

**THE AVIATION GREENHOUSE GAS
EMISSIONS TRADING SCHEME
REGULATIONS 2009**

**Guidance on the meaning of “UK operator”,
“aircraft operator” and “aviation activity”**

October 2009
Version 1 (final draft)

EU EMISSIONS TRADING - AVIATION

EU EMISSION TRADING SCHEME Draft Guidance on Expansion to Include the Aviation Industry

Table of Contents

1	STATUS AND PURPOSE OF GUIDANCE.....	3
2	MEANING OF “UK OPERATOR”	3
3	MEANING OF “AIRCRAFT OPERATOR”	4
4	MEANING OF “AVIATION ACTIVITY”	4
5	EXEMPT FLIGHTS	5
5.1	The fewer than 243 flights for three consecutive four month periods exemption OR less than 10 000 tonnes of carbon dioxide per year exemption	5
5.1.1	10 000 tonnes of carbon dioxide per year exemption	6
5.1.2	The 243 flights for three consecutive four month periods exemption	6
5.2	The 5700kg maximum take off mass exemption.....	7
5.3	Other exemptions	7
6	FLOW CHART FOR POTENTIAL UK APPLICANTS	9
7	MEANING OF “PERFORMING” AN AVIATION ACTIVITY	10
8	WHAT ARE THE UK REQUIREMENTS FOR OPERATORS?	10
8.1	Aircraft Operators (Emissions Plans)	10
8.2	UK Operators (Benchmarking Plans)	12
9	WHO DO I CONTACT TO MAKE AN APPLICATION?	12
10	INFORMATION SOURCES	13
	ANNEX I –EXEMPTIONS (GUIDANCE FROM THE COMMISSION DECISION)	14

EU EMISSIONS TRADING - AVIATION

1 STATUS AND PURPOSE OF GUIDANCE

An EU Directive¹ has expanded the scope of the EU Emissions Trading Scheme to include the aviation industry by amending Directive 2003/87/EC (the EU ETS Directive).

Key parts of the amendments to the EU ETS Directive were transposed into UK law by the Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2009 (the Regulations), which came into force on 17 September 2009.

This guidance is for operators in the scheme that are administered by the UK. The guidance focuses on three important definitions; the meaning of “UK operator”, “aircraft operator” and “aviation activity” and is intended to assist operators in complying with their obligations under the Regulations.

In relation to the application of the EU ETS Directive and the Regulations in the UK, this guidance is the key guidance that explains the approach the regulators will take in administering and enforcing the Regulations. Therefore, operators administered by the UK should regard this as their primary source of guidance as to how the Regulations will be implemented in the UK.

2 MEANING OF “UK OPERATOR”

A UK operator is defined in the Regulations as a person who is;

- (a) identified in the European Commission list; and
- (b) specified in that list as an operator to be administered by the United Kingdom

The European Commission list is the list of operators specified in Commission Regulation (EC) No 748/2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC on or after 1 January 2006 specifying the administering Member State for each aircraft operator. The list may be updated from time to time.

It is important to note that an operator must be identified on the official list defined above. This does not include any other list produced by the Commission, including any “prior compliance” lists.

The legal requirement is that a person should be “identified” on the Commission’s list. This means that the name on the list need not be exactly the same as the name of the legal entity.

¹ EU Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC (the EU ETS Directive) so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the community. A copy of the Directive can be viewed by clicking [here](#).

EU EMISSIONS TRADING - AVIATION

The UK regulators may only accept applications for a free allocation, or require submission of an emissions plan, from UK operators, as defined above.

3 MEANING OF “AIRCRAFT OPERATOR”

Under the Regulations, a person is an “aircraft operator” in relation to each calendar year from 1st January 2009, where in respect of that calendar year that person;

- (a) is a UK operator; and
- (b) performs an aviation activity

Guidance on “UK Operator” is set out in the previous section. Guidance on what constitutes performing an aviation activity is given in the following sections.

