

ACCOUNT HOLDER DECLARATION FORM

June 2010

FOR THE NEW ZEALAND EMISSION UNIT REGISTER
(PURSUANT TO CLIMATE CHANGE (UNIT REGISTER) REGULATIONS 2008)

INSTRUCTIONS

IMPORTANT: Please read the following Instructions and Notes carefully before completing the Account Holder Declaration Form. If the form is completed incorrectly, then your application may be rejected or delayed.

Unless stated otherwise, any legislative reference is a reference to the Climate Change Response Act 2002.

COMPLETING YOUR REQUEST TO OPEN A HOLDING ACCOUNT

1. Please complete your on-line application to open a holding account in the New Zealand Emission Unit Register (Unit Register) at www.eur.govt.nz
2. After completing this on-line application please complete the attached account holder declaration form. The form must be signed by the account holder(s) of the proposed holding account.

TYPES OF ACCOUNT HOLDERS

3. The account holder may be:
 - > A New Zealand Registered Company
 - > An Australian Registered Company
 - > An Overseas Company Registered in New Zealand
 - > An Incorporated Society
 - > An Incorporated Trust (including Incorporated Maori Trusts)
 - > A Limited Partnership
 - > A Cooperative Company
 - > Other Body Corporate
 - > An Individual or Individuals (including, but not limited to, trustees, joint owners of land and partners in a partnership)
 - > The Crown (acting through a department or ministry)/Crown Entity

EVIDENCE OF IDENTITY/AUTHORITY

4. Every account holder who is an individual (including trustees, and partners) must provide a photocopy of a current identification document clearly showing his/her photograph and signature (e.g. a passport or a driver licence).
5. Persons signing for an account holder under a power of attorney must provide a completed certificate of non-revocation of power of attorney and a copy of a current identification document clearly showing his/her photograph and signature (e.g. a passport or a driver licence).
6. Persons signing for an account holder under authority arising from a court order must provide a copy of the order certified by a solicitor, court registrar, or justice of the peace.

PROCESSING OF YOUR REQUEST TO OPEN A HOLDING ACCOUNT

7. The completed form and the photocopies you provide will be kept by the Registrar of the Unit Register, who will process your application to open the holding account.



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INSTRUCTIONS

SUPPLEMENTARY AUTHORITY FORM

8. The purpose of the Supplementary Authority Form is to enable account holders to authorise people to act on their behalf in respect of their holding account. The completion of the Supplementary Authority Form is optional. However, please note that if you do not appoint an authorised person in relation to the holding account then:
- (a) each individual person; or
 - (b) director (or equivalent) of each incorporated entity,
- that comprises the account holder must sign the declarations required to open and close holding accounts, and add and remove primary representatives.

SEND YOUR COMPLETED FORM TO THE REGISTRAR

9. The completed form must be sent to the Registrar of the Unit Register either by fax to **+64 4 978 3661**, or by scanning and emailing it to **climatechange@med.govt.nz** or post to the **Registrar, Level 2, New Zealand Emission Unit Register, PO Box 1473, Wellington**.
10. Holding accounts will not be opened until a properly completed form has been received (with any required identification documents) and is accepted by the Registrar.

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NOTES

> Please read the notes below before completing the account holder declaration form.

PART A DETAILS OF ACCOUNT HOLDER

1 **Holding Account Name:** Insert the name of your holding account as you entered in your on-line application to open a holding account in the Unit Register. **NOTE:** This is the name of the holding account, NOT the full legal name of each account holder. The holding account name does not have to be the same as the full legal name of an account holder (i.e. it may be a trading name).

Important: If you are intending to be a participant in the New Zealand Emissions Trading Scheme then the persons that make up a participant (including the Members of an Unincorporated Body as defined in section 4 and under section 157) must be the same as the persons that are the account holders of the participant holding account.

If the account holders are Members of an Unincorporated Body then we recommend that the holding account name be the same as the Unincorporated Body name.

2 **Holding Account Number:** Insert the account number provided to you on completion of your on-line application to open a holding account in the Unit Register.

