

**Reprint
as at 1 January 2013**



**Climate Change (Unit Register)
Regulations 2008
(SR 2008/357)**

Anand Satyanand, Governor-General

Order in Council

At Wellington this 29th day of September 2008

Present:
His Excellency the Governor-General in Council

Pursuant to section 30G of the Climate Change Response Act 2002, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry for the Environment.

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Regulations

- 1 Title**
These regulations are the Climate Change (Unit Register) Regulations 2008.
- 2 Commencement**
These regulations come into force on 1 November 2008.
- 3 Interpretation**
In these regulations, unless the context otherwise requires,—
account holder means a qualified person who holds, individually or jointly, a holding account
Act means the Climate Change Response Act 2002
crime involving dishonesty means—
(a) any crime specified in Part 10 of the Crimes Act 1961 other than the crimes specified in sections 267 to 272 of that Act; and
(b) any equivalent crime under the law of a jurisdiction other than New Zealand
qualified person means a person—
(a) who is a member of an unincorporated body whose name is entered on a register kept for the purposes of section 56 or 57 of the Act; or
(ab) who is a person, other than a person referred to in paragraph (a), whose name is entered on a register; or
(b) who is entitled to receive, or who has received, an allocation of New Zealand units free of charge in accordance with subpart 2 of Part 4 of the Act; or
(ba) who is required to open a holding account under section 186H(2) of the Act; or
(c) who, if an individual,—
(i) is 18 years of age or older; and
(ii) is not—

- (A) an undischarged bankrupt; or
 - (B) subject to a property order under the Protection of Personal and Property Rights Act 1988; or
 - (C) subject to a personal order under the Protection of Personal and Property Rights Act 1988 that reflects adversely on the person's competence to manage his or her own affairs in relation to his or her property or capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care or welfare; or
 - (D) prohibited from being a director or promoter of, or being concerned or taking part in the management of, a company under section 382, 383, or 385 of the Companies Act 1993; or
 - (E) a person who has been convicted of an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty; or
 - (F) a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Securities Act 1978, the Securities Markets Act 1988, or the Takeovers Act 1993; or
 - (G) a person to whom a provision that is, under the law of a jurisdiction other than New Zealand, equivalent to any of the provisions specified in subparagraphs (A) to (F) applies; or
- (d) who, if not an individual,—
- (i) is—
 - (A) a New Zealand entity established, registered, or incorporated in New Zealand in

- accordance with the laws of New Zealand;
or
- (B) an Australian company established, registered, or incorporated in Australia in accordance with the laws of Australia; or
 - (C) an overseas company, including an Australian company, registered in New Zealand in accordance with the Companies Act 1993; and
- (ii) is not an entity that—
- (A) has been, or is being, wound up; or
 - (B) is in liquidation; or
 - (C) is subject to statutory management under the Corporations (Investigation and Management) Act 1989; or
 - (D) has a director or an officer who is not qualified to open a holding account; or
 - (E) has a shareholder who holds more than a simple majority of the shares in the entity and is not qualified to open a holding account; or
 - (F) has been convicted of an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty; and
- (iii) is not, under the law of a jurisdiction other than New Zealand, an entity that—
- (A) is subject to management equivalent to statutory management under the Corporations (Investigation and Management) Act 1989; or
 - (B) has been convicted of an offence equivalent to an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty

Registrar means the Registrar appointed under section 11 of the Act

registry user name means a unique identifier personal to an individual and obtained via the Registry's Internet site

unit register means the register specified in section 18 of the Act.

Regulation 3 **Crown holding account**: revoked, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

Regulation 3 **qualified person** paragraph (a): substituted, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

Regulation 3 **qualified person** paragraph (ab): inserted, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

Regulation 3 **qualified person** paragraph (b): amended, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

Regulation 3 **qualified person** paragraph (ba): inserted, on 1 January 2013, by section 103 of the Climate Change Response (Emissions Trading and Other Matters) Amendment Act 2012 (2012 No 89).

