

Table of content

- I. TEMPLATE OF PROXY GRANTED BY THE AIRCRAFT OPERATOR TO THE LEGAL REPRESENTATIVE
- II. ACCOUNT OPENING REQUEST AIRCRAFT OPERATOR
- III. ANNEX I - APPOINTMENT OF AUTHORISED REPRESENTATIVES
- IV. ANNEX II - APPOINTMENT OF ADDITIONAL AUTHORISED REPRESENTATIVE
- V. ANNEX III - DIRECT DEBIT

**TEMPLATE OF PROXY GRANTED BY THE AIRCRAFT OPERATOR
TO THE LEGAL REPRESENTATIVE**

[*Name of the aircraft operator*], grants power, with no limitation with regards to time or amount and as broad as the Law requires, to [...] so that, solely, and in name and representation of the grantor of power, is authorised to exercise the following:

- i. Request that the Spanish National Administrator opens an aircraft operator holding account in the Union Registry, becoming an account holder, and for that purpose sign the opening request form together with its annexes and any documents and agreements as may be necessary.
- ii. Take such actions as may be necessary for maintenance and updating of the account of the grantor with the Union Registry, including closing it, and for that purpose give notice of changes in the information provided for the opening of the account, as well as such information as is to be communicated to the National Administrator of the Registry, in the form contemplated by the applicable rules.
- iii. Receive communications from the Spanish National administrator as contemplated in the applicable rules, addressed to the account holder regarding the opening, maintenance, updating and cancellation of the account
- iv. Appoint Authorised Representatives before the Spanish National Administrator, authorizing them to initiate transactions and other processes via the website of the Union Registry, as well as use the account passwords that the Holder maintains within the Union Registry, thereby authorizing them to undertake acts of disposition regarding the allowances and other Kyoto units recorded in the account.
- v. Order payment of amounts owing to the Spanish National Administrator.

In the event of doubt regarding the scope of this power of attorney, its terms shall be interpreted as broadly as necessary, to facilitate the appropriate operation of the account with the Union Registry.

**REQUEST FOR THE OPENING AND MAINTENANCE OF A HOLDING ACCOUNT
FOR AIRCRAFT OPERATORS IN THE EUROPEAN UNION REGISTRY**

1.- IDENTIFICATION OF THE AIRCRAFT OPERATOR

(Hereinafter, the “aircraft operator”):

NAME/COMPANY NAME	
TAX PAYER ID (CIF)	
COMPANY TAX CODE / VAT (with country code)	
REGISTERED OFFICE	
POSTCODE	
CITY	
COUNTRY	
TELEPHONE	
MOBILE PHONE	
EMAIL	
NAME AND SURNAME OF THE LEGAL REPRESENTATIVE ¹	

¹ With powers according to the power of attorney template.

**REQUEST FOR THE OPENING AND MAINTENANCE OF A HOLDING ACCOUNT
FOR AIRCRAFT OPERATORS IN THE EUROPEAN UNION REGISTRY**

2.- STATES

- I. That Act 1/2005 of 9 March 2005 regulating the greenhouse gas emissions trading scheme (hereinafter, "Act 1/2005"), establishes in article 25.2 the obligation of aircraft operators to open an aircraft operator holding account in the Union Registry.
- II. That the Ministry of Agriculture, Food and Environment is the competent authority for what refers to the Registry activities within the framework of Directive 2003/87/CE and Decision nº280/2004/CE, and exercises its authority regarding the activity of aircraft operator holding accounts, whose management corresponds to Spain.
- III. That the Council of Ministers, at its meeting of 16th December 2011, resolved to approve the individual allocation of emission allowances to the aircraft operators assigned to Spain that presented an allocation request in a timely manner, consisting in presenting the details of tons-kilometer transported in 2010, including the aircraft operator, as described in the Annex of the Agreement.
- IV. That the European Commission's Registry Regulations establish the procedure for the opening of an aircraft operator holding account in the Union Registry.
- V. That the Spanish Office of Climate Change, of the Ministry of Agriculture, Food and Environment, by means of the Resolution dated 6th February 2012, has authorised Sociedad de Gestión de los Sistemas de Registro, Compensación y Liquidación de Valores, S.A.U. (hereinafter, "IBERCLEAR") to carry out the duties assigned to the national administrator in Section 2 of Chapter IV of the Regulation (EC) nº 920/2010, of 7th October, amongst which is that of opening holding accounts for aircraft operators that make a request between 1st January and 31st December 2012 in the Union Registry.

