

SCHEDULE

Amendment to the Environment Act 1995

22. In section 41(1)—

- (a) in subsection (1), in paragraph (g) for “prescribed.” substitute “prescribed;”, and after that paragraph insert—

“(h) as a means of recovering costs incurred by it in performing functions conferred by regulation 8A of the Greenhouse Gas Emissions Trading Scheme (Amendment) and National Inventory Regulations 2005(2), the Agency may require the payment to it of such charges as may from time to time be prescribed;

(i) as a means of recovering costs incurred by it in performing functions conferred by regulations made for the purpose of implementing Directive 2008/101/EC of the European Parliament and of the Council amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community, each of the new Agencies may require the payment to it of such charges as may from time to time be prescribed;

(j) each of the new Agencies may require the payment to it of such charges as may from time to time be prescribed in respect of the subsistence of an account required to be held in the trading scheme registry by an aircraft operator;”;

- (b) in subsection (10), in the appropriate alphabetical order, insert—

““aircraft operator” has the same meaning as in the Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010;”;

““trading scheme registry” means—

(a) any registry operated by the Environment Agency for the purpose of meeting the requirements of Article 3(1) of Commission Regulation (EU) No 920/2010 for a standardised and secured system of registries pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council(3), as amended from time to time; or

(b) the Union registry referred to in Article 3(2) of that Regulation.”

(1) Section 41 has been amended by S.S.I. 2003/235, S.I. 2005/894, 2005/1806 (W. 138), 2006/937, 2007/1711, 2007/3106, 2008/3087, 2009/890, 2009/3381, the Climate Change (Scotland) Act 2009 (asp.12), the Flood and Water Management Act 2010 (c.29) and S.I. 2011/988.

(2) S.I. 2005/2903, amended by S.I. 2011/727.

(3) O.J. No. L270, 14.10.2010, p.1.