

STATUTORY INSTRUMENTS

2021 No. 534

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

PART 1

General

Citation and commencement

1. This Order may be cited as the Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021 and comes into force on 26th May 2021.

Commencement Information

I1 Art. 1 in force at 26.5.2021, see [art. 1](#)

Extent

2. This Order extends to the whole of the United Kingdom.

Commencement Information

I2 Art. 2 in force at 26.5.2021, see [art. 1](#)

Application

3.—(1) Subject to paragraph (2), this Order applies to civil international aviation undertaken by aeroplane operators for [^{F1}which] the United Kingdom is the administering State, in accordance with article 8, under this Order.

(2) This Order does not apply to the following flights—

- (a) humanitarian, medical and firefighting flights, or to international flights preceding or following a humanitarian, medical or firefighting flight provided such flights are conducted with the same aeroplane, and are required to accomplish the related humanitarian, medical or firefighting activities or to reposition the aeroplane after that for its next activity, or
- (b) flights by State aircraft.

(3) The aeroplane operator must provide supporting evidence of such activities to the verification body or, upon request, to the Regulator.

F1 Word in [art. 3\(1\)](#) 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, 5

Commencement Information

I3 Art. 3 in force at 26.5.2021, see [art. 1](#)

Interpretation

4. In this Order—

“Aerodrome” means a defined area on land or water, including any buildings, installations and equipment, intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft^[F2,]

“Aerodrome pair” means a group of two aerodromes composed of a departing aerodrome and an arrival aerodrome^[F2,]

“Aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight^[F2,]

“Aeroplane operator” means a person identified under article 5^[F2,]

“Aeroplane owner” means a person, organisation or enterprise identified via Item 4 (name of owner) and Item 5 (address of owner) on the certificate of registration of an aeroplane^[F2,]

“Aeroplane type” means the aeroplane types described in “Doc 8643 – Aircraft Type Designators”(1)^[F2,]

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“Air Operator Certificate” or “AOC” means a certificate issued by the CAA authorising an operator to carry out specified commercial air transport operations^[F2,]

“CAA” means the Civil Aviation Authority of the United Kingdom^[F2,]

“CERT” means the CO₂ Estimation and Reporting Tool regulated by Schedule 3^[F2,]

“Chicago Convention” means the Convention on International Civil Aviation and its Annexes(2), signed in Chicago on 7th December 1944, as amended^[F2,]

“chief inspector” means the chief inspector constituted under regulation 8(3) of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013(3)^[F2,]

“CO₂” means carbon dioxide^[F2,]

“CO₂e” means carbon dioxide equivalent^[F2,]

“Compliance period” means the relevant timeline set out in Schedule 1^[F2,]

“Conversion process” means a type of technology used to convert a feedstock into aviation fuel^[F2,]

(1) “Doc 8643 — Aircraft Type Designators” is available from the ICAO website at 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).

(2) Treaty Series No. 8 (1953); Cmd 8742.

(3) [S.R. 2013 No. 160](#).

“CORSIA” means the Carbon Offsetting and Reduction Scheme for International Aviation(4)^[F2,]

“CORSIA eligible fuel” means a CORSIA sustainable aviation fuel or a CORSIA lower carbon aviation fuel, which an aeroplane operator may use to reduce its offsetting requirements(5)^[F2,]

“CORSIA lower carbon aviation fuel” means a fossil-based aviation fuel that meets the CORSIA Sustainability Criteria(6) under this Order^[F2,]

“CORSIA sustainable aviation fuel” means a renewable or waste-derived aviation fuel that meets the CORSIA Sustainability Criteria(7) under this Order^[F2,]

“domestic flight” means the operation of an aircraft from take-off at an aerodrome in the United Kingdom or its territories, to landing at an aerodrome of the United Kingdom or its territories^[F2,]

“Emissions Monitoring Plan” means the plan setting out how the aeroplane operator’s aviation emissions are to be monitored for the purposes of this Order^[F2,]

“Emissions Report” means the report produced by the aeroplane operator for the purposes of article 31(1)^[F2,]

