



Climate Change Response (Removal of Transitional Measure) Amendment Act 2016

Public Act 2016 No 24
Date of assent 30 May 2016
Commencement see section 2

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The Parliament of New Zealand enacts as follows:**1 Title**

This Act is the Climate Change Response (Removal of Transitional Measure) Amendment Act 2016.

2 Commencement

- (1) This Act comes into force on 1 January 2017.
- (2) However, Part 2 comes into force on 1 January 2019.

3 Principal Act

This Act amends the Climate Change Response Act 2002 (the **principal Act**).

Part 1

Main amendments

4 Section 63A amended (Modification of liability to surrender units to cover certain emissions)

Replace section 63A(2) with:

- (2) Despite anything in this Act, a person to whom this section applies is liable to surrender, and may surrender, only the following for emissions from the activity:
 - (a) for the period ending on 31 December 2016, 1 unit for each 2 whole tonnes of emissions:
 - (b) for the year starting on 1 January 2017, 1 unit for each 1.5 whole tonnes of emissions:
 - (c) for the year starting on 1 January 2018, 1 unit for each 1.2 whole tonnes of emissions.
- (3) This section is repealed on 1 January 2019.

5 Section 64A amended (Modification of entitlement to receive New Zealand units for removal activities)

Replace section 64A(2) with:

- (2) Despite section 64, a participant to whom this section applies is entitled to receive only the following for removals from the activity:
 - (a) for the period ending on 31 December 2016, 1 New Zealand unit for each 2 whole tonnes of removals:
 - (b) for the year starting on 1 January 2017, 1 New Zealand unit for each 1.5 whole tonnes of removals:
 - (c) for the year starting on 1 January 2018, 1 New Zealand unit for each 1.2 whole tonnes of removals.

- (3) This section is repealed on 1 January 2019.
- 6 Section 84A amended (Temporary suspension of allocation entitlement for eligible industrial activities)**
Replace section 84A(3) to (5) with:
- (3) Despite anything in this Act, an eligible person who carries out an eligible industrial activity is entitled to be allocated, in respect of an application made under section 86, only the following:
- (a) for the period starting on 1 January 2013 and ending on 31 December 2016, one-half of the person's allocation entitlement:
 - (b) for the year starting on 1 January 2017, two-thirds of the person's allocation entitlement:
 - (c) for the year starting on 1 January 2018, five-sixths of the person's allocation entitlement.
- (4) This section is repealed on 1 January 2019.
- 7 Section 85B repealed (Temporary suspension of allocation entitlement for eligible agricultural activities)**
Repeal section 85B.
- 8 Section 235 amended (Temporary suspension of levy set by section 233)**
- (1) Replace section 235(2) with:
- (2) Despite anything in section 233, the operation of that section is suspended for the period starting on 1 January 2013 and ending on 31 December 2018.
- (2) In section 235(4), formula, replace "0.5" with "C".
- (3) In section 235(4), after paragraph (a), insert:
- (aa) item C means—
 - (i) one-half, for the period starting on 1 January 2013 and ending on 31 December 2016:
 - (ii) two-thirds, for the levy year starting on 1 January 2017:
 - (iii) five-sixths, for the levy year starting on 1 January 2018; and
- (4) Replace section 235(5) to (7) with:
- (5) This section is repealed on 1 January 2019.

Part 2

Consequential amendments

- 9 Consequential amendments to principal Act**
Amend the principal Act as set out in the Schedule.

Schedule

Consequential amendments to principal Act (on 1 January 2019)

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Section 2A

In section 2A(1)(b), delete “and 63A, 64A,”.

Section 236

In section 236(1), delete “or 235(4) (as applicable)”.

In section 236(4), replace “sections 233 and 235” with “section 233”.

Section 237

In section 237, delete “or 235”.

Section 238

Repeal section 238.

Section 239

Repeal section 239(2).

Legislative history

26 May 2016

Introduction (Bill 136–1), first reading, second reading,
committee of the whole House, third reading

30 May 2016

Royal assent

This Act is administered by the Ministry for the Environment.