

**2006 No. 1931**

**CLIMATE CHANGE LEVY**

**The Climate Change Agreements (Eligible Facilities)  
(Amendment) Regulations 2006**

<i>Made</i> - - - -	<i>14th July 2006</i>
<i>Laid before the House of Commons</i>	<i>19th July 2006</i>
<i>Coming into force</i> - -	<i>15th August 2006</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by paragraphs 50(3), 50(4) and 146(7) of Schedule 6 to the Finance Act 2000(a).

**Citation and commencement**

1. These Regulations may be cited as the Climate Change Agreements (Eligible Facilities) (Amendment) Regulations 2006 and shall come into force on 15th August 2006.

**Amendment of the Climate Change Agreements (Eligible Facilities) Regulations 2006**

2. For the Schedule to the Climate Change Agreements (Eligible Facilities) Regulations 2006(b) substitute—

“SCHEDULE

Regulation 2

**LIST OF RELEVANT PROCESSES AND ACTIVITIES**

1. At an installation or site where—
- (a) nitrogen, oxygen or argon is separated from air, and then compressed or liquefied; or
  - (b) nitrogen, oxygen and argon are separated from air, and then made into a compressed or liquefied mixture of at least two of the former:

separating the above substances from air using one or more of the following air separation technologies: cryogenic distillation, pressure swing adsorption, vacuum swing absorption or membrane separation, compressing and liquefying the separated substances, pumping them (in a compressed or liquefied form) from within the installation for further use within or outside the installation.

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(a) 2000 c. 17.  
(b) S.I. 2006/60.

2. At an installation or site where kaolinitic clay in combination with any of its accessory minerals is extracted and processed: blasting and crushing, dry mining or hydraulic mining, refining, blending, drying and packaging, classifying, hydrocloning, pumping, centrifuging, grinding, shredding, magnetic separating, bleaching, pressing, pugging, milling, micro-separating.

3. At an installation or site where calcium carbonate based minerals are processed for use as filler or whitener for paper, plastics, pharmaceuticals, ceramics, food, paint or other products: crushing, drying, milling, classifying, screening, packaging.

4. At an installation or site where pre-formed or manufactured metal components are heat-treated to facilitate their efficient formability or to enhance their service performance: all processes and activities involved in the heat treatment of pre-formed or manufactured metal components to facilitate their efficient formability or to enhance their service performance.

5. At an installation or site where (in controlled, environment-protected structures) horticultural crops are grown, harvested and receive primary preparation for market: planting, seeding, heating, lighting, ventilating, irrigating, fertilising, cooling, preparing and sterilising growing media, grading and conveying.

6. At an installation or site where textiles are manufactured: spinning, weaving, knitting, finishing but not printing or dyeing.

7. At an installation or site where plastic film is produced using extrusion to convert melted polymer into blown or cast film: all processes and activities involved in the production of plastic film using extrusion to convert melted polymer into blown or cast film.

8. At an installation or site where geosynthetic materials comprising at least one component made from a synthetic or natural polymer in the form of a sheet, strip or other three-dimensional structure are manufactured for use in geotechnical or civil engineering applications: all processes and activities involved in the manufacture of such materials.

9. At an installation or site where silica sand in combination with any associated minerals is extracted, processed and packaged: blasting, quarrying, crushing, classifying, milling, pumping, grinding, acid leaching, drying and packaging.

10. At an installation or site where potassium chloride is extracted, separated, and purified to produce potash and high-grade soluble potassium chloride: sub-surface mining of sylvinitic and other halite minerals, separating potassium chloride from those minerals and purifying it including crushing, grinding, froth flotation, drying, compacting, grading and, where relevant, recrystallising it from supersaturated brine.

11. At an installation or site where glass products or chemicals using glass as a base material are produced from raw materials, pre-formed glass or cullet for use as reflective additives in road markings or as toughened glass for the automotive market: partial melting, fusing, bending, toughening, cutting, grinding, etching, polishing (both mechanical and chemical), surface treating and drying.

12. At an installation (which must be a building where the predominant business activity is commercial temperature controlled storage or product freezing) or site upon which there is such an installation where—

- (a) products are cooled or frozen for the purposes of—
  - (i) storing them under controlled temperatures below ambient levels; or
  - (ii) producing ice; or
- (b) products are stored under controlled temperatures below ambient levels:

cooling and freezing products and all processes and activities involved in controlling

temperatures below ambient levels.”.

14th July 2006

*Ian Pearson*  
Minister of State  
Department for Environment Food and Rural Affairs

## **EXPLANATORY NOTE**

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

These Regulations replace the Schedule to the Climate Change Agreements (Eligible Facilities) Regulations 2006 (S.I. 2006/60) with a new one. This Schedule adds new descriptions of relevant processes and activities carried out at an installation or a site upon which there is an installation which are relevant for the purposes of determining whether such installation or site is to be taken to be a facility that is eligible for inclusion in a climate change agreement.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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