

ACCREDITATION NOTICE

CARBON SEQUESTRATION ABATEMENT CERTIFICATE PROVIDER

Notice Number: [xx]

Notice Date: [xx]

1 Accreditation *(this clause applies only if this is the first accreditation notice issued)*

- (a) This clause 1 applies where this Notice is the first Accreditation Notice issued to the Sequestration Pool Manager for the Accredited Sequestration Pool (namely, where the Notice Number indicated above is "Notice Number 1").
- (b) In accordance with section 97DB(2)(a) of the Act, the Scheme Administrator hereby accredits the Sequestration Pool Manager as an abatement certificate provider in relation to the New Carbon Sequestration Activity with effect from the date of this Notice.

2 Amendment of Accreditation *(this clause applies for all subsequently issued accreditation notices)*

- (a) This clause 2 applies where this Notice is not the first Accreditation Notice issued to the Sequestration Pool Manager for the Accredited Sequestration Pool (namely, where the Notice Number indicated above is not "Notice Number 1").
- (b) In accordance with the Act and the Regulations, the Scheme Administrator has previously accredited the Sequestration Pool Manager as an abatement certificate provider in relation to each Existing Carbon Sequestration Activity with effect from the Existing Accreditation Date for that activity.
- (c) In accordance with section 97DD of the Act and clause 73J of the Regulations, the Scheme Administrator now amends that accreditation:
 - (1) by accrediting the Sequestration Pool Manager as an abatement certificate provider in relation to the New Carbon Sequestration Activity (in addition to the Existing Carbon Sequestration Activities);
 - (2) on the conditions referred to in clause 3 below,with effect from the date of this Notice.

3 Accreditation Conditions

- (a) In accordance with section 97DD(1)(b) of the Act and clause 73J of the Regulations, the Scheme Administrator imposes on the Sequestration Pool Manager's Accreditation the conditions set out in this Notice and in:
 - (1) the attached Special Accreditation Conditions; and
 - (2) the attached General Accreditation Conditions.

- (b) The Scheme Administrator hereby gives the Sequestration Pool Manager written notice of the conditions referred to in clause 3(a) of this Notice, for the purposes of clause 73J of the Regulations.

4 Pre-Conditions to the creation of NGACs for New Carbon Sequestration Activity

Despite the Sequestration Pool Manager's Accreditation, the Sequestration Pool Manager must not create any NGACs in relation to any New Carbon Sequestration Activity in any Eligible Forest on any New Eligible Land nominated in Item 3(a) of the Schedule until:

- (a) the Sequestration Pool Manager provides the Scheme Administrator with:
 - (1) an undertaking referred to in clause 5 of this Notice in respect of that New Carbon Sequestration Activity; and
 - (2) a Restriction On Use referred to in clause 6 of this Notice for each parcel of that New Eligible Land; and
- (b) the Scheme Administrator notifies the Sequestration Pool Manager in writing that it is satisfied that any other preconditions for the creation of NGACs set out in the attached Special Accreditation Conditions and General Accreditation Conditions have been met.

5 Clause 73HA Undertaking Given by the Sequestration Pool Manager

In accordance with clause 73HA of the Regulations, the Scheme Administrator requires the Sequestration Pool Manager to provide an undertaking that where the Sequestration Pool Manager creates any NGACs for the Accredited Carbon Sequestration Activities, the Sequestration Pool Manager will not use (or allow any other person to use):

- (a) any Carbon Sequestration for which those NGACS were created; or
- (b) any greenhouse gas abated or taken to be abated in connection with that Carbon Sequestration,

for the purposes of complying with another mandatory scheme (whether in New South Wales or in another jurisdiction) intended to promote Carbon Sequestration or the reduction of greenhouse gas emissions.

6 Maintenance of Greenhouse Gas Abatement

The Sequestration Pool Manager must provide the Scheme Administrator with a Restriction On Use for each parcel of Accredited Eligible Land.

7 NGACs to be Created in Accordance with the Law

The Sequestration Pool Manager may only create NGACs for any Accredited Carbon Sequestration Activities in accordance with the Act, the Regulations, the Carbon Sequestration Rule, this Notice, the attached Special Accreditation Conditions and the attached General Accreditation Conditions.

8 Nominated Number of NGACs

- (a) The Scheme Administrator notes that, on the basis of:
- (1) the Sequestration Pool Manager's Accreditation Application; and
 - (2) the information the Sequestration Pool Manager has provided to the Scheme Administrator as at the date of this Notice (including, without limitation, the likely or planned levels of the Accredited Carbon Sequestration Activities per calendar year),

the Scheme Administrator is satisfied that the Sequestration Pool Manager should be entitled to create up to the Nominated Number of NGACs per calendar year (in relation to the Accredited Carbon Sequestration Activities) in accordance with the Act, the Regulations and the Rules.

