

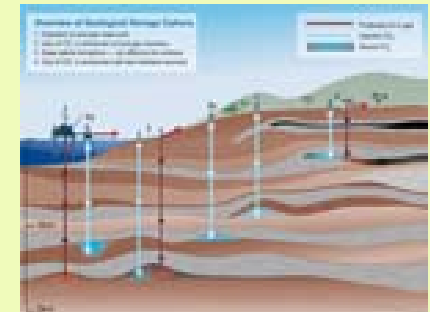


# International Energy Agency (IEA) Working Party on Fossil Fuels (WPFF) CCS Legal Issues Subcommittee

## OVERVIEW

**Ms Tania Constable**

**General Manager, Resources Development Branch  
Department of Industry, Tourism and Resources – Australia**



# IEA WPPF Legal Issues Subcommittee BACKGROUND



- July 2004 - joint IEA/CSLF Legal Aspects of CCS Workshop was held to examine regulatory and legal issues surrounding CCS
- March 2005 - IEA publication *Legal Aspects of Storing CO<sub>2</sub>* released. Highlighted five key priorities for future work:
  - Increase number of CO<sub>2</sub> demonstration projects, IP being a key issue
  - Appropriate levels of national legal and regulatory framework
  - Need to clarify legal status of CO<sub>2</sub> storage in international environment protection instruments
  - Government should create a level playing field for CCS with other climate mitigation technologies
  - Increase public awareness
- June 2005 - IEA WPPF identified the need to continue work on CCS legal issues and formed a Legal Issues Subcommittee to facilitate progress in this area

# IEA WPF Legal Issues Subcommittee MEMBERS



Australia (Chair)



Norway



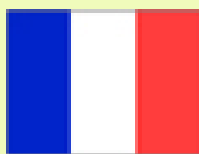
European Commission



United Kingdom



France



United States  
(including CSLF Secretariat)



The Netherlands



IEA (Secretariat support)

# IEA WPF Legal Issues Subcommittee PRIORITIES FOR FUTURE WORK



- IEA's publication *Legal Aspects for Storing CO<sub>2</sub>* highlighted five key areas for future work
- Legal Issues Subcommittee aims to develop discussions papers on these key priority areas:
  - **Intellectual Property (lead country: United States)**
  - **Legal and Regulatory Frameworks (lead country: Australia)**
  - **Creating Incentives for CCS projects (lead country: United Kingdom)**
  - **International Environment Protection Instruments (lead country: The Netherlands)**
  - **Public Awareness issues (lead country: Norway)**

# IEA WPF Legal Issues Subcommittee MEETINGS



- Mtg: Berlin, September 2005
  - Established key priorities for future work and allocation of lead countries to discussion papers
  - Proposed timetable for discussion papers and legal issues workshop
- Mtg: Phone Hook-up, February 2006
  - Update from lead countries on five key themes:
    - Intellectual Property: Paper close to finalisation. Aims to cover patents, copyright and trademark issues (to be discussed further in CSLF Policy Group mtg)
    - Legal and Regulatory Issues: Draft paper prepared and circulated for discussion, Australia domestic setting used as case study
    - International Environment Protection Instruments: Aims to cover issues surrounding international treaties, risk management, waste issues etc
    - Level Playing Field for CCS: Issues for consideration include liability, tax incentives, market based mechanisms and emissions trading
    - Public Awareness: Consultation with key industry and environment stakeholders ongoing to finalise paper

