



Climate Change (Forestry) Amendment Regulations (No 2) 2025

Cindy Kiro, Governor-General

Order in Council

At Wellington this 13th day of October 2025

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 167A, 167B, and 168 of the Climate Change Response Act 2002—

- (a) on the advice and with the consent of the Executive Council; and
- (b) in relation to sections 167A and 167B of that Act, on the recommendation of the Minister of Climate Change.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations	2
4	Regulation 14 amended (EPA may issue guidelines or standards)	2
5	Regulation 46 amended (Application to add carbon accounting areas)	3
6	New regulations 49A to 49D inserted	3
	49A Methodology for property-scale assessment of land use capability classification	3
	49B EPA may issue mapping standards specifying how land assessed through property-scale assessment must be mapped	3

	49C	EPA may issue mapping standards specifying how land must be mapped in relation to certain provisions	4
	49D	Applicant to provide mapping information in accordance with mapping standard issued by EPA	4
7		New subpart 5A of Part 3 inserted	4
	Subpart 5A—Ballots for LUC class 6 land permits		
	<i>Time frames</i>		
	77A	Making known opening date for first ballot applications	4
	77B	Application period for first ballot	5
	77C	Making known opening date for second ballot applications	5
	77D	Application period for second ballot	5
	77E	Notifying applicants of successful applications	5
	<i>Apportioning hectares</i>		
	77F	Apportioning annual hectare limit between first and second ballots	5
	77G	Hectares reserved for small applications	5
	77H	Roll-over limit	6
	77I	Small applications	6
	77J	Reallocation of hectares after first ballot	6
	77K	Roll-over of hectares after second ballot	6
	<i>Eligible applications</i>		
	77L	Information required for eligible application	6
8		Regulation 95 amended (Making P89 offset applications)	6

Regulations

1 Title

These regulations are the Climate Change (Forestry) Amendment Regulations (No 2) 2025.

2 Commencement

- (1) These regulations come into force on 31 October 2025.
- (2) However, regulation 7 comes into force on 1 January 2026.

3 Principal regulations

These regulations amend the Climate Change (Forestry) Regulations 2022.

4 Regulation 14 amended (EPA may issue guidelines or standards)

After regulation 14(4), insert:

(4A) This regulation does not affect the application of regulations 49A to 49D.

5 Regulation 46 amended (Application to add carbon accounting areas)

- (1) In regulation 46(2)(c), replace “182C(5)(a)” with “182C(5)(a)(i)”.
- (2) Replace regulation 46(2)(d) with:
 - (d) evidence—
 - (i) of whether the forest species on the land is predominantly naturally regenerated tree weeds and, if it is, that the risk of tree weed spread from the land is low; and
 - (ii) that the land meets the requirements in section 182C(5)(a)(ii) of the Act.

6 New regulations 49A to 49D inserted

After regulation 49, insert:

49A Methodology for property-scale assessment of land use capability classification

If a person uses a property-scale assessment to identify land, described in a record of title, with reference to its land use capability classification, the assessment must be undertaken in line with—

- (a) the most recent version of the *Land Use Capability Survey Handbook* published by the New Zealand Institute for Bioeconomy Science Limited and the New Zealand Institute for Earth Science Limited; and
- (b) the most recent version of the *New Zealand Soil Mapping Protocols and Guidelines* published by the New Zealand Institute for Bioeconomy Science Limited.

49B EPA may issue mapping standards specifying how land assessed through property-scale assessment must be mapped

- (1) The EPA may issue mapping standards specifying how land that is to be assessed through property-scale assessment must be mapped.
- (2) Standards issued under this regulation are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this regulation

Publication	The maker must publish it in accordance with the Legislation (Publication) Regulations 2021	LA19 s 74(1)(aa)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the secondary legislation.

49C EPA may issue mapping standards specifying how land must be mapped in relation to certain provisions

- (1) The EPA may issue mapping standards specifying how land must be mapped for any purpose in relation to section 182AB, 182C(5)(a)(ii), or 182C(5A), or to sections 182CA to 182CD, or to subpart 4A or 4B of Part 5 of the Act.
- (2) Standards issued under this regulation are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this regulation

Publication	The maker must publish it in accordance with the Legislation (Publication) Regulations 2021	LA19 s 74(1)(aa)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the secondary legislation.

49D Applicant to provide mapping information in accordance with mapping standard issued by EPA

For the purpose of determining whether the criteria in section 182AB or 182C(5)(a)(ii) of the Act are met, an applicant must provide the EPA with mapping information in accordance with any mapping standard issued by the EPA under regulation 49C when the applicant is applying—

- (a) to be registered under section 57 of the Act as a participant in respect of an activity of standard forestry or permanent forestry; or
- (b) to add a carbon accounting area or areas under section 182C(3) of the Act; or
- (c) to offset land for land in 1 or more carbon accounting areas (averaging) under section 192A of the Act.

