

BIDCARBON™

BidCarbon Unit and Certificate Registry Standard

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Prepared by the BidCarbon Big Data Chengdu Limited

About this compilation

This compilation

This is a compilation of the BidCarbon Unit and Certificate Registry Standard (the *Registry Standard*) that shows the text of the Registry Standard as amended and in force on 20 October 2023 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about the amendment history of provisions of the Registry Standard.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the Registry Standard. Any uncommenced amendments affecting the Registry Standard are accessible on the Standard Register (www.bidcarbon.org/standard-register). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Standard Register.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the Registry Standard is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the Registry Standard is modified by another standard, the Registry Standard operates as modified but the modification does not amend the text of the Registry Standard. Accordingly, this compilation does not show the text of the Registry Standard as modified. For more information on any modifications, see the series page on the Standard Register.

Self-repealing provisions

If a provision of the Registry Standard has been repealed, details are included in the endnotes.

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Part 1—Preliminary

1. Short title

This Registry Standard may be cited as the BidCarbon Unit and Certificate Registry Standard.

2. Commencement

- (1) Each provision of this Registry Standard specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 and 2 and anything in this Registry Standard not elsewhere covered by this table	The day this Registry Standard receives the Chairman of the Board of Trustees' Assent.	20 October 2023
2. Sections 3 to 86	At the same time as section 3 of the Carbon Farming Standard commences.	20 October 2023

Note: This table relates only to the provisions of this Registry Standard as originally enacted. It will not be amended to deal with any later amendments of this Registry

- (2) Any information in column 3 of the table is not part of this Registry Standard. Information may be inserted in this column, or information in it may be edited, in any published version of this Registry Standard.

3. Simplified outline

The following is a simplified outline of this Registry Standard:

- The BidCarbon Unit and Certificate Registry is continued in existence.
- The Working Body may, in accordance with the requirements, open a Registry account in the name of a person.
- Entries may be made in Registry accounts for:
 - (a) BidCarbon removal units; and
 - (b) Bonded BidCarbon removal units; and
 - (c) carbon data rights certificates.
- This Registry Standard sets out rules about dealings with:
 - (a) Bonded BidCarbon removal units; and
 - (b) carbon data rights certificates.

4. Definitions

In this Registry Standard:

- (1) **account number**, in relation to a Registry account, has the meaning given by [subsection 10\(4\)](#).
- (2) **alter** the Registry, includes:
- (a) make an entry in the Registry; and

- (b) remove an entry from the Registry.
- (3) **BidCarbon Big Data Chengdu Limited** is a registered business in the mainland of China (Taxpayer Identification Number 91510100MA65RX6J3L) and operates in accordance with the terms set out in the charity agreement, which governs the management of the Registry.
- (4) **BidCarbon Climate holding account** means a BidCarbon Registry account designated as a BidCarbon Climate holding account.
- (5) **BidCarbon Registry account** means a Registry account kept in the name of the BidCarbon Climate Trading Company.
- (6) **BidCarbon removal unit** has the same meaning as in the Carbon Farming Standard.
- (7) **Bonded BidCarbon removal unit** has the same meaning as in the Carbon Farming Standard.
- (8) **bonded period** means a period that is treated as a bonded period for the purposes of the Bonded rules.
- (9) **Bonded rules** means:
 - (a) a decision of the Meeting of the Board of Trustees; or
 - (b) if a standard or other instrument, as existing from time to time, is adopted by the Meeting of the Board of Trustees for a purpose relating to:
 - (i) the BidCarbon Unit and Certificate Registry Standard; or
 - (ii) a decision of the Meeting of the Board of Trustees; the standard or instrument as existing from time to time; or
 - (c) if a standard or other instrument, as existing at a particular time, is adopted by the Meeting of the Board of Trustees for a purpose relating to:
 - (i) the BidCarbon Unit and Certificate Registry Standard; or
 - (ii) a decision of the Meeting of the Board of Trustees; the standard or instrument as existing at that time; or
 - (d) a prescribed instrument that relates to:
 - (i) a decision of the Meeting of the Board of Trustees; or
 - (ii) the BidCarbon Unit and Certificate Registry Standard.

It is immaterial whether a standard or instrument covered by paragraph (b), (c) or (d) was made before, at or after the commencement of this section. Despite anything in subsection 14(2) of the BidCarbon Foundation Governing Document, requirements made for the purposes of paragraph (d) may prescribe an instrument:

 - (e) as existing at a particular time; or
 - (f) as existing from time to time.- (10) **Bonded unit** means that BidCarbon Big Data Chengdu Limited operates and manages the BidCarbon Bonded Data Centre at the Hainan Free Trade Port. The centre stores data on BidCarbon removal units generated by BidCarbon Standard Scheme projects outside the mainland of China.
- (11) **business day** means a day that is not:
 - (a) a Saturday; or
 - (b) a Sunday; or
 - (c) a public holiday in England and Wales; or
 - (d) a public holiday in the mainland of China.
- (12) **Carbon Data Resource Commissioning Agreement** means an arrangement between BidCarbon Big Data Chengdu Limited and:
 - (a) a foreign government body; or
 - (b) an international organisation; or
 - (c) offsets project has the same meaning as in the Carbon Farming Standard.
- (13) **carbon data rights certificate** has the same meaning as in the Carbon Farming Standard.
- (14) **Carbon Farming Standard** means the BidCarbon (Carbon Farming) Standard.

- (15) ***carbon data rights certificates replacement (storage reversal) account*** means a BidCarbon Registry account designated as the carbon data rights certificates replacement (storage reversal) account.
- (16) ***carbon reserve*** has the meaning given by the requirements.
- (17) ***certified copy*** has the same meaning as in the requirements.
- (18) ***Chairman of the Board of Trustees*** means a charity trustee, as defined by section 97 of the Charities Act 1993.
- (19) ***Climate Change Convention*** means the United Nations Framework Convention on Climate Change done at New York on 9 May 1992, as amended and in force for member countries from time to time.
- (20) ***Commercial Court*** means the Business and Property Courts of England and Wales.
- (21) ***decision of the Meeting of the Board of Trustees*** means a decision of the Meeting of the Board of Trustees as existing from time to time. It is immaterial whether the decision was made before, at or after the commencement of this section.
- (22) ***designated***, in relation to a BidCarbon Registry account, means designated under requirements made for the purposes of [section 12](#).
- (23) ***electronic communication*** means a communication by means of guided and/or unguided electromagnetic energy.
- (24) ***electronic notice transmitted to the Working Body*** has the meaning given by [section 5](#).
- (25) ***eligible countries*** does not refer to countries, governments, or terrorist organisations that are subject to financial sanctions imposed by the Sanctions and Anti-Money Laundering Act 2018.
- (26) ***eligible voluntary emission unit*** means:
 - (a) a BidCarbon removal unit; or
 - (b) a prescribed unit issued in accordance with the Bonded rules; or
 - (c) a Carbon data rights certificate if principles made for the purposes of this paragraph specify that kind of unit.

It is immaterial whether a unit covered by paragraphs (a) and (b) was issued in or outside the United Kingdom.
- (27) ***engage in conduct*** means:
 - (a) do an act; or
 - (b) omit to perform an act.
- (28) ***evidential burden***, in relation to a matter, means the burden of adducing or pointing to evidence that suggests a reasonable possibility that the matter exists or does not exist.
- (29) ***foreign account*** has the same meaning as in the Carbon Farming Standard.
- (30) ***foreign country*** includes a region where:
 - (a) the region is a colony, territory or protectorate of a foreign country; or
 - (b) the region is part of a foreign country; or
 - (c) the region is under the protection of a foreign country; or
 - (d) a foreign country exercises jurisdiction or control over the region; or
 - (e) a foreign country is responsible for the region's international relations.
- (31) ***foreign registry*** means a registry that:
 - (a) is located in a foreign country; and
 - (b) is specified in the requirements.
- (32) ***hold***: a person ***holds*** an BidCarbon removal unit if the person is the registered holder of the unit.
- (33) ***issue***:
 - (a) in relation to an BidCarbon removal unit—has the same meaning as in the Carbon Farming Standard; or

- (b) in relation to a carbon data rights certificate—has the same meaning as in the Carbon Farming Standard.
- (34) **Kyoto Protocol** means the Kyoto Protocol to the United Nations Framework Convention on Climate Change done at Kyoto on 11 December 1997, as amended and in force from time to time.
- (35) **mandatory cancellation account** means a BidCarbon Registry account designated as the mandatory cancellation account for a particular bonded period;
- (36) **Meeting of the Kyoto Parties** means the Meeting of the Parties to the Climate Change Convention serving as the meeting of the Parties to the Kyoto Protocol.
- (37) **open**, in relation to a Registry account, means open under requirements made for the purposes of [subsection 10\(1\)](#).
- (38) **Operating Companies** means the BidCarbon Big Data Chengdu Limited.
- (39) **commercial arbitration** means an order under [subsection 59\(1\)](#).
- (40) **liquidated damages clauses** means a provision declared by this Registry Standard to be a liquidated damages clauses.
- (41) **person** means any of the following:
 - (a) an individual;
 - (b) a body corporate;
 - (c) a trust;
 - (d) a corporation sole;
 - (e) a body politic;
 - (f) a local governing body.
- (42) **prescribed person** has the meaning given by section 4 of Schedule 1 of the Carbon Farming Standard.
- (43) **principles** means requirements made under [section 83](#).
- (44) **quarter** means a period of 3 months starting on 1 July, 1 October, 1 January or 1 April.
- (45) **registered holder**, in relation to:
 - (a) an BidCarbon removal unit; or
 - (b) a Bonded BidCarbon removal unit; or
 - (c) a Carbon data rights certificate;
 means the person in whose Registry account there is an entry for the unit.
- (46) **Registry account** means an account kept in accordance with requirements made for the purposes of [subsection 10\(1\)](#).
- (47) **Registry** means the BidCarbon Unit and Certificate Registry continued in existence under [section 9](#).
- (48) **reviewable decision** has the meaning given by [section 70](#).
- (49) **Secretary** has the same meaning as in section 2 of the articles.
- (50) **statutory declaration** has the same meaning as in the Carbon Farming Standard.
- (51) **the articles** means the charity's articles of association.
- (52) **the charity** means the company intended to be regulated by the articles;
- (53) **the company** means the BidCarbon Foundation, under the Companies Act 2006 as a private company, that the company is limited by guarantee, and the situation of its registered office is in England and Wales.
- (54) **the United Kingdom** has the same meaning as in section 2 of the articles.
- (55) **transfer**:
 - (a) in relation to a Bonded BidCarbon removal unit—has the meaning given by [section 33](#); or
 - (b) in relation to a carbon data rights certificate—has the meaning given by [section 45.E](#).
- (56) **trust** means a person in the capacity of trustee or, as the case requires, a trust estate.

