

## Climate Change Response Act 2002

## PARTICIPANT NOTIFICATION FORM

### PART 3 OF SCHEDULE 3: STATIONARY ENERGY – IMPORTING AND MINING COAL OR NATURAL GAS

### INSTRUCTIONS

#### **Important: Please read the following Instructions and Notes carefully before completing the Participant Notification Form.**

Unless stated otherwise, any legislative reference is a reference to the Climate Change Response Act 2002.

#### I CARRY OUT AN ACTIVITY IN PART 3 OF SCHEDULE 3 – WHAT DO I NEED TO DO?

1. If you carry out any of the following activities on or after 1 January 2010:
  - > Importing coal where the volume of coal imported exceeds 2,000 tonnes in a year<sup>1</sup>
  - > Mining coal where the volume of coal mined exceeds 2,000 tonnes in a year<sup>1</sup> or where the volume of coal (in the form of peat) mined exceeds 10,000 tonnes in a year<sup>1</sup>
  - > Importing natural gas where the volume of natural gas imported exceeds 10,000 litres a year<sup>1</sup>
  - > Mining natural gas, other than for exportthen you are a participant in the New Zealand Emissions Trading Scheme (see section 56). You must notify the Environmental Protection Authority that you are a participant in respect of the activity (see section 56(1)(a)) and Part 3 of Schedule 3.
2. For the purposes of mining coal or natural gas:
  - > if a permit is required under any Act to carry out the mining, then the person who holds the permit is to be treated as the participant; or
  - > if no permit is required to carry out the mining, then the owner of the mine is to be treated as the participant.

1. A "year" means a calendar year from 1 January to 31 December. If you exceed the threshold during a year then your obligations as a participant apply from 1 January of that same year.

#### HOW DO I NOTIFY THE ENVIRONMENTAL PROTECTION AUTHORITY?

##### **Do you import coal or natural gas jointly with other persons?**

3. If you jointly import coal or natural gas with 1 or more other persons, then you must together notify the Environmental Protection Authority using the "Registration of Persons Jointly Carrying Out Activities" form. In this case, all the people who jointly import coal or natural gas are treated as an "Unincorporated Body" and the Unincorporated Body is registered as the participant (see section 157).

##### **Do you mine coal or natural gas jointly with other persons?**

4. If you hold a permit to mine coal or natural gas jointly with 1 or more other persons under terms that entitle you to a proportion of the coal or natural gas mined under the permit, then each person named on the permit will be registered separately as a participant and entered on the Participant Register. Section 157 relating to "Unincorporated Body" does not apply.

##### **Do you carry out any of these activities as a member of a Group and wish to be treated as a member of a Consolidated Group?**

5. Where 2 or more persons are members of a Group (A Group means a reporting entity and its subsidiaries) then they may elect to comply with the requirements of the Act by choosing to form a Consolidated Group (see section 150).
6. 2 or more members of a Group can give notice of their election to form a Group at the same time that they notify the Environmental Protection Authority that they are participants by using the "Registration and Election of Persons as Participants in a Consolidated Group" form.

##### **Do I use this form?**

7. If you:
  - (a) carry out any of these activities on your own;
  - (b) are named as carrying out the activities of mining coal and natural gas on permits; and
  - (c) cannot, or do not want to, give notice of an election to form a consolidated Group at the same time that you notify the Environmental Protection Authority that you are a participant,then you must notify the Environmental Protection Authority by completing pages 4 to 7 of this Participation Notification Form and sending them to us either by fax to +64 4 978 3661 or by scanning and emailing them to [climatechange@epa.govt.nz](mailto:climatechange@epa.govt.nz).

#### WHEN DO I NEED TO NOTIFY THE ENVIRONMENTAL PROTECTION AUTHORITY BY?

8. You must notify the Environmental Protection Authority within 20 working days of becoming a participant in respect of an emissions trading scheme activity (section 56(2)(a)).



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**INSTRUCTIONS**

**DO I NEED A HOLDING ACCOUNT BEFORE I CAN COMPLETE THIS FORM?**

9. All participants must have a holding account in the New Zealand Emission Unit Register (Unit Register) (see section 61). If you do not already have a holding account, you must complete on-line the first two steps of the holding account application process before you can complete this Participant Notification Form (see paragraph 9 below).

**HOW DO I APPLY FOR A HOLDING ACCOUNT?**

10. You can apply for a holding account at [www.eur.govt.nz](http://www.eur.govt.nz). Applying for a holding account is a three-step process.
- (a) The first two steps are done via the Registry's internet site:
- i. First, you must register as a user. Users have log-on access to the Unit Register and can apply to open a holding account, be nominated as a primary representative to operate a holding account, and view unit holdings and transfer units in respect of holding accounts for which they are primary representatives.
  - ii. Second, you must complete the on-line application to open a holding account. Once you have completed the on-line application, you will be provided with the holding account number for the pending holding account. Please enter this holding account number into Part C, box 3 (Holding Account Number) on page 4. The Registrar will also supply this holding account number to the Environmental Protection Authority on your behalf once your application to open a holding account is approved by the Registrar. This will satisfy your obligation to supply the Environmental Protection Authority with your holding account number within 10 working days of receiving it from the Registrar. (see section 56(1)(b)(ii)).
- (b) The last step is to complete the Account Holder Declaration Form we send to you - sign it and either fax it or scan and email it to the Registrar.
11. The Account Holder Declaration Form has more detailed instructions and notes on the holding account application process.

