
STATUTORY INSTRUMENTS

2020 No. 1369

**The Greenhouse Gas Emissions Trading Scheme
(Withdrawal Agreement) (EU Exit) Regulations 2020**

PART 2

**Implementation of withdrawal agreement in relation
to electricity generation in Northern Ireland from 2021**

Interpretation

5. In regulation 3—

- (a) in the definition of “allowance”, omit—
 - (i) in paragraph (a), “in this regulation”,
 - (ii) paragraph (b) and the “but” which precedes it;
- (b) for the definition of “authority” substitute—
““authority” means DAERA;”;
- (c) after the definition of “current operator” insert—
““DAERA” means the Department of Agriculture, Environment and Rural Affairs in Northern Ireland;”;
- (d) in the definition of “fee”, omit paragraphs (a) and (b);
- (e) in the definition of “permit” omit “and paragraph 7(12) of Schedule 6”;
- (f) after the definition of “the Registries Regulation 2013”(1) insert—
““the Registries Regulation 2019” means Commission Delegated Regulation (EU) 2019/1122 of 12 March 2019 supplementing [Directive 2003/87/EC](#) of the European Parliament and of the Council as regards the functioning of the Union Registry, as amended from time to time(2);”;
- (g) in the definition of “registry account” omit “or an aircraft operator holding account”;
- (h) in the definition of “regulated activity” omit “(other than an aviation activity)”;
- (i) for the definition of “regulator”, substitute—
““regulator” means the chief inspector;”;
- (j) in the definition of “reportable emissions” omit paragraph (b) and the “or” which precedes it;
- (k) omit the following definitions—
 - (i) aviation activity,
 - (ii) aviation allowance,

(1) The definition of the 2013 Regulation was inserted by regulation 5(1)(a) of [S.I. 2013/3135](#).

(2) OJ L 177, 2.7.2019, p. 3-62.

- (iii) aviation emissions,
 - (iv) aviation emissions plan,
 - (v) banned non-UK operator,
 - (vi) commercial air transport operator,
 - (vii) exempt non-commercial air transport operator,
 - (viii) the Free Allocation Decision,
 - (ix) the Free Allocation Regulation⁽³⁾,
 - (x) non-commercial air transport operator,
 - (xi) the NRBW,
 - (xii) the NRBW Order,
 - (xiii) offshore installation,
 - (xiv) offshore petroleum installation,
 - (xv) the Offshore Regulations⁽⁴⁾,
 - (xvi) offshore storage or unloading installation,
 - (xvii) SEPA,
 - (xviii) sub-installation,
 - (xix) UK administered operator,
 - (xx) UK aircraft operator;
- (l) for paragraphs (3) and (4) substitute—
- “(3) For the purposes of these Regulations, an installation has ceased operation if—
 - (a) a regulated activity is no longer being carried out at the installation; and
 - (b) it is technically impossible to resume operation.”.

⁽³⁾ The definition of Free Allocation Regulation was inserted by regulation 3(2)(g) of [S.I. 2019/1440](#).

⁽⁴⁾ The definition of the Offshore Regulations was substituted by regulation 2(f) of [S.I. 2014/3125](#).