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STATUTORY INSTRUMENTS

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**2019 No. 644**

**The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Regulations 2019**

**Amendments to the Greenhouse Gas Emissions Trading Scheme Regulations 2012**

2.—(1) The Greenhouse Gas Emissions Trading Scheme Regulations 2012<sup>(1)</sup> are amended in accordance with paragraphs (2) to (6).

(2) In regulation 3(1), after the definition of “the 2010 Regulations” insert—

““the 2018 surrender deadline” means, subject to paragraphs (1A) to (1C), 10.59 pm on 29th March 2019;”.

(3) After regulation 3(1), insert—

“(1A) This paragraph applies if at any time before 10.59 pm on 29th March 2019 an enactment (“enactment 1”) has made provision, in any form, which has the effect that exit day, within the meaning of section 20(1) of the European Union (Withdrawal) Act 2018<sup>(2)</sup> (“the 2018 Act”), is to be a date after 29th March 2019.

(1B) This paragraph applies where—

(a) paragraph (1A) applies; and

(b) at any time on or after 10.59 pm on 29th March 2019 but before the 2018 surrender deadline which applies in relation to enactment 1, a subsequent enactment (“enactment 2”) has made provision, in any form, which has the effect that exit day, within the meaning of section 20(1) of the 2018 Act, is to be a date after the date provided for in enactment 1,

and in the event of an enactment subsequent to enactment 2, the references in subparagraph (b) to enactment 1 are to be read as references to enactment 2 and so on.

(1C) Where paragraph (1A) or paragraph (1B) applies—

(a) if exit day is a day falling before 1st May 2019, the 2018 surrender deadline is immediately before the UK’s exit from the European Union; and

(b) if exit day is a day falling on or after 1st May 2019, the 2018 surrender deadline is 30th April 2019.”.

(4) In regulation 42A(2)(a), for “26th March 2019” substitute “the 2018 surrender deadline”.

(5) In regulation 54(7)(b)(i), for “26th March 2019” substitute “the 2018 surrender deadline”.

(6) In paragraph 2(4)(a) of Schedule 4, for “26th March 2019” substitute “the 2018 surrender deadline”.

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(1) S.I. 2012/3038; relevant amending instruments are S.I. 2013/3135, S.I. 2014/3125, S.I. 2015/1849, S.I. 2017/1207 and S.I. 2019/528.

(2) 2018 c.16.