

Guidance note on verification of reports pursuant to Directive 2003/87/EC of the European Parliament and the Council establishing a scheme for greenhouse gas emission allowance trading within the Community, as amended.

Introduction:

Article 15¹ of Directive 2003/87/EC (EU ETS Directive), as amended, provides for the verification of annual emissions reports (in the case of stationary installations) and annual emissions reports and tonne-kilometres reports (in the case of aircraft operators). Such verification shall be carried out by independent, competent and accredited verifiers in line with the requirements of the Directive, implementing provisions established pursuant to the Directive and any other guidelines that may be issued or recognized by the local competent authorities and the European Commission.

The two entities sharing competency on issues related to verification of EU ETS reports in Malta are:

- the Malta Resources Authority (MRA) as competent authority for the implementation of the EU ETS Directive, including the receipt and acceptance of reports submitted by operators;
- the National Accreditation Board-Malta (NAB-Malta) as lead competent body for accreditation and supervision of verifiers.

Contact details are provided at the end of this document.

Scope of this guidance note:

This guidance note is being issued to provide information regarding acceptance of verifiers to perform verification work in respect of reports to be submitted by operators falling within the administrative responsibility of Malta pursuant to the EU ETS Directive.

This note is for guidance purposes only and does not in any way supersede requirements as provided for by local and EU legislation and any other guidance relevant to verification pursuant to the EU ETS Directive as recognized by the local competent authorities².

It is also important to note that this guidance may be revised periodically to take into account developments in this area, including the future adoption of a regulation on verification and accreditation as provided for in Article 15 of the

¹ More detailed requirements regarding verification are provided in Annex V to the EU ETS Directive and Commission Decision 2007/589/EC, establishing guidelines for the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC, as amended.

² EA-6/03: 2010 (EA Document for Recognition of Verifiers under the EU ETS Directive) is a particularly useful tool to guide verifiers in their work.

amended EU ETS Directive and other guidance that is recognized by the Maltese authorities. In the case of verification in respect of reports to be submitted by aircraft operators, work has been undertaken to develop specific guidance on verification for aviation activities. This guidance should be available in the near future.

Acceptance of verifiers:

For the purposes of verification of reports to be submitted by operators pursuant to Directive 2003/87/EC, Malta can accept verifiers accredited by the NAB-Malta and verifiers accredited by a member state of the European co-operation for Accreditation (EA) that is also a member state of the European Union (EU). It should be noted that all the current member states of the EU are also full members of the EA.

Requirements for acceptance of verifiers not accredited in Malta:

To be accepted as a verifier for the purposes of EU ETS verification in Malta, in the case of verifiers accredited by a state other than Malta, the following requirements apply:

A verifier shall provide proof of accreditation. Such proof of accreditation shall be in English.

A verifier shall also provide proof of knowledge of local legislation as well as the local national legislative framework.

The verifier shall also submit information regarding the competency of individual verifiers selected to perform verification, in the form of a *curriculum vitae*.

This information shall be submitted to NAB-Malta, copying MRA.

Other requirements:

Prior to the commencement of the verification process, the verifier shall notify, to MRA and NAB-Malta, the dates when verification shall be carried out (particularly where site visits are applicable) and shall submit a verification plan.

This information shall be submitted as soon as possible prior to when the verification is to take place, but not later than 4 weeks before the start of the verification process.

NAB-Malta, in conjunction with MRA reserve the right to perform supervision on the verifier; where applicable such supervision may be carried out in liaison with the national accreditation body that has issued the accreditation to the verifier. The verifier may be charged for the costs relating to supervision.

The operator and the verifier shall make all the necessary information available to NAB-Malta and MRA so as to allow a proper supervision to be carried out.

Once the verification is finalized, the operator and/or verifier shall submit the verification report (including any pertinent findings) to MRA and NAB-Malta. A copy of the verification report from the previous year (when applicable) shall also be submitted. The annual emissions report (and also the tonne-kilometres report in the case of aircraft operators) shall also be submitted to MRA. These submissions shall take place in a timely manner, taking into account the relevant deadlines as provided for by EU ETS legislation and allowing for sufficient time for the necessary processing of submissions by MRA and NAB-Malta.

Further information and contact details:

Further information on the implementation of the EU ETS Directive in Malta may be found at:

<http://www.mepa.org.mt/ets-introduction>.

Detailed information regarding the functions of the NAB-Malta may be accessed at:

<http://www.nabmalta.org.mt>.

Information regarding EU climate change action in general and the EU ETS Directive in particular may be found at:

http://ec.europa.eu/clima/policies/brief/eu/index_en.htm.

Submissions as described in the previous section shall be made thus:

- to MRA, at: saviour.vassallo@office.mra.org.mt;
- to NAB-Malta, at: claudio.boffa@nabmalta.org.mt.

In case of any further queries, please contact MRA at:

Email: saviour.vassallo@office.mra.org.mt; or

Tel. No.: +356 22955115.