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*Consolidated version valid as of 1 January 2015*

## REPUBLIC OF LITHUANIA

# LAW ON FINANCIAL INSTRUMENTS FOR CLIMATE CHANGE MANAGEMENT

7 July 2009 No XI-329

(As last amended on 18 December 2014 – No XII-1483)

Vilnius

## CHAPTER ONE

### GENERAL PROVISIONS

#### **Article 1. Purpose of the Law**

1. This Law shall stipulate the rights, duties and liability of the persons engaged in the economic activities resulting in greenhouse gas emissions and the remit of state institutions and agencies, also key requirements for the issue, suspension of validity, lifting of suspension of validity and revocation of fluorinated greenhouse gases management certificates.

2. The provisions of this Law shall implement the legal acts of the European Union listed in the Annex 2 to this Law.

#### **Article 2. Definitions**

1. **Carbon dioxide equivalent** shall mean the amount of methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), sulphur hexafluoride (SF<sub>6</sub>) gases which has the same climate change impact as one tonne of carbon dioxide.

2. **Joint Implementation (JI) project** shall mean an activity and/or measures whose implementation results in reduction of the amount of greenhouse gas emissions or absorption of greenhouse gas and which is implemented in the territory of the Republic of Lithuania by a state indicated in Annex I to the United Nations Framework Convention on Climate Change (hereinafter: the 'Convention on Climate Change') or by a legal entity registered therein or which is implemented by the Republic of Lithuania or by a legal entity registered therein in the territory of a state indicated in Annex I to the Convention on Climate Change.

3. **Emission reduction unit** shall mean a unit, as used in a Joint Implementation (JI) project, which is equal to one tonne of carbon dioxide or to carbon dioxide equivalent and which is recognised by the states participating in this project and which is used to express the reduced amount of greenhouse gas emissions.

4. **Kyoto unit** shall be any of the following units: assigned amount unit, emission reduction unit or certified emission reduction unit

5. **Climate change** shall mean the changes in climate which occur, directly or indirectly, as a result of human activities altering the composition of the Earth's atmosphere and which extend beyond the range of natural climate fluctuations observed at regular time intervals.

6. **Greenhouse gas emissions permit** shall mean a document allowing greenhouse gas emissions.

7. **New entrant to greenhouse gas emissions** (hereinafter: a 'new entrant') shall mean an installation for operating which the operator

1) carries out one or more activities included in the list of categories of activities provided in Annex 1 to this Law and holds a greenhouse gas emissions permit issued thereto for the first time after 30 June 2011;

2) carries out activities outside the scope of the list of categories of activities provided in Annex 1 to this Law or not covering the categories of activities and greenhouse gases provided in Annex 1 to this Law, but this activity and/or greenhouse gases, subject to the European

Commission's approval, have been unilaterally included by the Republic of Lithuania in the European Union greenhouse gas emission allowance trading scheme;

3) carries out one or more activities included in the list of categories of activities provided in Annex 1 to this Law or activities outside the scope of the list of categories of activities provided in Annex 1 to this Law or not covering the categories of activities and greenhouse gases provided in Annex 1 to this Law, but this activity/activities and/or greenhouse gases, subject to the European Commission's approval, have been unilaterally included by the Republic of Lithuania in the European Union greenhouse gas emission allowance trading scheme, and production capacity at an installation was significantly extended after 30 June 2011.

8. **Assigned amount of greenhouse gases** shall mean the amount of greenhouse gases in tonnes as calculated for a state indicated in Annex I to the Convention on Climate Change according to the Kyoto Protocol and registered in the account under the jurisdiction of the Republic of Lithuania in the Union Greenhouse Gas Registry, which may be emitted in the territory of the state within a period defined under international arrangements.

9. **Assigned amount unit of greenhouse gases** (hereinafter: '**assigned amount unit**') shall mean a unit of the amount of greenhouse gases equal to one tonne of carbon dioxide or to carbon dioxide equivalent.

10. **Certified emission reduction unit** shall mean a unit, as used in a Clean Development Mechanism (CDM) project, which is equal to a tonne of carbon dioxide or to carbon dioxide equivalent and which is recognised by the states participating in this project and which is used to express the reduced amount of greenhouse gas emissions.

11. **Aircraft operator** shall mean a person operating an aircraft to carry out the activities indicated in Annex 1 to this Law or the owner of the aircraft where the person operating the aircraft is unidentified or the owner of the aircraft does not indicate the person.

12. **Installation emitting greenhouse gases** (hereinafter: an 'installation') shall mean a stationary technical unit or a group of stationary technical units which are technologically interrelated and in which one or several economic activities are carried out resulting in greenhouse gas emissions.

13. **Greenhouse gases (emissions)** shall mean carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFC), perfluorocarbons (PFC) and sulphur hexafluoride (SF<sub>6</sub>).

14. **Greenhouse gas emission allowance** (hereinafter: an '**allowance**') shall mean the right as granted by an administrative decision to an operator to emit, during a specified period, one tonne of carbon dioxide or carbon dioxide equivalent.

15. **Clean Development Mechanism (CDM) project** shall mean an activity and/or measures whose implementation results in reduction of the amount of greenhouse gas emissions or absorption of greenhouse gas and which are implemented in the states not indicated in Annex I of the Convention on Climate Change by the Republic of Lithuania as a state indicated in the list of Annex I of the Convention on Climate Change or by a legal entity registered in the Republic of Lithuania.

16. **Operator** shall mean a person that manages and/or operates the installations emitting greenhouse gases located in the territory of the Republic of Lithuania and, under legal acts of the Republic of Lithuania, has at its disposal the key economic instruments to address the issues of technical functioning of the installations or an aircraft operator whose activities are included in the list of categories of activities provided in Annex 1 to this Law.

