

### Example one

Scenario: Under an agency agreement, a service provider assists an Indigenous proponent (the proponent) who has registered an Emissions Reduction Fund (ERF) project with the Clean Energy Regulator (CER) on a fee for service basis.

The carbon service provider takes enquiries from prospective buyers to the proponent. The service provider advises the proponent of the number of Australian Carbon Credit Units (ACCUs) they have in their Australian National Registry of Emissions Units (ANREU) account. The carbon service provider advises the proponent of the most recent ACCU price published by the CER and the price of the proponent's most recent sale. The proponent selects a buyer they would like to engage.

The carbon service provider conducts environmental, social and governance due diligence on the buyer and presents findings to the board of the proponent. The carbon service provider arranges for a lawyer to draft a sales agreement. The lawyer provides advice to the proponent during negotiations. Once an in-principle agreement is finalised the service provider presents the agreement to the board for execution.

The service provider assists with execution of the sales agreement by taking it to directors of the proponent for signing and by providing a laptop for authorised representatives of the proponent to use to complete the transaction in the ANREU.

### Example Two

Scenario: A registered native title body corporate (RNTBC) has sought advice under a carbon service agreement about how to develop an Emissions Reduction Fund (ERF) project. There are many stakeholders with a legal interest in the land proposed for the project. They include pastoralists, remote communities and the state Government. The RNTBC seek advice on a suitable governance structure for the project, including a benefit-sharing arrangement.

The service provider prepares and presents the RNTBC with information on potential governance structures, (including the risk and opportunities associated with each structure). The service provider also provides examples of benefit sharing agreements which could be made under each of the structures.

The service provider does not provide an opinion to the RNTBC about the suitability of governance structures or benefit sharing agreements. The RNTBC chooses a preferred governance structure and the service provider arranges for a legal advisor to develop benefit sharing agreements between the RNTBC and other stakeholders.