Only flights performed on or after 1st January 2009 will be relevant in determining whether a person is an aircraft operator under the Regulations. Therefore operators on the European Commission list that do not perform an aviation activity on or after this date are not aircraft operators for the purposes of the Regulations.

4 MEANING OF “AVIATION ACTIVITY”

Aviation activity is defined in the Regulations as “the category of aviation activity listed in Annex I to the EU ETS Directive but with the reference to 1st January 2012 omitted.”

Annex I of the EU ETS Directive specifies the category of aviation activity as “Flights which depart from or arrive in an aerodrome situated in the territory of a Member State to which the Treaty applies”.

The Commission Decision on the detailed interpretation of aviation activities (the Commission Decision²) provides additional guidance on the interpretation of “flight” and “aerodrome”, as follows:

- The term ‘flight’ means one flight sector that is a flight or one of a series of flights which commences at a parking place of the aircraft and terminates at a parking place of the aircraft.
- The term ‘aerodrome’ means a defined area on land or water, including buildings, installations and equipment, intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

All flights departing or arriving at aerodromes located in any EU Member State are therefore included as “aviation activities”. However, there are a number of categories of flights excluded from the scope of aviation activities and guidance on these exemptions is set out below.

² Commission Decision 2009/450/EC of 8 June 2009 on the detailed interpretation of the aviation activities listed in Annex I to Directive 2008/101/EC of the European Parliament and of the Council. Click [here](#) to view this document.

EU EMISSIONS TRADING - AVIATION

In addition, the Regulations exclude all flights that occurred before 1 January 2009 from the EU ETS.

5 EXEMPT FLIGHTS

The starting point of the scheme is that **ALL** flights arriving or departing from aerodromes located in EU Member States are included. Exemptions then eliminate some flights from the scope of aviation activities.

The exemptions are listed in Annex I to the EU ETS Directive and guidance on them is provided in the Commissions Decision.

This guidance clarifies the most significant exemptions below and includes a summary of the guidance provided in the Commission Decision in Annex I.

EXEMPTIONS APPLICABLE TO COMMERCIAL AIR TRANSPORT OPERATORS ONLY

5.1 The fewer than 243 flights for three consecutive four month periods exemption OR less than 10 000 tonnes of carbon dioxide per year exemption

These exemptions apply to commercial air transport operators only.

A commercial air transport operator is defined in the EU ETS Directive as “an operator that, for remuneration, provides scheduled or non-scheduled air transport services to the public for the carriage of passengers, freight or mail”.

The Commission Decision adds clarification that “All commercial air transport operators must hold an air operator’s certificate (AOC) under Part I of Annex 6 to the Chicago Convention. Operators without such a certificate are not “commercial air transport operators”.

However, in relation to certain operators that do not hold Air Operator Certificates, equivalent certification will be accepted.

Flights that are exempt under one of the other exemptions listed in points (a) to (i) in Annex I of the EU ETS Directive (see section 5.3) do not count towards the thresholds in these exemptions.

All non exempt flights performed by a commercial operator are counted towards the thresholds, even if no payment is made for these flights. The distinction between commercial and non-commercial applies to the operator and not to the specific flight.

If either of the threshold exemptions are met, then the activity is exempt from the scheme. For example, it is possible to exceed the 10 000 tonnes of carbon dioxide per year threshold, but still be exempt if the number of flights is fewer than 243 for three consecutive four month periods.

EU EMISSIONS TRADING - AVIATION

Flights performed exclusively for the transport, on an official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers, of a Member State may not be excluded under this particular exemption. So, for example, where an operator's flights are under the 10 000 tonne threshold, all of the flights are exempted except those performed for the transport, on official mission, of the people listed of a Member State.

However, flights performed for the transport, on an official mission; of the people listed of countries other than Member States are exempted under point (a) in Annex I of the EU ETS Directive (see section 5.3).

