

“Annex”

PART 1

Questionnaire on the implementation of Directive 2003/87/EC

1. DETAILS OF INSTITUTION SUBMITTING THE REPORT

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2. COMPETENT AUTHORITIES

Questions 2.1 and 2.2 are to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period.

- 2.1. Please state the name and the abbreviation of the competent authorities which are involved in the implementation of the emissions trading scheme in your country.

In answering this question, use the table below. Add further rows if necessary.

Name	Abbreviation	Contact details
Swedish Environmental Protection Agency	SEPA	SE-106 48 Stockholm, Sweden +46 108 698 1000 Fax +46 10 698 1698 1099433 natur@naturvardsverket.se
Swedish Energy Agency	SEA	Box 310, SE-631 04 Eskilstuna, Sweden +46-16-544 2000, Fax +46-16-544 2099 registrator@energimyndigheten.se http://www.swedishenergyagency.se
County Administration Boards	CAB	-
Swedish Board for Accreditation and Conformity Assessment	SWEDAC	Box 878, SE-501 15 Borås, Sweden +46-33-17 77 00, Fax +46-33-10 13 92 registrator@swedac.se

- 2.2. Please indicate which competent authority is responsible for each of the tasks listed in the table below using their abbreviations.

Please state the abbreviation of the competent authority which is in charge of the following tasks:	
Issuance of permits	CAB
Allocation of allowances	SEPA
Issuance of allowances	SEA
Validation of monitoring methodology	CAB
Receiving and supervising verified emission reports	SEPA
Accreditation of verifiers	SWEDAC
Registry	SEA
Compliance and enforcement	SEPA
Issuance of ERU as a host country	SEA
Approval of the use of CERs & ERUs for compliance	SEA
Administration of new entrants reserve	SEA
Information to the public	SEA/SEPA
Auctioning	-
Administration of opt-ins	SEPA, SEA and the Ministry of the Environment
Administration of pooling	-
Other (please specify): _____	

3. COVERAGE OF ACTIVITIES AND INSTALLATIONS

- 3.1. How many of the combustion installations have a rated thermal input that exceeds 20 MW but is below 50 MW on 31 December of the reporting year? In total, how many CO₂ equivalents were emitted by these installations in the reporting period?

In answering this question, use the table below.

	Number	Share in total number of installations or emissions
Number of installations with a rated thermal input that exceeds 20 MW but is below 50 MW	188 198	24,9% 26,1%
CO ₂ equivalents emitted by those installations	798-678 647 016	3,35%

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- 3.2. What changes occurred during the reporting period in comparison with the national allocation plan table (NAP table) as entered into the Community Independent Transaction Log on 1 January of the reporting year (new entrants, closures, installations falling below the capacity thresholds)?

In answering this question, use Table 1 of Part 2 of this Annex.

- 3.3. Did the competent authority receive any application(s) during the reporting period from operators who wish to form a pool pursuant to Article 28 of Directive 2003/87/EC (ET Directive)? If yes, to which activity listed in Annex I to Directive 2003/87/EC (hereinafter - “Annex I activity”) did the application refer to and was the pool formed?

In answering this question, use the table below.

- No applications concerning pools were received by the competent authority (SEPA). The possibility of forming a pool pursuant to Article 28 of Directive 2003/87/EC is not implemented in national legislation.

Main Annex I activity ^(a)	Number of applications received	Number of pools formed
Energy activities E1 Combustion installations with a rated thermal input exceeding 20 MW (excepting hazardous or municipal waste installations) E2 Mineral oil refineries E3 Coke ovens		
Production and processing of ferrous metals F1 Metal ore (including sulphide ore) roasting or sintering installations F2 Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting, with a capacity exceeding 2.5 tonnes per hour		
Mineral industry M1 Installations for the production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or lime in rotary kilns with a production capacity exceeding 50 tonnes per day or in other furnaces with a production capacity exceeding 50 tonnes per day M2 Installations for the manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day M3 Installations for the 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, and/or with a kiln capacity exceeding 4 m ³ and with a setting density per kiln exceeding 300 kg/m ³		
Other activities Industrial plants for the production of O1 (a) pulp from timber or other fibrous materials O2 (b) paper and board with a production capacity exceeding 20 tonnes per day		
^(a) If an installation carries out more than one activity, please only count the installation once under its main Annex I activity.		

3.4. Is there any other relevant information concerning the coverage of installations and activities in your country? If so, please specify.

- Sweden has an opt-in of small combustion installations that includes all combustion installations connected to a district heating grid with an aggregated installed capacity exceeding 20 MW.

4. THE ISSUE OF PERMITS FOR INSTALLATIONS

Questions 4.1 to 4.4 are to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period.

- 4.1. What measures have been taken to ensure that operators comply with the requirements of their greenhouse gas emissions permits?

