

# **The Community Emissions Trading Scheme (Allocation of Allowances for Payment) Regulations 2008**

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February 2008



HM TREASURY





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Trading Scheme  
(Allocation of Allowances for  
Payment) Regulations 2008**

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# EXECUTIVE SUMMARY

In Phase I of the EU Emissions Trading Scheme (EU ETS) allowances were allocated for free. In Phase II, the Directive allows a maximum of 10 per cent of allowances to be allocated for payment. The UK's Phase II National Allocation Plan (NAP) announced that the UK would auction, or otherwise sell, 7 per cent of allowances, plus any surplus from the New Entrants Reserve (NER) or closures. This publication sets out the draft Regulations and Scheme that will allow Government to make allocations for payment of EU ETS allowances, by way of auctions or other routes to market. The primary legislation is in the Finance Act 2007 in Clause 16, "Emissions trading: charges for allocations". This document should be read alongside the current consultation *Proposed UK auction design for use in the EU Emissions Trading Scheme Phase II* on Government's proposed type, form and process for the auction or sale of EU allowances (EUAs). The consultation on auction design closes on 14 March 2008, and the document can be found at <http://www.defra.gov.uk/corporate/consult/euets-phase2auction/index.htm>. An impact assessment, covering the costs and benefits of the proposed auction design, has been published alongside the consultation document.

The Scheme and the Regulations are made pursuant to the primary legislative enabling powers contained in section 16 of the Finance Act 2007. The draft documents published here in this consultation comprise a draft statutory instrument *The Community Emissions Trading Scheme (Allocation of Allowances for Payment) Regulations* and a draft Scheme, *The Community Emissions Trading Scheme (Allocation of Allowances for Payment) Scheme*. The Scheme is intended to cover many of the detailed elements of the transactions, and many elements of the scheme depend upon the outcome of the current consultation.

The Regulations will be subject to Parliamentary approval via the affirmative procedure. The Scheme can be amended by the Government without Parliamentary procedure so will be a more flexible tool to adapt to changes in the auction process, which may well occur in the early stages. The Government considers that it is important to learn from early experience of auctions and will adjust the auction procedure if necessary. The first few auctions of Phase II will therefore be reviewed, and the auction design may be modified to take account of these experiences.

While there is no statutory duty to consult on the draft Regulations or the Scheme, the Government considers that it is important to canvass views. The Government considers that the Regulations, which are technical in nature, may be of interest mainly to participants in the EU ETS as well as traders on the carbon market. To allow auctions to begin as soon as possible in Phase II, this consultation will run for 8 weeks and will close on the 21 April 2008. The Government welcomes views on the draft legislation and envisage that consultees may wish to see these drafts in the light of the current consultation on the general auction design mentioned above. Unless there are substantive changes to the approach taken in the Regulations or Scheme, the Government does not intend to consult again following receipt of consultation responses. However it does propose to publish them in final form, together with any user guidance, in good time before the first auction. takes place.



# INTRODUCTION

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**1.1** The consultation document is structured as follows:

- Chapter 1 sets out the background to the auctioning process;
- Chapter 2 sets out how to respond; and
- Chapter 3 sets out the Government's proposals for the Statutory Instrument and the Scheme governing EU Emissions Trading Scheme (EU ETS) allocation for payment.

## THE DEVELOPMENT OF THE AUCTIONING PROCESS

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**1.2** The proposed allocation method, set out in the current consultation document, already takes account of views expressed during the UK's March 2005 consultation on the allocation of surplus Phase I allowances. It also builds on the input of an Auctioning Working Group, a small stakeholder group set up to provide views to the Government on auction design.

## OBJECTIVES FOR AUCTION DESIGN

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**1.3** The main objective of the auction or sale is to allocate allowances in a way that is consistent with providing value for money to the taxpayer, subject to the process being transparent, resilient and secure. It is important that the auction or sale does not unfairly favour certain participants, does not damage confidence in the existing market system and is environmentally robust. The method chosen must be simple to implement and low cost to both the Government and participants. It should also enable both the Government and participants to learn about auctions ahead of further auctioning in Phase III. In addition, the presence of a wide range of buyers and sellers participating in a user-friendly allocation scheme will help to encourage greater market liquidity in the EU ETS and thereby protect against gaming.

## CONSULTATION PROCESS ON AUCTION DESIGN AND LEGISLATION

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**1.4** The current consultation closes on 14 March, after which the Government will analyse the responses. The analysis of the responses will be published in due course. The final version of the Regulations that are to be laid in Parliament, together with the final version of the Scheme, will also be published in due course. The draft Regulations and Scheme have been developed in consultation with the Department for the Environment, Food and Rural Affairs, the Devolved Administrations, and the Department for Business, Enterprise and Regulatory Reform.



# 2

## HOW TO RESPOND

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The Government welcomes the views of all stakeholders on the issues raised in this document. Please ensure that your response reaches us by 21 April 2008. Any comments should be sent to:

Shalyni Saravanann  
EU ETS Allocation for Payment  
Room 2/N1  
HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ  
E-mail: shalyni.saravanann@hm-treasury.gsi.gov.uk

**2.1** When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

**2.2** All written responses may be made public, unless the author specifically requests otherwise, soon after the consultation period closes. Even where confidentiality is requested, if a request for disclosure of the consultation response is made in accordance with the freedom of information legislation, and the response is not covered by one of the exemptions in the legislation, the Government may have to disclose the response, in whole or in part.

**2.3** This consultation will last for 8 weeks. The detailed policy is currently being consulted upon in the document "Consultation on proposed UK auction design for use during Phase II". In this document HM Treasury is setting out how Government's proposals will look in legislation, and giving interested parties the opportunity to air their views on the legislation.

### Consultation

**2.4** The consultation is being conducted in line with the Code of Practice on Consultation, which contains six key criteria to govern a written consultation. These are set out in Annex A.



# 3

## GOVERNMENT'S PROPOSALS

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### THE STATUTORY INSTRUMENT

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**3.1** The draft Regulations is attached at Annex B.

#### Penalties

**3.2** The auction design proposal has been designed to minimise the risk of non-compliance by participants. However, the Government needs to have recourse to levers to censure non-compliance and to guard against the effects of non-payment, collusion or gaming by participants. Collusive and anti-competitive behaviour is unlawful and will be reported to the appropriate regulatory authorities for investigation and any further action considered necessary by them. Similarly, any misuse of passwords may be investigated and prosecuted under the Computer Misuse Act 1990. In the light of this, the Government does not consider that it is necessary to include civil penalties, although breaches of the Regulations or the Scheme may result in exclusion from participation. There is a possibility that criminal penalties may be required to act as a sufficient deterrent to the misuse of confidential information, particularly bids. The Government is currently reviewing this aspect, and welcomes any observations in responses to this consultation exercise.

### THE SCHEME

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**3.3** The draft Scheme is attached at Annex C.

**3.4** The final version of the Scheme will set out the detail of the auction process, and will be adapted to reflect responses to the current auction design consultation as deemed to be appropriate. The following paragraphs outline areas where further detail is likely to be added into the scheme design:

#### Approved bidders

**3.5** The Government proposes that the person conducting the auction will appoint Approved Bidders. The Government will consider the criteria for determining whether an account holder may be an Approved Bidder, which will form part of the Scheme. There will be specific rules for Approved Bidders, which will also form part of the Scheme. There may need to be provisions relating to:

- the granting and withdrawal of such approval;
- the publication of Approved Bidders' details;
- Approved Bidders submitting bids on their own account; and
- prohibitions on Approved Bidders using any information obtained from principals in order to assist in preparation of bids on their own account and requirements to ensure that this should not happen.

