

This newsletter provides important information about how to identify if you have obligations as an Aircraft Operator under the United Kingdom Emissions Trading Scheme (UK ETS)

## Introduction

The purpose of this newsletter is to help you to identify if you have obligations as an Aircraft Operator under the UK ETS.

### How do I know if I have a UK ETS obligation?

There are two factors you need to consider to determine if you are an Aircraft Operator with obligations under the UK ETS.

1. Do you perform UK ETS 'full-scope' flights with emissions that are above the commercial air transport operator threshold, or the non-commercial air transport operator threshold?

If the answer to this is **YES**, you then need to consider the following:

2. Do you perform a UK ETS *aviation activity*, i.e. a flight within the scope of UK ETS that gives rise to monitoring, reporting and surrender obligations?

### 1. What flights are UK ETS full-scope?

UK ETS full-scope flights are flights that depart from, or arrive in the UK, Gibraltar or an EEA State, other than excluded flights.

Examples of UK ETS full-scope flights are flights between the USA and UK, Switzerland and France, Jersey and Spain or Iceland and Finland.

Figure 1 provides more information about UK ETS full-scope flights; Figure 3 sets out the list of excluded flights.

### What are the UK ETS full-scope thresholds?

There are different thresholds for commercial air transport operators and non-commercial air transport operators.

#### Commercial air transport operators

You will only have UK ETS obligations if you perform at least 243 UK ETS full-scope flights during one of the following four month periods - Jan to April, May to Aug or Sept to Dec, **and** your total annual emissions from UK ETS full-scope flights are 10,000tCO<sub>2</sub> or above.

If you are above both these thresholds, you then need to consider if you perform a UK ETS *aviation activity*.

#### Non-commercial air transport operators

You will only have UK ETS obligations if your total annual emissions from UK ETS full-scope flights are 1,000tCO<sub>2</sub> or above.

If your UK ETS full-scope emissions are above this threshold, you then need to consider if you perform a UK ETS *aviation activity*.

### 2. Which flights are UK ETS *aviation activities*?

An *aviation activity* is a flight that falls within the scope of UK ETS. The following flights are UK ETS *aviation activities*\*. Further details can be found in Figure 2.

UK ETS Aviation Activities	
1	Flights that depart from an aerodrome situated in the UK and arrive at an aerodrome in the UK
2	Flights that depart from an aerodrome situated in the UK and arrive at an aerodrome in an EEA State (excluding outermost regions)
3	Flights between an aerodrome situated in the UK and an aerodrome in Gibraltar
4	Flights that depart from an aerodrome situated in the UK and arrive at an offshore structure (e.g. oil rig) in the UK continental shelf or an offshore structure in the continental shelf of an EEA State
5	Flights that depart from an offshore structure (e.g. offshore platform) in the UK continental shelf and arrive at an aerodrome in the UK, EEA or at an offshore structure in the continental shelf of an EEA State
6	Flights between offshore structures in the UK continental shelf

\* Excluded flights (see Figure 3) are not UK ETS *aviation activities*.

### There is no flight or emissions threshold associated with UK ETS *aviation activities*.

If your operation exceeds the relevant UK ETS full-scope threshold set out in Section 1 **and** you perform a flight that is a UK ETS *aviation activity* as set out in Section 2, you **will** be an aircraft operator with UK ETS obligations, and **you are** required to monitor and report your flights and emissions that are within the scope of UK ETS (UK ETS *aviation activities*), and surrender allowances equivalent to these emissions.

## Do I have UK ETS obligations? – Your Step by Step Guide

### Step 1 – Am I above the commercial air transport operator or non-commercial air transport operator threshold?

#### **Commercial air transport operators**

The thresholds for a commercial air transport operator are –

- at least 243 UK ETS full-scope flights during either Jan to April, May to Aug or Sept to Dec; and
- emissions of 10,000 tCO<sub>2</sub> or above from your UK ETS full-scope flights.

A commercial air transport operator will only have UK ETS obligations if it is above both these thresholds.

#### **Non-commercial air transport operators**

The threshold for a non-commercial air transport operator is –

- emissions of 1,000 tCO<sub>2</sub> or above from your UK ETS full-scope flights.

A non-commercial air transport operator will only have UK ETS obligations if it is above this threshold.

Details of UK ETS full-scope flights are provided in Figure 1 below; they are shaded in blue. Emissions from all these flights must be included when determining if you are above the commercial, or non-commercial exemption thresholds above.

**Figure 1 – UK ETS full-scope flights**

		Aerodrome of Destination (ADES)								
		UK	Gibraltar	An offshore structure in the UK sector of the continental shelf	EEA State	An offshore structure in the continental shelf of an EEA State	EEA Outermost Regions	UK Crown Dependencies (i.e. Isle of Man, Jersey and Guernsey)	Switzerland	Other State (e.g. Turkey or Canada)
Aerodrome of Departure (ADEP)	UK									
	Gibraltar									
	An offshore structure in the UK sector of the continental shelf									
	EEA State									
	An offshore structure in the continental shelf of an EEA State									
	EEA Outermost Regions									
	UK Crown Dependencies (i.e. Isle of Man, Jersey and Guernsey)									
	Switzerland									
	Other States (e.g. Turkey or Canada)									
	Gibraltar only has one aerodrome - a flight departing from and arriving in Gibraltar would be a circular flight and excluded from UK ETS – see Figure 3. Note – UK ETS full-scope is wider than EU ETS full-scope as the UK is now a third country in respect of the EU ETS.									