3 **Account Holder:** Insert the full legal name of each of the account holders of the holding account.

- > For unincorporated partnerships, insert the full legal name of each partner in the firm.
- > For trusts, insert the full legal name of each trustee of the trust.
- > For unincorporated joint ventures, insert the full legal name of each party to the joint venture.
- > For incorporated entities, insert the full legal name of the incorporated entity.
- > For Unincorporated Bodies under section 157, insert the full legal name of all of the Members of the Unincorporated Body.

The account holder is the legal owner of the units in the holding account.

4 **Email Address:** Insert the account holder's email address.

5 **Address Information:** Address Information: This is the address of the account holder. It must be a physical address for service in New Zealand, as follows:

- > street number and name
- > building/property name
- > floor level
- > town/city
- > postal code/RD number

If you have a rural address, write the property and/or rural road name and the rural delivery (RD) number and town.

6 **Postal Address:** Complete only if different from the physical address.
Please insert either your PO Box number or Private Bag number and your postal code.

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NOTES

PART B DETAILS OF ACCOUNT HOLDER'S PRIMARY REPRESENTATIVES APPOINTED

7 Account Holders' Responsibilities

Account holders are legally responsible for their holding accounts and any actions of their primary representatives.

Appoint Primary Representatives

Insert those individuals who have been appointed as primary representatives by the account holder. Each individual must be a qualified person as defined in regulation 3 of the Climate Change (Unit Register) Regulations 2008 (see qualifying criteria on page 5) and any appointed primary representatives must also be registered on-line users of the Unit Register. Insert the primary representative's registry user name on page 7.

Each holding account must have at least one but up to five authorised primary representatives who can operate the account holder's holding account, including the account holder if they elect to operate their own holding account. It is suggested that at least two primary representatives are appointed. This is because if a sole primary representative is removed, then the holding account can not be accessed until all the account holders appoint a new primary representative.¹

Assign Roles to Primary Representatives

Account holders can choose to add additional protection to their account by assigning specific preparer and approver roles to the primary representatives, so that two people will be involved in all transactions. To separate the duties of your primary representatives into preparer and approver roles, each account must have at least two primary representatives. Each primary representative can only perform one of the two roles in relation to any single account. Insert the role you wish to assign to each primary representative (where applicable) on page 7.

Confirm On-line Primary Representatives

Before you complete this Part, make sure that the individuals you specify as primary representatives on page 7 are the same as the individuals you appointed on-line as your primary representatives and that all on-line contact details are correct. If you need to change your primary representatives, or change any of the information you provided about them on-line, then these changes need to be made at www.eur.govt.nz before this declaration is completed.

Notices

Only primary representatives will receive notices about the holding account, can view the holding account and can transfer units in and out of the holding account. All correspondence on the holding account will be sent to the email address of each primary representative.

1. The opening and closing of holding accounts and appointment and removal of primary representatives can only be completed on receipt by the Registrar of declarations from all the persons making up the account holder.

PART C ACCOUNT HOLDER DECLARATION

8 Please read carefully before signing the declaration. The declaration must be signed by each account holder of the holding account (including, every trustee, every joint owner of land, every member of an unincorporated joint venture, every partner in a partnership and every Member of an Unincorporated Body).

The declaration can be signed on behalf of an account holder by a person authorised under a power of attorney or court order to act on behalf of that account holder in relation to the holding account.

For incorporated bodies (including companies, incorporated societies, incorporated trusts and limited partnerships) the declaration must be signed on behalf of each account holder by at least one director (or equivalent) of that incorporated body.

Each account holder and each primary representative must be a qualified person as defined in regulation 3 of the Climate Change (Unit Register) Regulations 2008 (see qualifying criteria on page 5).

ACCOUNT HOLDER DECLARATION FORM

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EXTRACT FROM CLIMATE CHANGE (UNIT REGISTER) REGULATIONS 2008

QUALIFYING CRITERIA

- > Only a qualified person is able to open a holding account or act as a primary representative for a holding account.
- > Please read the qualifying criteria below before completing the account holder declaration form.