## Allocation

**3.6** The Government will consider how best to deal with detailed issues arising from allocation, for example, where there are a number of competitive bids made at the auction clearing price itself and they are unable to be allocated in full.

## Exclusion from an auction or other allocation

**3.7** The Government will consider the case for permitting the person conducting an auction to exclude account holders from an auction or other allocation in the event of certain types of behaviour, such as providing false information or breach of the Regulations or rules set out in the Scheme.

## Other areas

**3.8** Other detail is likely to be added once the method of placing bids has been finalised. For example:

- contingency - If the bid placement is electronic, participants may be advised as to contingency procedures in the case of a power cut ;
- form of bids - The form in which bids will be placed;
- timescales - Important deadlines will be set out in the Scheme; and
- announcements - The website address where announcements will be made will be given in the Scheme documentation.

## PARLIAMENTARY PROCEDURE

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**3.9** The Scheme and the Regulations are made pursuant to the primary legislative enabling powers contained in section 16 of the Finance Act 2007. The Lords Commissioners of the Treasury under the affirmative Parliamentary procedure will make the Regulations, with laying before the House of Commons only (which is normal practice for secondary legislation made pursuant to the Finance Acts). The Lords Commissioners of the Treasury will also make the Scheme, which is not subject to Parliamentary scrutiny. Any updates to the Scheme will be published on the relevant website.

## IMPACT OF LEGISLATION

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**3.10** An impact assessment, published alongside the consultation on auction design, has been published on DEFRA's website

<http://www.defra.gov.uk/corporate/consult/euets-phase2auction/impact-assessment.pdf>

# A

## CODE OF PRACTICE FOR WRITTEN CONSULTATIONS

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**A.1** The Cabinet Office has published a Code of Practice for Written Consultations, to guide departments' activities in this area. The Code of Practice includes six key criteria to be applied to all departmental consultations, which are set out below.

### CONSULTATION CRITERIA

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- Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
- Be clear about what the proposals are, who may be affected, what questions are being asked, and the timescale for responses.
- Ensure the consultation document is clear, concise, and widely accessible.
- Give feedback regarding the responses received and how the consultation process influenced the policy.
- Monitor the department's effectiveness at consultation, including through the use of a designated consultation coordinator.
- Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

**A.2** This consultation will last for 8 weeks. The detailed policy is currently being consulted upon in the document "Consultation on proposed UK auction design for use during Phase II". In this document HM Treasury is setting out how Government's proposals will look in legislation, and giving interested parties the opportunity to air their views on the legislation.

**A.3** If you feel that this consultation does not fulfil these criteria, please contact:

Angela Carden  
HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ  
Tel: 020 7270 4867

### CONFIDENTIALITY DISCLOSURES

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**A.4** Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004). If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of

confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality will be maintained in all circumstances.

**A.5** An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department. The Department will process your personal data in accordance with the DPA, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

## **FREEDOM OF INFORMATION CONTACT**

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**A.6** Any Freedom of Information Act queries should be directed to:

The Correspondence & Enquiry Unit  
2/W1, HM Treasury, 1 Horse Guards Road  
London, SW1A 2HQ  
Email: [public.inquiries@hm-treasury.gsi.gov.uk](mailto:public.inquiries@hm-treasury.gsi.gov.uk)

# B

## DRAFT REGULATIONS

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**B.1** This annex contains the draft Order on the allocation of allowances for payment, reflecting Government's proposals as set out in Chapter 2.

*Draft Regulations laid before the House of Commons under section 16(8) of the Finance Act 2007 for approval by resolution of the House of Commons*

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### DRAFT STATUTORY INSTRUMENTS

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**2008 No.**

## **ENVIRONMENTAL PROTECTION**

### **EMISSIONS TRADING**

## **The Community Emissions Trading Scheme (Allocation of Allowances for Payment) Regulations 2008**

<i>Made</i>	- - - -	***
<i>Coming into force</i>	- -	***

These Regulations are made in exercise of the powers conferred by section 16(2), (3), (4) and (7) of the Finance Act 2007<sup>(1)</sup>.

A draft of these Regulations has been approved by a resolution of the House of Commons pursuant to section 16(8) of the Finance Act 2007.

The Treasury make the following Regulations:

### **PART 1**

#### **INTRODUCTORY**

#### **Citation and commencement**

**1.** These Regulations may be cited as the Community Emissions Trading Scheme (Allocation of Allowances for Payment) Regulations 2008 and come into force on\*\*\*.

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<sup>(1)</sup> c. 11.

## Interpretation

### 2. In these Regulations—

“account holder” means an account holder, as defined in Article 2 of the Registries Regulation;

“allowance” means a Community tradeable emissions allowance, as defined in section 16(6) of the Finance Act 2007;

“auction” means the process of allocation of allowances for payment by means of submission of bids as provided for by these Regulations and the Scheme;

“auction clearing price” is the price required to be paid by an account holder for an allowance at an auction and is determined in accordance with the Scheme;

“bid” means an offer to acquire allowances in such form as is required by the Scheme;

“bidding window” means the period specified by the Treasury during which an account holder may submit a bid in an auction for the allocation of an allowance;

“the Directive” means Council Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, as amended by Directive 2004/101/EC<sup>(2)</sup>;

“Environment Agency” means the Agency established under Chapter I of the Environment Act 1995<sup>(3)</sup> and designated under Article 8 of the Registries Regulation to act as the United Kingdom’s registry administrator;

“holding account” means an operator holding account created under Article 15 of the Registries Regulation, or a person holding account created under Article 19 of the Registries Regulation;

“nominated bank account” means such bank account as is nominated by the person conducting an allocation for payment for the receipt of payments from account holders, including the payment of deposits;

“nominated holding account” means the holding account nominated by an account holder for the receipt of allowances allocated for payment;

“participation number” is a unique number issued, pursuant to the Scheme, to an account holder who wishes to participate in an auction;

“Party holding account” means the United Kingdom’s Party holding account created in accordance with Article 12 of the Registries Regulation;

“the person conducting an auction” means the Treasury, or, where the Treasury has made an appointment under regulation 3(b), the person so appointed;

“the Registries Regulation” means Commission Regulation 2216/2004/EC<sup>(4)</sup> for a standardised and secured system of registries pursuant to the Directive and Decision 280/2004/EC of the European Parliament and the Council<sup>(5)</sup> as amended by Commission Regulation 916/2007/EC<sup>(6)</sup>;

“Scheme” means a scheme made by the Treasury under section 16(5) of the Finance Act 2007;

“settlement date” means the date, determined in accordance with the Scheme, by which payment in full for allowances is required to be made by an account holder.

## PART 2 AUCTIONS

### Persons who may conduct auctions

#### 3. The Treasury may—

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<sup>(2)</sup> OJ No. L275, 25.10.2003, p.32.

<sup>(3)</sup> c. 25.

<sup>(4)</sup> OJ No. L 386, 29.12.2004, p.1.

<sup>(5)</sup> OJ No. L 49, 19.2.2004, p.1.

<sup>(6)</sup> OJ No. L 200, 1.8.2007, p.5.