- (b) If for any calendar year the Sequestration Pool Manager proposes to create a total number of NGACs (for the Accredited Carbon Sequestration Activities) which exceeds 110% of the Nominated Number of NGACs for that year, then before doing so the Sequestration Pool Manager must comply with the notification requirements set out in the attached General Accreditation Conditions.

9 Annual Report

- (a) This clause 9 applies if "Yes" appears in Item 16 of the Schedule.
- (b) By no later than the end of the Quarter immediately following each Reporting Period, the Sequestration Pool Manager must provide to the Scheme Administrator a written report in a form and manner approved by the Scheme Administrator, confirming:
- (1) (for the Reporting Period) that the Accredited Carbon Sequestration Activities are still fully operating in the manner indicated in the Sequestration Pool Manager's Accreditation Application;
 - (2) (for the Reporting Period) that the characteristics and details of the Accredited Carbon Sequestration Activities are not materially different from the characteristics and details identified in the Sequestration Pool Manager's Accreditation Application; and
 - (3) the number of NGACs created in respect of the Accredited Carbon Sequestration Activities that occurred in:
 - (A) the calendar year occurring immediately prior to the calendar year in which the written report is provided under this clause; and
 - (B) the year to date for the calendar year in which the written report is provided under this clause,with supporting calculations satisfactory to the Scheme Administrator.

10 Definitions and Interpretation

- (a) In this Notice, the following expressions have the following meanings:

"Accredited Carbon Sequestration Activities" means:

- (1) all Existing Carbon Sequestration Activities (where clause 2 of this Notice applies); and
- (2) the New Carbon Sequestration Activity (where either clause 1 or clause 2 of this Notice applies);

"Accredited Carbon Sequestration Rights" means all of the Carbon Sequestration Rights referred to in Item 4 of the Schedule which are owned or controlled by the Sequestration Pool Manager, subject to clause 5 of the General Accreditation Conditions;

"Accredited Eligible Forest" means all Eligible Forest on Accredited Eligible Land in respect of which the Accredited Carbon Sequestration Rights subsist;

"Accredited Eligible Land" means all of the Eligible Land nominated in Item 3 of the Schedule, subject to clause 5 of the General Accreditation Conditions;

"Accredited Sequestration Pool" means all Accredited Eligible Forests, referred to collectively, for administrative convenience, by reference to the name identified in Item 2 of the Schedule;

"Act" means the Electricity Supply Act (NSW) 1995;

"Carbon Sequestration" means the process of absorbing carbon dioxide and storing carbon within an Eligible Forest;

"Carbon Sequestration Right" has the meaning given to it in the Carbon Sequestration Rule;

"Carbon Sequestration Rule" means the Greenhouse Gas Benchmark Rule (Carbon Sequestration) No 5 of 2003 made under the Act;

"Eligible Forest" has the meaning given to it in the Carbon Sequestration Rule;

"Eligible Land" has the meaning given to it in the Carbon Sequestration Rule;

"Existing Accreditation Date" for an Existing Carbon Sequestration Activity means the date specified for that activity in Item 5 of the Schedule;

"Existing Carbon Sequestration Activity" means Carbon Sequestration in Eligible Forest on Existing Eligible Land nominated in an Annexure listed in Item 3(b) of the Schedule (for which Existing Carbon Sequestration Rights listed in the corresponding Annexure in Item 4(b) of the Schedule subsist);

"Forest" has the meaning given to it in the Carbon Sequestration Rule;

"General Accreditation Conditions" means the document of that title attached to this Notice;

"Maintenance Obligation" means the Maintenance Obligation referred to in the General Accreditation Conditions;

"New Carbon Sequestration Activity" means Carbon Sequestration in Eligible Forest on New Eligible Land nominated in the Annexure listed in Item 3(a) of the Schedule (for which the New Carbon Sequestration Rights listed in the corresponding Annexure in Item 4(a) of the Schedule subsist);

"NGACs" means New South Wales Greenhouse Abatement Certificates created under the Act;

"NGAC Entitlement Date" means, for the purpose of clause 73KB(1) of the Regulations:

- (1) the date on which the Sequestration Pool Manager lodged with the Scheme Administrator an application (completed to the satisfaction of, and in a form acceptable to, the Scheme Administrator) for accreditation as an abatement certificate provider; and
- (2) which for each Accredited Carbon Sequestration Activity will be taken to be the date specified for that activity in Item 6 of the Schedule;

"Nominated Number of NGACs" means the number of NGACs specified in Item 6 of the attached Schedule;

"Regulations" means the Electricity Supply (General) Regulation 2001;

"Quarter" means any period of 3 consecutive months commencing at the beginning of January, April, July or October in any calendar year;

"Reporting Period" means the reporting period (if any) specified in Item 17 of the Schedule;

