

Registry Account Opening Guide – Aviation Operators (Dec 2011)

Introduction and Important Points

This guide is to help you complete your application for a Registry account in the EC Union Registry which will be managed by the Environment Agency as the United Kingdom (UK) Registry Administrator. Each Aircraft Operator shall have one account.

What do I need to do now?

You (the account holder) need to review this guide and nominate at least two Authorised Representatives for your account. The Authorised Representatives will be the main users of the Registry account on behalf of your organisation. You can nominate more Authorised Representatives once your account has been opened and access has been given.

If you intend to use the account for trading purposes then you will also need to nominate at least one Additional Authorised Representative, whose consent is required in order to initiate certain transactions.

You need to decide which of the two options you will choose. Either a pre-activation approval or post activation approval of your identification documentation.

If you choose pre-activation approval you need to first complete the electronic version of the identity checking application form and send it to etregistryhelp@environment-agency.gov.uk from the account holder's email account, as declared on this form. You also need to print the completed form, sign the Declaration at the end of the form, and post this back as soon as possible with all required identification documentation to the Registry Team at the Environment Agency (England and Wales).

If you have chosen post-activation approval you will send us the required identification documentation once the new system has been activated. We would recommend that you start collecting the identification documentation well before the end January 2012.

All account holders (if a legal entity, its company director or company secretary) will need to provide a completed Letter of Authority. Please use the template in Appendix 1 of this guide.

All Authorised Representatives will need to provide us with copies of identification documentation for proof of name and proof of permanent residence (see Section A for full details on what Legal Entity and Authorised Representative documentation is required).

All nominated Authorised Representatives and Additional Authorised Representatives (if applicable) will also need to provide criminal record details as listed in Section A2 of this guide.

You need to review the Data Protection Act Statement in Section C of this guide and act upon it.

Once the new Registry system is available, you will need to access and set up your account for the first time – details on how and when to do this will be sent to you in the coming weeks. You will also be sent and be required to accept the Registry Terms before being given access. Also, please note the date specified by the European Commission (30 January 2012) for the partial activation of the new system may be subject to change and, therefore, cannot be guaranteed.

(Please note that the UK Registry Administrator is not responsible for any failures by third parties (including the EC Central Administrator) to comply with their obligations which may have an impact on an account being opened and/or access being given).

Please read this guide and the form carefully and provide all the requested documentation to us. Incomplete or missing information will delay the information being processed and your request to us to open an account in the Registry being delayed.

To ensure your application is dealt with promptly, please read the following points;

We do not accept documents via fax.

Do not send original documents; colour copies are accepted.

Please review the Certification and Legalisation of Documents information in Section D of this guide to ensure that your documents are certified or legalised correctly. We cannot accept alternatives.

Documents not certified / legalised, or certified / legalised incorrectly will not be accepted.

Without exception, no alternative documents will be accepted other than those requested in this guide.

All documents must be certified, legalised or apostilled as appropriate (see Section D). Documents not in English must be accompanied by a certified translation into English.

Information

Criminal records for Authorised Representatives and Additional Authorised Representatives:

UK Residents:

For UK residents, a copy of a basic Criminal Records Bureau check dated within the previous 30 days must be submitted

Copies of Criminal Records within the UK can be obtained from Disclosure Scotland. (Disclosure Scotland is a service designed to enhance public safety). This applies to the whole of the UK – they provide criminal history information on individuals for a fee).

<http://www.disclosurescotland.co.uk/what-is-disclosure/>

It often can take up to 4 weeks for a Criminal Record check to be completed and for you to receive a copy of your disclosure certificate.

For this application only a basic disclosure is required from Disclosure Scotland.

Non-UK Residents:

For non-UK residents, a copy of the criminal record issued by the government for the permanent residence of the authorised representative, and the additional authorised representative, dated within the previous 30 days or evidence satisfactory to the Administrator that they do not have a criminal record.

A. Supporting Identification Documents

As an Aircraft Operator you must provide the following documents:

A.1. Letter of authority nominating your authorised representatives / additional authorised representatives (please use the 'Letter of Authority' template in Appendix 1 of this guide).

Note - It must be printed on company letter headed paper (if applicable) and signed by a company director or company secretary.