- (a) conduct auctions to allocate allowances, or
- (b) appoint another person, including the Secretary of State, the Scottish Ministers, the Welsh Ministers or the Department of the Environment Northern Ireland, or any of them acting jointly, to conduct auctions to allocate allowances, subject to conditions (including as to fees charged) and limitations as the Treasury sees fit.

### Deposits

4. The person conducting an auction—

- (a) may require an account holder to pay a deposit on account of payment for allowances,
- (b) may retain a deposit as payment for allowances allocated, and
- (c) must repay to an account holder any part of a deposit not used to satisfy payment for allowances as soon as reasonably practicable after the close of the bidding window.

### Payment

5.—(1) An account holder to whom allowances are allocated must pay into the nominated bank account, by the settlement date, the total amount due for payment in euros or sterling for the allowances allocated.

(2) In this regulation the “total amount due” means the amount notified to the account holder by the person conducting the auction.

### Transfer of allowances

6.—(1) On receipt of payment in full from an account holder for the allocation of allowances, the person conducting the auction must provide the following information to the Environment Agency so as to effect the transfer of allowances from the Party holding account to the nominated holding account of each account holder to whom allowances are allocated:

- (a) the name of the account holder;
- (b) where the allowances have been allocated at auction, the account holder’s auction participation number;
- (c) the unique account identification code, alphanumeric identifier and unique account holder identification code as referred to in Article 26 of the Registries Regulation of the nominated holding account;
- (d) the number of allowances to be transferred from the Party holding account to the account holder’s nominated holding account.

(2) As soon as reasonably practicable on receipt of the information referred to in paragraph (1), the Environment Agency must transfer the relevant number of allowances from the Party holding account to the account holder’s nominated holding account.

### Consequences of late or non-payment

7.—(1) Where payment for allowances is received from an account holder after the settlement date the person conducting the auction may—

- (a) require that account holder to pay interest for each day beginning with the settlement date and ending on the date on which payment is made at such rate as is specified in the Scheme, calculated on a daily basis;
- (b) recover any outstanding payment from the account holder summarily as a civil debt; or
- (c) not transfer the allowances to the account holder and serve a notice on the account holder to that effect.

### Transfer of excess allowances

8.—(1) If, following an auction, the Environment Agency transfers a number of allowances to an account holder’s nominated holding account in excess of the number of allowances which should have been transferred to that account (an “excess transfer”), when it comes to its notice, an account holder must notify the Environment Agency and the person conducting the auction as soon as reasonably practicable.

(2) When an excess transfer comes to the notice of the Environment Agency, whether by notification from an account holder under paragraph (1) or otherwise, the Environment Agency must transfer the excess allowances to the Party holding account as soon as reasonably practicable.

(3) In the event that an account holder sells or otherwise deals in the excess allowances the person conducting the auction may require the account holder to pay the auction clearing price, or, if the auction clearing price is, in accordance with the Scheme, replaced by the reserve price, the reserve price, in each case multiplied by the number of excess allowances transferred to the account holder; such payment must be made by the date specified by the person conducting the auction.

(4) If payment required under paragraph (3) is not received in full by the date specified by the person conducting the auction, the person conducting the auction may recover any outstanding payment from the account holder summarily as a civil debt.

(5) In this regulation, “reserve price” has the meaning given to it by the Scheme.

## PART 3

### OTHER ALLOCATIONS FOR PAYMENT

#### Persons who may conduct other allocations for payment

9. The Treasury may—

- (a) conduct allocations of allowances for payment otherwise than by auction, or
- (b) appoint another person, including the Secretary of State, the Scottish Ministers, Welsh Ministers or the Department of the Environment Northern Ireland, or any of them acting jointly, to conduct allocations of allowances for payment otherwise than by auction, subject to such conditions (including as to fees charged) and limitations as the Treasury sees fit.

## PART 4

### GENERAL PROVISIONS

#### Appointment of an independent observer

10.—(1) The Treasury must appoint an independent observer to oversee any allocation under these Regulations.

(2) The terms of appointment and remuneration (if any) of the independent observer shall be determined by the Treasury.

(3) The independent observer must provide a report to the Treasury as soon as reasonably practicable after the allocation has taken place.

(4) The report must state whether the independent observer is satisfied with the conduct of the allocation.

(5) The person conducting an auction or other allocation for payment must provide access to any information relating to the allocation that is reasonably required by the independent observer for the purpose of compiling the report.

#### Review of decisions

11.—(1) A person in receipt of any decision of the Treasury or of the person conducting an auction or other allocation for payment under these Regulations may request a review of the decision by the Treasury.

(2) Such request for a review must be sent to the Treasury within 28 days of notification of the decision.

(3) On receipt of such request the Treasury must carry out a review.

(4) When carrying out a review the Treasury must ensure that the individual responsible for the original decision is not responsible for carrying out the review.

(5) Before determining the outcome of any review under this regulation, the Treasury may appoint an independent person to make a report in writing to them.

(6) If a report is made, it must include the independent person's conclusions and recommendations, if any, or the independent person's reasons for not making any recommendations.

(7) The terms of appointment and remuneration (if any) of the independent person shall be determined by the Treasury.

(8) On receipt of a report from an independent person, or following its own review of the matter, the Treasury must notify the person requesting the review of their decision in respect of the review.

### **Financial provisions**

**12.**—(1) Any sums received by the Treasury or the Secretary of State under or by virtue of these Regulations shall be paid into the Consolidated Fund.

(2) Any sums received by an appointee under or by virtue of these Regulations shall be paid to the Secretary of State who shall pay them into the Consolidated Fund.

(3) In this regulation “appointee” means a person, other than the Secretary of State, appointed by the Treasury under regulation 3(b) or 9(b).

Two of the Lords Commissioners of Her Majesty's Treasury

Date





## DRAFT SCHEME

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**C.1** This annex contains the draft Scheme supporting the draft Regulations set out in Annex B.

### THE COMMUNITY EMISSIONS TRADING SCHEME (ALLOCATION OF ALLOWANCES FOR PAYMENT) SCHEME 2008

This Scheme is made in exercise of the powers conferred by section 16(5) of the Finance Act 2007<sup>(7)</sup>. The Treasury makes the following Scheme:

#### PART 5

##### Introductory

##### Citation and commencement

1.—(1) This Scheme may be cited as The Community Emissions Trading Scheme (Allocation of Allowances for Payment) Scheme 2008.

(2) This Scheme comes into force on [ ] 2008.

##### Interpretation

2.—(1) In this Scheme—

“Approved Bidder” means an account holder who is approved by the person conducting the auction to submit competitive bids in an auction;

“authorised person” means a natural person registered as a primary or a secondary authorised representative (as described in Article 23 of the Registries Regulation) and who is specified by an account holder in the account holder’s application for registration as authorised to bind that account holder for all purposes relating to auctions under these Regulations and the Scheme;

“bid price” means the price (in euros) for each allowance specified in a competitive bid;

“competitive bid” means a bid for allowances at a price specified in the bid;

“non-competitive bid” means a bid for allowances at the auction clearing price;

“principal” is an account holder who instructs an Approved Bidder to act as the account holder’s agent to submit a bid in an auction;

“the Regulations” means The Community Emissions Trading Scheme (Allocation of Allowances for Payment) Regulations 2008 and unless the context otherwise requires, a reference to a numbered regulation is a reference to a regulation in those Regulations;

“working day” means any day other than a Saturday, Sunday, Good Friday, Christmas Day or day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971<sup>(8)</sup>.

(2) Words and phrases in this Scheme have the same meaning as in the Regulations.

