

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

Acting Branch Head

Wildlife, Waste and Environmental Permits Branch

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)

*÷*

*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:

1. the Department of Climate Change, Energy, the Environment and Water, on behalf of the Commonwealth, is entitled to 130 CO2etonnes; and
2. 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:

1. the person is an eligible applicant and that person makes an application for non-grandfathered quota; or
2. 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:

1. for an eligible applicant – the eligible applicant entitlement amount; or
2. for the Commonwealth, as represented by the Department of Climate Change, Energy, the Environment and Water – 130 CO2e tonnes.