

---

STATUTORY INSTRUMENTS

---

**2012 No. 1976**

**The Climate Change Agreements  
(Administration) Regulations 2012**

**Publication**

9.—(1) Subject to paragraph (4), as soon as reasonably practicable after the first day of a certification period, the administrator must publish a list containing the name and address of each facility which is to be taken as being covered by an agreement and the period for which the facility is taken to be so covered as mentioned in paragraph 44 of Schedule 6.

(2) Subject to paragraph (4), the administrator must publish a revised list containing the details in paragraph (1) on the last working day of each month if, since the last publication of the list—

- (a) a certificate has been given by the administrator to the Commissioners in accordance with paragraph 44 of Schedule 6; or
- (b) a variation certificate has been given by the administrator to the Commissioners in accordance with paragraph 45 of Schedule 6.

(3) Subject to paragraph (5), as soon as reasonably practicable after the end of each target period, the administrator must publish a report setting out energy efficiency improvements and emission reductions achieved under agreements for the target period, including—

- (a) for each sector association, details of whether the sector commitment has been met; and
- (b) for each target unit, details of the emissions recorded in the Register and details of whether the target has been met.

(4) The administrator is under no obligation to publish information under paragraphs (1) or (2) if paragraphs (6) and (8) apply.

(5) The administrator is under no obligation to publish information under paragraph (3) if paragraphs (7) and (8) apply.

(6) This paragraph applies if—

- (a) before 1st October 2012, an operator made a request to the Secretary of State that information relating to a facility is not published on the grounds that publishing the information would adversely affect the security of a facility and the Secretary of State decided not to publish the information;
- (b) an operator has made a request to the administrator that information relating to a facility is not published on the grounds that publishing the information would adversely affect the security of the facility and the administrator has decided that publishing the information would have such an effect; or
- (c) the Secretary of State has directed the administrator that publishing such information would adversely affect national security.

(7) This paragraph applies if—

- (a) a sector association or an operator has made a request to the administrator that the information is not published on the grounds that publication would adversely affect the confidentiality of commercial or industrial information; and

- (b) the administrator has decided that it is necessary, in order to protect a legitimate economic interest, to withhold publication of the information;

to the extent that the information is not information on emissions into the environment.

- (8) This paragraph applies if the Secretary of State or the administrator (as the case may be) has—

- (a) prior to making any decision or direction, applied a presumption in favour of publishing the information; and
- (b) determined that, in all the circumstances of the case, the public interest in not publishing the information outweighs the public interest in publishing the information.