5.1.1 10 000 tonnes of carbon dioxide per year exemption

The criteria for this exemption are:

- The operator is a commercial air transport operator; and
- Total annual emissions for the commercial operator are below 10 000 tonnes of carbon dioxide in that calendar year

If the 10 000 tonnes threshold is equalled or exceeded and no other exemptions apply, then the activity is included in the scheme for the whole calendar year in which the threshold is equalled or exceeded.

The relevant date on which a person becomes an aircraft operator under the Regulations is the date on which the 10 000 tonnes of carbon dioxide threshold is reached. If a person is an aircraft operator as at 17th September 2009, he is required to apply for an emissions plan under the Regulations by 12th November 2009. If a person becomes an aircraft operator after this date, he is required to apply for an emissions plan within 8 weeks of becoming an aircraft operator.

For example, if a commercial operator exceeded the 10 000 tonnes threshold for the first time on the 21st May 2011, then this is the date he becomes an aircraft operator for the purpose of applying for an emissions plan and he would have 8 weeks from this date to submit an emissions plan. But note that that the activity is included for the whole of 2011 and he will be required to report his aviation emissions from 1 January 2011. Operators are therefore advised to monitor their emissions, in order to determine if and when they reach the 10 000 tonnes of carbon dioxide threshold and to enable accurate reporting of emissions for the whole calendar year.

5.1.2 The 243 flights for three consecutive four month periods exemption

The criteria for this exemption are:

- The operator is a commercial air transport operator; and
- The operator has performed fewer than 243 flights per period for three consecutive four month periods.

EU EMISSIONS TRADING - AVIATION

The Commission Decision clarifies that the four month periods are January to April, May to August and September to December. It additionally states that the local time of departure of the flight determines in which four-month period that flight shall be taken into account.

If a commercial operator performs 243 flights or more (excluding flights exempted under one of the other exemptions) in any four month period in a calendar year, then the activity is included in the scheme for the whole calendar year in which the threshold of 243 flights is reached or exceeded.

The relevant date on which a person becomes an aircraft operator under the Regulations is the last day of the month of the relevant four month period, where the 243 flight threshold was exceeded. If a person is an aircraft operator as at 17th September 2009, he is required to apply for an emissions plan under the Regulations by 12th November 2009. If a person becomes an aircraft operator after this date, he is required to apply for an emissions plan within 8 weeks of becoming an aircraft operator.

For example, if the threshold was exceeded in the September to December 2011 four month period, then the date on which the person becomes an aircraft operator for the purpose of applying for an emissions plan is 31st December 2011. An emissions plan must be submitted within 8 weeks of this date. But note that that the activity is included for the whole of 2011 and he will be required to report his aviation emissions from 1 January 2011.

EXEMPTIONS APPLYING TO ALL COMMERCIAL AND NON-COMMERCIAL OPERATORS

5.2 The 5700kg maximum take off mass exemption

All flights performed by aircraft with a certified maximum take off mass of less than 5700kg are exempt.

This exemption excludes light aircraft³ from the scheme. The exemption applies regardless of whether the aircraft is flown for commercial or non commercial purposes or by a commercial or non-commercial operator.

5.3 Other exemptions

Annex I of the EU ETS Directive lists other exemptions, summarised as follows:

- Flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers, of a country other than a Member State, where this is substantiated by an appropriate status indicator in the flight plan
- Military flights performed by military aircraft and customs and police flights

³ North Atlantic International General Aviation Operations Manual 2004, defines a Light Aircraft as "Aircraft with a maximum certified takeoff weight of 12,500 lbs. (5,700 kilos) or less".

