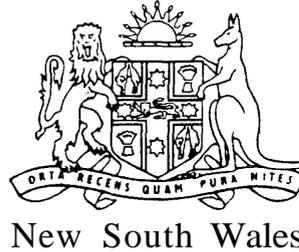


[Act 1998 No 124]



# Carbon Rights Legislation Amendment Bill 1998

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.\*

### Overview of Bill

The objects of this Bill are as follows:

- (a) to amend the *Conveyancing Act 1919*:
  - (i) to recognise that rights associated with carbon sequestered from the atmosphere by trees and forests may be a kind of forestry right and can be the subject of certain forestry covenants, and
  - (ii) to make it clear that an obligation in respect of the vesting of ownership of trees on land that is the subject of a forestry right may constitute a forestry covenant, and
  - (iii) to clarify the elements of the existing definition of forestry right by making it clear that a forestry right exists if an interest in land entitles its holder to enter the land and to establish, maintain and

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\* Amended in committee—see table at end of volume

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- harvest (or to just maintain and harvest) a crop of trees on the land even if no entitlement is also conferred to construct and use buildings, works and other facilities on the land, and
- (iv) to provide for matters of a savings or transitional nature,
  - (b) to amend the *Forestry Act 1916* to enable the Forestry Commission to acquire and trade in such rights, provide various services to investors and incorporate a corporation (whether by joining with any other person or otherwise) to assist it in exercising its functions,
  - (c) to amend the *Electricity (Pacific Power) Act 1950* and *Energy Services Corporations Act 1995* to enable electricity generators and distributors to trade in such rights.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision giving effect to the amendments to the Acts set out in Schedules 1–4.

**Schedules 1–4** make the amendments to the *Conveyancing Act 1919*, *Electricity (Pacific Power) Act 1950*, *Energy Services Corporations Act 1995* and *Forestry Act 1916* described above.