

DETEC Ordinance on the National Emissions Trading Registry

Amendment of 15 November 2011

*The Federal Department for the Environment, Transport, Energy and
Communications (DETEC)*

ordains:

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The DETEC Ordinance of 27 September 2007¹ on the National Emissions Trading Registry is amended as follows:

Art. 3 Opening an account

¹ Companies and persons in accordance with Article 1 must apply to the Federal Office for the Environment (FOEN) for an account to be opened.

² The application must contain:

- a. for companies: an extract from the Commercial Register and as well as proof of identity for the person entitled to represent the company;
- b. for persons: proof of identity;
- c. the name, postal and electronic address of the applicant;
- d. the names, postal and electronic addresses and proof of the identity of two authorised representatives for the account;
- e. the names, postal and electronic addresses and proof of identity of transaction validator;
- f. a declaration that the applicant accepts the General Terms and Conditions of the Registry.

³ Companies registered in a state in which no commercial register is maintained shall confirm their existence and the authorisation to sign of the person entitled to represent the company by another form of supporting document.

⁴ The FOEN may require the information in accordance with paragraphs 2 and 3 to be legalised.

⁵ It may request additional supporting documents if it requires the same for the account to be opened.

⁶ It shall open the requested account as soon as the fee therefor has been paid.

¹ **SR 641.712.2**

Art. 3a Address for service

A company or person in accordance with Article 2 paragraph 2 may have a person holding account only if the following persons have an address for service in Switzerland:

- a. for companies, the person entitled to represent the company, or for persons, the account holder;
- b. the two authorised representatives for the account; and
- c. the transaction validator.

Art. 6 Transfer

¹ Emission credits are freely tradable.

² The authorised representatives for the account and the transaction validator have the right to secure access to the Registry.

³ When ordering the transfer of emissions credits, the authorised representatives for the account must give details of the source and destination accounts as well as the type and quantity of the emission credits to be transferred.

⁴ The emission credits are transferred when the transaction validator consents to the transfer.

⁵ The transfer is carried out according to a standardised procedure.

Art. 7 para. 4

⁴ In addition to the supporting documents submitted when opening the account, it may also require the submission of further supporting documents at any time if this is necessary for the secure operation of the Registry.

Art. 9 Sanctions

In the event of infringements of the regulations on the Registry, the FOEN shall block the user access or accounts concerned. The user access and accounts shall remain blocked until the requirements of this Ordinance and the General Terms and Conditions for the Register in accordance with Article 3 paragraph 2 letter f are fulfilled again.

*Heading before Art. 11a***Section 4: Final Provisions***Art. 11a* Transitional provisions to the Amendment of ...

¹ Companies and persons who opened their account before the Amendment of ... comes into force must appoint a transaction validator within 90 days at the latest of the Amendment coming into force.

² Article 3a does not apply to accounts in accordance with paragraph 1.

Art. 12 Heading

Commencement

II

This Amendment comes into force on 1 January 2012.

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Federal Department of the Environment,
Transport, Energy and Communications:
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