

EU ETS - UK REGISTRY IDENTIFICATION REQUIREMENTS

A : ACCOUNT APPLICANTS

Account Applicants may be:

- individuals applying to be account holders for Person Holding Accounts
- companies or other types of legal entity applying to be account holders for Operator Holding Accounts or Person Holding Accounts
- companies or other types of legal entity applying to register as External AARs
- verifiers applying to register as Verifiers

Individuals

Where the Applicant is an individual, evidence is required of personal identity as required for all Authorised Representatives – see below.

Applicants who are not individuals

- In order to identify the Applicant, a statement signed by the Applicant is required, confirming the full name, type of legal entity, business address and (if appropriate), the country of incorporation (see paragraph 1 for further details for incorporated companies).
- In order to verify the identity of the Applicant, the following documents are required in relation to each type of legal entity as a minimum. The registry administrator will carry out a risk assessment in each case to ascertain whether these checks are sufficient. Further checks may therefore be carried out where there is reason to doubt the existence of an Applicant or the authenticity of the documents received.

1. Incorporated Companies

1.1 If the Applicant is an incorporated company, which is listed on a regulated market in the European Economic Area (EEA), or on a non-EEA market that is subject to specified disclosure obligations (eg. investment exchanges recognised by the Financial Services Authority), evidence that the Applicant is listed is required.

1.2 If the Applicant is an incorporated company and is a majority owned and consolidated subsidiary of a company listed on a regulated market as described in paragraph 1.1 above, the following is required:

- evidence that the parent company is listed; and
- evidence that the Applicant is wholly or at least 50% owned by the listed company.

1.3 If the Applicant is an incorporated company not falling within paragraphs 1.1 or 1.2, the following is required:

- a certified copy of the Certificate of Incorporation of the Applicant evidencing the full name of the Applicant;
- the company registration number;
- evidence of the registered office address of the Applicant, which may be a company search undertaken within the previous 20 working days;
- the names of all directors; and
- the names of all individuals who own or control over 25% of the Applicant's shares or voting rights.

If the Applicant is an overseas incorporated company and a Certificate of Incorporation (or equivalent) is not available, other evidence that the company exists, eg. a copy of the most recent audited accounts, is required.

2. Trusts, foundations and similar entities

2.1 A copy of the instrument establishing the trust or a copy of a recent search of the appropriate register maintained in the country of establishment is required.

2.2 The following additional information is required in relation to a trust: the nature and purpose of the trust (i.e. discretionary, testamentary, bare), country of establishment, the names of all trustees, names of any beneficial owners (i.e. beneficiaries) and the name and address of any protector or controller.

3. Charities

3.1 Charities may be companies limited by guarantee so will be treated as incorporated companies in paragraph 1 above. Other charities may be trusts so will fall into paragraph 2 above. The following additional information is required in relation to a charity: the nature of charity's activities and objects, names of all trustees and names or classes of beneficiaries.

3.2 For charities in England and Wales, identity will be verified by checking the Charity Commission website at www.charity-commission.gov.uk, who hold a central register of charities in England and Wales. For charities in Scotland, identity will be verified by checking the register of the Office of the Scottish Charity Regulator at www.oscr.org.uk. For charities in Northern Ireland, verification of charitable status can normally be obtained through the HMRC.

4. Partnerships and unincorporated businesses (including clubs and societies)

- 4.1 A copy of the entity's formation document (such as a Partnership Deed) or a copy of a search of the relevant company or regulatory registry is required.
- 4.2 The following additional information is required in relation to the partnership or unincorporated business: the name of all partners / principals who exercise control over the management of the partnership and the names of individuals who own or control over 25% of its capital, profit or voting rights.
- 4.3 The registry administrator will also consider checking the identity of the principal beneficial owners, shareholders and / or other controllers.
- 4.4 For identification purposes, Scottish partnerships, limited partnerships and limited liability partnerships will be treated as in paragraph 1 above.
- 4.5 For clubs and societies, a copy of the entity's formation document (i.e. its constitution) or a copy of a search of the relevant regulatory register (eg. Register of Friendly Societies) is required. The registry administrator will require the following additional information: the legal status of the club / society, purpose of the club / society and the names of all officers.

5. Professional firms that are subject to the Money Laundering Regulations

- 5.1 Professional firms, such as lawyers and accountants (although usually partnerships) will be treated differently. Evidence of regulation by the relevant regulatory body (eg. the Law Society or accountancy body) is required.

6. Other Regulated Firms (eg. banks, investment firms and insurance companies)

- 6.1 Evidence that the firm is regulated by the Financial Services Authority is required (eg. a copy of the relevant dated page from the online FSA register showing that the firm is regulated – www.fsa.gov.uk).
- 6.2 For subsidiaries, a copy of the latest annual return / accounts or extract from a reputable online information provider showing the parent / subsidiary relationship is required.

7. Public Sector Bodies, Governments, State-Owned Companies & Supranationals

- 7.1 The following additional information is required in relation to public bodies, governments, state-owned companies and supranationals: the nature and status of the entity (eg. overseas government, treaty organisation), name of the home state authority and the names of all directors (or equivalent).

