Clean Energy Future Plan, and amending regulations to give effect to the announcement were put in place November 2011.

- Transitional arrangements have also been put in place to allow the original eligibility conditions to apply until 2020 for existing accredited power stations.

The RET Regulations define biomass and native forest as follows (*Renewable Energy (Electricity) Regulations 2001 Part 1, Regulation 3*):

biomass means organic matter other than fossilised biomass

native forest means a local indigenous plant community:

- (a) the dominant species of which are trees; and
- (b) containing throughout its growth the complement of native species and habitats normally associated with that forest type or having the potential to develop those characteristics; and
- (c) including a forest with those characteristics that has been regenerated with human assistance following disturbance; and
- (d) excluding a plantation of native species or previously logged native forest that has been regenerated with non-endemic native species.

Emerging Renewables Program (ERP)

The ERP provides support for the development of renewable energy and enabling technologies in Australia across the innovation chain and is administered by the Australian Centre for Renewable Energy.

Under the ERP, applicants must demonstrate that the feedstock that they are using is sustainable to qualify for a grant. If the biomass feedstock is not assessed as sustainable (including environmental considerations), the application will not be successful.

There is no specific reference to, or definition of, native forest biomass in the ERP guidelines.

Advanced Biofuels Investment Readiness (ABIR) Program

The ABIR Program offers grant funding to selected projects undertaking activities that build the investment case for significant and scalable pre-commercial demonstration projects for the production of high energy, drop-in advanced biofuels in Australia.

Under the ABIR Program, applicants must demonstrate that the feedstock they are using is sustainable to qualify for a grant.

There is no specific reference to, or definition of, native forest biomass in the ABIR Program guidelines.

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Outcome:	1	Question No:	117
Program:	ORER		
Division/Agency:	ORER		
Topic:	Freedom of Information		
Hansard Page EC:	Written		

Senator Fisher asked:

1. Has the ORER received any advice on how to respond to FOI requests?
2. What was the total cost to the ORER to process FOI requests for 2009-10 and 2010-11?
3. What is the total cost to the ORER to process FOI requests for this financial year to date?
4. How many FOI requests did the ORER receive for the financial year 2009-10 and 2010-11? For each financial year, how many requests were denied and how many were granted? Did the department fail to meet the processing times outlined in the FOI Act for any requests? If so, how many? Do any of these requests remain outstanding?
5. How many FOI requests has the ORER received for this financial year to date? How many requests have been denied and how many have been granted? Has the department failed to meet the processing times outlined in the FOI Act for any requests? If so, how many? Do any of these requests remain outstanding?
6. How many conclusive certificates have been issued in relation to FOI requests for this financial year to date?

Answer:

1. The Office of the Renewable Energy Regulator (ORER) has access to advice on handling Freedom of Information (FOI) requests under a Memorandum of Understanding with the Department of Climate Change and Energy Efficiency. The ORER draws on this advice on an 'as needs' basis.
2. There were no costs for FOI responses for 2009-10 and 2010-11 year.
3. There are no FOI costs for this financial year.
4. The ORER received one FOI request in the 2009-10 financial year, which was subsequently withdrawn. The ORER received two FOI requests in the 2010-11 financial year. Both of which were granted.

5. The ORER has received two FOI requests for this financial year to date with both being granted. The Agency met the processing times outlined in the FOI Act and no requests remain outstanding.
6. There have been no conclusive certificates issued in relation to FOI request's this financial year to date.

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Outcome:	1	Question No:	118
Program:	ORER		
Division/Agency:	ORER		
Topic:	Reviews		
Hansard Page EC:	Written		

Senator Fisher asked:

For this financial year to date:

1. How many Reviews are being undertaken?
2. What reviews have concluded, and for those that are still ongoing, when will those reviews be concluded?
3. Which of these reviews has been provided to Government?
4. When will the Government be responding to the respective reviews that have been completed?
5. What is the estimated cost of each of these Reviews?
6. What reviews are planned?
7. When will each of these reviews be concluded?

Answer:

No reviews have been undertaken this financial year in the Office of Renewable Energy Regulator.

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Outcome:	1	Question No:	119
Program:	ORER		
Division/Agency:	ORER		
Topic:	Media monitoring		
Hansard Page EC:	Written		

Senator Fisher asked:

1. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the ORER for 2007-08, 2008-09, 2009-10 and 2010-11
2. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the ORER for this financial year to date?
 - a. Which agency or agencies provided these services?
 - b. What is the estimated budget to provide this same services for the year 2011-12?
 - c. What has been spent providing these services this financial year to date?

