THE UK GREENHOUSE GAS EMISSIONS TRADING (AMENDMENT) SCHEME 2005

The Secretary of State in exercise of the powers conferred on her by rule G1 of the UK Greenhouse Gas Emissions Trading Scheme 2002 makes the following scheme:

Citation and Commencement

1. This scheme may be cited as the UK Greenhouse Gas Emissions Trading (Amendment) Scheme 2005 and shall come into force on 11th March 2005.

Amendment of the UK Greenhouse Gas Emissions Trading Scheme 2002

2. The UK Greenhouse Gas Emissions Trading Scheme 2002 shall be amended in accordance with the following provision.

3. In rule D2—
   (a) by the insertion into paragraphs (5) and (11) of the words “and (17A)” after the words “paragraph (17)” and
   (b) by the insertion after paragraph (17) of the following paragraphs—
   
   “(17A) Notwithstanding paragraph (17), where on or after 31st March following the CCA reconciliation deadline—
   (a) an error has been identified in information supplied by a CCA participant or a sector association to the Secretary of State, and
   (b) the CCA participant or the sector association, as the case may be, has satisfied the Secretary of State that the error was innocently made,

   the Secretary of State may allow allowances which have been transferred into a relevant compliance account, to be included in a CCA reconciliation balance for the purposes of this rule.

   (17B) For the purposes of paragraph (17A), a CCA participant shall be deemed to have complied with paragraph (3) or (9) even if—
   (a) the information required under paragraph (3) or (9) is provided after the reconciliation deadline; or
   (b) the date specified as the earliest date under paragraph (3) or (9) on which any retirement may take place is later than the CCA reconciliation deadline.”

MADE ON BEHALF OF THE SECRETARY OF STATE FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS
8th March 2005

Chris Leigh
Head of National Climate Change Policy Division
(on behalf of the Secretary of State)