



Benefit sharing declaration form

Instructions

This declaration form enables Seller(s) to declare that the [benefit sharing framework](#) has been satisfied for the nominated carbon abatement contract (CAC), the nominated Kyoto ACCUs and the nominated delivery milestone date as part of the eligibility criteria for the Emissions Reduction Fund (ERF) fixed delivery exit arrangement.

Please ensure that all relevant parties have read and understood the benefit sharing framework before completing this form. All relevant parties should carefully consider their own circumstances and seek external advice.

This form must be completed and uploaded via the [Client Portal](#) as part of the fixed delivery exit application process.

Please fill out the relevant sections of this form for the nominated CAC, the nominated Kyoto ACCUs and the nominated delivery milestone date. Sellers should complete either Section 1, 2 or 3, and where applicable, Section 4.

- A [decision tree](#) is available to help the Seller(s) determine which requirements apply to their circumstances. Where the business model of the Seller(s) is not reflected, they should discuss their circumstances with the Clean Energy Regulator.

Table 1: Benefit sharing declaration

Seller(s)' relationship with relevant parties ¹ to the CAC	Relevant section
Seller is the landholder or facility owner. There are no other relevant parties.	Section 1
Seller is the landholder or facility owner with a carbon service provider undertaking contractual activities as listed authorised representatives on the contract.	Section 2
Seller is a carbon service provider and a separate party to the landholder(s) or facility owner(s) of the nominated project(s) to meet CAC delivery obligations.	Section 3
Seller acquires ACCUs from project proponents other than those of the nominated project(s) to meet CAC delivery obligations, as part of an identified long-term relationship or delivery agreement associated with the CAC.	Section 4

¹ Relevant parties are those within scope of the benefit sharing framework. These parties include:

- Landholders or facility owners of nominated projects associated with the CAC.
- Proponents of other ERF projects with an identified long-term relationship or delivery agreement associated with the CAC.
- Carbon service providers who undertake contractual activities as listed authorised representatives for the CAC.

Benefit sharing declaration and acknowledgement

By signing the relevant section below, the authorised representative / Seller(s) named below declare that they have the legal capacity and authority to submit this notice on behalf of each Seller under the nominated contract, and:

- all information provided in, or in relation to, this request is, having made all reasonable enquiries, complete, true and correct and not misleading by inclusion or omission,
- the provision of false or misleading information is a serious offence and carries penalties under the *Criminal Code Act 1995* and may have consequences under the *Carbon Credits (Carbon Farming Initiative) Act 2011* and other laws, and
- the personal information provided in this request may also be copied, recorded, used or disclosed by the Clean Energy Regulator for its administrative purposes, for example, to pre-populate other Clean Energy Regulator forms that the applicant may fill out online in the future, and for improving the Clean Energy Regulator's service delivery to the applicant.

Application and contract details

Carbon Abatement Contract reference number*	CAC
Name of Seller(s)*	
Name of applicant (Seller or authorised representative)	
Applicant email address*	
Applicant phone number*	
Please indicate the relevant section that applies to the CAC* <i>All Sellers should complete either Section 1, 2 or 3. Section 4 should be completed if applicable.</i>	<input type="checkbox"/> Section 1 <input type="checkbox"/> Section 2 <input type="checkbox"/> Section 3 <input type="checkbox"/> Section 4 (if applicable)

*Mandatory fields

Section 1: The Seller and landholder or facility owner is the same party. There are no other relevant parties.

1a) By signing below, the I, the Seller(s), declare that the Seller and the landholder/facility owner is the same party and that there are no other relevant parties.

Signature(s)	
Name(s)	
Date	

1b) Has the Seller acquired ACCUs from project proponents other than those of the nominated project(s) to meet CAC delivery obligations, as part of an identified long-term relationship or delivery agreement associated with the CAC?

- Yes – please also complete **Section 4**
- No – this declaration is complete

Section 2: The Seller is a landholder or facility owner and a carbon service provider is listed as an authorised representative in the CAC

2a) By ticking the relevant box(es) and signing the box at the bottom of this section, I declare that:

- The Seller is the landholder or facility owner of the nominated project(s), and the following carbon service provider(s) are listed in the CAC.

Carbon Service Provider(s)

- An agreement that shares benefits that may arise from participating in the exit arrangement in relation to the nominated Kyoto ACCUs and the nominated milestone delivery date is in place, and those benefits will be shared in line with this agreement. I have uploaded evidence of this agreement to the Client Portal form.

Signature(s)	
Name(s)	
Date	

2b) Has the Seller acquired ACCUs from project proponents other than those of the nominated project(s) to meet CAC delivery obligations, as part of an identified long-term relationship or delivery agreement associated with the CAC?

- Yes – please complete **Section 4**
- No – this declaration is complete

Section 3: The Seller is a carbon service provider and a separate party to the landholder(s) or facility owner(s) of the nominated project(s).

3a) By ticking the relevant box(es) and signing the box at the bottom of this section, I declare that:

- The Seller is a carbon service provider and a separate party to the landholder(s) or facility owner(s) of the nominated project(s) listed below used for deliveries under the nominated CAC.

Project name	Project reference number	Landholder(s) or facility owner(s) name

Please upload a separate document if more space is required.

- An agreement that shares benefits that may arise from participating in the exit arrangement in relation to the nominated Kyoto ACCUs and the nominated milestone delivery date is in place, and those benefits will be shared in line with this agreement. I have uploaded evidence of this agreement to the Client Portal form.

Signature(s)	
Name(s)	
Date	

3b) Has the Seller acquired ACCUs from project proponents other than those of the nominated project(s) to meet CAC delivery obligations, as part of an identified long-term relationship or delivery agreement associated with the CAC?

- Yes – please complete **Section 4**
- No – this declaration is complete

Section 4: The Seller utilises ACCUs from multiple sources beyond the nominated project(s)

The applicant must complete this section if the applicant has ticked Yes in either of Sections 1b, 2b or 3b.

Parties within scope are proponents of other ERF projects with an identified long-term relationship or delivery agreement associated with the CAC. The following parties are out of scope:

- Purchased ACCUs: Where ACCUs have been sourced via market purchases, offtake agreements or other commercial arrangements independent of a direct linkage to the CAC, these ACCUs and associated projects are not in scope.
- Previous contract holders: ACCU deliveries by any previous contract holders are not in scope.

By ticking the relevant box(es) and signing the box at the bottom of this section, I declare that:

- The Seller has acquired ACCUs from project proponents other than those of the nominated project(s) to meet CAC delivery obligations. The Seller is a separate party to the project proponents of the project(s) listed below with a delivery agreement associated with the nominated CAC.

Projects in scope of benefit sharing	Project reference number	Party subject to the benefit sharing agreement

Please upload a separate document if more space is required.

- I have identified the relevant parties in the table above and declare that there are no other relevant parties.

- An agreement that shares benefits that may arise from participating in the exit arrangement in relation to the nominated Kyoto ACCUs and the nominated milestone delivery date is in place, and those benefits will be shared in line with this agreement. I have uploaded evidence of this agreement to the Client Portal form.

Signature	
Date	