

Version
as at 1 January 2023



Climate Change (The New Zealand Refining Company Limited) Exemption Order 2009

(SR 2009/372)

Climate Change (The New Zealand Refining Company Limited) Exemption Order 2009: expired, on the close of 31 December 2022, by clause 3(1).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 30th day of November 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 60 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 made after complying with the requirements of that section, makes the following order.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Ministry of Business, Innovation, and Employment.

5 Exemption 2

Order

1 Title

This order is the Climate Change (The New Zealand Refining Company Limited) Exemption Order 2009.

2 Commencement

This order comes into force on 31 December 2009.

3 Expiry

- (1) This order expires on the close of 31 December 2022.
- (2) Despite subclause (1), if the Agreement is terminated before the close of 31 December 2022, this order expires on the day after the date on which the Agreement is terminated.

4 Interpretation

In this order, unless the context otherwise requires,—

Act means the Climate Change Response Act 2002

Agreement means the Negotiated Greenhouse Agreement between the Crown and The New Zealand Refining Company Limited dated 24 April 2003.

5 Exemption

In relation to the Refinery Business specified in the Agreement, The New Zealand Refining Company Limited is exempt from being a participant under the Act in respect of the activity of refining petroleum listed in Part 3 of Schedule 3 of the Act.

Rebecca Kitteridge,
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 31 December 2009 and expires on 31 December 2022 (or on the day after the date the Negotiated Greenhouse Agreement between the Crown and The New Zealand Refining Company Limited is terminated if terminated before 31 December 2022), provides that The New Zealand Refining Company Limited is, in relation to the Refinery Business specified in the Agreement, exempt

from being a participant under the Act in respect of the activity of refining petroleum listed in Part 3 of Schedule 3 of the Climate Change Response Act 2002.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 3 December 2009.

Notes

1 *General*

This is a consolidation of the Climate Change (The New Zealand Refining Company Limited) Exemption Order 2009 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Climate Change (The New Zealand Refining Company Limited) Exemption Order 2009 (SR 2009/372): clause 3(1)