

Compliance Conference –Aviation Task Force

THRESHOLD AND REPORTING OBLIGATION GUIDANCE (TAROG)

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GENERAL & SPECIFIC OBJECTIVES

Establish a working group under TF Aviation Group to develop a support document for the agents involved in order to provide support, guidance and clarify as far as possible the obligations arising from the different market-based measures (MBMs) applicable to the air sector.

- **Identify the applicable thresholds for the inclusion of an air operator in any of the current MBMs (EU ETS, CORSIA, CH ETS, UK ETS) and for the eligibility of simplified MRV tools.**
- **Identification of the routes that must be considered in the evaluation of said thresholds.**
- **Identification of routes subject to the obligation to report associated CO2 emissions.**

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Document is of a purely informative nature and is not a legally binding document

The information presented in this guidance is provided for information purposes only. It constitutes an assessment of the framework of rules and regulations in force at the time of the publication of the present version of this guidance.

This information is intended to help map the applicability of the scopes of the market-based measures (MBM) applying to the aviation sector and is issued for the benefit of competent authorities, aircraft operators and any other actors involved in the implementation of the measures covered by this guidance.

This guidance is not legally binding. Any authoritative reading or interpretation of the law should only be derived from relevant legislation. Where this guidance may contain information that is contradictory to the legal reading or interpretation of applicable legislation, the relevant legislation shall have precedence over this guidance

Scope of document →

This guidance only provides information related with the assessment of the different thresholds applicable to the MBMs covered by the guidance, and reporting obligations arising from such.

This guidance does not provide information in relation to any other obligation under each current MBM.

Period of validity →

Interpretation of the various obligations arising from the regulatory elements under consideration apply under the framework of rules and regulations in force at the time of the publication of the present version of this guidance

TAROG: THRESHOLD AND REPORTING OBLIGATION GUIDANCE



Part 1 TAROG:

Identification of applicable thresholds for the inclusion of an air operator in any of the current MBMs (EU ETS, CORSIA, CH ETS, UK ETS) and for the eligibility of simplified MRV tools.

THRESHOLDS THAT CAN BE ASSESSED IN TABLE A

CODE USED IN TABLE A TO INDICATE THAT THIS ROUTE IS TO BE TAKEN INTO CONSIDERATION	SHORT EXPLANATION OF THE CODE
<div style="background-color: #e0ffe0; border-radius: 15px; padding: 10px; display: inline-block;"> EU ETS & CH ETS </div>	<p>Routes to be assessed in order to determine the inclusion of an aircraft operator in the EU ETS and CH ETS. They constitute the so-called Extended Full Scope under the EU ETS scheme. Please note, that due to the linking agreement between the EU and Switzerland, an aircraft operator that is subject to the EU ETS, automatically is subject to the CH ETS regardless of the aircraft operator would be, taken alone, subject to the CH ETS.</p> <p>THRESHOLD ASSESSED AND LEGAL REFERENCE</p> <p>Obligations under scheme: According to Directive 2003/87 Annex I Point (j) (commercial + 100,000/243) & (1,000), as well as Swiss CO₂ Ordinance Annex 13 point 3, AOs will be included in EU ETS and CH ETS when:</p> <ul style="list-style-type: none"> • AO commercial: ≥ 10,000 t CO₂ & ≥ 243 flights in any of the three consecutive four-month periods • AO non-commercial: ≥ 1,000 t CO₂
<div style="background-color: #e0e0ff; border-radius: 15px; padding: 10px; display: inline-block;"> UK ETS (ESe) </div>	<p>Routes to be assessed in order to determine the inclusion of an aircraft operator in the UK ETS and its consideration as a small emitter within the scope of the UK ETS.</p> <p>The routes identified by this code constitute the so-called Full Scope UK ETS (Art. 4 Part I Greenhouse Gas Emissions Trading Scheme Order 2020).</p> <p>THRESHOLD ASSESSED AND LEGAL REFERENCE</p> <p>According to Greenhouse Gas Emissions Trading Scheme Order 2020, Articles 7 and 8, AOs will be included in UK ETS when:</p> <ul style="list-style-type: none"> • AO commercial: ≥ 10,000 t CO₂ & ≥ 243 flights in any of the three consecutive four-month periods or • AO non-commercial: ≥ 1,000 t CO₂ <p>AND</p> <ul style="list-style-type: none"> • AO performs a flight subject to reporting obligations <p>According to Art 55.1 Commissions Implementing Regulation (EU) 2018/2066, an AO could be considered a Small Emitter:</p> <ul style="list-style-type: none"> • < 25,000 t CO₂ or < 243 flights per period for three consecutive four-month periods
<div style="background-color: #e0e0ff; border-radius: 15px; padding: 10px; display: inline-block;"> CH ETS Only </div>	<p>According to Annex 13 of the Swiss Ordinance, any operator not subject to the obligations of the EU ETS scheme must its inclusion in the exclusive framework of the CH ETS scheme.</p> <p>Routes identified by this code are thus those that must be taken into consideration when such a circumstance arises.</p> <p>THRESHOLD ASSESSED AND LEGAL REFERENCE</p> <p>According to Swiss CO₂ Ordinance Annex 13, point 2 (j) (commercial + 10,000 / 243), (3) (1,000) & 2 (j) (excludes flights to Determited Regions), AOs not included in EU ETS, will be under obligations of CH ETS if routes considered under this code:</p> <ul style="list-style-type: none"> • AO commercial: ≥ 10,000 t CO₂ & ≥ 243 flights in any of the three consecutive four-month periods • AO non-commercial: ≥ 1,000 t CO₂
<div style="background-color: #e0e0ff; border-radius: 15px; padding: 10px; display: inline-block;"> CORSIA </div>	<p>Routes to be assessed to determine the inclusion of an air operator into global CORSIA scheme.</p> <p>THRESHOLD ASSESSED AND LEGAL REFERENCE</p> <p>Aircraft Operators administered by EEA States for CORSIA, in accordance to Art. 1 EU Delegated CORSIA Regulation 2019/1603 (C, that applies Annex 16, Volume IV - Carbon Offsetting and Reduction Scheme for international Aviation (CORSIA), Part 2.1, Chapter 2, Part II, an AO will be included in CORSIA when:</p> <ul style="list-style-type: none"> • < 10,000 t CO₂ only international flights from aeroplanes only (e.g no CO₂ emissions from helicopter). <p>In case AOs administered by the UK for CORSIA the same Emissions threshold applies according to Art.5 The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021 (2021 No. 534).</p>