## CHAPTER TWO

### NATIONAL STRATEGY FOR CLIMATE CHANGE MANAGEMENT POLICY

#### **Article 3. National Strategy for Climate Change Management Policy and the Plan of Implementation Measures Thereof**

1. The National Strategy for Climate Change Management Policy shall cover the following areas of public administration:

- 1) environmental protection and rational use of national resources;
- 2) energy;
- 3) taxes and finances;
- 4) science;
- 5) industry;

- 6) health care;
- 7) education and provision of information to the public;
- 8) international co-operation;
- 9) transport;
- 10) home affairs;
- 11) agriculture.

2. The National Strategy for Climate Change Management Policy may, having regard to the strategic goals and/or international commitments of the State, cover also other areas of public administration relating to adaptation of climate change and mitigation of effects of climate change.

3. The National Strategy for Climate Change Management Policy and the plan of its implementation measures shall be drafted by ministries and, on the instruction of the Government of the Republic of Lithuania (hereinafter: the 'Government'), other institutions of public administration. The National Strategy for Climate Change Management Policy shall be approved by the Seimas of the Republic of Lithuania (hereinafter: the 'Seimas'), while the plan of its implementation measures – by the Government.

#### **Article 4. Implementing Institutions of the National Strategy for Climate Change Management Policy**

The National Strategy for Climate Change Management Policy and the plan of its implementation measures shall be implemented by:

- 1) the Government, ministries or other institutions authorised by the Government within their remit;
- 2) municipal institutions.

### **CHAPTER THREE**

#### **TRADING IN ALLOWANCES AND KYOTO UNITS**

## **Article 5. Rights and Duties of Operators and Other Persons**

1. The operators engaged in activities according to the list of categories of activities as provided in Annex 1 to this Law must, in accordance with the procedure laid down by the Minister of Environment, obtain a greenhouse gas emissions permit, acquire allowances and open an account in the Union Greenhouse Gas Registry.

2. Operators must, in accordance with legal acts of the European Union and the procedure laid down by the Minister of Environment, conduct monitoring and keep accounts of greenhouse gases and submit reports thereon.

3. Every calendar year, operators must, by the time limit set by the Minister of Environment, surrender an amount of allowances which corresponds, in tonnes, to the amount of carbon dioxide emissions over the past calendar year and/or to the amount of carbon dioxide equivalent in tonnes and note this in the Union Greenhouse Gas Registry. In place of the allowances, the operators shall be allowed to surrender the amount, as specified by the European Commission, of emission reduction units and/or certified emission reduction units from the Joint Implementation (JI) and Clean Development Mechanism (CDM) projects recognised within the European Union greenhouse gas emission allowance trading scheme.

4. Operators and/or other persons may exchange allowances for emission reduction units and/or certified emission reduction units from the Joint Implementation (JI) and Clean Development Mechanism (CDM) projects recognised within the European Union greenhouse gas emission allowance trading scheme.

5. Operators and/or other persons holding allowances and/or Kyoto units may transfer them to third parties in the states of the European Economic Area and/or third countries which are listed in Annex B to the Kyoto Protocol of the Convention on Climate Change and have ratified it, where these allowances and/or Kyoto units are subject to mutual recognition and a decision has been adopted in accordance with the procedure laid down by the Minister of Environment on recognition thereof. Operators and the persons shall give an immediate notice of transfer of the allowances and/or Kyoto units to the national administrator of the Union Greenhouse Gas Registry.

9. Other persons willing to acquire allowances and/or Kyoto units and use or hold them must open an account in the Union Greenhouse Gas Registry in accordance with the Rules for Using the Union Greenhouse Gas Registry.

## **Article 6. Drawing up and Approval of the List of Operators Participating in the European Union Greenhouse Gas Emission Allowance Trading Scheme**

1. A draft List of Operators Participating in the European Union Greenhouse Gas Emission Allowance Trading Scheme shall, in accordance with the procedure laid down by the Minister of Environment, be published on the website of the Ministry of Environment for public access.

2. The List of Operators Participating in the European Union Greenhouse Gas Emission Allowance Trading Scheme shall, in compliance with legal acts of the European Union and having regard to the requirements set forth and decisions and recommendations adopted by the European Commission, be drawn up and, upon coordination with other institutions authorised by the Government, be approved by the Minister of Environment.

## **Article 7. Greenhouse Gas Emissions Permit**

1. A greenhouse gas emissions permit shall be an integral part of an integrated pollution prevention and control permit or an emission allowance the terms and conditions of and grounds for the issuance, replacement and revocation whereof shall be specified by the Law of the Republic of Lithuania on Environment Protection.

2. An operator wishing to obtain an integrated pollution prevention and control permit or an emission allowance combined with a greenhouse gas emissions permit shall additionally submit to the issuing institution a commitment of the form approved by the Minister of Environment to surrender the amount of allowances and/or Kyoto units which equals the amount of greenhouse gas emitted over the past calendar year and verified by an independent verifier.

3. A greenhouse gas monitoring plan drawn up by an aircraft operator in compliance with the requirements set forth by legal acts of the European Union and approved by an institution authorised by the Ministry of Environment shall entitle to greenhouse emissions in accordance with the procedure and under the terms and conditions specified in the monitoring plan.

## **Article 8. Allocation, Validity and Cancellation of Allowances**

1. A procedure for allocating allowances to current operators and the operators planning to operate new installations or new aircraft and to other persons wishing to acquire allowances and use or hold them shall be laid down by the Minister of Environment having regard to the requirements set forth and decisions and recommendations adopted by the European Commission.

2. Allocation of allowances to an operator and/or to another person entitled to acquire the allowances and to use or hold them, cancellation of the allowances and surrender of such allowances shall be registered with the Union Greenhouse Gas Registry. The amount of allowances allocated to the operator shall be entered in the Union Greenhouse Gas Registry.

3. Allowances shall be valid during the period of validity of the list of the operators participating in the European Union greenhouse gas emission allowance trading scheme.

4. Allowances shall be cancelled at the request of an operator or a person entitled to hold the allowances in accordance with the procedure laid down by the Minister of Environment or in the event of termination of an undertaking.

