2012/400

Climate Change (Other Removal Activities) Amendment Regulations 2012

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 10th day of December 2012

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 makes the following regulations, acting—

(a) on the advice and with the consent of the Executive Council; and

(b) on the recommendation of the Minister for Climate Change Issues made in accordance with the requirements of that Act.

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Regulations

1 Title

These regulations are the Climate Change (Other Removal Activities) Amendment Regulations 2012.

2 Commencement and application

(1) Regulations 4 and 9 come into force on 1 January 2013.

(2) The rest of these regulations come into force on 1 April 2013.

3 Principal regulations

These regulations amend the Climate Change (Other Removal Activities) Regulations 2009 (the **principal regulations**).

4 Regulation 8 amended (Threshold for exporting synthetic greenhouse gases activity)

Revoke regulation 8(1)(c).

5 Regulation 11 amended (Collection of information for calculating removals from exporting bulk synthetic greenhouse gases)

Revoke regulation 11(2).

6 Regulation 13 amended (Collection of information for purpose of calculating removals from exporting synthetic greenhouse gases in pre-charged equipment)

Revoke regulation 13(2).

7 Regulation 15 amended (Collection of information for purpose of calculating removals from exporting synthetic greenhouse gases in motor vehicles)

Revoke regulation 15(4).

8 New regulation 9A inserted (Collection of information in relation to synthetic greenhouse gases for period in calendar year 2013)

After regulation 9, insert:

"**9A Collection of information in relation to synthetic greenhouse gases for period in calendar year 2013**

If the person is required to collect and record information under regulations 11, 13, and 15 in the year beginning on 1 January 2013 and ending with the close of 31 December 2013, the information must relate to that period."

9 New regulation 22 and cross-heading inserted

After regulation 21, insert:

"Criteria for registering as participant in relation to hydrofluorocarbons and perfluorocarbons removal activity

"22 Criteria for registering as participant in relation to hydrofluorocarbon and perfluorocarbon removal activity

A person who exports or destroys hydrofluorocarbons or perfluorocarbons may register as a participant in relation to an activity listed in subpart 3 of Part 2 of Schedule 4 of the Act if—

"(a) the person is the manager of a product stewardship scheme accredited under the Waste Minimisation Act 2008; or

"(b) the hydrofluorocarbon or perfluorocarbon that is the subject of the activity or goods that contain the hydrofluorocarbon or perfluorocarbon that is the subject of the activity were imported on or after 1 January 2013."

10 Schedule amended

In the Schedule, replace tables 1 and 2 with the tables 1 and 2 set out in the Schedule of these regulations.

Schedule

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Tables 1 and 2 in Schedule replaced

Table 1
Figures for synthetic greenhouse gases

Gas	Chemical formula	GWP figure
Hydrofluorocarbons		
HFC-23	CHF_3	14 800
HFC-32	CH_2F_2	675
HFC-41	CH_3F	92
HFC-125	CHF_2CF_3	3 500
HFC-134	CHF_2CHF_2	1 100
HFC-134a	CH_2FCF_3	1 430

Table 1—*continued*

Gas	Chemical formula	GWP figure
HFC-143	CH_2FCHF_2	353
HFC-143a	CH_3CF_3	4 470
HFC-152	CH_2FCH_2F	53
HFC-152a	CH_3CHF_2	124
HFC-161	CH_3CH_2F	12
HFC-227ea	CF_3CHFCF_3	3 220
HFC-236cb	$CH_2FCF_2CF_3$	1 340
HFC-236ea	CHF_2CHFCF_3	1 370
HFC-236fa	$CF_3CH_2CF_3$	9 810
HFC-245ca	$CH_2FCF_2CHF_2$	693
HFC-245fa	$CHF_2CH_2CF_3$	1 030
HFC-365mfc	$CH_3CF_2CH_2CF_3$	794
HFC-43-10mee	$CF_3CHFCHFCF_2CF_3$	1 640
Perfluorocarbons		
PFC-14 (perfluoromethane)	CF_4	7 390
PFC-116 (perfluoroethane)	C_2F_6	12 200
PFC-218 (perfluoropropane)	C_3F_8	8 830
PFC-318 (perfluorocyclobutane)	c-C_4F_8	10 300
PFC-3-1-10 (perfluorobutane)	C_4F_{10}	8 860
PFC-4-1-12 (perfluoropentane)	C_5F_{12}	9 160
PFC-5-1-14 (perfluorohexane)	C_6F_{14}	9 300
PFC-9-1-18	$C_{10}F_{18}$	7 500