If the answer to **Step 1** is '**NO**', you are not an aircraft operator and do not have UK ETS obligations;  
 If the answer to **Step 1** is '**YES**', you need to progress to **Step 2** below:

## Step 2 - Do I perform a UK ETS Aviation Activity?

A UK ETS *aviation activity* is a flight that falls within the scope of UK ETS, and gives rise to UK ETS monitoring, reporting and surrender obligations. The matrix in Figure 2 shows flights that are UK ETS *aviation activities*.

There is no threshold for UK ETS *aviation activities* - if you exceed the relevant UK ETS full-scope commercial or non-commercial threshold, you only need to perform **one** flight that constitutes a UK ETS *aviation activity* to have a compliance obligation.

**Figure 2 – UK ETS Aviation Activities**

		Aerodrome of Destination (ADES)				
		UK <sup>(1)</sup>	Gibraltar <sup>(2)</sup>	An offshore structure in the UK continental shelf	EEA State	An offshore structure in the continental shelf of an EEA State
Aerodrome of Departure (ADEP)	UK <sup>(1)</sup>					
	Gibraltar <sup>(2)</sup>					
	An offshore structure in the UK continental shelf					

(1) In the context of UK ETS, the UK means England, Northern Ireland, Scotland and Wales; it does not include the UK Crown Dependencies of the Isle of Man, Jersey and Guernsey

(2) Gibraltar - only flights departing from Gibraltar to the UK and those departing from the UK to Gibraltar are '*aviation activities*' under UK ETS. Gibraltar only has one aerodrome - a flight departing from and arriving in Gibraltar would be a circular flight and excluded from UK ETS - see Fig 3.

If the answer to **Step 2** is '**NO**', you are not an aircraft operator with obligations under UK ETS.

If the answer to **Step 2** is '**YES**', you are an aircraft operator with obligations under UK ETS.

**An aircraft operator with UK ETS obligations must submit an application for a UK ETS Emissions Monitoring Plan (EMP) within 42 days of exceeding the UK ETS full-scope threshold and performing a UK ETS *aviation activity*.**

**An aircraft operator with UK ETS obligations must monitor and report their flights and emissions from their UK ETS *aviation activities* and surrender allowances equivalent to these emissions.**

### Key

	<p><b>Full-scope UK ETS flights</b></p> <p>Emissions from all your UK ETS full-scope flights must be included when determining if you are above the commercial or non-commercial exemption thresholds under Articles 7 and 8 of the Order.</p>
	<p><b>Flights that are UK ETS Aviation Activities</b></p> <p>If you are above the UK ETS full-scope commercial or non-commercial exemption threshold, these flights and the emissions associated with them <b>MUST</b> be monitored, reported and surrendered for.</p>
	<p>Flights that are not relevant for the purposes of UK ETS</p>

### Figure 3 – UK ETS Excluded Flights

The following flights are excluded from UK ETS and are not included in your UK ETS full-scope or UK ETS aviation activity.

UK ETS - Excluded Flights	
(a)	flights performed exclusively for the transport, on official mission, of a reigning Monarch and their immediate family, Heads of State, Heads of Government and Government Ministers, of a country other than the United Kingdom
(b)	military flights
(c)	customs and police flights performed by both civil registered and military aircraft
(d)	search and rescue flights
(e)	firefighting flights
(f)	humanitarian flights
(g)	emergency medical service flights
(h)	flights performed exclusively under the visual flight rules set out in Annex 2 to the Chicago Convention
(i)	flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made
(j)	training flights performed exclusively for the purpose of obtaining a licence, or a rating in the case of cockpit flight crew, provided that the flights do not serve for the transport of passengers or cargo
(k)	flights performed exclusively for the purpose of scientific research partially or totally performed in-flight
(l)	flights performed exclusively for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based
(m)	flights performed by aircraft with a certified maximum take-off mass of less than 5,700 kilograms

#### Further information

A copy of The Greenhouse Gas Emissions Trading Scheme Order 2020 can be found [here](#).

The following parts of the Order are directly relevant to the content of this newsletter -

Article 6 - Meaning of aircraft operator

Article 7 - Threshold for commercial air transport operators

Article 8 - Threshold for non-commercial air transport operators

Schedule 1(1) – Detailed definition of UK ETS Aviation Activities

Schedule 1(2) – Detailed definition of Excluded Flights

If you have any questions relating to the content of this newsletter or need any information about UK ETS or your possible obligations, please contact us through our ET Aviation [helpdesk](#).

