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STATUTORY INSTRUMENTS

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**2012 No. 2788**

**The Greenhouse Gas Emissions Trading Scheme  
(Amendment) (Charging Schemes) Regulations 2012**

**PART 2**

**Amendments to the Environment Act 1995**

**Section 111**

**8.—**(1) Section 111 (evidence in connection with certain pollution offences)(**1**) is amended as follows.

(2) After subsection (2) insert—

“(2A) Information provided or obtained pursuant to or by virtue of relevant regulations (including information so provided or obtained, or recorded, by means of any apparatus) shall be admissible in evidence in any proceedings, whether against the person subject to a requirement arising under or by virtue of the regulations or any other person.”.

(3) In subsection (3)—

- (a) for “subsection (2)” substitute “subsections (2) and (2A)”; and
- (b) for “the relevant licence otherwise provides” substitute “provision otherwise is made by the relevant licence or by virtue of the relevant regulations”.

(4) In subsection (4)—

- (a) in paragraph (a)—
  - (i) after “a relevant licence” insert “or by virtue of relevant regulations”, and
  - (ii) at the end insert “or compliance with any requirement arising under or by virtue of the regulations”; and
- (b) at the end insert “or that requirement has not been complied with”.

(5) In subsection (5), after the definition of “relevant licence” insert—

““relevant regulations” means regulations made for the purpose of implementing the EU ETS Directive (as defined by section 56)”.

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(1) There are amendments to that section that are not relevant.