DEFINITION OF QUALIFIED PERSON

qualified person means a person –

- (a) who is a member of an unincorporated body whose name is entered on a register kept for the purposes of section 56 or 57 of the Act; or
- (ab) who is a person, other than a person referred to in paragraph (a) whose name is entered on a register; or
- (b) who is entitled to receive, or has received, an allocation of New Zealand units free of charge in accordance with subpart 2 or Part 4 of the Act; or
- (c) who, if an individual, –
 - (i) is 18 years of age or older; and
 - (ii) is not –
 - (A) an undischarged bankrupt; or
 - (B) subject to a property order under the Protection of Personal and Property Rights Act 1988; or
 - (C) subject to a personal order under the Protection of Personal and Property Rights Act 1988 that reflects adversely on the person's competence to manage his or her own affairs in relation to his or her property or capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care or welfare; or
 - (D) prohibited from being a director or promoter of, or being concerned or taking part in the management of, a company under section 382, 383, or 385 of the Companies Act 1993; or
 - (E) a person who has been convicted of an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty; or
 - (F) a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Securities Act 1978, the Securities Markets Act 1988, or the Takeovers Act 1993; or
 - (G) a person to whom a provision that is, under the law of a jurisdiction other than New Zealand, equivalent to any of the provisions specified in subsubparagraphs (A) to (F) applies; or
- (d) who, if not an individual, –
 - (i) is –
 - (A) a New Zealand entity established, registered, or incorporated in New Zealand in accordance with the laws of New Zealand; or
 - (B) an Australian company established, registered, or incorporated in Australia in accordance with the laws of Australia; or
 - (C) an overseas company, including an Australian company, registered in New Zealand in accordance with the Companies Act 1993; and
 - (ii) is not an entity that –
 - (A) has been, or is being, wound up; or
 - (B) is in liquidation; or
 - (C) is subject to statutory management under the Corporations (Investigation and Management) Act 1989; or
 - (D) has a director or an officer who is not qualified to open a holding account; or
 - (E) has a shareholder who holds more than a simple majority of the shares in the entity and is not qualified to open a holding account; or
 - (F) has been convicted of an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty; and
 - (iii) is not, under the law of a jurisdiction other than New Zealand, an entity that –
 - (A) is subject to management equivalent to statutory management under the Corporations (Investigation and Management) Act 1989; or
 - (B) has been convicted of an offence equivalent to an offence under any of sections 377 to 380 of the Companies Act 1993 or a crime involving dishonesty.

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FOR THE NEW ZEALAND EMISSION UNIT REGISTER
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FORMS

- > **IMPORTANT:** Please read the Instructions and Notes on pages 1 to 4 before you complete this declaration. eg. **1** refers to Note 1 on page 3. If the form is not completed correctly, then your application may be delayed or rejected.
- > Please read the criteria on page 5 to ensure you qualify to open a holding account.
- > Please complete this form using capital letters – do not use abbreviations.
- > This form is a writable PDF. You may complete this form on-line and then print it. You will NOT be able to save it.
- > This form must be signed by all the account holders of the proposed holding account.
- > The completed form must be sent to the Registrar of the Unit Register either by fax to +64 4 978 3661 or by scanning and emailing it to climatechange@med.govt.nz or post to the Registrar, Level 2, New Zealand Emission Unit Register, PO Box 1473, Wellington.
- > Holding accounts will not be opened until a properly completed form has been received (with any required identification documents) and is accepted by the Registrar.

PART A DETAILS OF ACCOUNT HOLDER(S)

1 Holding Account Name **2** Holding Account Number

3 Account Holder Full Legal Name Company/Limited Partnership/
Incorporated Society Registration Number

Phone Number **4** Email Address

5 Physical Address for Service in New Zealand

STREET NUMBER STREET/RURAL ROAD NAME
BUILDING/PROPERTY NAME FLOOR/LEVEL
TOWN/CITY POSTAL CODE/RD NUMBER

6 Postal Address (if different from physical address)

PO BOX/PRIVATE BAG NUMBER POSTAL CODE

If more than one person or entity is an account holder, please list the other account holders here (print extra pages as required).

