



## **Carbon Credits (Carbon Farming Initiative) Amendment (No. 1) Rules 2023**

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I, Chris Bowen, Minister for Climate Change and Energy, make the following rules.

Dated                    9 January 2023

Chris Bowen  
Minister for Climate Change and Energy

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## 1 Name

This instrument is the *Carbon Credits (Carbon Farming Initiative) Amendment (No. 1) Rules 2023*.

## 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 the registration of this instrument.	

Note: This table relates only to the provisions of this instrument as originally made.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 section 308 of the *Carbon Credits (Carbon Farming Initiative) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Carbon Credits (Carbon Farming Initiative) Rule 2015*

#### 1 Section 4

Insert in alphabetical order in section 4(1):

*covered emissions* has the same meaning as in the NGER Act.

*designated large facility* has the same meaning as in the NGER Act.

#### 2 Paragraph 9(5)(a)

Omit “(within the meaning of the *National Greenhouse and Energy Reporting Act 2007*)”.

#### 3 Section 11A

Repeal the section, substitute:

##### **11A Australian carbon credit units purchased by the Commonwealth under carbon abatement contracts**

For paragraph 20H(1)(a) of the Act, Australian carbon credit units purchased by the Commonwealth under a carbon abatement contract must be transferred to the Commonwealth registry account designated as the Commonwealth Emissions Reduction Fund Delivery Account.

Note: Australian carbon credit units cannot be transferred to the Commonwealth Emissions Reduction Fund Delivery Account from another Commonwealth registry account that is used for the purposes of delivering or cancelling Australian carbon credit units.

#### 4 Section 20

Repeal the section, substitute:

##### **20 Eligibility requirements—designated large facilities**

- (1) For paragraph 27(4)(l) of the Act, this section specifies an eligibility requirement that must be met if the project is likely, during the crediting period for the project, to involve carbon abatement of covered emissions of greenhouse gases from the operation of a designated large facility for a financial year.
- (2) It is an eligibility requirement that:
  - (a) the project must also be likely to involve carbon abatement of emissions other than covered emissions of greenhouse gases from the operation of the designated large facility; and
  - (b) the methodology determination that covers the project must provide a method for working out the carbon dioxide equivalent net abatement amount for the project in relation to a reporting period that does not include carbon abatement of covered emissions from the operation of the designated large facility; and
  - (c) that method must be used when working out the carbon dioxide equivalent net abatement amount for the project in relation to a reporting period.

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(3) In this section, **operation** has the same meaning as in the NGER Act.

**5 Subparagraph 70(4)(b)(i)**

Omit “, within the meaning of section 22XJ of the NGER Act,”.

**6 Subparagraph 70(4)(b)(ii)**

Omit “that Act”, substitute “the NGER Act”.

**7 At the end of Part 29**

Add:

**Division 2—Application and transitional provisions relating to the  
*Carbon Credits (Carbon Farming Initiative) Amendment  
(No. 1) Rules 2023***

**126 Application of section 20 to applications for declarations for eligible offsets  
projects**

- (1) Section 20, as amended by the amending instrument, applies in relation to applications under section 22 of the Act made on or after the day this section commences.
- (2) For the purposes of this section, the **amending instrument** is the *Carbon Credits (Carbon Farming Initiative) Amendment (No. 1) Rules 2023*.