



# Main Developments in the A&V Regulation

**Marco Loprieno, DG CLIMA**

**Compliance Forum Event, Compliance Challenges for  
2013 and Beyond: Making it Simpler, more Efficient,  
more Effective, Brussels, 7-8 February 2012**

## Overview

- *To summarise some of the more significant developments under the proposed A&V Regulation (AVR)*
- *To set the scene for required guidance to support simpler, more efficient and more effective AVR implementation*

*GOOD REGULATION IS HALF THE STORY - GOOD GUIDANCE IS EQUALLY IMPORTANT*

## **AVR compared to the MRG**

- *Clarification of areas of confusion*
- *Requirements encouraging greater consistency*
- *Requirements encouraging greater efficiency*
- *Requirements encouraging greater fairness*
- *Simplifications to improve cost-effectiveness*
- *Retained approaches which have worked well*
- *Reduction of duplications*
- *Clearer identification of responsibilities*
- *Need for supplementary guidance*



# A&V Key strategic issues (1)

*Implementation Art. 15, ETD (accreditation of verifiers) strong synergy with Regulation (EC) 765/2008 (AR)*

*Draw on best practices from application of harmonised standards (ISO 17011, ISO 14065) and other technical documents (EA 6/03)*

*Risk-based approach for verification*

*Reliability of verification, impartiality and independence of verifiers*





## **A&V Key strategic issues (2)**

*Avoid unnecessary burden for small emitters through simplification of verification*

*National Accreditation Bodies (NABs) pursuant to AR, certification of natural persons*

*Peer Review, Mutual Recognition*

*Effective cooperation between NABs and Competent Authorities (CAs)*





# A&V Regulation: Chapters and Annexes

*Chapter I – General Provisions*

*Chapter II – Verification*

*Chapter III – Requirements for verifiers*

*Chapter IV – Accreditation*

*Chapter V – Requirements concerning accreditation  
bodies for the accreditation of ETS verifiers*

*Chapter VI – Information exchange*

*Chapter VII – Final provisions*

*Annex I – Scope of accreditation for verifiers*

*Annex II – Requirements on verifiers*

*Annex III – Minimum requirements on the accreditation  
process and requirements on accreditation  
bodies*





# Recitals: main elements 1

*Coherence with Regulation (EC) 1221/2009 (EMAS)  
(R.4)*

*Draw on best practices from application of harmonised standards (ISO 17011, ISO 14065) and other technical documents (EA 6/03) (R.5)*

*Avoid unnecessary burden for small emitters (R.6)*





# Chapter I - General Provisions

**Presumption of conformity** of verifiers with relevant harmonised standards (Article 4)

**General framework for accreditation** where no specific requirements laid down in this Regulation, relevant provisions of AR shall apply (Article 5)







# Chapter II – Verification 1

## **General principles** (Articles 6-7)

*Reliability of verification, General obligations of the verifiers*

## **Preliminary phases** (Articles 8-13)

*Pre-contract, Time allocation, Information from operator, Strategic analysis, Risk analysis, Verification plan*

## **Actual verification** (Articles 14 – 24)

*Verification activities, Analytical procedures, Data verification, Verification application monitoring methodology, Verification methods for missing data, Uncertainty assessment, Sampling, Site visits, Addressing misstatements and non-conformities, Materiality level, Concluding on the findings*





## Chapter II – Verification 2

### **Procedures** (*Articles 25 – 26*)

*Independent review, Internal verification documentation*

### **Verification report** (*Articles 27-28*)

*Verification report, Limitation of scope*

### **Improvement** (*Articles 29 – 30*)

*Addressing outstanding non-material non-conformities,  
Improvement of the monitoring and reporting process*

### **Simplified verification requirements** (*Articles 31 – 33*)

*Simplified verification for installations; Simplified verification for  
aircraft operators, Simplified verification plans*





## Chapter III – Requirements for verifiers

### **Competence process and requirements** (*Articles 34 – 39*)

*Sectoral scope of accreditation, Continued competence process, Verification teams, Competence requirements of EU ETS auditors and EU ETS lead auditors, Competence requirements for independent reviewers, Use of technical experts*





# Chapter IV - Accreditation

## **Accreditation** (Article 43)

*verifier should be accredited for the scope of activities referred in Annex I*

## **Accreditation process** (Articles 44 – 48)

*Objectives of accreditation, Request for accreditation, Preparation for assessment, Assessment, Decision on accreditation and accreditation certificate*

## **Surveillance** (Article 49)

## **Assessment** (Articles 46 – 53)

*Preparation for assessment, Assessment, Reassessment, Extraordinary assessment, Extension of scope, Administrative measures*





# **Chapter V - Requirements concerning accreditation for the accreditation of ETS verifiers 1**

## **National accreditation body (Article 54) :**

*clear reference to Article 4(1) of AR. MS may derogate with certification of verifiers as natural persons.*

## **Monitoring and Mutual recognition (Articles 64 - 67)**

*Peer evaluation, Corrective action, Mutual recognition of verifiers, Monitoring of services delivered*

## **Electronic data exchange and use of automated systems (Article 68)**





# Chapter VI - Information exchange

## **Information exchange** (Articles 69 – 76)

*Information exchange and focal points, Accreditation work programme and management report, Information exchange on administrative measures, Information exchange by the competent authority, Information exchange on surveillance, Information exchange with a Member State where the verifier is established, Databases of accredited verifiers, Notification by verifiers*



# Annexes

## **Annex II**

*ISO 14065; Requirements on verifiers*

## **Annex III**

*ISO 17011; Minimum requirements of the accreditation process and requirements on accreditation bodies*





# Guidance material to the A&V Regulation

*Types of guidance and tools:*

- User manual
- General guidance
- Specific Guidance Notes
- Templates
- Exemplars, examples
- Frequently Asked Questions







# Guidance material to the A&V Regulation

## *Issues to be developed*

*Timing: present project finishes end 2012, additional guidance material project in 2013*

*Need to set priorities: General Issues, Specific Issues*

*Potential cooperation with ETS Compliance Forum: establishment of a specific Task Force on A&V?*

*Need for continuous cooperation with the European Cooperation for Accreditation (EA)*

*Facilitate dialogue between CAs and ABs*





# Thank You for your attention

*Marco Loprieno*

[marco.loprieno@ec.europa.eu](mailto:marco.loprieno@ec.europa.eu)

*Rob Gemmill*

[robert.gemmill@ec.europa.eu](mailto:robert.gemmill@ec.europa.eu)

*DG CLIMA.A.3*

*EU ETS Monitoring Reporting and Verification*

