Response form

Charge proposal for repatriated duties - Emissions Trading Scheme

We are consulting on the proposed charging scheme for the UK Emissions Trading Scheme (ETS). The Government has not yet confirmed if a UK ETS or Carbon Emissions Tax will operate from 1 January. This consultation is necessary for the operation of either policy.

This consultation outlines our proposals for UK Emissions Trading Scheme (UK ETS) charges, and covers charges that would apply if a Carbon Emissions Tax (CET) is introduced. This scheme is currently subject to EU legislation. The UK has left the EU and the transition period will end on 31 December 2020, when the UK will take on the responsibility for the administration of this scheme. We will be the body on behalf of the UK Government administering the UK legislation of the scheme. This will require us taking on additional duties.

We have powers under legislation to recover the costs of some of our regulatory activities. Under these powers, people and organisations that require environmental regulation pay for the cost of that service. This means it does not have to be funded from general taxes.

We invite you to comment on our proposals and whether you think they might be improved or made fairer.

Please use this form if you are responding by email or post rather than online.

Please complete the questions and where there are free text boxes give as much information as possible to support your answer.

All the questions refer you to specific sections in the consultation document to provide you with the background information you need to complete the question.

To request a hard copy of the consultation documents and/or response form, please contact us on 03708 506 506 (Monday to Friday, 8am to 6pm).

**How we will use your information**

We will publish our full response on both GOV.UK and Citizen Space within 12 weeks of this consultation closing and before we implement any changes. It will include a summary of the comments and queries we received. It will not include individual comments. We will outline our recommendations which take these into account. We will circulate a link to our response to all consultees and other interested parties who have asked to be kept informed. We will not respond individually to consultees.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation, but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

If you would like anything in your response to be kept confidential, you are asked to state clearly what information you would like to be kept as confidential and explain your reasons for confidentiality. The reason for this is that information in responses to this consultation may be subject to release to the public or other parties in accordance with the access to information law (these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA)). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances. In view of this, your explanation of your reasons for requesting confidentiality for all or part of your response would help us balance these obligations for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation, we will take full account of your reasons for requesting confidentiality of your response, but we cannot guarantee that confidentiality can be maintained in all circumstances.

The Environment Agency is the data controller for the personal data you provide. For further information on how we deal with your personal data please see our Personal Information Charter on GOV.UK

(<https://www.gov.uk/government/organisations/environment-agency/about/personal-information-charter>) or contact our Data Protection team.

Address: Data Protection team, Environment Agency, Horizon House, Deanery Road, Bristol, BS1 5AH

Email: dataprotection@environment-agency.gov.uk

This consultation is being conducted in line with the Cabinet Office’s “Consultation Principles” which can be found at: <https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any questions or complaints about the consultation process, please address them to:

Consultation Coordinator
Environment Agency
Horizon House
Deanery Road
Bristol
BS1 5AH

Or email: consultation.enquiries@environment-agency.gov.uk

Returning your response

The consultation will run for 8 weeks from 7 December 2020 to 29 January 2021.

The closing date for responses is 29 January 2021. Any responses we receive after this date will not be included in the analysis.

We would like you to use this form if you are not submitting your response online. You can return it by email to enquiries@environment-agency.gov.uk using the subject heading EA Charges Consultation - Repatriated Duties - UK ETS

We encourage you to contact us through the online portal or by email. However, if you would prefer you can submit your response by post sending it to:

EA Charges Consultation - Repatriated Duties - UK ETS
Environment Agency
Horizon House
Deanery Road
Bristol
BS1 5AH

If you have any questions regarding this consultation please email enquiries@environment-agency.gov.uk

**Section 1**

**About you**

To help us analyse the responses we receive we’d like to understand more about you and the type of business you own, operate or represent.

Please tell us if you are responding as an individual or on behalf of an organisation or group.

Please select one answer only from the following options:

□ Responding as an individual

□ Responding on behalf of an organisation or group

□ Other

If you are responding on behalf of an organisation or group, please tell us who you are responding on behalf of and include its type, for example, business, environmental group:

If you selected 'other' please specify here:

Keeping up to date

Privacy and keeping in touch

The Environment Agency would like to keep you informed about the outcomes of the consultation. If you would like to receive an email acknowledging your response and be notified that the summary of responses has been published please give us your email address below.

By providing us with your email address you consent for us to email you about the consultation. We will keep your details until we have notified you about publication of the response document.

We will not share your details with any other third party without your explicit consent unless required to by law.

You can withdraw your consent to receive these emails at any time by contacting us at: enquiries@environment-agency.gov.uk

Email address:

Please tell us how you found out about this consultation:

□ From the Environment Agency

□ From another organisation

□ Through an organisation, group or club you’re a member of

□ Press article

□ Social media e.g. Facebook, Twitter

□ Through a meeting you attended

□ Other (please specify)

**Section 2**

Your views on the UK Emissions Trading Scheme

UK Emissions Trading Scheme: Why we are consulting

For information on why we are consulting on a charging scheme for the UK ETS please refer to section 2.1 of the consultation document.

UK Emissions Trading Scheme: the regulation we need to deliver

For information on the regulation we need to deliver for the UK ETS please refer to section 2.2 of the consultation document.

UK Emissions Trading Scheme: regulatory charge proposal

Please refer to section 2.3 of the consultation document.

Question 1. Do you agree with our proposal to continue to use the structure of the EU ETS charging scheme in the new UK ETS charging scheme, and retain those charges listed in section 2.3 of the consultation document that will not change?

□ Yes

□ No

□ Not applicable

Please provide further explanation if you think it would be helpful:

UK Emissions Trading Scheme: installations subsistence charge

Please refer to section 2.3 of the consultation document.

Question 2. Do you agree with the proposal to have 3 subsistence charge categories and charge rates for UK ETS installations?

□ Yes

□ No

□ Not applicable

Please provide further explanation if you think it would be helpful:

UK Emissions Trading Scheme: permit application charge

Please refer to section 2.3 of the consultation document.

Question 3. Do you agree with the proposal to have one permit application charge for UK ETS installations?

□ Yes

□ No

□ Not applicable

Please provide further explanation if you think it would be helpful:

UK Emissions Trading Scheme: transfer, surrender and revocation of permits charges

Please refer to section 2.3 of the consultation document.

Question 4. Do you agree with the proposed changes to transfer, surrender and revocation of permits charges for UK ETS installations?

□ Yes

□ No

□ Not applicable

Please provide further explanation for each of the transfer, surrender and revocation charges if you think it would be helpful:

UK Emissions Trading Scheme: aviation subsistence charge

Please refer to section 2.3 of the consultation document.

Question 5. Do you agree with the proposal to have two aviation subsistence charge categories and charge rates?

□ Yes

□ No

□ Not applicable

 Please provide further explanation if you think it would be helpful:

UK Emissions Trading Scheme: emissions plan charges

Please refer to section 2.3 of the consultation document.

Question 6. Do you agree with the proposed change to the charge for an application for an emissions plan?

□ Yes

□ No

□ Not applicable

Please provide further explanation if you think it would be helpful:

UK Emissions Trading Scheme: registry charges

Please refer to section 2.3 of the consultation document.

Question 7. Do you agree with our proposed changes for UK ETS charges for the registry?

□ Yes

□ No

□ Not applicable

Please provide further explanation if you think it would be helpful:

UK Emissions Trading Scheme: inflationary increases to charges

Please refer to section 2.3 of the consultation document.

Question 8. Do you agree with our proposal to increase charges annually in line with inflation (CPI)?

□ Yes

□ No

□ Not applicable

Please provide further explanation if you think it would be helpful: