

---

STATUTORY INSTRUMENTS

---

**2021 No. 534**

**The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021**

**PART 3**

**Monitoring, reporting and verification (“MRV”) of aeroplane operator annual CO<sub>2</sub> emissions**

**CHAPTER 2**

**Monitoring of aeroplane operator annual CO<sub>2</sub> emissions**

**Monitoring of CO<sub>2</sub> emissions: Eligibility of monitoring methods**

**22.**—(1) An aeroplane operator must monitor and record its fuel use from international flights in accordance with an eligible monitoring method set out in paragraphs (3) to (6) for the 2019-2020 period and paragraphs (7) to (12) for the 2021-2035 period, and approved by the Regulator.

(2) Following approval and issue of its Emissions Monitoring Plan in accordance with article 24, an aeroplane operator must use the same eligible monitoring method for the entire compliance period<sup>(1)</sup>.

*2019-2020 period*

(3) Where an aeroplane operator has, prior to this Order coming into force, accumulated any fuel use during the period of 2019-2020 pursuant to article 3 of Commission Implementing Regulation (EU) 2019/1603<sup>(2)</sup>, that fuel use data must be used for the purpose of this Order.

(4) An aeroplane operator with annual CO<sub>2</sub> emissions from international flights greater than or equal to 500,000 tonnes must use a Fuel Use Monitoring Method set out in Schedule 2.

(5) An aeroplane operator with annual CO<sub>2</sub> emissions from international flights of less than 500,000 tonnes must use either a Fuel Use Monitoring Method or the CERT set out in Schedules 2 and 3, respectively.

(6) If the aeroplane operator’s annual CO<sub>2</sub> emissions from international flights increases above the threshold of 500,000 tonnes in 2019, the Regulator may permit the aeroplane operator to continue to apply the monitoring method chosen in accordance with paragraph (5) for this period.

*2021-2035 period*

---

(1) Guidance material on eligibility of monitoring methods, and associated thresholds, is provided in the Environmental Technical Manual (Doc 9501), Volume IV – Procedures for demonstrating compliance with the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) which is available from the ICAO website at [www.icao.int](http://www.icao.int). For a hard copy contact the ICAO E-Commerce and Publications Sales Unit at International Civil Aviation Organisation (ICAO), 999 Robert-Bourassa Boulevard, Montreal, Quebec H3C 5H7, Canada (telephone +1 514-954-8219 and e-mail [sales@icao.int](mailto:sales@icao.int)).

(2) OJ L 250, 30.9.2019, p.10.

(7) An aeroplane operator, with annual CO<sub>2</sub> emissions from international flights [<sup>F1</sup>subject to offsetting requirements under article 41A] of greater than or equal to 50,000 tonnes, must use a Fuel Use Monitoring Method as described in Schedule 2 for these flights. For other international flights, the aeroplane operator must use either a Fuel Use Monitoring Method, as described in Schedule 2, or the CERT, as described in Schedule 3.

(8) An aeroplane operator, with annual CO<sub>2</sub> emissions from international flights [<sup>F2</sup>subject to offsetting requirements under article 41A] of less than 50,000 tonnes, must use either a Fuel Use Monitoring Method or the CERT as described in Schedules 2 and 3, respectively.

(9) If an aeroplane operator's annual CO<sub>2</sub> emissions from international flights [<sup>F3</sup>subject to offsetting requirements under article 41A], increases above the threshold of 50,000 tonnes in a given year (y), and also in year (y+1)(**3**), the aeroplane operator must—

- (a) submit an updated Emissions Monitoring Plan by 30th September of year (y + 2)(**4**), and
- (b) change to a Fuel Use Monitoring Method, as set out in Schedule 2, on 1st January of year (y + 3)(**5**).

(10) If an aeroplane operator's annual CO<sub>2</sub> emissions from international flights [<sup>F4</sup>subject to offsetting requirements under article 41A] decreases below the threshold of 50,000 tonnes in a given year (y), and also in year (y + 1), the aeroplane operator may change monitoring method on 1st January of year (y + 3).

(11) Where an aeroplane operator chooses to change its monitoring method under paragraph (10)(**6**), it must submit an updated Emissions Monitoring Plan by 30th September of year (y + 2).

(12) Where the aeroplane operator has, prior to this Order coming into force, accumulated any fuel use during 2021 pursuant to article 3 of Commission Implementing Regulation (EU) 2019/1603 in conjunction with article 24 of the UK ETS Order, that fuel use data must be used for the purpose of this Order[<sup>F5</sup>.]

---

#### Textual Amendments

- F1** Words in [art. 22\(7\)](#) substituted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **10(2)**
  - F2** Words in [art. 22\(8\)](#) substituted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **10(2)**
  - F3** Words in [art. 22\(9\)](#) substituted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **10(2)**
  - F4** Words in [art. 22\(10\)](#) substituted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **10(2)**
  - F5** [Art. 22\(12\)](#) full stop inserted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **10(3)**
- 

#### Commencement Information

- II** [Art. 22](#) in force at 26.5.2021, see [art. 1](#)

---

(3) “(y + 1)” refers to the year following the increase above the threshold.

(4) “(y + 2)” refers to the second year following the increase above the threshold.

(5) “(y + 3)” refers to the third year following the increase above the threshold.

(6) See Volume IV of Annex 16 to the Chicago Convention, Attachment B, Figure B-3, for a process flowchart on the eligibility of Fuel Use Monitoring Methods during the 2021-2035 Compliance Phases.

**Changes to legislation:**

There are currently no known outstanding effects for the The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021, Section 22.