Application to withhold publication of certain project information on the ACCU Scheme project register

under section 93A of the Carbon Credits (Carbon Farming Initiative) Rule 2015

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| FORM |
| CER-ACCU-005 |
| v1.0 04/04/2025 |

# Purpose of this form

Use this form to apply for certain information about an eligible offsets project not to be published on the [Australian Carbon Credit Unit (ACCU) Scheme project register](https://cer.gov.au/markets/reports-and-data/accu-project-and-contract-register?view=Projects) (the project register).

Under s166A(1) of the [*Carbon Credits (Carbon Farming Initiative) Act 2011*](https://www.legislation.gov.au/C2011A00101/latest/text) (the CFI Act), the Clean Energy Regulator must publish on its website project information specified in s93A(1) of the [Carbon Credits (Carbon Farming Initiative) Rule 20](https://www.legislation.gov.au/F2015L00156/latest/text)15 (the CFI Rule) that the Regulator holds. This information is published on the project register.

Under s93A(2) of the CFI Rule, a person may apply for the non-publication of specified project information if they consider:

* withholding the information is required to protect or respect Aboriginal tradition, or
* publication of the information may threaten, damage or cause harm to a threatened ecological community or threatened species.

# Instructions for completing this form

Please read each part of the application carefully, fully answer all the questions, sign where indicated, and attach the required documentation.

If you wish to apply to withhold publication for more than one project, please submit a separate application for each project.

You must complete and submit:

* **Part A: Applicant details**
* **Part B: Project details**
* **Part C: Declaration**
* **Application checklist**

You can choose to complete this form by:

* printing the form and filling it in by hand
* saving the form and filling in an electronic copy.

Note that if you choose the second option, there may be times when you will need to print certain sections in order to sign them or in order to complete multiple entries for a single set of questions. These sections may be scanned back into the computer and submitted electronically with the rest of the form.

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| Pen colours | Please use a **black** or **blue** pen to write on the form. |
| Check boxes | Mark boxes like this £ with a ✔ or ✘. When an instruction asks you to ‘tick’ the box, you can still use either ✔ or ✘. |
| Go to | Where you see an instruction like this - **£** Go to **question 5** - mark the relevant box with a ✔ or ✘and then skip to the question number shown. You do not need to answer the question(s) in between.  Where an instruction has a black double arrow (8), go to the next indicated part/section. |
| Mandatory questions | If all fields in a question are mandatory and must be completed, **(required)** is added to the end of the question label text. If a field in a question is mandatory only IF a condition is met, **(required if any)** is added to the end of the question label text. |
| 4 | This symbol indicates an instruction on what to do next. |
| i | This symbol indicates additional useful guidance to filling in the adjacent field or section. |
| ë | This symbol advises that additional documentation to support a claim may need to be attached to the application. |
| Duplex printing | This form is designed to be duplex printed to save on paper. All new sections start on the right-hand side of a page spread. |

Help filling in this form

If you require assistance or have any questions regarding this application process, please contact the Clean Energy Regulator general enquiries line on **1300 553 542** or email [enquiries@cer.gov.au](mailto:enquiries@cer.gov.au).

Submitting this form

A signed copy of this form should be kept for your records.

* For new projects, upload this form with your application to register an ACCU Scheme project in [Online Services](https://onlineservices.cer.gov.au/).
* For already registered projects, email your completed application to the Clean Energy Regulator at [ERF-Transformation-Analytics@cer.gov.au](mailto:ERF-Transformation-Analytics@cer.gov.au).

If the email and its attachments (the application and supporting documents) are larger than 10MB, they must be sent using multiple emails that are clearly marked by including an identifier in the subject line (for example, '1 of 3', '2 of 3', '3 of 3'). The signed application form must be saved as a single scanned file and not split into parts. Files may be zipped to reduce their size.

You do not need to send the original hardcopy of the application by post.

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| Office use: |  |

1. Applicant details
2. Are you the project proponent or another person? (required)

* Tick the appropriate response.