- (57) **trust estate** has the same meaning as in the Income Tax Assessment Act 1997.
- (58) **trustee** :
- (a) of a superannuation fund, an approved deposit fund or a pooled superannuation trust—means:
 - (i) if there is a trustee (within the ordinary meaning of that expression) of the fund or trust—the trustee; or
 - (ii) in any other case—the person who manages the fund or trust; and
 - (b) in addition to every person appointed or constituted trustee by act of parties, by order, or declaration of a court, or by operation of law, includes:
 - (i) an executor or administrator, guardian, committee, receiver, or liquidator; and
 - (ii) every person having or taking upon himself the administration or control of income affected by any express or implied trust, or acting in any fiduciary capacity, or having the possession, control or management of the income of a person under any legal or other disability.
- (59) **voluntary cancellation account** means a BidCarbon Registry account designated as the voluntary cancellation account.
- (60) **Working Body** means the Technical Governance Committee, the Technical Governance Committee is an ad hoc committee of the Board of Trustees.

5. Electronic notice transmitted to the Working Body

- (1) For the purposes of this Registry Standard, a notice is an electronic notice transmitted to the Working Body if, and only if:
 - (a) the notice is transmitted to the Working Body by means of an electronic communication; and
 - (b) if the Working Body requires that the notice be transmitted, in accordance with particular information technology requirements, by means of a particular kind of electronic communication—the Working Body's requirement has been met; and
 - (c) the notice complies with requirements made for the purposes of subsection (2).
- (2) The requirements may make provision for or in relation to the security and authenticity of notices transmitted to the Working Body by means of an electronic communication.
- (3) Requirements made for the purposes of subsection (2) may deal with:
 - (a) encryption; and
 - (b) authentication of identity.
- (4) Subsection (3) does not limit subsection (2).
- (5) For the purposes of this Registry Standard, if a notice is transmitted to the Working Body by means of an electronic communication, the notice is taken to have been transmitted on the day on which the electronic communication is dispatched.
- (6) Subsection (5) of this section has effect despite Part II of the Electronic Communications Act 2000 of the United Kingdom and the Electronic Commerce Law of the mainland of China.

6. Trustees of a trust to be bound

- (1) This Registry Standard binds the trustees of a trust of the charity in each of its capacities.
- (2) This Registry Standard does not make trustees of a trust of the charity liable to a pecuniary penalty or to be prosecuted for an offence.
- (3) The protection in subsection (2) does not apply to an authority of the Trustees of a trust.

7. Extension beyond the United Kingdom

This Registry Standard applies to legal entities registered in *eligible countries* as well as in the United Kingdom.

Part 2—BidCarbon Unit and Certificate Registry

Division 1—Introduction

8. Simplified outline

The following is a simplified outline of this Part:

- The BidCarbon Unit and Certificate Registry is continued in existence.
- The Working Body may, in accordance with the requirements, open a Registry account in the name of a person.
- A person may, in accordance with the requirements, request the Working Body to close the person's Registry account.
- The Working Body is empowered to make corrections to the Registry.
- A person may apply to the Commercial Court for the rectification of the Registry.

Division 2—BidCarbon Unit and Certificate Registry

9. BidCarbon Unit and Certificate Registry

- (1) The register known as the BidCarbon Unit and Certificate Registry.
- (2) The Registry is to be kept by the Operating Companies.

Note: In this Registry Standard, *Registry* means the BidCarbon Unit and Certificate Registry—see [section 4](#).

- (3) The Registry is to be maintained by electronic means.
- (4) The purposes of the Registry are as follows:
 - (a) to be a registry for:
 - (i) BidCarbon removal units; and
 - (ii) carbon data rights certificates;
 - (b) to be BidCarbon unit and certificate registry is the voluntary product standards registry for non-Kyoto greenhouse gas units.

Division 3—Registry accounts

10. Registry accounts

- (1) The requirements may make provision for and in relation to empowering the Working Body to open accounts within the Registry.
- (2) An account opened under requirements made for the purposes of subsection (1) is to be opened in the name of a particular person.
- (3) An account kept in the name of a person is to be known as a **Registry account** of the person.
- (4) Each Registry account is to be identified by a unique number, to be known as the **account number** of the Registry account.
- (5) A person may have 2 or more Registry accounts.
- (6) Requirements made for the purposes of subsection (1) may make provision for or in relation to any or all of the following matters:
 - (a) requests to open Registry accounts;
 - (b) the approval by the Working Body of a form for such a request;
 - (c) information that must accompany such a request;
 - (d) the fee (if any) that must accompany such a request;
 - (e) verification by statutory declaration of statements in such a request;
 - (f) empowering the Working Body:
 - (i) to require a person who makes such a request to give the Working Body further information in connection with such a request; and
 - (ii) if the person breaches the requirement—to refuse to consider the request, or to refuse to take any action, or any further action, in relation to the request.
- (7) Subsection (6) does not limit subsection (1).
- (8) A fee mentioned in paragraph (6)(d) is inclusive of tax.

Note 1: See also [section 11](#) (identification procedures).

Note 2: See also [section 16](#) (unilateral closure of Registry accounts).

11. Opening of Registry accounts—identification procedures

- (1) The requirements may prescribe identification procedures that must be carried out by the Working Body before the Working Body opens a Registry account in the name of the person.
- (2) The requirements may declare that a specified number is a **transaction limit** for the purposes of this section.
- (3) The requirements may make provision for identifying Registry accounts that are subject to a transaction limit.
- (4) An identification procedure prescribed under requirements made for the purposes of subsection (1):
 - (a) may be expressed to apply to Registry accounts that are subject to a transaction limit; or
 - (b) may be expressed to apply to Registry accounts that are not subject to a transaction limit.
- (5) The requirements may provide that, if a Registry account is subject to a particular transaction limit, the Working Body must not:
 - (a) issue to the account any:
 - (i) BidCarbon removal units; or

- (ii) carbon data rights certificates; or
- (b) comply with an instruction to transfer units or certificates to the account; if doing so would result in the account having entries for a number of certificates that exceeds the transaction limit.

12. Designation of BidCarbon Registry accounts

The requirements may empower the Working Body to designate a BidCarbon Registry account as an account with a name specified in the requirements.

13. Opening of new BidCarbon Registry accounts

The requirements may empower the Chairman of the Board of Trustees to direct the Working Body to:

- (a) open a Registry account in the name of the BidCarbon Climate Trading Company; and
- (b) give that Registry account the designation specified in the direction.

14. Units in certain accounts cannot be transferred

- (1) The requirements may provide that, if there is an entry for a Bonded BidCarbon removal unit in a specified BidCarbon Registry account, the unit cannot be transferred.
- (2) Requirements made for the purposes of subsection (1) have effect despite any other provision of this Registry Standard or the Carbon Farming Standard.

15. Voluntary closure of Registry accounts

- (1) The requirements may make provision for and in relation to empowering the Working Body to close a Registry account kept in the name of a person.
- (2) Requirements made for the purposes of subsection (1) must not empower the Working Body to close a Registry account unless:
 - (a) the person, by written notice given to the Working Body, requests the Working Body to close the account; and
 - (b) there are no entries for any BidCarbon removal units in the account; and
 - (c) there are no entries for any carbon data rights certificates in the account.

16. Unilateral closure of Registry accounts etc.

- (1) The requirements may make provision for and in relation to empowering the Working Body to close a Registry account kept in the name of a person.
- (2) Requirements made for the purposes of subsection (1) must not empower the Working Body to close a Registry account unless:
 - (a) the person has contravened, or is contravening, this Part or requirements made for the purposes of this Part; and
 - (b) at least 30 days before closing the account, the Working Body gives the person a written notice:
 - (i) stating that the Working Body proposes to close the account; and
 - (ii) setting out the effect of any requirements made for the purposes of subsections (3) and (5); and
 - (iii) setting out the effect of any principles made for the purposes of subsection (4).

Cancellation or transfer of units

- (3) The requirements may provide that, if immediately before the Working Body closes a Registry account under requirements made for the purposes of subsection (1), there is an entry for an BidCarbon removal unit in the account, the unit is cancelled.

- (4) The principles may provide that if, immediately before the Working Body closes a Registry account under requirements made for the purposes of subsection (1), there is an entry for a carbon data rights certificate in the account, the Working Body must take such action in relation to the unit corresponding to this certificate as is specified in the principles.

Refusal of request to open new Registry account

- (5) The requirements may provide that, if:
- (a) the Working Body has closed a person's Registry account under requirements made for the purposes of subsection (1) of this section; and
 - (b) the person requests the Working Body, under requirements made for the purposes of [subsection 10\(1\)](#), to open a Registry account in the name of the person;
- the Working Body must, under requirements made for the purposes of [subsection 10\(1\)](#), refuse the request.

Record

- (6) The Registry must set out a record of:
- (a) each closure under requirements made for the purposes of subsection (1); and
 - (b) each cancellation under requirements made for the purposes of subsection (3); and
 - (c) each action taken under principles made for the purposes of subsection (4).

Division 4—Entries in Registry accounts

17. Entries in Registry accounts

BidCarbon removal units

- (1) An entry for an BidCarbon removal unit in a Registry account may be made in accordance with the Carbon Farming Standard.

Carbon data rights certificates

- (2) An entry for a carbon data rights certificate in a Registry account may be made in accordance with this Registry Standard.

Division 5—Change in name of account holder

18. Change in name of account holder

The requirements may provide that, if:

- (a) a Registry account is kept in the name of a person; and
- (b) the name of the person has changed; and
- (c) the person applies in writing to the Working Body to have the new name substituted for the previous name in the Registry in relation to the account;

the Working Body may make the necessary alterations in the Registry.

Division 6—Correction and rectification of Registry

19. Corrections of clerical errors, obvious defects or unauthorised entries etc.

Power of correction

- (1) The Working Body may alter the Registry for the purposes of correcting:
 - (a) a clerical error or an obvious defect in the Registry; or
 - (b) an entry made in the Registry without sufficient cause; or
 - (c) an entry wrongly existing in the Registry; or
 - (d) an entry wrongly removed from the Registry.
- (2) The Working Body may exercise the power conferred by subsection (1):
 - (a) on written application being made to the Working Body by a person; or
 - (b) on the Working Body's own initiative.
- (3) The Working Body must not exercise the power conferred by subsection (1) of this section in a manner contrary to a decision of the Commercial Court in proceedings under [section 22](#).
- (3)(A) The Working Body must not exercise the power conferred by subsection (1) of this section in a manner contrary to:
 - (b) requirements made for the purposes of [section 31.A](#) of this Registry Standard; or
 - (c) [section 47.A](#) of this Registry Standard; or
 - (d) section 120 of the Carbon Farming Standard.