Note: Fines or penalties which might be imposed in case of infringements must not be reported here but under section 11.

In answering this question, use the table below. Add further rows if necessary.

Which of the following measures are applied in your country (add explanatory text if necessary)?	
The account will be blocked in case of irregularities	Yes
Selling will be prohibited in case of irregularities	Yes
Withdrawal of permit; suspension of the installation	Yes
Spot or routine checks or inspections by the administration	Yes, by SEPA
Conservative emission estimates in case of missing emission reports	Yes, by SEPA
Verification bodies check compliance with the conditions of the permit	Yes
Regular meetings with industry & associations to discuss relevant issues	Yes
Provision of specific reporting formats and guidance	Yes
Naming and shaming of non compliant operators	Yes
Other (please specify): _____	

- 4.2. Where more than one competent authority is involved, how does national legislation ensure that the conditions of and the procedures for the issuance of permits are fully coordinated? How does this co-ordination work in practice?

In answering this question, use the table below. Add further rows if necessary.

Which of the following statements applies to your country (add explanatory text if necessary)?	
More than one competent authority	Yes
If yes, please answer the following questions:	
Co-operation explicitly regulated by a law or a regulation	No
Commission or working group or co-ordination with regular meetings established	Yes
Guidance note for implementation of the national emissions trading law	Yes
Interpretation group to clarify ambiguous issues	No
Co-ordination of administrative acts by one central authority	No
Training courses to ensure consistent implementation	Yes
Other (please specify): _____	

- 4.3. In cases where installations carry out activities listed in Annex I to Directive 96/61/EC (IPPC Directive)¹ what measures have been taken to ensure that conditions and procedure for the issue of a greenhouse gas emissions permit are coordinated with those for the permit provided for in that Directive? Have the requirements laid down in Articles 5, 6 and 7 of Directive 2003/87/EC been integrated into the procedures provided for in Directive 96/61/EC? If so, how was this integration performed?

In answering this question, use the table below. Add further rows if necessary.

¹ OJ L 257, 10.10.1996, p. 26

Which of the following statements applies to your country (add explanatory text if necessary)?	
Requirements laid down in Articles 5-7 of Directive 2003/87/EC have been transposed by national legislation	Yes
Law which transposes the IPPC Directive does not include emission or concentration limits for CO ₂	No
Integrated permitting procedure under the IPPC Directive and the ET Directive	No
Separate permits for IPPC and ET Directive	Yes
Granting of an IPPC permit requires a valid emissions trading scheme (ETS) permit	No
Granting of an ETS permit requires a valid IPPC permit	Yes
IPPC regulators will check whether ETS permit is necessary and inform ETS regulators	No
Other (please specify): _____	

- 4.4. What are the legislative provisions, procedures and practice concerning updating of permit conditions by the competent authority pursuant to Article 7 of Directive 2003/87/EC?

For answering this question, use the table below. Add further rows if necessary.

Please refer to the legal provision which transposes Article 7 of Directive 2003/87/EC	Act (2004:1199) on emissions trading.
Which of the following provisions, procedures and practices apply to your country (add explanatory text if necessary)?	
Authorisation for changes in the installation type or operating mode required	Yes
Authorisation for changes in the monitoring methodology required	Yes
Changes have to be notified in advance	Yes
Closures have to be notified immediately	No
Penalty in case of non compliance with request to update monitoring methodology	No, but the legal situation is vague regarding this issue.
Change of the operator requires an update of permit	Yes
Less significant changes are just recorded	No, all changes requires an updated permit
Other (please specify): _____	

- 4.5. How many permits were updated during the reporting period because of a change in the nature or functioning, or extension, of installations made by operators as specified in Article 7 of Directive 2003/87/EC? Please provide for each category (capacity increase, capacity decrease, change in process type, etc.) how many permits were updated.

In answering this question, use the table below. Add further rows if necessary.

Updating permits are handled by CAB. There are no national records of changes in permits.

Please state the number of changes in each category:	
Total changes	
Revoked	
Surrendered	
Transferred	
Increase of capacity	
Decrease of capacity	
Changes to monitoring and reporting details	
Change in name of installation or operator	
Non-significant amendment	
Notification of changes without update of permit	
Other (please specify): _____	

- 4.6. Is there any other relevant information concerning the issue of permits for installations in your country? If so, please specify.

- No other relevant information.

5. APPLICATION OF THE MONITORING AND REPORTING GUIDELINES

Question 5.1 is to be answered in the report due by 30 June 2006, the first report of each trading period and in subsequent reports if changes were made during the reporting period.

- 5.1. What legal acts have been adopted in your country in order to implement monitoring and reporting guidelines? Are general derogations from the monitoring and reporting guidelines allowed by the legislation of your country, e.g. for specific fuels or activities? If so, please specify.

