

To:  
All Airlines operating into the EU and  
allocated to the UK via EU Emissions  
Trading System

Web Site: [www.dft.gov.uk](http://www.dft.gov.uk)

10<sup>th</sup> November 2011

Dear Colleague

### **ACC3 Request for Declaration of Commitments – Cargo inbound to the EU**

You will hopefully be aware of the European Commission Implementing Regulation (EU) No. 859/2011 (freely available via the EU website) and the accompanying Decision C(2011) 5862 (provided to carriers on a need to know basis via their usual regulatory contacts within the EU States they operate to). These regulations come into force on 1 February 2012 and set out the requirements which need to be followed by air carriers wishing to bring cargo or mail into the European Union from a third country.

All carriers wishing to do this must have received 'Air Cargo or Mail Carrier operating into the Union from a Third Country Airport' (ACC3) approval by that date. For EU airlines this is obtained from the appropriate authority of your country of registration. For third country carriers it is obtained from the appropriate authority for the EU member state to which you have been allocated for emissions trading purposes<sup>1</sup>. If you are a UK carrier, or a third country allocated to the UK under the ETS, then you need to ensure that your Security Programme covers all the points listed in Attachment 6-G of the EU Implementing Regulation (EU) No 859/2011. In addition, you must provide a Declaration of Commitments to the UK appropriate authority. The format for the Declaration of Commitments is laid down in Attachment 6-H of the EU Implementing Regulation (EU) No 859/2011.

**This action needs to be undertaken no later than 18 January 2012.** This is in order to ensure that the appropriate authority (in the UK this will be the Department for Transport) and European Commission has time to complete the necessary actions to include your details on the EU Regulated Agent/Known Consignor Database before the legislation comes into force on 1 February 2012.

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<sup>1</sup> The EU Emissions Trading System (ETS) Carriers List for April 2011, Commission Regulation (EU) no. 394/2011, which provides detail on which carriers are linked to the UK can be found at:  
<http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2011:107:SOM:EN:HTML>

**Please note that, if you fall within the requirements of ACC3 designation and your ACC3 details are not listed by 1 February 2012 you will not be compliant with EU requirements regarding cargo inbound to the EU and will be open to non-compliance action as laid down in 6.8.4 of Implementing Regulation (EU) No 859/2011.**

We therefore request that airlines wishing to submit their Attachment 6-H Declaration of Commitments to the UK as their ETS linked Appropriate Authority should send them to the following e-mail address by 18 January 2012.

[ACC3.applications@dft.gsi.gov.uk](mailto:ACC3.applications@dft.gsi.gov.uk)

Please note that Third Countries for which ACC3 designation is NOT required for inbound routes to the EU are laid down in Attachment 6-Fii of Decision C(2011) 5862.

Any queries relating to UK Appropriate Authority ACC3 designation should also be directed in the first instance to:

[ACC3.applications@dft.gsi.gov.uk](mailto:ACC3.applications@dft.gsi.gov.uk)

Aviation Security Regulation  
UK Department for Transport