



# **Australian National Registry of Emissions Units Amendment Regulation 2014 (No. 1)**

## **Select Legislative Instrument No. 129, 2014**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),  
Governor-General of the Commonwealth of Australia, acting with the  
advice of the Federal Executive Council, make the following regulation.

Dated 04 September 2014

Peter Cosgrove  
Governor-General

By His Excellency's Command

Greg Hunt  
Minister for the Environment

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*OPC60435 - A*



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## 1 Name of regulation

This regulation is the *Australian National Registry of Emissions Units Amendment Regulation 2014 (No. 1)*.

## 2 Commencement

Each provision of this regulation specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information	
Column 1	Column 2
Provisions	Commencement
1. Sections 1 to 4 and anything in this regulation not elsewhere covered by this table	The day after this regulation is registered.
2. Schedule 1	The day after this regulation is registered.
3. Schedule 2	The later of: (a) the day after this regulation is registered; and (b) the day Schedule 1 to the <i>Carbon Farming Initiative Amendment Act 2014</i> commences.  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.

## 3 Authority

This regulation is made under the *Australian National Registry of Emissions Units Act 2011*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the

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## **Schedule 1—Amendments relating to the repeal of the carbon tax**

### **Part 1—Main amendments**

#### *Australian National Registry of Emissions Units Regulations 2011*

##### **1 Regulation 3**

Repeal the following definitions:

- (a) definition of *Clean Energy Act*;
- (b) definition of *European Union Transaction Log*;
- (c) definition of *foreign registry*.

##### **2 Regulation 3 (note at the end of the definition of *replacement day*)**

Repeal the note, substitute:

- Note: A number of expressions used in these Regulations are defined in the Act, including the following:
- (a) Australian carbon credit unit;
  - (b) clean development mechanism project;
  - (c) commitment period;
  - (d) Commonwealth Registry account;
  - (e) hold (in relation to holding an Australian carbon credit unit);
  - (f) Kyoto unit;
  - (g) long-term certified emission reduction;
  - (h) long-term certified emission reduction replacement (non-certification) account;
  - (i) long-term certified emission reduction replacement (storage reversal) account;
  - (j) mandatory cancellation account;
  - (k) Registry account;
  - (l) Regulator;
  - (m) temporary certified emission reduction;
  - (n) transfer;
  - (o) voluntary cancellation account.

##### **3 Regulation 3**

Repeal the following definitions:

- (a) definition of *Union allowance deletion account*;

(b) definition of *Union Registry*.

**4 Regulation 4A**

Repeal the regulation.

**5 Paragraph 13(2)(b)**

Repeal the paragraph.

**6 Paragraph 13(2)(c)**

Omit “for any other person—”.

**7 Paragraph 24(o)**

Omit “period;”, substitute “period.”.

**8 Paragraphs 24(p) to (u)**

Repeal the paragraphs.

**9 Paragraph 27(1)(aa)**

Repeal the paragraph.

**10 Paragraph 27(1)(c)**

Omit “account; and”, substitute “account.”.

**11 Paragraph 27(1)(d)**

Repeal the paragraph.

**12 Paragraph 28(3)(b)**

Omit “(3A), (4), (5), and (6)”, substitute “(4) and (5)”.

**13 Subregulations 28(3A) and (6)**

Repeal the subregulations.

**14 Subregulation 28(7) (note)**

Omit “subregulations (4) and (6)”, substitute “subregulation (4)”.

**15 Paragraph 33(2)(aa)**

Repeal the paragraph.



**16 Paragraph 33(2)(b)**

Omit “or”.

**17 Paragraph 33(2)(c)**

Repeal the paragraph.

**18 Paragraph 34(4)(aa)**

Repeal the paragraph.

**19 Paragraph 34(4)(b)**

Omit “or”.

**20 Paragraph 34(4)(c)**

Repeal the paragraph.

**21 Regulation 35A**

Repeal the regulation.

**22 Part 4**

Repeal the Part.

**23 Regulation 65**

Repeal the regulation.

## Part 2—Application and transitional provisions

### *Australian National Registry of Emissions Units Regulations 2011*

#### 24 Parts 6, 6A and 6B

Repeal the Parts, substitute:

## Part 6—Application and transitional provisions

### 70 Amendments made by Part 1 of Schedule 1 to the *Australian National Registry of Emissions Units Amendment Regulation 2014 (No. 1)*

- (1) Despite the amendments of the old regulations made by Part 1 of Schedule 1 to the *Australian National Registry of Emissions Units Amendment Regulation 2014 (No. 1)*, the old regulations continue to apply, for the purposes of the operation of the continuing Act, as if those amendments had not been made.

- (2) In this regulation:

**continuing Act** means the *Australian National Registry of Emissions Units Act 2011* as it continues to apply because of item 332 of Schedule 1 to the *Clean Energy Legislation (Carbon Tax Repeal) Act 2014*.

**old regulations** means these regulations as in force immediately before the commencement of Schedule 1 to the *Australian National Registry of Emissions Units Amendment Regulation 2014 (No. 1)*.

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## **Schedule 2—Other amendments**

### ***Australian National Registry of Emissions Units Regulations 2011***

#### **1 Regulation 3 (definition of *fit and proper person criteria*)**

Repeal the definition.

#### **2 Regulation 3**

Insert:

*fit and proper person test* has the same meaning as in the Carbon Farming Act.

#### **3 Paragraph 13(2)(c)**

Repeal the paragraph, substitute:

(c) is satisfied that the person passes the fit and proper person test; and

#### **4 Subregulation 17(1) (heading)**

Repeal the heading.

#### **5 Subregulation 17(1)**

Omit “(1)”.

#### **6 Subregulation 17(2)**

Repeal the subregulation.

#### **7 Paragraph 31(2)(b)**

Repeal the paragraph, substitute:

(b) is satisfied that the authorised representative passes the fit and proper person test.

#### **8 Subregulation 31(2A)**

Omit “meet the fit and proper person criteria”, substitute “pass the fit and proper person test”.

**9 Subregulation 31(4)**

Omit “meets the fit and proper person criteria”, substitute “passes the fit and proper person test”.

**10 Paragraph 31(5)(b)**

Omit “meets the fit and proper person criteria”, substitute “passes the fit and proper person test”.

**11 Paragraph 33(1)(e)**

Repeal the paragraph, substitute:

- (e) a change that causes the registered holder, or the registered holder’s authorised representative, to no longer pass the fit and proper person test.