“Feedstock” means a type of unprocessed raw material used for the production of aviation fuel^[F2,]

“Flight plan” means specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft^[F2,]

“Fuel uplift” means the measurement of fuel provided by the fuel supplier, as documented in the fuel delivery notes or invoices for each flight, in litres^[F2,]

“Great Circle Distance” means the shortest distance, rounded to the nearest kilometre, between the origin and the destination aerodromes, measured over the earth’s surface modelled according to the World Geodetic System 1984 (WGS84)(8)^[F2,]

“GHG” means Greenhouse gases^[F2,]

“IAF” means International Accreditation Forum^[F2,]

“ICAO” means the International Civil Aviation Organisation(9)^[F2,]

“IEC” means International Electrotechnical Commission^[F2,]

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- (4) Volume IV (Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA)) of Annex 16 (Environmental Protection) to the Convention on International Civil Aviation (June 2018).
- (5) CORSIA eligible fuel is a fuel which complies with the CORSIA Sustainability Criteria defined within the ICAO document entitled “CORSIA Sustainability Criteria for Sustainable Aviation Fuels” which is available from the ICAO website at 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).
- (6) “CORSIA Sustainability Criteria for Sustainable Aviation Fuels” is available from the ICAO website at 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).
- (7) “CORSIA Sustainability Criteria for Sustainable Aviation Fuels” is available from the ICAO website at 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).
- (8) Latitude and longitude coordinates of aerodromes can be obtained from the ICAO Location Indicators database which is available from the ICAO website at 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).
- (9) ICAO was set up under Part II of the Convention on International Civil Aviation, signed at Chicago on 7th December 1944.

“international flight” means the operation of an aircraft from take-off at an aerodrome of a State or its territories, to landing at an aerodrome of another State or its territories^[F2,]

“ISO” means International Organization for Standardization^[F2,]

“ISO 14064-3:2006” means ISO document entitled “Greenhouse gases -- Part 3: Specification with guidance for the validation and verification of greenhouse gas assertions”^[F4,]

“ISO 14065:2013” means ISO document entitled “Greenhouse gases - Requirements for greenhouse gas validation and verification bodies for use in accreditation or other forms of recognition, Document published on: 2013-04”^[F4,]

“ISO 14066:2011” means ISO document entitled “Greenhouse gases — Competence requirements for greenhouse gas validation teams and verification teams”^[F4,]

“ISO/IEC 17011:2004” means ISO/IEC document entitled “Conformity assessment - General requirements for accreditation bodies accrediting conformity assessment bodies”^[F4,]

“kg” means kilogrammes^[F2,]

“MRV” means Monitoring, Reporting and Verification^[F2,]

“MJ” means Megajoule^[F2,]

“National accreditation body” means the body authorised by a State which attests that a verification body is competent to provide specific verification services^[F2,]

“New entrant” means any aeroplane operator that commences an aviation activity falling within the scope of this Order on or after its entry into force and whose activity is not in whole or in part a continuation of an aviation activity previously performed by another aeroplane operator^[F2,]

“Notifying State” means the State that has submitted to ICAO the request for the registration of or change in the three-letter designator of an aeroplane operator over which it has jurisdiction^[F2,]

“NRW” means the Natural Resources Body for Wales⁽¹⁰⁾^[F2,]

“Operator” means, for the purpose of this Order, the person, organisation or enterprise engaged in or offering to engage in an aircraft operation^[F2,]

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“Regulator” is the regulator identified under article 10 for the purpose of this Order^[F2,]

“Reporting period” means a period which commences on 1st January and finishes on 31st December in a given year for which an aeroplane operator or State reports required information. The flight departure time (UTC)⁽¹¹⁾ determines which reporting period a flight belongs to^[F2,]

“scheme year” means the calendar year beginning on 1st January 2021 or any of the subsequent calendar years during which CORSIA applies^[F2,] and a reference to a scheme year described by a calendar year, such as the “2021 scheme year”, is a reference to the scheme year beginning on 1st January of that year^[F2,]

“SEPA” means the Scottish Environment Protection Agency⁽¹²⁾^[F2,]

“SI units” means the international system of measurements that is based on particular metric units^[F2,]

⁽¹⁰⁾ The Natural Resources Body for Wales was established by article 3 of [S.I. 2012/1903 \(W.230\)](#).

