

DRAFT LEGISLATION

The following legislative text provides the statutory mechanisms required to enact, implement, and enforce the Australian Battery Transparency Standard framework across the Commonwealth.

Draft Bill Cover Page

2025–2026

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Clean Energy Regulator Amendment (Battery Transparency) Bill 2026

A Bill for an Act to amend the Clean Energy Regulator Act 2011, the Renewable Energy (Electricity) Act 2000, and for related purposes, to establish a mandatory framework for safety and performance disclosure for battery energy storage systems.

Section 1: Short Title

This Act may be cited as the *Clean Energy Regulator Amendment (Battery Transparency) Act 2026*.

Section 2: Commencement

1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table commence on the day this Act receives the Royal Assent.
2. Schedule 1 and Schedule 2 commence on a day to be fixed by Proclamation, not later than 6 months after the day this Act receives the Royal Assent.

Section 3: Schedules

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments to the Clean Energy Regulator Act 2011

Item 1: After Part 2

Insert:

Part 2A—The Australian Battery Transparency Standard Framework

Section 18A: Definitions

In this Part:

- **ABTS** means the Australian Battery Transparency Standard as set out in the regulations and aligned with *AS/NZS ABTS:2026*.
- **Battery Energy Storage System (BESS)** means a stationary electrochemical storage apparatus with an operational capacity between 1 kWh and 1 GWh.
- **Compliant Battery Transparency Label** means the physical and digital warning, performance, and disclosure matrix specified in Section 18C.
- **Prohibited Representation** means any point-of-sale or marketing literature that states nominal or electrical capacity without equal, contiguous prominence of the certified ABTS degradation metric.

Section 18B: Prohibition on Supply or Installation of Non-Compliant Systems

1. A constitutional corporation must not, in trade or commerce, import, manufacture, sell, offer for sale, or install a Battery Energy Storage System unless:
 - The BESS has been type-tested by a NATA-accredited test laboratory under the conditions specified in *AS/NZS ABTS:2026*;
 - A valid Compliant Battery Transparency Label is permanently adhered to the exterior of the BESS enclosure; and
 - All technical specifications have been submitted to, and registered upon, the Clean Energy Regulator National Battery Registry.

Section 18C: Civil Penalty Provisions

1. A person contravenes this subsection if the person supplies, advertises, or installs a BESS that does not comply with the requirements set out in Section 18B.
2. Civil penalty for a breach of subsection (1):
 - (a) For a body corporate—10,000 penalty units (\$3,130,000 AUD based on 2026 values).
 - (b) For an individual—2,000 penalty units (\$626,000 AUD based on 2026 values).

Section 18D: Rule-Making Powers

The Minister may, by legislative instrument, make rules prescribing matters:

- (a) Required or permitted by this Part to be prescribed; or
- (b) Necessary or convenient to be prescribed for carrying out or giving effect to this Part.