**REQUEST FOR THE OPENING AND MAINTENANCE OF A HOLDING ACCOUNT
FOR AIRCRAFT OPERATORS IN THE EUROPEAN UNION REGISTRY**

3.- REQUESTS

From the Spanish Office of Climate Change, of the Ministry of Agriculture, Food and Environment the opening of an aircraft operator holding account within the Union Registry, according to the provisions in Act 1/2005 and the European Commission's Registries Regulation and to that effect, the aircraft operator **agrees to:**

1. Comply with the obligations established in the regulations related to the holders of aircraft operator holding accounts;
2. Appoint authorised representatives (**Annexes I and II**);
3. Ensure the accuracy of the details provided for the opening and maintenance of the account, notifying any modification of such information within ten days from the moment the modification takes place;
4. Annually confirm to the Union Registry, prior to 31st of December of each year, that the information related to the account is still complete, updated and truthful.
5. Conform to the security rules and recommendations established for the holders of an account in the Union Registry.
6. Access and use the account according to the procedures established in the regulations applicable to the Union Registry, respecting, in any case, the principle of good faith.
7. Adopt, under their sole responsibility, all necessary precautions so as to prevent the loss or theft of the access credentials and their use by someone who is not an authorised representative. Should the access credentials be lost or stolen, the national Administrator must be notified immediately;
8. Pay the fees that the current regulation establishes regarding the amounts and accrual and payment periods stipulated in the applicable rules. And to that end, **Annex III** is attached, to be used as the communication to your financial entity so that the invoices for the mentioned items may be direct debited from the specified account.

**REQUEST FOR THE OPENING AND MAINTENANCE OF A HOLDING ACCOUNT
FOR AIRCRAFT OPERATORS IN THE EUROPEAN UNION REGISTRY**

4.- APPOINTMENT OF AUTHORISED REPRESENTATIVES:

The aircraft operator appoints the people identified in Annexes I and II as Authorised Representatives, authorising them to carry out the actions stipulated in the European Commission's Registry Regulations, under the set terms.

The details provided in the aforementioned Annexes include personal data which will be incorporated to a file created by IBERCLEAR. The aircraft operator declares having obtained the express consent of the owners of the aforementioned details for them to be incorporated to the Union Registry. The Authorised Representatives will, likewise, have to sign **Annexes I and II**, as a statement of their consent.

**REQUEST FOR THE OPENING AND MAINTENANCE OF A HOLDING ACCOUNT
FOR AIRCRAFT OPERATORS IN THE EUROPEAN UNION REGISTRY**

5.- DOCUMENTATION ATTACHED TO THE REQUEST

The aircraft operator attaches to this request the following documents:

- a) Annex I (Authorised Representatives)
- b) Annex II (Additional Authorised Representative)
- c) Annex III (Direct Debit)
- d) Powers granted by the aircraft operator to the legal representative using the template provided
- e) Documentation that corroborates the identity of each of the proposed representatives; this may be a copy of one of the following documents:
 - Identity card issued by one of the Member States of the European Economic Area or of the Organisation for Economic Co-operation and Development;
 - Passport
- f) Documentation that corroborates the permanent residency details of each of the proposed representatives; this may be a copy of one of the following documents:
 - Identity document presented in accordance to the previous section if it contains details of the permanent address;
 - Any other identity document issued by a State and which contains the permanent address details;
 - If the permanent residency country does not issue identity documents that contain details of the permanent address, a statement by the local authorities confirming the permanent residency of the proposed representative.
 - Any other document that is generally accepted in the account administrator's Member State as proof of permanent residency of the proposed representative.
- g) Criminal record of each of the proposed representatives.

