



# Cabinet Legislation Committee

## Minute of Decision

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### Climate Change (Eligible Industrial Activities) Amendment Regulations 2023

**Portfolio**                      **Climate Change**

On 16 March 2023, the Cabinet Legislation Committee:

- 1        **noted** that in 2018, the Cabinet Environment, Energy and Climate Committee authorised the Minister of Climate Change, in consultation with relevant Ministers, to make adjustments to the allocation level for the New Zealand Aluminium Smelter Limited (NZAS) to reflect the New Zealand Emissions Trading Scheme (NZ ETS) costs to NZAS from electricity consumption without referring to Cabinet, except where the financial or policy implications are significant enough to warrant Cabinet consideration [ENV-18-MIN-0051];
- 2        **noted** that:
  - 2.1      the Minister of Climate Change has agreed the allocative baseline for 2022 and provisional allocative baselines for 2023 and 2024, in line with the above delegation;
  - 2.2      the Climate Change (Eligible Industrial Activities) Amendment Regulations 2023 give effect to these decisions;
- 3        **noted** that the amendments must come into effect before 30 April 2023 so that NZAS can apply for its NZ ETS allocation under the industrial allocation provisions of the Climate Change Response Act 2002;
- 4        **authorised** submission to the Executive Council of the Climate Change (Eligible Industrial Activities) Amendment Regulations 2023 [PCO 25334/3.0];
- 5        **noted** that the Climate Change (Eligible Industrial Activities) Amendment Regulations 2023 come into force on 20 April 2023.

Rebecca Davies  
Committee Secretary

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**Attendance (see over)**

**Present:**

Hon Grant Robertson  
Hon Michael Wood  
Hon David Parker  
Hon Kieran McAnulty  
Hon Barbara Edmonds  
Hon Dr Duncan Webb  
Hon Willow-Jean Prime  
Hon James Shaw  
Tangi Utikere, MP

**Officials present from:**

Office of the Prime Minister  
Officials Committee for LEG