
STATUTORY INSTRUMENTS

2012 No. 2788

**The Greenhouse Gas Emissions Trading Scheme
(Amendment) (Charging Schemes) Regulations 2012**

PART 3

Amendments to the Environment (Northern Ireland) Order 2002

Interpretation

9. In this Part, a reference to a numbered paragraph is to that paragraph of Schedule 1 to the Environment (Northern Ireland) Order 2002 (particular purposes for which provision may be made under Article 4 (regulation of polluting activities))(1).

Paragraphs 9A and 9B

10.—(1) Omit paragraph 9A(2).

(2) In paragraph 9B(3)—

- (a) in sub-paragraph (1), for the words from “by regulations” to the end substitute “under or by virtue of regulations made for the purpose of implementing the EU ETS Directive”; and
- (b) for sub-paragraph (2) substitute—

“(2) Without prejudice to paragraph 9, authorising the Department to make schemes for the charging by enforcing authorities of fees or other charges (“registry charges”) in respect of—

- (a) an application to open an account that, under the Registries Regulation 2011, is required to be held in a trading scheme registry;
- (b) the subsistence of such an account;
- (c) the updating of information provided to the Environment Agency in relation to such an account.”.

Paragraphs 24 and 24A

11.—(1) In paragraph 24 omit “9A,”.

(2) In paragraph 24A(4)—

- (a) omit “9A, or”; and
- (b) omit “operator registry charges, or aircraft operator”.

(1) [S.I. 2002/3153 \(N.I. 7\)](#); relevant amendments are noted below.
(2) Paragraph 9A was inserted by [S.R. \(N.I.\) 2010/92](#).
(3) Paragraph 9B was inserted by [S.I. 2011/2911](#).
(4) Paragraph 24A was inserted by [S.R. \(N.I.\) 2010/92](#).

Paragraph 26

12.—(1) Paragraph 26(5) is amended as follows.

(2) Omit the definitions of “aircraft operator”, “allowance” and “operator”.

(3) After the definition of “Environment Agency” insert—

““the EU ETS Directive” means Directive [2003/87/EC](#) of the European Parliament and of the Council establishing a scheme for greenhouse gas emissions allowance trading within the Community and amending Council Directive [96/61/EC](#), as amended from time to time;”.

(4) After the definition of “public body” insert—

““the Registries Regulation 2011” means Commission Regulation (EU) No 1193/2011 establishing a Union Registry for the trading period commencing on 1 January 2013, and subsequent trading periods, of the Union emissions trading scheme 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, as amended from time to time;”.

(5) For the definition of “trading scheme registry” substitute—

““trading scheme registry” means—

- (a) any registry operated by the Environment Agency for the purpose of meeting the obligations of the United Kingdom referred to in 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; or
- (b) the registry established by Article 4(1) of the Registries Regulation 2011.”.