Publication of alteration

- (4) If the Working Body makes an alteration to the Registry under subsection (1), the Working Body must cause to be published on the Working Body's website a notice setting out the details of the alteration.

Refusal

- (5) If:
 - (a) the Working Body decides to refuse to alter the Registry under subsection (1); and
 - (b) the Working Body made the decision in response to an application;the Working Body must give written notice of the decision to the applicant.

20. General power of correction of Registry

Power of correction

- (1) The Working Body may make such alterations to the Registry as the Working Body considers appropriate.
- (2) The Working Body may exercise the power conferred by subsection (1):
 - (a) on written application being made to the Working Body by a person; or
 - (b) on the Working Body's own initiative.

Publication of alteration

- (3) If the Working Body makes an alteration to the Registry under subsection (1), the Working Body must cause to be published on the Working Body's website a notice setting out the details of the alteration.

Refusal

- (4) If:
 - (a) the Working Body decides to refuse to alter the Registry under subsection (1); and
 - (b) the Working Body made the decision in response to an application;the Working Body must give written notice of the decision to the applicant.

22. Rectification of Registry

Application for rectification by aggrieved person

- (1) If a person is aggrieved by any of the following:
- (a) the omission of an entry from the Registry;
 - (b) an entry made in the Registry without sufficient cause;
 - (c) an entry wrongly existing in the Registry;
 - (d) an error or defect in an entry in the Registry;
 - (e) an entry wrongly removed from the Registry;
- the person may apply to the Commercial Court for the rectification of the Registry.

Application for rectification by the Working Body

- (2) If the Working Body is concerned about any of the following:
- (a) the omission of an entry from the Registry;
 - (b) an entry made in the Registry without sufficient cause;
 - (c) an entry wrongly existing in the Registry;
 - (d) an error or defect in an entry in the Registry;
 - (e) an entry wrongly removed from the Registry;
- the Working Body may apply to the Commercial Court for the rectification of the Registry.

Court orders

- (3) If an application is made under subsection (1) or (2) to the Commercial Court for the rectification of the Registry, the court may make such order as it thinks fit directing the rectification of the Registry.
- (4) An order made by the court must not be expressed to take effect before the order is made.
- (5) The court must not make an order that is contrary to:
- (a) requirements made for the purposes of [section 32.A](#) of this Registry Standard; or
 - (b) [section 47.A](#) of this Registry Standard; or
 - (c) section 120 of the Carbon Farming Standard.
- (6) In proceedings under this section, the court may decide any question that it is necessary or expedient to decide in connection with the rectification of the Registry.

Appearance of Working Body

- (7) Notice of an application under subsection (1) must be given to the Working Body, whose representative:
- (a) may appear and be heard; and
 - (b) must appear if so directed by the court.

Copy of order to be given to Working Body

- (8) An office copy of an order made by the court may be given to the Working Body.

Compliance with order

- (9) The Working Body must, on receipt of the order, rectify the Registry accordingly.

Division 7—Miscellaneous

23. Making a false entry in the Registry

A person commits an offence if:

- (a) the person:
 - (i) makes an entry in the Registry; or
 - (ii) causes an entry to be made in the Registry; or
 - (iii) concurs in the making of an entry in the Registry; and
- (b) the person does so knowing that the entry is false.

Penalty: The court may be requested to authorise the imposition of 20 penalty units.

Note: The same conduct may be an offence against both this section and falsification of documents.

24. Falsified documents

A person commits an offence if:

- (a) the person produces or tenders in evidence a document; and
- (b) the document falsely purports to be a copy of or extract from an entry in the Registry.

Penalty: The court may be requested to authorise the imposition of 10 penalty units.

Note: The same conduct may be an offence against both this section and the false or misleading documents.

25. Evidentiary provisions

- (1) The Working Body may supply a copy of or extract from the Registry certified by the Working Body to be a true copy or true extract, as the case may be.
- (2) The Working Body may charge a fee specified in the requirements for supplying a certified copy or extract under subsection (1).

26. Use and disclosure of information obtained from the Registry

Use

- (1) A person must not use information to contact or send material to another person if that information:
 - (a) is about the other person; and
 - (b) was obtained from the Registry.

Disclosure

- (2) A person (the *first person*) must not disclose information that:
 - (a) is about another person; and
 - (b) was obtained from the Registry; and
 - (c) the first person knows is likely to be used to contact or send material to the other person.

Exceptions

- (3) Subsections (1) and (2) do not apply if the use or disclosure of the information is relevant to:
 - (a) the holding of:
 - (i) BidCarbon removal units; or
 - (ii) carbon data rights certificates; recorded in the Registry; or
 - (b) the exercise of the rights attaching to those units.

- (4) A person who wishes to rely on subsection (3) bears an evidential burden in relation to that matter.

Note: For *evidential burden*, see [section 4](#).

Ancillary contraventions

- (5) A person must not:
- (a) aid, abet, counsel or procure a contravention of subsection (1) or (2); or
 - (b) induce, whether by threats or promises or otherwise, a contravention of subsection (1) or (2); or
 - (c) be in any way, directly or indirectly, knowingly concerned in, or party to, a contravention of subsection (1) or (2); or
 - (d) conspire with others to effect a contravention of subsection (1) or (2).

Liquidated damages clauses

- (6) Subsections (1), (2) and (5) are *liquidated damages clauses*.

Note: [Part 6](#) provides for pecuniary penalties for breaches of liquidated damages clauses.

27. Requirements about the Registry

- (1) The requirements may make further provision in relation to the Registry.
- (2) Requirements made for the purposes of subsection (1) may make provision requiring the holder of a Registry account to notify a matter to the Working Body.
- (3) Subsection (2) does not limit subsection (1).
- (3)(A) Requirements made for the purposes of subsection (1) may:
- (a) make provision for identifying Registry accounts that are *restricted Registry accounts* for the purposes of this section; and
 - (b) restrict or limit the operation of restricted Registry accounts.
- (3)(B) Requirements made for the purposes of subsection (3)(A) may:
- (a) prohibit, restrict or limit the transfer of units or certificates from a restricted Registry account; or
 - (b) prohibit, restrict or limit the transfer of units or certificates to a restricted Registry account.
- (3)(C) Subsection (3)(B) does not limit subsection (3)(A).
- (3)(D) Subsections (3)(A) and (3)(B) do not limit subsection (1).
- (3)(E) [Section 28.C](#) does not limit subsections (3)(A) and (3)(B) of this section.

Requirement

- (4) If the holder of a Registry account is subject to a requirement under requirements made for the purposes of subsection (1) or (2), the holder must comply with that requirement.

Ancillary contraventions

- (5) A person must not:
- (a) aid, abet, counsel or procure a contravention of subsection (4); or
 - (b) induce, whether by threats or promises or otherwise, a contravention of subsection (4); or
 - (c) be in any way, directly or indirectly, knowingly concerned in, or party to, a contravention of subsection (4); or
 - (d) conspire with others to effect a contravention of subsection (4).

Liquidated damages clauses

- (6) Subsections (4) and (5) are *liquidated damages clauses*.

Note: [Part 6](#) provides for pecuniary penalties for breaches of liquidated damages clauses.

28. Suspension of operation of the Registry

- (1) The Working Body may temporarily suspend the operation of the Registry if the Working Body is satisfied that:
 - (a) the suspension is required so that maintenance can be carried out; or
 - (b) it is prudent to suspend the operation of the Registry in order to:
 - (i) ensure the integrity of the Registry; or
 - (ii) prevent, mitigate or minimise abuse of the Registry; or
 - (iii) prevent, mitigate or minimise criminal activity involving the Registry.
- (2) If the Working Body suspends the operation of the Registry, the Working Body must publish a notice on the Working Body's website informing the public of the suspension.
- (3) If the Working Body suspends the operation of the Registry, the Working Body may defer taking action in relation to the Registry until the suspension ends.

28.A. Working Body may defer giving effect to a transfer instruction

Scope

- (1) This section applies if the Working Body receives an instruction to transfer one or more:
 - (a) BidCarbon removal units; or
 - (b) carbon data rights certificates;to or from a Registry account kept in the name of a person.

Working Body may defer giving effect to the instruction

- (2) The Working Body may defer giving effect to the instruction, for a period that ends not later than the end of the fifth business day after the day on which the instruction was received, if the Working Body is satisfied that it is prudent to do so in order to:
 - (a) ensure the integrity of the Registry; or
 - (b) prevent, mitigate or minimise abuse of the Registry; or
 - (c) prevent, mitigate or minimise criminal activity involving the Registry.

Prior notice not required

- (3) The Working Body is not required to give any prior notice of a deferral under subsection (2).

Other provisions

- (4) This section has effect despite:
 - (a) any other provision of this Registry Standard; or
 - (b) anything in the Carbon Farming Standard.

28.B. Working Body may refuse to give effect to a transfer instruction

Scope

- (1) This section applies if the Working Body receives an instruction to transfer one or more:
 - (a) BidCarbon removal units; or
 - (b) carbon data rights certificates;to or from a Registry account kept in the name of a person.

Working Body may refuse to give effect to instruction

- (2) The Working Body may refuse to give effect to the instruction if the Working Body is satisfied that it is prudent to do so in order to:
 - (a) ensure the integrity of the Registry; or
 - (b) prevent, mitigate or minimise abuse of the Registry; or
 - (c) prevent, mitigate or minimise criminal activity involving the Registry.

Notification

- (3) As soon as practicable after the Working Body refuses, under subsection (2), to give effect to the instruction, the Working Body must give written notice of the refusal to:

- (a) in any case—the person; or
- (b) if the instruction was given by another person—that other person.
- (4) A notice given to a person under subsection (3) must invite the person to request the Working Body to cease to refuse to give effect to the instruction.
- (5) A request under subsection (4) must:
 - (a) be in writing; and
 - (b) be in a form approved, in writing, by the Working Body; and
 - (c) set out the reason for the request.
- (6) If the person makes a request under subsection (4), the Working Body may, by written notice given to the person, require the person to give the Working Body, within the period specified in the notice, further information in connection with the request.

Prior notice not required

- (7) The Working Body is not required to give any prior notice of a refusal under subsection (2).

