

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 V

COMMON TECHNICAL PROVISIONS

CHAPTER I

Technical requirements of the registries system

Section 1

Availability

^{F1}Article 91

Availability and reliability of the Union Registry and the EUTL

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Textual Amendments

- F1** [Art. 91](#) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(2)**

[^{F2}Article 92

Helpdesk

The national administrator must provide assistance and support to account holders and account representatives in relation to the Registry through a helpdesk.]

Textual Amendments

- F2** [Art. 92](#) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(3)**

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Section 2

Security and authentication

^{F3}Article 93

Authentication of the Union Registry and national KP registries

Textual Amendments

F3 Art. 93 omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(4)**

^{F4}Article 94

Accessing accounts in the Registry

If the security of the credentials of an authorised representative has been compromised, the authorised representative must inform the national administrator, who may suspend access to the relevant account.]

Textual Amendments

F4 Art. 94 substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(5)**

^{F5}Article 95

Authentication and authorisation of authorised representatives in the Union Registry

Textual Amendments

F5 Art. 95 omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(6)**

Article 96

Suspension of all access due to a security breach or a security risk

1 The [^{F6}Secretary of State] may ^{F7}... suspend access to the [^{F8}Registry] or any part thereof where [^{F9}the Secretary of State] has a reasonable suspicion that there is a breach of security of the [^{F8}Registry] or that there exists a serious security risk to the [^{F8}Registry] that threatens the integrity of the system ^{F10}....

^{F11}2

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3 If ^{F12}the national administrator] becomes aware of a situation that requires the suspension of all access to the accounts that it manages in accordance with this Regulation, it ^{F13}must] inform ^{F14}... account holders with such prior notice of the suspension as is practicable.
^{F15}...

4 The notice referred to in paragraph 3 ^{F16}must] include the likely duration of the suspension and ^{F16}must] be clearly displayed on the public area of the ^{F17}Registry's] web site.

Textual Amendments

- F6** Words in Art. 96(1) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(a)(i)**
- F7** Words in Art. 96(1) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(a)(ii)**
- F8** Word in Art. 96(1) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(a)(iii)**
- F9** Words in Art. 96(1) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(a)(iv)**
- F10** Words in Art. 96(1) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(a)(v)**
- F11** Art. 96(2) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(b)**
- F12** Words in Art. 96(3) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(c)(i)**
- F13** Word in Art. 96(3) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(c)(ii)**
- F14** Words in Art. 96(3) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(c)(iii)**
- F15** Words in Art. 96(3) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(c)(iv)**
- F16** Word in Art. 96(4) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(d)(i)**
- F17** Word in Art. 96(4) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(7)(d)(ii)**

^{F18}Article 97

Suspension of access to Kyoto units in the case of a suspected fraudulent transaction

The national administrator, acting on request of the Secretary of State, may suspend access to Kyoto units in the Registry for a maximum period of four weeks if it suspects that the Kyoto units have been the subject of a transaction constituting fraud, money laundering, terrorist financing, corruption or other serious crime.]

Textual Amendments

- F18** Art. 97 substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(8)**

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F19 Article 98

Cooperation with competent authorities and notification of money laundering, terrorist financing or criminal activity

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Textual Amendments

F19 Arts. 98-99a omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(9)**

F19 Article 99

Suspension of processes

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Textual Amendments

F19 Arts. 98-99a omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(9)**

F19 Article 99a

Suspension of linking agreements

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Textual Amendments

F19 Arts. 98-99a omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(9)**

Section 3

[F20 **Completing of processes]**

F21 Article 100

Automated checking of processes

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Textual Amendments

F21 Arts. 100-103 omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(11)**

F21 Article 101

Detection of discrepancies

Textual Amendments

F21 Arts. 100-103 omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(11)**

F21 Article 102

Detection of discrepancies within the Union Registry and national KP registries

Textual Amendments

F21 Arts. 100-103 omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(11)**

F21 Article 103

Reconciliation - detection of inconsistencies by the EUTL

Textual Amendments

F21 Arts. 100-103 omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(11)**

Article 104

Finalisation of processes

1 All transactions communicated to the ITL ^{F22}... shall be final when the ITL notifies the [^{F23}Registry] that it has completed the process.

^{F24}2

^{F25}3

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Textual Amendments

- F22** Words in Art. 104(1) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(12)(a)(i)**
- F23** Word in Art. 104(1) substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(12)(a)(ii)**
- F24** Art. 104(2) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(12)(b)**
- F25** Art. 104(3) omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(12)(b)**

Textual Amendments

- F20** Title 5 Ch. 1 s. 3 heading substituted (1.5.2021) by [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(10)**

*F26*Section 4

Specifications and change management

Article 105

Data exchange and technical specifications

Article 106

Change and release management

Textual Amendments

- F26** Title 5 Ch. 1 s. 4 omitted (1.5.2021) by virtue of [The Greenhouse Gas Emissions \(Kyoto Protocol Registry\) Regulations 2021 \(S.I. 2021/511\)](#), regs. 1, **8(13)**

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