Table 2
GWP figures for classes of hydrofluorocarbons or perfluorocarbons

Class	Type of hydrofluorocarbon						Type of perfluo-rocarbon	Other gas	GWP figure for class
	HFC-23	**HFC-32**	**HFC-125**	**HFC-134a**	**HFC-143a**	**HFC-152a**	**PFC-218**		
GWP	*14 800*	*675*	*3 500*	*1 430*	*4 470*	*124*	*8 830*	*0*	
R23	100%								14 800
R134a				100%					1 430
R403B: 5% R290, 56% R22, 39% R218							39%	61%	3 440
R404A: 44% R125, 52% R143a, 4% R134a			44%	4%	52%				3 920
R407C: 23% R32, 25% R125, 52% R134a		23%	25%	52%					1 770
R408A: 7% R125, 46% R143a, 47% R22			7%		46%			47%	2 300
R410A: 50% R32, 50% R125		50%	50%						2 090
R413A: 9% R218, 88% R134a, 3% R600a				88%			9%	3%	2 050
R416A: 59% R134a, 39.5% R124, 1.5% R600				59%				41%	840
R417A: 46.6% R125, 50% R134a, 3.4% R600			46.6%	50%				3.4%	2 350

Table 2—*continued*

Class	Type of hydrofluorocarbon						Type of perfluorocarbon	Other gas	GWP figure for class
	HFC-23	**HFC-32**	**HFC-125**	**HFC-134a**	**HFC-143a**	**HFC-152a**	**PFC-218**		
GWP	*14 800*	*675*	*3 500*	*1 430*	*4 470*	*124*	*8 830*	*0*	
R422A: 85.1% R125, 11.5% R134a, 3.4% R600a			85.1%	11.5%				3.4%	3 140
R507A: 50% R125, 50% R143a			50%		50%				3 980

Michael Webster,
for 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 amend the Climate Change (Other Removal Activities) Regulations 2009 (the **principal regulations**). *Regulations 4 and 9* of these regulations come into force on 1 January 2013. The rest of the regulations come into force on 1 April 2013.

Regulations 4 to 7 revoke provisions of regulations 8, 11, 13, and 15 of the principal regulations to reflect the removal of the exemption for HFC-245fa and HFC-365mfc effected by the Climate Change (General Exemptions) Amendment Order (No 2) 2012. The amendments to regulations 11, 13, and 15 mean that a participant in relation to some synthetic greenhouse gas removal activities will have to collect and record information about HFC245fa and HFC-365mfc. *Regulation 8* inserts *new regulation 9A*, which provides that, in the first year in which the person is required to collect and record information under regulations 11, 13, and 15, the information must relate to the period beginning on 1 January 2013 and ending with the close of 31 December 2013.

Regulation 9 inserts *new regulation 22*, which prescribes criteria for registering as a participant in relation to hydrofluorocarbon and perfluorocarbon removal activity. *Regulation 10* replaces tables 1 and 2 in the Schedule of the principal regulations to update the global warming potential figures for synthetic greenhouse gases in line with the figures in the Intergovernmental Panel on Climate Change's Fourth Assessment Report.

Issued under the authority of the Acts and Regulations Publication Act 1989.
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These regulations are administered by the Ministry for the Environment.

Wellington, New Zealand:
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