### **Article 9. Assigned Amount Unit Acquisition and Transfer Transactions**

1. A decision on the entering into assigned amount unit acquisition and transfer transactions shall be taken by the Government on the recommendation of an institution authorised by it.

2. The funds obtained from transferred assigned amount units shall be transferred to the Special Programme for Climate Change.

3. Assigned amount units shall be acquired with funds accumulated in the Special Programme for Climate Change and/or funds of the state budget.

4. Where the state purchasing assigned amount units or its authorised person offers to conclude a transaction which would be settled by new tangible fixed assets, the Government shall assess the justification of the materiality of environmental and financial benefits as submitted by an institution authorised by the Government referred to in Article 10(4)(1) of this Law. The justification shall be drawn up in accordance with the procedure laid down by the Government providing that the difference between equivalent receivables for the assigned amount units to be transferred and the values of the offered new tangible fixed assets must be assessed and substantiated. The Government may take a decision that the state purchasing the assigned amount units or its authorised person may

settle for the assigned amount units to be transferred by new tangible fixed assets equivalent to funds for the amount of the assigned amount units to be transferred, provided that the assets conform to requirements of European and Lithuanian standards and will be used for the implementation of climate change reduction projects and/or measures in the areas of the use of funds of the Special Programme for Climate Change as referred to in points 1 and 2 of Article 10(3) of this Law (hereinafter: 'assets'). The value of assigned amount units shall be determined according to the price most advantageous to the Republic of Lithuania as agreed upon by way of negotiations between an institution authorised by the Government and referred to in Article 10(4)(1) of this Law and the state purchasing the assigned amount units or its authorised person.

5. Annual greenhouse gas emission reduction targets and the principles of setting of such targets in respect of the economic entities which carry out activities outside the scope of the list of categories of activities provided in Annex 1 to this Law and which are assigned to sectors outside the European Union Greenhouse Gas Emission Allowance Trading Scheme shall be stipulated in the National Strategy for Climate Change Management Policy. The Government or an institution authorised by it shall, in compliance with legal acts of the European Union and the National Strategy for Climate Change Management Policy, lay down a procedure for using the flexibilities applied to reach annual greenhouse gas emission reduction targets.

#### **Article 10. Special Programme for Climate Change and Transfer of Assets Received under Assigned Amount Unit Acquisition and Transfer Transactions**

1. A Special Programme for Climate Change (hereinafter: the 'Programme') shall be developed to raise additional funding for climate change management measures. Funds of the Programme shall be accumulated in a separate account of the State Treasury. According to the principles of financing of special programmes, the revenue and expenditure relating to the financing of the Programme shall be earmarked in the state budget.

2. The sources of financing of the Programme shall be as follows:

- 1) the funds obtained from the transfer of assigned amount units;
- 2) the funds obtained from the allowances sold at auction;
- 3) the funds obtained in accordance with the procedure laid down in Chapter Six of this Law;

4) the funds donated by natural and legal persons for implementation of the measures aimed at mitigation of climate change;

5) other funds obtained legitimately.

3. The funds of the Programme shall be used for:

1) energy consumption and production efficiency enhancement projects: modernisation of dwelling houses and public buildings, implementation of other projects permitting most efficient reduction of greenhouse gas emissions in the energy, industry, construction, transportation, agriculture, waste management and other fields – at least 40 per cent;

2) promotion of the use of renewable energy resources, introduction of environment-friendly technologies, including efficient energy production by cogeneration – at least 40 per cent;

3) implementation of the plan of implementation measures of the National Strategy for Climate Change Management Policy;

4) reforestation and afforestation;

5) provision of information to and education of the public, scientific research and dissemination thereof, consulting and training of operators and other persons on topical issues of management and implementation of the climate change policy, enhancement of energy consumption efficiency, use of renewable energy resources and introduction of environment-friendly technologies;

6) implementation, in the territory of the Republic of Lithuania and third countries, of measures of adaptation to climate change and mitigation of climate change effects as stipulated under legal acts of the European Union, the Convention on Climate Change, the Kyoto Protocol and other international agreements;

7) implementation of other measures of efficient management of climate change policy which, by means of State assistance, would allow operators and other economic entities whose activities are not included in the list of categories of activities indicated in Annex 1 to this Law to reduce the financial and economic burden of the commitments of greenhouse gas emissions reduction;

8) administration of funds of the Programme and financing of the administration of the Union Greenhouse Gas Registry.

4. The general provisions of management of funds of the Programme shall be as follows:

1) annual estimates and reports relating to the use of funds of the Programme shall be drawn up and the funds of the Programme shall be administered by an institution authorised by the Government;

2) annual estimates and reports relating to the use of funds of the Programme shall, upon their consideration with the National Committee on Climate Change and the Seimas Committee on Environment Protection, be approved by the Government or an institution authorised by it;

3) the funds of the Programme used during the current budget year shall be used to finance the measures planned for the next year or other measures provided for in points 3-7 of paragraph 3 of this Article;

4) the Government may alter the amount of financing as indicated in points 1 and 2 of paragraph 3 of this Article only provided there is a reasoned proposal of an institution authorised by the Government and administering the funds of the Programme.

5. If the Government takes, in accordance with Article 9(4) of this Law, a decision on the conclusion of an assigned amount unit acquisition and transfer transaction according to which the purchasing assigned amount units or its authorised person exchanges the assigned amount units to be transferred for assets, and an authority authorised the Government and referred to in point 1 of paragraph 4 of this Article signs a unit acquisition and transfer agreement of the specified form, the assets received in exchange for the transferred assigned amount units shall be transferred by a decision of the Government to the entities implementing projects and/or measures in the areas of the use of funds of the Programme as referred to in points 1 and 2 of paragraph 3 of this Article:

1) into the ownership of municipalities for the performance of their functions, subject to the consent of a municipal council;

2) for the management, use and disposal of these assets by state institutions and agencies by the right of trust.

