

## SCHEDULE 7

### Hospitals and small emitters

## PART 3

### Hospital or small emitter permits

#### **Hospital or small emitter permits: application**

7.—(1) The operator of an installation that is a hospital or small emitter for a scheme year may apply to the regulator for a hospital or small emitter permit to come into force in that year<sup>(1)</sup>.

(2) But an application may not be made if a permit for the installation is already in force.

(3) In sub-paragraph (2), “permit” includes a permit within the meaning of GGETSR 2012 to which paragraph 1 of Schedule 11 applies (permits to be converted).

#### **Hospital or small emitter permits: content of application**

8. An application for a hospital or small emitter permit must contain the matters set out in paragraph 2 of Schedule 6, except for the uncertainty assessment referred to in sub-paragraph (1)(g)(ii) of that paragraph.

#### **Hospital or small emitter permits: issue of permit**

9. A hospital or small emitter permit may be issued only if the regulator considers that—

- (a) the application is made for a permit to come into force in a scheme year for which the installation is a hospital or small emitter; and
- (b) from the date on which the permit comes into force the operator of the installation will be capable of monitoring and reporting the installation’s reportable emissions in accordance with the monitoring and reporting conditions of the permit.

#### **Hospital or small emitter permits: conversion of existing greenhouse gas emissions permit for 2026-2030 allocation period**

10.—(1) This paragraph applies where a greenhouse gas emissions permit is in force for an installation that is included in the hospital and small emitter list for 2026-2030.

(2) The regulator must convert the greenhouse gas emissions permit into a hospital or small emitter permit with effect from 1st January 2026 by varying it under paragraph 6 of Schedule 6, so that the provisions of the permit are replaced by provisions that satisfy the requirements of paragraph 11.

(3) When varying a permit under sub-paragraph (2), the regulator may make only such variations as the regulator considers necessary in consequence of the installation’s inclusion in the hospital and small emitter list for 2026-2030.

(4) The conversion of the permit does not affect the obligations of the operator under the greenhouse gas emissions permit in respect of specified emissions before 1st January 2026.

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(1) Paragraph 10 of Schedule 7 and paragraph 1 of Schedule 11 provide for the conversion of permits into hospital or small emitter permits.

## Hospital or small emitter permits: content of permit

- 11.—(1) A hospital or small emitter permit must contain—
- (a) the name and postal address in the United Kingdom (including postcode) of the operator and any other address for correspondence included by the operator in the application;
  - (b) the postal address and national grid reference of the installation (or, in the case of an installation in UK coastal waters or the UK sector of the continental shelf, equivalent information identifying the installation and its location);
  - (c) a description of the installation, the regulated activities to be carried out at the installation and the specified emissions from those activities;
  - (d) a description of the site and the location of the installation on the site;
  - (e) the date on which the permit comes into force;
  - (f) an emissions target for the installation, calculated by the regulator in accordance with paragraphs 15 to 17—
    - (i) subject to paragraph 18, where the installation is included in the hospital and small emitter list for 2021-2025, for each scheme year in the 2021-2025 allocation period;
    - (ii) subject to paragraph 18, where the installation is included in the hospital and small emitter list for 2026-2030, for each scheme year in the 2026-2030 allocation period;
    - (iii) where the installation is included in the ultra-small emitter list for 2021-2025, for each scheme year in the 2021-2025 allocation period for which the installation is a hospital or small emitter (see paragraph 4(2));
    - (iv) where the installation is included in the ultra-small emitter list for 2026-2030, for each scheme year in the 2026-2030 allocation period for which the installation is a hospital or small emitter (see paragraph 4(3));
  - (g) the monitoring plan—
    - (i) where an application is made for the permit, approved in relation to the installation under Articles 11 to 13 of the Monitoring and Reporting Regulation 2018;
    - (ii) where an existing permit is converted into a hospital or small emitter permit, approved in relation to the installation under Articles 11 to 13 of the Monitoring and Reporting Regulation 2012 or Articles 11 to 13 of the Monitoring and Reporting Regulation 2018 for the purpose of monitoring reportable emissions at the installation immediately before the hospital or small emitter permit comes into force;
  - (h) the monitoring and reporting conditions (see sub-paragraph (2));
  - (i) any other conditions that the regulator considers appropriate to include in the permit.
- (2) The monitoring and reporting conditions are—
- (a) a condition requiring the operator to monitor the installation’s reportable emissions in each scheme year for which the installation is a hospital or small emitter in accordance with—
    - (i) the Monitoring and Reporting Regulation 2018; and
    - (ii) the monitoring plan (including the written procedures supplementing the monitoring plan);
  - (b) a condition requiring the operator to prepare in accordance with the Monitoring and Reporting Regulation 2018 a report (the “emissions report”) of the installation’s reportable emissions in each scheme year for which the installation is a hospital or small emitter that is—
    - (i) verified in accordance with the Verification Regulation 2018; or
    - (ii) accompanied by a declaration stating that—

