

DAERA Consultation on Proposed Fees and Charges for NI Registered Aeroplane Operators in the Carbon Offsetting and Reduction Scheme for International Aviation - CORSIA

February 2022



Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk

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Overview

CORSIA is the Carbon Offsetting and Reduction Scheme for International Aviation. International governments have adopted CORSIA to stabilise net CO₂ emissions from [international aviation](#) from 2021.

If flight takes off from a UK airport and lands in an airport outside of the European Economic Area (EEA), this flight is subject to CORSIA. Internal flights within the UK and to the EEA are subject to the UK Emissions Trading Scheme. See [guidance and fees and charges for UK ETS](#).

CORSIA has applied to international aviation since 1 January 2019 when all airlines were required to report their CO₂ emissions on an annual basis. From 1 January 2021, international flights became subject to offsetting obligations.

CORSIA obligations came into force on 26 May 2021 for UK administered aeroplane operators. These obligations are set out in the [Air Navigation Carbon Offsetting and Reduction Scheme for International Aviation \(CORSIA\) Order 2021](#). This implements the International Civil Aviation Organisation's (ICAO) [Standards and Recommended Practices \(SARPs\), Annex 16, Volume IV, CORSIA](#) in the UK.

Since 1 January 2019, you must comply with the CORSIA as soon as you become an aeroplane operator. You will need to work out whether you are an aeroplane operator under the CORSIA and whether international flights are attributed to you.

Criteria

Aeroplane operator

An aeroplane operator is 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.

International flights

An international flight is when an aeroplane takes off from an aerodrome belonging to a state or its territories and lands at one belonging to another state or its territories. This is subject to exclusions.

Exclusions

CORSIA does not apply to the following types of flights and you do not need to include emissions from them when assessing whether you are an aeroplane operator:

- humanitarian, medical and firefighting flights;

- international flights before or after a humanitarian, medical or firefighting flight – provided they are carried out by the same aeroplane and are either needed for these activities, or to reposition the aeroplane for its next activity;
- flights by state aircraft (aircraft used in the military, customs or police services).

An aeroplane operator must be able to provide evidence to support a claim that certain flights are excluded. If you are not sure whether your flights are excluded, please [contact NIEA](#).

Legislative basis for raising fees and charges

The power to implement charges relating to CORSIA is set out in [Article 42 of The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) Order 2021](#)

Purpose of the consultation

The purpose of this consultation is to seek views on:

- Proposals to establish a new charging policy for fees and charges associated with the administration of CORSIA for Northern Ireland registered aeroplane operators by NIEA from May 2022.

Confidentiality of responses

Your response, and all other responses to the consultation, may be disclosed on request.

Responding to this consultation

Feedback is requested on these proposals. Please send your response to this consultation paper by **11th April 2022** to:

Brexit & EU ETS Team| Environmental Policy Division
Department of Agriculture, Environment & Rural Affairs (DAERA)
2nd Floor | Klondyke Building | Cromac Avenue | Gasworks Business Park
Lower Ormeau Road | Malone Lower | Belfast | BT7 2JA

E: Environment.BrexitTeam@daera-ni.gov.uk

Please note that our offices are presently providing a limited service due to Covid-19 measures. Therefore e-mail is the preferred method of communication at this time.

Proposed Fees and Charges:

Carbon Offsetting and Reduction Scheme for International Aviation - CORSIA

Application charge

An application charge of £826 shall accompany an application to determine an emissions monitoring plan made under [Article 23 of the ANO](#).

Subsistence charge

A subsistence charge of £1,930 is payable annually in respect of each calendar year for subsistence as an aeroplane operator administered by the United Kingdom under the ANO.

Charge for estimating emissions

A charge of £133 per hour is payable in relation to time spent by the Northern Ireland Environment Agency (NIEA) in estimating emissions under [Article 37\(6\) of the ANO](#).

Economic impact

There is no overall anticipated additional impact of the proposed fees and charges applicable to aeroplane operators registered in Northern Ireland.

The proposed fees and charges will be increased annually in line with the annual GDP deflator value.

Appendix A

Impact Assessments

An Impact Assessment was not been prepared for the proposed fees and charges as the impact per business of CORSIA monitoring, reporting and verification provisions was deemed to be minimal.

A screening for Equality Impact Assessment for the implementation of CORSIA fees and charges has been undertaken for the implementation of UK ETS and it is not considered that the proposed fees and charges will impact on any of the nine categories:

1. Religious belief
2. Political opinion
3. Racial group
4. Age
5. Marital status
6. Sexual orientation
7. Men and women generally
8. Persons with a disability and persons without
9. Persons with dependants and persons without.

A regulatory impact assessment is not considered necessary for the proposed charges, in line with Department of the Economy Regulatory Impact Guidance (2015) (<https://www.economy-ni.gov.uk/sites/default/files/publications/deti/ni-regulatory-impact-assessment-guidance.pdf>) for “changes to statutory fees by a predetermined formula such as the rate of inflation”.

A rural impact assessment has been conducted for the implementation of the UK ETS and it is not considered that the proposed CORSIA fees and charges will have an impact on rural needs.

Appendix B

Freedom of Information Act 2000, and Data Protection Act 2018 (GDPR)

Confidentiality of Consultations

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can refuse to disclose information only in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

Section 8(e) of the Data Protection Act 2018 permits processing of personal data when necessary for an activity that supports or promotes democratic engagement. Information provided by respondents to this consultation exercise will be held and used for the purposes of the administration of this current exercise and subsequently disposed of in accordance with the provisions of the Data Protection Act 2018 and General Data Protection Regulation.

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority (the Department in this case). This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties 'in confidence' which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.
- For further information about confidentiality of responses, please contact the Information Commissioner's Office:

- Tel: (028) 9027 8757
- Email: ni@ico.org.uk
- Website: <https://ico.org.uk/>