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## EXPLANATORY NOTE

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

These Regulations specify the document which is the approved national allocation plan for the second scheme phase (1st January 2008 to 31st December 2012) of the European Union's Greenhouse Gas Emissions Trading Scheme for the purposes of the Greenhouse Gas Emissions Trading Scheme Regulations 2005 (S.I. 2005/925).

These Regulations extend to the United Kingdom. The "EU Emissions Trading Scheme: Approved Phase II National Allocation Plan 2008-2012" is available from <http://www.defra.gov.uk/environment/climatechange/trading/eu/phase2/phase2nap.htm>.

Regulation 3 amends paragraph 3.4 in Part I of Schedule 1 to the 2005 Regulations with the effect that activities for the manufacture of ceramic products will only be an activity within the scope of the second and subsequent phases of the Greenhouse Gas Emissions Trading Scheme where more than 75 tonnes of products per day are fired in a kiln with a capacity of more than 4 cubic meters, and a setting density of more than 300 kilogrammes per cubic meter. There is a transitional provision in regulation 3(2).

A full regulatory impact assessment of the effect that the second scheme phase national allocation plan will have on the costs of business and the voluntary has been produced for the purpose of submitting the plan for approval to the European Commission, and is available at the same Defra website address set out above.