

STATUTORY INSTRUMENTS

2019 No. 1440

The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 3) Regulations 2019

Amendment of regulation 15

11.—(1) Regulation 15 is amended as follows.

(2) In the heading, at the end, insert “ : Article 27 installations ”.

(3) Before paragraph (1), insert—

“(A1) An installation is an Article 27 installation for the duration of a particular allocation period if, in relation to that period, it is deemed to be approved by the European Commission under the first subparagraph of Article 27(2) of the Directive, unless a notice has been given to the operator under paragraph 8(1) or (4) of Schedule 5 (in which case the installation ceases to be an Article 27 installation as from the date specified in the notice).

(B1) An installation's status as an Article 27 installation expires at the end of the particular allocation period in relation to which it has been excluded.

(C1) Where an installation ceases to be an Article 27 installation at the end of the first allocation period in accordance with paragraph (B1) and approval is not deemed in accordance with paragraph (A1) in respect of the second allocation period, [^{F1}paragraph 8(6A)] of Schedule 5 applies.”.

(4) In paragraphs (1), (2) in the first place it occurs, (4)(a)(i) and (4)(b)(i), for “excluded” substitute “ Article 27 ”.

Textual Amendments

F1 Words in reg. 11(3) substituted (31.1.2020) by [The Greenhouse Gas Emissions Trading Scheme \(Amendment\) Regulations 2020 \(S.I. 2020/18\)](#), regs. 1, **12(2)**

Commencement Information

I1 Reg. 11(1)(2)(4) in force at 1.1.2021, see [reg. 1\(4\)](#)

I2 Reg. 11(3) in force at 1.2.2020 for specified purposes and 1.1.2021 for all other purposes, see [reg. 1\(2B\)\(c\)\(4\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 3) Regulations 2019, Section 11.