- (aa) in preparing the emissions report the operator has complied with the Monitoring and Reporting Regulation 2018;
  - (bb) the operator has complied with the monitoring plan; and
  - (cc) the emissions report is free from material misstatements, and to submit the emissions report (and any declaration) to the regulator on or before 31st March in the following year; and
  - (c) any further conditions that the regulator considers necessary to give proper effect to the Monitoring and Reporting Regulation 2018 or the Verification Regulation 2018.
- (3) A hospital or small emitter permit for a hospital-qualifying installation must contain conditions requiring the operator—
- (a) if the installation ceases to be an installation that primarily provides services to a hospital in a scheme year for which the installation is a hospital or small emitter, to give notice to the regulator on or before 31st March in the following year;
  - (b) except where the operator gives notice under paragraph (a)—
    - (i) to maintain records demonstrating that the installation continues to be an installation that primarily provides services to a hospital; and
    - (ii) to comply with requests from the regulator to inspect the records for the purpose of verifying the accuracy of the records and of the emissions report.
- (4) A hospital or small emitter permit for an installation that is not a hospital-qualifying installation must contain a condition requiring the operator, if the installation's reportable emissions in a scheme year for which the installation is a hospital or small emitter exceed the maximum amount, to give notice to the regulator on or before 31st March in the following year.
- (5) This paragraph is subject to paragraph 14.

#### **Hospital or small emitter permits: effect of permit, etc.**

- 12.**—(1) A hospital or small emitter permit for an installation—
- (a) comes into force on the date set out in the permit;
  - (b) authorises the regulated activities set out in the permit to be carried out at the installation.
- (2) The operator of the installation must comply with the conditions of the permit.

#### **Hospitals and small emitters: modifications to Monitoring and Reporting Regulation 2018**

- 13.**—(1) Where an installation is a hospital or small emitter for a scheme year, the Monitoring and Reporting Regulation 2018 has effect with the following modifications (in addition to the modifications in Schedule 4).
- (2) References in the Monitoring and Reporting Regulation 2018 to a greenhouse gas emissions permit are to be read as references to a hospital or small emitter permit.
- (3) Article 19 is to be read as if—
- (a) in paragraph 2 for the words from “in one of the following categories” to the end there were substituted “as a category A installation”;
  - (b) paragraph 5 were omitted.
- (4) Article 38(2) is to be read as if—
- (a) in the first subparagraph “, but the emission factor for bioliquids shall be zero only if the sustainability criteria set out in Article 17(2) to (5) of [Directive 2009/28/EC](#) have been fulfilled” were omitted;

*Status: This is the original version (as it was originally made).*

- (b) in the second subparagraph for “each fuel” there were substituted “a mixed fuel”.
- (5) Article 47 is to be read as if—
  - (a) every installation that is a hospital or small emitter for a scheme year were an installation to which Article 47 applies (that is to say, an installation that operates with low emissions, disregarding the second subparagraph of paragraph 1 of that Article);
  - (b) paragraph 8 were omitted.
- (6) Where an emissions report submitted to the regulator under paragraph 11(2)(b) is accompanied by a declaration referred to in paragraph 11(2)(b)(ii) (and is not verified in accordance with the Verification Regulation 2018), in the Monitoring and Reporting Regulation 2018—
  - (a) Annex 10 must be read as if section 1(2) were omitted;
  - (b) a reference to a verified annual emission report is to be read as a reference to the emissions report;
  - (c) a reference to verified annual emissions or verified emissions is to be read as a reference to the reportable emissions reported in the emissions report;
  - (d) a reference to a verifier is to be read as a reference to the regulator;
  - (e) a reference to verifying or verification is to be read as a reference to auditing the reportable emissions reported in the emissions report by the regulator in accordance with the regulator’s procedures for auditing reportable emissions of installations, the operators of which submit emissions reports under paragraph 11(2)(b)(ii);
  - (f) a reference to a verification report is to be read as a reference to the record of such an audit given to the operator by the regulator.

**Former ultra-small emitters: hospital or small emitter permits coming into force after beginning of scheme year**

14.—(1) This paragraph applies where a hospital or small emitter permit for an installation referred to in paragraph 4(2) or (3) comes into force on a day after 1st January in the relevant scheme year.

(2) References in paragraph 11(2) to a scheme year for which the installation is a hospital or small emitter must be treated as not including a reference to the part of the relevant scheme year before the date on which the permit comes into force.

(3) The installation’s emissions target for the relevant scheme year is the emissions target calculated under paragraph 16 or, as the case may be, 17 multiplied by the factor set out in subparagraph (4).

(4) The factor is  $(Y - D)/Y$ , where—

Y is the number of days in the relevant scheme year;

D is the number of days in the relevant scheme year before the date on which the permit comes into force.

(5) Paragraph 19 has effect as if the reference to the installation’s reportable emissions in the relevant scheme year were a reference to the installation’s reportable emissions in the relevant scheme year on and after the date on which the permit comes into force.

(6) In this paragraph, “relevant scheme year” has the meaning given in paragraph 4(1)(b).