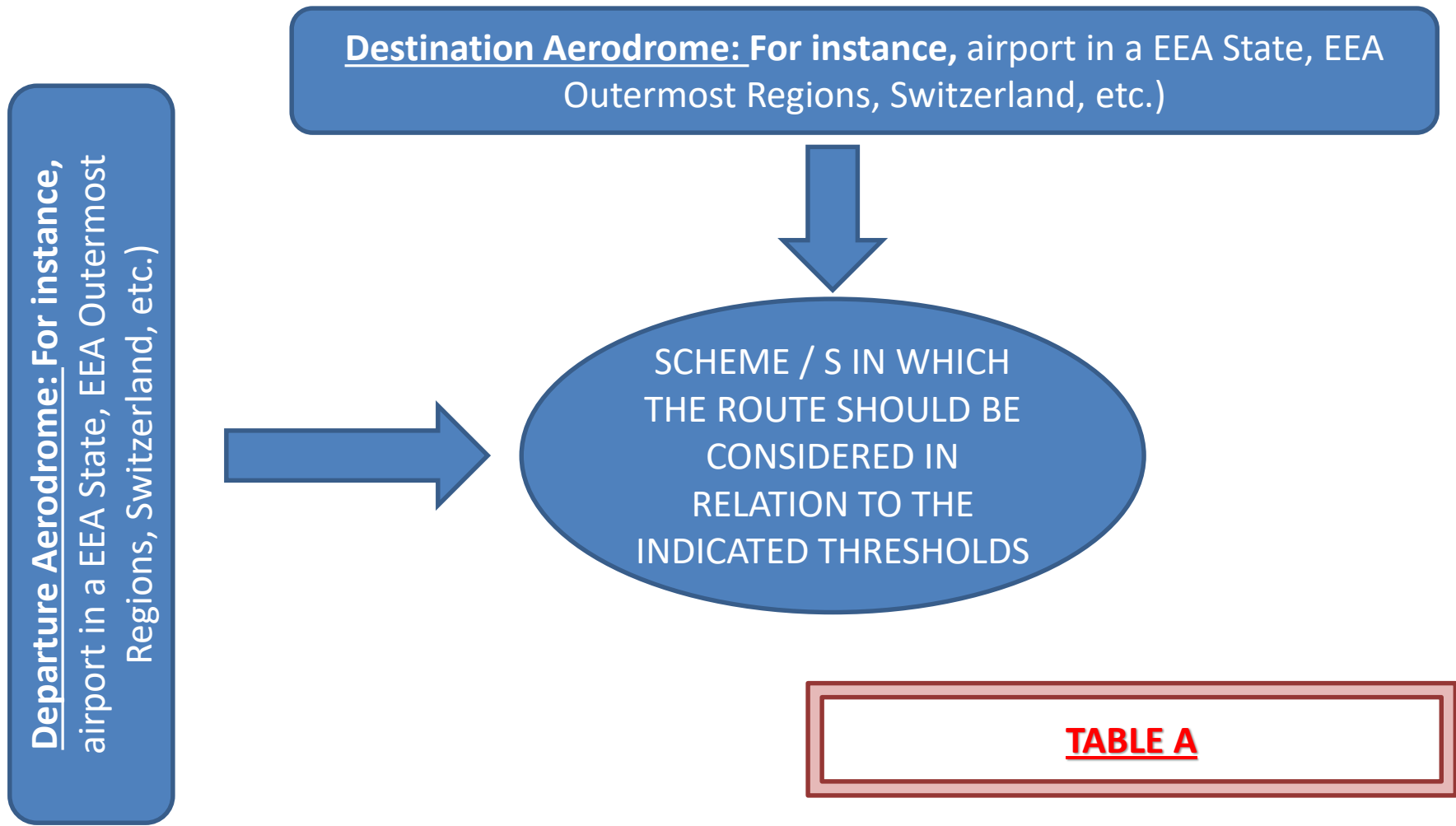
THRESHOLDS THAT CAN BE ASSESSED IN TABLE A

