DRAFT STATUTORY INSTRUMENTS

2009 No.

The Carbon Accounting Regulations 2009

Duty to request the opening of a credit account

4.—(1) It is the duty of the Secretary of State, as soon as is reasonably practicable after these regulations come into force, to instruct the registry administrator to open an account ("the credit account") in the UK registry for the purpose of holding carbon units which are to be credited to the net UK carbon account in accordance with regulation 5.

(2) Unless paragraph (3) applies, carbon units in the credit account may only be transferred out of the credit account for the purposes of cancellation and no other request to transfer a carbon unit is to be regarded as an instruction to the registry administrator for the purposes of the Registries Regulation.

(3) The registry administrator may treat a request to transfer a carbon unit out of the credit account for purposes other than cancellation as an instruction only if it is satisfied that—

(a) no declaration under regulation 5(2)(b) has been made in respect of that carbon unit; and

(b) the carbon unit was transferred to the credit account by mistake.

(4) Any carbon unit transferred out of the credit account in accordance with paragraph (3) is to be returned to the account from which it was originally transferred.