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Climate Change Act 2008

The Greenhouse Gas Emissions Trading Scheme Order 2020

The Greenhouse Gas Emissions Trading Fees and Charges (Scotland) Amendment Scheme 2024

We have powers to make charging schemes to cover greenhouse gas emissions trading. These powers are contained in the Greenhouse Gas Emissions Trading Scheme Order 2020 (the Order), laid under the Climate Change Act 2008.

We have obtained the approval of the Scottish Ministers and so we make the following scheme of fees and charges.

## 1 Citation, Extent, Commencement and Revocation

1.1 This charging scheme amendment shall

1.1.1 be referred to as The Greenhouse Gas Emissions Trading Fees And Charges (Scotland) Scheme Amendment 2024,

1.1.2 shall apply to Scotland only,

1.1.3 shall come into force on 1 April 2024, and

1.1.4 remain in force until revoked.

## 2 Amendment to the Greenhouse Gas Emissions Trading Scheme Order 2020

2.1 The Greenhouse Gas Emissions Trading Scheme Order 2020 is amended as follows:

2.1.1 Replace:

“We have powers to make charging schemes to cover greenhouse gas emissions trading.

These powers are contained in the Greenhouse Gas Emissions Trading Scheme Order 2020 (the Order), laid under the Climate Change Act 2008.”

With:

The Scottish Environment Protection Agency in exercise of its powers under Part 5 of the Greenhouse Gas Emissions Trading Scheme Order 2020, Part 4 of the Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021, and section 41 and 41A of the Environment Act 1995, and with the approval of the Scottish Ministers, makes the following Charging Scheme.

2.1.2 After paragraph 2.1(l) insert:

 (m) “the ANO” means the Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021

2.1.3 After paragraph 16 insert:

## 17 Charges for recovering costs under the ANO

17.1 Charges shall be payable to us in respect of the following:

17.1.1 An application charge of £2,409 shall accompany an application to approve an emissions monitoring plan made under Article 23 of the ANO.

17.1.2 An application charge of £1,320 shall accompany an application for approval of a resubmitted emissions monitoring plan under article 26 of the ANO.

17.1.3 For maintaining as an aeroplane operator administered by the United Kingdom under the ANO for a year (“the relevant year”) a fixed subsistence charge calculated by reference to the following table:

| **Where the estimated annual aviation emissions are** | **Fee** |
| --- | --- |
| less than 50kt per year | £2,280 |
| at least 50kt and no more than 500kt per year | £3,059 |
| more than 500kt per year | £3,335 |

17.1.4 Where an emissions monitoring plan is approved part way through a relevant year the variable part of the subsistence charge will be calculated on a pro-rata basis for the period beginning on the day after the plan is approved up to the end of the year.

17.1.5 Part of the subsistence charge is a variable charge which depends upon the length of time you have had an emissions monitoring plan in place during a particular compliance year. The variable charges for the year are as follows:

| **Where the estimated annual aviation emissions are**  | **Fee** |
| --- | --- |
| less than 50kt per year | £755.84 |
| at least 50kt and no more than 500kt per year | £995.79 |
| more than 500kt per year | £1,223.74 |

17.1.6 The hourly rate charge under section 12 shall be used in relation to time spent by us in:

(a) estimating emissions under article 37(6) of the ANO

(b) where a suitable category has not been identified in the scheme.

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