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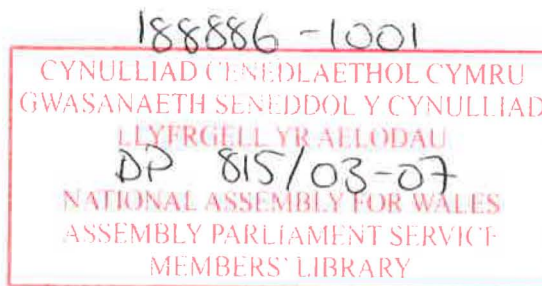
DP 815/03-07

**Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad
Minister for Environment, Planning and Countryside**

Your ref:

Our ref: A/PAE/28/2/10

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**Delegation of Functions under the Greenhouse Gas Emissions Trading
Scheme Regulations 2005 to the First Minister**

During Plenary's consideration of a motion to delegate the functions in the 2005 Greenhouse Gas Emissions Trading Scheme Regulations, I undertook to provide you with details of the regulations that would transfer to the First Minister. I regret that due to an administrative oversight this did not happen at the time. I am therefore now enclosing a table, which summarises the relevant functions.

Regulation	Provision
Regulation 11	Where the EC has provided for the temporary exclusion of an installation, its operator may apply to the responsible authority – which may in certain circumstances be the Assembly - for a certificate stating that this is so
Regulation 16	Requires the regulator to provide the appropriate authority with notification of surrender of a greenhouse gas emissions permit.
Regulation 17	Appropriate authority for requiring the regulator to provide notification of a revocation of a greenhouse gas emissions permit.
Regulation 20	Agreement to and publication of the National Allocation Plan
Regulation 21	Provision of information by the Secretary of State to the Assembly in respect of the allocation and issue of allowances.
Regulation 25	Supplementary decisions by the regulator or the Secretary of State may arrange for the appropriate authority to direct the Regulator.
Regulation 27	Appropriate authority for authorising pooling arrangements, via the Secretary of State and the European Commission.
Regulations 32-34 and Schedules 2 and 3	Determination of appeals.
Regulation 35	Appropriate authority for requiring the regulator to provide information about the discharge of its functions.
Regulation 37	Provision of information to the Secretary of State in relation to the non-publication of information under regulation 20 on grounds of National Security.
Regulation 41	Appropriate authority to be notified of civil penalties assessed by the regulator and pass any civil penalties to the appropriate authority .
Regulation 42	Directions to the regulator.
Regulation 43	Guidance for the regulator
Regulation 46	Requirement for the Assembly to agree the Secretary of State exercising powers in respect of installations situated in Wales.