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STATUTORY INSTRUMENTS

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**2018 No. 374**

**The Renewable Transport Fuels and  
Greenhouse Gas Emissions Regulations 2018**

**PART 4**

**GREENHOUSE GAS EMISSIONS AMENDMENTS**

**Insertion of Schedule**

**50.** After regulation 26, insert—

“SCHEDULE

Regulation 13(2)

Evidence or information to be provided by a  
supplier to the Administrator under regulation 13(2)

**General information**

1. Information in relation to the identity of the supplier.
2. Information as to whether the supplier has supplied any of the following during a reporting period—
  - (a) energy products for relevant use;
  - (b) electricity for use in electric road vehicles;
  - (c) energy products for use in aircraft.

**Information about energy products**

3. Information as to—
  - (a) the total amount of each type of energy product supplied during a reporting period, expressed as—
    - (i) the volume of liquid energy product supplied in litres; or
    - (ii) the weight of gaseous energy product supplied in kilograms; and
  - (b) the amount of energy of the energy products falling within sub-paragraph (a), expressed in MJ and calculated using the lower heating value.
4. Information as to how much of an energy product supplied during a reporting period is—
  - (a) fossil fuel (including fossil fuel blended with other fuel);
  - (b) wholly renewable transport fuel (excluding fossil fuel blended with wholly renewable transport fuel);
  - (c) partially renewable transport fuel (excluding fossil fuel blended with partially renewable transport fuel).

5. Information as to how much of the energy content of the wholly renewable transport fuel referred to in paragraph 4(b) is attributable to sustainable feedstock.

6. Information as to how much of the energy content of the partially renewable transport fuel referred to in paragraph 4(c) is attributable to sustainable feedstock.

7. Information as to the GHGi of each type of energy product supplied during a reporting period.

8. Information as to the provisional mean values of the estimated indirect land-use change emissions in gCO<sub>2eq</sub>/MJ from biofuels, in accordance with Annex V to the directive.

9. Information as to the lower heating value for each type of energy product supplied during a reporting period.

10. The additional sustainability information in respect of any relevant renewable transport fuel supplied during a reporting period.

11.—(1) If known or if reasonably ascertainable, and subject to regulation 15A and to sub-paragraphs (2) and (3), information as to—

- (a) the origin of any energy product supplied during a reporting period; and
- (b) the place of purchase of any energy product supplied during a reporting period.

(2) For the purposes of reporting under sub-paragraph (1)(a), where multiple feedstocks are used in the production of an energy product, a supplier must report on—

- (a) the quantity in litres; and
- (b) the origin,

of the finished product (comprising those feedstocks) supplied during the reporting period.

(3) For the purposes of sub-paragraph (1)(a), “origin” means—

- (a) in relation to a supplier which is not an SME, in respect of fuel that is not renewable transport fuel—
  - (i) the feedstock trade name listed in paragraph 7 of Part 2 of Annex I to the GHG Directive, but only where suppliers hold the necessary information by virtue of—
    - (aa) being a person or undertaking importing crude oil from third countries or receiving a crude oil delivery from a member State (other than the United Kingdom) pursuant to Article 1 of Council Regulation (EC) No 2964/95 of 20 December 1995 introducing registration for crude oil imports and deliveries in the Community<sup>(1)</sup>; or
    - (bb) arrangements to share information agreed with other suppliers; or
  - (ii) in cases not falling within sub-paragraph (i), whether or not the fuel originated from within the EU;
- (b) in respect of biofuel, the biofuel production pathway set out in Annex IV to the directive;
- (c) in respect of renewable transport fuel for which a production pathway is not set out in Annex IV to the directive, the type of fuel and the type of feedstock used to produce it;
- (d) in relation to a supplier that is an SME, in respect of fuel that is not renewable transport fuel, whether or not the fuel originated from within the EU.

(4) But “origin” in sub-paragraph (5) has its natural and ordinary meaning.

(5) For the purposes of sub-paragraph (1)(b), “place of purchase” means—

(1) OJ L 310 22.12.1995 p.5.

- (a) in relation to a supplier which is not an SME, in respect of fuel that is not renewable transport fuel, the country and name of the processing facility where the fuel or energy underwent the last substantial transformation used to confer the origin of the fuel or energy in accordance with—
  - (i) Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code<sup>(2)</sup>; and
  - (ii) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code<sup>(3)</sup>;
- (b) in respect of renewable transport fuel, the country of origin of the feedstock used to produce the fuel;
- (c) in relation to a supplier which is an SME, in respect of fuel that is not renewable transport fuel, whether or not the fuel was purchased within the EU.

12. Information as to the raw material source and process for fuels other than biofuel and electricity supplied during a reporting period, as set out in paragraph 5 of Part 2 of Annex I to the GHG Directive.

13. In the case of biofuel, evidence that the biofuel meets the sustainability criteria.

14. Information as to the adjustment factor (see regulations 6C and 16A) for powertrain efficiencies that applies to an energy product.

#### **Information about electricity for use in electric road vehicles**

15. If known or if reasonably ascertainable, information as to actual usage of electricity supplied by the supplier for use in electric road vehicles during a reporting period, or if information as to such actual usage is not known or not reasonably ascertainable, information as to estimated usage of electricity in such vehicles during that period.

