

## SCHEDULE 6

### Permits

## PART 2

### Greenhouse gas emissions permits and hospital or small emitter permits

#### Transfer of permits: underreporting discovered after transfer

**10.**—(1) This paragraph applies where—

- (a) after the transfer of a greenhouse gas emissions permit under paragraph 9 takes effect, the regulator becomes aware, following a determination of reportable emissions under article 45, of an error in a report submitted for a scheme year by the transferring operator under the monitoring and reporting conditions of the permit; and
- (b) as a result of the error, the transferring operator failed to comply with the surrender condition of the permit in respect of the scheme year to which the error relates.

(2) The regulator must give notice to the transferring operator of the error as soon as reasonably practicable.

(3) The transferring operator must within 1 month of the notice effect a transfer to the new operator of allowances equal to the reportable emissions in respect of which, as a result of the error, the transferring operator failed to comply with the surrender condition of the permit.

(4) The new operator must surrender the allowances within 1 month after the transfer of the allowances.

(5) In sub-paragraph (1), the reference to the transfer of a greenhouse gas emissions permit under paragraph 9 includes a reference to an application for a transfer of a permit to which effect is given by a variation of the new operator's existing permit under [<sup>F1</sup>sub-paragraph (3A) or (5)] of that paragraph.

#### Textual Amendments

- F1** Words in [Sch. 6 para. 10\(5\)](#) substituted (7.2.2022) by [The Greenhouse Gas Emissions Trading Scheme \(Amendment\) Order 2021 \(S.I. 2021/1455\)](#), arts. 2, **24(8)**

#### Commencement Information

- I1** Sch. 6 para. 10 in force at 12.11.2020, see [art. 2\(1\)](#)

**Status:**

Point in time view as at 07/02/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the The Greenhouse Gas Emissions Trading Scheme Order 2020, Paragraph 10.