EU EMISSIONS TRADING - AVIATION

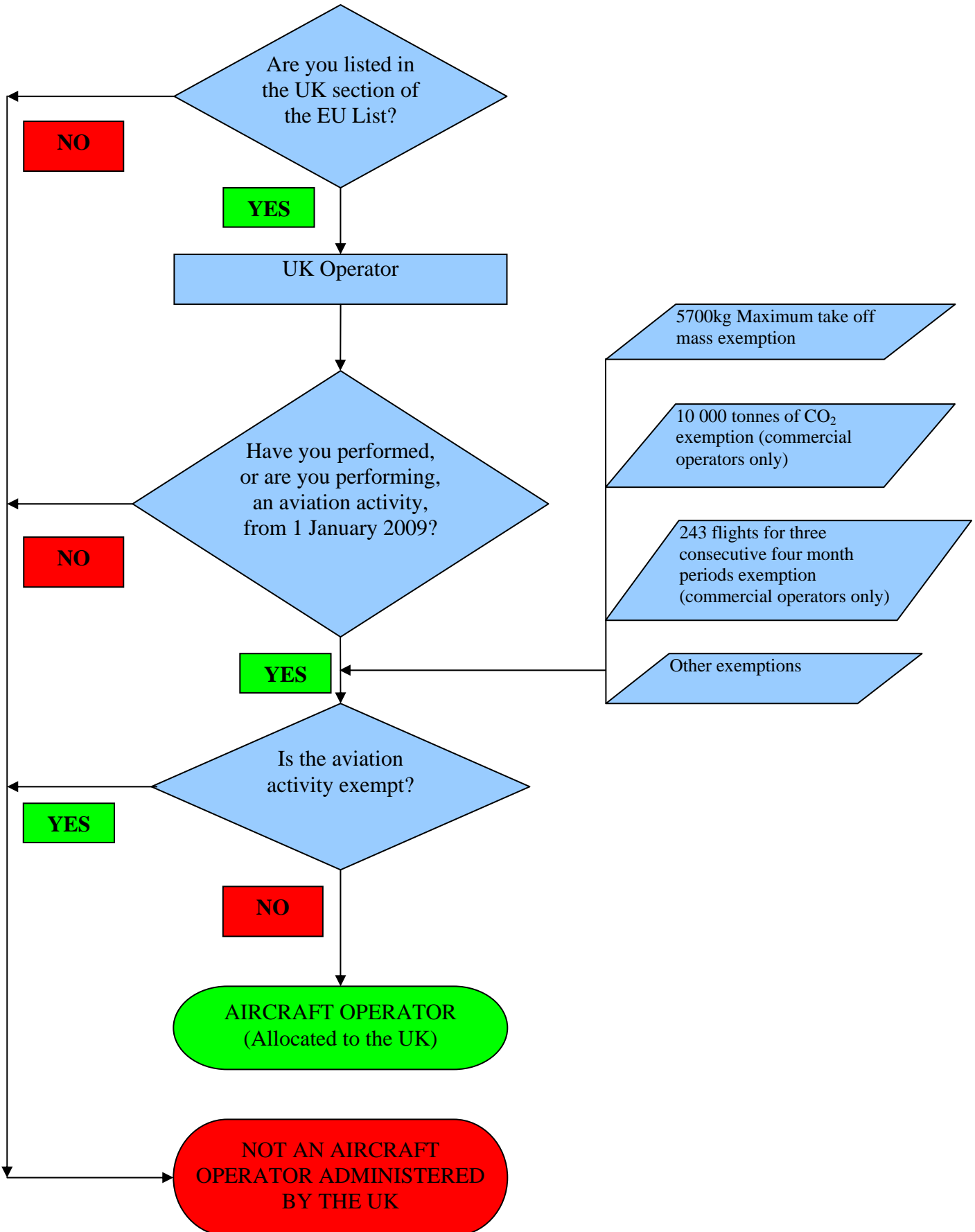
- Search and rescue, fire fighting flights, humanitarian flights and emergency medical service flights
- Flights performed exclusively under visual flight rules
- Flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made
- Training flights performed exclusively for the purpose of obtaining a licence
- Flights performed exclusively for the purpose of scientific research or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based
- Flights performed in the framework of public service obligations imposed in accordance with Regulation (EEC) No 2408/92 on routes within outermost regions, as specified in Article 299(2) of the Treaty, or on routes where the capacity offered does not exceed 30 000 seats per year;

Details of these exemptions and additional guidance are available in the Commission Decision and included in Annex I of this guidance for ease of reference.

