
STATUTORY INSTRUMENTS

2022 No. 1173

The Greenhouse Gas Emissions Trading
Scheme (Amendment) (No. 2) Order 2022

PART 4

Activity Level Changes Regulation amended

Article 6a amended (approval of changes by UK ETS authority)

27.—(1) Article 6a is amended as follows.

(2) In paragraph 1—

- (a) in point (a) omit the final “or”;
- (b) in point (b) for “Article 5 or 6” substitute “Article 5 or 6; or”;
- (c) after point (b) insert—

“(c) does not calculate an adjustment to free allocation in respect of a heat or fuel benchmark sub-installation for a scheme year by virtue of paragraph 1 or 2 of Article 6.”.

(3) In paragraph 2—

- (a) in point (a) after “paragraph 1” insert “(if any)”;
- (b) in point (b) after “paragraph 1” insert “(if any)”;
- (c) after point (b) insert—

“(c) where, in the case of a heat or fuel benchmark sub-installation, after consideration of the matters referred to in paragraph 1 or 2 of Article 6, the regulator either calculates an adjustment to free allocation in respect of the sub-installation or does not calculate an adjustment, the regulator’s assessment of those matters for consideration by the UK ETS authority under paragraph 3.”.

(4) In paragraph 3(a) after “preliminary annual number of allowances and final annual number of allowances” insert “, and any calculations in respect of a sub-installation referred to in paragraph 1(c),”.