



ETS Maritime

EMSA/European Commission 5th Webinar

18 March 2024

Introduction

Support to implementation

Key tools and activities

- Webpages climate.ec.europa.eu and emsa.europa.eu (fit for 55)
- Frequently Asked Questions (FAQs) for [MRV](#) and [EU ETS](#), including [interim guidance on Monitoring Plan revision](#)
- Webinars: links available under 'Events' at [CLIMA Webpage](#)
- List of contact points for administering authorities per Member State available on [CLIMA webpage](#) ('*Documentation > Administering authorities*')
- Unique Helpdesk: fitfor55@emsa.europa.eu (*CLIMA-MRV-SHIPPING-HELPDESK@ec.europa.eu to be deactivated*)
- THETIS-MRV IT developments: tutorial videos revision

Structure of this webinar

1. First compliance steps for shipping companies
2. Identification of the Shipping Company
3. Attribution to the Administering Authority
4. Opening a Maritime Operator Holding Account (MOHA) in the Union Registry
5. THETIS MRV Live Demo
6. Union Registry Live Demo
7. Q&A

ETS maritime

First compliance steps from a shipping company perspective

Assign MRV/ETS Responsibility, i.e. identify the 'shipping company' and issue mandate (if needed): see [3rd Webinar](#)

Revise Monitoring Plan and submit to verifier through THETIS MRV: see [4th Webinar](#)

Identify your Administering Authority 

Request the opening of a Maritime Operator Holding Account (MOHA) 

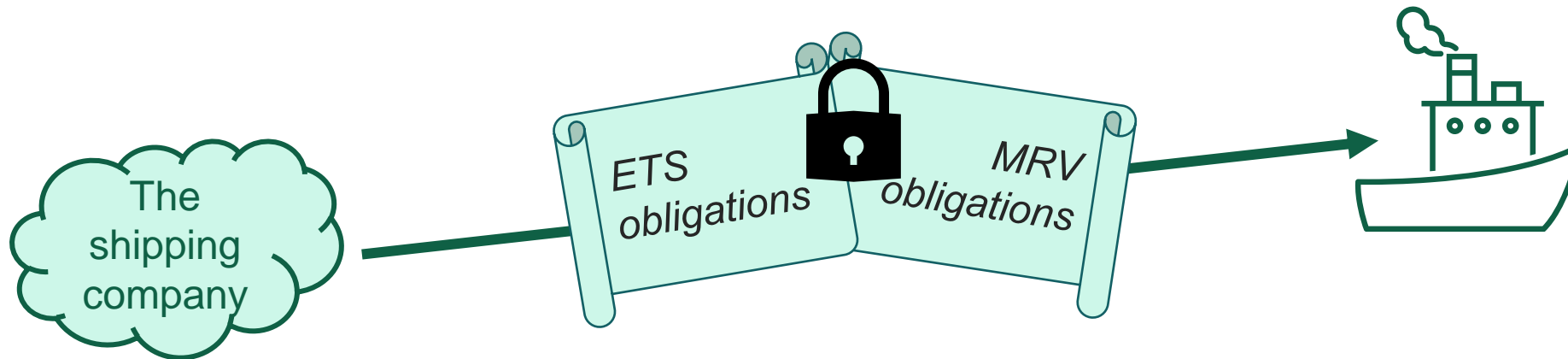
By 1 April 2024 – submit your assessed Monitoring Plan to your Administering Authority (AA) for approval

By 31 March 2025 – submit your verified Emissions Reports

- In case of change of company, you shall submit a verified *partial* emissions report no later than 3 months after the change of company

