



Climate Change (General Exemptions) Amendment Order (No 2) 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 9th day of September 2013

Present:

The Right Hon John Key presiding in Council

Pursuant to section 60 of the Climate Change Response Act 2002, His Excellency the Governor-General makes the following order, 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 after complying with the requirements in that section.

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Order

1 Title

This order is the Climate Change (General Exemptions) Amendment Order (No 2) 2013.

2 Commencement

- (1) Clauses 5 and 6(1) and (3) come into force on 10 October 2013.
- (2) The rest of this order comes into force on 1 January 2014.

3 Principal order

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

4 New clause 6A inserted (Exemption for activity of using specified liquid hydrocarbons)

After clause 6, insert:

“6A Exemption for activity of using specified liquid hydrocarbons

- “(1) A person who carries out the activity (listed in subpart 2 of Part 3 of Schedule 3 of the Act) of using specified liquid hydrocarbons is exempt as a participant in respect of the activity if the person uses specified liquid hydrocarbons at a level that does not exceed the threshold for the activity set out in Schedule 1.
- “(2) In subclause (1), **specified liquid hydrocarbons** means the liquid hydrocarbons described in subpart 2 of Part 3 of Schedule 3 of the Act, being crude oil or other liquid hydrocarbons (other than obligation fuel or any used as specified in the rest of that Part 3).”

5 New clause 6B inserted (Exemption for activity of producing iron or steel)

Before clause 7, insert:

“6B Exemption for activity of producing iron or steel

A person who carries out the activity of producing iron or steel (listed in subpart 1 of Part 4 of Schedule 3 of the Act) is exempt as a participant in respect of the activity if the amount of the carbon in the materials the person adds to metal for the purpose of producing iron or steel does not exceed the threshold for the activity set out in Schedule 1.”

6 Schedule 1 amended

(1) In the Schedule 1 heading, replace “cls 4–8, 11, 13” with “cls 4–8, 10, 11, 13, 17”.

(2) In Schedule 1, after the item relating to clause 6, insert:

cl 6A	Using specified liquid hydrocarbons	1 500 tonnes of specified liquid hydrocarbons per annum
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(3) In Schedule 1, before the item relating to clause 7, insert:

cl 6B	Producing iron or steel	100 tonnes of carbon per annum
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Martin Bell,
for 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 amends the Climate Change (General Exemptions) Order 2009. *Clauses 5 and 6(1) and (3)* come into force on 10 October 2013, while the rest of the order comes into force on 1 January 2014. The effect of the amendments is to—

- set an exemption for the activity of using specified liquid hydrocarbons, as described by subpart 2 of Part 3 of Schedule 3

of the Climate Change Response Act 2002 (the **Act**). The exemption applies if a person who carries out that activity does not exceed a threshold of using 1 500 tonnes per annum of specified liquid hydrocarbons:

- set an exemption for the activity of producing iron or steel, as described by subpart 1 of Part 4 of Schedule 3 of the Act. The exemption applies if a person who carries out the activity does not exceed a threshold of 100 tonnes per annum of carbon contained in materials added to metals for the purpose of producing iron or steel.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 12 September 2013.
This order is administered by the Ministry for the Environment.