Flights that meet these exemption criteria do not count towards the 243 flight/10 000 tonnes per year of carbon dioxide exemption thresholds (see section 5.1).

EU EMISSIONS TRADING - AVIATION

6 FLOW CHART FOR POTENTIAL UK APPLICANTS



EU EMISSIONS TRADING - AVIATION

7 MEANING OF “PERFORMING” AN AVIATION ACTIVITY

In determining whether a person is an aircraft operator and to establish which activities a person must monitor and report under the Regulations, it is necessary to establish the activities for which a person is responsible.

The person regarded as “performing the aviation activity” under the Regulations is the person with the most direct control over the activity. The starting point in determining the person with the most direct control in respect of specific flights is the call sign used for Air Traffic Control purposes. The call sign is the ICAO designator in box 7 of the flight plan or, if this is not available, the registration marking of the aircraft.

The person identified by the call sign may be the person with the most direct control but other factors should also be taken into account to identify the correct person.

Additional factors which may be relevant are as follows but this list is not definitive or exhaustive:

- Who has made the overall decision as to where the aircraft should fly?
- Who has made the overall decision as to what time the flight should occur?
- Who has specified what type of aircraft should be used for the flight?

It should be noted that an ICAO designator used in the flight plan is not determinative in identifying the person performing the flight. For example, if a subsidiary company uses the designator of the parent company, but the subsidiary is actually the company with the most direct control of the flight, then the subsidiary is still the person performing the aviation activity.

8 WHAT ARE THE UK REQUIREMENTS FOR OPERATORS?

8.1 Aircraft Operators (Emissions Plans)

All aircraft operators that fall to be regulated by the UK in 2009 are required to submit an emissions plan⁴ to one of the UK regulators. If a person is an aircraft operator as at 17 September 2009, an emissions plan must be submitted by 12th November 2009. Where a person becomes an aircraft operator after 17 September 2009, a plan must be submitted within 8 weeks of becoming an aircraft operator.

The plan must set out how the aircraft operator proposes to monitor emissions from its aviation activities in accordance with the Monitoring and Reporting Decision.

If the proposed plan is rejected by the regulator, because the regulator is not satisfied that the plan complies with the Monitoring and Reporting Decision, or Annex IV to

⁴ Please refer to the Environment Agency’s web site for details on how to submit an emission plan, click [Environment Agency - EU Emissions Trading Scheme - Aviation](#)

EU EMISSIONS TRADING - AVIATION

the EU ETS Directive, it will notify the operator and set out the changes required to the plan. Re-submission is then required within 31 days of the refusal. A fee is required with all plans submitted and resubmitted.

Each aircraft operator, for each calendar year from 1st January 2010 onwards, must:

- Monitor its aviation emissions from the date it is issued with an emissions plan in accordance with its plan and the Monitoring and Reporting Decision⁵;
- Prepare a report of its aviation emissions (defined as emissions from an aviation activity);
- Ensure the report complies with the Monitoring and Reporting Decision and Annex IV of the EU ETS Directive; and
- Ensure that the report is verified by an independent verifier in accordance with the Monitoring and Reporting Decision⁶ and Annex V to the EU ETS Directive.

For the relevant calendar year, the report must cover emissions from the start date of the aircraft operator's aviation activities (which will usually be 1 January in the relevant year), whether or not these activities started prior to that person's appearance on the Commission list. For the period between the start of activities and the date of issue of the emissions plan, these emissions may be reported using the data gaps approach described in the Monitoring and Reporting Decision or in accordance with the approach approved in the subsequently issued emissions plan. From the date of issue of an emissions plan, the emissions must be reported in accordance with the approach set out in the emissions plan.

The report, prepared and verified in accordance with the above, must be submitted to the regulator by 31st March in the following year.

The definition of "independent verifier" is a person or body accredited or endorsed by UKAS to carry out the verification requirements of Article 15 of the EU ETS Directive. "UKAS" is the United Kingdom Accreditation Service.

