



# **Carbon Credits (Carbon Farming Initiative) Amendment (Safeguard Facility Eligibility Requirements) Rules 2022**

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

Dated

Chris Bowen **DRAFT ONLY—NOT FOR SIGNATURE**  
Minister for Climate Change and Energy

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# Contents

1 Name.....	1
2 Commencement .....	1
3 Authority .....	1
4 Schedules.....	1
<b>Schedule 1—Amendments</b>	<b>2</b>
<i>Carbon Credits (Carbon Farming Initiative) Rule 2015</i>	2



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## 1 Name

This instrument is the *Carbon Credits (Carbon Farming Initiative) Amendment (Safeguard Facility Eligibility Requirements) Rules 2022*.

## 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 20

Repeal the section, substitute:

#### 20 Eligibility requirements—designated large facilities

- (1) This section is made for the purposes of paragraph 27(4)(l) of the Act.
- (2) It is an eligibility requirement for an offsets project that the project will not involve carbon abatement of covered emissions of greenhouse gases from the operation of a designated large facility for a financial year.
- (3) The following expressions used in subsection (2) have the same meaning as in the NGER Act:
  - (a) covered emissions;
  - (b) designated large facility;
  - (c) operation.

#### 2 At the end of Part 29

Add:

### **Division 2—Application and transitional provisions relating to the *Carbon Credits (Carbon Farming Initiative) Amendment (Safeguard Facility Eligibility Requirements) Rules 2022***

#### **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:
  - (a) made on or after the day this section commences; and
  - (b) made, but not finally determined, before the day this section commences.
- (2) For the purposes of this section, the **amending instrument** is the *Carbon Credits (Carbon Farming Initiative) Amendment (Safeguard Facility Eligibility Requirements) Rules 2022*.