Opening holding accounts

4 Application procedure to open holding accounts

- (1) To open a holding account, a proposed account holder must—
 - (a) be a qualified person; and
 - (b) apply to open a holding account via the Registry's Internet site.
- (2) The application procedure to open a holding account must require the proposed account holder to provide the following information:
 - (a) the proposed name for the holding account; and
 - (b) the proposed account holder's—
 - (i) full legal name; and
 - (ii) account name; and
 - (iii) physical address for service in New Zealand; and
 - (iv) postal address; and
 - (v) telephone number; and
 - (vi) email address; and
 - (vii) New Zealand registration number, if the proposed account holder is a New Zealand entity or overseas company registered in New Zealand; and
 - (viii) Australian registration number, if the proposed account holder—

- (A) is an Australian company registered in Australia; and
 - (B) is not registered in New Zealand.
- (3) If the proposed account holder intends or is required to authorise a primary representative to operate the proposed account holder's holding account, the proposed account holder must follow the procedure set out in regulation 15.
- (4) The Registrar may not approve the opening of a holding account in the name of the proposed account holder unless the Registrar has received a declaration signed by the proposed account holder that contains a statement that—
 - (a) the proposed account holder authorises the opening of a holding account in the name of the proposed account holder; and
 - (b) the proposed account holder is a qualified person; and
 - (c) the information provided by the applicant is true and accurate.

5 Registrar may require additional information to verify particulars required under regulation 4

The Registrar may require an applicant to provide any additional information reasonably necessary to verify any of the particulars that the applicant must provide under regulation 4 to open a holding account.

6 Holding accounts may be held jointly

- (1) Two or more persons may hold a holding account jointly if each person is a qualified person.
- (2) Each person who holds or held a holding account jointly is jointly and severally liable, in respect of the period or any part of the period during which the person holds or held the account jointly, for any matter arising with respect to the account.
- (3) In the case of a holding account held jointly, any declaration that must be signed by an account holder under these regulations must be signed by each person who holds the holding account jointly.
- (4) In the case of a proposed holding account to be held jointly, any declaration that must be signed by the proposed account

holder under these regulations must be signed by each person who proposes to hold the holding account jointly.

- (5) The Registrar may add or remove a member of an unincorporated body as an account holder of a holding account if—
 - (a) the holding account is held jointly by the members of the unincorporated body; and
 - (b) the Registrar receives notification under section 157A(2)(b)(ii) of the Act that the member has joined or left the unincorporated body (as applicable).
- (6) If a holding account is held jointly other than by members of an unincorporated body, and a person who is an account holder wishes to be removed as an account holder or a person wishes to be added as an account holder, then—
 - (a) the account holder may submit a request to the Registrar to add or remove the person as an account holder; and
 - (b) for the purposes of paragraph (a), the account holder must provide—
 - (i) the name of the holding account; and
 - (ii) the account number; and
 - (iii) the name and contact details of the person being added or removed; and
 - (c) the Registrar may not add or remove the person as an account holder unless the Registrar has received a declaration signed by the account holder that contains a statement that the account holder authorises the addition or removal of the person as an account holder.

Regulation 6: substituted, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

6A Nominated entities of consolidated groups

- (1) This regulation applies if the nominated entity of a consolidated group gives notice to the EPA under section 152(3) of the Act that—
 - (a) the nominated entity is to cease to be the agent for the consolidated group; and
 - (b) another entity that is a member of the consolidated group is to become the agent for the consolidated group.
- (2) The nominated entity must give the Registrar—

- (a) a copy of the notice; and
 - (b) the information referred to in regulation 4(2)(b) for the entity that is to become the agent of the consolidated group.
- (3) The nominated entity must comply with subclause (2) no later than 10 working days after the date on which the entity gave notice to the EPA.
- (4) The Registrar must—
- (a) remove the nominated entity as the account holder of the holding account in the name of the consolidated group; and
 - (b) add the entity that is to become the agent for the consolidated group as the account holder; and
 - (c) notify the entity that it has been added as the account holder of the holding account in the name of the consolidated group.
- (5) The Registrar must comply with subclause (4)—
- (a) as soon as practicable after the date on which the Registrar received a copy of the notice and the information; or
 - (b) on a later date specified in the notice as the date on which the nominated entity will cease to be the agent for the consolidated group.

Regulation 6A: inserted, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

Regulation 6A(1): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 6A(3): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Transfer of units

7 Application procedure to register transactions

- (1) To transfer units, an account holder must apply to transfer units via the Registry's Internet site.
- (2) The application procedure to transfer units must require the account holder to provide the following information:

- (a) the account number of the holding account from which units are to be transferred, cancelled, retired, surrendered, or converted; and
- (b) if units are to be transferred to another holding account, the account number of that account; and
- (c) if a transaction is a transfer that involves an overseas holding account, the particulars of the account and the name of the country where that account is held; and
- (d) the quantity and type of units to be transferred, cancelled, retired, surrendered, or converted; and
- (e) an indication as to whether the units are to be transferred, cancelled, retired, surrendered, or converted.