- The monitoring and reporting guidelines have fully been implemented in national law through SEPAs regulations on emissions trading (NFS 2007:5).

- 5.2. Which tiers were used in the monitoring methodologies for the major emitting installations (cf. Commission Decision 2004/156/EC)?

In answering this question, use Table 2 of Part 2 of this Annex. The information required in Table 2 need only be given for the largest installations covered by the ET Directive which contribute cumulatively to 50% of the total emissions included in the trading scheme. No information needs to be reported for sources within these installations with annual emissions below 25 kt CO₂ eq.

- 5.3. If tiers below the minimum tiers specified in Table 1 in section 4.2.2.1.4 of Annex I to Decision 2004/156/EC have been accepted in the monitoring methodology, please indicate for each installation for which this situation occurred the coverage of emissions, the activity, the tier category (activity data, net calorific value, emission factor, oxidation factor or conversion factor) and the monitoring approach/tier agreed in the permit.

~~No installations have reported that they permanently apply tiers below the minimum tiers specified in Table 1 in Section 4.2.2.1.4 of Annex I to Decision 2004/156/EC. Installations applying exceptions (minor source streams, de minimis source streams, pure biomass etc) in Commission Decision 2004/156/EC are not listed in Table 3 of Part 2 of this Annex.~~

In answering this question, use Table 3 of Part 2 of this Annex. The information required in Table 3 needs only be given for installations not reported under question 5.2. General derogations provided for in the national legislation must be reported under question 5.1.

- 5.4. Which installations temporarily applied different tier methods than those agreed with the competent authority?

In answering this question, use Table 4 of Part 2 of this Annex.

- 5.5. In how many installations was continuous emissions measurement applied? Please indicate the number of installations per Annex I activity and within each activity per subcategory based on reported annual emissions (less than 50 kt, 50-500 kt and over 500 kt).

In answering this question, use Table 5 of Part 2 of this Annex.

- 5.6. How much CO₂ was transferred from installations? Please indicate the number of tonnes of CO₂ transferred pursuant to section 4.2.2.1.2 of Annex I to Decision 2004/156/EC and the number of installations that transferred CO₂ for each activity listed in Annex I to Directive 2003/87/EC.

In answering this question, use the table below.

Main Annex I activity	Number of installations	CO ₂ transferred [kt CO ₂]	Use of transferred CO ₂
E1	1	113 159 <u>121 793</u>	Carbon black
E2			
E3			
F1	3	4253 <u>10 471</u>	Carbon in ore pellets leaving metal ore installations
F2	2	2 008 007 <u>1 987 817</u>	Mixed gas and coke oven gas used for combustion at other installation, fluegasdust, slag, steelproducts
M1			
M2			
M3			
O1	1	44 735 <u>43 819</u>	CaO converted to CaCO ₃ by fluegas CO ₂
O2	1	7 151 <u>11 266</u>	CO ₂ converted to CaCO ₃

- 5.7. How much biomass was combusted or employed in processes? Please indicate the quantity of biomass as defined in paragraph 2(d) of Annex I to Decision 2004/156/EC combusted (TJ) or employed (t or m³) for each activity listed in Annex I to Directive 2003/87/EC.

In answering this question, use the table below.

Main Annex I activity	Biomass combusted [TJ]	Biomass employed [t]	Biomass employed [m ³]
E1	142 799 126 971		
E2			
E3			
F1			
F2			
M1	3 307 1 299	27 095 30 891	
M2			
M3	266 251	427	2 739
O1	119 032 105 880	270 505 295 864	492 025
O2	84 066 93 061		1 246 394 1 246 294

- 5.8. What was the total quantity of waste used as fuel or input material per waste type?
What was the total quantity of resulting CO₂ emissions per waste type?

In answering this question, use the table below. Add further rows if necessary.

Waste type ²	Quantity used/ de- ployed [t]	Quantity used/ de- ployed [m ³]	CO ₂ Emissions [t CO ₂]
Hazardous waste		17	45
Industrial waste	165 237 50 554		115 630 57 410
EW C 020107	1 620 324 1 284 363	122 964	0
EW C 020202	71 580 55 332		0
EW C 020304	1 578 26 390	11 646 32 075	0
EW C 020399	40 101 1 440		0

² The waste types should be reported using the classification of the "European List of Wastes" (Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste.