# IEA WFFF Legal Issues Subcommittee

## TIMEFRAMES



2005

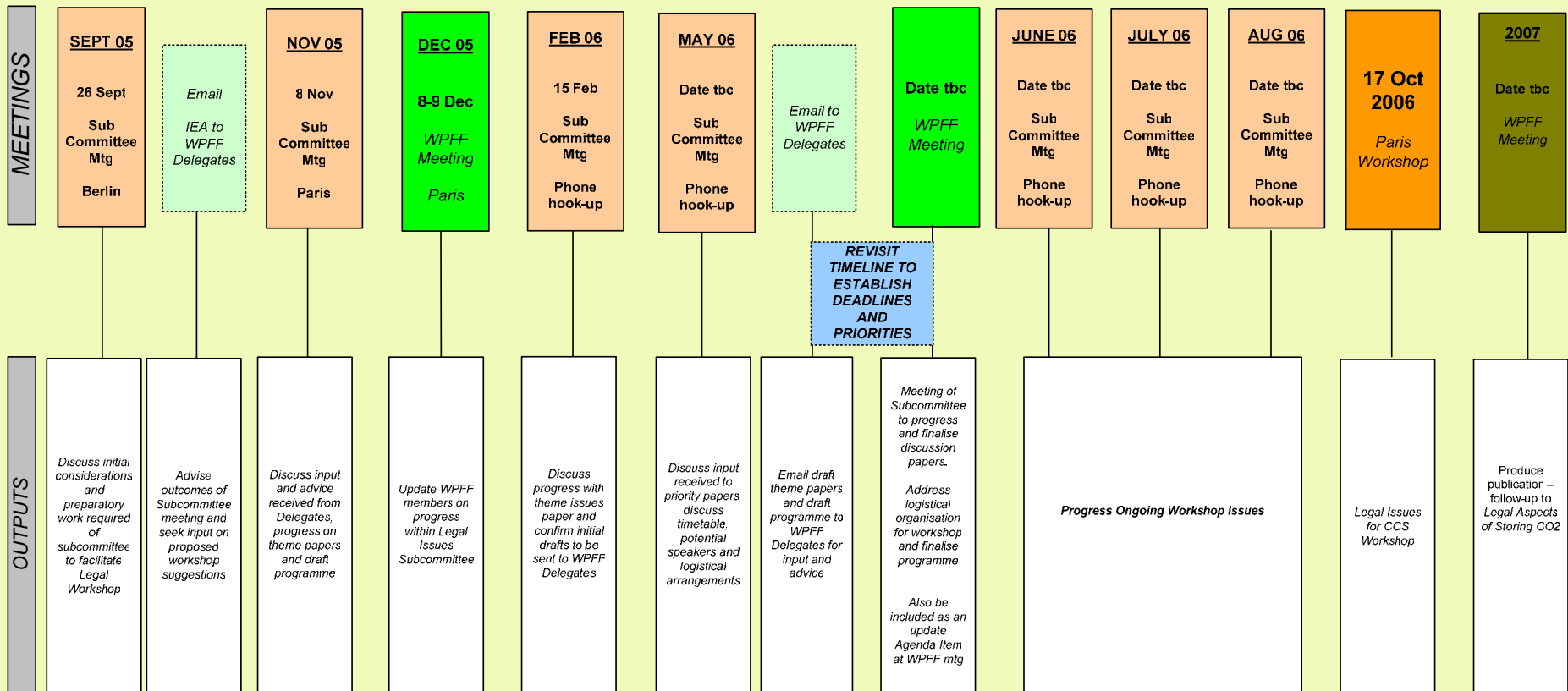
2006

2007

### Planning Phase

### Discussion Papers

### Workshop Organisation



REVISIT  
TIMELINE TO  
ESTABLISH  
DEADLINES  
AND  
PRIORITIES

## IEA WPF Legal Issues Subcommittee **NEXT STEPS**



- Lead countries to continue development of discussion papers on key themes for future work
- Planning outcomes for IEA Legal Workshop including proposed 2<sup>nd</sup> IEA publication
- Key priority issues to be explored in greater detail at IEA Legal Workshop to be held on 17 October 2006
- France has offered to host the workshop at the French Ministry of Economy, Finance and Industry
- Continued collaboration between CSLF and IEA on these issues
- We strongly encourage CSLF members participation in this workshop