CODE USED IN TABLE A TO INDICATE THAT THIS ROUTE IS TO BE TAKEN INTO CONSIDERATION	SHORT EXPLANATION OF THE CODE
<div style="background-color: #e0ffe0; border-radius: 15px; padding: 10px; display: inline-block;"> ESe - EU & CH ETS </div>	<p>Eligibility like Small Emitter (ESe): This code reflects those routes that constitute the so-called Full Scope in the framework of the EU ETS, and by which determine whether an aircraft operator qualifies as Small Emitter (Art. 55.1 Commission Implementing Regulation (EU) 2018/2066) or it is eligible to make use of the reporting simplifications under from article 29a paragraph 6 of the Emissions Trading Directive.</p> <p>THRESHOLD ASSESSED AND LEGAL REFERENCE</p> <p>Small emitters according to Art. 55.1 Commission Implementing Regulation (EU) 2018/2066, and Swiss CO₂ Ordinance Art. 52.5 and Annex 17, point 2.2 threshold applicable are:</p> <ul style="list-style-type: none"> • < 25,000 t CO₂ or < 243 flights in each period of the three consecutive four-month periods <p>In accordance to Art. 29a(6) Emissions Trading Directive threshold applicable is:</p> <ul style="list-style-type: none"> • < 25,000 t CO₂ (number of flights does not apply)

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Part 1 TAROG CO₂ TABLE A



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TABLE A: ROUTES TO BE CONSIDERED IN THE ASSESSMENT OF THE THRESHOLDS INDICATED PREVIOUSLY

		AERODROME OF DESTINATION (ADES)							
		EEA State (Without Outermost Regions and/or Overseas)	EEA Outermost Regions (Islas Canarias, Azores, etc.)	EEA Overseas (Greenland, Aruba, etc.) ⁽¹⁾	Switzerland	UK	UK Crown Dependencies (Le. Isle of Man, Jersey and Guemsey)	Gibraltar	Third country (USA, China, México, etc.) ⁽²⁾
AERODROME OF DEPARTURE (ADEP)	EEA State (Without Outermost Regions and/or Overseas)	<ul style="list-style-type: none"> EU ETS & CH ETS ESe - EU & CH ETS UK ETS (& ESe) CORSIA^(a) 							
	EEA Outermost Regions (Islas Canarias, Azores, etc.)	<ul style="list-style-type: none"> EU ETS & CH ETS ESe - EU & CH ETS UK ETS (& ESe) CORSIA^(a) 							
	EEA Overseas (Greenland, Aruba, etc.) ⁽¹⁾	<ul style="list-style-type: none"> EU ETS & CH ETS ESe - EU & CH ETS UK ETS (& ESe) CORSIA^(a) 							
	Switzerland	<ul style="list-style-type: none"> EU ETS & CH ETS CH ETS Only (for flights to/from EEA) UK ETS (& ESe) CORSIA 							
	UK	<ul style="list-style-type: none"> EU ETS & CH ETS UK ETS (& ESe) CORSIA 							
	UK Crown Dependencies (Le. Isle of Man, Jersey and Guemsey)	<ul style="list-style-type: none"> EU ETS & CH ETS UK ETS (& ESe) CORSIA 							
	Gibraltar	<ul style="list-style-type: none"> EU ETS & CH ETS UK ETS (& ESe) CORSIA 							
	Third country (USA, China, México, etc.) ⁽²⁾	<ul style="list-style-type: none"> EU ETS & CH ETS ESe - EU & CH ETS UK ETS (& ESe) CORSIA 							
		EEA State (Without Outermost Regions and/or Overseas)	<p>EEA State (Without Outermost Regions and/or Overseas)</p> <ul style="list-style-type: none"> EU ETS & CH ETS ESe - EU & CH ETS UK ETS (& ESe) CORSIA^(a) 						

