

## SCHEDULE 2

### Activity Level Changes Regulation amended

#### **Article 6 amended (other changes in the operation of the installation)**

- 8.**—(1) Article 6 is amended as follows.
- (2) In paragraph 1 for “competent authority” substitute “ regulator ”.
  - (3) In paragraph 2 for “competent authority” in each place substitute “ regulator ”.
  - (4) In paragraph 3—
    - (a) in the first subparagraph after “baseline data report” insert “ or the new entrant data report ”.
    - (b) in the second subparagraph for “Article 6” substitute “ Article 8 ”.
  - (5) In paragraph 4—
    - (a) for “to that installation” substitute “ in respect of the sub-installation ”;
    - (b) for “allowances, by increasing” substitute “ allowances. The regulator must calculate that adjustment by increasing ”.
  - (6) After paragraph 4 insert—

“**5.** In this Article, where an application under Article 5 of the Free Allocation Regulation is made in respect of a new entrant that has not been operating for a full calendar year after the start of normal operation, a reference to the new entrant data report includes a reference to the activity level report submitted after the end of the first full calendar year of operation.”.

#### **Commencement Information**

**II** Sch. 2 para. 8 in force at 31.12.2020 on IP completion day, see **art. 2(2)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2020, Paragraph 8.