6. An asset transfer and acceptance act shall be signed by the entities taking over the assets as referred to in points 1 and 2 of paragraph 5 of this Article and an institution authorised by the Government and referred to in point 1 of paragraph 4 of this Article.

7. The National Committee on Climate Change, that is, the advisory body of an institution authorised by the Government and administering the funds of the Programme, shall consist of representatives of state institutions, associations, institutions of science and studies and other

institutions. The composition and terms of reference of the National Committee on Climate Change shall be approved by the Minister of Environment. The National Committee on Climate Change shall not be a legal entity.

## **CHAPTER FOUR**

### **JOINT IMPLEMENTATION (JI) AND CLEAN DEVELOPMENT MECHANISM (CDM) PROJECTS**

#### **Article 11. Implementation of Joint Implementation (JI) and Clean Development Mechanism (CDM) Projects and Administration Thereof**

1. In implementing Joint Implementation (JI) projects, the Republic of Lithuania may transfer emission reduction units to the states indicated in Annex I to the Convention on Climate Change or receive them from the mentioned states under the treaties ratified by the Republic of Lithuania and other legal acts.

2. In implementing Clean Development Mechanism (CDM) projects, the Republic of Lithuania may, as a state indicated in Annex I to the Convention on Climate Change, be given certified emission reduction units under the treaties ratified by the Republic of Lithuania and other legal acts.

3. Joint Implementation (JI) and Clean Development Mechanism (CDM) projects shall be administered by the Ministry of Environment in conjunction with other institutions authorised by the Government.

4. The Minister of Environment shall lay down a procedure for implementing Joint Implementation (JI) and Clean Development Mechanism (CDM) projects. The Ministry of Environment shall perform the following functions:

1) accept, examine and evaluate applications and other documents related to implementation of projects;

2) allow implementation of projects or refuse to allow implementation thereof;

3) exercise control of implementation of projects.

5. Operators and/or economic entities whose activities are not included in the list of categories of activities indicated in Annex 1 to this Law may use emission reduction units and certified emission reduction units from Joint Implementation (JI) and Clean Development Mechanism (CDM) projects in order to offset a share of the objective of greenhouse gas emissions reduction as set for them in accordance with the procedure laid down by the Government or an institution authorised by it.

## **CHAPTER FIVE**

### **UNION GREENHOUSE GAS REGISTRY**

#### **Article 12. Use of the Union Greenhouse Gas Registry**

1. The Kyoto units, allowances and the average annual greenhouse gas emissions assigned to sectors outside the European Union Greenhouse Gas Emission Allowance Trading Scheme, as held by the right of ownership by the Republic of Lithuania, the operators registered in its territory and/or the aircraft operators designated for administration purposes, shall be registered in accounts under the jurisdiction of the Republic of Lithuania in the Union Greenhouse Gas Registry.

2. The functions of management of accounts under the jurisdiction of the Republic of Lithuania in the Union Greenhouse Gas Registry shall be performed by the national administrator designated by the Ministry of Environment and acting in compliance with the legal acts of the European Union regulating the activities of the Union Greenhouse Gas Registry, the Rules for Using the Union Greenhouse Gas Registry as approved by the Minister of Environment and other legal acts.

3. The opening of an account in the Union Greenhouse Gas Registry shall be subject to payment of a state fee, and the provision of data of this Registry and administration of the account in the Union Greenhouse Gas Registry – a consideration in the amount based on administrative costs. The amount of the charges and procedure for paying them shall be established by the Government.

## **CHAPTER FIVE<sup>1</sup>**

## **ISSUANCE, SUSPENSION OF VALIDITY, LIFTING OF THE SUSPENSION OF VALIDITY AND REVOCATION OF FLUORINATED GREENHOUSE GASES MANAGEMENT CERTIFICATES**

### **Article 12<sup>1</sup>. Issuance, Suspension of Validity, Lifting of the Suspension of Validity and Revocation of Fluorinated Greenhouse Gases Management Certificates**

1. The right to carry out installation, servicing, maintenance, repair and/or decommissioning of stationary refrigeration equipment, stationary air-conditioning equipment, stationary fire protection systems, fire extinguishers and stationary heat pumps containing certain fluorinated greenhouse gases (hereinafter: 'refrigeration equipment') for other entities in the territory of the Republic of Lithuania shall be granted to self-employed citizens of the Republic of Lithuania, another European Union Member State or a state of the European Economic Area (hereinafter: the 'Member State'), any other natural persons who exercise the rights of free movement within the Member States conferred upon them by European Union legal acts or legal persons, other organisations or their branches established in the Republic of Lithuania or another Member State (hereinafter: 'legal persons') holding a fluorinated greenhouse gases management certificate (hereinafter: the 'certificate') or another document issued by the Member State which entitles to carry out installation, servicing, maintenance, repair and/or decommissioning of refrigeration equipment.

2. The procedure for the issuance, suspension of validity, lifting of the suspension of validity and revocation of certificates shall be laid down by the Minister of Environment. The certificates shall be issued, their validity suspended, the suspension of validity thereof lifted and they shall be revoked by a decision of an institution authorised by the Ministry of Environment. Decisions regarding the issuance, suspension of validity, lifting of the suspension of validity and revocation of the certificate shall be adopted taking into account the provisions of the Law of the Republic of Lithuania Law on Public Administration relating to supervision of activities of economic entities and they may be appealed against in accordance with the procedure laid down by laws of the Republic of Lithuania.

