
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Greenhouse Gas Emissions Trading Scheme Order 2020

PART 1

Preliminary

Aircraft operator: change in regulator

12.—(1) This paragraph applies where—

- (a) an aircraft operator (“A”) does not have a registered office or a place of residence in the United Kingdom;
- (b) “B” is the regulator of A; and
- (c) a different regulator (“C”) is satisfied that the highest percentage of aviation emissions of A in the 2023 and 2024 scheme years is attributable to flights departing from aerodromes situated in the area of C.

(2) Where paragraph (1) applies, on or before 30th June 2025, C must give notice to—

- (a) A;
- (b) B; and
- (c) the UK ETS authority,

that C is the regulator of A from the beginning of the 2026-2030 allocation period.

(3) A notice under paragraph (2) must be accompanied by evidence demonstrating that the highest percentage of aviation emissions of A in the 2023 and 2024 scheme years is attributable to flights departing from aerodromes situated in the area of C.

(4) In this article, “area” in relation to a regulator, means—

- (a) in respect of the Environment Agency, England;
- (b) in respect of the NRW, Wales;
- (c) in respect of the SEPA, Scotland;
- (d) in respect of the chief inspector, Northern Ireland.