Answer:

The Office of the Renewable Energy Regulator (ORER) does not have its own media monitoring services. The ORER's media monitoring services are supplied by the Department of Climate Change and Energy Efficiency.

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Outcome:	1	Question No:	120
Program:	ORER		
Division/Agency:	ORER		
Topic:	Social media		
Hansard Page EC:	Written		

Senator Fisher asked:

Have there been any changes to the ORER's social media protocols about staff access and usage of YouTube; online social media, such as Facebook, MySpace and Twitter; and access to online discussions forums and blogs since publication of the Australian Public Service Commission's Circular 2012/1: Revisions to the Commission's guidance on making public comment and participating online? If yes, please explain and provide copies of any advice that has been issue. If no, please explain why not.

Answer:

There have been no changes to the Office of the Renewable Energy Regulator's (ORER's) social media or protocols about staff access and usage of YouTube, online social media, including Facebook, MySpace and Twitter since publication of the Australian Public Service Commission's Circular 2012/1: Revisions to the Commission's Guidance on Making Public Comment and Participating Online. This also includes access to online discussions forums and blogs.

The ORER uses the restrictions on access to social media sites and online discussion forums and blogs as applied by the Department of Climate Change and Energy Efficiency.

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Answers to Questions on Notice

Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	121
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors		
Hansard Page EC:	Written		

Senator Humphries asked:

1. How many contractors are currently employed in the ORER?
2. How many contractors have been under contract for a period of more than 2 years?
3. How many contractors have been under contract for a period of more than 5 years?
4. How many contractors have been under contract for a period of more than 10 years?
5. Does the ORER make a habit of employing contractors to fill positions on a permanent basis?

Answer:

1. There are currently seven contractors employed in the Office of the Renewable Energy Regulator (ORER).
2. There is currently one contractor employed for a period of more than two years.
3. No contractors have been under contract for a period of more than 5 years.
4. No contractors have been under contract for a period of more than 10 years.
5. No. The ORER employs contractors based on skill set required and on a needs basis. The contractor mentioned in Part 2 is a specialist who has worked on a number of different projects during this period. These various projects are such that an ongoing ORER staff member is not required.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	122
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – Hawker Britton		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed Hawker Britton in any capacity or is it considering employing Hawker Britton? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing Hawker Britton.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	123
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – Shannon’s Way		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed Shannon’s Way in any capacity or is it considering employing Shannon’s Way? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing Shannon’s Way.

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Outcome:	1	Question No:	124
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – John Utting & UMR Research Group		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed John Utting & UMR Research Group in any capacity or is it considering employing John Utting & UMR Research Group? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has neither employed nor is considering employing John Utting and UMR Research Group at this point in time.

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Outcome:	1	Question No:	125
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors –McCann-Erickson		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed McCann-Erickson in any capacity or is it considering employing McCann-Erickson? If yes, provide details

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing McCann-Erickson.

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Outcome:	1	Question No:	126
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – Cutting Edge		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed Cutting Edge in any capacity or is it considering employing Cutting Edge? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing Cutting Edge.

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Outcome:	1	Question No:	127
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – Ikon Communications		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed Ikon Communications in any capacity or is it considering employing Ikon Communications? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing Ikon Communications.

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Outcome:	1	Question No:	128
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – CMAX Communications		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed CMAX Communications in any capacity or is it considering employing CMAX Communications? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing CMAX Communications.

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Outcome:	1	Question No:	129
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – Boston Consulting Group		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed Boston Consulting Group in any capacity or is it considering employing Boston Consulting Group? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing Boston Consulting Group.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	130
Program:	ORER		
Division/Agency:	ORER		
Topic:	Contractors – McKinsey & Company		
Hansard Page EC:	Written		

Senator Fisher asked:

Has the ORER ever employed McKinsey & Company in any capacity or is it considering employing McKinsey & Company? If yes, provide details.

Answer:

The Office of the Renewable Energy Regulator has not employed and is not considering employing McKinsey & Company.

