



## 1. Terms and conditions for use of the Norwegian Emission Trading Registry

All use of the Norwegian Emission Trading Registry, hereinafter referred to as the Registry, must comply with the rules and provisions specified in the EU Regulation (EC) No 2216/2004 as amended by Regulation (EC) No 916/2007, No 994/2008 and No 920/2010 for a standardized and secure registry system - hereinafter referred to as the Registry Regulations.

When making an external transaction from the Registry, to a foreign registry, the user should also consider the terms and conditions that apply to the foreign emission trading registry involved in the transaction.

## 2. Account application and requirements

Norwegian organisations and individuals are encouraged to use the online account application form. Please see the Norwegian version of the terms and conditions (Brukeravtale).

The following requirements must be met before the Climate and Pollution Agency can approve an account application from non-Norwegian organisations/companies and citizens:

### 2.1. The account application form main criteria:

- The document must be signed by both PAR<sup>1</sup> and SAR<sup>1</sup>.
- An AAR must be assigned to the account
- All the documents, along with the application, must be submitted by regular post<sup>2</sup>
- The required documents must be enclosed with the application.

### 2.2. The required documents:

- Colour copy of PAR, SAR and AAR passport
- Copy of **company certificate** (not applicable to private PHA applications).
- Copy of a **residence document** from the Norwegian national registration office for either PAR or SAR (not required if PAR or SAR has a Norwegian passport - see point 1.4). The residence document must confirm the place of residence in Norway and that the representative has been living in Norway for the past 6 months.
- Copy of any other document which the Climate and Pollution Agency may require in order to verify the existence of the persons or organisation/company.
- The documents must be translated into **English or Norwegian** (see point 1.3).

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<sup>1</sup> PAR = Primary Account representative, SAR = Secondary Account Representative, AAR = Additional Account Representative.

<sup>2</sup> Address: The Norwegian Emission Trading Registry c/o the Climate and Pollution Agency, P.O. Box 8100 Dep. N-0032 Oslo, Norway

2.3. *The required documents - certification/legalisation:*

- The translation into English or Norwegian must be carried out by a translator approved by the relevant national authority.
- A **notary public** must certify all the documents.
- The relevant national authority of the issued documents must verify the notary public with an **Apostille**<sup>3</sup>.
- The **certification/legalisation** must not be older than 2 months.

2.4. *The requirements of the account representatives:*

- Either PAR or SAR must be a Norwegian citizen or be residing in Norway
- An account representative (PAR/SAR/AAR) has to be at least 18 years old.
- PAR/SAR/AAR must be three different juridical persons.

2.5. *Fee for the establishment of the account must be paid (see point 2).*

Any violation of the account application requirements (1.1-1.5), or documentation fraud of any kind, will result in an immediate rejection of the application. Fraud attempts will be reported to the police. Please note that if such violations or fraudulent documents are detected after the account is opened, and therefore the account is opened on the wrong basis, the Climate and Pollution Agency will immediately close account without any prior warning given to the account holder.

### 3. Fee

In accordance with Section 8-2 of the Greenhouse Gas Emission Trading Regulations a fee of NOK 400 shall be paid to the Climate and Pollution Agency to cover its expenses related to processing an account application. The payment must be verified by the Climate and Pollution Agency before the account is activated.

In accordance with Section 8-3 of the Greenhouse Gas Emission Regulations an annual fee of NOK 400 shall be paid for each account that is held in the Registry. The annual fee is due for payment 15 February and applies for the current calendar year. Access to the account will be blocked for the authorised users of the account if the fee has not paid by 15 February. Access will once again be granted to the users when the fee has been paid.

The fees do not apply to applications for additional account representatives (AAR-organisation).

### 4. Security

In order to preserve the security of the Registry, a set of security guidelines have been implemented. These guidelines include mandatory *requirements* (point 3.1) for users/account representatives and companies/account holders. The security *recommendations* (point 3.2) should also be followed to ensure a secure login and a safe connection to the registry.

