
STATUTORY INSTRUMENTS

2009 No. 2301

CLIMATE CHANGE

**The Aviation Greenhouse Gas Emissions
Trading Scheme Regulations 2009**

Made - - - - - *25th August 2009*
Laid before Parliament *27th August 2009*
Coming into force *17th September 2009*

**THE AVIATION GREENHOUSE GAS EMISSIONS
TRADING SCHEME REGULATIONS 2009**

PART 1

1. Citation and commencement
2. Interpretation
3. Aircraft operator
4. Regulator: general
5. Regulator: assessment of emissions
6. Regulator: registered office changes
7. Authority

PART 2

8. Application of this Part
9. Application for a benchmarking plan
10. Issue of a benchmarking plan
11. Monitoring tonne-kilometre data
12. Reporting tonne-kilometre data
13. Submission of the report to the Secretary of State and the European Commission

PART 3

14. Application for an emissions plan
15. Issue of an emissions plan
16. Monitoring emissions

Status: This is the original version (as it was originally made).

- 17. Reporting emissions
- 18. Monitoring and Reporting Decision requirements
- 19. Duty of the regulator to determine emissions

PART 4

- 20. Information

PART 5

- 21. Procedure
- 22. Variable amounts
- 23. Waiver and modification
- 24. Failure to submit or resubmit an application for an emissions plan
- 25. Failure to monitor aviation emissions
- 26. Failure to report aviation emissions
- 27. Making false or misleading statements
- 28. Failure to comply with requirements of the Monitoring and Reporting Decision
- 29. Failure to comply with information notices

PART 6

- 30. General
- 31. Release of aircraft
- 32. Court procedures
- 33. Proceeds of sale
- 34. Equipment and documents
- 35. Interpretation

PART 7

- 36. General
- 37. Procedure and appointment

PART 8

- 38. Directions to regulators
- 39. Guidance to regulators

PART 9

- 40. Notices
- 41. Submission of reports and applications for plans
- 42. Functions of the regulator: Northern Ireland
- 43. Assistance and advice to be provided by the Civil Aviation Authority
Signature

SCHEDULE 1 — Steps to be taken before applying for leave to sell an aircraft

- 1. The steps in this Schedule apply where the regulator proposes...
- 2. (1) At least 21 days before applying to the court...

3. At the same time as serving any notice under paragraph...
4. A notice under paragraph 2(1) must— (a) state the nationality...
5. (1) A notice under paragraph 2(1) must be served by...

SCHEDULE 2 — Appeals (other than appeals to which Schedule 4 applies)

1. (1) A UK operator or aircraft operator that wishes to...
2. (1) Subject to sub-paragraph (2), notice of appeal in accordance...
3. (1) The regulator must, within 16 days of receipt of...
4. (1) Before determining an appeal, the appeal body may afford...
5. (1) Where an appeal under regulation 36 is to be...
6. (1) The appeal body must give notice to the appellant...
7. (1) Where a determination of the appeal body on an...
8. In this Schedule and Schedule 3— (a) “affected party” means...

SCHEDULE 3 — Delegation of Appellate Functions

1. In this Schedule— “appointed person” means a person appointed under...
2. An appointment must be in writing and—
3. Subject to the provisions of this Schedule, an appointed person,...
4. (1) If the appellant, the regulator or any person whose...
5. (1) Where under paragraph 2(c) the appointment of the appointed...
6. (1) Anything done or omitted to be done by an...

SCHEDULE 4 — Appeals (Northern Ireland)

1. (1) A UK operator or aircraft operator that wishes to...
2. Notice of appeal in accordance with paragraph 1 is to...
3. (1) The appeals commission must determine the appeal and paragraphs...
4. An appeal under this Schedule must be accompanied by a...

SCHEDULE 5 — Service of notices

1. The provisions of this Schedule apply to the service of...
2. A notice must be in writing.
3. A notice may be served on or given to a...
4. In the case of a body corporate, a notice may...
5. In the case of a partnership, a notice may be...
6. If a person to be served with or given a...
7. For the purposes of this Schedule, “proper address” means—
8. For the purposes of paragraph 7, the principal office of...
9. Where an electronic address for submission of a notice is...

Explanatory Note