

Annex – Transposition table

Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emissions allowances trading within the Community (OJ No L 275, 25.10.2003, p 32): the Directive was amended by European Parliament and Council Directives 2004/101/EC (OJ No L 338, 13.11.2004, p 18), 2008/101/EC (OJ No L 8, 13.1.2009, p 3) and 2009/29/EC (OJ No L 140 5.6.2009, p 63), and by Regulation (EC) No 219/2009 of the European Parliament and of the Council (OJ No L 87, 31.3.2009, p 109) and by Regulation No 421/2014 of the European Parliament and of the Council (OJ No L 129, 30.4.2014, p 1).

A consolidated version of the EU ETS Directive is available here <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2003L0087:20090625:en:PDF>

The majority of obligations under the EU ETS Directive were implemented by the 2012 Regulations, and a full transposition table was published with those Regulations
(http://www.legislation.gov.uk/ukxi/2012/3038/pdfs/ukxiem_20123038_en.pdf)

These Regulations make further provision in respect of small emitters under the EU ETS.

Article	Transposition
10a – Transitional Community-wide rules for harmonised free allocation	This Article is directly implemented by Decision 2011/278/EU and so in general does not need transposition. However, in order to give that Decision legal effect the 2012 Regulations include provisions, e.g. to ensure consistency between definitions (for example cessation of operations is referred to as cessation of regulated activities). These provisions have where relevant been replicated by provisions in the new Schedule 6A
27 – Exclusion of Small Emitters	This Article was largely implemented by Regulation 5 of, and Schedule 5 to, the 2012 Regulations. However, no provision was made at that time for the allocation of free allowances to operators moving back from the small emitter opt-out into the main EU ETS scheme. These Regulations make this provision in respect of such operators.