EWC 030301	8 383 684 <u>7 453 650</u>	4 738 741 <u>4 391 001</u>	73 682 <u>127 918</u>
EWC 030305	75 822 <u>111 382</u>		6 798 <u>9 259</u>
EWC 030307	12 369 <u>6 759</u>		10 266 <u>4 424</u>
EWC 030310	1 087 <u>33 842</u>		0 <u>915</u>
EWC 030311	2 054 <u>3 920</u>		0
EWC 030399	162 994 <u>2 319 897</u>	92 416 <u>6 947 598</u>	19 629 <u>63 189</u>
EWC 070104	6 656 <u>116 348</u>	23 829 <u>9 627</u>	761 <u>86 186</u>
EWC 070199	86 750		87 873
EWC 070503	615		1 287
EWC 100102	2 207		3 192
EWC 101199	34		15
EWC 130208		188 <u>55</u>	502 <u>267</u>
EWC 160103	39 236 <u>55 206</u>		77 983 <u>106 695</u>
EWC 170201	381 223 <u>331 266</u>	0	0
EWC 191204	23 645		43 317
EWC 191210	5 272		2 799
EWC 200139	4 033		40 613
EWC 200399	21 691 <u>10 338</u>		10 461 <u>17 437</u>

5.9. Please submit sample monitoring and reporting documents from some temporarily excluded installations, if applicable.

- No installations have been temporarily excluded.

Question 5.10 is to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period:

5.10. What measures have been taken to coordinate reporting requirements with any existing reporting requirements in order to minimise the reporting burden on businesses?

In answering this question, use the table below. Add further rows if necessary.

Which of the following statements applies to your country (add explanatory text if necessary)?	
ETS reporting requirements are coordinated with other reporting requirements	No
Coordination with greenhouse gas inventory compilation under UNFCCC ³ and Decision 280/2004/EC	No
Coordination with EPER ⁴	No
Coordination with IPPC	No
Coordination with NEC ⁵	No
Coordination with LCP ⁶	No
Coordination with EMEP ⁷	No
Coordination with voluntary covenants	No
Coordination with other trading schemes (please specify)	No
ET data can be used by statistical office	Yes (Statistics Sweden - SCB)
Other (please specify): _____	

- 5.11. What procedures or measures have been implemented to improve monitoring and reporting by operators?

- Guidelines to monitoring and reporting are available at the competent authority (SEPA). The competent authority also provides extensive support through email and telephone.

A web-based reporting system, E-CO₂, was launched in January of 2009. The purpose of the new system is to simplify and improve the reporting process.

- 5.12. Is there any other relevant information concerning the application of the monitoring and reporting guidelines in your country? If so, please specify.

- In Sweden there is an exception in the verifying process for small opt-in installations in the district heating sector. If an operator has more than one opt-in installation the verifier is not obliged to visit all of the opt-in installations only the installation with the largest emission.

³ United Nations Framework Convention on Climate Change

⁴ European Pollutant Emission Register (Commission Decision 2000/479/EC of 17 July 2000), OJ L 192, 28.7.2000, p. 36

⁵ National Emissions Ceilings (Directive 2001/81/EC), OJ L 309, 27.11.2001, p. 22

⁶ Large Combustion Plants (Directive 2001/80/EC), OJ L 309, 27.11.2001, p. 1

⁷ Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air pollutants in Europe

6. ARRANGEMENTS FOR VERIFICATION

Question 6.1 is to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period.

- 6.1. Please describe the framework for verification of emissions, in particular the role of the competent authorities and other verifiers and any special requirements for verifiers already accredited in another country. Please submit documents setting out the accreditation criteria for verifiers as well as any verification guidance provided for accredited verifiers and documents setting out the mechanisms for supervision and quality assurance for verifiers, if available.

In answering this question, use the table below. Add further rows if necessary.

Which of the following statements apply to your country (add explanatory text if necessary)?	
Independent verifiers can be accredited according to national criteria (if so, please provide relevant documents or internet link)	Yes www.swedac.se
National guidance for verification developed (if so, please provide relevant documents or internet link)	Yes http://www.naturvardsverket.se/upload/03_lagar_och_andra_styrmedel/ekonomiska_styrmedel/Handel_med_utslappsraatter/Utslappshandel_i_praktiken/vagled_verifiering_utslappsrapport.pdf
Are national rules and procedures for verification based upon EN45011 and EA-6/01 ⁸	Yes (EN45011 and EA-6/03)
Verifiers are required to recommend improvements to installation's monitoring	No
Competent authority or other agency has a right to check verified emission reports	Yes
Competent authority or other agency has a right to adjust the verified emission report if deemed unsatisfactory	No
Competent authority or other agency supervises verifiers (including spot checks, training, quality assurance and quality control procedures)	Yes
Competent authority has a right to appoint a verifier to an installation	No
Verifiers accredited in another Member State are subject to another accreditation process	- Yes, full accreditation required According to the act (2004:1199) on emissions trading a verifier has to be accredited for the task according to the Swedish act (1992:1119) on technical control.
Knowledge of language and/or national laws/regulations required for verifiers accredited in another Member State	Verifiers accredited in other MS needs full Swedish accreditation by SWEDAC.
Special QA/QC procedures in place at CA for verifiers accredited in another Member State	Verifiers accredited in other MS needs full Swedish accreditation by SWEDAC.
Other (please specify):	

- 6.2. Did any operator provide an emission report for the reporting period not considered satisfactory by 31 March? If so, please provide a list of the installations concerned and the reasons why no positive verification statement was given.

