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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make various amendments in relation to the implementation of Council Directive (EU) 2015/652 and the changes made to Directives 98/70/EC and 2009/28/EC by Directive 2015/1513/EU. The key changes and provisions are summarised as follows.

Part 2 contains consequential amendments to section 132 of the Energy Act 2004 (c.20).

Part 3 amends the Renewable Transport Fuel Obligations Order 2007 (S.I. 2007/3072, “the RTFO Order”). Regulations 7 and 8 make various amendments in relation to definitions used in the RTFO Order including, in particular, the creation of a new definition for “development fuel”. Regulations 9 and 11 amend certain transport fuel suppliers’ obligations in relation to the production of evidence to show that certain amounts and types of renewable transport fuel have been supplied in the United Kingdom during a particular period; they also amend the way that amounts of fuel are calculated. Regulation 18 makes provision that requires that renewable transport fuel certificates (“RTFC”) must specify, of 3 categories, the particular type of fuel to which the RTFC relates. Regulation 19 makes provision for the award of an additional RTFC for a volume of fuel in certain circumstances. Regulation 20 substitutes the provision as to the redemption of RTFCs by suppliers in later obligation periods. Regulation 22 amends provision as to the calculation of the payment that is required if a supplier fails to meet its main renewable transport fuel obligation or its development fuel target (or both). Regulation 23 sets out the maximum amount of renewable transport fuel derived from relevant crops which may count towards suppliers meeting their obligations in a particular period.

Part 4 amends the Motor Fuel (Road Vehicle and Mobile Machinery) Greenhouse Gas Emissions Reporting Regulations 2012 (S.I. 2012/3030). Regulations 29 and 30 make various amendments in relation to definitions. Regulation 34 inserts provision for certain suppliers to incur an obligation to produce evidence that they have reduced or offset amounts of greenhouse gas (“GHG”) emissions where they have supplied, in a particular period, energy products with GHG emissions per unit of energy above a specified threshold. Regulation 40 substitutes provision as to the evidence or information that must be provided by certain suppliers and applicants for GHG credits, and regulation 50 inserts further details about the evidence or information required. Regulation 45 inserts various new provisions in relation to GHG credits, in particular as to the calculation of the number of credits that may be issued to a supplier, applications for credits, the issue of credits, transfers of credits, revocation of credits and the payment that must be made in certain circumstances if a supplier fails to discharge a GHG reduction obligation. Regulation 47 amends the provision as to penalties if certain provisions are contravened.

Pursuant to section 7(8) of the Pollution Prevention and Control Act 1999 (c.24), the amendments set out in Part 4 extend to Northern Ireland.

An impact assessment on the effect that these Regulations will have on the costs of business and the voluntary sector is available from the Low Carbon Fuels Division, Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR (telephone 0207 944 4138). The impact assessment and a transposition note are annexed to the Explanatory Memorandum which is available alongside these Regulations on the UK legislation website at <http://www.legislation.gov.uk>.

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewable Transport Fuels and Greenhouse Gas Emissions Regulations 2018.