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<sup>3</sup> In order for foreign documents to be valid in Norway, they must bear an *Apostille* – a certificate confirming the capacity of the government office signing the documents and the authenticity of the signature. Please see the Apostille section on the website of the Hague Conference: [http://hcch.e-vision.nl/index\\_en.php](http://hcch.e-vision.nl/index_en.php)

*4.1. Mandatory requirements:*

- Passwords and user names are strictly personal. Any authorized user of the Registry shall ensure that their user name and password does not become known to other persons.
- Any connection to the Registry must be made through a secure internet connection (firewall) on computers that have updated anti-virus software which prevents the machine from being exposed to harmful spyware or Trojans/worms/other types of virus.
- All accounts in the registry are obliged to have three account representatives (PAR/SAR/AAR).
- Any suspicion that username or password may have been exposed, or that criminals/others wrongfully have got access to the Registry, must be reported immediately to the registry administrators by e-mail, kvoteregister@klif.no or by telephone 22 57 34 00.

*4.2. Recommendations:*

- Users should log in to the registry using computers that are not used by any other person.
- Know your e-mail contacts! That means be critical whenever you receive an e-mail, even from the Registry. Only open attachments and links in emails that you fully trust. The Registry will never ask for your username or password.
- Read the news bulletins on our website: [www.kvoteregister.no](http://www.kvoteregister.no).
- Never write down your username or password. All the users should remember their login credentials. If you have forgotten your credentials, please call the Agency.
- Never use simple codes like your surname, first name or business name as your login credentials.
- Please call the Agency if you are having any doubts about information origin, or doubts whether inquiries are sent from the Registry administrator/Agency.

The Registry Administrator may suspend users and/or block accounts that are not in compliance with the requirements given in point 3.1.

## **5. Publication of information from the Registry**

The Climate and Pollution Agency is obliged to make certain information from the Registry available to the public. For a detailed overview of information that is made public, and at what time this information becomes public, please refer to Annex XVI of the Registry Regulation. Information that is not explicitly stated as public information will not be made public by the Climate and Pollution Agency.

Other public authorities, including the Norwegian Tax Administration, have the right to access information from the Registry to the extent which is necessary to promote their tasks, or pursuant to law.

## **6. Obligations**

The user of the Registry is obliged to notify the Climate and Pollution Agency if information stored in the Registry has been changed in any way. The Registry administrator must be informed of the changes within 10 days after the changes have been made. The Climate and Pollution Agency is obliged to inform the account holder about the creation, updating or closure of their account.

## **7. Suspension**

Users may be suspended from access to the Registry. In addition to the suspension referred to in Article 2 and 3 of this User Agreement, users may also be suspended according to the grounds for Registry suspension stated in Chapter VI and VII of the Registry Regulation.

## **8. The responsibilities of the Registry administrator**

The Climate and Pollution Agency shall take all reasonable measures to ensure that the Registry is available to authorised users 24 hours per day.

If errors or delays occur, including errors that make the Registry unavailable for users over a shorter or longer period, the Climate and Pollution Agency can only be held responsible if the Climate and Pollution Agency has acted negligently or intentionally.

The Climate and Pollution Agency is not under any circumstances liable in cases of intentional or accidental errors caused by any authorized users of the Registry (for example transfer of allowances or credits to a wrong account etc). The Climate and Pollution Agency is also not liable in cases where unauthorized persons gain access to the account because the authorized user violates any of the terms listed in point 4.1.

Norwegian laws and regulations on liability shall also apply in matters concerning the Registry.

## **9. Withdrawal of allowances**

If an installation has been allocated more allowances than the amount to which it is entitled according to the national allocation plan, the Climate and Pollution Agency may remove any excess allowances from the installation's account in the Registry.

## **10. Closure of inactive accounts (PHA)**

An account held by a private individual or organization (Person Holding Account) may be closed by the Climate and Pollution Agency if:

- the account balance is zero (no allowances or Kyoto Protocol units on the account), and
- no activities/transactions have been registered on the account during a period of 12 months.

If the account meets the criteria for closure, the Climate and Pollution Agency will send a notification to the account holder. The deadline for answering this message is 60 days from notification issuance date. If the agency does not receive a response within this period, the

account will be closed. After the deadline, the account holder must re-apply and pay a new fee, according to point 1 and 2 of the User Agreement, in order to open a new account.

#### **11. Changes in Terms and Conditions**

The Climate and Pollution Agency reserve the right to change the above terms and conditions.

*Climate and Pollution Agency, updated 6<sup>th</sup> May 2011*