

---

STATUTORY INSTRUMENTS

---

**2014 No. 3125**

**The Greenhouse Gas Emissions Trading  
Scheme (Amendment) Regulations 2014**

**Failure to submit an application for an emissions plan**

**15.**—(1) This regulation applies to regulation 60.

(2) In paragraph (1), for “A UK administered operator”, substitute “Subject to paragraphs (3) and (4), a UK administered operator”.

(3) In paragraph (1)(a), for “regulation 32(1)”, substitute “regulation 32(1), 32A(2) or 32B(2)”.

(4) In paragraph 1(b), for “regulation 32(4)”, substitute “regulation 32(4), 32A(3)(b), 32A (5) (b), 32B(3)(b) or 32B(5)(b)”.

(5) After paragraph (2), insert—

“(3) A is not liable to a civil penalty for a failure to apply to the regulator for a monitoring plan, contrary to regulation 32(1), in so far as the duty to apply arose—

(a) before 1st January 2015; and

(b) only in relation to excluded aviation activities.

(4) To the extent that A was required to apply to the regulator for a monitoring plan under regulation 32(1), A is not liable to a civil penalty for a failure to apply where—

(a) the duty to apply arose before 1st January 2015; and

(b) when the duty arose, A was an exempt non-commercial air transport operator.”.