16. Information as to the GHGi of the electricity supplied for use in electric road vehicles, during a reporting period.

17. Information as to the adjustment factor (see regulation 16A) for powertrain efficiencies that apply to electricity supplied for use in electric road vehicles.

#### **General information about a UER**

18. Information as to—
- (a) the start date of the UER project (which must be after 1st January 2011);
  - (b) the annual emission reductions of the UER, expressed in kgCO<sub>2eq</sub>;
  - (c) the amount of emissions savings claimed by the supplier in respect of a UER;
  - (d) the period during which the claimed UER occurred;
  - (e) the location of the UER project which is closest to the source of the upstream emissions, expressed in latitude and longitude coordinates in degrees to the fourth decimal place;

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(2) OJ L 343 29.12.2015 p.1, as amended by Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 (OJ L 69 15.3.2016 p.1) and Commission Delegated Regulation (EU) 2016/651 of 5 April 2016 (OJ L 111 27.4.2016 p.1).

(3) OJ L 343 29.12.2015 p.558, as amended by Commission Implementing Regulation (EU) 2017/989 of 8 June 2017 (OJ L 149 13.6.2017 p.19).

- (f) the hypothetical GHG emissions that would have occurred in the absence of the UER, and GHG emissions after implementation of the UER, expressed in gCO<sub>2eq</sub>/MJ of feedstock produced;
- (g) any unique identification or registration number in relation to—
  - (i) the UER, including any project or scheme to which the UER relates or under which it was carried out;
  - (ii) the calculation methodology in relation to the UER;
- (h) where the UER project relates to oil extraction, the average annual historical and reporting year gas-to-oil ratio in solution, reservoir pressure, depth and well production rate of the crude oil in question.

### **UER eligibility requirements and calculation requirements**

- 19.—(1) Evidence demonstrating that—
- (a) the UER complies with the UER eligibility requirements;
  - (b) the UER has been calculated in accordance with the UER calculation requirements.
- (2) The “UER eligibility requirements” are that—
- (a) the person applying for a GHG credit in respect of a UER is a regulated supplier;
  - (b) the UER is only applied to the upstream emission’s part of the average default values for petrol, diesel, compressed natural gas or liquefied petroleum gas set out in the European Commission’s Guidance Note(4) on approaches to quantify, verify, validate, monitor and report UERs;
  - (c) the UER is associated with a UER project which started after 1st January 2011;
  - (d) the UER is or was generated only during the 2020 calendar year;
  - (e) the UER must not also be, or have been, used in, or claimed for compliance with, any other emissions reduction requirements or in relation to another emissions offset scheme; and
  - (f) the UER satisfies the local regulatory practice test (as to which, see sub-paragraph (4)).
- (3) The “UER calculation requirements” are that—
- (a) the UER must be, or have been, estimated and validated in accordance with principles and standards identified in international standards, and in particular—
    - (i) ISO 14064 (edition 1);
    - (ii) ISO 14065 (edition 2); and
    - (iii) ISO 14066 (edition 1);
  - (b) the UER, and the hypothetical GHG emissions that would have occurred in the absence of the UER, must be monitored, reported and verified in accordance with ISO 14064 (edition 1) to the same standards as would be achieved by monitoring, reporting and verification under—
    - (i) [Commission Regulation \(EU\) No 600/2012](#) of 21 June 2012(5) on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to [Directive 2003/87/EC](#) of the European Parliament and of the Council; and

(4) The European Commission’s Guidance Note is undated and has no version number. A copy can be obtained from the European Commission, DG Climate Action, B-1049 Brussels, Belgium or online at [https://ec.europa.eu/clima/sites/clima/files/guidance\\_note\\_on\\_uer\\_en.pdf](https://ec.europa.eu/clima/sites/clima/files/guidance_note_on_uer_en.pdf).

(5) OJ L 181 12.7.2012 p.1.

- (ii) [Commission Regulation \(EU\) No 601/2012](#) of 21 June 2012<sup>(6)</sup> on the monitoring and reporting of greenhouse gas emissions pursuant to [Directive 2003/87/EC](#) of the European Parliament and of the Council; and
  - (c) the verification of methods for estimating the UER must be carried out in accordance with part 3 of ISO 14064 (edition 1) and the organisation verifying this must be accredited in accordance with ISO 14065 (edition 2)<sup>(7)</sup>.
- (4) In this paragraph, “local regulatory practice test” means that, in the place or country in or from which the UER originates, the UER—
- (a) is not required under local laws or regulations there; or
  - (b) is required under local laws or regulations there, but evidence is provided by the person applying for a GHG credit in respect of that UER that those laws or regulations are not routinely enforced in that place or country.”.

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<sup>(6)</sup> OJ L 181 12.7.2012 p.30, as amended by [Commission Regulation \(EU\) No 206/2014](#) of 4 March 2014 (OJ L 65 5.3.2014 p.27) and [Commission Regulation \(EU\) No 743/2014](#) of 9 July 2014 (OJ L 201 10.7.2014 p.1).

<sup>(7)</sup> Copies of each of the ISO standards listed can be obtained from the International Organisation for Standardisation, ISO Central Secretariat, Chemin de Blandonnet 8, CP 401 - 1214 Vernier, Geneva, Switzerland (<https://www.iso.org/store.html>).