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Outcome:	1	Question No:	131
Program:	ORER		
Division/Agency:	ORER		
Topic:	Discretionary Grants		
Hansard Page EC:	Written		

Senator Fisher asked:

1. Could the ORER provide a list of all discretionary grants, including ad hoc and one-off grants for this financial year to date? Please provide details of the recipients, the intended use of the grants and what locations have benefited from the grants.
2. Has the ORER complied with interim requirements relating to the publication of discretionary grants?

Answer:

The Office of the Renewable Energy Regulator does not provide grants.

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Answers to Questions on Notice

Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	132
Program:	ORER		
Division/Agency:	ORER		
Topic:	Government Payments of Accounts		
Hansard Page EC:	Written		

Senator Fisher asked:

1. For this financial year to date, has the ORER paid its accounts to contractors/consultants etc in accordance with Government policy in terms of time for payment (i.e.within 30 days)? If not, why not, and what has been the timeframe for payment of accounts? Please provide a breakdown, average statistics etc as appropriate to give insight into how this issue is being approached)
2. For accounts not paid within 30 days, is interest being paid on overdue amounts and if so how much has been paid by the ORER for the current financial year and the previous financial year?
3. Where interest is being paid, what rate of interest is being paid and how is this rate determined?

Answer:

1. There have been a small number of contractor/consultant invoices that have not been paid within the 30 day limit. This is primarily related to disputes or issues with work orders or the delivery of the goods and services as described. The Office of Renewable Energy Regulator (ORER) has paid the following percentage of its accounts within 30 days for the 2011-12 financial year to date:
 - Small business – 85.50 per cent.
 - Medium to large business – 82.67 per cent.
2. The ORER has not received any claims relating to interest applied to the late payment of invoices from businesses.
3. Not applicable.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	133
Program:	ORER		
Division/Agency:	ORER		
Topic:	Media Subscriptions		
Hansard Page EC:	Written		

Senator Fisher asked:

1. Does the ORER subscribe to pay TV (for example Foxtel)?
 - a. If yes, please provide the reason why, the cost and what channels.
 - b. What is the estimated cost for 2011-12?
 - c. What is the cost for this financial year to date?

2. Does the ORER subscribe to newspapers?
 - a. If yes, please provide the reason why, the cost and what newspapers.
 - b. What is the estimated cost for 2011-12?
 - c. What is the cost for this financial year to date?

3. Does the ORER subscribe to magazines?
 - a. If yes, please provide the reason why, the cost and what magazines.
 - b. What is the estimated cost for 2011-12?
 - c. What is the cost for this financial year to date?

Answer:

1. The Office of the Renewable Energy Regulator (ORER) does not subscribe to pay television.

2. The ORER subscribes to *The Australian Financial Review* and *The Australian* in order to keep abreast of developments in the renewable energy industry, and issues in the Renewable Energy Target and related mechanisms.

The cost for 2011-12 to date is \$786 (GST exclusive).

The estimated cost for 2011-12 is \$1,045.00 (GST exclusive).

3. The ORER subscribes to magazines in order to keep abreast of developments in the renewable energy industry, and issues in the RET and related mechanisms.

The ORER subscribed to the *APSJobs Subscription 2011-12* as published by the Australian Public Service Commission.

The cost for 2011-12 was \$1,069.42 (GST exclusive).

The estimated cost for 2011-12 is \$1,500.00 (GST exclusive).

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Climate Change and Energy Efficiency Portfolio

Outcome: 1 **Question No:** 134
Program: ORER
Division/Agency: ORER
Topic: Travel Costs
Hansard Page EC: Written

Senator Fisher asked:

1. For the financial year to date, please detail all travel (itemised separately) undertaken by employees of each department and agency within each portfolio. Include details of what the travel was for, what cost was spent on travel (including travel type – i.e. business airfare), accommodation, security, food, beverages (alcohol listed separately), gifts, entertainment, and all other expenses.
2. Are employees taking the most direct route when travelling? If not, please explain why.
3. Are lounge memberships provided to any employees? If yes, what lounge memberships, to how many employees and their classification, the reason for the provision of lounge membership and the cost per employee.
4. When SES employees travel, do any support or administrative staff (such as their Executive Assistant) travel with them? If yes, provide details of why such a staff member is needed and the costs of the support staff travel

Answer:

The Office of the Renewable Energy Regulator (ORER) does not record travel data in a way that would readily allow answers to be provided to these questions. To attempt to provide this level of detail would involve an unreasonable diversion of resources.