**DO I HAVE TO PAY ANY FEES?**

12. No fees are payable to process this Participant Notification Form.

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NOTES

> Please read the notes below before completing the Participant Notification Form.

**PART A DETAILS OF THE PERSON WHO IS REGISTERING AS A PARTICIPANT**

**1 PARTICIPANT INFORMATION**

**Full Legal Name:** You must record here the full legal name of the person carrying out the activity. The name you provide will be recorded in the Participant Register as the person who is carrying out the activity (see section 56(3)). Every participant must have a holding account, so the name you specify in Part C, box 4 on page 4 must correspond to the name you record here. This holding account will be either a holding account you had before becoming a participant or the holding account you have applied to open in the process of completing this Participant Notification Form (see section 56(1)(b)(i)).

**PART B CONTACT DETAILS OF THE PERSON WHO WILL RECEIVE NOTICES FROM THE ENVIRONMENTAL PROTECTION AUTHORITY**

**2** Please record here the full legal name and contact details of the person who is to receive notices from the Environmental Protection Authority under the Act. An email address is required because in most circumstances notices will be sent electronically.

Where you provide personal information, we will hold and use that information in accordance with the Privacy Act 1993. You have the right to access and correct any of your personal information held by us.

**PART C DETAILS OF HOLDING ACCOUNT IN THE UNIT REGISTER**

**3** **Holding Account Number:** Please record here the details of your holding account number in the Unit Register. This will be either the account number of the holding account you had before becoming a participant or the account number of the holding account you have applied to open in the process of completing this Participant Notification Form (see paragraphs 8, 9, and 10 on page 2 and section 56(1)(b)(i)).

**4** **Participant Account Holder:** This holding account will be designated as your participant holding account. The name of the account holder must correspond to the name of the person carrying out the activity provided in Part A, box 1 on page 4 (see section 61).

**PART D DETAILS OF ACTIVITY**

**5** **Activity Information:** Please record here the details of the activity. Where a person holds a permit to mine coal or natural gas, the:

- > permit number
- > operation/mine/gas field name
- > % holding of permit
- > permit expiry date

must be provided in respect of each permit held.

**PART E CONFIRMATION**

**6** **Please read carefully before signing the confirmation.** The confirmation must be signed by or on behalf of the participant. For participants who are incorporated bodies (including companies, incorporated societies, incorporated trusts, or limited partnerships) the declaration must be signed by a director or an executive officer (or equivalent) of the incorporated body.

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**IMPORTANT:** Please read the Instructions and Notes on pages 1 to 3 before you complete this notification e.g. **1** refers to Note 1 on page 3.

- > This form is to be used by persons to notify the Environmental Protection Authority that the participant is carrying out an activity pursuant to Part 3 of Schedule 3 – Importing and Mining Coal or Natural Gas.
- > Please complete this form using capital letters – do not use abbreviations.
- > This form is a writable PDF. You may complete this form on-line and then print it. You will NOT be able to save it.
- > This form is to be completed then signed by the participant in accordance with Part E on page 3. The completed form must be sent to the New Zealand Emissions Trading Registry either by fax to **+64 4 978 3661** or by scanning and emailing it to **climatechange@epa.govt.nz**
- > This form has been prescribed by the Environmental Protection Authority under section 90.

**PART A DETAILS OF THE PERSON WHO IS REGISTERING AS A PARTICIPANT****1 Participant**

Full Legal Name of the  
person carrying out the activity

  
  
**PART B CONTACT DETAILS OF THE PERSON WHO WILL RECEIVE NOTICES FROM THE ENVIRONMENTAL PROTECTION AUTHORITY****2 Full Name****2 Organisation****2 Position****2 Postal Address**

PO BOX/PRIVATE BAG NUMBER

POSTAL CODE

**2 Email Address**

Phone Number

**PART C DETAILS OF HOLDING ACCOUNT IN THE UNIT REGISTER****3 Holding Account Number**

NZ –

**4 Participant Account Holder**  
Full Legal Name

The name **must** correspond to the name of the person carrying out the activity you have recorded in Part A, box 1 above.





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**PART E CONFIRMATION**

**6 THIS CONFIRMATION MUST BE SIGNED BY OR ON BEHALF OF THE PARTICIPANT.**

The participant confirms that:

- > The participant authorises that the contact details provided for the purposes of the Unit Register may also be used for the purposes of the Participant Register.
- > The primary representatives of the participant holding account may receive notices on behalf of the participant and may access information regarding the participant's emissions returns to or by the Environmental Protection Authority.
- > The Registrar may supply the participant holding account number to the Environmental Protection Authority on the participant's behalf under section 56(1)(b)(ii).
- > The information provided is true and correct.

Name

Signature

Date

Position and Entity