Aircraft operators are required to keep the information specified in Section 9 of Annex I of the Monitoring and Reporting Decision for at least 10 years after the submission of the relevant emissions report to the regulator. There is also a requirement to address any non-conformities and misstatements identified by the independent verifier, within a timescale specified by the regulator.

⁵ Commission Decision 2007/589/EC establishing guidelines for the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council. Click [here](#) to view a copy.

EU EMISSIONS TRADING - AVIATION

8.2 UK Operators (Benchmarking Plans)

UK Operators may apply to the regulator for an allocation of free allowances. To obtain these free allowances, the UK Operator must submit a benchmarking plan to the regulator by 31st December 2009. Each UK operator may only apply for one allocation of free allowances and therefore may only submit one benchmarking plan.

Any UK operator may apply for a benchmarking plan; there is no requirement to have carried out an aviation activity on or after 1 January 2009. However, if an aviation activity is not performed during the 2010 calendar year, then there will be no tonne kilometre data to report, which is the basis for any free allocation.

The plan must set out how the UK operator proposes to monitor tonne-kilometre data from its aviation activities in accordance with the Monitoring and Reporting Decision.

If the proposed plan is rejected by the regulator because the regulator is not satisfied that the plan complies with the Monitoring and Reporting Decision or the EU ETS Directive, it will notify the UK operator and set out the changes required to the plan. A UK operator may then re-submit a revised plan. A fee is required with all plans submitted and resubmitted.

If the regulator is satisfied with the plan, it will issue the UK operator with a benchmarking plan, setting out how it must monitor tonne-kilometre data. The UK operator must monitor tonne-kilometre data during 2010, in accordance with the benchmarking plan and the Monitoring and Reporting Decision.

The UK operator must prepare a report of its tonne-kilometre data and submit it to the regulator by 31st March 2011. The report must comply with the Monitoring and Reporting Decision and be verified by an independent verifier.

9 WHO DO I CONTACT TO MAKE AN APPLICATION?

In order to make an application, you will need the Environment Agency (EA) to provide you with details to access the secure web-based application system. If you are on the Commission's list and have provided a contact email address, then you should automatically be sent these details. If you have not received access details and believe that you need to submit an application, you should email your details, including the operator name and CRCO code as they appear on the European Commission list, to etaviationhelp@environment-agency.gov.uk explaining why you believe you should have access to the system. All operators regulated by the UK have to apply through the EA portal, even if regulated by the Scottish Environment Protection Agency or Northern Ireland Environment Agency.

The Environment Agency provides a help desk service to assist in dealing with any queries in connection with EU ETS aviation. This service is free to use and can be contacted at the same e mail address.

Scottish operators may contact SEPA's helpdesk at emission.trading@sepa.org.uk.

EU EMISSIONS TRADING - AVIATION

10 INFORMATION SOURCES

Key information sources and news of new developments can be found on the following web sites:

[Environment Agency - EU Emissions Trading Scheme - Aviation](#)

[Scottish Environment Protection Agency – Climate change – Solutions – EU Emissions Trading Scheme - Aviation](#); or

[Aviation in the EU Emissions Trading System - Department of Energy and Climate Change](#)

[Environment - Climate Change - Aviation](#)

EU EMISSIONS TRADING - AVIATION

ANNEX I – EXEMPTIONS (GUIDANCE FROM THE COMMISSION DECISION⁷)