7 New subpart 5A of Part 3 inserted

After regulation 77, insert:

Subpart 5A—Ballots for LUC class 6 land permits

Time frames

77A Making known opening date for first ballot applications

At least 20 working days before the application period opens for that calendar year’s first ballot for LUC class 6 land permits, the EPA must—

- (a) give public notice of the opening date; or
- (b) publish the date in the *Gazette*; or
- (c) make the date publicly available.

77B Application period for first ballot

- (1) When the EPA makes known the opening date under regulation 77A, the EPA must also specify how long the application period for the first ballot will remain open.
- (2) The application period—
 - (a) must not be shorter than 20 working days; and
 - (b) must close no later than 31 July in that year.

77C Making known opening date for second ballot applications

At least 10 working days before the application period opens for that calendar year's second ballot for LUC class 6 land permits, the EPA must—

- (a) give public notice of the date; or
- (b) publish the date in the *Gazette*; or
- (c) make the date publicly available.

77D Application period for second ballot

- (1) The EPA must specify when the application period for the second ballot of a calendar year will close, by—
 - (a) giving public notice of the date; or
 - (b) publishing the date in the *Gazette*; or
 - (c) making the date publicly available.
- (2) The application period—
 - (a) must not be shorter than 10 working days; and
 - (b) must close no earlier than 10 working days after the date is specified by the EPA in accordance with subclause (1).

77E Notifying applicants of successful applications

The EPA must notify applicants whose applications are successful of the outcome of the ballot process as soon as practicable after a ballot closes.

*Apportioning hectares***77F Apportioning annual hectare limit between first and second ballots**

Of the annual hectare limit for a calendar year, 7,500 hectares is available for each of the first and second ballots in that year.

77G Hectares reserved for small applications

For each of the first and second ballots of a calendar year, 2,000 hectares of the annual hectare limit must be reserved for small applications.

77H Roll-over limit

The maximum proportion of the annual hectare limit for a calendar year that can be rolled over from the second ballot of that year to the next calendar year is 25%.

77I Small applications

Small applications are applications that relate to a maximum area of LUC class 6 land of 100 hectares.

77J Reallocation of hectares after first ballot

Hectares included in the first ballot of a calendar year that are not included in the LUC class 6 land permits that are issued following the first ballot must be reallocated to the second ballot of that calendar year.

77K Roll-over of hectares after second ballot

Hectares included in the second ballot of a calendar year that are not included in the LUC class 6 land permits that are issued following the second ballot must be rolled over to the next calendar year, subject to sections 190KK(2)(a) and (b) and 190KL of the Act.

Eligible applications

77L Information required for eligible application

To enter an application into a ballot for a LUC class 6 land permit, an applicant must ensure that the application includes the following information:

- (a) the total area of land, in hectares, described in each record of title included in the application;
- (b) the total area of LUC class 6 land, in hectares, described in all the records of title included in the application;
- (c) the basis for the land use capability classification calculation, that is, whether an NZLRI map or a property-scale map has been used;
- (d) if a property-scale assessment has been used, a statement that covers—
 - (i) who carried out the property-scale mapping; and
 - (ii) when it was carried out; and
 - (iii) the methodology used.

8 Regulation 95 amended (Making P89 offset applications)

After regulation 95(2)(c), insert:

- (ca) evidence that the land meets the requirements in section 182C(5)(a)(ii) of the Act:

Rachel Hayward,
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 amend the Climate Change (Forestry) Regulations 2022 (the **principal regulations**). Most of the regulations come into force on 31 October 2025, and *regulation 7* comes into force on 1 January 2026.

The regulations correspond to amendments made to the Climate Change Response Act 2002 (the **principal Act**) by the Climate Change Response (Emissions Trading Scheme—Forestry Conversion) Amendment Act 2025 (the **amendment Act**). The amendment Act restricts the registration of new forests on LUC class 1–6 land in the emissions trading scheme unless certain criteria are met, such as being within the 25% allowance, or subject to a LUC class 6 land permit, as described in *new subparts 4A and 4B of Part 5* of the principal Act.

The main changes made to the principal regulations include—

- providing for methodologies for property-scale land assessments and for mapping; and
- making provision for time frames for the ballot processes; and
- specifying the information that must be provided for an application for a LUC class 6 land permit to be entered into a ballot; and
- specifying when any unused hectare limit will transfer between ballots; and
- amending existing regulations to reflect the effect of the amendment Act on the regulatory scheme of the principal Act and principal regulations.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 16 October 2025.

These regulations are administered by the Ministry for the Environment.