3 Account Holder Full Legal Name Company/Limited Partnership/
Incorporated Society Registration Number

Phone Number **4** Email Address

5 Physical Address for Service in New Zealand

STREET NUMBER STREET/RURAL ROAD NAME
BUILDING/PROPERTY NAME FLOOR/LEVEL
TOWN/CITY POSTAL CODE/RD NUMBER

6 Postal Address (if different from physical address)

PO BOX/PRIVATE BAG NUMBER POSTAL CODE

3 Account Holder Full Legal Name Company/Limited Partnership/
Incorporated Society Registration Number

Phone Number **4** Email Address

5 Physical Address for Service in New Zealand

STREET NUMBER STREET/RURAL ROAD NAME
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TOWN/CITY POSTAL CODE/RD NUMBER

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FORMS

PART B DETAILS OF ACCOUNT HOLDER'S PRIMARY REPRESENTATIVES APPOINTED

NOTE: Only primary representatives will receive notices about your holding account, can view the holding account, and can transfer units in and out of the holding account. Where roles are assigned to primary representatives, preparers can only prepare transactions and approvers can only approve transactions.

Do you wish to assign specific preparer and approver roles to the primary representatives of this account? (tick)

- YES** List the names of all primary representatives below, and the role you wish to assign to them.
- NO** List the names of all primary representatives below. (Note: all primary representatives will be able to carry out transactions on their own)

The following individuals have been appointed by the account holder as primary representatives.

7 Primary Representative (full legal name) – The primary representative must be a registered on-line user of the Unit Register.

First or Given Name Middle Name(s)
Last or Family Name Registry Username

Primary Representative Role (tick **one**) Preparer (can **only prepare** transactions) Approver (can **only approve** transactions)

6 Postal Address (if different from physical address provided on-line)

PO BOX/PRIVATE BAG NUMBER

POSTAL CODE

7 Primary Representative (full legal name) – The primary representative must be a registered on-line user of the Unit Register.

First or Given Name Middle Name(s)
Last or Family Name Registry Username

Primary Representative Role (tick **one**) Preparer (can **only prepare** transactions) Approver (can **only approve** transactions)

6 Postal Address (if different from physical address provided on-line)

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First or Given Name Middle Name(s)
Last or Family Name Registry Username

Primary Representative Role (tick **one**) Preparer (can **only prepare** transactions) Approver (can **only approve** transactions)

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First or Given Name Middle Name(s)
Last or Family Name Registry Username

Primary Representative Role (tick **one**) Preparer (can **only prepare** transactions) Approver (can **only approve** transactions)

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PO BOX/PRIVATE BAG NUMBER

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7 Primary Representative (full legal name) – The primary representative must be a registered on-line user of the Unit Register.

First or Given Name Middle Name(s)
Last or Family Name Registry Username

Primary Representative Role (tick **one**) Preparer (can **only prepare** transactions) Approver (can **only approve** transactions)

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DECLARATION

> Please print extra pages as required.

PART C ACCOUNT HOLDER DECLARATION

8 THE ACCOUNT HOLDER(S) OF THE SPECIFIED HOLDING ACCOUNT DECLARE(S) THAT:

- > The account holder(s) authorise(s) the opening of a holding account in the name of the account holder(s).
- > The account holder(s) authorise(s) the contact details provided for the purposes of the Unit Register may also be used for the purposes of being a Participant in the New Zealand Emissions Trading Scheme (if applicable).
- > The account holder(s), and all of the primary representatives specified on page 7, are qualified persons as defined in regulation 3 of the Climate Change (Unit Register) Regulations 2008. THE DEFINITION IS REPRODUCED ON PAGE 3 FOR YOUR REFERENCE.
- > Each primary representative whose details as entered in the on-line application have been reproduced on page 7 and who has been appointed by the account holder(s), is an individual and a qualified person, and is authorised to operate the holding account on behalf of the account holder(s).