NOTE: Any copy of a document that is provided as documentary evidence in the framework of this process must be certified as a true copy by a notary public.

**REQUEST FOR THE OPENING AND MAINTENANCE OF A HOLDING ACCOUNT
FOR AIRCRAFT OPERATORS IN THE EUROPEAN UNION REGISTRY**

Regarding documents issued outside Spain, **the copies must be legalized.** The date of certification or legalization must not be more than **three months prior** to the date of application.

6.- SIGNING THE REQUEST:

In ..., on

THE AIRCRAFT OPERATOR

Mr/Mrs/Miss/Ms [Legal Representative]

ANNEX I

APPOINTMENT OF AUTHORISED REPRESENTATIVES ¹

AUTHORIZED REPRESENTATIVES	AUTHORIZED REPRESENTATIVE 1	AUTHORIZED REPRESENTATIVE 2
NAME		
SURNAME(S)		
TYPE OF IDENTIFICATION DOCUMENT(NATIONAL IDENTITY CARD/ PASSPORT)		
No. OF DOCUMENT		
ADDRESS		
POSTCODE		
TOWN/CITY		
COUNTRY		
TELEPHONE		
MOBILE PHONE ²		
EMAIL ²		

The **Authorised Representatives** are aware that the personal information provided shall be incorporated in the database created by IBERCLEAR in satisfaction of the provisions of Organic Act 15/1999 of 13 December 1999 on Personal Data Protection.

The Authorised Representatives are also aware that the personal details provided to IBERCLEAR will be communicated to the Union Registry, in accordance to the European Commission's Registries Regulation..

The Authorised Representatives authorise IBERCLEAR to use the referenced personal information for the compliance of this agreement and the other obligations corresponding to it.

As proof of consent, this Annex to the Opening and maintenance of an account in the European Union Registry is signed,

In....., on

LEGAL REPRESENTATIVE	AUTHORISED REPRESENTATIVE 1	AUTHORISED REPRESENTATIVE 2

¹ In the case that more than 2 Authorised Representatives (up to a maximum of four) are appointed, use this template.

² The mobile phone and email must be different for each of the account's Authorised Representatives.

ANNEX II

APPOINTMENT OF ADDITIONAL AUTHORISED REPRESENTATIVE ¹

ADDITIONAL AUTHORIZED REPRESENTATIVE	INFORMATION
NAME	
SURNAME(S)	
TYPE OF IDENTIFICATION DOCUMENT (NATIONAL IDENTITY CARD/ PASSPORT)	
No. OF DOCUMENT	
ADDRESS	
POSTCODE	
TOWN/CITY	
COUNTRY	
TELEPHONE	
MOBILE PHONE ²	
EMAIL ²	

The **Additional Authorised Representative** is aware that the personal information provided shall be incorporated in the database created by IBERCLEAR in satisfaction of the provisions of Organic Act 15/1999 of 13 December 1999 on Personal Data Protection.

The Additional Authorised Representative is also aware that the personal details provided to IBERCLEAR will be communicated to the Union Registry, in accordance to the European Commission's Registries Regulation.

The Additional Authorised Representative authorises IBERCLEAR to use the referenced personal information for the compliance of this agreement and the other obligations corresponding to it.

As proof of consent, this Annex to the Opening and maintenance of an account in the European Union Registry is signed,

In....., on

LEGAL REPRESENTATIVE	ADDITIONAL AUTHORISED REPRESENTATIVE
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¹ In the case that more than 1 Additional Authorised Representatives (up to a maximum of ten) are appointed, you may re-use this template.

² The mobile phone and email must be different for each of the account's Additional Authorised Representatives.