In answering this question, use Table 6 of Part 2 of this Annex. Cases where operators did not provide any emission report must be reported under question 6.3.

- 6.3. For how many installations were no emission reports for the reporting period provided by 31 March? Please indicate the number of installations, allocated allowances and allowances blocked in the operators' holding accounts per Annex I activity and within each activity per subcategory based on reported annual emissions (less than 50 kt, 50-500 kt and over 500 kt).

In answering this question, use Table 7 of Part 2 of this Annex.

⁸ European Co-operation for Accreditation's (EA) Guidance on the application of EN 45011.

6.4. Which measures were undertaken in cases where operators did not provide an emission report by 31 March of the reporting period?

-The operator will be subject to a late submission fee of approx. 2 000 €. The CA will also decide on the amount of emissions for that installation based on a conservative method, unless the operator provides a verified report before the time of that decision.

6.5. Did the competent authority carry out any independent checks on verified reports? If yes, please describe how additional checks were undertaken and/or how many reports were checked.

~~-All of the reports (~750) have been roughly checked by the competent authority, to control that no important data was missing. A number of reports will be examined in more detail later this year. All of the verification statements have also been checked.~~
No.

6.6. Did the competent authority instruct the registry administrator to correct the annual verified emissions for the previous year for any installation(s) to ensure compliance with the detailed requirements established by the Member State pursuant to Annex V to Directive 2003/87/EC?

- Not applicable in Sweden during the reporting period.

Indicate any corrections in Table 6 of Part 2.

6.7. Is there any other relevant information concerning the arrangements for verification in your country? If so, please specify.

- No other relevant information.

7. OPERATION OF REGISTRIES

Question 7.1 is to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period:

7.1. Please provide any terms and conditions required to be signed by account holders and provide a description of the identity check of persons undertaken before creating holding accounts (cf. Commission Regulation (EC) No 2216/2004).

In answering this question, use the table below.

Please provide the link to your registry	https://www1.stem.se/etjanster/default.aspx
Which of the following statements apply to your country (add explanatory text if necessary)?	
Specific terms and conditions elaborated which account holders have to sign (if yes, please provide relevant documents or links)	No, but new terms of use will be implemented during 2012 regarding the Union Registry ⁴ .
Different identity checks applied for operators and individuals	No, only individuals can get access to the registry.
Personal presence required for ID checks for residents in Member State ⁹	Yes, individuals have to identify themselves when collecting the digital ID from the provider.
ID check through written procedure only for residents ¹⁰	No
Personal presence required for ID checks for residents of other countries ¹¹	Yes, individuals have to identify themselves at the local post office when collecting their password for installing the digital ID, sent by registered mail by the registry administrator.
ID check through written procedure only for residents in other countries ¹²	No
Copy of company register or similar documentation required for opening of operator holding account?	Yes, only for foreign participants. Swedish participants supplies their organization number and is checked against the Swedish Company Registry.
Documentation showing right to represent company required for opening of operator holding account?	Yes, through written authorization from the person who has the right to sign for the operator.
Other (please specify): _____	Digital ID for individuals, both national and foreign participants.

- 7.2. Please provide a summary of all security alerts relevant to the national registry which have occurred during the reporting period, how they were addressed and the time taken for resolution.

In answering this question, use the table below. Add further rows if necessary.

⁹ This includes ID checks by third parties like post offices or notary where the applicant has to present himself in person.

¹⁰ This includes electronic procedures.

¹¹ This includes ID checks by third parties like embassies where the applicant has to present himself in person.

¹² This includes electronic procedures.

Which of the following statements apply to your country (add explanatory text if necessary)?			
General procedures in place to prevent occurrence of security alerts		Yes	
Security alerts relevant to national registries occurred during the reporting period		No	
If yes, please fill out the following table			
Type of security alert	Number of occurrences	Action taken	Time needed for resolution
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

7.3. Please state how many minutes for each month of the reporting period the national registry was unavailable to its users (a) due to scheduled downtime, and (b) due to unforeseen problems.

In answering this question, use the table below.

Month	Scheduled downtime [minutes]	Unscheduled downtime [minutes]
January	1680480	0
February	0	0
March	0780	0
April	41490	01440
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	25200	35000
November	0480	0
December	3001740	0

7.4. Please list and provide details on each upgrade to the national registry scheduled for the next reporting period.

In answering this question, use the table below. Add further rows if necessary.