(NOTE: ONLY PRIMARY REPRESENTATIVES WILL RECEIVE NOTICES ABOUT YOUR HOLDING ACCOUNT, CAN VIEW THE HOLDING ACCOUNT, AND CAN TRANSFER UNITS IN AND OUT OF THE HOLDING ACCOUNT).

- > The information provided in relation to this application is true and accurate.

Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
Position and Entity (if applicable)	<input type="text"/>				
Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
Position and Entity (if applicable)	<input type="text"/>				
Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
Position and Entity (if applicable)	<input type="text"/>				
Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
Position and Entity (if applicable)	<input type="text"/>				
Name	<input type="text"/>	Signature	<input type="text"/>	Date	<input type="text"/>
Position and Entity (if applicable)	<input type="text"/>				

CHECKLIST

Before faxing or scanning and emailing the form please ensure the following has been done:

- Account Holder Declaration has been signed by all account holders.
- Attach a copy of a current identification document for each account holder who is an individual (natural person) clearly showing a photograph and signature. e.g:
 - > Current passport (personal details page).
 - > Current New Zealand driver licence.
- Attach a copy of the power of attorney or court order, if applicable.

SUPPLEMENTARY AUTHORITY FORM TO THE ACCOUNT HOLDER DECLARATION FORM

June 2010

FOR THE NEW ZEALAND EMISSION UNIT REGISTER
(PURSUANT TO CLIMATE CHANGE (UNIT REGISTER) REGULATIONS 2008)

INSTRUCTIONS

> Please read the instructions below carefully before completing this form.

PURPOSE OF THE SUPPLEMENTARY AUTHORITY FORM

The purpose of this form is to enable account holders to authorise persons to make declarations as an agent or authorised person for the account holder, or each joint account holder to:

- > Open subsequent holding accounts (the initial holding account must be opened by all account holders signing the Account Holder Declaration form)
- > Close holding accounts
- > Add or remove primary representatives

(see regulations 4(4), 12(3) and 17(3) of the Climate Change (Unit Register) Regulations 2008).

This Supplementary Authority form is optional. However **please note that:-**

If you do not appoint authorised person(s) then:

- (a) each individual person; or
- (b) a director (or equivalent) of each incorporated entity,

that comprises the account holder(s) must sign the declarations required to open and close holding accounts, and add and remove primary representatives.

EVIDENCE OF IDENTITY

A photocopy of a current identification document for each authorised person clearly showing his/her photograph and signature (e.g. a passport or a driver licence) must be provided.

If a copy of the authorised person's identification document has already been provided in relation to the Account Holder Declaration form, then another copy is not required.

PART A: DETAILS OF ACCOUNT HOLDER'S AUTHORISED PERSONS FOR THE PURPOSES OF THE NEW ZEALAND EMISSION UNIT REGISTER

This details the person(s) who are authorised to make declarations as an agent or authorised person for the account holder, or each joint account holder.

For a sole individual account holder (e.g. a natural person) the agent must be a person authorised under a power of attorney or court order to act on behalf of the account holder.

For joint individual account holders (e.g. natural persons including, but not limited to, trustees, partners in a partnership, members of a joint venture, or joint owners of land) the agent must be a person authorised under a power of attorney or court order to act on behalf of the account holder, or one of the joint account holders. A copy of this power of attorney or court order must be provided.

For incorporated account holders the authorised person must be:

- (a) a named employee or officer of the entity, and
- (b) a qualified person as defined in regulation 3 of the Climate Change (Unit Register) Regulations 2008. The definition is reproduced on page 5 for your reference.

These authorisations will continue until the Chief Executive receives notice of cancellation in the prescribed form.

PART B: ACCOUNT HOLDER DECLARATION

Please read carefully before signing the declaration. The declaration must be signed by all the account holder(s) of the holding account (including every trustee, every joint owner of land, every member of an unincorporated joint venture, and every partner in a partnership).

For incorporated bodies (including companies, incorporated societies, incorporated trusts and limited partnerships) the declaration must be signed on behalf of each account holder by a director (or equivalent) of that account holder.

