

SCHEDULE 9

Amendments to the CRC Energy Efficiency Scheme Order 2010

- 11.**—(1) Part 6 (allowances and CRC emissions) is amended as follows.
- (2) After paragraph (3) of article 52 (validity of allowances), insert—
- “(4) A participant must acquire the additional allowances from a special allocation or from a third party.
- (5) In paragraph (4), “special allocation” means the issue of allowances conducted by the Environment Agency under regulation 10 of the 2012 Regulations.”.
- (3) In sub-paragraph (a) of article 53(3) (allowances and CRC emissions), for “July” substitute “October”.
- (4) In article 54 (cancellation of allowances and surplus surrendered allowances)—
- (a) for paragraph (2)(b), substitute—
- “(b) subject to article 52—
- (i) are to be treated as surrendered in respect of the subsequent year (“year 2”) in which the participant is required to comply with article 53 where that year is in the same phase; and
- (ii) must be cancelled by the administrator in accordance with sub-paragraph (1) before any other allowances which are surrendered.”;
- (b) after paragraph (3), insert—
- “(4) Where—
- (a) a participant surrenders to the cancellation account surplus allowances; and
- (b) the account holder makes a request to the Secretary of State for the repayment of the balance,
- the Secretary of State may repay the balance to the account holder.
- (5) Any repayment made by the Secretary of State under paragraph (4) may be subject to a deduction of any banking charges incurred during that transaction.”.
- (5) In article 55 (allowances and trading)—
- (a) in paragraph (1), for “paragraphs (2) and (3)”, substitute “paragraph (2)”;
(b) omit paragraph (3).
- (6) Omit article 56 (community tradeable allowances).