Which of the following statements apply to your country (add explanatory text if necessary)?	
Regular time slots allocated for maintenance and upgrading of registry (if so, please provide dates)	No
Registry will be upgraded together with upgrade of software system used	Yes
Please provide details for all upgrades scheduled for the next reporting period	
Date	Purpose
January and autumn 2011	New version of software both due to fixes of errors in the software and changes in the registry regulation.

- 7.5. Is there any other relevant information concerning the operation of registries in your country? If so, please specify.

8. ARRANGEMENTS FOR THE ALLOCATION OF ALLOWANCES – NEW ENTRANTS – CLOSURES

Questions 8.1 and 8.2 are to be answered in the first report after each notification and allocation procedure laid down in Articles 9 and 11 of Directive 2003/87/EC.

- 8.1. Looking back at the completed allocation process, please describe the main lessons learnt by your authorities, and how you think they will influence your approach to the next allocation process.

One lesson is that additional resources should have been used to train verifiers in the complex allocation rules and the baseline data collection template. (The Swedish EPA had 1 day workshop with the verifiers and a national helpdesk by phone and e-mail inbox during May-September). A lot of extra work for the Swedish EPA could have been spared if the verifiers were even better aware of the rules and also had checked the completeness of the data collection templates.

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- 8.2. Do you have any suggestions for the improvement of future notification and allocation processes for the Community as a whole?

It is of most importance to have time to prepare the allocation process when all the rules have been decided. This is particular important when the rules are totally new.

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- 8.3. How many allowances were allocated to the new entrants listed in Table 1, if any? Please give the installation identification code for the new entrant and the transaction identification code associated with the allocation of allowances.

In answering this question, use Table 1 of Part 2 of this Annex.

- 8.4. How many allowances were left in any new entrants reserve at the end of the reporting period, and what share do they represent of the original reserve?

In answering this question, use the table below.

Number of allowances left in the new entrants reserve at the end of the reporting period (31 December each year)	1500313
Share of allowances remaining in the new entrants reserve, in percent	11,2%
* Calculated from an original new entrants reserve of 13 377 992.	

- 8.5. If your Member State allocates allowances other than for free, please explain how such allocation is made (e.g. way in which auctioning is undertaken)?

-Sweden allocates allowances for free.

- 8.6. If auctioning was used as an allocation method, who was allowed to participate in the auction?

In answering this question, use the table below.

National operators only	-
National registry account holders only	-
All Community operators	-
All bidders with an account in a Community registry	-
Other (please specify): _____	-

- 8.7. If auctioning was used as an allocation method, how many auctions were held during the reporting period, how many allowances were auctioned during each auction, what share do they represent of the total quantity of allowances for the trading period and what was the price per allowance at each auction?

In answering this question, use the table below.

Was auctioning used as an allocation method?	No
If yes, please answer the following questions.	
Number of auctions held during the reporting period (1 January to 31 December)	-
Number of allowances auctioned (each auction separately)	-
Clearing price of auction (each auction separately)	-

8.8. If auctioning was used as an allocation method, what use was made of allowances not purchased at the auction(s)?

8.9. If auctioning was used as an allocation method, what were the revenues used for?

8.10. How were allowances treated that had been allocated but were not issued to installations that closed during the reporting period?

- Due to Swedish legislation an operator that closes an installation may keep all of the allowances for the entire trading period, provided that the permit is still valid and the terms and conditions of the permit are complied.

Question 8.11 is to be answered in the first report following the end of the trading periods set out in Article 11(1) and (2) of Directive 2003/87/EC.

8.11. Were allowances remaining in the new entrants' reserve at the end of the trading period cancelled or auctioned?

-The allowances regarding the 2005-2007 trading period were cancelled in September 2008 due to go-live.

8.12. Is there any other relevant information concerning the arrangements for allocation, new entrants and closures in your country? If so, please specify.

- No other relevant information.

9. SURRENDER OF ALLOWANCES BY OPERATORS

9.1. In all cases where an account in the registry was closed because there was no reasonable prospect of further allowances being surrendered by the installation's operator, please describe why there was no reasonable further prospect and state the amount of outstanding allowances.¹³

- Not applicable in Sweden during the reporting period.

In answering this question, use the table below. Add further rows if necessary.

Reason for closure of account	Quantity of outstanding allowances [kt CO ₂ eq]
-	-
-	-
-	-

9.2. Is there any other relevant information concerning the surrender of allowances by operators in your country? If so, please specify.

¹³

If the amount of outstanding allowances is not known please provide an estimate of outstanding allowances based on the last verified emission report, remaining allowances in the account and other information available to the Competent Authority.

-No other relevant information.

