



Climate Change (Stationary Energy and Industrial Processes) Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 21st day of August 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 163 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 Issues made in accordance with sections 3A, 163, and 166 of that Act.

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Regulations

1 Title

These regulations are the Climate Change (Stationary Energy and Industrial Processes) Amendment Regulations 2017.

2 Commencement

These regulations come into force on 1 January 2018.

3 Principal regulations

These regulations amend the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009 (the **principal regulations**).

4 Regulation 44G amended (Application of regulations 44H to 44N)

(1) In the heading to regulation 44G, replace “44N” with “44J”.

(2) In regulation 44G, replace “44N” with “44J”.

5 New regulation 44GA inserted (Meaning of bulk in regulations 44H to 44J)

After regulation 44G, insert:

44GA Meaning of bulk in regulations 44H to 44J

In regulations 44H to 44J, **bulk**, in relation to a hydrofluorocarbon or perfluorocarbon,—

- (a) means a hydrofluorocarbon or perfluorocarbon that is acquired in a non-processed form, whether—
 - (i) alone or in a mixture; or
 - (ii) recovered, cleaned, or reclaimed; but
- (b) excludes a hydrofluorocarbon or perfluorocarbon that is in a manufactured product other than a container used for the transportation or storage of the gas.

6 Schedule 2 amended

In Schedule 2, replace table 10 with:

Class	Emissions factor	Unit
Cheal	57.06	tCO ₂ e/TJ
Kapuni	53.40	tCO ₂ e/TJ
Kapuni LTS	85.58	tCO ₂ e/TJ
Kowhai	53.55	tCO ₂ e/TJ
Kupe	54.73	tCO ₂ e/TJ

Class	Emissions factor	Unit
Maari	53.48	tCO ₂ e/TJ
McKee	54.51	tCO ₂ e/TJ
Mangahewa	54.50	tCO ₂ e/TJ
Maui	52.36	tCO ₂ e/TJ
Ngatoro–Kaimiro	54.59	tCO ₂ e/TJ
Pohokura	54.71	tCO ₂ e/TJ
Rimū/Kauri	52.03	tCO ₂ e/TJ
Sidewinder	53.41	tCO ₂ e/TJ
Turangi	55.02	tCO ₂ e/TJ
National average	53.87	tCO ₂ e/TJ

7 Schedule 2A amended

- (1) In the Schedule 2A heading, delete “44L, 44N.”.
- (2) In Schedule 2A, table 2, after the item relating to R422A, insert:

Class	HFC-32	HFC-125	HFC-134a	Other gas	GWP figure for class
R448A	26%	26%	21%	27%	1273
R449A	24%	25%	26%	25%	1397

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 January 2018, amend the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.

Regulations 4 and 7(1) remove references to previously revoked regulations.

Regulation 5 inserts a definition to clarify the meaning of the term bulk when it is used in relation to importing hydrofluorocarbons or perfluorocarbons.

Regulation 6 replaces table 10 in Schedule 2 to—

- add an emissions factor for natural gas from each of the Cheal and Sidewinder fields; and
- update the emissions factor for natural gas from each of the following fields: Kapuni LTS, Kupe, McKee, Mangahewa, Maui, Pohokura, and Rimū/Kauri.

Regulation 7(2) amends table 2 in Schedule 2A to add the global warming potential figure for each of 2 synthetic greenhouse gas blends, R448A and R449A.

Regulatory impact statement

The Ministry for the Environment produced a regulatory impact statement on 15 June 2017 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.mfe.govt.nz/sites/default/files/media/Legislation/RIS/RIS-nzets-regulations-updates-2017.pdf>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 24 August 2017.

These regulations are administered by the Ministry for the Environment.