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STATUTORY INSTRUMENTS

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**2020 No. 1265**

**The Greenhouse Gas Emissions Trading Scheme Order 2020**

**PART 4**

**Aviation**

**Surrender of allowances by aircraft operators**

**34.**—(1) A person who is an aircraft operator in relation to a scheme year must surrender, on or before 30th April in the following year, an amount of allowances equal to its aviation emissions in that scheme year (expressed in tonnes).

(2) Where an aircraft operator's aviation emissions in a scheme year (the "non-compliance year") exceeds the allowances surrendered on or before 30th April in the following year, the aircraft operator's aviation emissions in the relevant scheme year must be treated as being increased by the difference.

(3) In paragraph (2), the relevant scheme year means—

- (a) the scheme year following the non-compliance year; or
- (b) if the failure to comply with paragraph (1) results from an error in the verified emissions report submitted by the aircraft operator, the scheme year in which the error is discovered.