



**The EU ETS Compliance Conference 2012  
Task Force II (Aviation)**

**Preliminary views on the  
draft TF Work Plan for 2012/2013**

**On behalf of Mark Sinton - TF II Leader;  
includes input from DE, IE and UK.**

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# Guiding Principles for TF II (Aviation) for 2012

MAKING COMPLIANCE ...

**SIMPLER,  
MORE EFFICIENT,  
MORE EFFECTIVE.**

The proposed work plan for 2012/2013 builds on these three main goals.

# Basic principles

TF II (Aviation) shall:

- work in a coordinated manner with the Commission to avoid inconsistencies and duplication of effort, whilst ensuring added value;
- work in coordinated manner with other CF TFs as may be relevant;

TF II (Aviation):

- welcomes the involvement of experts (ETS regulatory/aviation sector) from more MSs so that together we can achieve true common and consistent understanding of the issues that will be tackled.

# Draft Work Plan - Jan 2012 - Sept 2012 (part 1)

Task 1: Achieve common understanding on technical, legal and operational issues relevant to aviation and contribute to the development of guidance material for the M&R and A&V Regulations.

Task 2: Identification of and exchange of information on matters relating to the manner in which the aviation sector operates and how such issues affect compliance with the provisions of the EU ETS Directive...

e.g.: mergers, acquisitions and splits, and associated issues such as transfer of allowances following such events and allocations when operators temporarily/permanently cease to fly.

Task 3: Discuss options for implementation and enforcement regarding non-compliant AOs and decide on the best actions/way forward, with an intention to provide technical input to the EC's work on legislation and/or guidance on enforcement and penalties (including operating bans).

## Draft Work Plan - Jan 2012 - Sept 2012 (part 2)

Task 4: Achieve common understanding by the CAs on issues connected to **review of annual emission reports and 2<sup>nd</sup> round of approval of monitoring plans.**

Task 5: Discuss and resolve issues relating to draft **EC guidelines on administration of AOs...**

e.g.: definition of commercial operator, transfer of AOs between MSs, etc.

Task 6: Agree with the Commission and Eurocontrol on a methodology for **removing operators who cease to fly**, from the EC list.

Task 7: Identification of and exchange of information on issues relating to ensuring the **best use of the ETS Support Facility and the Small Emitters' Tool**, so as to achieve the highest level of compliance...

e.g.: accuracy of data, frequency of data updates, small emitters fuel burn and emission methodology, data sources, etc.



## Draft Work Plan - Sept 2012 - Jan 2013

- Resolve issues that come up during **approval of MPs** and exchange ideas on **specific technical matters** that may not be sufficiently covered in EC guidance material;
- Explore common approaches on the **confidentiality of commercially sensitive data**;
- Continue to provide input and achieve common understanding on various **implementation, enforcement and possible sanctioning steps** to be taken in respect of non-compliant AOs, including applying the excess emissions penalty (€100/t CO<sub>2</sub>);
- Produce guidance or FAQs (and/or input into EC work on guidance/FAQs) as to how the **special reserve** will operate.

## Indicative list of activities for 2013

- enforcement and compliance issues with respect to the 2012 emission reports - first year of “full” ETS compliance cycle for AOs;
- further improvements needed for M&R and A&V implementation in 2013 and the 3<sup>rd</sup> trading period (2<sup>nd</sup> trading period for AOs);
- continued exchange of experiences and lessons learnt between CAs.

- Thank You -

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