Draft Regulations laid before Parliament under paragraph 146(3) of Schedule 6 to the Finance Act 2000, for approval by resolution of the House of Commons.

DRAFT STATUTORY INSTRUMENTS

2001 No.

CLIMATE CHANGE LEVY

The Climate Change Agreements (Energy-intensive Installations) Regulations 2001

Made - - - - 2001

Coming into force in accordance with regulation 1

The Treasury, in exercise of the powers conferred upon them by paragraph 52 of Schedule 6 to the Finance Act 2000(**1**) hereby make the following Regulations, a draft of which has, in accordance with paragraph 146(3) of that Schedule, been laid before Parliament and approved by a resolution of the House of Commons:

Citation and commencement

1. These Regulations may be cited as the Climate Change Agreements (Energy-intensive Installations) Regulations 2001 and shall come into force on the day after the day on which they are made.

Amendment of paragraph 51 of Schedule 6 to the Finance Act 2000

2.—(1) Paragraph 51 of Schedule 6 to the Finance Act 2000 (Energy-intensive installations) has effect subject to the following amendments.

(2) For sub-paragraph (2) substitute—

"(2) Sub-paragraph (2A) applies where—

(a) an installation falls within any one or more of those descriptions, and

(b) there is, on the same site as the installation, a location at which ancillary activities are carried out.

(2A) The installation (taken alone) is not covered by this paragraph, but the combination —

(a) of the installation and that location, or

(**1**) 2000 c. 17.

(b) where there is more than one such location, of the installation and all of those locations, is to be taken as being an installation covered by this paragraph.

(2B) In sub-paragraph (2) "ancillary activities" means activities that—

(a) are directly associated with any of the primary activities carried out in the installation,

(b) have a technical connection with those primary activities, and

(c) could have an effect on environmental pollution."

(3) In sub-paragraph (3), for "sub-paragraphs (1) and (2)" substitute "sub-paragraphs (1) to (2B)".

(4) Omit sub-paragraphs (4) and (5).

(5) In sub-paragraph (6), for "sub-paragraph (4)" substitute "sub-paragraph (2B)".

(6) In the Table, for entries 1 to 33 (and the italic cross-headings) there is substituted—

"Installations regulated under the Pollution Prevention and Control (England and Wales) Regulations 2000 (S.I.2000/1973)

1. Part A installations.

Installations that would be so regulated but for a threshold or exception

2. Installations that would be Part A installations but for—

(a) a relevant numeric threshold, or

(b) a relevant exception.

Installations that would be so regulated if certain modifications were made to the Regulations

3. Installations that would be Part A installations if the relevant modifications were made.

Corresponding installations in Scotland and Northern Ireland

4. Installations that are situated in Scotland or Northern Ireland, but if situated in England and Wales—

(a) would be Part A installations,

(b) would be Part A installations but for—

(i) a relevant numeric threshold, or

(ii) a relevant exception, or

(c) would be Part A installations if the relevant modifications were made.

Interpretation of entries 1 to 4

5.—(1) In this entry "the Schedule" means Schedule 1 to the Pollution Prevention and Control (England and Wales) Regulations 2000(**2**).

(2) In entries 1 to 4—

(a) "Part A installation" has the meaning given in Part 3 of the Schedule;

(b) "relevant exception" means—

(**2**) S.I. 2000/1973, relevant amendments were made by S.I. 2001/503.