



Climate Change (Animals–Farmer Activities) Order 2023

Rt Hon Dame Helen Winkelmann, Administrator of the Government

Order in Council

At Wellington this 2nd day of October 2023

Present:

Her Excellency the Administrator of the Government in Council

This order is made under section 2A(5D)(a) of the Climate Change Response Act 2002—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Climate Change made after complying with the requirements of sections 2B and 3A(b)(i) of that Act.

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Order

1 Title

This order is the Climate Change (Animals–Farmer Activities) Order 2023.

2 Commencement

This order comes into force on 2 November 2023.

3 Interpretation

In this order, unless the context otherwise requires, **Act** means the Climate Change Response Act 2002.

4 Deferral of application of subpart 4 of Part 5 of Schedule 3 of Act to 1 January 2026

Subpart 4 of Part 5 of Schedule 3 of the Act (which relates to animals–farmer activities) applies on and after 1 January 2026.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 2 November 2023, provides that subpart 4 of Part 5 of Schedule 3 of the Climate Change Response Act 2002 (the **Act**) applies on and after 1 January 2026.

Schedule 3 of the Act prescribes activities with respect to which persons must be participants in the emissions trading scheme. Subpart 4 of Part 5 of that schedule relates to animals–farmer activities (namely, farming, raising, growing, or keeping ruminant animals, pigs, horses, or poultry for reward or trade).

The application is affected by section 219 of the Act. Under section 219, a person is not liable under the Act to surrender units for their emissions in the first year in which subpart 4 of Part 5 of Schedule 3 of the Act applies.

The effect of this order is to make the first year start on 1 January 2026 (rather than on 1 January 2024). This means that units will need to be surrendered for animals–farmer activities from 1 January 2027.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 5 October 2023.

This order is administered by the Ministry for the Environment.