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| Statutory Notice: Return of Allowances | competent authority logo |

The Greenhouse Gas Emissions Trading Scheme Regulations 2012 (SI 2012 No. 3038) (the Regulations)

# Notice to Return Allowances

**Permit reference:** «${(permitId)!}»

To: «${(account.legalEntityName)!}» **(the Operator),**

whose (Registered) office address is

«${(account.legalEntityLocation)!}»

which relates to the operation of (part of) the Installation(s) at

«${(account.siteName)!}»

«${(account.location)!}»

The , in exercise of its powers under Schedule 6 paragraph 11(2) of the Regulations, hereby gives you notice that you are required to return allowances which have been issued to you but to which you are not entitled.

The number of allowances to which you are not entitled, and the reason or reasons why you are not entitled to them, are specified in the Schedule to this Notice.

The allowances must be returned by the date specified in the Schedule (“the return date”) in accordance with the process specified in the Schedule.

Failure to return the allowances or to return them by the return date could lead to the imposition of a civil penalty.

|  |  |
| --- | --- |
| Signed | Date |
| signature | «${currentDate?date?string('dd MMMM yyyy'» |

«${signatory.fullName}»

Authorised to sign on behalf of the «${(competentAuthority.name)!}»

**About this notice**

If allowances have been issued to you when you are not entitled to them we are required by Schedule 6 paragraph 11 of the Greenhouse Gas Emissions Trading Scheme Regulations 2012 (S.I. 2012 No.3038) to instruct you to return allowances equal to those to which you were not entitled. You are required to comply with this instruction and may be liable to a civil penalty if you fail to do so.

You have a right of appeal if you are aggrieved by this notice. An appeal should be lodged within a period of 24 days beginning with the date of this notice.

Notice of any appeal including a statement of the grounds of appeal and any other required documents must be given in writing. A copy of the appeal should also be forwarded to the Scottish Environment Protection Agency. The bringing of an appeal will suspend the effect of the Notice until the appeal is finally determined or is withdrawn.

Appeals should be sent to:

**Scottish Government Directorate for Planning and Environmental Appeals,**

**4 The Courtyard,**

**Callendar Business Park,**

**Callendar Road,**

**Falkirk,**

**FK1 1XR**

**Tel: 0300 244 6668  
Email: DPEA@gov.scot**

Please refer to Schedule 11 of the Regulations for full details of the appeal process

Regulation 67 of the Regulations states that the civil penalty for failure to return the allowances or for failing to return them on time is £20,000 plus £1000 for each day that an operator fails to return allowances following the service of a penalty notice.

**SCHEDULE**

The number of allowances that you must return is:

«${(params.numberOfAllowancesToBeReturned»

The allowances must be returned by «${(params.dateToBeReturned)!}».

If you wish to authorise the Registry to return the allowances on your behalf you should email them at [etregistryhelp@environment-agency.gov.uk](mailto:etregistryhelp@environment-agency.gov.uk) and attach a copy of this Notice. The process will take approximately two weeks, so you should authorise the Registry as soon as possible to return the allowances. Alternatively, if you prefer to return the allowances to the Registry yourself, you should contact the Registry Helpdesk for instructions.