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# Contents

1	Name.....	1
2	Commencement.....	1
3	Authority.....	1
4	Simplified outline of this instrument.....	1
5	Definitions.....	2
6	Entitlement.....	2
7	Amount.....	3

**1 Name**

This instrument is the *Ozone Protection and Synthetic Greenhouse Gas Management (Non-grandfathered Quota—2024-2025) Determination 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.

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this instrument	The day after this instrument is registered.	

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Note: This table relates only to the provisions of this instrument as originally made.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 subregulation 51(4) of the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*.

**4 Simplified outline of this instrument**

This instrument specifies who is entitled to non-grandfathered quota for the fourth HFC quota allocation period (2024 and 2025) and the amount of the non-grandfathered quota to be allocated as follows:

- (a) each eligible applicant is entitled to non-grandfathered quota; and
- (b) the Department of Climate Change, Energy, the Environment and Water, on behalf of the Commonwealth, is entitled to 130 CO<sub>2</sub>e tonnes; and
- (c) the remaining non-grandfathered HFC industry limit is divided evenly between the eligible applicants.

## 5 Definitions

In this instrument:

**Act** means the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

**CO<sub>2</sub>e** means carbon dioxide equivalent.

**CO<sub>2</sub>e tonne** means  $\frac{1}{1,000,000}$  of a CO<sub>2</sub>e megatonne.

**eligible applicant** means a person who is entitled to non-grandfathered quota for the HFC quota allocation period 2024-2025 pursuant to subregulation 51(1) of the Regulations, other than the Commonwealth.

Note: For entitlement to non-grandfathered quota, see subregulation 51(1) of the Regulations

**eligible applicant entitlement amount** means the amount equal to:

*(the non-grandfathered HFC industry limit - 130 CO<sub>2</sub>e tonnes)*

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*the number of eligible applicants who apply for non-grandfathered quota under section 6(a)*

**non-grandfathered HFC industry limit** means 0.2625 CO<sub>2</sub>e megatonnes.

Note: The non-grandfathered HFC industry limit is the non-grandfathered percentage (5%) of the HFC industry limit (5.25 CO<sub>2</sub>e megatonnes) for the years in the third HFC quota allocation period.

**Regulations** means the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*.

Note 1: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) CO<sub>2</sub>e megatonnes; and
- (b) HFC quota.

Note 2: A number of expressions used in this instrument are defined in the Regulations, including the following:

- (a) non-grandfathered quota; and
- (b) HFC quota allocation period.

## 6 Entitlement

For the purposes of paragraph 51(4)(a) of the Regulations, a person is entitled to non-grandfathered quota for each of the years 2024 and 2025 if:

- (a) the person is an eligible applicant and that person makes an application for non-grandfathered quota; or
- (b) the person is the Commonwealth, as represented by the Department of Climate Change, Energy, the Environment and Water.

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## 7 Amount

For the purposes of paragraph 51(4)(b) of the Regulations, the amount of non-grandfathered quota to which a person is entitled for each of the years 2024 and 2023 is:

- (a) for an eligible applicant – the eligible applicant entitlement amount; or
- (b) for the Commonwealth, as represented by the Department of Climate Change, Energy, the Environment and Water – 130 CO<sub>2</sub>e tonne