3. Certificates shall be issued not later than within 20 working days of the date of submission of all the properly executed documents and information necessary for obtaining the certificate. If a decision to issue a certificate is not adopted within the set time limit, the certificate shall not be considered to have been issued. If additional information from other institutions, establishments or other natural or legal persons is required for the adoption of the decision, the time limit for adopting

the decision may be extended once for up to ten working days upon informing the applicant thereof before the expiry of the time limit for issuing the certificate specified in this paragraph. The certificates shall be issued for an unlimited period to the natural and legal persons referred to in paragraph 1 of this Article that comply with the following requirements:

1) to carry out certified activities, the natural person has employed a number of personnel that is not less than laid down by the Minister of Environment who hold an attestation issued in accordance with the procedure laid down in legal acts or by a responsible institution of another Member State, attesting to the qualification to carry out checks of refrigeration equipment with regard to leakage of fluorinated greenhouse gases, installation, operation and maintenance of refrigeration equipment and/or recovery of fluorinated greenhouse gases from refrigeration equipment, and the natural person holds the attestation specified in this point;

2) to carry out certified activities, the legal person and natural person have the necessary technical equipment whose compliance with the set requirements is evaluated in accordance with the procedure laid down by the Minister of Environment and which allows to carry out installation, servicing, maintenance, repair and/or decommissioning of refrigeration equipment for other entities: to carry out checks of refrigeration equipment with regard to leakage of fluorinated greenhouse gases, measurements of pressure and temperature of fluorinated greenhouse gases, recovery of fluorinated greenhouse gases from refrigeration equipment, storage and transport of fluorinated greenhouse gases, charging of refrigeration equipment and systems with fluorinated greenhouse gases, installation of refrigeration equipment, piping and other parts of refrigeration equipment without triggering the leakage of fluorinated greenhouse gases and other works.

4. A certificate shall not be issued where:

1) not all documents have been submitted or the documents do not comply with the set requirements;

2) the submitted documents contain incorrect data or falsified documents have been submitted;

3) the natural or legal person specified in paragraph 1 of this Article fails to comply with the requirements set in paragraph 3 of this Article;

4) the certificate has been revoked and less than one year has lapsed from the revocation of the certificate, except for the cases where the certificate was revoked at the request of its holder;

5) the charge levied by the State has not been paid.

5. The validity of a certificate shall be suspended where:

- 1) it transpires that incorrect data have been submitted;
- 2) it is established that the holder of the certificate no longer complies with the requirements set in paragraph 3 of this Article;
- 3) at the request of the holder of the certificate.

6. The suspension of validity of a certificate shall be lifted:

1) upon submission of revised data by the holder of the certificate within the time limit set by the institution authorised by the Ministry of Environment specified in paragraph 2 of this Article, where the validity of the certificate was suspended on the grounds provided for in point 1 of paragraph 5 of this Article, except for the cases where falsified documents have been submitted;

2) upon ensuring the compliance with the requirements set in paragraph 3 of this Article by the holder of the certificate within the time limit set by the institution authorised by the Ministry of Environment specified in paragraph 2 of this Article, where the validity of the certificate was suspended on the grounds provided for in point 2 of paragraph 5 of this Article;

3) at the request of the holder of the certificate, where the validity of the certificate was suspended on the grounds provided for in point 3 of paragraph 5 of this Article.

7. A certificate shall be revoked where:

- 1) that is requested by the holder of the certificate;
- 2) it is established that falsified documents have been submitted to obtain the certificate;
- 3) after the suspension of the validity of the certificate, the holder of the certificate fails to submit revised data within the specified time limit, where the validity of the certificate was suspended on the grounds provided for in point 1 of paragraph 5 of this Article;
- 4) the holder of the certificate has failed to ensure the compliance with the requirements set in paragraph 3 of this Article within the time limit set by the institution authorised by the Ministry of Environment specified in paragraph 2 of this Article, where the validity of the certificate was suspended on the grounds provided for in point 2 of paragraph 5 of this Article;

5) upon suspension of the validity of the certificate, the holder of the certificate continues to carry out installation, servicing, maintenance, repair and/or decommissioning of refrigeration equipment for other entities;

6) it is established that the holder of the certificate the validity of whose certificate has already been suspended fails to comply with the requirements set in paragraph 3 of this Article for the second time within 12 months of the date of suspension of validity of the certificate issued to him;

7) the legal person who is the holder of the certificate is being liquidated, and the natural person who is the holder of the certificate is deceased, adjudged as incapacitated or declared missing.

8. A decision regarding the suspension of validity, revocation and lifting of the suspension of validity of a certificate shall be adopted within 20 working days from the emergence of the circumstances specified in paragraphs 5, 6 and 7 of this Article. If additional information from other institutions, establishments or other natural or legal persons is required for the adoption of the decision, the time limit for adopting the decision may be extended once for up to ten working days upon informing the applicant thereof before the expiry of the time limit for adopting the decision regarding the suspension of validity, revocation and lifting of the suspension of validity of the certificate specified in this paragraph.

9. Upon revocation of a certificate, the natural and legal persons referred to in paragraph 1 of this Article may apply for a new certificate not earlier than after one year, except for the cases where the certificate was revoked at the request of its holder.

10. Issuance of certificates or their duplicates shall be subject to the charge levied by the State in accordance with the procedure laid down by the Law of the Republic of Lithuania on Fees and Charges.

11. An institution authorised by the Ministry of Environment shall adopt a decision not to suspend the validity of the certificate if violations, in the light of the circumstances specified in points 1 and 2 of paragraph 5 of this Article, are of minor significance.

## **CHAPTER SIX**

### **LIABILITY**

### **Article 13. Acts Subject to Economic Penalties**

An economic penalty equivalent to one hundred Euro adjusted according to the European Consumer Price Index shall be imposed:

1) against operators which operate the installations managed by them and are subject to compulsory registration according to the criteria indicated in paragraph 1 of Article 5 of this Law – for every tonne of carbon dioxide or carbon dioxide equivalent emitted without registration, or

2) against operators which emit greenhouse gas from installations or aircraft without holding a permit issued by an institution authorised by the Ministry of Environment and allowing greenhouse gas emissions – for every tonne of carbon dioxide or carbon dioxide equivalent emissions, or

3) against operators for every tonne of carbon dioxide or carbon dioxide equivalent emissions in respect whereof they fail to surrender allowances and/or emission reduction units and/or certified emission reduction units within a time limit specified in Article 5(3) of this Law, or

4) against operators which emit, over a calendar year, an amount of greenhouse gas exceeding the one permitted to hold during the previous calendar year and/or permitted under the allowances acquired on the grounds specified in Article 5(4) of this Law and/or the emission reduction units and/or certified emission reduction units acquired in implementing Joint Implementation (JI) and/or Clean Development Mechanism (CDM) projects – for every tonne of carbon dioxide or carbon dioxide equivalent.

