



# Cabinet Legislation Committee

## Minute of Decision

McGuinness Institute title:  
[LEG-24-MIN-0269] Climate  
Change (Forestry) Amendment  
Regulations (No 2) 2024

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### Climate Change (Forestry) Amendment Regulations (No 2) 2024

Portfolio                      Forestry

On 12 December 2024, the Cabinet Legislation Committee:

- 1        **noted** that in October 2024, Cabinet authorised a sub-group comprising the Minister of Finance, Minister of Climate Change and Minister of Forestry to approve policy decisions following a review of forestry ETS cost recovery settings for the 2024/25 and subsequent financial years [ECO-24-MIN-0227];
- 2        **noted** that the sub-group of Ministers agreed:
  - 2.1        to reset the annual charge and part-charge for post-1989 forestry participants registered in the ETS at a rate of \$14.90 (excluding GST) per hectare per annum;
  - 2.2        to update the rules that apply for participants using the Field Measurement Approach to measure and calculate carbon stored in their forests for returns covering the shortened 2023-2025 Mandatory Emissions Return Period, providing the option for these participants to use their existing participant-specific carbon tables, or default tables in the Climate Change (Forestry) Regulations 2022 if they do not have participant-specific carbon tables; and
  - 2.3        that for the 2024/25 financial year, eligible participants may claim the exemption from the annual charge or part-charge for indigenous forest less than six years in age by notifying the regulator by a date that is 20 working days after the amendment regulations commence;
- 3        **noted** that the Climate Change (Forestry) Amendment Regulations (No 2) 2024 will give effect to the decisions in paragraph 2 above;
- 4        **noted** that section 163(5) of the Climate Change Response Act 2002 (the Act) requires the Minister of Climate Change, when making regulations under section 163(1)(b) of the Act, to have regard to international climate change obligations (if any) in respect of the collection of data and information relating to, and the measurement of, emissions and removals;
- 5        **noted** the advice of the Minister of Forestry that the requirement under section 163(5) of the Act has been met;
- 6        **noted** that section 3A of the Act requires representatives of iwi and Māori to be consulted on certain regulations made under the Act, including those made under section 163 of the Act, where they are expected to have an interest in the regulations;

- 7 **noted** that section 3B of the Act requires consultation with the persons that appear likely to be substantially affected by certain regulations made under the Act, including those made under section 163 of the Act;
- 8 **noted** the advice of the Minister of Forestry that the consultation requirements in sections 3A and 3B of the Act have been met;
- 9 **authorised** the submission to the Executive Council of the Climate Change (Forestry) Amendment Regulations (No 2) 2024 [PCO 26894/3.0].

Tom Kelly  
Committee Secretary

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**Present:**

Hon Simeon Brown (Chair)  
Hon Paul Goldsmith  
Hon Todd McClay  
Hon Tama Potaka  
Hon Casey Costello  
Hon Nicole McKee  
Hon Simon Watts  
Hon Chris Penk  
Hon Andrew Bayly  
Hon Scott Simpson, MP  
Jamie Arbuckle, MP  
Todd Stephenson, MP

**Officials present from:**

Official's Committee for LEG

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