1. The ORER's travel expenditure for the financial year to date is \$148,434 (GST exclusive). The breakdown is detailed below:

Domestic airfares	\$59,558
Car hire/fuel	\$5,612
Cabcharge and parking	\$17,187
Domestic travel - meals/accommodation/incidentals	\$65,797
Domestic travel - non staff costs	\$121

Overseas airfares	-
Overseas travel - meals/accommodation/incidentals	-

2. The ORER's employees take the most direct route when travelling.
3. The ORER does not provide lounge memberships to any staff
4. Support/administrative staff do not travel with SES staff.

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Climate Change and Energy Efficiency Portfolio

Outcome: 1 **Question No:** 135
Program: ORER
Division/Agency: ORER
Topic: Legal Costs
Hansard Page EC: Written

Senator Fisher asked:

1. What sum did the ORER spend on legal services for this financial year to date within the ORER? Please provide a list of each service and costs.
2. What sum did the ORER spend on legal services this financial year to date from the Australian Government Solicitor? Please provide a list of each service and costs.
3. What sum did each ORER spend on legal services this financial year to date from private firms? Please provide a list of each service and costs.
4. What sum did the ORER spend on legal services this financial year to date from other sources? Please provide a list of each service and costs.

Answer:

1. The Office of the Renewable Energy Regulator (ORER) has spent \$166,108 (GST exclusive) in the financial year to date on legal services. The breakdown is below:

Legal Service	Cost
AAT review case	\$10,147
Contract advice	\$12,695
ORER investigation and compliance legal advice	\$140,294
SGU inspection legal advice	\$2,972
Total	\$166,108

2. The ORER spent \$153,413 (GST Exclusive) in the financial year to date on legal services from the Australian Government Solicitor.

Please refer to the breakdown of legal services below:

Legal Service	Cost
AAT review case	\$10,147
ORER Investigation & compliance legal advice	\$140,294
Small generation unit inspection legal advice	\$2,972
Total	\$153,413

3. The ORER spent \$12,695 (GST Exclusive) on legal services from Mallesons Stephen Jaques.

Please refer to the breakdown of legal services below:

Legal Service	Cost
Contract advice	\$12,695
Total	\$12,695

4. The ORER has not sourced/paid for legal services from any other sources.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	136
Program:	ORER		
Division/Agency:	ORER		
Topic:	Education expenses		
Hansard Page EC:	Written		

Senator Fisher asked:

For this financial year to date, detail all education expenses (i.e. in house courses and tertiary studies) for each portfolio department and agency. Include what type of course, the total cost, cost per participant, how many participants and the amount of study leave granted to each participant. Also include the reason for the study.

Answer:

The Office of the Renewable Energy Regulator's education expense for 2011-12 is \$6,500 (GST exclusive).

The details are as follows:

Bachelor of Communication (Honours) Creative Communication

- University of Canberra.
- One participant, total cost - \$500.
- Three and a half hours per week in study leave.

Advanced Diploma of Public Relations

- Canberra Institute of Technology.
- One participant, total cost - \$500.
- Three hours per week in study leave.

Certificate IV in Government

- Australian Forensics Services.
- Two participants, total cost \$5,500.
- Full time for two weeks in study leave.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	137
Program:	ORER		
Division/Agency:	ORER		
Topic:	Training – Executive Coaching and Leadership Training		
Hansard Page EC:	Written		

Senator Fisher asked:

In relation to executive coaching and/or other leadership training services purchased by the ORER, please provide the following information for this financial year to date:

1. Total spending on these services
2. The number of employees offered these services and their employment classification
3. The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted
4. The names of all service providers engaged.

For each service purchased from a provider listed under (4), please provide:

- a. The name and nature of the service purchased
- b. Whether the service is one-on-one or group based
- c. The number of employees who received the service and their employment classification
- d. The total number of hours involved for all employees
- e. The total amount spent on the service
- f. A description of the fees charged (i.e. per hour, complete package)

Where a service was provided at any location other than the ORER's own premises, please provide:

- i. The location used
- ii. The number of employees who took part on each occasion
- iii. The total number of hours involved for all employees who took part
- iv. Any costs the department or agency's incurred to use the location

Answer:

1. In the financial year to date, the Office of the Renewable Energy Regulator (ORER) has spent \$13,931.36 (GST exclusive) on leadership training courses.
2. These training services are made available to all EL2, EL1 and APS6 staff within the ORER. The staff numbers per classification are as follows:

