



Climate Change (General Exemptions) Amendment Order 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 23rd day of September 2019

Present:

Her Excellency the Governor-General in Council

This order is made under section 60 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 for Climate Change made after complying with the requirements of that section.

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Order

1 Title

This order is the Climate Change (General Exemptions) Amendment Order 2019.

2 Commencement

This order comes into force on 1 January 2020.

3 Principal order

This order amends the Climate Change (General Exemptions) Order 2009 (the **principal order**).

4 New clause 12B inserted (Exemption for activity of importing coal in products that do not release carbon dioxide)

Before clause 13, insert:

12B Exemption for activity of importing coal in products that do not release carbon dioxide

A person who is carrying out the activity of importing coal listed in Part 3 of Schedule 3 of the Act is exempt as a participant in respect of the part of the activity that concerns the importing of coal contained in products that are imported for a use that does not release carbon dioxide through combustion or reductant reactions.

5 New clause 17A inserted (Exemption for activity of importing hydrofluorocarbons or perfluorocarbons)

After clause 17, insert:

17A Exemption for activity of importing hydrofluorocarbons or perfluorocarbons

A person who carries out the activity of importing hydrofluorocarbons or perfluorocarbons listed in subpart 2 of Part 4 of Schedule 3 of the Act is exempt as a participant in respect of the activity if the hydrofluorocarbons or perfluorocarbons are sold to be used in servicing refrigeration systems of shipping containers that are intended to be exported.

Michael Webster,
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 1 January 2020, amends the Climate Change (General Exemptions) Order 2009 (the **principal order**). This order adds the following to the principal order:

- an exemption for importing coal-based products that do not release carbon dioxide through combustion or reductant reactions during use; and
- an exemption for importing hydrofluorocarbons and perfluorocarbons that are sold to be used in servicing the refrigeration systems of shipping containers that will be exported.

Regulatory impact assessment

The Ministry for the Environment produced regulatory impact assessments on 15 August 2019 to help inform the decisions taken by the Government relating to the contents of this instrument.

Copies of these regulatory impact assessments can be found at—

- <https://www.mfe.govt.nz/regulatory-impact-statements/nzets-regulation-updates-2019-import-obligations-coal-based-products>
- <https://www.mfe.govt.nz/regulatory-impact-statements/nzets-regulation-updates-2019-synthetic-greenhouse-gases-refrigerated-shipping-containers>
- <http://www.treasury.govt.nz/publications/informationreleases/ria>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 26 September 2019.

This order is administered by the Ministry for the Environment.