

SCHEDULE 4

UK STATUTORY INSTRUMENTS

Greenhouse Gas Emissions Trading Scheme Regulations 2012

425. In regulation 87, after paragraph (1) insert—

“(1A) The relevant provisions have effect as if the 2010 Regulations were amended as follows—

(a) in regulation 4(1)—

(i) in sub-paragraph (a)(i) omit “or Wales”;

(ii) after sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, where the UK operator has its registered office in Wales;”;

(b) in regulation 7, for sub-paragraph (a) substitute—

“(a) the Welsh Ministers, where the regulator is the Natural Resources Body for Wales;”;

(c) in regulation 52(9)—

(i) for sub-paragraph (a) substitute—

“(a) in respect of an appeal against a notice or deemed refusal of the Environment Agency, the Secretary of State;”;

(ii) after sub-paragraph (a) insert—

“(aa) in respect of an appeal against a notice or deemed refusal of the Natural Resources Body for Wales, the Welsh Ministers;”;

(d) in regulation 60—

(i) in paragraph (5)(a) for “paragraph (5A)” substitute “paragraphs (5A) to (5C)”;

(ii) in paragraph (5)(g) after “and 9” insert “, as modified by paragraph (7A)”;

(iii) for paragraph (5A) substitute—

“(5A) In regulation 2—

(a) in the definition of “area”—

(i) in sub-paragraph (a) omit “and Wales”

(ii) after sub-paragraph (a) insert—

“(aa) in respect of the Natural Resources Body for Wales, Wales;”;

(b) in the definition of “UK operator”, after “means” insert “(subject to regulation 2A of the Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010)”.

(iv) after paragraph (5A) insert—

“(5B) In regulation 4—

(a) in sub-paragraph (a)(i) omit “or Wales”;

(b) after sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, where the UK operator has its registered office in Wales;”.

Status: This is the original version (as it was originally made).

(5C) In regulation 7, for sub-paragraph (a) substitute—

“(a) the Welsh Ministers, where the regulator is the Natural Resources Body for Wales;”.’”;

(v) after paragraph (7) insert—

“(7A) In regulation 36(6)—

(a) for sub-paragraph (a) substitute—

“(a) in respect of an appeal against a notice or deemed refusal of the Environment Agency, the Secretary of State;”.’”;

(b) after sub-paragraph (a) insert—

“(aa) in respect of an appeal against a notice or deemed refusal of the Natural Resources Body for Wales, the Welsh Ministers;”.’”.