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<sup>(7)</sup>

<sup>(8)</sup> c. 80.

## PART 6

### Auctions

#### Announcement of bidding window and allowances to be auctioned

3.—(1) The Treasury must announce the dates and times of the opening and closing of the bidding window no less than two months before the date of the opening of the bidding window.

(2) The Treasury must announce the number of allowances available for allocation by auction no less than one month before the date announced as the date of the opening of the bidding window.

(3) The bidding window must be open for no shorter period than two days.

#### Registration for auctions

4.—(1) In order to participate in an auction, an account holder must register by providing the following information in such form as the person conducting the auction requires—

- (a) the name and address of the account holder;
- (b) the name, address, telephone number, and electronic mail address of the authorised person;
- (c) the unique account identification code, alphanumeric identifier and unique account holder identification code, as referred to in Article 26 of the Registries Regulation, of the nominated holding account;
- (d) a statement whether the authorised person is a primary or secondary authorised representative for the nominated holding account.

(2) Registration must take place by such date as the person conducting the auction requires.

(3) On receipt of the information set out in paragraph (1) the person conducting the auction will issue a participation number to the account holder.

(4) Where there is any change in the information referred to in paragraph (1) the account holder must immediately notify the change to the person conducting the auction.

#### Auction structure

5.—(1) The person conducting an auction may permit submission of:

- (a) only competitive bids; or
- (b) both non-competitive and competitive bids (a “two part auction”).

(2) In a two part auction the number of allowances available for allocation by non-competitive bids will be no more than 30% of the total number of allowances available for allocation at the auction.

#### Bids

6.A bid—

- (a) must be in such form as the person conducting the auction requires;
- (b) may only be submitted during the bidding window;
- (c) may be withdrawn before the bidding window closes;
- (d) is binding if submitted and not withdrawn at the time when the bidding window closes.

#### Non-competitive bids

7. In a two part auction an account holder may submit only one non-competitive bid stating the number of allowances, up to a maximum of 10,000 allowances, which the account holder wishes to acquire.

#### Competitive bids

8.—(1) Only an Approved Bidder may submit a competitive bid.

- (2) Each competitive bid submitted on behalf of a principal must state—
- (a) the name of the principal on whose behalf the bid is submitted;
  - (b) the unique account identification code, alphanumeric identifier and unique account holder identification code as referred to in Article 26 of the Registries Regulation of the nominated holding account;
  - (c) the number of allowances, in units of 1,000 allowances, which the Approved Bidder wishes to acquire on behalf of that principal;
  - (d) the bid price.

### Deposits

9.—(1) An account holder who submits a non-competitive bid must pay a deposit into the nominated bank account by the close of the bidding window; no allocation will be made on the basis of a non-competitive bid if the deposit is not received by the time the bidding window closes.

(2) The person conducting the auction must, in good time before the opening of the bidding window, specify in euros and sterling the amount required to be paid by way of deposit for each allowance for which a non-competitive bid is submitted.

### Auction clearing price

10.—(1) The auction clearing price (“ $p^*$ ”) is to be calculated by reference to competitive bids only and in accordance with the following formula—

$$p^* = p_x \text{ when both } d(p_{x-1}) < s \text{ and } d(p_x) \geq s$$

where—

“ $s$ ” is the total number of allowances available for competitive bids at auction,

“ $p$ ” is the bid price,

“ $d_i(p)$ ” is the demand for allowances of principal  $i$  at each bid price,

“ $d(p)$ ” is the total demand for allowances at each bid price and is to be calculated in accordance with the formula  $d(p) = \sum_i d_i(p)$ , and

“ $p_x$ ” is the  $x^{\text{th}}$  highest bid price, so  $p_{x-1}$  is a higher price than  $p_x$ .

(2) Except—

- (a) if  $d(p_{x-1}) < s$  at all bid prices, then the auction clearing price is the lowest bid price submitted at auction,
- (b) if  $d(p_x) \geq s$  at all bid prices, then the auction clearing price is the highest bid price submitted at auction.

### Allocation

11. Where the total number of allowances for which non-competitive bids are submitted is in excess of 30% of the total number of allowances available for allocation at an auction the following provisions apply for the allocation of allowances to account holders submitting non-competitive bids:

- (a) an account holder who submits a non-competitive bid for 1,000 allowances or fewer will be allocated allowances in priority to any account holder who submits a non-competitive bid for more than 1,000 allowances;
- (b) where there are insufficient allowances available for allocation by account holders submitting non-competitive bids to allocate allowances to all bids submitted for 1,000 allowances or fewer, allowances will be allocated on the following basis:
  - (i) those bids will be prioritised in the order in which they are received by the person conducting the auction, and
  - (ii) the highest priority will be given to the earliest bid received;
- (c) after allocation in accordance with paragraph (b), account holders who submit non-competitive bids for more than 1,000 allowances will be allocated allowances on the following basis:
  - (i) those bids will be prioritised in the order in which they are received by the person conducting the auction, and

- (ii) the highest priority will be given to the earliest bid received.

#### **After close of window**

**12.** After the close of the bidding window the person conducting the auction must as soon as reasonably practicable—

- (a) announce the auction clearing price in euros and in sterling; and
- (b) notify each account holder to whom allowances have been allocated of—
  - (i) the number of allowances to allocated to that account holder, and
  - (ii) the total amount due for payment on the settlement date (less any deposit already paid).

#### **Reserve price**

**13.—**(1) The Treasury may determine a price below which no allowances may be allocated by auction (the “reserve price”).

(2) If the auction clearing price is less than the reserve price then the reserve price replaces the auction clearing price as the price to be paid for each allowance at an auction.

(3) In the circumstances set out in article 13(2), where in this Scheme reference is made to the auction clearing price (except in article 10), this is to be read as a reference to the reserve price.

## **PART 7**

### **General**

#### **Payment**

**14.—**(1) All payments made by account holders under the Regulations and this Scheme, including deposits, must be made by electronic transfer to the nominated bank account, with accompanying information which identifies the account holder.

(2) Payments may be made in sterling or in euros.

(3) Any fees and charges relating to currency exchange must be borne by the person who is making the payment.

Two of the Lords Commissioners of Her Majesty’s Treasury

Date

# D

## LIST OF STAKEHOLDERS

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**D.1** The following have been sent copies of this consultation document:

- A Brunnschweiler & Co
- Aarhus United UK Ltd
- ABB Ltd
- Association of Coalmine Methane Operators
- Acordis
- ACS Dobfar UK Limited
- Activecraft Ltd
- Adam Robertson & Co Ltd
- Addenbrookes NHS Trust
- ADM Pura
- AEA Technology
- AEP Energy Services UK Generation Ltd.
- AES Electric
- AES Indian Queens Power Ltd
- AES Kilroot Power Ltd
- Aggregate Industries (UK) Ltd
- Agricultural Industries (UK) Ltd
- AgriEnergy
- Ahlstrom-Chirnside Ltd
- Aintree Hospitals NHS Trust
- Airbus UK Limited
- Airedale NHS Trust
- Alcan Aluminium UK Ltd
- Alcan Recycling
- Alcan Rolled Products
- Alcan Smelting And Power UK
- Alcoa Europe Extrusions And End Products (UK)
- Alcoa-Lingotes Castings Limited
- Alkane Energy Plc