A.2 Legal Entity Document Requirements

Copy of document proving the Registration of the Legal Entity. e.g. Certificate of Incorporation

or

Copy of Instruments establishing the Legal Entity.

Please note that the names of the “beneficial owners” of the legal entity must be provided at Section 3 of the Form. “Beneficial owner” means those individuals who own or control over 25% of the Aircraft Operator’s shares or voting rights or otherwise have control over its management.

A.3 Aircraft Operators who are Individuals

If you are not a legal entity then you do not need to complete questions H-L in Section 3 of the Form and you do not need to provide the documents to prove registration of legal entity or instruments establishing the legal entity. Instead you should provide the information requested in Section 5.0 and 5.1 of the Form in respect of yourself.

If you have any queries please contact the Registry Help Desk.

etregistryhelp@environment-agency.gov.uk

A2. Authorised Representative / Additional Authorised Representative Document Requirements

The Authorised Representatives and Additional Authorised Representatives applying for access to the Registry account must each provide the following 6 documents:

1. Witness statement signed by each authorised representative confirming full name, residential address, place of birth, date of birth, country of birth, mobile telephone number and company email address. Please use the 'Witness Statement' template in Appendix 2 of this guide.
2. Evidence of an open current cheque book account in a Member State of the European Economic Area (EEA) or Organisation for Economic Co-operation Development (OECD) which may be a certified if in UK, or legalised if outside UK. This evidence would be a copy of a bank statement dated within the last 3 months (but not printed off the internet). The bank statement must show the name of the authorised representative, the International Bank Account Number and residential address of the authorised representative. The figures stating the value of the transactions on the statement may be crossed out.
3. Criminal records:
For UK residents, a copy of a standard Criminal Records Bureau check dated within the previous 30 days;

For non-UK residents, a copy of the criminal record issued by the government for the permanent residence of the Authorised Representatives, dated within the previous 30 days or evidence satisfactory to the Administrator that they do not have a criminal record.
4. Mobile Phone Number (this will only be used for sending security codes via SMS)
5. Authorised representatives / additional authorised representatives must also provide one document from the following table for Proof of Name
6. Authorised representatives / additional authorised representatives must also provide one document from the following table for Proof of Permanent Residential Address

Important Note:

If any details provided on application change then you must notify the Registry Administrator (UK) of the changes within 10 working days, together with copies of supporting documentation to evidence the changes.

Aircraft operators shall notify the administrator of their account within 10 working days if they have undergone a merger of two or more aircraft operators or if they have split into two or more aircraft operators.

Proof of Name

Please provide a colour copy of just **one** of the below documents for each authorised representative / additional authorised representative. Ensure the copy you send is legible and that all images are clear. The document must be certified or legalised (See Section D).

Proof of Name – Authorised Representatives	UK	Non-UK
UK Residents:	Certified	Legalised
Current Passport (All pages of the passport are required)	Yes	Yes
Identity Card issued by a state which is a member of the European Economic Area (EEA) or Organisation for Economic Co-operation & Development (OECD)	Yes	Yes
Identity Card issued by the Electoral Office of Northern Ireland	Yes	Yes
Non-UK Residents:		
Current Passport (All pages of the passport are required)	Yes	Yes
A National Identity Card issued by a state which is a member of the European Economic Area (EEA), or Organisation for Economic Co-operation & Development (OECD)	Yes	Yes

Proof of Permanent Residential Address

Please provide a colour copy of just **one** of the below documents for each authorised representative / additional authorised representative. Ensure the copies you send are legible and clearly display the permanent residential address. The documents must be certified or legalised. (See Section D).

Proof of Permanent Residential Address – Authorised Representatives	UK	Non-UK
UK Residents:	Certified	Legalised
Current Driving Licence (both parts)	Yes	Yes
Local authority bill for council tax dated within last 3 months	Yes	Yes
Gas, electricity, water or telephone bill dated within last 3 months (but not mobile phone bill printed off the internet).	Yes	Yes
Non-UK Residents:		
A National Identity Card issued by a state which is a member of the European Economic Area (EEA) or Organisation for Economic Co-operation & Development (OECD)	Yes	Yes
Any other government issued identity document that contains the address of permanent residence	Yes	Yes
If the country of permanent residence does not issue identity documents that contain the address of permanent residence, a statement from the local authorities confirming the permanent residence	Yes	Yes
Gas, electricity, water or telephone bill dated within last 3 months (but not mobile phone bill printed off the internet)	Yes	Yes

Note - Your proof of permanent residential address document you provide cannot be the same as your proof of name document unless it is an ID Card which states the permanent residential address.

