



Ozone Protection and Synthetic Greenhouse Gas Management Amendment (HFC Quota Allocation—Grandfathered Quota) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 17 September 2020

David Hurley
Governor-General

By His Excellency's Command

Trevor Evans
Assistant Minister for Waste Reduction and Environmental Management
Parliamentary Secretary to the Minister for the Environment

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1 Name

This instrument is the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment (HFC Quota Allocation—Grandfathered Quota) Regulations 2020*.

2 Commencement

- (1) Each provision of this instrument 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	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	29 September 2020

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995

1 Paragraph 48(3)(a)

Omit “licenced”, substitute “licensed”.

2 Subregulation 50(2) (definition of *amount of licensed activities*)

Omit “licenced”, substitute “licensed”.

3 Subregulation 50(2) (definition of *annual amount of licenced activities*)

Repeal the definition.

4 Subregulation 50(2)

Insert:

annual amount of licensed activities of a person for a calendar year means:

- (a) for 2019—the amount applicable under subregulation (3) for the person; or
- (b) for 2020 or a later calendar year—the amount applicable under subregulation (4) for the person.

5 At the end of regulation 50

Add:

Annual amount of licensed activities—2019

- (3) For the purposes of paragraph (a) of the definition of *annual amount of licensed activities* in subregulation (2), the amount for a person for 2019 is the lesser of:
 - (a) the total quantity (including nil) of HFCs, expressed in CO₂e megatonnes, involved in licensed regulated HFC activities engaged in by the person during the year; and
 - (b) the amount of grandfathered quota included in the HFC quota allocated to the person for the year.

Annual amount of licensed activities—2020 and later calendar years

- (4) For the purposes of paragraph (b) of the definition of *annual amount of licensed activities* in subregulation (2), the amount for a person for 2020 or a later calendar year is:
 - (a) unless paragraph (b) of this subregulation applies—the amount of grandfathered quota included in the HFC quota allocated to the person for the year; or
 - (b) the total quantity (including nil) of HFCs, expressed in CO₂e megatonnes, involved in licensed regulated HFC activities engaged in by the person during the year, if that quantity is less than:
 - (i) for 2020—75% of the amount mentioned in paragraph (a) of this subregulation; or

- (ii) for later calendar years—90% of the amount mentioned in paragraph (a) of this subregulation.