SUPPLEMENTARY AUTHORITY FORM TO THE ACCOUNT HOLDER DECLARATION FORM

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FOR THE NEW ZEALAND EMISSION UNIT REGISTER
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FORM

> **Important: Please read the Instructions on page 9 before you complete this form.**

The purpose of this form is to enable account holder(s) to authorise person(s) to make declarations as an agent or authorised person for the account holder, or each joint account holder.

The Supplementary Authority form is optional. However **please note that:-**

If you do not appoint an authorised person in relation to the holding account then:

(a) each individual person; or

(b) director (or equivalent) of each incorporated entity,

that comprises the account holder(s) must sign the declarations required to open and close holding accounts, and add and remove primary representatives.

PART A DETAILS OF ACCOUNT HOLDER'S AUTHORISED PERSONS FOR THE PURPOSES OF THE NEW ZEALAND EMISSION UNIT REGISTER

> **NOTE:** Persons appointed to sign declarations on your behalf can open subsequent holding accounts, close holding accounts, and appoint and remove primary representatives.

A. Individual account holders (e.g. natural persons including, but not limited to, trustees, partners in a partnership, members of a joint venture, or joint owners of land).

Insert the full legal name of the individual(s) authorised to sign declarations to open subsequent holding accounts, close holding accounts, and add and replace primary representatives as agent(s) for each and every joint account holder.

Account holder(s) name:

B. For Incorporated Entities

Insert details of an account holder's employee(s) or officer(s) who is/are authorised to sign declarations on behalf of the account holder, or as agent(s) for each and every joint account holder (as applicable).

Full Name	Title	Entity

How many authorised persons must sign?

Indicate how many authorised persons in A or B (above) must sign to give effect to a declaration.

(please tick)

One person

All persons

Specified number of persons _____

SUPPLEMENTARY AUTHORITY FORM TO THE ACCOUNT HOLDER DECLARATION FORM

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DECLARATION

PART B DECLARATION

All the account holders of the specified holding account each declare that:

- > (if he/she is a trustee) he/she authorises the person(s) specified in this Supplementary Authority Form to act as his/her agent and give effect to his/her decisions in respect of matters specified in this Supplementary Authority Form.
- > (if he/she is not a trustee) he/she authorises the person(s) specified in this Supplementary Authority Form to act as his/her agent for the purposes specified in this Supplementary Authority Form.
- > any person appointed as an authorised person is a qualified person as defined in regulation 3 of the Climate Change (Unit Register) Regulations 2008. THE DEFINITION IS REPRODUCED ON PAGE 5 FOR YOUR REFERENCE.
- > There is nothing in any partnership agreement, joint venture agreement, trust deed, deed or constitution of incorporation (as applicable) that prevents him/her from authorising people to act as his/her agent in this form.
- > The information provided in relation to this Supplementary Authority Form is true and accurate:

Name <input type="text"/> Position and Entity (if applicable) <input type="text"/>	Signature <input type="text"/> Date <input type="text"/>
Name <input type="text"/> Position and Entity (if applicable) <input type="text"/>	Signature <input type="text"/> Date <input type="text"/>
Name <input type="text"/> Position and Entity (if applicable) <input type="text"/>	Signature <input type="text"/> Date <input type="text"/>
Name <input type="text"/> Position and Entity (if applicable) <input type="text"/>	Signature <input type="text"/> Date <input type="text"/>
Name <input type="text"/> Position and Entity (if applicable) <input type="text"/>	Signature <input type="text"/> Date <input type="text"/>
Name <input type="text"/> Position and Entity (if applicable) <input type="text"/>	Signature <input type="text"/> Date <input type="text"/>

CHECKLIST

Before faxing or scanning the Supplementary Authority Form please ensure the following has been done:

- Supplementary Authority Form Declaration has been signed by all account holders.
- If not already attached to the Account Holders Declaration form, attach a copy of the current identification document for each authorised person clearly showing a photograph and signature. e.g.:
 - > Current passport (personal details page).
 - > Current New Zealand driver's licence.
- Attach a copy of the power of attorney or court order, if applicable.