10. USE OF EMISSION REDUCTION UNITS (ERUs) AND CERTIFIED EMISSION REDUCTIONS (CERs) IN THE COMMUNITY SCHEME

Question 10.1 is to be answered annually starting with the report submitted in 2006 as regards CERs and starting with the report submitted in 2009 as regards ERUs:

- 10.1. Have ERUs and CERs been issued for which an equal number of allowances had to be cancelled pursuant to Article 11(b)(3) or (4) of Directive 2003/87/EC because the Joint Implementation (JI) or Clean Development Mechanism (CDM) project activities reduce or limit directly or indirectly the emission level of installations falling under the scope of that Directive? If so, please provide the sum of allowances cancelled and the total number of operators concerned separately for cancellation pursuant to Article 11(b)(3) and (4) of that Directive.

In answering this question, use the table below.

	Quantity of allowances cancelled	Number of operators affected
cancellation pursuant to Article 11(b)(3)	0	0
cancellation pursuant to Article 11(b)(4)	0	0

Questions 10.2 and 10.3 are to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period:

- 10.2. Which CERs and ERUs may be used for compliance in your Member State? Please state any project category excluded except those which are already excluded pursuant to Article 11(a)(3) of Directive 2003/87/EC (CERs and ERUs from nuclear or from land use, land use change and forestry project activities).

In answering this question, use the table below.

CERs and ERUs from all project categories can be used	Yes
CERs and ERUs from certain project categories are excluded (if yes, please specify)	No _____

- 10.3. What measures have been taken to ensure that relevant international criteria and guidelines, including those contained in the year 2000 Final Report of the World Commission on Dams (WCD), will be respected during the development of hydro-electric power production projects with a generating capacity exceeding 20MW?

In answering this question, use the table below. Add further rows if necessary.

Which of the following statements apply to your country (add explanatory text as necessary):	
Project participants are legally obliged to adhere to the WCD guidelines	Yes. Legislation states that DNA/DFP will not approve a project activity if the project's design does not confirm with Article 11(b)(6).
Adherence to WCD guidelines is verified (if so, please provide relevant authority, e.g. competent authority or Designated National Authority)	Yes Legislation and procedures require that applicants provide supporting documentation illustrating that the relevant international guidelines have been met, or with certification to this effect from an accredited DOE. An advisory council (Council for International Climate Projects) has been established to advise the DNA/DFP on project's adherence to the guidelines.
Other international criteria and guidelines have to be respected during the development of large hydro-electric power projects (if so, please provide relevant documents or links)	No Swedish companies have agreed to adhere to OECD guidelines, no specific requirement or verification is planned for this.
Other (please specify): _____	

10.4. Is there any other relevant information concerning the use of ERUs and CERs in the Community scheme in your country? If so, please specify.

- In Sweden ERUs and CERs can be used for compliance in the EUETS by operators. The overall limit for usage of ERUs and CERs is 10 percent of the allocation. Installation specific limits apply and are decided by the SEPA. The limits are in general calculated using emission figures for 2006. The limits are period based.

11. FEES AND CHARGES

Questions 11.1 to 0 are only to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period:

11.1. Are fees charged to operators for the issuance and update of permits? If so, please provide details on the fees charged, total proceeds and the use of the proceeds.

-No fees.

11.2. What fees are charged to operators for the issuance of allowances? If so, please provide details on the fees charged, total proceeds and the use of the proceeds.

-No fees.

11.3. What fees are charged for the use of the registry if any? Please give details.

In answering this question, use the table below?

Which of the following statements apply to your country (add explanatory text as necessary)?	
Fees are charged for the use of the registry	Operators: No Individuals: No
Different fees in place for operators and individuals	No
Fee for opening an account ¹⁴	Operators holding account: 0 € once/per trading period Personal holding account: 1000 SEK once
Annual fee for maintaining account ¹⁵	No
Other (please specify): Non-Swedish citizens need to apply for an electronic ID-certificate to be able to access the registry. This comes with a service fee _____	SEK 500 for a 2-user license

- 11.4. Is there any other relevant information concerning fees and charges in the Community scheme in your country? If so, please specify.

- No other relevant information.

12. ISSUES RELATED TO COMPLIANCE WITH THE ET DIRECTIVE

Question 12.1 is to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period:

- 12.1. Please state the relevant national provisions and the penalties for infringements of national provisions pursuant to Article 16(1) of the ET Directive.

- It is too early to give a complete answer to this question because these issues have not been tried in court.

In answering this question, use the table below. Add further rows if necessary.

Kind of infringement	Relevant national provision	Fines [€]		Imprisonment [months]	
		min	max	min	max
Operation without permit					12
Infringements of monitoring and reporting obligations					12
Omission to notify changes					12

¹⁴ Indicate the relevant period as well (once/per trading period).

