
STATUTORY INSTRUMENTS

2013 No. 505

**The Climate Change Agreements (Eligible Facilities)
(Miscellaneous Amendments) Regulations 2013**

Amendments to the Climate Change Agreements (Eligible Facilities) Regulations 2012

2.—(1) The 2012 Regulations are amended as follows.

(2) In regulation 2, after the definition of “the Act”, insert—

““the administrator” means the Environment Agency;”.

(3) In regulation 2, after the definition of “food”, insert—

““greenfield facility” means a facility which started to carry out the process by virtue of which it is a facility within the meaning of paragraph 50 of Schedule 6 to the Act during the 12 month period ending on the date the operator applies for the facility to be covered by an agreement;”.

(4) At the beginning of regulation 3(2), insert “Unless paragraph (3) or paragraph (4) applies,”.

(5) After regulation 3(2), insert—

“(3) This paragraph applies until 31st May 2014 if an operator has insufficient data on the supply or use of reckonable energy during the previous 12 month period to determine the intended supply or use of reckonable energy in the following 12 month period in accordance with paragraph (2).

(4) This paragraph applies in respect of a greenfield facility until the later of—

(a) 31st May 2014; or

(b) the day which is one year following the day on which the operator entered into an underlying agreement which covered the installation or site comprising the facility.

(5) If paragraph (3) or paragraph (4) applies, for the purposes of paragraph (1)(a), the administrator must make a reasonable estimation of the intended supply or use of reckonable energy in the following 12 month period.”.