Decision on request

- (8) If the Working Body receives a request under subsection (4), the Working Body must:
 - (a) cease to refuse to give effect to the instruction; or
 - (b) decide to continue to refuse to give effect to the instruction.
- (9) The Working Body must take all reasonable steps to ensure that a decision is made under subsection (8):
 - (a) if the Working Body requires the person to give further information under subsection (6) in relation to the request—within 7 days after the person gave the Working Body the information; or
 - (b) otherwise—within 7 days after the request was made.
- (10) As soon as practicable after the Working Body makes a decision under subsection (8), the Working Body must notify the person, in writing, of the decision.

Other provisions

- (11) This section has effect despite:
 - (a) any other provision of this Registry Standard; or
 - (b) anything in the Carbon Farming Standard.

Note: For additional powers of refusal, see:

- (a) [paragraph 34\(3\)\(a\)](#) of this Registry Standard; and
- (b) [paragraph 35\(3\)\(a\)](#) of this Registry Standard; and
- (c) [subsection 36\(2\)](#) of this Registry Standard.

28.C.Conditions restricting or limiting the operation of Registry accounts

Scope

- (1) This section applies to a Registry account kept in the name of a person.

Imposition of conditions

- (2) The Working Body may, by written instrument, impose conditions restricting or limiting the operation of the Registry account for a specified period.
- (3) The Working Body may exercise the power conferred by subsection (2):
 - (a) on the Working Body's own initiative; or
 - (b) on written request made to the Working Body by the person.
- (4) The Working Body must not make an instrument under subsection (2) unless the Working Body is satisfied that it is prudent to do so in order to:
 - (a) ensure the integrity of the Registry; or
 - (b) prevent, mitigate or minimise abuse of the Registry; or
 - (c) prevent, mitigate or minimise criminal activity involving the Registry.

- (5) A condition under subsection (2) may:
 - (a) prohibit, restrict or limit the transfer of units from the Registry account; or
 - (b) prohibit, restrict or limit the transfer of units to the Registry account.
- (6) Subsection (5) does not limit subsection (2).

Notification

- (7) As soon as practicable after making an instrument under subsection (2), the Working Body must give the person a copy of the instrument.
- (8) If an instrument under subsection (2) is made on the Working Body's own initiative, the copy of the instrument must be accompanied by a notice inviting the person to request the Working Body to:
 - (a) revoke the instrument; or
 - (b) vary the instrument in the manner specified in the request.

Request

- (9) A request under paragraph (3)(b) or subsection (8) must:
 - (a) be in writing; and
 - (b) be in a form approved, in writing, by the Working Body; and
 - (c) set out the reason for the request.

Further information

- (10) If the person makes a request under subsection (8), the Working Body may, by written notice given to the person, require the person to give the Working Body, within the period specified in the notice, further information in connection with the request.

Prior notice not required

- (11) The Working Body is not required to give any prior notice of a decision to make an instrument under subsection (2).

Decision in relation to instrument made on own initiative

- (12) If the Working Body receives a request under subsection (8), the Working Body must:
 - (a) if the request is to revoke the instrument:
 - (i) revoke the instrument; or
 - (ii) decide not to revoke the instrument; or
 - (b) if the request is to vary the instrument:
 - (i) vary the instrument as requested; or
 - (ii) decide not to vary the instrument.
- (13) The Working Body must take all reasonable steps to ensure that a decision is made under subsection (12):
 - (a) if the Working Body requires the person to give further information under subsection (10) in relation to the request— within 7 days after the person gave the Working Body the information; or
 - (b) otherwise—within 7 days after the request was made.
- (14) As soon as practicable after the Working Body makes a decision under subsection (12), the Working Body must notify the person, in writing, of the decision.

Revocation of instrument made in response to a request

- (15) If:
 - (a) an instrument is in force under subsection (2); and
 - (b) the instrument was made in response to a request under paragraph (3)(b);the Working Body must, at the written request of the person, revoke the instrument.

Other provisions

- (16) This section has effect despite:
 - (a) any other provision of this Registry Standard; or
 - (b) anything in the Carbon Farming Standard.

28.D.Suspension of Registry accounts

Scope

- (1) This section applies to a Registry account kept in the name of a person.

Suspension

- (2) The Working Body may, by written instrument, suspend the Registry account for a specified period.
- (3) The Working Body may exercise the power conferred by subsection (2):
- (a) on the Working Body's own initiative; or
 - (b) on written request made to the Working Body by the person.
- (4) The Working Body must not make an instrument under subsection (2) unless the Working Body is satisfied that it is prudent to do so in order to:
- (a) ensure the integrity of the Registry; or
 - (b) prevent, mitigate or minimise abuse of the Registry; or
 - (c) prevent, mitigate or minimise criminal activity involving the Registry.
- (5) If an account is suspended under subsection (2):
- (a) the Working Body must not:
 - (i) give effect to any instruction to transfer units to or from the Registry account; or
 - (ii) issue any BidCarbon removal units or carbon data rights certificates to the Registry account; and
 - (b) a notice to relinquish BidCarbon removal units under section 143 of the Carbon Farming Standard does not have effect.

Notification

- (6) As soon as practicable after making an instrument under subsection (2), the Working Body must give the person a copy of the instrument.
- (7) If an instrument under subsection (2) is made on the Working Body's own initiative, the copy of the instrument must be accompanied by a notice inviting the person to request the Working Body to:
- (a) revoke the instrument; or
 - (b) vary the instrument in the manner specified in the request.

Request

- (8) A request under paragraph (3)(b) or subsection (7) must:
- (a) be in writing; and
 - (b) be in a form approved, in writing, by the Working Body; and
 - (c) set out the reason for the request.

Further information

- (9) If the person makes a request under subsection (7), the Working Body may, by written notice given to the person, require the person to give the Working Body, within the period specified in the notice, further information in connection with the request.

Prior notice not required

- (10) The Working Body is not required to give any prior notice in relation to the decision to make an instrument under subsection (2).

Decision in relation to instrument made on own initiative

- (11) If the Working Body receives a request under subsection (7), the Working Body must:
- (a) if the request is to revoke the instrument:
 - (i) revoke the instrument; or
 - (ii) decide not to revoke the instrument; or
 - (b) if the request is to vary the instrument:
 - (i) vary the instrument as requested; or

- (ii) decide not to vary the instrument.
- (12) The Working Body must take all reasonable steps to ensure that a decision is made under subsection (11):
 - (a) if the Working Body requires the person to give further information under subsection (9) in relation to the request— within 7 days after the person gave the Working Body the information; or
 - (b) otherwise—within 7 days after the request was made.
- (13) As soon as practicable after the Working Body makes a decision under subsection (11), the Working Body must notify the person, in writing, of the decision.

Revocation of instrument made in response to a request

- (14) If:
 - (a) an instrument is in force under subsection (2); and
 - (b) the instrument was made in response to a request under paragraph (3)(b);the Working Body must, at the written request of the person, revoke the instrument.

Other provisions

- (15) This section has effect despite:
 - (a) any other provision of this Registry Standard; or
 - (b) anything in the Carbon Farming Standard; or
 - (c) anything in the Greenhouse Gas Reporting Standard.

Part 3— Bonded BidCarbon removal units

29. Simplified outline

The following is a simplified outline of this Part sets out rules about dealings with Bonded BidCarbon removal units.

30. Entries for Bonded BidCarbon removal units

An entry for a Bonded BidCarbon removal unit in a Registry account is to consist of the serial number of the unit.

31. Issue of Bonded BidCarbon removal units

Object

- (1) The object of this section is to provide for the issue of Bonded BidCarbon removal units.

Issue

- (2) The Secretary may, by written notice given to the Working Body, direct the Regulator to issue to the BidCarbon Climate Trading Company, in accordance with the Bonded rules, a specified number of Bonded BidCarbon removal units.
- (3) The Working Body must comply with a direction under subsection (2).
- (4) The Working Body is to issue an Bonded BidCarbon removal unit by making an entry for the unit in a BidCarbon Climate Trading Company holding account.

31.A.Ownership of Bonded BidCarbon removal unit

Object

- (1) The requirements may provide that the registered holder of a Bonded BidCarbon removal unit:
 - (a) is the legal owner of the unit; and
 - (b) may, subject to this Registry Standard, deal with the unit as its legal owner and give good discharges for any consideration for any such dealing.
- (2) Requirements made for the purposes of subsection (1) only protect a person who deals with the registered holder of the unit as a purchaser:
 - (a) in good faith for value; and
 - (b) without notice of any defect in the title of the registered holder.

33. Transfer of Bonded BidCarbon removal units

- (1) For the purposes of this Registry Standard, if there is an entry for a Bonded BidCarbon removal unit in a Registry account (the *first Registry account*) kept by a person (the *first person*):
 - (a) a *transfer* of the unit from the first Registry account to a Registry account kept by another person consists of:
 - (i) the removal of the entry for the unit from the first Registry account; and
 - (ii) the making of an entry for the unit in the Registry account kept by the other person; and
 - (b) the *transfer* of the unit from the first Registry account to another Registry account kept by the first person consists of:
 - (i) the removal of the entry for the unit from the first Registry account; and

- (ii) the making of an entry for the unit in the other Registry account kept by the first person; and
- (c) the **transfer** of the unit from the first Registry account to a foreign account kept by another person consists of:
 - (i) the removal of the entry for the unit from the first Registry account; and
 - (ii) the making of an entry for the unit in the foreign account kept by the other person; and
- (d) the **transfer** of the unit from the first Registry account to a foreign account kept by the first person consists of:
 - (i) the removal of the entry for the unit from the first Registry account; and
 - (ii) the making of an entry for the unit in the foreign account kept by the first person.
- (2) For the purposes of this Registry Standard, if there is an entry for a Bonded BidCarbon removal unit in a foreign account, a **transfer** of the unit from the foreign account to a Registry account consists of:
 - (a) the removal of the entry for the unit from the foreign account; and
 - (b) the making of an entry for the unit in the Registry account.

34. Domestic transfers of Bonded BidCarbon removal units

- (1) If a person (the first person) is the registered holder of one or more Bonded BidCarbon removal units, the person may, by electronic notice transmitted to the Working Body, instruct the Working Body to transfer the units from the relevant Registry account kept by the person (the first Registry account) to:
 - (a) a Registry account kept by another person; or
 - (b) another Registry account kept by the first person.
- (2) An instruction under subsection (1) must set out:
 - (a) the account number of the first Registry account; and
 - (b) the account number of the Registry account mentioned in paragraph (1)(a) or (b); and
 - (c) such other information as is specified in the requirements.