Restrictions on certain transactions

8 Temporary certified emission reduction units

An account holder may not transfer temporary certified emission reduction units from a holding account to a surrender account.

8A Certain industrial gas certified emission reduction units not to be transferred to surrender account

- (1) In this regulation, **industrial gas certified emission reduction unit** means a certified emission reduction unit generated from—
 - (a) the destruction of hydrofluorocarbon-23 (HFC-23); or
 - (b) the destruction of nitrous oxide (N₂O) resulting from the production of adipic acid.
- (2) An account holder may not, after 23 December 2011, transfer an industrial gas certified emission reduction unit to a surrender account.
- (3) The prohibition in subclause (2) does not apply to the following:
 - (a) an industrial gas certified emission reduction unit held in an account in the Registry immediately before 24 December 2011;
 - (b) an industrial gas certified emission reduction unit purchased by an account holder under a forward contract if—

- (i) the forward contract was entered into before 23 December 2011; and
 - (ii) the account holder has complied with subclause (4); and
 - (iii) the industrial gas certified emission reduction unit purchased under the forward contract is transferred to a surrender account by the account holder on or before 1 June 2013.
- (4) An account holder complies with this subclause if the account holder provides to the Registrar by 10 February 2012—
 - (a) a copy of the forward contract; and
 - (b) a statutory declaration by the account holder that the forward contract was entered into before 23 December 2011.
- (5) If at any time the Registrar discovers that an industrial gas certified emission reduction unit appears to have been transferred to a surrender account in contravention of subclause (2), the Registrar must notify the account holder and the Environmental Protection Authority accordingly and set out in the notification the terms or effect of subclauses (6), (7), and (8).
- (6) If, within 20 working days after the notification under subclause (5), the account holder does not satisfy the Registrar that the transfer of the industrial gas certified emission reduction unit to a surrender account was permitted under subclause (3)(a) or (b), the Registrar must reverse the transfer of the unit.
- (7) If a transfer of a unit is reversed under subclause (6), the transfer is to be treated as if it had never taken place for the purpose of assessing whether the account holder has surrendered the required number of units by the due date as required under the relevant section of the Act.
- (8) If, within 20 working days after the notification under subclause (5), the account holder transfers a unit (a **replacement unit**) to a surrender account for the purpose of replacing the unit to which the notification relates (the **original unit**), the replacement unit is to be treated as if it had been transferred to the surrender account on the date on which the original unit was transferred to the surrender account.

Regulation 8A: inserted, on 23 December 2011, by regulation 4 of the Climate Change (Unit Register) Amendment Regulations 2011 (SR 2011/431).

- 8B Certain industrial gas ERUs and large-scale hydropower ERUs and CERs not to be transferred to surrender account**
- (1) In this regulation,—
- industrial gas ERU** means an emission reduction unit generated from—
- (a) the destruction of hydrofluorocarbon-23 (HFC-23); or
 - (b) the destruction of nitrous oxide (N₂O) resulting from the production of adipic acid
- large-scale hydropower ERU or CER** means an emission reduction unit or a certified emission reduction unit generated from a hydropower project that—
- (a) has a generation capacity of more than 20 megawatts; and
 - (b) is not listed in the Schedule
- specified ERU or CER** means—
- (a) an industrial gas ERU;
 - (b) a large-scale hydropower ERU or CER.
- (2) An account holder may not, on or after 18 December 2012, transfer a specified ERU or CER to a surrender account.
- (3) The prohibition in subclause (2) does not apply to the following:
- (a) a specified ERU or CER held in an account in the Registry immediately before 18 December 2012;
 - (b) a specified ERU or CER purchased by an account holder under a forward contract if—
 - (i) the forward contract was entered into before 17 December 2012; and
 - (ii) the account holder has complied with subclause (4); and
 - (iii) the specified ERU or CER purchased under the forward contract is transferred to a surrender account by the account holder on or before 1 June 2014.
- (4) An account holder complies with this subclause if the account holder provides to the Registrar by 11 February 2013—
- (a) a copy of the forward contract; and

