
STATUTORY INSTRUMENTS

2020 No. 1557

The Greenhouse Gas Emissions Trading
Scheme (Amendment) Order 2020

PART 2

Greenhouse Gas Emissions Trading Scheme Order 2020 amended

Article 70 amended (right of appeal)

27.—(1) Article 70 is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (a) after “regulator” insert “ or the registry administrator ”;

(b) for sub-paragraph (b) substitute—

“(b) a person who is aggrieved by a notice given—

(i) to the person under a provision referred to in paragraph (2);

(ii) to the registry administrator—

(aa) under article 34U in respect of the transfer of allowances from the person's operator holding account or aircraft operator holding account;

(bb) under article 34W(1) in respect of the withholding of allowances that would otherwise have been allocated in respect of an installation of which the person is the operator under article 34E or to the person under article 34O.”

(3) In paragraph (2)—

(a) after sub-paragraph (b) insert—

“(ba) article 34H(4) (notice of regulator's estimate of value of parameter);

(bb) article 34V (return of allowances: notice to operator, etc.);”;

(b) in sub-paragraph (c) for “article 44(1)” substitute “ article 44(1) or (2A) ”;

(c) after sub-paragraph (g) insert—

“(ga) paragraph 11(5) of Schedule 5A (notice suspending operator holding account);

(gb) paragraph 12(4) of Schedule 5A (notice suspending operator holding account on transfer);

(gc) paragraph 13(4) of Schedule 5A (notice suspending aircraft operator holding account);

(gd) paragraph 14(4)(b) of Schedule 5A (notice refusing to open trading account);

(ge) paragraph 16(7)(b) of Schedule 5A (notice refusing to appoint authorised representative);

- (gf) paragraph 17(4)(b) of Schedule 5A (notice refusing to change account permission);
- (gg) paragraph 18(2) of Schedule 5A (notice suspending access to registry of authorised representative);
- (gh) paragraph 19(2) of Schedule 5A (notice removing authorised representative);
- (gi) paragraph 25(3) of Schedule 5A (notice suspending account);
- (gj) paragraph 29(4) of Schedule 5A (notice closing trading account);”;
- (d) after sub-paragraph (m) insert—
 - “(n) Article 8(6)(b) of the Free Allocation Regulation (notice rejecting monitoring methodology plan);
 - (o) Article 3(5) of the Activity Level Changes Regulation (notice of regulator's estimate of value of parameter in activity level report).”.
- (4) For paragraph (4) substitute—
 - “(4) To avoid doubt, no appeal may be brought under paragraph (1)(a) in respect of—
 - (a) a calculation of the regulator under article 34M(1)(b) or 34Q(5)(b);
 - (b) a preliminary assessment of the regulator under paragraph 5(3) of Schedule 7 or paragraph 3(3) of Schedule 8.”.

Commencement Information

II Art. 27 in force at 31.12.2020, see [art. 2\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2020, Section 27.