



Ozone Protection and Synthetic Greenhouse Gas Management (Non-grandfathered Quota—2026-2027) Determination 2025

I, Bronwyn Battisson, delegate for the Minister for the Environment and Water, make the following determination.

Dated 9 July 2025

Bronwyn Battisson
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Department of Climate Change, Energy, the Environment and Water

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1 Name

This instrument is the *Ozone Protection and Synthetic Greenhouse Gas Management (Non-grandfathered Quota—2026-2027) Determination 2025*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under subregulation 51(4) of the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) CO₂e megatonnes; and
- (b) HFC quota.

Note: A number of expressions used in this instrument are defined in the Regulations, including the following:

- (a) non-grandfathered quota; and
- (b) HFC quota allocation period.

In this instrument:

Act means the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

CO₂e means carbon dioxide equivalent.

CO₂e tonne means 1/1,000,000 of a CO₂e megatonne.

eligible applicant means a person who is entitled to non-grandfathered quota for the HFC quota allocation period 2026-2027 pursuant to subregulation 51(1) of the Regulations, other than the Commonwealth.

Note: For entitlement to non-grandfathered quota, see subregulation 51(1) of the Regulations.

eligible applicant entitlement amount means the amount equal to:

(the non-grandfathered HFC industry limit - 130 CO₂e tonnes)

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the number of eligible applicants who apply for non-grandfathered quota under section 6(a)

non-grandfathered HFC industry limit means 0.2125 CO₂e megatonnes.

Note: The non-grandfathered HFC industry limit is the non-grandfathered percentage (5%) of the HFC industry limit (4.25 CO₂e megatonnes) for the years in the fifth HFC quota allocation period.

Regulations means the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*.

5 Simplified outline

This instrument specifies who is entitled to non-grandfathered quota for the fifth HFC quota allocation period (2026 and 2027) and the amount of the non-grandfathered quota to which a person is entitled.

The non-grandfathered quota is allocated as follows:

- (a) the Department of Climate Change, Energy, the Environment and Water, on behalf of the Commonwealth, is entitled to 130 CO₂e tonnes; and
- (b) the remaining non-grandfathered HFC industry limit is divided evenly between the eligible applicants.

6 Entitlement

For the purposes of paragraph 51(4)(a) of the Regulations, a person is entitled to non-grandfathered quota for each of the years 2026 and 2027 if:

- (a) the person is an eligible applicant and that person makes an application for non-grandfathered quota; or
- (b) the person is the Commonwealth, as represented by the Department of Climate Change, Energy, the Environment and Water.

7 Amount

For the purposes of paragraph 51(4)(b) of the Regulations, the amount of non-grandfathered quota to which a person is entitled for each of the years 2026 and 2027 is:

- (a) for an eligible applicant – the eligible applicant entitlement amount; or
- (b) for the Commonwealth, as represented by the Department of Climate Change, Energy, the Environment and Water – 130 CO₂e tonnes.