- Allen & Overy
- Allied Distillers Ltd
- Allied Glass Containers Ltd.
- Alphasteel Limited
- Alta Estate Services Limited
- Altnagelvin Hospitals H & S.S. Trust
- Aluminium Federation Ltd
- Amerada Hess Ltd
- Amylum UK Ltd
- Aon Risk Consulting
- Apache North Sea Limited
- Appleby Group Ltd
- Archer Daniels Midland Erith Ltd
- Arjo Wiggins Carbonless Papers Ltd
- Arjo Wiggins Fine Papers Ltd
- Armaghdown Creameries Limited
- Asda
- Associated British Foods
- Associated Co-Operative Creameries
- Associated Octel Co.Ltd
- Association for the Conservation of Energy
- Association of Electricity Producers
- Aston University
- Astrazeneca
- Astrazeneca R & D Charnwood
- Atkins Plc
- Atmel NHS
- Avecia Ltd
- Avestapolarit Ltd
- AWE Plc
- Aylesford Newsprint Ltd
- British Airports Association

- Babcock Naval Services
- Babbie
- BAE Systems
- BAE Systems - Submarines Ltd
- BAE Systems Ro Defence
- Baggeridge Brick Plc
- Bairds Malt Ltd
- Baker & McKenzie
- Balcas Ltd
- Barclays Capital
- Barking Power Station
- Barking, Havering and Redbridge Hospitals NHS Trust
- Barnsley District General Hospital NHS Trust
- Barts and The London NHS Trust
- Basell Polyolefins UK Ltd
- Basf Plc, Seal Sands
- Basildon and Thurrock University Hospital
- Battle McCarthy
- Bayer Cropscience Ltd
- British Broadcasting Corporation
- BCL Leather
- BCT Ltd
- Beatson Clark Plc
- Belfast City Hospital
- Bentley Motors Limited
- BG Group
- BG International (CNS) Ltd
- BGE (UK) Ltd
- BHP Billiton Petroleum Ltd.
- Biffa Waste Services Ltd
- Billerud Beetham Ltd
- BIP Ltd

- Blackpool, Fylde and Wyre Hospitals NHS Trust
- Blockleys Brick Ltd
- Bloomsbury Heat and Power
- Blue Circle Industries Plc
- BMW (UK) Manufacturing Ltd
- British Nuclear Fuels Ltd
- BOC
- Bolton Hospitals NHS Trust
- Boots Group Plc
- Bovington Brickworks Ltd
- BP
- BP - Great Yarmouth Power Ltd
- BP Chemicals Ltd
- BP Chp (UK) Limited
- BP Emissions Trading
- BP Exploration Operating Company
- BP Oil Grangemouth Refinery Ltd
- BP Oil UK Ltd
- BPB Paperboard Ltd
- Better Regulation Executive
- Brick Business Ltd
- Bridgewater Paper Co Ltd
- Brintons Ltd
- Britannia Operator Limited (Bol)
- British Airways Plc
- British American Tobacco
- British Apparel and Textile Confederation
- British Beer and Pub Association
- British Cement Association
- British Ceramic Confederation
- British Chamber of Commerce
- British Coatings Federation

- British Egg Industry Council
- British Energy Generation (UK) Ltd
- British Energy Plc
- British Gas
- British Gas Power Generation
- British Glass Manufacturers Confederation
- British Gypsum Isover Ltd
- British Leather Confederation
- British Lime Association
- British Meat Federation
- British Meat Processing Association
- British Nuclear Fuels Plc
- British Poultry Meat Association
- British Printing Industry Federation
- British Rubber Manufacturers Association
- British Salt Ltd
- British Sugar Plc
- Bro Morgannwg NHS Trust
- Broadmoor Brickworks Limited
- Bronzeoak Ltd
- Brunel University
- BSI Management Systems
- Budweiser Stag Brewing Company Limited
- Burton Hospitals NHS Trust
- Buxton Lime Industries Ltd
- Bureau Veritas Certification
- Cadbury Trebor Bassett
- Caledonian Cheese Co Ltd
- CAMCO International
- Campbell's Groceries Products Ltd
- Canford Renewable Energy Ltd
- Canterbury Mills Ltd

- Caradale Brick Limited
- Carbon Management Group
- Carbon Registry Services
- CarbonVentures
- Cardiff and Vale NHS Trust
- Carlsberg-Tetley
- Carlton Main Brickworks Ltd
- Castle Cement
- Celsa Manufacturing (UK) Limited
- Celtech International Limited
- Centrax Gas Turbines
- Centrica
- Centrica Barry Limited
- Centrica Energy Operations Ltd
- Centrica Generation Ltd
- Centrica KL Ltd
- Centrica PB Ltd
- Centrica Rps Limited
- Centrica Storage Ltd.
- Cambridge Environmental Research Consultants
- Cereal Partners UK
- Cerestar - A Cargill Company
- Cerestar (UK) Ltd
- Charles Turner & Company Limited
- Charnwood Forest Brick Ltd
- Chartered Institute of Arbitrators
- Cheadle Brickworks
- Chemical Industries Association
- Chevrontexaco
- Chevrontexaco Alba Fsu
- Combined Heat and Power Association
- CIBA Specialty Chemicals Plc

- Cinergy Global Power (UK) Limited
- City Hospitals Sunderland NHS Trust
- Civil And Marine (Holdings) Ltd
- Civil And Marine Slag Cement Ltd
- Clean Air Capital
- Cleveland Nurseries
- Cleveland Potash Limited
- Climate Care
- Climate Change Capital
- CMS Cameron McKenna
- CNR International (UK) Limited
- CO2e
- Coalite Limited
- Cogen
- Cogent Power-Orb Electrical Steels Ltd.
- Coleford Brick and Tile
- Conduit Ventures Ltd
- Confederation of British Industry
- Confederation of British Metal Forming
- Confederation of Paper Industries
- Conocophillips UK Limited
- Consilience Energy Advisory Group Ltd
- Construction Products Association
- Coolkeeragh Esb Ltd.
- Cooper Tire and Rubber Company
- Co-operative Group Ltd
- Coors Brewers Limited
- Corby Power Limited
- Corning Limited
- Corporation of London
- Corus Construction & Industrial
- Corus Engineering Steels

- Corus Foundry
- Corus Group Plc
- Corus Packaging Plus - Trostre
- Corus UK Ltd
- Corus UK Ltd (Construction & Industrial)
- Coryton Energy Company
- Coventry & Solihull Waste Disposal Co Ltd
- Coventry University
- Countryside Agency
- Country Land and Business Association
- CP Kelco UK Limited
- Cradley Special Brick Company Ltd
- Craigavon Area Hospital Group Trust
- Crisp Malting Group Ltd
- Croda Chemicals Europe Ltd
- Croydon Energy Ltd
- Curtis Fine Papers Ltd
- Dairy Crest Group Plc
- Dairy Crest Ltd
- Dairy Crest Ltd Trading As Haverfordwest Cheese Ltd.
- Dairy Industry Association Limited
- Dalefarm Dairies Ltd
- Dalkia Utilities Services Plc
- Damhead Creek Limited
- Daniel Platt Limited
- Darley & Associates
- Dartford Paper Mill
- Davidstow Creamery
- Davy Roll Company
- De La Rue International Limited
- De Montfort University
- Deeside Power Development Co. Ltd