- (b) a statutory declaration by the account holder that the forward contract was entered into before 17 December 2012.
- (5) If at any time the Registrar discovers that a specified ERU or CER appears to have been transferred to a surrender account in contravention of subclause (2), the Registrar must notify the account holder and the Environmental Protection Authority accordingly and set out in the notification the terms or effect of subclauses (6), (7), and (8).
- (6) If, within 20 working days after the notification under subclause (5), the account holder does not satisfy the Registrar that the transfer of the specified ERU or CER to a surrender account was permitted under subclause (3)(a) or (b), the Registrar must reverse the transfer of the unit.
- (7) If a transfer of a unit is reversed under subclause (6), the transfer is to be treated as if it had never taken place for the purpose of assessing whether the account holder has surrendered the required number of units by the due date as required under the relevant section of the Act.
- (8) If, within 20 working days after the notification under subclause (5), the account holder transfers a unit (a **replacement unit**) to a surrender account for the purpose of replacing the unit to which the notification relates (the **original unit**), the replacement unit is to be treated as if it had been transferred to the surrender account on the date on which the original unit was transferred to the surrender account.

Regulation 8B: inserted, on 18 December 2012, by regulation 4 of the Climate Change (Unit Register) Amendment Regulations 2012 (SR 2012/414).

9 Long-term certified emission reduction units

- (1) No account holder, other than an account holder of a Crown holding account, may hold long-term certified emission reduction units.
- (2) No person, other than the Registrar as administrator of a Crown holding account, may transfer long-term certified emission reduction units into or within the unit register.

10 Nuclear energy

- (1) No account holder may hold any units arising from—
 - (a) joint implementation projects that involve nuclear energy; or
 - (b) clean development mechanism projects that involve nuclear energy.
- (2) If the Registrar is satisfied that units in respect of nuclear energy are registered or otherwise recorded in the unit register, then—
 - (a) the Registrar must serve notice on the account holder that—
 - (i) the units must be transferred out of New Zealand within 30 days after the day on which the notice is served on the account holder; and
 - (ii) the Registrar will cancel any of the units that are not transferred out of New Zealand within the period specified in subparagraph (i); and
 - (b) the account holder must transfer the units out of New Zealand within 30 days after the day on which the notice is served on the account holder; and
 - (c) the Registrar must not register any transfer of the units from the account holder's holding account to any other holding account in the unit register; and
 - (d) if the units are not transferred out of New Zealand within 30 days after the day on which the notice is served on the account holder, the Registrar must cancel those units.
- (3) If units in respect of nuclear energy have been transferred to a surrender account or a cancellation account,—
 - (a) the Registrar must—
 - (i) reverse the transfer; and
 - (ii) notify the relevant account holder that the transfer has been reversed; and
 - (iii) for the purposes of surrendering or cancelling units, treat the transfer as if it had never taken place; and
 - (b) the Registrar and the relevant account holder must comply with subclause (2).

11 New Zealand units may only be transferred to certain overseas registries

New Zealand units may not be transferred from the unit register to an overseas registry unless the overseas registry is a registry prescribed in regulations made under the Act.

Closing holding accounts

12 Application procedure to close holding accounts

- (1) To close a holding account, an account holder must lodge a request to close the holding account via the Registry's Internet site.
- (2) The request to close a holding account must provide the following information:
 - (a) the name of the holding account; and
 - (b) the account number.
- (3) The Registrar may not close a holding account unless the Registrar has received a declaration signed by the account holder that contains a statement that the account holder authorises the closing of the holding account.

13 Holding accounts with units may be closed only if EPA directs Registrar to close them

A holding account with units in it may be closed only if the EPA directs the Registrar to close it.

Regulation 13 heading: amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 13: amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Primary representatives

14 Qualifications to be primary representative

To be a primary representative, a person must be—

- (a) a qualified person who is an individual; and
- (b) authorised by the account holder to operate the holding account on the account holder's behalf.

15 Appointment of primary representatives

- (1) An account holder or proposed account holder—

- (a) who is an individual—
 - (i) may appoint at least 1 but no more than 5 primary representatives (including the account holder if the account holder elects to operate the holding account) to operate the holding account on the account holder's behalf; but
 - (ii) must, at all times, have at least 1 person who is authorised to operate the account holder's account (which person may be either the holding account holder or a primary representative);
 - (b) that is not an individual must appoint at least 1 but no more than 5 primary representatives to operate the holding account on the account holder's behalf.
- (2) An account holder or a proposed account holder may appoint a primary representative by submitting a request to appoint a primary representative via the Registry's Internet site.
- (3) For the purposes of subclause (2), the account holder or proposed account holder must provide the following information:
- (a) the name of the holding account; and
 - (b) the account number (if any); and
 - (c) the primary representative's—
 - (i) full legal name; and
 - (ii) registry user name; and
 - (iii) physical address for service in New Zealand; and
 - (iv) postal address; and
 - (v) telephone number; and
 - (vi) email address; and
 - (vii) if there are already 5 primary representatives in respect of the account holder's holding account, the full legal name and registry user name of the primary representative who is to be replaced.
- (4) The Registrar may not register the appointment of a primary representative unless the Registrar has received a declaration signed by the account holder or the proposed account holder that contains a statement that—
- (a) the person identified in the request as the primary representative—
 - (i) has been appointed by the account holder or the proposed account holder; and