"Restriction On Use" for any Accredited Eligible Land, means a restriction under section 88E of the Conveyancing Act 1919 (NSW):

- (a) in favour of the Scheme Administrator;
- (b) in a form acceptable to the Scheme Administrator;
- (c) which includes as signatories to it:
 - (A) the registered proprietor of each Accredited Carbon Sequestration Right registered against the title to that Accredited Eligible Land;
 - (B) the registered proprietor of that Accredited Eligible Land ; and
 - (C) the holder of any other registered interest in that Accredited Eligible Land; and
- (d) is duly registered against the title to that Accredited Eligible Land in accordance with the Conveyancing Act 1919 (NSW);

"Rules" means the greenhouse gas benchmark rules established under the Act and the Regulations;

"Schedule" means the Schedule attached to and forming part of this Notice;

"Scheme Administrator" means the Independent Pricing and Regulatory Tribunal in its capacity as Scheme Administrator under Part 8A of the Act, or if it ceases to exist or is reconstituted, renamed or replaced or has its powers or functions removed, the agency or body which is appointed to perform or performs most closely its functions;

"Sequestration Pool Manager" means the person identified in Item 1 of the attached Schedule;

"Sequestration Pool Manager's Accreditation" means:

- (1) the accreditation of the Sequestration Pool Manager as set out in clause 1(b) of this Notice (where clause 1 of this Notice applies); or
- (2) the accreditation of the Sequestration Pool Manager as set out in clause 2(b) of this Notice, amended as set out in clause 2(c) of this Notice (where clause 2 of this Notice applies);

"Sequestration Pool Manager's Accreditation Application" means:

- (1) the application lodged by the Sequestration Pool Manager with the Scheme Administrator seeking the Sequestration Pool Manager's accreditation as set out in clause 1(b) of this Notice (where clause 1 of this Notice applies); or
- (2) each application lodged by the Sequestration Pool Manager with the Scheme Administrator seeking accreditation or any amendment of accreditation as set out in clauses 2(b) and 2(c) of this Notice (where clause 2 of this Notice applies); and

"Special Accreditation Conditions" means the document of that title attached to this Notice.

- (e) The rules of interpretation set out in the attached General Accreditation Conditions apply to this Notice, unless the context requires otherwise.

SCHEDULE

Item 1: Sequestration Pool Manager

Name: **[Organisation Name]**

ABN: **[Number]**

Address: **[Address]**

Item 2: Name of Accredited Sequestration Pool

[Pool Name]

Item 3: Eligible Land

(a) New Eligible Land

All Eligible Land in the Certificates of Title identified in Annexure A1

(b) Existing Eligible Land **[for amended accreditations only]**

All Eligible Land in the Certificates of Title identified in:

(1) Annexure A2 [insert this for the first amended accreditation: i.e the "New Eligible Land" from "Annexure A1" of the very first Accreditation Notice should be reinserted as a new "Annexure A2" and thereby become "Existing Eligible Land" under the first amended Accreditation Notice]

(2) Annexure, A3, A4 etc..[insert a new reference to a new Annexure A3, A4 etc each time a further amended accreditation is made i.e. the "New Eligible Land" from "Annexure A1" in the immediately previous amended Accreditation Notice will be reinserted here as a new "Annexure A3" (or A4 etc..) and become "Existing Eligible Land" under the next amended Accreditation Notice];

Item 4 Carbon Sequestration Rights

(a) New Carbon Sequestration Rights

The Carbon Sequestration Rights identified in Annexure B1

(b) Existing Carbon Sequestration Rights **[for amended accreditations only]**

The Carbon Sequestration Rights identified in:

(1) Annexure B2 [insert this for the first amended accreditation: i.e the "New Carbon Sequestration Rights" from "Annexure B1" of the very first Accreditation Notice should be reinserted as a new "Annexure B2" and thereby become "Existing

Carbon Sequestration Rights" under the first amended Accreditation Notice]

(2) Annexure, B3, B4 etc..[insert a new reference to a new Annexure B3, B4 etc each time a further amended accreditation is made i.e. the "New Carbon Sequestration Rights" from "Annexure B1" in the immediately previous amended Accreditation Notice will be reinserted here as a new "Annexure B3" (or B4 etc..) and become "Existing Carbon Sequestration Rights" under the next amended Accreditation Notice];

Item 5: Existing Accreditation Dates (for Existing Carbon Sequestration Activity) [for amended accreditations only]

- (a) **[insert date]** for any Carbon Sequestration in Eligible Forest on Eligible Land nominated in Item 3(b)(1) of this Schedule;
- (b) **[insert date i.e. insert a separate subparagraph with a separate date for each of sub Item 3(b)(2), (3) etc]** for any Carbon Sequestration in Eligible Forest on Eligible Land nominated in Item 3(b) **(2) {or (3) etc...as applicable}** of this Schedule; and