### **Article 14. Officers Imposing Economic Penalties**

Economic penalties for the acts provided for in Article 13 of this Law shall be imposed by officers of state control of environmental protection of regional departments of environmental protection – chief state inspectors of environmental protection and senior state inspectors of environmental protection.

### **Article 15. Institution of Proceedings for Imposition of Economic Penalties, Imposition of the Economic Penalties and Time Limits for Imposition Thereof**

1. Upon establishing a violation/violations indicated in Article 13 of this Law, an officer of state control of environmental protection shall, not later than within five working days, institute proceedings for imposition of an economic penalty and draw up a report on unlawful greenhouse gas emissions of the form approved by the Minister of Environment (hereinafter: the 'Report'). The following shall be indicated in the Report:

1) the person suspected of the violation (the name, legal form, registered office and registration number of a legal entity or the full name, personal number and permanent place of residence of a natural person (where the offender is a natural person));

2) the content of a violation and a point of Article 13 of this Law establishing the violation;

3) the amount of an economic penalty to be imposed against the person suspected of a violation and the calculations and/or reasons substantiating it;

4) the place, date and time of examination of a case regarding imposition of an economic penalty;

5) the officer of state control of environmental protection who has drawn up the Report (full name, place of service, position title and signature).

2. The officer of state control of environmental protection who has drawn up the Report shall, not later than within three working days following the drawing up of the Report, deliver a copy thereof or post it by registered mail to a person suspected of commission of a violation. In addition to the Report, the person suspected of the violation shall be delivered (sent by post) a proposal to provide a clarification in writing concerning the suspected violation, present evidence and requests, also a time limit for presenting them shall be indicated.

3. Economic penalties for the acts provided for in Article 13 of this Law shall be imposed within one year from the day of establishment of a violation, but not later than within three years of the commission of the violation.

### **Article 16. Participants in Proceedings for Imposition of Economic Penalties**

1. The following persons shall participate in the proceedings regarding the violations indicated in Article 15 of this Law:

1) the person suspected of a violation (where a legal entity is suspected of having committed the violation – an authorised representative thereof and/or defence counsel);

2) by a decision of the officer of state control of environmental protection – other persons where their interests are directly related to the case examined;

3) by a decision of the officer of state control of environmental protection – witnesses, experts, specialists and other persons or representatives of state institutions.

2. The person referred to in points 2 and 3 of paragraph 1 of this Article shall be considered participants in the proceedings.

3. A person suspected of a violation and participants in the proceedings shall be informed of the place, date and time of examination of the case of imposition of an economic penalty in writing.

### **Article 17. Examination of a Case Regarding Imposition of an Economic Penalty and Postponement of Examination of the Case Regarding Imposition of the Economic Penalty**

1. A case regarding imposition of an economic penalty shall be examined in the presence of a person suspected of a violation and participants in proceedings.

2. During the hearing of a case regarding imposition of an economic penalty, the person suspected of a violation shall have the right to familiarise with the collected material of the case, give oral and written explanations, present evidence, lodge applications.

3. A case regarding imposition of an economic penalty shall be examined in the absence of the person suspected of a violation and/or participants in the proceedings where it is known that they were informed of examination of the case regarding imposition of the economic penalty and they failed to submit a written reasoned request for postponement of the examination of the case.

4. A decision on postponement of examination of a case regarding imposition of an economic penalty shall be taken by the officer of state control of environmental protection examining this case by adopting a reasoned resolution of the form specified by the Minister of Environment. By this resolution, the officer of state control of environmental protection who examines the case regarding imposition of the economic penalty shall specify a new place, date and time of examination of the case regarding imposition of the economic penalty.

5. The resolution indicated in paragraph 4 of this Article shall be delivered or sent by registered mail to the person suspected of a violation and to participants in the proceedings.

### **Article 18. Resolutions Adopted upon Completion of Examination of a Case Regarding Imposition of an Economic Penalty and Appeals against Them**

1. The officer of state control of environmental protection shall, upon examining a case regarding imposition of an economic penalty, adopt a resolution:

1) to impose the economic penalty, or

2) to terminate the proceedings for imposition of the economic penalty where there is no element of the violations provided for in Article 13 of this Law, or

3) to terminate the proceedings upon expiry of the time limits referred to in paragraph 3 of Article 15 of this Law, or

4) to conduct additional investigation relating to the proceedings for imposition of the economic penalty.

2. The resolution referred to in paragraph 1 of this Article shall indicate: the officer of state control of environmental protection who has adopted the resolution (full name, place of service); the place, date and time of examination of the case regarding imposition of an economic penalty; the data of the offender (or the person against whom proceedings for imposition of the economic penalty have been instituted) as indicated in Article 15(1)(1) of this Law; the content of a violation, the circumstances of commission of the violation and reasoned assessment thereof; the evidence proving the guilt of the offender; the explanations given by the offender regarding the committed violation; Article 13 of this Law, the paragraph and point providing for liability for the act committed by the offender; a resolution adopted by the officer of state control of environmental protection (the amount of the economic penalty imposed, where it is actually imposed), the time limits and procedure for appealing against the resolution.

3. The form of the resolution referred to in paragraph 1 of this Article shall be established by the Minister of Environment.

4. A resolution shall, not later than within five working days from the day of adoption thereof, be delivered or sent by registered mail to a person in reference to whom it was adopted.

5. The resolution indicated in points 1-3 of paragraph 1 of this Article shall enter into force within thirty days from delivery of a resolution to a person in reference to whom it was adopted and shall be appealed against to a regional administrative court in accordance with the procedure laid down in the Law of the Republic of Lithuania on Administrative Proceedings.