- Degussa Knottingley Limited
- Delarue International Ltd
- Deloitte
- Dennis Ruabon Tiles Ltd
- Denton Brickworks
- Derby Cogeneration Ltd
- Derwent Cogeneration Ltd
- Devenport Royal Dockyard Ltd
- Diageo Distilling Ltd.
- Diageo Distilling Scotland
- Diageo Plc
- DLA LLP
- DLA Piper
- DNO International ASA
- DNO Britain Ltd
- DNO Thistle Ltd
- DNV UK
- Doncaster and Bassetlaw Hospitals NHS Trust
- Dow Corning Ltd.
- Dragon Energy Waste
- Drax Power Ltd
- Dresdner Kleinwort Wasserstein
- Dsf Refractories & Minerals Ltd
- DSM Nutritional Products (UK) Ltd
- Du Pont
- Dunton Brothers Ltd
- Dyson Ceramic Systems Ltd
- Dyson Industries Ltd
- Dyson Precision Ceramics Ltd
- Dyson Refractories Ltd
- E.On UK Cogeneration Ltd
- E.P.Feast

- East Sussex Hospitals NHS Trust
- Eastham Refinery Limited
- ECC Public Affairs
- Export Credits Guarantee Department
- Ecofys
- Ecosecurities
- EDF Energy Limited
- EDF Trading
- Edinburgh University
- Edison Mission Services Limited
- EDL Operations (Rainham) Ltd
- Edward Thompson Group
- El Paso
- Eldon Brickworks
- Elementis Chromium Plc
- Elementis UK Limited
- Elyo Ltd,
- Encana (U.K.) Limited
- Energy Power Resources (Scotland) Limited
- Enfield Energy Centre Limited
- English Nature
- ENI UK Limited
- Enterprise Oil Plc11
- Envest Ltd
- Envirocapital
- Enviroenergy Ltd
- Environ
- Environment Agency
- Environmental Finance Publications
- Environmental Resources Management Ltd
- Environmental Services Association
- Environmental Trading Group

- Enviro Consulting
- EPR Ltd
- EPR Scotland Ltd
- Epsom and St.Helier University Hospitals NHS Trust
- Equity Partnership Investment Co
- Errol Brick Company Ltd
- Escol Products Ltd
- ESD Ltd
- Esso Petroleum Co Ltd
- Energy Services and Technology Association
- Eternit Clay Tiles Limited
- Eurisol
- European Climate Exchange
- European Commission
- European Vinyls Corporation (UK) Ltd
- Evolution Markets
- Exeter Power Ltd
- Exxon Mobil
- Exxonmobil Chemical Ltd
- FaberMaunsell
- Fats And Proteins Ltd
- Federation of Small Businesses
- Fellside Heat And Power Ltd
- Fibrogen Ltd
- Fibropower Ltd
- Fibrothetford Ltd
- Fife Power
- Filtronic Plc
- Flexsys Rubber Chemicals Ltd
- Food and Drink Federation
- Ford Motor Company
- Foreign and Commonwealth Office

- Fortum O&M (UK) Ltd
- Forum of Private Business
- Foseco (FS) Ltd
- Freshfield Lane Brickworks
- Friends Of The Earth
- Furness Brick & Tile Co Ltd
- Future Energy Solutions
- Future Forests
- Future Perfect
- Galileo Brick Ltd
- Gallaher Ltd.
- Garden Isle Frozen Foods Ltd
- Gaz de France Marketing Ltd
- GE Contractual Services
- GE Plastics Abs Ltd
- GE Power Systems Ltd
- Georgia Pacific UK Ltd
- Penson GHCO
- Gin and Vodka Association
- GKN PLC
- Glanbia Cheese Ltdmagheralin
- Glanbia Foods Ltd
- Glaxo Operations UK Ltd
- Glaxo Wellcome
- Glaxosmithkline Services Unlimited
- Glenfarm Holdings
- Global Insight
- Gloucestershire Hospitals NHS Trust
- Goodyear Dunlop U.K.
- Government Office for the East of England
- Government Office for the East Midlands
- Government Office for London

- Government Office for the North East
- Government Office for the North West
- Government Office for the South East
- Government Office for the South West
- Government Office for the West Midlands
- Government Office for the Yorkshire and Humber
- Gower Street Heat and Power
- Grangemouth Chp Ltd
- Granox Ltd
- Great Ormond Street Hospital For Children NHS Trust
- Green Climate Capital
- Greencore Malting Group
- Greene King Brewing Company Ltd
- Greenenergy
- Greenpeace
- Grillo Zincoxide (UK) Limited
- Guardian Industries UK Ltd
- Gugen Consulting
- Guy's and St Thomas' Hospital NHS Trust
- Gwent Healthcare NHS Trust
- Gypsum Products Development Association
- H & R Johnson Tiles Limited
- H J Heinz Company Limited
- H L Foods Ltd
- Halcrow
- Hammersmith Hospitals NHS Trust
- Hammill Brick Ltd
- Hammonds
- Hanson Brick Limited
- Hanson Building Management Ltd
- Hanson Building Products Ltd
- Hanson Quarry Products Europe

- Heartlands Power Ltd
- Henry Cooke Ltd
- Hepworth Building Products Ltd
- Herriot-Watt University
- Hexcel Composites Ltd
- Highland Health Board
- Hinton Perry And Davenhill Ltd
- HM Customs & Excise
- HM Prison Service
- Hollingsworth & Vose Co Ltd
- Honda (UK) Manufacturing
- Horton Kirby Paper Mills Ltd
- Howich Castings Ltd
- Howmet Ltd. Exeter Casting
- Huhtamaki (Lurgan) Ltd
- Hull & East Yorkshire Hospitals NHS Trust
- Humber Growers Ltd.
- Humber Power Ltd
- Hungarian Embassy
- Huntsman Petrochemicals (UK) Limited
- Huntsman Surface Sciences UK Limited
- Huntsman Tioxide
- Hyder
- Hydro Polymers Ltd
- Hydrocarbon Resources Limited
- IBC Vehicles Ltd
- Ibstock Brick Ltd.
- Ibstock Hathernware Brick Ltd.
- ICECAP Ltd
- ICF Consulting
- ICIS Technology
- Iggesund Paperboard Ltd

- Imerys Minerals Ltd
- Immingham Chp Llp
- Impax Capital
- Imperial College London
- Imperial Tobacco Ltd
- Industrial Catalytic Engineering (UK) Ltd
- Inenco
- Ineos Chlor Limited
- Ineos Fluor Limited
- Ineos Silicas
- Innogy
- Innogy Cogen Ltd
- Innogy Cogen Trading Ltd
- Innogy One
- Innogy.Plc
- Innovia Films
- Institute of Directors
- Institution of Electrical Engineers Ltd
- Interbrew UK Ltd
- Interconnector (UK) Ltd
- Intergen (UK) Ltd
- International Paper (UK) Ltd
- International Petroleum Exchange
- International Power
- International Rectifier Newport
- International Specialty Products
- Interserve (Facilities Management) Ltd
- Intertissue Ltd
- Inveresk Plc
- Investec Bank (UK) Ltd
- Invista (U.K.) Ltd
- IPA UK