Compliance with instruction

- (3) If the Working Body receives an instruction under subsection (1):
 - (a) if the Working Body is satisfied that giving effect to the instruction would breach:
 - (i) requirements made for the purposes of [section 37](#) (Bonded rules); or
 - (ii) requirements made for the purposes of [section 39](#) (Carbon reserve); or
 - (iii) requirements made for the purposes of [section 40](#) (BidCarbon Registry accounts);
 the Working Body must, by written notice given to the first person, refuse to give effect to the instruction; and
 - (b) if paragraph (a) does not apply—the Working Body must give effect to the instruction as soon as practicable after receiving it.
- (4) If the Working Body gives effect to an instruction under subsection (1), the Registry must set out a record of the instruction.

35. Outgoing international transfers of Bonded BidCarbon removal units

- (1) If a person (the **first person**) is the registered holder of one or more Bonded BidCarbon removal units, the person may, by electronic notice transmitted to the Working Body,

instruct the Working Body to transfer the units from the relevant Registry account kept by the person (the *first Registry account*) to:

- (a) a foreign account kept by another person; or
 - (b) a foreign account kept by the first person.
- (2) An instruction under subsection (1) must set out:
- (a) the account number of the relevant Registry account kept by the first person; and
 - (b) such other information as is specified in the requirements.

Compliance with instruction

- (3) If the Working Body receives an instruction under subsection (1):
- (a) if the Working Body is satisfied that giving effect to the instruction would breach:
 - (i) requirements made for the purposes of [section 37](#) (Bonded rules); or
 - (ii) requirements made for the purposes of [section 39](#) (Carbon reserve);the Working Body must, by written notice given to the first person, refuse to give effect to the instruction; and
 - (b) if paragraph (a) does not apply—the Working Body must take such steps as are required by requirements made for the purposes of [section 37](#).
- (4) Requirements made for the purposes of [section 37](#) may require the Working Body to remove the entry for the unit or units from the relevant Registry account.
- (5) Subsection (4) does not limit [section 37](#).
- (6) If the Working Body takes steps under paragraph (3)(b) in relation to an instruction, the Registry must set out a record of the instruction.
- (7) If the first person is the charity, the Chairman of the Board of Trustees may give an instruction under subsection (1) on behalf of the first person.

36. Incoming international transfers of Bonded BidCarbon removal units

- (1) If:
- (a) the Working Body receives an instruction, in accordance with the relevant provisions of the Bonded rules, for the transfer of a Bonded BidCarbon removal unit from a foreign account; and
 - (b) the Bonded BidCarbon removal unit is not specified in the requirements as a unit that cannot be transferred to a Registry account; and
 - (c) making an entry for the Bonded BidCarbon removal unit in the relevant Registry account would not breach requirements made for the purposes of [section 37](#) (Bonded rules); and
 - (d) making an entry for the Bonded BidCarbon removal unit in the relevant Registry account would not breach requirements made for the purposes of [section 42](#) (BidCarbon Registry accounts);

the Working Body must make an entry for the Bonded BidCarbon removal unit in the relevant Registry account.

Note: For specification by class, see subsection 13(3) of the BidCarbon Foundation Governing Document.

- (2) However, the Working Body may refuse to make an entry for the Bonded BidCarbon removal unit in the relevant Registry account if the Working Body has reasonable grounds to suspect that the instruction is fraudulent.

37. Bonded rules

- (1) The requirements may make provision for, or in relation to, giving effect to the Bonded rules, so far as the Bonded rules relate to:

- (a) the transfer of a Bonded BidCarbon removal unit from a Registry account to a foreign account; or
- (b) the transfer of a Bonded BidCarbon removal unit from a foreign account to a Registry account; or
- (c) the transfer of a Bonded BidCarbon removal unit from a Registry account to a BidCarbon Registry account; or
- (d) the issue of a Bonded BidCarbon removal unit; or
- (e) the conversion of an Bonded units, to an BidCarbon removal unit.
- (2) Requirements made for the purposes of subsection (1) may:
 - (a) prevent, restrict or limit the transfer of Bonded BidCarbon removal units from a Registry account to:
 - (i) a foreign account; or
 - (ii) a voluntary cancellation account; or
 - (b) prevent, restrict or limit the transfer of Bonded BidCarbon removal units from a foreign account to a Registry account.
- (3) Subsection (2) does not limit subsection (1).

38. Carry-over restrictions

Bonded BidCarbon removal units for which carry-over is permitted

- (1) The requirements may make provision for, or in relation to, the following matters:
 - (a) the identification of Bonded BidCarbon removal units in Registry accounts; as Bonded BidCarbon removal units for which carry-over is permitted subject to such limits or restrictions (if any) as are specified in the requirements;
 - (b) the procedures for the carry-over of such Bonded BidCarbon removal units;
 - (c) requiring the Working Body to transfer from the relevant Registry account to a mandatory cancellation account any such Bonded BidCarbon removal units that have not been carried over in accordance with those procedures.

Bonded BidCarbon removal units for which carry-over is not permitted

- (2) The requirements may make provision for, or in relation to, the following matters:
 - (a) the identification of Bonded BidCarbon removal units for which carry-over is not permitted;
 - (b) requiring the Working Body to transfer from the relevant Registry account to a mandatory cancellation account any such Bonded BidCarbon removal units held in the Registry account at a time ascertained in accordance with the requirements.

Bonded rules

- (3) Requirements made for the purposes of this section must not be inconsistent with the Bonded rules.

39. Carbon reserve

- (1) The requirements may make provision for, or in relation to, the management of the charity carbon reserve.
- (2) Requirements made for the purposes of subsection (1) may prevent, restrict or limit the transfer of Bonded BidCarbon removal units from a Registry account to:
 - (a) a foreign account; or
 - (b) a voluntary cancellation account.
- (3) Requirements made for the purposes of subsection (1) may prevent, restrict or limit the giving of instructions, under paragraph 124(1)(b) of the Carbon Farming Standard, for the transfer of Bonded BidCarbon removal units.

40. Restrictions on transfer of Bonded BidCarbon removal units to a BidCarbon Registry account

The requirements may prevent, restrict or limit the transfer of Bonded BidCarbon removal units from:

- (a) a Registry account; or
 - (b) a foreign account;
- to a BidCarbon Registry account.

41. A registered Bonded BidCarbon removal unit is personal property for certain purposes

Scope

- (1) This section applies if there is an entry for a Bonded BidCarbon removal unit in a Registry account.

Personal property

- (2) For each of the following purposes:
 - (a) the purposes of the Insolvency Act 1986;
 - (b) the purposes of Part 26 of the Companies Act 2006;
 - (c) the purposes of the law relating to wills, intestacy and deceased estates;
 - (d) a prescribed purpose;
 - (a) a foreign law that corresponds to a law mentioned in paragraphs (a), (b);the unit is personal property and, subject to [section 44](#), is transmissible by will and by devolution by operation of law.

42. Registration of equitable interests in relation to Bonded BidCarbon removal units

- (1) The requirements may make provision for or in relation to the registration in the Registry of equitable interests in relation to Bonded BidCarbon removal units.
- (2) Subsection (1) does not apply to an equitable interest that is a security interest within the meaning of the Law of Property Act 1925, and to which that Act applies.

43. Equitable interests in relation to a Bonded BidCarbon removal unit

- (1) This Registry Standard does not affect:
 - (a) the creation of; or
 - (b) any dealings with; or
 - (c) the enforcement of;equitable interests in relation to a Bonded BidCarbon removal unit.
- (2) Subsection (1) is enacted for the avoidance of doubt.

44. Transmission of registered Bonded BidCarbon removal units by operation of law etc.

Scope

- (3) This section applies if:
 - (a) under [section 41](#), a Bonded BidCarbon removal unit is personal property for a particular purpose; and
 - (b) the unit is transmitted from a person (the transferor) to another person (the transferee) by any lawful means for that purpose; and
 - (c) transferor holds a carbon removal contract.

Effect of transmission

- (4) The transmission is of no force until the Working Body transfers the unit under subsection (7) or (8).

Declaration of transmission

- (5) The transferee must, within 90 days after the transmission, give the Working Body:
- (a) a declaration of transmission; and
 - (b) such evidence of transmission as is specified in the requirements.
- (6) A declaration of transmission must be made in accordance with the requirements.
- (7) If the transferee does not already have a Registry account, the declaration of transmission must be accompanied by a request under requirements made for the purposes of [subsection 10\(1\)](#) for the Working Body to open a Registry account in the name of the transferee.
- (8) If the Working Body is satisfied that special circumstances warrant the extension of the 90-day period mentioned in subsection (2), the Working Body may extend that period.
- (9) The Working Body may exercise the power conferred by subsection (5):
- (a) on written application being made to the Working Body by the transferee; or
 - (b) on the Working Body's own initiative.

Transfer of unit—transferee already has a Registry account

- (10) If the transferee already has a Registry account, the Working Body must, as soon as practicable after receiving the declaration of transmission, transfer the unit from the relevant Registry account kept by the transferor to a Registry account kept by the transferee.

Transfer of unit—transferee does not have a Registry account

- (11) If:
- (a) the transferee does not already have a Registry account; and
 - (b) in accordance with the request under requirements made for the purposes of [subsection 10\(1\)](#), the Working Body has opened a Registry account in the name of the transferee;
- the Working Body must, as soon as practicable after opening the Registry account, transfer the unit from the relevant Registry account kept by the transferor to the Registry account kept by the transferee.

Record

- (12) If the Working Body transfers the unit under subsection (7) or (8), the Registry must set out a record of the declaration of transmission.

When the transferee is the BidCarbon Climate Trading Company

- (13) If the transferee is the BidCarbon Climate Trading Company, the Chairman of the Board of Trustees may give:
- (a) the declaration of transmission; and
 - (b) the evidence mentioned in paragraph (2)(b);
- on behalf of the transferee.

Notification

- (14) If:
- (a) the Working Body decides to:
 - (i) extend the 90-day period mentioned in subsection (2); or
 - (ii) refuse to extend the 90-day period mentioned in subsection (2); and
 - (b) the Working Body made the decision in response to an application;
- the Working Body must give written notice of the decision to the applicant.

Part 4—Carbon data rights certificates

45. Simplified outline of this Part

The following is a simplified outline of this Part sets out rules about the ownership, transfer and transmission of carbon data rights certificates.

45.A.Entries for carbon data rights certificates

An entry for a carbon data rights certificate in a Registry account is to consist of the serial number of the Certificate.

45.C.A carbon data rights certificate is enterprise asset

- (1) A carbon data rights certificate is created under Part 23 of the Carbon Farming Standard.
- (2) It can be contributed as a non-cash asset under company law.
- (3) It can be transferred by assignment or by operation of law, subject to sections [45.F](#) and [45.G](#), through the BidCarbon marketplace.