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|  | Project proponent (or the nominee for a project with multiple project proponents) |
|  | Another person |

1. Applicant details (required)

* Applicants can be an individual or an organisation.

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Applicant name |  | | | | | | | | | |
| Date of birth (individual only) | Day (dd) | | | Month (mm) | | | | Year (yyyy) | | |
|  | | |  | | | |  | | |
| Organisation identifier (organisations only) | ABN |  | ACN | |  | ARBN |  | | ICN |  |
|  | | | | | | | | | |

1. Contact details (required)

|  |  |
| --- | --- |
| First name |  |
| Last name |  |
| Phone number |  |
| Email address |  |

1. Project details

You must supply the details of the project which relates to the request for information not to be published.

1. Do you know the project identification number and name? (required)

* Tick the appropriate response and answer the relevant sub question.

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| --- | --- | --- |
|  | Yes | Answer **a)** only 8 |
|  | No, only the location | Answer **b)** only 8 |

1. Project details

* If the project has not yet been registered, you can supply the application reference associated with your project. For existing projects, you can provide the Project ID issued to the project, for example ERFxxxxxx.
* If you wish to apply to withhold publication for more than one project, please submit a separate application for each project.

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| Project identification number |  |
| Project name |  |

* Go to **question 5**8

1. Location of the project area

* Provide details of the location, including street address where applicable and the land title reference number (if known).

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| Location |  |

1. Information requested to be exempt from publication (required)

* As specified under s93A(1) of the CFI Rule. The relevant paragraph in s 93A(1) is noted for each item.
* Tick all that apply.

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|  | Detailed list of project activities carried out during the crediting period (paragraph (1)(a)) |
|  | Description of suppression mechanisms identified in the baseline period (paragraph (1)(b)) |
|  | Details of estimation or measurement approaches or model used to calculate abatement (paragraph (1)(c)) |
|  | Crediting period start and end dates (paragraph (1)(d)) |
|  | Permanence period start date (paragraph (1)(e)) |
|  | Modelling start date for each carbon estimation area using Full Carbon Accounting Model or Reforestation Modelling Tool to estimate abatement (paragraph (1)(f)) |
|  | Information linking the project to a relevant published enforceable undertaking (paragraph (1)(g)) |
|  | Name of an agent of the project, and description of their involvement in the project (paragraph (1)(h)) |
|  | Name of a person with a significant involvement in the registration or administration of the project, and a description of their involvement in the project (paragraph (1)(h)) |

1. Why do you consider the information should be exempt? (required)

* Tick the appropriate response and go to the relevant question.

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|  | Withholding of the information is required to protect or respect Aboriginal tradition.   * Under s93A(2)(b)(i) of the CFI Rule. | Go to **question 7**8 |
|  | Publication of the information may threaten, damage or cause harm to a threatened ecological community or threatened species.   * Under s93A(2)(b)(ii) of the CFI Rule. | Go to **question 8**8 |

1. Withholding information required to protect or respect Aboriginal tradition.

* The CFI Rule allows for non-publication of information where it is required to protect against potential damage to the body of traditions, observances, customs and beliefs of Aboriginal peoples generally or of a particular community or group of Aboriginal peoples. This includes any such traditions, observances, customs or beliefs relating to particular persons, areas, objects or relationships.

1. Provide a description of the relevant Aboriginal tradition.

* Aboriginal tradition is defined as in the [Aboriginal and Torres Strait Islander Heritage Protection Act 1984](https://www.legislation.gov.au/Details/C2016C00937).
* Attach documentation to support your claims, including any written evidence of engagement or consultation with associated parties. Clearly explain the nature of any additional information you are supplying to support your claim.

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| Details |  |

1. Provide details of why withholding the information is required to protect or respect the Aboriginal tradition you have described.

* Refer to each selection made under **question 5**.
* Attach documentation to support your claims, including any written evidence of engagement or consultation with associated parties. Clearly explain the nature of any additional information you are supplying to support your claim.