- Isis Associates
- Isle of Wight Healthcare NHS Trust
- ISP Algenates (UK) Ltd
- ISS Mediclean Ltd
- IT Power
- J.R Crompton Ltd
- Jaguar Cars Ltd
- James Cropper Plc
- James Kent (Ceramic Materials) Ltd
- Jan Bezemer & Sons Ltd.
- JG Pears (Newark) Ltd
- John Hall Associates
- John Hargreaves (C&S) Limited
- John Radcliffe Hospital
- John Roberts Holdings Ltd
- Johnson Matthey Plc
- JP Morgan
- K Legal
- Kappa Ssk Ltd
- Keele University
- Kellogg Company Of Great Britain Ltd
- Kemira Growhow UK Limited
- Kerr-McGee North Sea (UK) Ltd
- Kerry Bio Science
- Keymer Tiles Ltd
- Killingholme Power Limited
- Kimberly Clark Ltd
- King's College Hospital NHS Trust
- Kirklees Metropolitan Council
- Knauf Insulation
- Knauf UK Gmbh
- Kodak Ltd

- KP Teesside
- KPMG Global Sustainability Services
- Kraft Foods
- Kronospan Ltd
- Kruger Inc
- Kruger Tissue (Manufacturing) Ltd
- L.G.Philips Displays Simonstone
- Lafarge Cement UK
- Lafarge Lime Limited
- Lafarge Plasterboard Ltd
- Lafarge Roofing Limited
- Lakeland Dairies
- Lanarkshire Acute Hospital NHS Trust
- Land Rover
- Land Securities
- Leeds Teaching Hospitals NHS Trust
- Lend Lease
- Less Carbon Ltd
- Lever Faberge
- Lhoist UK Limited
- Linden Consulting
- Lindsey Oil Refinery
- Lisburn Proteins Ltd
- Local Government Association
- LogicaCMG
- Loughborough University
- Lovells UK
- LPC Group Ltd
- LRQA UK
- Lubrizol Ltd.
- Lundin Britain Ltd
- Magnox Electric Plc

- Maltsters Association of Great Britain
- Manchester Airport Plc
- Manchester City Council
- Manchester Metropolitan University
- Marathon Oil U.K Ltd
- Marks & Spencer
- Marsh
- Marshalls Clay Products Ltd.
- Martineau Johnson
- Masterfoods
- Maydown Site
- McCain Foods (Gb) Ltd
- McKinnon & Clarke
- McLellan
- McVites
- Mead Westvaco UK Ltd
- Meadow Foods Ltd.
- Medway NHS Trust
- Medway Power Station
- Merrill Lynch
- Metal Packaging Manufacturers Association
- MG Rover Group Ltd
- Michelin Tyre Plc
- Michelmersh Brick & Tile Co. Ltd
- Mid Cheshire Hospitals NHS Trust
- Mill Link Processing
- Mill Nurseries Ltd.
- Minesco
- Ministry of Defence
- Minteq UK Ltd
- Mirador Consulting Ltd
- Mitsubishi Corp (UK)

- Mitsui Babcock Energy Limited
- Mobil North Sea Limited
- Monckton Coke And Chemical Co Limited
- Mondi Paper UK Ltd
- Montague Evans
- Morecambe Bay Hospitals NHS Trust
- Motorola Ltd
- Mott MacDonald
- Moy Park Ltd
- M-Real New Thames Ltd
- M-Real Sittingbourne Ltd
- Muntons Malt
- Muntons Plc
- MWE Consult Ltd
- Nabarro Nathanson
- National Air Traffic Services
- National Association of Master Bakers
- National Farmers Union
- National Grid Transco
- National Microelectronics Institute
- Natsource
- Natsource Tullett Europe Ltd
- Natural History Museum
- Naylor Clayware
- Naylor Drainage
- Nct Leather Ltd & Bridge Of Weir Leather Ltdco. Contact; (Mr Jim Blain) & (Mr David Bird)
- Nedalo (UK) Ltd
- NEL Power
- Nestlé Purina Petcare Ltd.
- Nestlé Rowntree,
- Nestlé UK Ltd

- Newell Limited
- Nexfor
- NHS Ayrshire & Arran
- NHS Forth Valley
- NHS Grampian
- NHS Lothian
- Nippon Electric Glass (UK) Ltd
- Nissan Motor Manufacturing UK Ltd
- Nobel Enterprises
- Non-ferrous Alliance
- Norbord
- Normanton Brick Co Ltd
- North British Distillery Company Limited
- North Energy Associates
- North Glasgow University Hospitals NHS Trust
- North Middlesex University NHS Trust
- North Sea Production Limited
- North Staffordshire Hospital NHS Trust
- North West London Hospitals NHS Trust
- Northcot Brick Ltd
- Northern Clubs Federation Brewery Ltd
- Northumbrian Water
- Norton Rose
- Norvartis Grimsby Ltd
- Novera Energy Europe Ltd
- NRG Control Ltd
- NTG Papermill Ltd
- Nuclear Industry Assoc.
- Nynas UK Ab
- Ockley Brickworks
- Omni-Pac UK Ltd
- Open University

- Outokumpu Stainless Ltd
- Oxford Energy Associates
- P Garnett & Son Ltd
- P. Garnett And Son
- Packaging & Industrial Films Association
- Paladin Resources Plc
- Paper Federation
- Paperemarc Ltd
- Parkinson-Spencer Refractories (Psr)
- Parsons Brinckerhoff
- PDM Group Ltd
- Perenco UK Limited
- Peter Grant Papers Ltd
- Petrochem Carless Ltd
- Petroplus Refining Teeside Ltd
- Peugeot Citroen Automobiles Ltd.Ryton Plant.
- Pfizer Ltd.
- PGS Production - Banff
- Phoenix Brick Company Ltd
- Pilkington Special Glass Ltd
- Pilkington United Kingdom Ltd
- Plasmor Limited
- Plymouth Hospitals NHS Trust
- Point Carbon
- Polimeri Europa UK Ltd
- Polymerlatex Limited
- Poole Hospital NHS Trust
- Portsmouth Hospitals NHS Trust
- Powergen Chp Ltd
- Powergen Cogeneration Ltd
- Powergen UK Plc
- PPG Industries (UK) Ltd

- Premier Ambient Products (UK) Ltd
- Premier Foods
- Premier Power Ltd
- Preston Board And Packaging Ltd
- PriceWaterhouseCoopers
- Pritchitts
- Procter & Gamble Product Supply (UK) Ltd
- Promat UK
- Public Affairs Company
- PXLimited
- PZ Cussons (UK) Ltd
- Quantum
- Quantum Clothing Group Ltd
- Quest International, Menstrie Site
- Quinn Glass
- R Bolam
- R.F.Brookes
- Raeburn Brick Ltd
- RCR International
- Red Bank Manufacturing Co Ltd
- Regional Power Power Stations Ltd
- Renewable Power Association
- Reprotech Waste Pellet Manufacturing
- Resource Eleven
- Retford Wallcoverings Ltd
- Rexam Glass Barnsley Ltd
- Rhi Refractories UK Limited
- Rhodia Consumer Specialties Limited
- Rhodia Organique Fine Limited
- Rhodia Pharma Solutions Ltd
- Rigid Paper Ltd
- Robinson Brothers Ltd

- Robinsons Soft Drinks Unilever Best Foods Ltd
- Roche Vitamins (UK) Ltd
- Rocksavage Power Company Ltd
- Rockware Glass
- Rockwood Additives Limited.
- Rohm And Haas (Scotland) Ltd.,
- Rolls-Royce Plc
- Roquette UK Limited
- Rothschild
- Roxel (UK Rocket Motors) Ltd
- Royal Air Force
- Royal Bournemouth Hospital
- Royal Cornwall Hospitals NHS Trust
- Royal Devon and Exeter Healthcare NHS Trust
- Royal Group of Hospitals
- Royal Ordnance Plc
- Royal Wolverhampton Hospitals NHS Trust
- Rural Payments Agency
- Royal Society for the Protection of Birds
- Responding to Climate Change
- Rugby Ltd.
- Rugeley Power Limited
- RWE Innogy
- RWE Npower Plc
- RWE Solutions
- S&A Produce Ltd
- Saint-Gobain Glass UK Ltd
- Saint-Gobain Industrial Ceramics Ltd.
- Salford Royal Hospitals NHS Trust
- Salisbury Health Care NHS Trust
- Saltend Cogeneration Company Limited
- Sandown Brickworks

