

## DRAFT

# Greenhouse Gas Emissions Trading (Scotland) Charging Scheme 2025 Amendment (No 1) 2026

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 amendment to the Greenhouse Gas Emissions Trading (Scotland) Charging Scheme 2025.

## 1 Citation, Extent and Commencement

This charging scheme amendment shall:

- 1.1 be referred to as the Greenhouse Gas Emissions Trading (Scotland) Charging Scheme 2025 Amendment (No 1) 2026;
- 1.2 apply only to Scotland;
- 1.3 come into force on [**1 July 2026**]; and

1.4 remain in force until revoked.

## 2 Amendment to the Greenhouse Gas Emissions Trading (Scotland) Charging Scheme 2025

1.5 The Greenhouse Gas Emissions Trading (Scotland) Charging Scheme 2025 is amended in accordance with this paragraph.

1.5.1 In paragraph 2(1) (Interpretation):

- (a) in paragraph 2.1.4 delete the words “reportable” and “aircraft” and replace the words “emissions monitoring plan” with the word “permit”;
- (b) in paragraph 2.1.12 insert the words “, the maritime operator” between the words “the aeroplane operator” and “the party”.

1.5.2 Insert a new heading “**Charges for installations**” before paragraph 4 (Permit application charge).

1.5.3 In paragraph 5, Tables 2 and 3 (Subsistence charge), remove the word “reportable” between the words “estimated annual” and “emissions”.

1.5.4 Insert a new sub-heading “**Subsistence charges**” before paragraph 10.3 (Charges for aircraft operators).

1.5.5 After paragraph 10 (Charges for aircraft operators), insert the following

“**Charges for maritime operators**

10A.1 The charge for an application for an emissions monitoring plan under paragraph [7] of [Schedule 2A] of the Order is [£2,833].

- 10A.2 The charge for an application to vary an emissions monitoring plan solely to include a new ship under paragraph [7] of [Schedule 2A] of the Order is [£1,356].
- 10A.3 The charge for an application to vary an emissions monitoring plan (other than under paragraph 10A.2 above) under paragraph [9(4)] of [Schedule 2A] of the Order is [£1,356].
- 10A.4 The charge where SEPA serves a notice on the maritime operator to submit a revised emissions monitoring plan under paragraph [9(1)] of [Schedule 2A] of the Order is [£1,356].
- 10A.5 The subsistence charge for a maritime operator is [£2,932], in respect of a relevant year during which a person is a maritime operator.

#### **Pro rata subsistence charges**

- 10A.6 Where an emissions monitoring plan is approved part way through the year the annual subsistence charge will be calculated on a pro-rata basis for the remaining period up to the end of the year.
- 10A.7 If you permanently cease to be a maritime operator part way through a relevant year, your subsistence charge will be calculated pro-rata for the number of days you were a maritime operator, up to and including the day you completed all obligations under the Order.”

#### **1.5.6 In paragraph 12 (Hourly rate):**

- (a) in paragraph 12.1.3(g) “19a” shall be replaced with “18a”
- (b) after paragraph 12.1.3(k), insert the following:

“12.1.4 making a determination of maritime emissions or emissions figure for surrender by the regulator under [article 45A] of the Order.

1.5.7 In paragraph 14 (Liability to pay charges):

- (a) in paragraph 14.1.1 replace the words “emissions plan” with “emissions monitoring plan”;
- (b) in paragraph 14.1.2 delete the words “or determination charge” and replace the words “emissions plan” with “emissions monitoring plan”;
- (c) replace paragraph 14.1.3 with the following  
14.1.3 for a variation to a permit under paragraph 6.2, the permit holder;
- (d) after paragraph 14.1.3 insert the following  
14.1.4 for any determination made under paragraph 12.1.1 or 12.1.4, the relevant operator, aircraft operator or as the case may be maritime operator;  
14.1.5 for any notice served under paragraph 7, 10A.4 or 12.1.2, the person or persons upon whom the relevant notice is served;  
14.1.6 for all other charges under paragraph 12, the applicant or as the case may be the operator; and  
14.1.7 for charges under paragraph 17.1.6, the aeroplane operator.

1.5.8 In paragraph 15 (Time to make payment of charges):

- (a) in paragraph 15.1.1 delete the following words  
“for a permit benchmarking plan or emissions plan, the variation of a permit benchmarking plan or emissions plan, the transfer of a permit, the surrender of a permit or an allocation from the new entrant reserve or the special reserve”;
- (b) in paragraph 15.1.2 replace “6.3” with “5.4”;

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