

This newsletter provides an update on compliance for aircraft operators assigned to the United Kingdom for the 2015 Scheme Year

Important information for Non-commercial operators with Full Scope Emissions over 1000 tCO₂ during the 2015 Scheme Year

If you are a non-commercial operator and you were exempt for the 2014 Scheme Year because your Full Scope Emissions (i.e. those from **all** your aviation activities both within and to or from the EEA) were below 1000 tCO₂, it is your responsibility to ensure that you once again comply with the requirements of EU ETS should your Full Scope Emissions exceed the 1000 tCO₂ exemption threshold within a Scheme Year.

If your ETSWAP account status is currently set at “Exempt” but you have exceeded or expect to exceed the threshold for 2015, you must contact us as soon as possible.

Compliance Deadlines for the 2015 Scheme Year

Aircraft Operators are reminded that by **31 March 2016** they must¹:

1. submit verified emissions reports (or a report prepared using the Simplified Reporting Procedures) for the 2015 Scheme Year through ETSWAP;
2. propose the reportable emissions figure in their Aircraft Operator Holding Account (AOHA) in the Union; and
3. where a verified emissions figure is entered in the AOHA, ensure it is approved by their nominated verifier

Failure to report on time may result in a civil penalty.

By **30 April 2016** Aircraft Operators must surrender sufficient allowances from their AOHA in the Union Registry to cover reportable emissions for 2015, which will include any emissions in respect of which they failed to surrender allowances for 2013 and 2014.²

Any Aircraft Operator that has received a Deficit Notice requiring it to make up its 2012 Scheme Year must do so by the date specified in that Notice. Failure to surrender sufficient allowances by 30 April 2016 or comply with a Deficit Notice will give rise to the Excess Emissions Penalty.

¹ These are statutory requirements set out in Regulations 35, 80(3) and (4) of the Greenhouse Gas Emissions Trading Scheme Regulations 2012 (2012 Regulations) and Article 35 of the Registries Regulation 2013.

² See Regulation 42 of the 2012 Regulations.

You must ensure you have sufficient allowances in your AOHA in order to surrender by the deadline. If you are purchasing or transferring allowances it is your responsibility to check that they will be available in your AOHA in time.³

2015 Scheme Year emissions reports Reporting using a Verifier

If your annual ‘full scope’ emissions are over 25000 tCO₂ or you are opting to use a verifier, we advise that you start the verification process as soon as possible. Please engage with a verifier early and ensure a contract has been set up with them before submitting your report to them through ETSWAP.

Reporting using the Simplified Reporting Procedures (Eurocontrol data)

If your Full Scope Emissions are below 25000 tCO₂ during the 2015 Scheme Year Article 28(a)(6) of the EU ETS Directive allows you to opt to use Simplified Reporting Procedures (SRP), which allows you to use Eurocontrol Support Facility (ETS-SF) data to populate your report, instead of submitting a verified report. .

When you request your data from the ETS-SF, please identify that you are requesting it for the purpose of reporting under Article 28(a) of the EU ETS Directive . The email that you receive from Eurocontrol, which will have an attached Zip file containing your report data, will then be copied to our helpdesk. Alternatively, please ensure that you attach a copy of the email, including the Zip file, to the ‘Additional Information’ section of your ETSWAP report form. We expect that ETS-SF data covering the full 2015 Scheme Year will be available late January 2016.

Once you receive your ETS-SF data, you must check it against your own flight records to ensure it is complete and accurate. If you identify any errors or issues with the data, please contact the Eurocontrol Support Office (at contract.office.ets.sf@eurocontrol.int) to get this resolved before submitting your ETSWAP emissions report to us.

If your concerns can not be addressed in time for the reporting deadline please consider preparing a verified report instead. It is your responsibility to report

³ Please see Registries Regulation 2013, in particular Section 8

accurately; if you are found to have under-reported you will have to amend your reportable emissions figure and make up any shortfall in the number of allowances surrendered on your AOHA, and you may be liable to a civil penalty. If you over-report and subsequently over-surrender, any allowances over-surrendered cannot be returned to you, but they will count towards the surrender requirement for future years.

We are here to help

If you have a query regarding EU ETS Aviation please contact us via our helpdesk at etaviationhelp@environment-agency.gov.uk.

EU Registry Update

You need an open AOHA to perform your reporting and surrender obligations. If you are experiencing any issues with your account or have yet to submit your application for an AOHA, please do this as soon as possible as this process can take at least six weeks to complete. You are required to apply for an AOHA within 20 working days of the issue of your emissions plan and submit the necessary documents to the Registry Team.⁴ For further information, or help relating to the Registry please visit the Registry pages of our Website or email: etregistryhelp@environment-agency.gov.uk

2012 Scheme Year Enforcement

We are continuing to take enforcement action against aircraft operators that were non-compliant in the 2012 scheme year. To date we have issued 30 civil penalties. Details of civil penalties imposed are published on Gov.uk in accordance with paragraph A.8 of our Enforcement and Sanctions Guidance. We only release or publish information about penalties once the period for appeal has passed or any appeal has been withdrawn or determined in our favour.

2013/2014 Scheme Year Enforcement

We are also taking enforcement action on non-compliant operators for 2013/2014 scheme year.

EU ETS Webinar

We will be holding an EU ETS compliance webinar in late January 2016 covering reporting through ETSWAP and proposing and surrendering allowances in the UK Registry. You will also have the opportunity to ask questions directly to EA staff. Further details will be sent to you shortly.

Customer Survey

As a customer your opinion really does matter to us. We are committed to improving our customer service and take all your feedback seriously. Please help us to improve our service by completing our [EU ETS Aviation Customer survey](#) anytime you have any interaction with us.

⁴ See Regulations 80(4) and (5) 2012 Regulations.