- (ii) is an individual and a qualified person; and
 - (iii) is authorised to operate the holding account on behalf of the account holder or proposed account holder; and
- (b) the information provided by the account holder or proposed account holder is true and accurate.
- (5) The acts of a primary representative via the Registry's Internet site with respect to the operation of an account holder's holding account and the recording of possession are binding on the account holder.
- (6) To avoid doubt, a primary representative may not make a declaration required under these regulations.

Regulation 15(1)(a)(i): amended, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

Regulation 15(1)(b): amended, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

Regulation 15(3)(c)(vii): amended, on 8 December 2009, by section 88(2) of the Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57).

16 Registrar may require additional information to verify particulars required under regulation 15

The Registrar may require an account holder or proposed account holder to provide any additional information reasonably necessary to verify any of the particulars that the account holder or proposed account holder must provide under regulation 15 to appoint a primary representative.

17 Removal of primary representatives

- (1) Subject to regulation 15(1), an account holder may remove a primary representative by submitting a request to remove the primary representative via the Registry's Internet site.
- (2) For the purposes of subclause (1), the account holder must provide the following information:
 - (a) the name of the holding account; and
 - (b) the account number; and
 - (c) the primary representative's full legal name and registry user name.

- (3) The Registrar may not register the removal of a primary representative unless the Registrar has received a declaration signed by the account holder that contains a statement confirming that the account holder authorises the removal of the primary representative identified in the removal request.

*Possession of units for purposes of Personal
Property Securities Act 1999*

18 Registration of certain rights

- (1) The Registrar must, for the purposes of the Personal Property Securities Act 1999, record the full legal name of the person who is in possession of units in an account holder's holding account.
- (2) A third party may submit a request to record the third party's name as the person who is in possession of units in an account holder's holding account via the Registry's Internet site.
- (3) For the purposes of subclause (2), the third party must provide the following information:
- (a) the name of the holding account; and
 - (b) the account number; and
 - (c) the third party's—
 - (i) full legal name; and
 - (ii) registry user name or, if the third party does not have a registry user name, the full legal name and registry user name of the third party's representative; and
 - (iii) physical address for service in New Zealand; and
 - (iv) postal address; and
 - (v) telephone number; and
 - (vi) email address.
- (4) Before the Registrar may record the third party's name as a person in possession of units in an account holder's holding account, the account holder must consent to the recording of the third party's name.
- (5) The account holder may consent to the recording of the third party's name via the Registry's Internet site by confirming the third party's—
- (a) full legal name; and

- (b) registry user name or, if the third party does not have a registry user name, the full legal name and registry user name of the third party's representative.
- (6) If the third party's name is recorded, the Registrar must send an email to the third party and to the account holder that gives notice of the record.
- (7) If the name of a third party is recorded by way of a request made under this regulation, the Registrar may not remove the name without the consent of that third party.
- (8) If a name of a third party is not recorded by way of a request under this regulation, the Registrar must, for the purposes of the Personal Property Securities Act 1999, record the account holder as the person in possession of the units in the account holder's holding account.

19 Effect of registration of rights

- (1) If a third party's name is recorded under regulation 18,—
 - (a) the third party or the third party's representative, as the case may be, may access the account holder's holding account to view the account balance; and
 - (b) the account holder may not, without the consent of the third party, transfer units out of the holding account.
- (2) To avoid doubt, the third party whose name is recorded under regulation 18 may not use the holding account for the purposes of making a transaction.

Updating or correcting information

20 Changes in relation to information provided

- (1) This regulation applies if a change in circumstances renders any information provided under these regulations inaccurate.
- (2) If this regulation applies, the account holder must, within 10 working days of the change in circumstances, correct the relevant information via the Registry's Internet site.

21 Changes in relation to status as qualified person

- (1) If an account holder is no longer a qualified person, the account holder must apply to close the holding account.