The flight and emissions associated with route must be counted for the assessment of the thresholds considered in respect of the MBMs:

- Inclusion in EU ETS & CH ETS.
- Eligibility for consideration as small emitter under EU and CH ETS.
- Inclusion in UK ETS and eligibility for consideration as small emitter.
- Inclusion in CORSIA.

Part 2 TAROG: TABLE B

- **Identification of routes subject to the reporting obligation (EU ETS, Swiss ETS, UK ETS and/or CORSIA).**
- **Applicability Art 28a (6) Directive 2003/87:** If the emissions report is generated using pre-populated data from the ETS support facility of EUROCONTROL, the reported emissions are considered to be verified emissions; hence no additional external verification is necessary)

If WE want to assess applicability of **Art 28a (6) Directive 2003/87** for EU & CH ETS:

- **Use Table A** if we are evaluating **25,000 t CO₂** threshold.
- **Use Table B** if we want to check if emissions are below **3,000 t CO₂** on routes subject to reporting obligations

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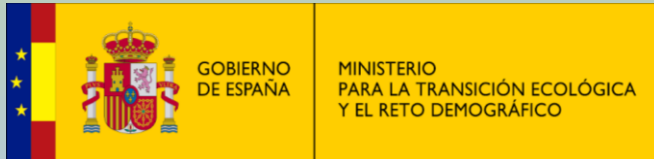
TABLE B: SCHEMES UNDER WHICH A ROUTE IS SUBJECT TO REPORTING OBLIGATIONS

		AERODROME OF DESTINATION (ADES)							
		EEA State (Without Outermost Regions and/or Overseas)	EEA Outermost Regions (Islas Canarias, Azores, etc.)	EEA Overseas (Greenland, Aruba, etc.) ⁽¹⁾	Switzerland	UK	UK Crown Dependencies (I.e. Isle of Man, Jersey and Guemsey)	Gibraltar	Third country (USA, China, México, etc.) ⁽²⁾
AERODROME OF DEPARTURE (ADEP)	EEA State (Without Outermost Regions and/or Overseas)	EU ETS CORSA ^(a)	EEA State (Without Outermost Regions and/or Overseas)				EEA State (Without Outermost Regions and/or Overseas)		CORSA
	EEA Outermost Regions (Islas Canarias, Azores, etc.)	CORSA ^(a)							CORSA
	EEA Overseas (Greenland, Aruba, etc.) ⁽¹⁾	CORSA ^(a)	CORSA						
	Switzerland	CH ETS CORSA	EEA State (Without Outermost Regions and/or Overseas)		EEA State (Without Outermost Regions and/or Overseas)		CORSA		
	UK	UK ETS CORSA					CORSA		
	UK Crown Dependencies (I.e. Isle of Man, Jersey and Guemsey)	CORSA	EEA State (Without Outermost Regions and/or Overseas)		EEA State (Without Outermost Regions and/or Overseas)		CORSA		
	Gibraltar	CORSA					CORSA		
	Third country (USA, China, México, etc.) ⁽²⁾	CORSA	EEA State (Without Outermost Regions and/or Overseas)		EEA State (Without Outermost Regions and/or Overseas)		CORSA		
		CORSA					CORSA		

*The flight and emissions associated with route, should only be reported within the scope of the **EU ETS and CORSA** scheme.*

Additionally, emissions of this route should be taken into account if applicability of Art 28a (6) is assessed, in relation with 3 000 t CO₂ threshold.

- ➡ **Facilitation tool provided by TF Aviation usable for stakeholders related to MBMs that apply currently to aviation sector.**
- ➡ **Every CAs can use and share with their stakeholders Guidance through channels that they consider it.**
- ➡ **Guidance is a living document that will be updated according to new legal framework (New proposal Directive 2003/87 included in Fit for 55).**



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