B. Final Checks

You have reached the end of the application. Please use this section to check that you have prepared all the requested documents and know where to send them to.

B1. Checklist

Please tick off the documents you have prepared. If you have any empty boxes remaining, please go back to the relevant section to check what you have missed.

Are all the documents legible and clear?

Have any translated documents been certified or legalised?

Have you ensured that all documents are copies, not originals?

Do all of your certified or legalised documents fully comply with the 'Certification and Legalisation of Documents' information in Section D of this guide?

If applicable - completed and signed copy of the Identity Checking Application Form

Legal Entity Documents

Letter of Authority Is it signed by Company Director/Company Secretary? Used the template from Appendix 1 of this guide?

Copy of documents proving the Registration of the Legal Entity. Is it certified or legalised?
Or

Copy of Instruments establishing the Legal Entity. Is it certified or legalised?

Authorised Representative / Additional Authorised Representative Documents

Witness Statement signed by each of the Authorised Representative / Additional Authorised Representative Have you used the template in Appendix 2 of this guide?

Evidence of an open current/cheque account Is it certified or legalised?

Copy of Criminal Records Is it certified or legalised?

Mobile Phone Number

One document from the 'Proof of Name' table Is it certified or legalised?

One document from the 'Proof of Address' table Is it certified or legalised?

Have you provided the above documents in section for ALL Authorised Representatives?

B2. Postal Address

If you have ticked all the boxes in the checklist, you are now ready to send your application.

We strongly suggest that you use Royal Mail special delivery or an equivalent secure postal service and send your documents to:

**The Registry Administrator (UK)
Environment Agency
Richard Fairclough House
Knutsford Road
Warrington
Cheshire
WA4 1HG**

Note - We do not accept copies of documents via email or fax.

B3. Registry Helpdesk Contact Details

If you still have questions about the application, please email us at the following email address. Please note we operate an email only helpdesk.

etregistryhelp@environment-agency.gov.uk

Emails are answered within 5 working days. We are closed at weekends and public holidays.

Section C

Data Protection Act – Statement

1. You agree that the Registry Administrator may use the information submitted in or with or in connection with this Form, (including, if You are an individual, any personal information about you) in accordance with the purposes of processing information in connection with the opening of and management of Aircraft Operator Holding Accounts including assessing nominations of authorised representatives, including as set out here.
2. The information that you supply to the Registry Administrator includes personal information about your Authorised Representatives.
3. The Administrator will process that personal information in connection with the ETS Scheme and in accordance with the Data Protection Act 1998 and any other applicable legislation. In order to do so it is important that You notify Your Authorised Representatives that their personal information has been or will be passed to the Registry Administrator and will be used in accordance with clauses 4 and 5 below and that they have consented to such use.
4. The Registry Administrator may use any personal information you have supplied in the following ways:
 - 4.1 for the purposes of assessing information provided by you to comply with identity requirements and processing any application including for an Aircraft Operators Holding Account in the EC Union Registry (which may include making searches with credit reference or fraud prevention agencies);
 - 4.2 in order to provide, operate and maintain security measures, which may include passing personal information to the digital certificate provider;
 - 4.3 in order to manage accounts in the EC Union Registry in accordance with the ETS Scheme and all applicable laws, including in the case of Account Holders, your Authorised Representatives:
 - (a) by posting certain personal information on a non-secure area of the Website where the Registry is held (which may be accessed by the general public) provided that You (the Account Holder) requested the Registry Administrator in writing to display all or some of this information;
 - (b) passing certain personal information to the EC Central Administrator for the ETS Scheme for inclusion in the CITL, the European Transaction Log and/or the EC Union Registry; and
 - (c) passing certain personal information to the ITL Administrator, the UNFCCC Secretariat or the CDM Executive Board;

