
STATUTORY INSTRUMENTS

2005 No. 925

**The Greenhouse Gas Emissions
Trading Scheme Regulations 2005**

PART 8

APPROPRIATE AUTHORITY'S POWERS

Directions to regulators

42.—(1) Subject to paragraph (5), an appropriate authority may give directions to the regulator of a general or specific character with respect to the carrying out of any of their functions under these Regulations in relation to installations for which it is the appropriate authority.

(2) Without prejudice to the generality of the power conferred by paragraph (1), a direction under that paragraph may direct a regulator—

- (a) to exercise any of their powers under these Regulations or to do so in such circumstances as may be specified in the directions or in such manner as may be so specified; or
- (b) not to exercise those powers, or not to do so in such circumstances or such manner as may be specified in the directions.

(3) Any direction given under these Regulations shall be in writing and may be varied or revoked by a further direction.

(4) It shall be a duty of a regulator to comply with any direction which is given to it under these Regulations.

(5) This regulation shall not apply in respect of offshore installations.

Guidance to regulators

43.—(1) An appropriate authority may issue guidance to a regulator with respect to the carrying out of any of their functions under these Regulations in relation to installations for which it is the appropriate authority.

(2) A regulator, in carrying out any of its functions under these Regulations, shall have regard to any guidance issued by the appropriate authority under this regulation.