¹⁵ If fees depend on allocation please provide minimum and maximum fees if applicable and the relevant formula.

to the installation					
Other (please specify)					

- 12.2. Where penalties were imposed pursuant to Article 16(1) of the ET Directive for infringements of national provisions, please state the relevant national provisions, briefly describe the infringement and give the penalties imposed.

In answering this question, use the table below. Add further rows if necessary.

Infringement	National provision	Penalty imposed	
		Fines [€]	Imprisonment [months]
Delayed emission reports	Delay charge	Aprox. 1 950 EUR (20 000 SEK)	
Non verified emission reports	Charge	Aprox. 1 950 EUR (20 000 SEK)	
Failure of surrendering the correct amount of allowances	Charge	100 EUR/allowance	

- 12.3. Please provide the names of operators for which excess emission penalties were imposed pursuant to Article 16(3) of the ET Directive.

- It is too early to give a answer to this question because these issues have not been tried in court.

In answering this question, it is sufficient to provide a reference to the publication of the names under Article 16(2) of the ET Directive.

- 12.4. Is there any other relevant information related to compliance with the ET Directive in your country? If so, please specify.

-No other relevant information

13. THE LEGAL NATURE OF ALLOWANCES AND FISCAL TREATMENT

Questions 13.1 to 13.8 are only to be answered in the report due by 30 June 2006 and in subsequent reports if changes were made during the reporting period:

- 13.1. What is the legal nature of an allowance (commodity/financial instrument) for the purpose of financial regulation?

- Allowances are regarded as financial instruments.

- 13.2. What is the legal status given to allowances and emissions for the purposes of accounting?
- Allowances are treated as stock supply, if they are in the possession of an operator included in the trading scheme.
- 13.3. Were any specific accounting rules established or adopted for allowances? If yes, please describe them briefly.
- Yes, see question 13.2. Act (1999:1229) on income tax.
- 13.4. Are transactions of allowances subject to VAT?
-
- 13.5. Is the issuance of allowances subject to VAT?
-
- 13.6. If your Member State allocates allowances for payment, is VAT due on the transaction?
- Sweden allocates allowances for free.
- 13.7. Are profits or losses from transactions of allowances subject to a specific income tax (e.g. specific tariffs)?
-
- 13.8. Is there any other relevant information concerning the legal nature of allowances and their fiscal treatment in your country? If so, please specify.
- No other relevant information.

14. ACCESS TO INFORMATION PURSUANT TO ARTICLE 17 OF THE ET DIRECTIVE

- 14.1. Where are decisions relating to the allocation of allowances, information on project activities in which a Member State participates or authorises private or public entities to participate, and reports of emissions required under the greenhouse gas emissions permit and held by the competent authority made available to the public?

In answering this question, use the table below:

Type of information	Information available to public	If information is available, at which location?		
		Internet ¹⁶	Official Publication ¹⁷	Other (please specify)
Allocation rules	Yes	www.utslappshandel.se	Ordinance (2004:1205) on emissions trading	
NAP table	Yes	www.utslappshandel.se		
Changes to list of installations	Yes	www.utslappshandel.se		
Verified emission reports	Upon request only			
Project activities	Yes	www.energimyndigheten.se		
Greenhouse gas emissions permit	Upon request only			
Information required by Annex XVI to Regulation (EC) No 2216/2004	Yes	www.utslappshandel.se		
Other (please specify): _____				

- 14.2. Is there any other relevant information concerning the access to information pursuant to Article 17 of the ET Directive in your country? If so, please specify.

- No other relevant information.

¹⁶ Please provide web address.

¹⁷ Please provide the title.

15. OTHER OBSERVATIONS

- 15.1. Were public studies on the implementation and the further development of the European emissions trading scheme undertaken in your country? If so, please provide the document, reference or internet link together with a very brief outline of the study.

-A report written by SEA that is a compilation of status and events on the EU ETS market during 2011¹⁰. The report is mainly based on the informative material that has been made available by leading market analysts and is written in Swedish. ER2010:42ER2011:25- Utvecklingen på utsläppsrättsmarknaden 2011¹⁰.
<http://webbshop.cm.se/System/TemplateView.aspx?p=Energimyndigheten&view=default&id=b74d1199b513427d926246267ee0f72b>
<http://webbshop.cm.se/System/ViewResource.aspx?p=Energimyndigheten&url=default:/Resources/Permanent/Static/d19bf29abeb944fe83e3098a877dfa1e/ER201042W.pdf>

~~A report written by SEA and the purpose of this report is to increase understanding of how the EU system for emissions trading acts as climate policy tool and is written in Swedish. Företagsstrategier för utsläppshandel och klimatåtaganden, ER2010:24~~

Formaterat: Svenska (Sverige)

- 15.2. Are there any particular implementation issues that give rise to concerns in your country? If so, please specify.

