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STATUTORY INSTRUMENTS

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**2021 No. 534**

**The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021**

**PART 4**

**Charging**

**Approval, publication and revision of charges**

**43.**—(1) A Regulator must publish a document (“charging scheme”) setting out the charges payable in accordance with article 42(1) or how they will be calculated.

(2) Before publishing a charging scheme, the Regulator must—

- (a) bring its proposals to the attention of the persons likely to be affected by them,
- (b) allow persons likely to be affected by the proposals to submit representations on, or objections to, them, and
- (c) specify the period within which representations or objections to the proposals may be made.

(3) A charging scheme cannot be published unless it has been approved—

- (a) in the case of proposals by the Environment Agency, by the Secretary of State<sup>[F1,]</sup>
- (b) in the case of proposals by SEPA, by the Scottish Ministers<sup>[F1,]</sup>
- (c) in the case of proposals by NRW, by the Welsh Ministers<sup>[F1,]</sup>
- (d) in the case of proposals by the chief inspector, by the Department of Agriculture, Environment and Rural Affairs<sup>(1)</sup>.

(4) Where a proposed charging scheme has been submitted for approval under paragraph (3), the appropriate national authority—

- (a) must consider any representations or objections made under paragraph (2)(b), and
- (b) may make such modifications to the proposal as it considers appropriate.

(5) If a Regulator proposes to revise a charging scheme in a material way, paragraphs (2) to (4) apply to the revised charging document.

(6) Paragraphs (2) to (5) do not apply to a charging scheme prepared and published by the Secretary of State.

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**Textual Amendments**

**F1** [Art. 43](#): comma substituted for semicolon (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, 4

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<sup>(1)</sup> The Department of Agriculture, Environment and Rural Affairs is the department for the Northern Ireland region.

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**Changes to legislation:** There are currently no known outstanding effects for the *The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021, Section 43. (See end of Document for details)*

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**Commencement Information**

**II** Art. 43 in force at 26.5.2021, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021, Section 43.