6. A resolution referred to in point 4 of paragraph 1 of this Article shall enter into force as of adoption thereof.

### **Article 19. Conducting Additional Investigation in the Proceedings for Imposition of an Economic Penalty**

1. Where the officer of state control of environmental protection adopts a resolution referred to in Article 18(1)(4), additional investigation must be conducted within two months.

2. Upon completion of additional investigation, a case regarding imposition of an economic penalty shall be examined in accordance with the procedure laid down in Articles 15-18 of this Law.

### **Article 20. Payment and Recovery of Economic Penalties**

1. Persons shall pay the imposed economic penalties to the account of the State Treasury indicated in Article 10(1) of this Law not later than within three months from the entry into force of a resolution on imposition of an economic penalty.

2. Where the persons against whom economic penalties have been imposed fail to pay them voluntarily, a resolution on imposition of an economic penalty shall be forwarded to bailiffs and shall be executed in accordance with the procedure laid down by the Code of Civil Procedure of the Republic of Lithuania. A resolution on imposition of an economic penalty must be forwarded for execution not later than three years from entry into force thereof.

3. The persons against whom an economic penalty has been imposed for the acts referred to in points 3 and 4 of Article 13 of this Law shall not be released from the obligation to surrender allowances and/or Kyoto units corresponding to the surplus amount of greenhouse gas emissions which would be accumulated in the event of surrender of allowances and/or Kyoto units for the coming calendar year.

**Article 21. Liability for Other Violations of This Law Not Provided for by This Chapter**

The legal and natural persons shall be held liable for the violations of this Law not provided for by this Chapter under other laws of the Republic of Lithuania.

**CHAPTER SEVEN****FINAL PROVISIONS****Article 22. Scope of the Law**

1. Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to aircraft operators as of 1 January 2012.

2. Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to some operators according to the list of categories of activities as indicated in Annex 1 of this Law as of 1 January 2013.

3. Requirements of paragraph 2 of Article 5 of this Law shall apply to some operators according to the list of categories of activities as indicated in Annex 1 to this Law as of 1 January 2010.

**Article 23. Proposal to the Government**

The Government shall, by 1 September 2012, submit to the Seimas for approval the National Strategy for Climate Change Management Policy.

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC

DALIA GRYBAUSKAITĖ

Annex 1 to

the Republic of Lithuania

Law on Financial Instruments

for Climate Change Management

### **LIST OF CATEGORIES OF ACTIVITIES**

1. Requirements of the European Union greenhouse gas emission allowance trading scheme shall not apply to installations or parts of installations used for research, development and testing of new products and processes and installations exclusively using biomass.

2. The thresholds values given below generally refer to production capacities or outputs. Where several activities falling under the same category are carried out in the same installation, the capacities of such activities shall be added together.

3. When the total rated thermal input of an installation is calculated in order to decide upon its inclusion in the European Union greenhouse gas emission allowance trading scheme, the rated thermal inputs of all technical units which are part of it, in which fuels are combusted within the installation, shall be added together. These units could include all types of boilers, burners, turbines, heaters, furnaces, incinerators, calciners, kilns, ovens, dryers, engines, fuel cells, chemical looping combustion units, flares, and thermal or catalytic post-combustion units. Units with a rated thermal input under 3 MW and units which use exclusively biomass shall not be taken into account for the purposes of this calculation. “Units using exclusively biomass” includes units which use fossil fuels only during start-up or shut-down of the unit.

4. If a unit serves an activity for which the threshold is not expressed as total rated thermal input, the threshold of this activity shall take precedence for the decision about the inclusion in the European Union greenhouse gas emission allowance trading scheme.

5. When the capacity threshold of any activity in this Annex is found to be exceeded in an installation, all units in which fuels are combusted, other than units for the incineration of hazardous or municipal waste, shall be included in the greenhouse gas emission permit.

6. Since 1 January 2012, all flights from or to an aerodrome located in the territory of a Member State to which the Treaty on the Functioning of the European Union applies shall fall within this activity, except for derogations provided for in Regulation (EU) No 421/2014.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
1.	Fuel combustion in the installations with the total rated thermal input exceeding 20 MW (with the exception of installations for the incineration of hazardous or municipal waste)	Carbon dioxide	Applied as of the entry into force of this Law
2.	Refining of oil	Carbon dioxide	Applied as of the entry into force of this Law
3.	Production of coke	Carbon dioxide	Applied as of the entry into force of this Law

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
4.	Metal ore (including sulphide ore) roasting or sintering, including pelletisation	Carbon dioxide	Applied as of the entry into force of this Law
5.	Pig iron or steel production (primary or secondary melting), including continuous casting, where production capacity exceeds 2.5 tonnes per hour	Carbon dioxide	Applied as of the entry into force of this Law
6.	Production or processing of ferrous metals (including ferro-alloys) where combustion installations with a total rated thermal input exceeding 20 MW are operated. Processing includes rolling-mills, annealing furnaces, smitheries, foundries, coating and pickling.	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
7.	Primary aluminium production	Carbon dioxide and perfluorocarbons	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
			Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
8.	Secondary aluminium production where combustion installations with a total rated thermal input exceeding 20 MW are operated.	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
9.	Production or processing of non-ferrous metals, including production of alloys, refining, foundry casting, etc., where combustion installations with a total rated thermal input (including fuels used as reducing agents) exceeding 20 MW are operated.	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
10.	Production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or in other furnaces with a production capacity exceeding 50 tonnes per day	Carbon dioxide	Applied as of the entry into force of this Law
11.	Production of lime or calcination of dolomite or magnesite in rotary kilns with a production capacity exceeding 50 tonnes per day	Carbon dioxide	Applied as of the entry into force of this Law
12.	Manufacture of glass, including glass fibre, with a melting capacity exceeding 20 tonnes per day	Carbon dioxide	Applied as of the entry into force of this Law
13.	Manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a production capacity exceeding 75 tonnes per day	Carbon dioxide	Applied as of the entry into force of this Law
14.	Manufacture of rock wool using glass, rock or slag with a melting	Carbon dioxide	Applied as of the entry into force of this Law