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* Go to **Part C** 8

1. Threatened ecological community or threatened species

* The CFI Rule allows for non-publication of information where publishing the information may threaten, damage or cause harm to a threatened ecological community or threatened species.

1. Provide a description of the threatened ecological community or threatened species.

* Threatened ecological community – an ecological community included in the list established under section 181 of the [Environment Protection and Biodiversity Conservation Act 1999](https://www.legislation.gov.au/Series/C2004A00485).
* Threatened species – a species included in the list established under section 178 of the [Environment Protection and Biodiversity Conservation Act 1999](https://www.legislation.gov.au/Series/C2004A00485).
* Attach documentation to support your claims, including any written evidence of engagement or consultation with associated parties. Clearly explain the nature of any additional information you are supplying to support your claim.

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1. Provide details of why publication of the information may threaten, damage or cause harm to a threatened ecological community or threatened species.

* Refer to each selection made under **question 5**.
* Attach documentation to support your claims, including any written evidence of engagement or consultation with associated parties. Clearly explain the nature of any additional information you are supplying to support your claim.

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1. Declaration

This section must be signed by the applicant (if an individual) or by a representative of the applicant on their behalf.

By signing below, the signatory:

* declares that they have the legal capacity and authority to declare, acknowledge and consent to the items of this list
* declares that all information provided in and in relation to this application (including attachments and any other supporting information) is, having made all reasonable enquiries, complete, true and correct, and not misleading by inclusion or omission and is not in breach of any law(s)
* acknowledges that giving 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
* if the applicant is not a project proponent for the project, consents to the Clean Energy Regulator sharing the information in this form with the project proponent(s) for the project
* acknowledges that if the Clean Energy Regulator approves this application but the information which they seek to have withheld is already published on the project register, the Clean Energy Regulator accepts no responsibility for any third party holding, using or disclosing the information due to its having previously been published.

**Signed by or on behalf of:**

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| --- | --- |
| Applicant name |  |

**By:**

|  |  |
| --- | --- |
| Full name of signatory |  |
| Title/position |  |
| Organisation (if applicable) |  |
| Signature |  |

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|  | Day (dd) | Month (mm) | Year (yyyy) |
| Signature date |  |  |  |

# Application checklist

* Have you completed the following? Tick the box when you've completed the task beside it.

|  |  |
| --- | --- |
|  | Part A: Applicant details |
|  | Part B: Project details |
|  | Part C: Declaration |
|  | Attached all necessary documents and supporting evidence, where applicable. |

# Additional information

Definitions

For the purposes of this form:

|  |  |
| --- | --- |
| Aboriginal tradition | As defined in the [*Aboriginal and Torres Strait Islander Heritage Protection Act 1984*](https://www.legislation.gov.au/Details/C2016C00937)\* |
| Amendment Rule | [Carbon Credits (Carbon Farming Initiative) Amendment (2024 Measures No. 2) Rules 2024](https://www.legislation.gov.au/F2024L01726/latest/text) |
| CFI Rule | [Carbon Credits (Carbon Farming Initiative) Rule 20](https://www.legislation.gov.au/F2015L00156/latest/text)15 |
| threatened ecological community | An ecological community included in the list established under section 181 of the [*Environment Protection and Biodiversity Conservation Act 1999*](https://www.legislation.gov.au/Series/C2004A00485)\* |
| threatened species | A species included in the list established under section 178 of the [*Environment Protection and Biodiversity Conservation Act 1999*](https://www.legislation.gov.au/Series/C2004A00485)\* |

\* Definitions marked with an asterisk are definitions repeated from legislation.

Assessment of the application

You must provide sufficient evidence to support your application. We may request further information in relation to your application to support decision-making.

We will take all reasonable steps to ensure a decision is made within 30 days of the request being made. You will be notified of the outcome via email.

Publishing of information

Information about registered projects is included on the [ACCU Scheme project register](https://cer.gov.au/markets/reports-and-data/accu-project-and-contract-register?view=Projects) in accordance with sections 167 and 168 of the *Carbon Credits (Carbon Farming Initiative) Act 2011* (the CFI Act) and section 93A of the Carbon Credits (Carbon Farming Initiative) Rule 2015 (as authorised under section 166A of the CFI Act).