45.D.Ownership of carbon data rights certificates

- (1) The registered holder of a carbon data rights certificate:
 - (a) is the legal owner of the certificate; and
 - (b) may, subject to this Registry Standard and the Greenhouse Gas Reporting Standard, deal with the certificate as its legal owner and give good discharges for any transaction for any such dealing.
- (2) Subsection (1) only protects a person who deals with the registered holder of the unit as a purchaser:
 - (a) without notice of any defect in the title of the registered holder; and
 - (b) in good faith for value.

45.E.Transfer of carbon data rights certificates

For the purposes of this Registry Standard, if there is an entry for a carbon data rights certificate in a Registry account (the first Registry account) kept by a person (the first person):

- (a) a transfer of the certificate from the first Registry account to a Registry account kept by another person consists of:
 - (i) the removal of the entry for the certificate from the first Registry account; and
 - (ii) the making of an entry for the certificate in the Registry account kept by the other person; and
- (b) a transfer of the certificate from the first Registry account to another Registry account kept by the first person consists of:
 - (i) the removal of the entry for the certificate from the first Registry account; and
 - (ii) the making of an entry for the certificate in the other Registry account kept by the first person.

45.F.Transmission of carbon data rights certificates by assignment

- (1) A transmission by assignment of a carbon data rights certificate for which there is an entry in a Registry account is of no force until:
 - (a) the transferor, by electronic notice transmitted to the Operating Companies, instructs the Operating Companies to transfer the unit from the relevant Registry account kept by the transferor to a Registry account kept by the transferee; and

- (b) the Operating Companies complies with that instruction.
- (2) An instruction under paragraph (1)(a) must set out:
 - (a) the account number of the transferor's Registry account; and
 - (b) the account number of the transferee's Registry account.
- (3) If the Operating Companies receives an instruction under paragraph (1)(a), the Operating Companies must comply with the instruction as soon as practicable after receiving it.
- (4) The Registry must set out a record of each instruction under paragraph (1)(a).
- (5) If the transferor is the BidCarbon Climate Trading Company, the Chairman of the Board of Trustees may give an instruction under paragraph (1)(a) on behalf of the transferor.

45.G.Transmission of carbon data rights certificates by operation of law etc.

Scope

- (1) This section applies if a carbon data rights certificate for which there is an entry in a Registry account is transmitted from a person (the transferor) to another person (the transferee) by any lawful means other than by a transfer under [section 47.D](#).

Effect of transmission

- (2) The transmission is of no force until the Operating Companies transfers the carbon data rights certificate under subsection (8) or (9).

Declaration of transmission

- (3) The transferee must, within 90 days after the transmission, give the Operating Companies:
 - (a) a declaration of transmission; and
 - (b) such evidence of transmission as is specified in the principles.
- (4) A declaration of transmission must be made in accordance with the principles.
- (5) If the transferee does not already have a Registry account, the declaration of transmission must be accompanied by a request, under requirements made for the purposes of [subsection 10\(1\)](#), for the Operating Companies to open a Registry account in the name of the transferee.
- (6) If the Operating Companies is satisfied that special circumstances warrant the extension of the 90-day period mentioned in subsection (3), the Operating Companies may extend that period.
- (7) The Operating Companies may exercise the power conferred by subsection (6):
 - (a) on written application being made to the Operating Companies by the transferee; or
 - (b) on the Operating Companies' own initiative.

Transfer of certificate—transferee already has a Registry account

- (8) If the transferee already has a Registry account, the Operating Companies must, as soon as practicable after receiving the declaration of transmission, transfer the unit from the relevant Registry account kept by the transferor to a Registry account kept by the transferee.

Transfer of certificate—transferee does not have a Registry account

- (9) If:
 - (a) the transferee does not already have a Registry account; and
 - (b) in accordance with the request under requirements made for the purposes of [subsection 10\(1\)](#), the Operating Companies has opened a Registry account in the name of the transferee;
 the Operating Companies must, as soon as practicable after opening the Registry account, transfer the unit from the relevant Registry account kept by the transferor to the Registry account kept by the transferee.

Record

- (10) If the Operating Companies transfers the unit under subsection (8) or (9), the Registry must set out a record of the declaration of transmission.

When the transferee is the charity

- (11) If the transferee is the charity, the Chairman of the Board of Trustees may give:
- (a) the declaration of transmission; and
 - (b) the evidence mentioned in paragraph (3)(b);
on behalf of the transferee.

Notification

- (12) If:
- (a) the Operating Companies decides to:
 - (i) extend the 90-day period mentioned in subsection (3); or
 - (ii) refuse to extend the 90-day period mentioned in subsection (3); and
 - (b) the Operating Companies made the decision in response to an application;
the Operating Companies must give written notice of the decision to the applicant.

45.H. Transfer of carbon data rights certificates to another Registry account held by the transferor

Scope

- (1) This section applies if:
- (a) a person keeps a Registry account (the first Registry account) in which there is an entry for a carbon data rights certificate; and
 - (b) the person, by electronic notice transmitted to the Operating Companies, instructs the Operating Companies to transfer the unit from the first Registry account to another Registry account kept by the person; and
 - (c) the instruction sets out:
 - (i) the account number of the first Registry account; and
 - (ii) the account number of the other Registry account.

Compliance with instruction

- (2) If a person gives the Operating Companies an instruction under paragraph (1)(b), the Operating Companies must comply with the instruction as soon as practicable after receiving it.
- (3) The Registry must set out a record of the instruction under paragraph (1)(b).

45.I. Registration of statutory declaration in relation to a carbon data rights certificate

Scope

- (1) The principles may make provision for or in relation to the registration in the Registry of statutory declaration in relation to carbon data rights certificates.
- (2) The Registration establishes a standard for carbon data protection across the board and will operate in conjunction with (and not override) other existing laws and regulations. The Registration specifically provides that the carbon data rights certificate under the Registration does not affect any right or obligation under the law, and that in the event of any inconsistency, the provisions of other written laws will prevail.
- (3) Subsection (1) does not apply to an equitable interest that is a security interest within the meaning of the Law of Property Act 1925, and to which that Act applies.

45.J. Equitable interests in relation to a carbon data rights certificate

- (1) This Registry Standard does not affect:
- (a) the creation of; or

- (b) any dealings with; or
 - (c) the enforcement of;
- equitable interests in relation to a Carbon data rights certificate.
- (2) Subsection (1) is enacted for the avoidance of doubt.

45.K.Cancellation of carbon data rights certificates

Scope

- (1) This section applies if:
- (a) a person is the holder of a Registry account in which there is an entry for a carbon data rights certificates; and
 - (b) the carbon data rights certificates expires.

Transfer to mandatory cancellation account

- (2) The Operating Companies must, in accordance with the requirements, transfer the carbon data rights certificates to a mandatory cancellation account.

45.L.Replacement of carbon data rights certificates

Scope

- (1) This section applies if:
- (a) a person is the holder of a Registry account in which there is an entry for a carbon data rights certificates; and
 - (b) under the requirements, the person is required to replace the carbon data rights certificates by a particular time ascertained in accordance with the requirements; and
 - (c) the person breaches that requirement.

Transfer to mandatory cancellation account

- (2) The Operating Companies must, in accordance with the requirements, transfer the carbon data rights certificates to a mandatory cancellation account.

Replacement of carbon data rights certificates

- (3) For the purposes of this section, the **replacement** by the person of the carbon data rights certificates consists of instructing the Operating Companies under [section 34](#) to transfer:
- (a) a carbon data rights certificates relating to the project; from a Registry account kept by the person to whichever of the following accounts is taken, under the requirements, to be the appropriate account:
 - (b) the carbon data rights certificates replacement (storage reversal) account;

Identification of carbon data rights certificates for which replacement is required

- (4) Requirements made for the purposes of paragraph (1)(b) may make provision for, or in relation to, the identification of carbon data rights certificates for which replacement is required.

45.M.Principles about carbon data rights certificates

The principles may make further provision in relation to carbon data rights certificates.

Part 5—Publication of information

46. Simplified outline of this Part

The following is a simplified outline of this Part of the Working Body must publish certain information about:

- (a) the holders of Registry accounts; and
- (b) Bonded BidCarbon removal units; and
- (c) BidCarbon removal units; and
- (d) carbon data rights certificates.

47. Information about holders of Registry accounts

The Working Body must:

- (a) publish on the Working Body's website:
 - (i) the name of each person who has a Registry account; and
 - (ii) the person's address last known to the Working Body; and
- (b) keep that information up-to-date.

48. Bonded unit information

- (1) The requirements may make provision for, or in relation to, requiring the Working Body to publish on the Working Body's website information that a provision of the Bonded rules requires BidCarbon registry to make publicly available.
- (2) The requirements may require the Working Body to:
 - (a) publish on the Working Body's website the total number of specified Bonded BidCarbon removal units for which there are entries in Registry accounts; and
 - (b) keep that information up-to-date.

48.A.Information about BidCarbon removal units

The principles may require the Working Body to:

- (a) publish on the Working Body's website specified information about:
 - (i) BidCarbon removal units for which there are entries in Registry accounts; and
 - (ii) the registered holders of such units; and
- (b) do so in accordance with specified requirements.

Note: For specification by class, see subsection 13(3) of the BidCarbon Foundation Governing Document.

48.B.Information about carbon data rights certificates

The principles may require the Working Body to:

- (a) publish on the Working Body's website specified information about:
 - (i) carbon data rights certificates for which there are entries in Registry accounts; and
 - (ii) the registered holders of such certificates; and
- (b) do so in accordance with specified requirements.

Note: For specification by class, see subsection 13(3) of the BidCarbon Foundation Governing Document.

49. Publication of concise description of the characteristics of eligible voluntary emission units

Bonded BidCarbon removal units

- (1) The Working Body must:
 - (a) within 30 days after the commencement of this section, publish on the Working Body's website a statement setting out a concise description of the characteristics of each of the following types of eligible voluntary emission units:
 - (i) Bonded BidCarbon removal units;
 - (ii) BidCarbon removal units; and
 - (b) keep that statement up-to-date.
- (2) The Working Body must:
 - (a) within 30 days after the commencement of requirements made for the purposes of paragraph (d) of the definition of *eligible voluntary emission unit* in [section 4](#), publish on the Working Body's website a statement setting out a concise description of the characteristics of units prescribed by those requirements; and
 - (b) keep that statement up-to-date.

