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«${currentDate?date?string('dd MMMM yyyy'»

«${(account.legalEntityName)!}»

«${params.toRecipient}»

FAO: «${(account.serviceContact)!}»

Dear Sir / Madam

**THE GREENHOUSE GAS EMISSIONS TRADING SCHEME ORDER (SI 2020/1265) (the Order)**

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

**Issue of variation notice to:** «${(account.name)!}»

«${competentAuthority.name}» has varied your permit in accordance with the Order. The Variation Notice and a consolidated permit are attached to this letter.

Amendments to the Order came into force on 31 December 2020.  As a result of these amendments, we have varied your greenhouse gas emissions permit to include the ‘free allocation conditions’, your approved monitoring methodology plan (MMP) (if relevant) and other consequential amendments as set out in the Variation Notice.

The free allocation conditions apply only to ‘FA installations’ as defined in the Order. They apply to you only if you have applied for a free allocation of allowances for the period 2021-2025 and only from the point at which the UK ETS authority publishes the allocation table for the 2021-2025 period that includes an entry for your installation.  The UK ETS authority is the Secretary of State, the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department acting jointly.

Please note that, if you have applied for a free allocation of allowances, even though the free allocation conditions do not yet apply, you are required to monitor your activity levels in accordance with the Free Allocation Regulation (FAR) and your approved MMP and modify your MMP in accordance with the FAR.  This is because the FAR (as amended by the Order) continues to apply in the UK and contains requirements which apply to all operators of installations that have applied for a free allocation.

The inclusion of the free allocation conditions and approved MMP (if relevant) in your permit does not necessarily mean that your application for a free allocation of allowances will be determined as valid by the UK ETS authority.  This decision will be made by the UK ETS authority as soon as possible in 2021.

The Variation Notice and consolidated permit include conditions with which you must comply.

If you require any clarification of the above, please do not hesitate to contact a member of the Emissions Trading Team either directly or by e-mail to «${competentAuthority.email}».

Yours faithfully



«${signatory.fullName}»

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| --- | --- |
| Variation Notice |  |

The Greenhouse Gas Emissions Trading Scheme Order 2020 (SI 2020/1265) (the Order)

# **Variation Notice**

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

«${competentAuthority.name}» in exercise of its powers under Schedule 6, paragraph 6 to the Order hereby varies the permit held by you

«${(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)!}»

to the extent set out in the Schedule to this Variation Notice, as incorporated into the attached consolidated permit.

The notice takes effect on 1 January 2021.

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

«${signatory.fullName}»

Authorised to sign on behalf of «${competentAuthority.name}»

**Appealing this Notice**

You have a right of appeal against this notice under Article 70 of the Order to the First-tier Tribunal. Written notice of the appeal must be submitted to the First-tier Tribunal at the address provided below no later than 28 calendar days after the service of this notice. The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 sets out the procedural rules relating to these appeals.

Hard copy: General Regulatory Chamber, HMCTS, PO Box 9300, Leicester, LE1 8DJ

or email: grc@justice.gov.uk

The notice of appeal must include:

* the name and address of the appellant;
* the name and address of the appellant’s representative (if any);
* an address where documents for the appellant may be sent or delivered;
* the name and address of any respondent;
* details of the decision to which the appeals relates;
* the result the appellant is seeking;
* the grounds on which the appellant relies; and
* a copy of any written record of that decision, and any statement of reasons for that decision that the appellant has or can reasonably obtain.

You may withdraw an appeal by notifying the First-tier Tribunal at the above address.

**SCHEDULE**

The permit is varied as set out in the table below:

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| **Item** | **Provisions varied** |
| 1 | Conditions 11 to 17 (the ‘free allocation conditions’) added to Part 2 of the permit. |
| 2 | Definitions of ‘Activity Level Changes Regulation’, ‘ceased operation’, ‘FA installation’, ‘Free Allocation Regulation’, ‘monitoring methodology plan’ and ‘sub-installation’ added to Part 3 of the permit. |
| 3 | Definitions of ‘Monitoring and Reporting Regulation‘, ‘surrender’ and ‘Verification Regulation’ substituted in Part 3 of the permit. |
| 4 | Changes in operation section of the monitoring plan deleted. |
| 5 | A monitoring methodology plan (if such a plan has been approved in relation to your installation under Article 8 of the Free Allocation Regulation) added as Appendix 2 to the permit. |

The variations are incorporated into a consolidated version of the permit attached to this notice.