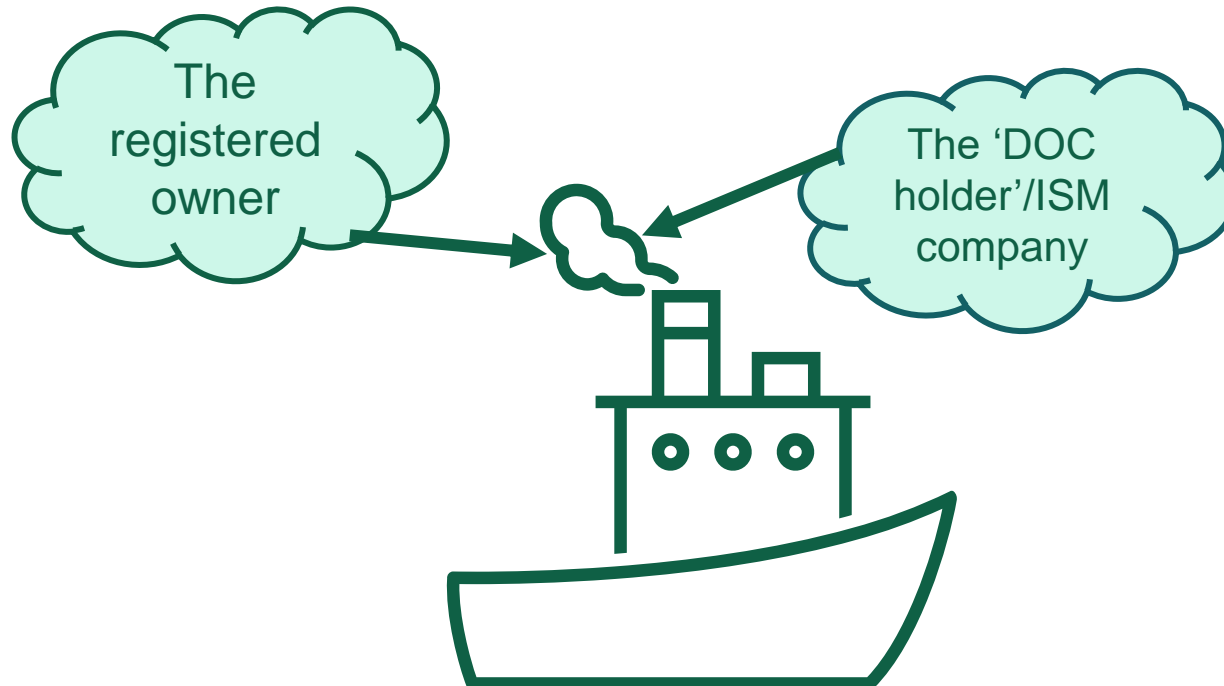
Identification of the shipping company

- According to the EU ETS Directive and MRV Regulation, the “**shipping company**” is the entity responsible for **compliance with ETS/MRV** in respect of the emissions from **a given ship**: cf. dedicated [webinar held on 15.12.2023](#)
- “**shipping company**” is **defined** in the legal texts
 - See Article 3, point (w)) of Directive 2003/87/EC ([‘ETS Directive’](#)) and Article 3, point (d) of Regulation (EU) 2015/757 ([‘MRV Regulation’](#)), as amended by [Regulation \(EU\) 2023/957](#))



Identification of the shipping company

By default, the **registered owner** is the entity responsible for compliance with the ETS/MRV obligations



The registered owner and the ISM company can conclude **an agreement**, according to which the **ISM company** is the entity responsible for compliance with the ETS/MRV obligations

Legal framework:
[Implementing Regulation \(EU\) 2023/2599](#), Article 1

Obligation to have a **document** signed by the registered owner and the ISM company that clearly shows the existence of a **mandate**

The 'mandate' between a registered owner and ISM company

The ISM Company shall provide, for each ship under its responsibility, a **mandate** from the registered owner:

- **To the verifier** (for the assessment of the ship's monitoring plan)
- **To the administering authority** (for the approval of the ship's monitoring plan)
- **To the Registry authority / National Administrator** (for the opening of a MOHA)

The mandate is required both to assume MRV/ETS responsibility and to ensure compliance in the Registry: although these obligations are laid down in different legal acts, the mandate is actually referring to **the same document**.

The European Commission does not provide a template, but the information to be contained in that mandate is laid down in Article 1(3) of Commission Implementing Regulation (EU) 2023/2599 and in Annex VIIa, point 4 of Commission Delegated Regulation (EU) 2019/1122 ('the Registry Regulation').

Attribution to the Administering Authority

Each shipping company covered by the ETS has to be associated with the administering authority of one Member State.

An attribution list was published on 31 January 2024 ([Commission Implementing Decision \(EU\) 2024/411](#)):

- Established through application of the rules set in Article 3gf(1) of the EU ETS Directive, and with the data available in THETIS-MRV and SafeSeaNet (for port calls' history)
- Lists *companies*, i.e. the regulated entities, not *ships*! The list is not impacted by changes in the shipping company's activity (i.e. changes in the fleet, addition/sale of ships) nor by changes in registration.
- To be revised every two years (four years for non-EEA companies whose attribution was determined on the basis of ports call history from the four previous years)



It is not possible to request a change of attribution!

Attribution to the Administering Authority

Attribution is **necessary** so that a shipping company can comply with its ETS obligations.

