2011/363

Climate Change (Other Removal Activities) Amendment Regulations 2011

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 10th day of October 2011

Present:
His Excellency the Governor-General in Council

Pursuant to sections 163 and 168 of the Climate Change Response Act 2002, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Climate Change Issues (having had regard to the matter specified in section 163(5) of that Act), makes the following regulations.

Contents

		Page
1	Title	2
2	Commencement	2
3	Application	2
4	Principal regulations amended	2
5	Interpretation	2
6	New heading and regulation 4 substituted	2
	Thresholds for embedding activities	
	4 Thresholds for embedding activities	2

7 Application of regulations 6 and 7 3
8 New heading and regulations 7A to 7C inserted 3
Exporting LPG
7A Application of regulations 7B and 7C 3
7B Collection of information for purpose of calculating removals from exporting LPG 3
7C Method of calculating removals by exporting LPG 4

Regulations

1 Title
These regulations are the Climate Change (Other Removal Activities) Amendment Regulations 2011.

2 Commencement
These regulations come into force on 1 February 2012.

3 Application
These regulations apply on and from 1 January 2011.

4 Principal regulations amended
These regulations amend the Climate Change (Other Removal Activities) Regulations 2009.

5 Interpretation
Regulation 3(1) is amended by inserting the following definition in its appropriate alphabetical order:

"**LPG** means liquefied petroleum gas".

6 New heading and regulation 4 substituted
The heading above regulation 4 and regulation 4 are revoked and the following heading and regulation substituted:

"*Thresholds for embedding activities*

"**4 Thresholds for embedding activities**
The threshold for the embedding activity of—

"(a) producing methanol is that the embedding of methanol results in at least 5 000 tonnes of removals in a year:

"(b) exporting LPG is that the embedding of LPG results in at least 300 tonnes of removals in a year."

7 Application of regulations 6 and 7

Regulation 5(a) is amended by omitting "the embedding" and substituting "an embedding".

8 New heading and regulations 7A to 7C inserted

The following heading and regulations are inserted after regulation 7:

"*Exporting LPG*

"**7A Application of regulations 7B and 7C**

A person must comply with regulations 7B and 7C if—

"(a) the person, in any year, is a participant under section 54(1)(b) of the Act in relation to an embedding activity; and

"(b) the embedding activity carried out by the person is exporting LPG; and

"(c) the LPG is included in any information that a person is required to collect and record under regulation 16 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.

"**7B Collection of information for purpose of calculating removals from exporting LPG**

Information must be collected about—

"(a) the total number of tonnes of LPG exported by the person in the year; and

"(b) if the person wishes to submit a return for a period other than a year under section 66 of the Act, the total number of tonnes of LPG exported by the person in the other period.

"**7C Method of calculating removals by exporting LPG**

Removals in relation to LPG exported by the person in the year or other period covered by an emissions return must be calculated in accordance with the following formula:

$$R = A \times 3.003$$

where—

A is the total number of tonnes of LPG exported by the person in the year or other period covered by the emissions return, as recorded under regulation 7B

R is the removals in tonnes from the exportation of LPG for the year or other period covered by the emissions return.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 February 2012 but apply on and from 1 January 2011, amend the Climate Change (Other Removal Activities) Regulations 2009. The amendments provide for the calculation of removals with respect to the embedding activity of exporting LPG.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 13 October 2011.
These regulations are administered by the Ministry for the Environment.

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2011