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STATUTORY INSTRUMENTS

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**2022 No. 1173**

The Greenhouse Gas Emissions Trading  
Scheme (Amendment) (No. 2) Order 2022

PART 2

Greenhouse Gas Emissions Trading Scheme Order 2020 amended

**Schedule 4 amended (modifications to Monitoring and Reporting Regulation 2018)**

13.—(1) Schedule 4 is amended as follows.

*Paragraph 18 amended (Article 38)*

(2) In paragraph 18—

(a) in sub-paragraph (a) in the inserted text after “but” insert “, subject to paragraph 2a,”;

(b) after sub-paragraph (a) insert—

“(aa) after paragraph 2 there were inserted—

“**2a.** The emission factor for category 1 tallow or category 2 tallow may be treated as zero where the tallow concerned is used to produce heat that is used at the operator’s installation (including heat used to generate electricity at the installation, but only if the electricity is used at the installation).

In this paragraph:

(a) “category 1 tallow” means tallow that is category 1 material under Article 8 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption<sup>(1)</sup>;

(b) “category 2 tallow” means tallow that is category 2 material under Article 9 of that Regulation;”

*Paragraph 19 amended (Article 39)*

(3) For paragraph 19(b) substitute—

“(b) paragraph 3 were omitted.”.

*Paragraph 27 amended (Article 54)*

(4) In paragraph 27 in the substituted Article 54—

(a) in paragraph 4 omit “referred to in the Schedule to the Renewable Transport Fuel Obligations Order 2007”;

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(1) EUR 2009/1069. Articles 8 and 9 of the Regulation are amended by S.I. 2020/1388.

- (b) in paragraph 5 for “those criteria” substitute “the sustainability criteria”;  
(c) after paragraph 5 insert—

“6. In this Article, “sustainability criteria”, in relation to biofuel, means the sustainability criteria (within the meaning of the Renewable Transport Fuel Obligations Order 2007(2)) that applied for the purposes of that Order on the date of purchase of the biofuel.”.

*Paragraph 35 amended (Annex 1)*

- (5) In paragraph 35—
- (a) for sub-paragraph (a) substitute—
- “ (a) in section 1—
- (i) in point (1)(a)—
- (aa) in the opening words “a description of the installation and activities carried out by the installation to be monitored, containing” were omitted;
- (bb) in point (i) for “description” there were substituted “list”;
- (cc) in point (ii) “describing the installation or” were omitted;
- (ii) in point (2)(b) for “and *de minimis*” in both places it occurs there were substituted “, *de minimis* and marginal”;
- (b) in sub-paragraph (c)(ii) in the inserted point (f) for “referred to in the Schedule to the Renewable Transport Fuel Obligations Order 2007” substitute “(as defined in Article 54(6))”.

*Paragraphs 38A and 38B inserted (Annexes 5 and 6)*

- (6) After paragraph 38 insert—
- “38A. Annex 5 is to be read as if in Table 1 in the eighth row (scrubbing (urea))—
- (a) in the entry in the column headed “net calorific value” for “1” there were substituted “n.a.”;
- (b) in the entry in the column headed “oxidation factor” for “1” there were substituted “n.a.”;
- (c) in the entry in the column headed “conversion factor” for “n.a.” there were substituted “1”.

38B.—(1) Annex 6 is to be read as if in section 3 for Table 6 there were substituted—

<i>Gas</i>	<i>Global warming potential</i>
N <sub>2</sub> O	265 t CO <sub>2(e)</sub> /t N <sub>2</sub> O
CF <sub>4</sub>	6 630 t CO <sub>2(e)</sub> /t CF <sub>4</sub>
C <sub>2</sub> F <sub>6</sub>	11 100 t CO <sub>2(e)</sub> /t C <sub>2</sub> F <sub>6</sub>

- (2) The modifications made by sub-paragraph (1) have effect in relation to the 2023 and subsequent scheme years.”.

*Paragraph 40 amended (Annex 10)*

(7) In paragraph 40(c)(iiia) in the substituted point (12)(a) for “referred to in the Schedule to the Renewable Transport Fuel Obligations Order 2007” substitute “(as defined in Article 54(6))”.