

UK ETS Aviation

Do I have a UK ETS compliance obligation?

This document explains the process an Aircraft Operator needs to go through to check if they have a UK ETS compliance obligation for a particular Scheme Year.

There are **two steps** you need to consider to determine if you are an Aircraft Operator with UK ETS obligations:

Step 1

Have I performed UK ETS 'full-scope' flights with emissions that are above the threshold in the Scheme Year?

Different thresholds apply depending on whether you are a commercial air transport operator or a non-commercial transport operator:

Commercial air transport operator threshold

- ≥243 UK ETS full-scope flights during either Jan to April, May to Aug or Sept to Dec periods; and
- emissions of 10,000 tCO₂ or above from your UK ETS full-scope flights.

Non-commercial air transport operator threshold

- emissions of 1,000 tCO₂ or above from your UK ETS full-scope flights.

What are UK ETS 'full-scope flights'?

'Full-scope flights' are flights that depart from, or arrive in the UK, Gibraltar, or an EEA State, other than excluded flights (see below). Examples include - UK to United States, France to UK, Germany to Russia, UK to Belgium, Gibraltar to Egypt.

If your answer to **Step 1** is **YES**, you then need to consider **Step 2**:

Step 2

Have I performed a UK ETS aviation activity?

An 'aviation activity' is a flight within the scope of UK ETS that gives rise to monitoring, reporting and surrender obligations.

What are UK ETS Aviation Activities?

UK ETS aviation activities are the flights within the reportable scope of UK ETS, namely:

- flights that depart from an aerodrome situated in the UK and arrive at an aerodrome in the UK (i.e., domestic UK flights);
- flights that depart from an aerodrome situated in the UK and arrive at an aerodrome in an EEA State (excluding outermost regions);
- flights between an aerodrome situated in the UK and an aerodrome in Gibraltar;
- flights that depart from an aerodrome situated in the United Kingdom and arrive at an aerodrome situated on an offshore structure in the UK sector of the continental shelf or an offshore structure in the continental shelf of an EEA state.

Note: there is no flight or emissions threshold associated with UK ETS *aviation activities*.

If your answer to **Step 2** is also **YES**, you will have UK ETS compliance obligations.

If you are above the UK ETS full-scope threshold and perform just one flight that is an UK ETS aviation activity you will be a UK ETS aircraft operator and have UK ETS compliance obligations.

An aircraft operator must apply 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 and must monitor and report their aviation activity flights and emissions and surrender allowances equivalent to these emissions.

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 activities:

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](#).

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

The following parts of the Order are directly relevant:

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 or need any information about UK ETS please contact us through our ET Aviation [helpdesk](#).

