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| **Notice of Regulator Initiated Variation of Emissions Monitoring Plan** | competent authority logo |

«${currentDate?date?string('dd MMMM yyyy'»

Aeroplane Operator Name: «${(account.name)!}»

Emissions Monitoring Plan reference: «${(permitId)!}»

«${account.location}»

FAO «${(account.serviceContact)!}»

Dear «${(account.serviceContact)!}»

**THE AIR NAVIGATION (CARBON OFFSETTING AND REDUCTION SCHEME FOR INTERNATIONAL AVIATION) ORDER 2021 (SI 2021/534) (the ANO)**

The «${competentAuthority.name}» has modified your emissions monitoring plan under Article 26(6) of the ANO, as it considers it necessary to do so in order to give proper effect to the ANO because «${(params.reason)!}»

The revised version of the emissions monitoring plan attached to this Notice (version «${(params.consolidationNumber)!}») incorporates the modifications set out in the Schedule. These modifications have now taken effect and you must comply with them. Failure to comply with your emissions monitoring plan may result in a liability to pay a civil penalty.

You have a right to appeal against this decision under Part 7 of the ANO. Any appeal must be made to the First Tier Tribunal within 28 days of the date of this Notice. The appeals process is set out in the First-tier Tribunal (General Regulatory Chamber) Rules available [here](https://www.gov.uk/government/publications/general-regulatory-chamber-tribunal-procedure-rules).

If you wish to discuss this Notice please contact a member of the Aviation Team at «${competentAuthority.email}»

Yours faithfully

signature

«${signatory.fullName}»

«${signatory.jobTitle}»

c.c. «[#list email.ccRecipients as cc]»«${cc}[#sep], [/#sep]»«[/#list]»

**Schedule**

|  |  |
| --- | --- |
| **Item** | **Modification detail** |
| «${variationScheduleItem?index + 1}» | «@before-row[#list params.variationSchedu»«${variationScheduleItem}»«@after-row[/#list]» |

**Explanatory Note**

1. This Notice has been served on the Aeroplane Operator because the «${competentAuthority.name}» has amended the Aeroplane Operator’s emissions monitoring plan under Article 26 of the ANO.
2. From the date of this Notice the Aeroplane Operator must comply with the amended version of its emissions monitoring plan, which is attached to the Notice. Failure to comply with the conditions of an emissions monitoring plan is a breach of the ANO, which may result in a civil penalty.
3. If an Aeroplane Operator is not content with the Regulator’s decision to modify an aspect of its emissions monitoring plan, it has a right under Part 7 of the ANO to appeal to the First-Tier Tribunal in accordance with the procedure set out in the *Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009* [*here*](https://www.gov.uk/government/publications/general-regulatory-chamber-tribunal-procedure-rules).
4. An appeal to the First-tier Tribunal will not suspend the effect of this Notice, so even if the Aeroplane Operator makes an appeal it must comply with the emissions monitoring plan until any appeal is determined in its favour.
5. The Aeroplane Operator may also ask the «${competentAuthority.name}» to review the decision to make this modification. If an Aeroplane Operator wishes us to carry out a review it should normally request this within 14 days of receiving this Notice by contacting the Aviation Helpdesk at «${competentAuthority.email}». Asking for a review does not suspend the Notice or affect the Aeroplane Operator’s right of appeal under the ANO; in particular, the 28-day time limit for making an appeal to the First tier-Tribunal still applies.
6. You may wish to seek independent legal advice about the effect of this Notice.

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