- The mere fact of being on the list does not mean that a company shall open a MOHA to surrender allowances – e.g. if a company cannot qualify as shipping company (because of its nature) or if it does not have any active ship falling within ETS scope under its responsibility (despite being on the list due to past activities)
- Not being on the list does not waive a shipping company from its ETS (incl. surrendering) obligations if any of its ship(s) is active within ETS scope.

From an operational and legal point of view, the Attribution is necessary both to submit an assessed monitoring plan and to file a request to open a MOHA.

Attribution to the Administering Authority

How to ask the attribution if **my company is not in the published list**? [LIVE DEMO to follow]

1. Open a user account in THETIS MRV and create a Company
2. Claim your ships (i.e. the ships for which you are assuming ETS responsibility for 2024 shall be listed under 'MyFleet'): all ships under the responsibility of the company at the moment of the request for attribution shall be claimed
3. Contact the IT Helpdesk thetis@emsa.europa.eu to ask for Attribution: your Administering Authority will show in THETIS MRV

Is there a deadline to require the attribution in THETIS MRV?

- No specific deadline but please note that it is necessary in order to submit your Monitoring Plan to the Administering Authority, as well as to open a MOHA (steps for which there are deadlines).

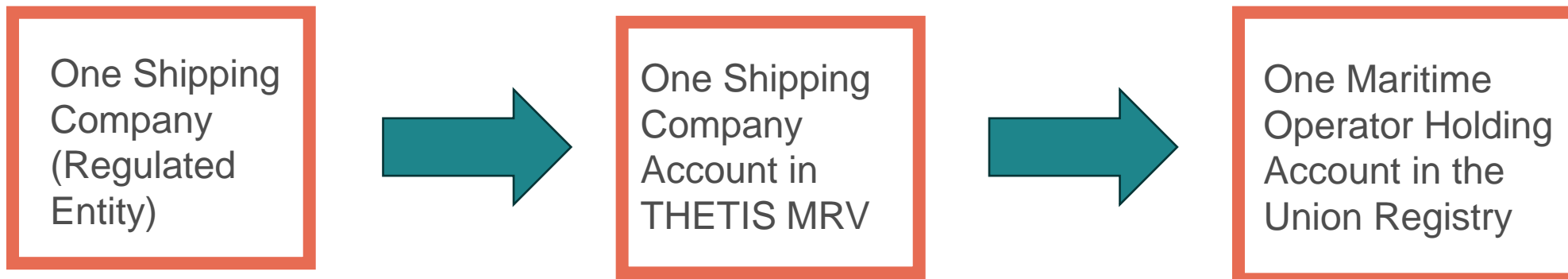
Opening a MOHA in the Union Registry

What is the Union Registry? = IT system to ensure accounting of EU ETS allowances

➤ 3rd Webinar held on 15.12.2023

Having a MOHA is a prerequisite for ETS compliance. It is needed to enter the GHG emissions levels at company level and surrender a corresponding number of allowances to get compliance status at company level (by 30 September of Year + 1).

Key Principle



Opening a MOHA in the Union Registry

A MOHA can only be opened in the name of a shipping company.

Once attributed to the Administering Authority of a Member State, the shipping company shall initiate the opening procedure through the **national administrators** (NA) in the Registry, which are responsible for administering MOHAs on behalf of Member States.

Full list of contacts [available at this page](#) (see Section 'Links>Contact Points')



It is not always possible to directly enter the request for opening MOHA in the Union Registry portal of the Member State. Procedures may differ, so please contact the national contact points for more details.

Opening a MOHA in the Union Registry

The shipping company must **at least** provide its national administrator with the information set out in [Commission Delegated Regulation \(EU\) 2019/1122](#) ('the Registry Regulation'), namely the information set out in Table III-I of Annex III and the information set out in Tables VIIa-I and VIIa-II of Annex VIIa.

Since National Administrators (NA) may ask for **additional documents**, depending on national rules, it is a good practice to check with your NA which documentation is required (including in which form), with a view to submit a quality application and speed up processing time.

Opening a MOHA in the Union Registry

The MOHA **opening request** shall be made according to the following timeline:

- A. Company on the Attribution List: within **40 working days** after list publication
- B. Companies attributed after the Attribution List: within **65 working days** after first EEA port of call falling within ETS scope



The submission of an assessed Monitoring Plan to the Administering Authority is not a prerequisite for filing the request for opening a MOHA.

Live Demo

Opening a THETIS MRV account and requesting the Attribution

Live Demo

The Union Registry

Questions and Answers

Thank you

Further questions? Frequently Asked Questions (FAQs) available for [MRV](#) and [EU ETS](#)

Dedicated Helpdesk: fitfor55@emsa.europa.eu



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