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## EXPLANATORY NOTE

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

These regulations amend the Environment (Northern Ireland) Order 2002 to allow the Department to provide by regulations for a Northern Ireland charging scheme for the cost of regulating the EU Emissions Trading Scheme.

Regulation 2 provides new paragraphs 9A and 24A to be inserted into Schedule 1 to the Environment (Northern Ireland) Order 2002. The purpose is to provide for the inclusion of fees and charges related to greenhouse gas emissions permits and operator registry costs in the list of purposes for which the Department is authorised to make a charging scheme. It also provides that the operator charges received by the enforcing authority are to be passed to the Environment Agency.

Regulation 3 amends Regulation 18(3) of the Greenhouse Gas Emissions Trading Scheme Regulations 2005 by the insertion of a new sub-paragraph to provide that the fees and charges set out in Schedule 5 to the Greenhouse Gas Emissions Trading Scheme Regulations 2005 may be superseded by a charging scheme made in respect of installations (other than offshore installations) situated in Northern Ireland, under Article 4 of the Environment (Northern Ireland) Order 2002.