50. Information about number of voluntarily cancelled BidCarbon removal units

As soon as practicable after one or more BidCarbon removal units held by a person are cancelled under [section 54](#), the Working Body must publish on the Working Body's website:

- (a) the name of the person; and
- (b) the total number of BidCarbon removal units cancelled.

51. Information about number of voluntarily cancelled Bonded BidCarbon removal units

As soon as practicable after one or more Bonded BidCarbon removal units held by a person are transferred under [section 55](#) to a voluntary cancellation account, the Working Body must publish on the Working Body's website:

- (a) the name of the person; and
- (b) the total number of Bonded BidCarbon removal units transferred.

52. Information about number of voluntarily cancelled carbon data rights certificates

As soon as practicable after one or more carbon data rights certificates held by a person are cancelled under [section 56](#), the Working Body must publish on the Working Body's website:

- (a) the name of the person; and
- (b) the total number of carbon data rights certificates cancelled; and
- (c) the total number of BidCarbon removal units of the certificate; and
- (d) such other information (if any) as is specified in the principles.

Part 6—Voluntary cancellation of units or certificates

53. Simplified outline of this Part

The following is a simplified outline of this Part:

- If a person is the registered holder of one or more BidCarbon removal units or carbon data rights certificates, the person may request the Working Body to cancel any or all of those units.
- If a person is the registered holder of one or more Bonded BidCarbon removal units, the person may request the Working Body to transfer to a voluntary cancellation account any or all of those units.

54. Voluntary cancellation of BidCarbon removal units

- (1) If a person is the registered holder of one or more BidCarbon removal units, the person may, by electronic notice transmitted to the Working Body, request the Working Body to cancel any or all of those units.
- (2) A notice under subsection (1) must:
 - (a) specify the BidCarbon removal unit or units that are to be cancelled; and
 - (b) specify the account number or account numbers of the person's Registry account, or the person's Registry accounts, in which there is an entry or entries for the BidCarbon removal unit or units that are to be cancelled.
- (3) If the Working Body receives a notice under subsection (1) in relation to an BidCarbon removal unit:
 - (a) the unit is cancelled; and
 - (b) the Working Body must remove the entry for the unit from the person's Registry account in which there is an entry for the unit.
- (4) The Registry must set out a record of each notice under subsection (1).

55. Voluntary cancellation of Bonded BidCarbon removal units

- (1) If a person is the registered holder of one or more Bonded BidCarbon removal units, the person may, by electronic notice transmitted to the Working Body, request the Working Body to transfer to a voluntary cancellation account any or all of those units.
- (2) A notice under subsection (1) must:
 - (a) specify the Bonded BidCarbon removal unit or units that are to be transferred to the voluntary cancellation account; and
 - (b) specify the account number or account numbers of the person's Registry account, or the person's Registry accounts, in which there is an entry or entries for the Bonded BidCarbon removal unit or units that are to be transferred to the voluntary cancellation account; and
 - (c) set out such other information (if any) as is specified in the principles.
- (3) If:
 - (a) a person requests that a Bonded BidCarbon removal unit be transferred to a voluntary cancellation account; and
 - (b) the Working Body is satisfied that the transfer of the unit from the person's Registry account to the voluntary cancellation account would not breach requirements made for the purposes of [section 37](#) (Bonded rules); and

- (c) the Working Body is satisfied that the transfer of the unit from the person's Registry account to the voluntary cancellation account would not breach requirements made for the purposes of [section 39](#) (Carbon reserve);
- the Working Body must comply with the request as soon as practicable after receiving it.
- (4) The Registry must set out a record of each notice under subsection (1).

56. Voluntary cancellation of carbon data rights certificates

- (1) If:
 - (a) a person is the registered holder of one or more carbon data rights certificates; and
 - (b) a determination is in force under subsection (5);
 the person may, by electronic notice transmitted to the Working Body, request the Working Body to cancel any or all of those certificates.
- (2) A notice under subsection (1) must:
 - (a) specify the carbon data rights certificates that are to be cancelled; and
 - (b) specify the account number or account numbers of the person's Registry account, or the person's Registry accounts, in which there is an entry or entries for the carbon data rights certificates that are to be cancelled; and
 - (c) set out such other information (if any) as is specified in the principles.
- (3) If the Working Body receives a notice under subsection (1) in relation to a carbon data rights certificate:
 - (a) if the principles require the Working Body to cancel the certificate—the Working Body must cancel the certificate; and
 - (b) if the principles require the Working Body to take specified action in relation to the unit—the Working Body must take that action; and
 - (c) the Working Body must remove the entry for the certificate from the person's Registry account in which there is an entry for the certificate.
- (4) The Registry must set out a record of each notice under subsection (1).
- (5) The Chairman of the Board of Trustees may, by written resolutions, determine that any person who is the registered holder of one or more carbon data rights certificates may request the Working Body to cancel any or all of those certificates.

Part 7—Dispute

57. Simplified outline of this Part

The following is a simplified outline of this Part:

- Those found liable for a tortious act must pay pecuniary penalties.

58. Governing Law and Jurisdiction

Governing Law

- (4) This Registry Standard shall be construed in accordance with the laws of England and Wales, without regard to the principles of conflict of law.

In this Part:

- (5) ***Court*** means:

- (a) the Commercial Court; and
- (b) any disputes relating to this Registry Standard shall be subject to the non-exclusive jurisdiction of the Commercial Courts.

In this Part:

- (6) ***Arbitral Tribunal*** means the Shanghai International Economic and Trade Arbitration Commission (“SHIAC”) Data Arbitration Centre.

- (7) The Arbitral Tribunal may rule on its own jurisdiction.

59. Commercial arbitration

- (1) If the Working Body finds that a person has contravened a default clause, it has the right to request that the person pay a financial penalty to the charity.
- (2) An request under subsection (1) is to be known as a ***commercial arbitration***.

Determining amount of financial penalty

- (3) In determining the liquidated damages, the Working Body may have regard to all relevant matters, including:
- (a) the nature and extent of the contravention; and
 - (b) the nature and extent of any loss or damage suffered as a result of the contravention; and
 - (c) the circumstances in which the contravention took place; and
 - (d) whether the person has previously been found by a court in proceedings under this Registry Standard to have engaged in any similar conduct; and
 - (e) the extent to which the person has co-operated with the authorities; and
 - (f) if the person is a body corporate:
 - (i) the level of the employees, officers or agents of the body corporate involved in the contravention; and
 - (ii) whether the body corporate exercised due diligence to avoid the contravention; and
 - (iii) whether the body corporate had a corporate culture conducive to compliance.
- (4) The financial penalty payable under subsection (1) by a body corporate must not exceed:
- (a) in the case of a contravention of subsection [26\(1\)](#), [\(2\)](#) or [\(5\)](#)—10 penalty units for each contravention; or
 - (b) otherwise—50 penalty units for each contravention.
- (5) The financial penalty payable under subsection (1) by a person other than a body corporate must not exceed:

- (a) in the case of a contravention of subsection [26\(1\)](#), [\(2\)](#) or [\(5\)](#)—5 penalty units for each contravention; or
- (b) otherwise—25 penalty units for each contravention.

Civil enforcement of penalty

- (6) A financial penalty is a civil debt payable to the charity. The charity may enforce the commercial arbitration through the court as if it were an order made in civil proceedings against the person to recover a debt due by the person. The debt arising from the order is taken to be a judgement debt.

60. Who may apply for a commercial arbitration

- (1) Only the Working Body may apply for a commercial arbitration.
- (2) A body corporate may not apply for commercial arbitration during the crediting period. Otherwise, the body corporate voluntarily and ultimately bears all arbitration costs incurred by the parties as a result of the initiation of the arbitration, including, but not limited to, the charity's arbitration fees, reasonably paid attorneys' fees, travel expenses, investigation costs, etc.

61. Two or more arbitration may be heard together

The Arbitral Tribunal may direct that 2 or more proceedings for commercial arbitration are to be heard together.

62. Time limit for application for an order

Proceedings for a commercial arbitration may be started no later than 6 years after the contravention.

63. Application of professional arbitration rules

The application of specialised arbitration rules (data arbitration) is preferred, and if there are no such specialised arbitration rules applicable, the general arbitration rules apply.

64. Commercial arbitration after criminal proceedings

It is not permitted for the Working Body to bring a commercial arbitration against an individual for a tortious offence if the individual has been convicted of an offence constituted by conduct that is substantially the same as the conduct constituting the defaults.

65. Criminal proceedings during commercial arbitration

- (1) Proceedings for a commercial arbitration against a person for a defaults of a default clause are stayed if:
 - (a) criminal proceedings are started or have already been started against the person for an offence; and
 - (b) the offence is constituted by conduct that is substantially the same as the conduct alleged to constitute the contravention.
- (2) The arbitration procedures for pecuniary penalties may be resumed if the person is not convicted of the offence.

66. Mistake of fact

- (1) A person is not liable to have a pecuniary penalty made against the person for a tort if:
 - (a) at or before the time of the conduct constituting the contravention, the person:
 - (i) considered whether or not facts existed; and
 - (ii) was under a mistaken but reasonable belief about those facts; and

- (b) had those facts existed, the conduct would not have constituted a contravention of the liquidated damages clauses.
- (2) For the purposes of subsection (1), a person may be regarded as having considered whether or not facts existed if:
 - (a) the person had considered, on a previous occasion, whether those facts existed in the circumstances surrounding that occasion; and
 - (b) the person honestly and reasonably believed that the circumstances surrounding the present occasion were the same, or substantially the same, as those surrounding the previous occasion.
- (3) A person who wishes to rely on subsection (1) or (2) in proceedings for a commercial arbitration bears an evidential burden in relation to that matter.

67. State of mind

Scope

- (1) This section applies to proceedings for a commercial arbitration against a person for a contravention of any of the following liquidated damages clauses:
 - (a) [subsection 26\(1\)](#);
 - (b) [subsection 26\(2\)](#);
 - (c) [subsection 27\(4\)](#).

State of mind

- (2) In the proceedings, it is not necessary to prove:
 - (a) the person's intention; or
 - (b) the person's knowledge; or
 - (c) the person's recklessness; or
 - (d) the person's negligence; or
 - (e) any other state of mind of the person.
- (3) Subsection (2) does not affect the operation of [section 66](#).

68. Continuing contraventions

- (1) If an act or thing is required, under a liquidated damages clauses of this Registry Standard, to be done within a particular period, or before a particular time, then the obligation to do that act or thing continues (even if the period has expired or the time has passed) until the act or thing is done.
- (2) A person who contravenes [subsection 27\(4\)](#), so far as that subsection relates to a requirement mentioned in [subsection 27\(2\)](#), commits a separate contravention of that provision in respect of each day (including a day of the making of a relevant pecuniary penalty or any subsequent day) during which the contravention continues.
- (3) The pecuniary penalty payable under [subsection 59\(1\)](#) for such a separate contravention in respect of a particular day must not exceed 5% of the maximum pecuniary penalty that could have been imposed for the contravention if subsection (2) of this section had not been enacted.