- Sandtoft Roof Tiles Limited
- Sandwell and West Birmingham Hospitals NHS Trust
- Sappi (UK) Ltd
- Sappi Fine Papers Europe
- SCA Hygiene Products Ltd
- SCA Packaging Ltd
- ScandStick (UK) Ltd
- Schenectady Europe Ltd
- Scotch Whisky Association
- Scottish & Newcastle Plc
- Scottish And Southern Energy Generation Ltd
- Scottish And Southern Energy Group
- Scottish And Southern Energy Plc
- Scottish Courage
- Scottishpower Energy Trading Ltd
- Scottishpower Generation Ltd
- Seabank Power Limited
- Seaboard Powerlink
- Seagoe Technologies Limited
- Selborne Tile & Brick Ltd
- Sembcorp Utilities Teesside Limited
- Sensient Flavors Limited
- Scottish Environment Protection Agency
- Severn Trent Water Ltd
- SGS Group
- Shanks Waste Services Ltd
- Sheffield Forgemasters Engineering Limited
- Sheffield Teaching Hospitals NHS Trust
- Shell Trading
- Shell U.K. Exploration And Production
- Shell U.K. Oil Products Limited
- Shell UK Ltd

- Shoreham Operations Company Limited
- Shotton Chp Ltd.
- Siemens
- Simpsons Malt Ltd
- Singleton Birch Limited
- Sintec Keramik (UK) Ltd
- Slag Grinders Sector Ltd
- SLI Glass
- Slough Heat And Power
- Slough Utility Services Ltd
- Small Business Council
- Small Business Service
- Smartest Energy
- Smeed Dean Brickworks
- Smith & Nephew
- Smith Anderson & Co Ltd
- Smurfit(UK) Ltd
- SMW Ltd.
- Society of British Aerospace Companies Ltd
- Society of Motor Manufacturers and Traders Ltd
- Solutia UK Limited
- Solvay Interlox Limited
- Sonae UK Ltd
- Sonoco Board Mills Ltd
- Sonoco Cores & Paper Ltd
- Sony UK
- South Coast Power Ltd
- South Devon Healthcare NHS Trust
- South Manchester University Hospitals NHS Trust
- South Tees Hospitals NHS Trust
- Southampton Geothermal Heating Company Limited
- Southampton University Hospitals NHS Trust

- Spalding Energy Company Ltd
- Spanboard Products Ltd, Coleraine
- Specialty Minerals - Lifford
- Scottish and Southern Electricity
- St. Regis Paper Co. Ltd
- Stallingborough Chp
- Star Brewery
- Star Energy
- STC Carbon Services
- Steer Point Brickworks
- Stockport NHS Trust
- Stolze Flaconnage Limited
- Storeys Industrial Products Ltd
- Strata Gas Plc
- Strathclyde Distillery
- Summerleaze Ltd
- Summerleaze Re-Generation Ltd
- Summit Healthcare (Wishaw) Ltd
- Sun Coke Company
- Sundeala Ltd
- Superglass Insulation Ltd
- Surface Engineering Association
- Surface Specialties Plc
- Sustainable Energy Authority
- Swansea NHS Trust
- Swarland Brick Co Ltd
- Swindon Pressings Ltd
- Syngenta Limited
- Talbott's Ltd UK
- Talisman Energy UK Limited
- Tangmere Airfield Nurseries Limited
- Target 2010

- Tarmac Central Ltd
- Tate & Lyle Citric Acid
- Tate & Lyle Europe
- Tennent Caledonian Breweries
- Terra Nitrogen (UK) Ltd
- Texaco Limited
- TG Power Ltd
- Thames Power Services Limited
- Thames Water Utilities Ltd
- Thamesteel Limited
- Thermal Ceramics U.K. Ltd
- Timet UK Limited
- Tmc Dairies (N.I.) Ltd
- Todhills Brickworks
- Total E&P UK Plc
- Total Milford Haven Refining
- Tower Colliery Ltd
- Toyota Motor Manufacturing (UK) Ltd
- Trade Partners UK
- Transco Lng Storage
- Transco Plc
- Troon Investments Ltd
- Trucost Plc
- Ts41 (Power Resources 1)
- Ts41 (Power Resources 3) Limited
- Tullis Russell Papermakers Ltd
- Tullow Oil Plc
- Tuscan Energy (Scotland) Ltd
- Tyrone Brick
- UCB Films Plc
- UCB Group
- UEA Utilities Ltd

- UK Coal Mining Limited
- UK Coal
- UK Offshore Operators Association
- UK Renderers Association
- UK Steel Association
- UKASTA
- UK BCSE
- UK Petroleum Industries Association
- Ulster Farm Byproducts
- Unilever Bestfoods (UK) Ltd
- Unilever Ice Cream And Frozen Food Ltd
- United Biscuits UK
- United Bristol Healthcare NHS Trust
- United Glass Limited
- United Lincolnshire Hospitals NHS Trust
- United Milk Plc
- United Utilities Water Plc
- University Estates Management
- University Hospital Birmingham NHS Trust
- University Hospital of North Staffordshire NHS Trust
- University Hospitals of Leicester NHS Trust
- University of Aberdeen
- University of Bath
- University of Birmingham
- University of Bristol
- University of Cambridge
- University of Essex
- University of Glasgow
- University of Leicester
- University of Liverpool
- University of Manchester
- University of Manchester Institute of Science and Technology (Umist )

- University of Newcastle
- University of Nottingham
- University of Oxford
- University of Reading
- University of St Andrews
- University of Strathclyde
- University of Surrey
- University of Sussex
- University of The West of England
- University of Ulster
- University of Warwick
- University of York
- Upm-Kymmene (UK) Ltd
- URS Corporation
- Uskmouth Power Company Ltd
- Vauxhall Motors Ltd
- Vehicle Builders & Repairs Association
- Vernacare
- Vernacare Ltd
- Vesuvius UK Ltd
- Viking Power Ltd
- Viridor Waste Management Ltd
- Visteon UK Ltd
- Voridian Polymer Ltd And Voridian England Ltd
- Vulcan Refractories
- W.H. Collier Brickworks
- Wallcovering Manufacturers Association
- Warnham Brickworks
- Warwick Energy Ltd
- Warwick International Ltd
- Wealden Brickworks
- Webster Hemming and Sons Ltd

- Wedlake Bell
- Weetabix Ltd
- Wessex Water Services Ltd
- Westbury Dairies Ltd
- Western Board
- Whatman International Ltd
- White & Case
- Whiteley Ltd
- Whyte And Mackay Limited
- William Forrest & Sons (Paisley) Ltd
- William Grant & Sons Distillers Ltd
- Wilton Site
- Wine & Spirit Association
- Wood Panel Industries Association
- Wragge & Co LLP
- World Wildlife Fund
- York Handmade Brick Co. Ltd.
- York Hospitals NHS Trust
- Young and Co Brewery Plc







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