

8 July 2009

UPDATE: TRANSPOSITION OF THE EU DIRECTIVE TO INCLUDE AVIATION IN THE EUROPEAN EMISSIONS TRADING SYSTEM – FIRST STAGE REGULATIONS

- In order to require aviation operators to submit monitoring plans under the Aviation EU Emissions Trading System (EU ETS), there needs to be a firm and agreed list of operators to be regulated by each Member State. This list was originally scheduled to be published in February, but we are now expecting it from the European Commission around the end of July. Until this list is formally published we are legally unable to lay the first stage regulations transposing the Aviation EU ETS Directive. We remain committed to including aviation in the EU ETS from 2012.
- It is vital that every aircraft operator covered by the EU ETS is aware of their obligations under the System. We are working with the European Commission and other stakeholders to ensure that the Aviation EU ETS is implemented as swiftly as possible.
- We are currently finalising the first stage Regulations transposing the Aviation EU ETS Directive and aim to publish them on our website, for information only, by mid-July.
- We will then lay before Parliament the first stage Regulations shortly after the European Commission publish their list of aircraft operators in the OJEU. The first stage Regulations will come into force 21 days after being laid before Parliament.
- The Regulations will require aircraft operators to submit emissions monitoring plans to their UK regulator within 8 weeks of them coming into force. However, publishing the draft Regulations on our website ahead of formally laying them before Parliament will provide aircraft operators with early sight of the obligations the Regulations would place upon them.
- We intend to launch a consultation on our draft second stage Regulations as soon as possible. These Regulations will replace the first stage Regulations and will complete the UK transposition of the Aviation EU ETS Directive.