
STATUTORY INSTRUMENTS

2019 No. 916

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

PART 4

Amendment of EU Regulations

Amendment of Article 3

10. In Article 3—

- (a) in the first sentence omit “Article 3 of Directive [2003/87/EC](#) and”;
- (b) before paragraph (1), insert—
 - “(A1) ‘the 2012 Regulations’ means the Greenhouse Gas Emissions Trading Scheme Regulations 2012;”;
- (c) in paragraph (2), for “harmonised standards, within the meaning of point 9 of Article 2 of Regulation [\(EC\) No 765/2008](#)” substitute “ EN ISO 14065:2013 ^{M1} ”;
- (d) in paragraph (3), omit the words “or a natural person otherwise authorised, without prejudice to Article 5(2) of that Regulation,”;
- (e) after paragraph (4), insert—
 - “(4a) ‘aircraft operator’ means the person who operates an aircraft at the time it performs an aviation activity or, where that person is not known or is not identified by the owner of the aircraft, the owner of the aircraft;
 - (4b) ‘emissions’ has the meaning given in Article 3(b) of Directive [2003/87/EC](#);”;
- (f) in paragraph (7), for the words from “Article 14(3)” to the end, substitute “ regulation 35(4) and paragraph 2(1)(e)(ii) of Schedule 4 to the 2012 Regulations; ”;
- (g) after paragraph (7), insert—
 - “(7a) ‘greenhouse gas emissions permit’ has the same meaning as in the 2012 Regulations;
 - (7b) ‘aviation activity’ has the same meaning as in the 2012 Regulations;”;
- (h) in paragraph (11), omit the words from “or pursuant to Article 11” to the end;
- (i) after paragraph (12), insert—
 - “(12a) ‘the CCS licensing regime’ means Chapter 3 of Part 1 of the Energy Act 2008 and other domestic legislation which immediately before exit day implemented Directive [2009/31/EC](#)^{M2};”;
- (j) in paragraph (13), omit point (c);
- (k) omit paragraphs (28) and (29).

Commencement Information

- I1** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)
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Marginal Citations

- M1** ISO 14065:2013 specifies principles and requirements for bodies that undertake validation or verification of greenhouse gas (GHG) assertions, available at <https://www.iso.org/standard/60168.html>. Copy available for inspection at the Department for Business, Energy & Industrial Strategy at 1 Victoria Street, London, SW1H 0ET, United Kingdom.
- M2** Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006. OJ L 140, 5.6.2009, p.114.

Changes to legislation:

There are currently no known outstanding effects for the The Greenhouse Gas Emissions Trading Scheme (Amendment) (EU Exit) (No. 2) Regulations 2019, Section 10.