



Overview of enforcement in Aviation ETS

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DG Climate Action B3

2012

- Compliance rate of over 98% of emissions covered
- New process for MS, harmonised approaches and timelines facilitated by the Commission
- Enforcement processes for 2012 mostly finished with only a few outstanding cases, to be finalised soon
 - Publication of the names of non-compliant AOs to be finalised in some MS

2013-2014

- Very high compliance rates
 - 99.52% in 2013**
 - 99.63% in 2014**
- No coordinated/facilitated approach needed, MS continue with established procedures
- Considerably smaller number of non-compliant AOs due to exclusion of non-commercial AOs below 1000t
- Some 2012 non-compliant AOs from third countries now in compliance
- Enforcement process already started or to be started soon

Excess emissions penalty

- Art 16(4) of the Directive 2003/87/EC:

"the excess emissions penalty relating to allowances issued from 1 January 2013 onwards shall increase in accordance with the European index of consumer prices"

- Guidance:

- Base year 2012
- Use HICP as an Index
- Either annual or cumulative updating – the same result
- Penalty cannot be less than 100 EUR per tonne