Classification	Number of staff
EL2	5
EL1	12
APS6	6
TOTAL	23

3. Of the 23 employees, three employees utilised the training services. The employment classifications were EL2, EL1 and APS6. No study leave was approved for any of the three employees.
4. The service providers were:
 - Australian Institute of Company Directors;
 - Centre for Public Management; and
 - Magical Learning.
 - a. In reference to point 4 above, the services purchased were:
 - Australian Institute of Company Directors – “Company Directors Course”;
 - Centre for Public Management - “From Management to Leadership”; and
 - Magical Learning – “The Effective Supervisor”.

The nature of all of these services was training courses.
 - b. These services were all group based.
 - c. Three employees utilised these training services. The employment classifications were EL2, EL1 and APS6.
 - d. The total number of hours involved was 72 hours.
 - e. The ORER spent \$13,931.36 (GST exclusive).
 - f. The fees were for a complete package.

- i. The location for the services is as follows:
 - “Company Directors Course” – Canberra, Australian Capital Territory;
 - “From Management to Leadership” – Bowral, New South Wales; and
 - “The Effective Supervisor” – Canberra, Australian Capital Territory.
- ii. One employee participated in each training course.
- iii. The total number of hours involved was 72 hours.
- iv. The ORER did not incur any costs to use the locations involved.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	138
Program:	ORER		
Division/Agency:	ORER		
Topic:	Training - media		
Hansard Page EC:	Written		

Senator Fisher asked:

In relation to media training services purchased by the ORER, please provide the following information for this financial year to date:

1. Total spending on these services
2. The number of employees offered these services and their employment classification
3. The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted
4. The names of all service providers engaged.
For each service purchased from a provider listed under (4), please provide:
 - a. The name and nature of the service purchased
 - b. Whether the service is one-on-one or group based
 - c. The number of employees who received the service and their employment classification
 - d. The total number of hours involved for all employees
 - e. The total amount spent on the service
 - f. A description of the fees charged (i.e. per hour, complete package)

Where a service was provided at any location other than the ORER's own premises, please provide:

- i. The location used
- ii. The number of employees who took part on each occasion
- iii. The total number of hours involved for all employees who took part
- iv. Any costs the ORER incurred to use the location

Answer:

The Office of the Renewable Energy Regulator has not purchased any media training services in the financial year to date.

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Outcome:	1	Question No:	139
Program:	ORER		
Division/Agency:	ORER		
Topic:	Paid Parental Leave		
Hansard Page EC:	Written		

Senator Fisher asked:

1. Please list how many staff in the ORER are eligible to receive payments under the Government's Paid Parental Leave scheme?
2. Please list how many staff are in receipt of these payments.

Answer:

1. All Office of the Renewable Energy Regulator (ORER) staff members are eligible to receive payments under the Government's Paid Parental Leave scheme.
2. For the financial year to date, the ORER has provided one employee with payments under the Government's Paid Parental Leave scheme.

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Outcome:	1	Question No:	140
Program:	ORER		
Division/Agency:	ORER		
Topic:	Corporate Cars		
Hansard Page EC:	Written		

Senator Fisher asked:

1. How many cars are owned by the ORER?
2. Where is the car/s located?
3. What is the car/s used for?
4. What is the cost of each car for this financial year to date?
5. How far did each car travel this financial year to date?

Answer:

The Office of the Renewable Energy Regulator does not own any cars.

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Climate Change and Energy Efficiency Portfolio

Outcome:	1	Question No:	141
Program:	ORER		
Division/Agency:	ORER		
Topic:	Taxi Costs		
Hansard Page EC:	Written		

Senator Fisher asked:

How much did the ORER spend on taxis in 2007-08, 2008-09, 2009-10 and 2010-11? Provide a breakdown of each business group in the ORER.

How much did the ORER spend on taxis this financial year to date? Provide a breakdown of each business group in each department/agency.

Answer:

- a) The ORER spent \$27,569.85 (GST exclusive) on taxis in 2010-11 and \$14,922.26 (GST exclusive) on taxis in 2009-10.

The ORER is not able to provide information relating to taxis for financial years prior to 2009 nor can the ORER provide a breakdown by each business group as the agency does not record taxi data in a way that would readily allow answers provided to this question. To attempt to provide this level of detail and information prior to 2009 would involve an unreasonable diversion of agency resources.