The amendments made to the CFI Rule through the [Carbon Credits (Carbon Farming Initiative) Amendment (2024 Measures No. 2) Rules 2024](https://www.legislation.gov.au/F2024L01726/latest/text) (the Amendment Rule) is part of the Australian Government’s reforms in response to the 2022 [Independent Review of ACCUs](https://www.dcceew.gov.au/climate-change/emissions-reduction/independent-review-accus). Publishing additional project information aims to increase transparency in the ACCU Scheme to support greater public trust and confidence in scheme arrangements.

Under the Amendment Rule made on 20 December 2024, the Clean Energy Regulator has a 6-month transition period to prepare for the publication of data. During the transition period, the Clean Energy Regulator is not required to publish any information that is already held on commencement or is acquired during the transitional period.

Seeking legal advice

The Clean Energy Regulator provides guidance for general information purposes only. The information in this form and supplied by the Clean Energy Regulator should not be interpreted as independent professional advice. You should not rely solely on this information and should get professional legal advice relevant to your individual circumstances.

Protection of information

The Clean Energy Regulator is bound by the secrecy provisions in Part 3 of the *Clean Energy Regulator Act 2011* in relation to the protected information it collects in relation to this application, and by the *Privacy Act 1988* in regard to personal information it collects.

Privacy statement

'Personal information' is defined in the *Privacy Act 1988* to mean information or an opinion about an identified individual, or an individual who is reasonably identifiable:

(a) whether the information or opinion is true or not; and

(b) whether the information or opinion is recorded in a material form or not.

The collection of personal information relating to this application is authorised by the *Carbon Credits (Carbon Farming Initiative) Act 2011* and any legislative rules made under the *Carbon* *Credits (Carbon Farming Initiative) Act 2011*.

Personal information collected in relation to this application will be used for the purposes of assessing the application, auditing compliance, enforcement of relevant laws, regulations and legislative rule, the performance of our statutory functions and for related purposes. We will also use the personal information which you provide for our administrative purposes, for example, to pre-populate other Clean Energy Regulator forms which you wish to fill out online in the future, and for improving our service delivery to you.

The Clean Energy Regulator’s Privacy Policy contains information about the agency’s procedures for handling personal information including how a person can access their personal information held by the agency, and how to seek correction of such information. The Privacy Policy also contains information about how to complain about a breach of the Australian Privacy Principles. The Clean Energy Regulator’s Privacy Policy can be found on the [Clean Energy Regulator website](https://cer.gov.au/about-us/our-policies/privacy-policy).

Disclosure of information

The Clean Energy Regulator and authorised staff are only able to disclose information relating to the affairs of a person (including personal information) collected in relation to this application in accordance with the *Clean Energy Regulator Act 2011* or as otherwise required by law.

Part 3 of the *Clean Energy Regulator Act 2011* prevents disclosure of relevant information except in circumstances set out in that Part. Those circumstances include:

* disclosure for the purposes of a climate change law or a biodiversity law
* disclosure to the Minister
* disclosure of summaries or statistics if those summaries or statistics are not likely to enable the identification of a person
* disclosure to certain bodies where the Chair of the Clean Energy Regulator is satisfied that disclosure will assist those bodies in the performance of their functions or powers, including the Australian Securities and Investment Commission, and the Australian Competition and Consumer Commission
* disclosure for the purposes of enforcement of the criminal law, enforcement of a law imposing a pecuniary penalty or for protection of the public revenue, if the Chair of the Clean Energy Regulator is satisfied that disclosure is reasonably necessary for such purpose.

Accessibility disclaimer

The Clean Energy Regulator has worked to ensure that this document is accessible but please contact us to obtain an alternative version if you are having difficulty or you have specific accessibility needs. Please call **1300 553 542** or email the name of the form and your needs to [enquiries@cer.gov.au](mailto:enquiries@cleanenergyregulator.gov.au)

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