- 4.4 for the purpose of contacting You in connection with Your Account or the ETS Scheme;
 - 4.5 to enable the Registry Administrator to carry out statistical analysis or research and development in relation to the ETS Scheme;
 - 4.6 to prevent or investigate fraud, money laundering or other unlawful activity;
 - 4.7 to enable the Registry Administrator to comply with any other duties or obligations placed on it under the ETS Scheme including supplying information to the EC Central Administrator in connection with the establishment and operation of the Union Registry and Accounts to be held in it;
 - 4.8 by providing it in accordance with regulation 29 of the Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010 (SI No. 2010 of 1996) as amended or replaced from time to time;
 - 4.9 in order to comply with the law including the Environmental Information Regulations 2004 (SI 2004/3391); or the Freedom of Information Act 2000;
 - 4.10 by disclosing it to, amongst others, the UK law enforcement and tax authorities, in accordance with Commission Regulation (EC) No 2216/2004 of 21 December 2004 as amended or replaced.
- 5 The Registry Administrator will only use the personal information supplied by you or your Authorised Representatives in the manner described above. In particular, the Registry Administrator will not sell, rent or trade the personal information supplied by you to others.

Section D

Certification and Legalisation of Documents

Certification of Documents

Certified colour copies of documents should be delivered. The date of certification, Legalisation or Apostillation must not be more than three months prior to the date of application.

Documents from UK Sources must be certified by an UK practising Solicitor or Notary Public with current Practising Certificates.

Documents from non UK sources must be apostilled or legalised depending on the status of the country of origin

(See http://www.hcch.net/index_en.php?act=conventions.authorities&cid=41 for a list of countries where apostilled documents would apply.)

Documents not in English must be accompanied by a translation into English. The Translation must be certified, legalised or apostilled as appropriate.

UK Individuals

Copy documents relating to UK individuals may be certified by a solicitor admitted to practice in the UK with a current Practising Certificate or Notary Public with a current Practising Certificate. The person certifying the documents must check the copy document against the original.

The certification should include a statement: **“I refer to the UK Registry Procedures and certify that this copy document is a true copy of the original”** and should include the printed name, signature and profession of the person certifying the document, the name and address of the company, partnership or organisation for whom they work and the date of signature.

Non-UK Individuals

Documents relating to non-UK individuals must be Legalised or Apostilled.

Appendix 1

Letter of Authority (Template)

Dear Sirs

UK Registry:

Authorised Representatives (Minimum no of 2)

Additional Authorised Representatives (Minimum no of 1) (whose consent is needed to initiate certain transactions)

Aircraft Operator Name (Legal Name).....

CRCO Number.....

I hereby nominate the following individuals to act as the Authorised Representatives / Additional Authorised Representatives for the Aircraft Operator Holding (Registry) Account for the Company.

Name.....(Authorised Representative)

Name.....(Authorised Representative)

Name.....(Authorised Representative)

Limitations on their rights to initiate transactions, if any

(If applicable)

Name.....(.Additional Authorised Representative)

Name.....(.Additional Authorised Representative)

Limitations on their rights to approve transactions, if any

I confirm that I am the Aircraft Operator (if an individual) or a Company Director/Company Secretary (delete as appropriate) of the Company and am authorised to nominate these people as Authorised Representatives.

I confirm that these people are authorised to accept the Terms and Conditions for use of the UK EU ETS Registry on behalf of this account.

I confirm that I have read the Data Protection Statement forming part of the Registry Account Opening Guide and agree to it.

Signed.....

Name (Block Capitals).....

Position in Company.....

Date...../...../.....

Appendix 2

Witness Statement (Template)

(One to be completed by each nominated Authorised Representative / Additional Authorised Representative)

I.....(enter full name in block capitals)
declare that my details are as follows:

Permanent Residential Address:.....
.....
.....
.....

Date of Birth:.....

Place of Birth:.....

Country of Birth:.....

Nationality:.....

Direct Landline Number:.....

Mobile/Cellular Phone Number:.....

Company email:.....

I confirm that the details I have provided above and supporting documentation are complete, up to date, accurate and true.

I confirm that I have read the Data Protection Statement forming part of the Registry Account Opening Guide and agree to it

Signed.....

Name (Block Capitals).....

Date...../...../.....