ANNEX I – SPECIFIC FLIGHT EXEMPTIONS			
TEXT IN THE EU ETS DIRECTIVE	ADDITIONAL GUIDANCE IN THE COMMISSION DECISION	CENTRAL ROUTE CHARGES OFFICE EXEMPTION CODE	FIELD 18 OF THE FLIGHT PLAN
<p>(a) Flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers, of a country other than a Member State, where this is substantiated by an appropriate status indicator in the flight plan;</p>	<p>This exemption shall be interpreted according to the exclusive purpose of the flight.</p> <p>Immediate family comprises exclusively the spouse, any partner considered as equivalent to the spouse, the children and the parents.</p> <p>Government ministers are the members of the government as listed in the national official journal of the country concerned. Members of regional or local governments of a country do not qualify for exemption under this subparagraph.</p> <p>An official mission means a mission in which the person concerned is acting in an official capacity.</p> <p>Flights for the positioning or ferrying of the aircraft are not covered by this exemption.</p> <p>Flights that Eurocontrol’s Central Route Charges Office has identified for route charges exemption applicability (hereinafter CRCO exemption code) as ‘S’ are presumed to be flights performed exclusively for the transport, on official mission, of a reigning monarch and his immediate family, heads of state, heads of government and government ministers substantiated by an appropriate status indicator in the flight plan.</p>	<p>S</p>	<p>N/A</p>
<p>(b) Military flights performed by military aircraft and customs and police flights</p>	<p>MILITARY FLIGHTS</p> <p>Military flights mean flights directly related to the conduct of military activities.</p>		<p>N/A</p>

⁷ Commission Decision of 8 June 2009 (2009/450/EC) on the detailed interpretation of the aviation activities listed in Annex I to Directive 2003/87/EC of the European Parliament and the Council (notified under document number C(2009) 4293. Click [here](#) to view a copy of this document.

EU EMISSIONS TRADING - AVIATION

ANNEX I – SPECIFIC FLIGHT EXEMPTIONS			
<i>TEXT IN THE EU ETS DIRECTIVE</i>	<i>ADDITIONAL GUIDANCE IN THE COMMISSION DECISION</i>	<i>CENTRAL ROUTE CHARGES OFFICE EXEMPTION CODE</i>	<i>FIELD 18 OF THE FLIGHT PLAN</i>
<p>(c) Flights related to <i>search and rescue</i>, fire fighting flights, humanitarian flights and emergency medical service flights authorised by the appropriate competent authority;</p>	<p>Flights related to search and rescue mean flights offering search and rescue services. Search and rescue service means the performance of distress monitoring, communication, coordination and search and rescue functions, initial medical assistance or medical evacuation, through the use of public and private resources, including cooperating aircraft, vessels and other craft and installations.</p> <p>Flights with the CRCO exemption code ‘R’ and flights identified with STS/SAR in field 18 of the flight plan are presumed to be exempted search and rescue flights.</p>	R	STS/SAR
<p>(c) Flights related to search and rescue, <i>fire fighting flights</i>, humanitarian flights and emergency medical service flights authorised by the appropriate competent authority;</p>	<p>Fire fighting flights mean flights performed exclusively to provide aerial fire fighting services, which means the use of aircraft and other aerial resources to combat wildfires.</p> <p>Flights identified with STS/FFR in field 18 of the flight plan are presumed to be exempted fire fighting flights.</p>		STS/FFR
<p>(c) Flights related to search and rescue, fire fighting flights, <i>humanitarian flights</i> and emergency medical service flights authorised by the appropriate competent authority;</p>	<p>Humanitarian flights mean flights operated exclusively for humanitarian purposes which carry relief personnel and relief supplies such as food, clothing, shelter, medical and other items during or after an emergency and/or disaster and/or are used to evacuate persons from a place where their life or health is threatened by such emergency and/or disaster to a safe haven in the same State or another State willing to receive such persons.</p> <p>Flights with the CRCO exemption code ‘H’ and flights identified with STS/HUM in field 18 of the flight plan are presumed to be exempted humanitarian flights.</p>	H	STS/HUM
<p>(c) Flights related to search and rescue, fire fighting flights, humanitarian flights <i>and emergency medical service flights authorised by the appropriate</i></p>	<p>Emergency medical service flights mean flights the exclusive purpose of which is to facilitate emergency medical assistance, where immediate and rapid transportation is essential, by carrying medical personnel, medical supplies, including equipment, blood, organs, drugs, or ill or injured persons and other</p>	-	STS/MEDE VAC OR STS/HOSP