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
	capacity exceeding 20 tonnes per day		
15.	Drying or calcination of gypsum or production of plaster boards and other gypsum products, where combustion installations with a total rated thermal input exceeding 20 MW are operated.	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
16.	Production of pulp from timber or other fibrous materials	Carbon dioxide	Applied as of the entry into force of this Law
17.	Production of paper and board with a production capacity exceeding 20 tonnes per day	Carbon dioxide	Applied as of the entry into force of this Law
18.	Production of carbon black involving the carbonisation of organic substances such as oils, tars, cracker and distillation residues, where combustion installations with a total rated	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
	thermal input exceeding 20 MW are operated.		Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
19.	Production of nitric acid	Carbon dioxide and nitrous oxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
20.	Production of adipic acid	Carbon dioxide and nitrous oxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
21.	Production of glyoxal and glyoxylic acid	Carbon dioxide and nitrous oxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
22.	Production of ammonia	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
23.	Production of basic organic chemicals by cracking, reforming, partial or full oxidation or by similar processes, with a production capacity exceeding 100 tonnes per day	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
24.	Production of hydrogen (H <sub>2</sub> ) and synthesis gas by reforming or partial oxidation with a production capacity exceeding 25 tonnes per day	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013. Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
25.	Production of soda ash (Na <sub>2</sub> CO <sub>3</sub> ) and sodium bicarbonate (NaHCO <sub>3</sub> )	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to installations as of 1 January 2013.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
			Requirements of Article 5(2) of this Law shall apply as of 1 January 2010.
26.	Capture of greenhouse gases from installations covered by Directive 2009/29/EC for the purpose of transport and geological storage in a storage site permitted under EU legislation	Carbon dioxide	Applied on a voluntary basis until 2020.
27.	Transport of carbon dioxide by pipelines for geological storage in a storage site permitted under EU legislation	Carbon dioxide	Applied on a voluntary basis until 2020.
28.	Geological storage of carbon dioxide in a storage site permitted under EU legislation	Carbon dioxide	Applied on a voluntary basis until 2020.
29.	Aviation  Flights from or to an aerodrome located in the territory of a Member State to which the Treaty on the Functioning of the European Union applies.	Carbon dioxide	Requirements of Articles 5 (with the exception of paragraph 2), 7, 8, 13-21 of this Law shall apply to aircraft operators as of 1 January 2012.

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
	<p>This activity shall not include:</p> <p>a) flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers, of a country other than a Member State, where this is substantiated by an appropriate status indicator in the flight plan;</p> <p>b) military flights performed by military aircraft and customs and police flights;</p> <p>c) flights related to search and rescue, fire-fighting flights, humanitarian flights and emergency medical service flights authorised by the appropriate competent authority;</p> <p>d) any flights performed exclusively under visual flight rules as defined in Annex 2 to the Convention on International Civil Aviation (the Chicago Convention);</p>		<p>Requirements of paragraph 2 of Article 5 of this Law shall apply as of 1 January 2010.</p>

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
	<p>e) flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made;</p> <p>f) training flights performed exclusively for the purpose of obtaining a licence, or a rating in the case of cockpit flight crew where this is substantiated by an appropriate remark in the flight plan provided that the flight does not serve for the transport of passengers and/or cargo or for the positioning or ferrying of the aircraft;</p> <p>g) flights performed exclusively for the purpose of scientific research or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based;</p> <p>h) flights performed by aircraft with a certified maximum take-off mass of less than 5700 kg;</p> <p>i) flights performed in the framework of public service</p>		

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
	<p>obligations imposed in accordance with Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ 2008 L 293, p. 1) on routes within outermost regions, as specified in Article 355(1) of the Treaty on the Functioning of the European Union, or on routes where the capacity offered does not exceed 30 000 seats per year; and</p> <p>j) flights which, but for this point, would fall within this activity, performed by a commercial air transport operator operating either:</p> <p>fewer than 243 flights per period for three consecutive four-month periods, or</p> <p>flights with total annual emissions lower than 10000 tonnes per year.</p> <p>Flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State,</p>		

Serial No	Categories of activities	Greenhouse gas emitted	Application of the Law to operators according to the categories of activities
	<p>Heads of Government and Government Ministers, of a Member State may not be excluded under this point.</p> <p>k) from 1 January 2013 until 31 December 2020 - flights which, but for this point, would fall within this activity, performed by a non-commercial air transport operator operating flights with total annual emissions lower than 10 000 tonnes per year.</p>		

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC

DALIA GRYBAUSKAITĖ

Annex 2 to  
the Republic of Lithuania  
Law on Financial Instruments  
for Climate Change Management

### **EU LEGAL ACTS IMPLEMENTED BY THIS LAW**

1. Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/E (OJ 2004 special edition, Chapter 15, Volume 7, p. 631) with the latest amendments done by Directive 2002/29/EC of the European Parliament and of the Council of 23 April 2009 (OJ 2009 L 140, p. 63).

2. Commission Regulation (EU) No 389/2013 of 2 May 2013 establishing a Union Registry pursuant to Directive 2003/87/EC of the European Parliament and of the Council, Decisions No 280/2004/EC and No 406/2009/EC of the European Parliament and of the Council and repealing Commission Regulations (EU) No 920/2010 and No 1193/2011 (OJ 2013 L 122, p. 1).

3. Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ 2009 L 140, p. 136).

4. Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 (OJ 2014 L 150, p. 195).

5. Commission Regulation (EC) No 303/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (OJ 2008 L 92, p. 3).

6. Commission Regulation (EC) No 304/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary fire protection systems and fire extinguishers containing certain fluorinated greenhouse gases (OJ 2008 L 92, p. 12).

7. Regulation (EU) No 421/2014 of the European Parliament and of the Council of 16 April 2014 amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in view of the implementation by 2020 of an international agreement applying a single global market-based measure to international aviation emissions (OJ 2014 L 129, p. 1).