- (2) If a primary representative is no longer a qualified person, the account holder must,—
- (a) in the case of an account holder who is an individual, remove or change the primary representative; and
 - (b) in the case of an account holder that is not an individual, change the primary representative.

22 Revocation

The Climate Change (Unit Register) Regulations 2007 (SR 2007/335) are revoked.

23 Transitional provisions

- (1) Despite regulation 22,—
- (a) a holding account opened under the Climate Change (Unit Register) Regulations 2007 is to be treated as a holding account opened under these regulations; and
 - (b) a person who became an account holder under the Climate Change (Unit Register) Regulations 2007 is to be treated as having become an account holder under these regulations; and
 - (c) a representative appointed under the Climate Change (Unit Register) Regulations 2007 is to be treated as a primary representative appointed under these regulations.
- (2) The Registrar may require any person who became an account holder or was appointed as a representative under the Climate Change (Unit Register) Regulations 2007 to provide any particulars or information required to comply fully with the requirements of these regulations.
- (3) A person who is to provide any particulars or information under subclause (2) must provide the particulars or information within 90 days of the date on which the Registrar notifies the person that the person is required to provide the particulars or information.
- (4) To avoid doubt, these regulations replace the Climate Change (Unit Register) Regulations 2007 (SR 2007/335).
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Schedule

r 8B

**Large-scale hydropower projects
generating units approved for surrender**

Schedule: inserted, on 18 December 2012, by regulation 5 of the Climate Change (Unit Register) Amendment Regulations 2012 (SR 2012/414).

Project ID	Project name	Host country
519	Passo do Meio, Salto Natal, Pedrinho I, Granada, Ponte, and Salto Corgão Small Hydroelectric Power Plants—Brascan Energética S.A. Project Activity	Brazil
520	Cachoeira Encoberta and Triunfo Small Hydroelectric Power Plants—Brascan Energética Minas Gerais S.A. (BEMG) Project Activity	Brazil
530	ARAPUtanga Centrais ELétricas S.A.—ARAPU-CEL—Small Hydroelectric Power Plants Project	Brazil
541	La Joya Hydroelectric Project (Costa Rica)	Costa Rica
693	Votorantim's Hydropower Plant with existing reservoir "Pedra do Cavalo" CDM Project	Brazil
773	Ceran's Monte Claro Run of River Hydropower Plant CDM Project Activity	Brazil
809	Garganta da Jararaca Small Hydroelectric Power Plant (SHP)	Brazil
891	Atiaia—Buriti Small Hydropower Plant	Brazil
1232	UHE Mascarenhas power upgrading project	Brazil
1328	Brasil Central Energia S.A.—Sacre II Small Hydro Power Plant Project	Brazil
1342	São João hydro power plant	Brazil
2852	Yunnan Saizhu Hydropower Project	China
3872	Ngoi Phat Hydropower Project	Vietnam
4496	Gansu Taolai River 52.8MW Dongshuixia Hydropower Project	China
4537	DakRTih Hydropower Project, Vietnam	Vietnam
4658	Hongkou 200MW Hydropower Project in Fujian Province	China
4921	Bac Ha Hydropower Project, Vietnam	Vietnam
4937	Anhanguera Hydro Power Project	Brazil
4970	Dak Mi 4 Hydropower Project, Vietnam	Vietnam
4996	Pampeana and Terra Santa Small Hydropower Plants Project Activity	Brazil
5115	Srepok 4 Hydropower Project	Vietnam

**Climate Change (Unit Register)
Regulations 2008**

Reprinted as at
1 January 2013

Project ID	Project name	Host country
5577	Devoll Hydropower (DHP), Albania	Albania
5583	Xekaman 3 Hydropower Project, Lao PDR	Laos

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 2 October 2008.

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 - 5 List of amendments incorporated in this reprint (most recent first)
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Notes

1 *General*

This is a reprint of the Climate Change (Unit Register) Regulations 2008. The reprint incorporates all the amendments to the regulations as at 1 January 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Climate Change Response (Emissions Trading and Other Matters) Amendment Act 2012 (2012 No 89): section 103

Climate Change (Unit Register) Amendment Regulations 2012 (SR 2012/414)

Climate Change (Unit Register) Amendment Regulations 2011 (SR 2011/431)

Environmental Protection Authority Act 2011 (2011 No 14): section 53(2)

Climate Change Response (Moderated Emissions Trading) Amendment Act 2009 (2009 No 57): section 88(2)