EU EMISSIONS TRADING - AVIATION

ANNEX I – SPECIFIC FLIGHT EXEMPTIONS			
<i>TEXT IN THE EU ETS DIRECTIVE</i>	<i>ADDITIONAL GUIDANCE IN THE COMMISSION DECISION</i>	<i>CENTRAL ROUTE CHARGES OFFICE EXEMPTION CODE</i>	<i>FIELD 18 OF THE FLIGHT PLAN</i>
<i>competent authority;</i>	persons directly involved. Flights identified with STS/MEDEVAC or STS/HOSP in field 18 of the flight plan are presumed to be exempted emergency medical service flights.		
(d) any flights performed exclusively under visual flight rules as defined in Annex 2 to the Chicago Convention;	-	-	-
(e) flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made;	-	-	-
(f) training flights performed exclusively for the purpose of obtaining a licence, or a rating in the case of cockpit flight crew where this is substantiated by an appropriate remark in the flight plan provided that the flight does not serve for the transport of passengers and/or cargo or for the positioning or ferrying of the aircraft;	Flights with the CRCO exemption code ‘T’ and flights identified with RMK/‘Training flight’ in field 18 of the flight plan are presumed to be exempted under subparagraph (f).	T	RMK/‘Train ing flight’
(g) flights performed exclusively for the purpose of scientific research or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based;	In relation to the below categories of flight, flights for the positioning or ferrying of the aircraft are not covered. This applies to flights performed exclusively for the purpose of scientific research or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based (exemption (g));	-	-

EU EMISSIONS TRADING - AVIATION

ANNEX I – SPECIFIC FLIGHT EXEMPTIONS			
TEXT IN THE EU ETS DIRECTIVE	ADDITIONAL GUIDANCE IN THE COMMISSION DECISION	CENTRAL ROUTE CHARGES OFFICE EXEMPTION CODE	FIELD 18 OF THE FLIGHT PLAN
(g) flights performed exclusively for the purpose of <i>scientific research</i> or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based;	This category exempts flights the only purpose of which is to carry out scientific research. The scientific research must be partially or totally performed in-flight for the exemption to apply. The transport of scientists or research equipment is not in itself sufficient for a flight to be exempt.	-	-
(g) flights performed exclusively for the purpose of scientific research or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based;	Flights with the CRCO exemption code ‘N’ and flights identified with STS/FLTCK in field 18 of the flight plan are presumed to be exempted under subparagraph (g).	N	STS/FLTCK
(h) flights performed by aircraft with a certified maximum take-off mass of less than 5 700 kg;	See section 5.2 of this document for additional guidance	-	-
(i) flights performed in the framework of public service obligations imposed in accordance with Regulation (EEC) No 2408/92 on routes within outermost regions, as specified in Article 299(2) of the Treaty, or on routes where the capacity offered does not exceed 30 000 seats per year;	The exemption of public service obligation (PSO) flights within outermost regions shall be interpreted as applying to the regions listed in Article 299(2) of the EC Treaty and comprises exclusively PSO flights within one outermost region and flights between two outermost regions.	-	-

EU EMISSIONS TRADING - AVIATION

ANNEX I – SPECIFIC FLIGHT EXEMPTIONS			
<i>TEXT IN THE EU ETS DIRECTIVE</i>	<i>ADDITIONAL GUIDANCE IN THE COMMISSION DECISION</i>	<i>CENTRAL ROUTE CHARGES OFFICE EXEMPTION CODE</i>	<i>FIELD 18 OF THE FLIGHT PLAN</i>
<p>(j) flights which, but for this point, would fall within this activity, performed by a commercial air transport operator operating either:</p> <p>— fewer than 243 flights per period for three consecutive four-month periods;</p> <p>or</p> <p>— flights with total annual emissions lower than 10 000 tonnes per year.</p> <p>Flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers, of a Member State may not be excluded under this point.</p>	<p>See section 5.1 of this document for additional guidance</p>	-	-