[Explanatory Note:

- *For (a) above, insert the "Accreditation Commencement Date" or the "Notice Date" taken from the first Accreditation Notice issued for this accreditation (depending on which form of Accreditation Notice was used).*
- *For all subsequent subparagraphs (b), (c) etc... insert the "Notice Date" from the amended "Accreditation Notice" issued for the eligible land referred to in that subparagraph.*

Item 6: NGAC Entitlement Dates (for each Accredited Carbon Sequestration Activity)

(a) For New Carbon Sequestration Activities

[insert date/ i.e. the date of the accreditation application which has resulted in the issue of THIS Accreditation Notice] for any Carbon Sequestration in Eligible Forest on Eligible Land nominated in Item 3(a) of this Schedule.

(b) For Existing Carbon Sequestration Activities) [for amended accreditations only]

- (1) **[insert date/ i.e. the date of the accreditation application for the very FIRST Accreditation Notice issued for this accreditation]** for any Carbon Sequestration in Eligible Forest on Eligible Land nominated in Item 3(b)(1) of this Schedule; and
- (2) **[insert date/ i.e. insert a separate subparagraph with a separate date for each of sub Item 3(b)(2), (3) etc.. The date will be the date for the application for accreditation relevant to that sub Item]** for any Carbon Sequestration in

Eligible Forest on Eligible Land nominated in Item 3(b) **(2)**
{or (3) etc...as applicable} of this Schedule.

Item 7: Nominated Number of NGACs

Number per calendar year

Item 8: Security Amount

None

Item 9: Insurance Amount

None

Item 10: Section 97EF Security Amount

None

Item 11: Approved Calculation Method

[IDENTIFY DOCUMENT: AUTHOR, TITLE, VERSION, DATE]

Item 12: Approved Record Keeping Arrangements

[IDENTIFY DOCUMENT: AUTHOR, TITLE, VERSION, DATE]

Item 13: Approved Maintenance Compliance Reporting Arrangements

[IDENTIFY DOCUMENT: AUTHOR, TITLE, VERSION, DATE]

Item 14: Approved NGAC Compliance Reporting Arrangements

[IDENTIFY DOCUMENT: AUTHOR, TITLE, VERSION, DATE]

Item 15: Approved Risk Management Arrangements

[IDENTIFY DOCUMENT: AUTHOR, TITLE, VERSION, DATE]

Item 16: Annual Report Required

Yes/No

Item 17: Annual Reporting Period

e.g. Entire previous calendar year

SPECIAL ACCREDITATION CONDITIONS

- 1 The Scheme Administrator notes:
 - (a) the provisions of clause 4.1 of the attached General Accreditation Conditions;
 - (b) the obligations of the Sequestration Pool Manager under clause 4.3 of the attached General Accreditation Conditions to comply with the Approved Arrangements;
 - (c) the rights of the Scheme Administrator (as set out in clause 2.6 of the attached General Accreditation Conditions) to at any time conduct or require an audit to be conducted, at the Sequestration Pool Manager's cost, in respect of (among other things) the Sequestration Pool Manager's compliance with the matters referred to in clause 4.1 of the attached General Accreditation Conditions; and
 - (d) the provisions of clause 2.3 of the attached General Accreditation Conditions which set out the rights of the Scheme Administrator:
 - (1) under section 97DD(1)(b) of the Act to impose further accreditation conditions while the Sequestration Pool Manager's Accreditation remains in force; and
 - (2) under clause 73J(4) of the Regulations to at any time by notice in writing given to the Sequestration Pool Manager revoke or vary a condition imposed on the Sequestration Pool Manager's Accreditation by the Scheme Administrator.
- 2 The Sequestration Pool Manager's obligations under these Special Accreditation Conditions are in addition to (and do not in any way limit) the Sequestration Pool Manager's obligations and the Scheme Administrator's rights under the attached General Accreditation Conditions.

ANNEXURE A1: NEW ELIGIBLE LAND TITLE DETAILS

Stand	Lot(s)	Deposited Plan(s)	Certificate of Title

ANNEXURE A2: EXISTING ELIGIBLE LAND TITLE DETAILS

Stand	Lot(s)	Deposited Plan(s)	Certificate of Title

ANNEXURE B1: NEW CARBON SEQUESTRATION RIGHT DETAILS

Stand	Certificate of Title	Registered Dealing Number

ANNEXURE B2: EXISTING CARBON SEQUESTRATION RIGHT DETAILS

Stand	Certificate of Title	Registered Dealing Number

Executed for and on behalf of)
Independent Pricing and Regulatory)
Tribunal (as Scheme Administrator))
by its duly authorised representative in)
the presence of:)

Signature of Authorised Representative

James Cox

Signature of Witness

Chief Executive Officer
Full Time Member

Name of Witness (Print Name)