

Commission Regulation (EU) No 389/2013 of 2 May 2013 establishing a Union Registry pursuant to Directive 2003/87/EC of the European Parliament and of the Council, Decisions No 280/2004/EC and No 406/2009/EC of the European Parliament and of the Council and repealing Commission Regulations (EU) No 920/2010 and No 1193/2011 (Text with EEA relevance)

## TITLE I

### COMMON GENERAL PROVISIONS

#### CHAPTER 3

#### *Accounts*

#### *Section 1*

#### ***General provisions applicable to all accounts***

#### *Article 9*

#### **Accounts**

- 1 Member States and the central administrator shall ensure that each KP registry and the Union Registry contain accounts as specified in Annex I.
- 2 Each account type may hold the unit types as set out in Annex I.

#### *Article 10*

#### **Account status**

- 1 Accounts shall be in one of the following status: open, blocked, excluded or closed.
- 2 No processes may be initiated from blocked accounts, except for the processes specified in Articles 25, 31, 35, 67, 77, 81 and 82.
- 3 No processes may be initiated from closed accounts. A closed account may not be re-opened, and may not acquire units.
- 4 Upon exclusion of an installation from the Union scheme pursuant to Article 27 of Directive 2003/87/EC, the national administrator shall set the corresponding operator holding account to excluded status for the duration of the exclusion.
- 5 Upon notification from the competent authority that an aircraft operator's flights are no longer included in the Union scheme in accordance with Annex I to Directive 2003/87/EC in a given year, the national administrator shall set the corresponding aircraft operator holding account to excluded status, after giving prior notice to the aircraft operator concerned and until notification from the competent authority that an aircraft operator's flights are again included in the Union scheme.

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*Status: Point in time view as at 31/01/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EU) No 389/2013, Section 1. (See end of Document for details)*

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6 No processes may be initiated from excluded accounts, except for the processes specified in Articles 25 and 68 and the processes specified in Articles 35 and 67 corresponding to the period where the account status was not set to excluded.

### *Article 11*

#### **The administering of accounts**

1 Every account shall have an administrator who shall be responsible for administering the account on behalf of a Member State or on behalf of the Union.

2 The administrator of an account shall be determined for each account type as set out in Annex I.

3 The administrator of an account shall open, suspend, limit access to, or close an account, change its status, approve authorised representatives, permit changes to account details that require the approval of the administrator, and initiate transactions as requested by the account holder in accordance with Article 23(5), in accordance with the provisions of this Regulation.

4 The administrator may require the account holders and its representatives to agree to comply with reasonable terms and conditions consistent with this Regulation having regard to the issues set out in Annex II.

5 Accounts shall be governed by the laws and fall under the jurisdiction of the Member State of their administrator and the units held in them shall be considered to be situated in that Member State's territory.

### *Article 12*

#### **Notifications from the central administrator**

The central administrator shall notify the account representatives and the national administrator of the initiation and completion or termination of any process related to the account, and of the change of status of the account, through an automated mechanism described in the data exchange and technical specifications provided for in Article 105.

**Status:**

Point in time view as at 31/01/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EU) No 389/2013, Section 1.