



Carbon Credits (Carbon Farming Initiative— Coal Mine Waste Gas) Methodology Determination Variation 2019

I, Melissa Price, Minister for the Environment, make the following legislative instrument.

Dated 12 March 2019

Melissa Price
Minister for the Environment

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1 Name

This is the *Carbon Credits (Carbon Farming Initiative—Coal Mine Waste Gas) Methodology Determination Variation 2019*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under subsection 114(1) of the *Carbon Credits (Carbon Farming Initiative) Act 2011*.

4 Amendment of methodology determination

The *Carbon Credits (Carbon Farming Initiative—Coal Mine Waste Gas) Methodology Determination 2015* is amended as set out in Schedule 1.

Schedule 1—Amendment of the *Carbon Credits (Carbon Farming Initiative—Coal Mine Waste Gas) Methodology Determination 2015*

[1] Section 6

Repeal the section, substitute:

6 Meaning of *existing regulatory obligation*

- (1) A coal mine lease holder has an *existing regulatory obligation* to destroy the methane component of coal mine waste gas drawn from an operating underground coal mine in relation to a coal mine waste gas project if at the application time:
 - (a) a law of a State or Territory requires the gas to be destroyed, converted, beneficially used, stored, transferred to another person or offered for sale (or any combination of these); or
 - (b) a law of a State or Territory prohibits the release of the gas from the mine without destruction, conversion, beneficial use, storage, transfer to another person or offering the gas for sale (or any combination of these); or
 - (c) a law of a State or Territory restricts the release of gas from the mine where flaring, alternative uses of, or other dealings with, the gas are practical, feasible or safe.

Note: In 2019 an example of paragraph (c) is section 318CO of the *Mineral Resources Act 1989* (Qld).
- (2) For subsection (1), disregard any provision of a law of a State or Territory that authorises the release of the gas for use in a greenhouse abatement scheme.