⁽¹¹⁾ In this Order UTC is Co-ordinated Universal Time, which is the same time as Greenwich Mean Time (GMT).

⁽¹²⁾ The Scottish Environment Protection Agency was established by section 20 of the Environment Act [1995 \(c. 25\)](#).

“source stream” means any of a specific fuel type, raw material or product giving rise to emissions of relevant greenhouse gases at one or more emission sources as a result of its consumption or production^[F2,]

“State” means any State that is a signatory to, or has acceded to, the Convention on International Civil Aviation, signed at Chicago on 7th December 1944^[F2,]

“State aircraft” means an aircraft used in the military, customs or police services^[F2,]

“State pair” means a group of two States composed of a departing State or its territories and an arrival State or its territories^[F2,]

^[F5]“Sustainability Certification Scheme” means a scheme for the certification of sustainable fuels that has been approved by ICAO in ICAO document “CORSIA Approved Sustainability Certification Scheme”(2),]

“UK ETS Order” means the Greenhouse Gas Emissions Trading Scheme Order 2020(13)^[F2,]

^[F6]“Verification body” means a person that performs the verification of an Emissions Report, as an accredited independent third party,]

^[F6]“Verification of report” means an independent, systematic and sufficiently documented evaluation process of an Emissions Report,]

^[F6]“Verification Report” means a document, drafted by the verification body, containing the verification statement and required supporting information set out in paragraph 3(22) to (26) of Schedule 6 and required supporting information, and]

^[F6]“Verification team” means a group of verifiers, or a single verifier that also qualifies as a team leader, belonging to a verification body conducting the verification of an Emissions Report, whether or not supported by technical experts.]

- F2** Art. 4: comma substituted for semicolon (9.11.2022) by The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) (Amendment) Order 2022 (S.I. 2022/1050), arts. 1, 4
- F3** Words in art. 4 omitted (9.11.2022) by virtue of The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) (Amendment) Order 2022 (S.I. 2022/1050), arts. 1, 6(2)
- F4** Art. 4: full stop substituted for comma (9.11.2022) by The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) (Amendment) Order 2022 (S.I. 2022/1050), arts. 1, 6(3)
- F5** Words in art. 4 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, 6(4)
- F6** Words in art. 4 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, 6(5)

Commencement Information

- I4** Art. 4 in force at 26.5.2021, see [art. 1](#)

Meaning of aeroplane operator

5. In this Order, a person is an “aeroplane operator” where that person is an operator that produces annual CO₂ emissions greater than 10,000 tonnes from the use of an aeroplane with a maximum certificated take-off mass greater than 5,700 kg conducting international flights.

(2) Treaty Series No. 8 (1953); Cmd 8742.

(13) S.I. 2020/1265.

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, PART 1. (See end of Document for details)

Commencement Information

I5 Art. 5 in force at 26.5.2021, see [art. 1](#)

Units

6. The non-SI units listed in column 2 of the Table must be used either in lieu of, or in addition to, SI units⁽¹⁴⁾ as primary units of measurement under this Order.

Table

Non-SI units for use with SI units

<i>Specific quantity</i>	<i>Non-SI Unit</i>	<i>Symbol</i>	<i>Definition (in terms of SI units)</i>
Mass	tonne	T	1 t = 10 ³ kg
Time	hour	H	1 h = 60 min = 3,600 s
Volume	litre	L	1 L = 1 dm ³ = 10 ⁻³ m ³

Commencement Information

I6 Art. 6 in force at 26.5.2021, see [art. 1](#)

⁽¹⁴⁾ The International System of Units (SI), commonly known as the metric system, is the international standard for measurement.

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, PART 1.