

Dear Sirs,

In accordance with article 15 (4) of Decree-Law n.º 93/2010, of 27 July, amended by Decree-Law no. 195/2015 of 14 September, aircraft operators covered by the EU ETS regime, are responsible for submitting to the competent authority, by **31st of March**, a duly **verified** report (AER) containing the information related to the emissions that occurred in the previous year.

Thus, and taking into account the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems, which came into force on January 1st, 2020, the European Commission has published a new AER template, used for combined reporting under the EU ETS, the Swiss ETS and CORSIA, to include the CO₂ emission data for flights performed under the Swiss ETS.

Consequently, **the Aviation ETS** will also cover flights departing from the European Economic Area (EEA) and arriving at the Swiss Confederation and **the Swiss ETS** covers flights departing from an aerodrome in Switzerland and arriving at an aerodrome within the EEA, including also all domestic flights within this country.

Also due to the Trade and Cooperation Agreement (**BREXIT**) signed between the European Union and the United Kingdom in December 2020, which entered into force on 1 May 2021, but is applicable **from 1 January 2021**, the ETS Directive has been amended so that flights from the EEA to the UK (e.g. Lisbon - London) are now included in the EU ETS and flights from the UK to the EEA (e.g. London - Lisbon) and domestic flights in the UK (e.g. London - Manchester) are included in the UK ETS.

Please note that in order to determine the **scope of the EU ETS**, must be taken into account **all flights carried out to and from the EEA, Switzerland and the United Kingdom**. However, for the purposes of surrender allowances, only flights within the EEA, flights from the EEA to Switzerland and flights from the EEA to the United Kingdom will be taken into account.

Therefore, when submitting the Annual Emissions report, the aircraft operators must use the aforementioned template **AER combined EU ETS/Swiss ETS /CORSIA**, which is attached, can also be downloaded on this Agency website at:

<https://www.apambiente.pt/clima/monitorizacao-comunicacao-e-verificacao-das-emissoes-anuaismonitoring-and-reporting-emissions>,

and it **should be submitted through the SILiAmb platform** - Integrated Environmental Licensing System (<https://siliamb.apambiente.pt/pages/public/login.xhtml>).

To fulfill the AER combined EU ETS / Swiss ETS / CORSIA form, flights must be reported taking into account the respective regime, which should be done as follows:

- **EU ETS regime**, all flights within the EEA, flights from the EEA to Switzerland and flights from the EEA to the United Kingdom must be reported;
- **Swiss ETS regime**, all flights carried out from Switzerland to the EEA and domestic flights in Switzerland must be reported;
- **CORSIA regime**, all international flights must be reported, that is, flights between aerodromes of different states participating in CORSIA. "Domestic flights" (flights within an ICAO member state, e.g. Los Angeles - New York) are excluded from CORSIA.

Aircraft operators who have obligations for CORSIA in an EEA State have to monitor all international flights to fulfil the CORSIA requirements at the same time as their EU ETS requirements. Thus CORSIA covers:

- Flights under the reduced scope of the EU ETS with the exception of domestic flights;
- Flights included in the "full scope" of the EU ETS:
 - Flights between aerodromes located in Member States and aerodromes located in third countries;
 - Flights between aerodromes located in Member States and aerodromes located in outermost regions, dependencies or territories of other Member States;
 - Flights between aerodromes located in outermost regions, dependencies or territories of Member States and aerodromes located in third countries or dependencies or territories of other Member States;
- Flights between aerodromes located in two different third countries.

Regarding the emissions verification, **aircraft operators must submit a Verification Report** related to the **EU ETS regime**, which is filled in the SiliAmb platform, a second Verification Report related to the **Swiss ETS** and a third Verification Report for flights covered by **CORSIA regime**. Please note that the Verification Reports related to Swiss ETS and CORSIA, if applicable, must be submitted by email to cele.aviacao@apambiente.pt, with the verifier in the Cc field.

The procedure for submitting the Annual Emissions Report (AER) for Greenhouse Gases, in attachment, is also available on the APA website at:

<https://apambiente.pt/index.php?ref=17&subref=295&sub2ref=549&sub3ref=752>

The submission of the 2021 AER must be finalized by 31st March 2022.

Please note that you should keep your organization's data updated in the SiliAmb platform, in particular as regards the e-mail address provided, in order to receive the notifications related to the present submission.

The Portuguese Environment Agency is available to clarify any questions relating to the AER form via the e-mail address cele.aviacao@apambiente.pt

As in the previous year, aircraft operators and verifiers have to register the verified emissions in the **Portuguese Registry (Registo Português de Licenças de Emissão - RPLE)**, which is integrated in the Union Registry, as explained in the attached document. The operator must enter the value of its Verified Emissions (VE) regarding **the EU ETS regime** (domestic and non-domestic emissions) and the **Swiss ETS regime** (total emissions) in a disaggregated manner as also indicated in the attached Procedure, which are subsequently approved by the verifier.

If the AO **has no emissions** in any of the regimes (EU ETS or Swiss ETS), you must enter the **value zero 0** in the respective field (that is, the three fields must contain values). It should be noted that **the non-introduction of VE is interpreted as not having been communicated, which will result in the automatic blocking of the account** from April 1st.

In addition, we take the opportunity to inform you about the update of the Commission's guide on site visits "*The Accreditation and Verification Regulation - Site visits (AVR Key guidance note No. II.5)*" which has been revised, in particular, to include guidance on to virtual visits, which is available at:

<https://www.apambiente.pt/index.php?ref=17&subref=155&sub2ref=237&sub3ref=1103>

as well as send the procedure established by APA for this purpose.

By way of derogation from the general rule established in the attached procedure, it is clarified that, as long as the emergency state or other situation duly provided for in legislation prevents the verifier from carrying out a physical visit to the site, the request for a virtual visit does not need to a prior authorization from the competent authority.

However, the operator must inform the competent authority of the verifier's decision to carry out the virtual visit to the site, indicating the elements specified in paragraph 2 of article no. 34-A, in accordance with the document "*PROCEDURE - Request for a virtual visit*".

The referred documents are available at:

<https://www.apambiente.pt/index.php?ref=17&subref=155&sub2ref=237&sub3ref=1702>