- b) The ORER spent \$16,229.39 (GST exclusive) on taxis in the 2011-12 financial year to date.

The ORER is not able to provide a breakdown by each business group as the agency does not record taxi data in a way that would readily allow answers provided to this question. To attempt to provide this level of detail would involve an unreasonable diversion of agency resources.

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Climate Change and Energy Efficiency Portfolio

Outcome: 1 **Question No:** 142
Program: ORER
Division/Agency: ORER
Topic: Credit Cards
Hansard Page EC: Written

1. How many staff in the ORER have a corporate credit card? What is their classification?
2. What action is taken if the corporate credit card is misused?
3. How is corporate credit card use monitored?
4. What happens if misuse of a corporate credit card is discovered?
5. Have any instances of corporate credit card misuse have been discovered? List staff classification and what the misuse was, and the action taken.
6. What action is taken to prevent corporate credit card misuse?

Answer:

1. 19 Office of the Renewable Energy Regulator (ORER) staff members hold a corporate credit card.

Classification	Number of staff
EL2	6
EL1	6
APS 6	1
APS 5	4
APS 4	2

2. If the corporate credit card is misused intentionally, according to the ORER's internal policy documents it constitutes a breach of the *Financial Management and Accountability Act 1997* and may be subject to criminal penalties. This will be managed in accordance with the ORER's fraud guidelines.
3. Corporate credit card use is monitored through a monthly acquittal process. Cardholders are required to submit a monthly reconciliation with original tax invoices, approved records and statutory declaration if required for each payment on the corporate credit card within 10 working days of receiving their statement.
4. If misuse of the corporate credit card is discovered, according to the ORER's internal policy documents it is the responsibility of the cardholder to report it immediately to their manager and to the finance administrator. The finance administrator who is the issuing official at the ORER will contact the Department of Climate Change and Energy Efficiency as agreed in the Memorandum of Understanding and will request further investigation and endeavour to resolve it immediately.
5. No instances of corporate credit card misuse have been identified.
6. The ORER has internal controls in place and monitors them on a monthly basis.

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Climate Change and Energy Efficiency Portfolio

Outcome: 1 **Question No:** 143
Program: ORER
Division/Agency: ORER
Topic: Provision of equipment
Hansard Page EC: Written

Senator Fisher asked:

What electronic equipment is provided to the ORER staff? Please list what the equipment is, the cost, the classification of the staff receiving the equipment and the reason why.

Answer:

The Office of the Renewable Energy Regulator (ORER) staff are provided with the following electronic equipment:

Equipment	Cost	Staff Classification	Reason
Desktop computer	\$3,200 per unit	3 x EL2 12 x EL1 6 x APS6 13 x APS5 11 x APS4 2 x APS3	Provided to staff to allow the performance of normal work duties.
Laptop computer	Please refer to paragraph below.	1 x PEO 2 x EL2	Provided in place of desktop computer to perform normal work duties and to allow work from home.
Desk phone	Please refer to paragraph below.	1 x PEO 5 x EL2 12 x EL1 6 x APS6 13 x APS5 11 x APS4 2 x APS3	Provided to staff to allow the performance of normal work duties.
Blackberry	Please refer to paragraph below.	1 x PEO 3 x EL2	Provided to enable mobile contact to senior staff and managers, and access to emails when out of the office.

Equipment	Cost	Staff Classification	Reason
iPhone	\$380 per unit	3 x EL2	Provided to enable mobile contact to senior staff and managers, and access to emails when out of the office.
Mobile phone	\$250 per unit	2 x EL1 2 x APS6	Provided to enable mobile contact for managers and Inspections staff.
Printer	\$1,100 per unit	1 x PEO 2 x EL2	Provided to enable ORER Executive printing of confidential documents.
Label printer	\$110 per unit	4 x APS5	Provided to staff to allow the performance of normal work duties.

The ORER is provided items of electronic equipment (that is, desk telephones, laptop computers, multi-function devices and fax machines) under a Memorandum of Understanding (MOU) with the Department of Climate Change and Energy Efficiency. The ORER is charged a fee for the use of these items under the MOU.

The MOU fees are charged and recorded in a way that would not readily allow answers to be provided to these questions. To attempt to provide this level of detail would involve an unreasonable diversion of resources.