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DRAFT STATUTORY INSTRUMENTS

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**2023 No. 000**

**CLIMATE CHANGE**

The Greenhouse Gas Emissions Trading  
Scheme (Amendment) (No. 2) Order 2023

*Made* - - - - - \*\*\*

*Coming into force* \*\*\*

THE GREENHOUSE GAS EMISSIONS TRADING  
SCHEME (AMENDMENT) (NO. 2) ORDER 2023

PART 1

Preliminary

1. Citation
2. Commencement
3. Extent

PART 2

Greenhouse Gas Emissions Trading Scheme Order 2020 amended

4. Greenhouse Gas Emissions Trading Scheme Order 2020 amended
5. Article 34C amended (allocation tables: updates)
6. Article 34K amended (aviation: entitlement to free allocation in 2021-2025 allocation period)
7. Article 34S amended (return of allowances: installations)
8. Article 34T amended (return of allowances: aviation)
9. Article 34W amended (notice to withhold allowances)
10. Schedule 2 amended (meaning of installation and regulated activity)

PART 3

Free Allocation Regulation amended

11. Free Allocation Regulation amended
12. Article 2 amended (definitions)
13. Article 2a amended (eligibility for free allocation)
14. Articles 2b and 2c inserted
15. Article 5 amended (application for free allocation by new entrants)

16. Article 10 amended (division into sub-installations)
17. Article 15a amended (assessment of applications for free allocation by operators of incumbent installations)
18. Article 18a amended (assessment of applications and final allocation at installation level for new entrants)
19. Article 25 amended (mergers and splits)
20. Annex 4 amended (parameters for baseline data collection)
21. Annex 7 amended (data monitoring methods)

#### PART 4

##### Amendments to other legislation

22. Activity Level Changes Regulation amended
23. Greenhouse Gas Emissions Trading Scheme Auctioning Regulations 2021 amended  
Signature  
Explanatory Note