
STATUTORY INSTRUMENTS

2021 No. 1455

The Greenhouse Gas Emissions Trading
Scheme (Amendment) Order 2021

PART 2

Greenhouse Gas Emissions Trading Scheme Order 2020 amended

Article 34G amended (new entrants' reserve)

12.—(1) Article 34G is amended as follows.

(2) For paragraph (4) substitute—

“(4) Allowances must first be allocated in respect of sub-installations of installations in respect of which the historical activity level of the sub-installation has been determined, in chronological order of the date (and, where relevant, time)—

- (a) where the historical activity level was determined under Article 15 of the Free Allocation Regulation⁽¹⁾, of the approval by the UK ETS authority of the final annual number of allowances to be allocated in respect of the installation under paragraph 4 of Schedule 8A (free allocation for former hospital or small emitters and ultra-small emitters);
- (b) where the historical activity level was determined under Article 17(1) of the Free Allocation Regulation or Article 3a(2) of the Activity Level Changes Regulation⁽²⁾, on which the operator submitted sufficient information to enable the historical activity level of the sub-installation to be determined.”.

(1) EUR 2019/331, amended by [S.I. 2020/1557](#) and article 30 of this Order. (“Free Allocation Regulation” is defined in article 4(1) of [S.I. 2020/1265](#).)

(2) EUR 2019/1842, amended by [S.I. 2020/1557](#). (“Activity Level Changes Regulation” is defined in article 4(1) of [S.I. 2020/1265](#).)