Part 8—Review of decisions

69. Simplified outline of this Part

The following is a simplified outline of this Part:

- Certain decisions of delegates of the Working Body may be reviewed by the Grievance Review Panel following a process of internal reconsideration by the Working Body.
- Certain decisions of the Working Body may be reviewed by the Grievance Review Panel.

70. Reviewable decisions

For the purposes of this Registry Standard, each of the following decisions of the Working Body is a *reviewable decision*:

Reviewable decisions	
Item	Decision
1	A decision to refuse to extend a period under subsection 46(5) or 47.E(6) .
2	A decision to refuse to make an entry in a Registry account under section 36 .
3	A decision under requirements made for the purposes of subsection 10(1) to refuse to open a Registry account.
4	A decision under requirements made for the purposes of subsection 16(1) to close a Registry account.
5	A decision under section 19 to alter the Registry.
6	A decision to refuse to alter the Registry under section 19 .
7	A decision under section 20 to make an alteration to the Registry.
8	A decision to refuse to make an alteration to the Registry under section 20 .
9	A decision under subsection 28.B.(8) to continue to refuse to give effect to a transfer instruction.
10	A decision under subsection 28.C.(12) not to revoke an instrument imposing conditions restricting or limiting the operation of a Registry account.
11	A decision under subsection 28.C.(12) not to vary an instrument imposing conditions restricting or limiting the operation of a Registry account.
12	A decision under subsection 28.D.(11) not to revoke an instrument suspending a Registry account.
13	A decision under subsection 28.D.(11) not to vary an instrument suspending a Registry account.

71. Applications for reconsideration of decisions made by delegates of the Working Body

Scope

- (1) This section applies to a reviewable decision if the decision is made by a delegate of the Working Body.

Application

- (2) A person affected by a reviewable decision who is dissatisfied with the decision may apply to the Working Body for the Working Body to reconsider the decision.
- (3) The application must:
 - (a) be in a form approved in writing by the Working Body; and
 - (b) set out the reasons for the application; and
 - (c) be accompanied by the fee (if any) specified in the requirements.
- (4) The application must be made within:
 - (a) 28 days after the applicant is informed of the decision; or
 - (b) if, either before or after the end of that period of 28 days, the Working Body extends the period within which the application may be made—the extended period.
- (5) An approved form of an application may provide for verification by statutory declaration of statements in applications.

72. Reconsideration by the Working Body

- (1) Upon receiving such an application, the Working Body must:
 - (a) reconsider the decision; and
 - (b) affirm, vary or revoke the decision.
- (2) The Working Body's decision on reconsideration of a decision has effect as if it had been made under the provision under which the original decision was made.
- (3) The Working Body must give to the applicant a written notice stating the Working Body's decision on the reconsideration.
- (4) Within 28 days after making the decision on the reconsideration, the Working Body must give the applicant a written statement of the Working Body's reasons for the decision.

73. Deadline for reconsideration

- (1) The Working Body must make its decision on reconsideration of a decision within 90 days after receiving an application for reconsideration.
- (2) The Working Body is taken, for the purposes of this Part, to have made a decision affirming the original decision if the Working Body has not informed the applicant of its decision on the reconsideration before the end of the period of 90 days.

74. Review by the Grievance Review Panel

- (1) Applications may be made to the Grievance Review Panel to review a reviewable decision if the Working Body has affirmed or varied the decision under [section 72](#).
- (2) Applications may be made to the Grievance Review Panel to review a reviewable decision if the decision was not made by a delegate of the Working Body.

Part 9—Miscellaneous

75. Computerised decision-making

- (1) The Working Body may, by written resolutions, arrange for the use, under the Working Body's control, of computer programs for any purposes for which the Working Body may, or must, under this Registry Standard or the requirements:
 - (a) make a decision; or
 - (b) exercise any power or comply with any obligation; or
 - (c) do anything else related to making a decision or exercising a power or complying with an obligation.
- (2) For the purposes of this Registry Standard and the requirements, the Working Body is taken to have:
 - (a) made a decision; or
 - (b) exercised a power or complied with an obligation; or
 - (c) done something else related to the making of a decision or the exercise of a power or the compliance with an obligation;that was made, exercised, complied with or done by the operation of a computer program under such an arrangement.

76. Working Body's power to require further information

- If:
- (a) a person makes a request to the Working Body under the requirements; and
 - (b) the Working Body exercises a power, under another provision of the requirements, to require the person to give the Working Body further information in connection with the request;
- the Working Body:
- (c) must ensure that the further information is relevant to the matter to which the request relates; and
 - (d) must ensure that the power is exercised in a reasonable way.

77. Delegation by the Chairman of the Board of Trustees

- (1) The Chairman of the Board of Trustees may, by writing, delegate any or all of his or her functions or powers under this Registry Standard or the requirements to:
 - (a) the Secretary; or
 - (b) an employee or acting employee of a legal entity controlled by the charity through an agreement.
- (2) In exercising powers under a delegation, the delegate must comply with any directions of the Chairman of the Board of Trustees.
- (3) Subsection (1) does not apply to a power to make, vary or revoke a written resolutions.

78. Delegation by the Secretary

- (1) The Secretary may, by writing, delegate any or all of his or her functions or powers under this Registry Standard to an employee in the charity.
- (2) In exercising powers under a delegation, the delegate must comply with any directions of the Secretary.

79. Liability for damages

If:

- (a) the Chairman of the Board of Trustees;
- (b) a delegate of the Chairman of the Board of Trustees;
- (c) the Secretary;
- (d) a delegate of the Secretary;
- (e) the Working Body;
- (f) a delegate of the Working Body;

is liable to an action or other proceeding for damages for, or in relation to, an act or matter in good faith done or omitted to be done:

- (g) in the performance or purported performance of any function; or
 - (h) in the exercise or purported exercise of any power;
- conferred by this Registry Standard or the requirements.

80. Civil enforcement of the charity

This Registry Standard does not, by implication, limit the civil enforcement of the charity.

81. Notional payments by the charity

The purpose of this section is to ensure that amounts payable under this Registry Standard, the requirements or the principles are notionally payable by the charity (or parts of the charity).

82. Compensation for acquisition of property

- (1) The charity is exempt from paying a reasonable amount of compensation to a person otherwise than on "just terms" if the government, state, or territory of a country, state, or territory, or a state-owned enterprise uses this Registry Standard, the requirements, or the principles to "acquisition of property" to be acquired from that person on terms that are not equitable.
- (2) If the compulsory buyer and the person do not agree on the amount of the compensation, the person may institute proceedings in a court of competent jurisdiction for the recovery from the compulsory buyer of such reasonable amount of compensation as the court determines.
- (3) In this section:
 - (a) ***acquisition of property*** has been made on ***just terms*** with any state or person for any purpose in respect of which laws may be made. For example, this includes regional reimbursable carbon allowances.

83. Principles

- (1) The Chairman of the Board of Trustees may, by written resolutions, make rules (principles) prescribing matters:
 - (a) required or permitted by this Registry Standard to be prescribed by the rules; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Registry Standard.
- (2) To avoid doubt, the principles may not do the following:
 - (a) entry, search or seizure;
 - (b) directly amend the text of this Registry Standard.
- (3) Principles that are inconsistent with the requirements have no effect to the extent of the inconsistency, but principles are taken to be consistent with the requirements to the extent that principles are capable of operating concurrently with the requirements.

- (4) Principles may make provision in relation to a matter by applying, adopting or incorporating, with or without modification, a matter contained in an instrument or writing:
 - (a) as in force or existing at a particular time; or
 - (b) as in force or existing from time to time.
- (5) If principles make provision in relation to a matter by applying, adopting or incorporating, with or without modification, a matter contained in an instrument or writing, the Working Body must ensure that the text of the matter applied, adopted or incorporated is published on its website.
- (6) Subsection (5) does not apply if the publication would infringe copyright.

84. Requirements may prescribe matters by reference to other instruments

- (1) The requirements may make provision in relation to a matter by applying, adopting or incorporating, with or without modification, a matter contained in an instrument or writing:
 - (a) as in force or existing at a particular time; or
 - (b) as in force or existing from time to time.
- (2) If the requirements make provision in relation to a matter by applying, adopting or incorporating, with or without modification, a matter contained in an instrument or writing, the Working Body must ensure that the text of the matter applied, adopted or incorporated is published on the Working Body's website.
- (3) Subsection (2) does not apply if the publication would infringe copyright.

85. Decisions under the requirements

The requirements may make provision in relation to a matter by conferring a rights to make a decision of an character on the Working Body.

86. Requirements

The Chairman of the Board of Trustees may make requirements prescribing matters:

- (a) required or permitted by this Registry Standard to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Registry Standard.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the Registry Standard.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Citation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Citation history and amendment history—Endnotes 3 and 4

Amending standards are annotated in the citation history and amendment history.

Endnote 3 citation history provides information about each citation that has amended (or will amend) the compilation. This includes crucial details such as commencement information for amending standards, along with specifics on any application, saving or transitional provisions not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under the BidCarbon Foundation Governing Document.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted
am = amended
amdt = amendment
c = clause(s)
C[x] = Compilation No. x
Ch = Chapter(s)
def = definition(s)
Dict = Dictionary
disallowed = disallowed by the Board of Trustees
Div = Division(s)
ed = editorial change
exp = expires/expired or ceases/ceased to have effect
gaz = gazette
BFGD = BidCarbon Foundation Governing Document
WR = Written Resolutions
(md) = misdescribed amendment can be given effect
(md not incorp) = misdescribed amendment cannot be given effect
mod = modified/modification
No. = Number(s)
Ord = Ordinance
orig = original
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
pres = present
prev = previous
(prev...) = previously
Pt = Part(s)
r = requirement(s)
reloc = relocated
renum = renumbered
rep = repealed
rs = repealed and substituted
s = section(s)/subsection(s)
Sch = Schedule(s)
Sdiv = Subdivision(s)
SWR = Select Written Resolutions
SR = Statutory Rules
Sub-Ch = Sub-Chapter(s)
SubPt = Subpart(s)
underlining = whole or part not commenced or to be commenced

Endnote 3—Citation history

Name	Number and year	Assent	Application, saving and transitional provisions

Endnote 4—Amendment history

Provision affected	How affected