7.2 The registry administrator will also take appropriate steps to understand the ownership of the Applicant and the nature of its relationship with its home state authority.

8. Verifiers

8.1 In addition to the evidence obtained to identify the legal entity (eg. usually under paragraph 1 above), verifiers must also submit evidence that they are accredited for the purposes of EU ETS and that this accreditation is current (eg. a certificate of accreditation or a letter from a senior executive of the accrediting body).

Additional information required from all Applicants (whether individuals or not)

- Bank account within the EEA

All Applicants for Person Holding Accounts must submit evidence that the Applicant has an open current/cheque bank account in a Member State in the EEA which may be a certified copy of a bank statement dated within the last 3 months (but not printed off the internet). The bank statement must show the name of the Applicant, the International Bank Account Number and business address (for Applicants who are not individuals) or residential address (for Applicants who are individuals) of the Applicant. The figures stating the value of the transactions on the statement may be crossed out.

The fees payable by Applicants to the Registry Administrator must be paid by BACS transfer from this bank account.

- VAT registration

All Applicants for Person Holding Accounts who are registered for VAT must submit a certified copy of the certificate of registration for VAT from the relevant tax authority showing the VAT registration number, name of and business address of the Applicant.

B : AUTHORISED REPRESENTATIVES

1. For all nominations of authorised representatives (for all Account Holders, Verifiers and External AARs), a letter from the relevant Applicant on letter headed paper is required, stating:

- That the authorised representatives have been duly appointed and are authorised to accept the Registry Terms and Conditions (and any modifications of them) on behalf of the Applicant; and
- Including evidence that the individual who has signed the letter is authorised to do so on behalf of the Applicant. In the case of a company, a statement that the person signing the letter is a Director or Company Secretary of the Applicant is satisfactory.

2. For Applicants who are individuals and for all Authorised Representatives, the following evidence of identity is required:

2.1 A statement signed by the individual or Authorised Representative confirming their full name, residential address, date of birth and place of birth.

2.2 For UK residents, proof of name by providing certified copies of one of the following Government issued documents with a photograph:

- Current passport (personal details pages);
- Current driving licence (both parts);
- Current EU Member State identity card;
- Current firearms certificate or shotgun licence;
- Identity card issued by the Electoral Office for Northern Ireland.

If the above documents are not available, UK residents may use a Government issued document without a photograph (i.e. a valid (old style) full driving licence, current benefits book or a recent Inland Revenue tax notification dated within the last 3 months) which incorporates the resident's full name, supported by one of the documents listed in paragraph 2.4 below, which also incorporates the resident's full name and either his residential address or date of birth.

2.3 For non-UK residents, proof of name by providing certified copies of one of the following:

- Current passport;
- National ID card.

2.4 For UK residents, proof of residential permanent address by providing certified copies of one of the following:

- Local authority bill for council tax dated within the last 3 months;
- Gas, electricity, water or telephone bill dated within the last 3 months (but not mobile telephone bill or a bill printed off the internet);
- Bank or building society statement dated within the last 3 months (but not printed off the internet).

2.5 For non-UK residents, proof of residential permanent address by providing certified copies of one of the following:

- National ID card (unless provided as proof of name);
- Document from an official source or reputable directory, such as a current utility bill or bank statement (but not printed off the internet).

3. All Authorised Representatives must additionally submit evidence that the Authorised Representative has an open current/cheque bank account in a Member

State of the EEA, which may be a certified copy of a bank statement dated within the last 3 months (but not printed off the internet). The bank statement must show the name of the Authorised Representative, the International Bank Account Number and residential address of the Authorised Representative. The figures stating the value of the transactions on the statement may be crossed out.

C : CERTIFICATION OF DOCUMENTS

1. All copy documents supplied for the purpose of identity checking must be certified copies.
2. For all copy documents relating to UK individuals, these may be certified by a solicitor admitted to practice in the UK, doctor (regulated by the GMC), chartered or certified accountant registered to practice in the UK, chartered engineers registered with the Engineering Council UK or the branch manager of a UK high street bank.
3. For all copy documents relating to non-UK individuals, these may be certified by an Embassy, Consulate or High Commission of the country of issue or a qualified lawyer or notary.
4. The person certifying the documents must check the copy document against the original. The certification should include the following:
 - A statement saying “I refer to the UK Registry Procedures and certify that this copy document is a true copy of the original”;
 - The signature, printed name and profession of the person certifying the document;
 - The name and address of the company, partnership or organisation for whom they work; and
 - The date of signature.
5. Any document submitted by a non-UK resident under section B, paragraph 2.3 above, which has been issued by a state outside of the EEA or Organisation for Economic Co-operation and Development (OECD), must be additionally certified by an EU Embassy as valid.
6. Any document submitted by an individual under section B, paragraph 2.5 above or by any other Applicant under section A, paragraphs 1 to 8 above, which has been issued by a government outside of the EEA or OECD, must be additionally certified as authentic by a notary public.

D : DOCUMENT TRANSLATION

All documents submitted which are not in the English language must be accompanied by a certified translation of the document into English.