

STATUS OF THIS DOCUMENT

This document contains the Principles and Rules of Operation of the Association of Issuing Bodies (AIB) for the European Energy Certificate System (EECS) and is known as the EECS Rules (previously referred to as the PRO – “Principles and Rules of Operation”). It supersedes the Basic Commitment.

In the event of conflict between the text of the EECS Rules and the text of its Subsidiary Documents, the EECS Rules shall always take precedence.

This version of the EECS Rules is based on decisions made at the AIB EECS Unit meeting of 29 April 2024.

The effective date of this version of the EECS Rules is 1 June 2024.

Signed by the Secretary General:

A handwritten signature in blue ink, appearing to be 'Liesbeth Switten', written over a horizontal line.

Liesbeth Switten
30 May 2024

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PREFACE

STATUS OF THESE PRINCIPLES AND RULES OF OPERATION

It is the duty of the Members of the Association to comply with the provisions laid down in these Principles and Rules of Operation (the EECS Rules) as required under the Articles of Association of the Association of Issuing Bodies (AIB).

The EECS Rules is subject to amendment from time to time under the terms of section L (CHANGE PROCEDURES) supplemented by detailed procedures established by the AIB in an EECS Rules Subsidiary Document.

PURPOSE OF THE EECS RULES

The EECS Rules governs the European Energy Certificate System (EECS) – an integrated European framework for issuing, holding, transferring and otherwise processing electronic records (EECS Certificates), certifying, in relation to specific quantities of output from production devices, attributes of its source and/or the method and quality of its production. A classic example is the electrical output of a windmill. The number of certificates issued to a windmill during a period will be directly equivalent to the electricity produced by the windmill during that period. These certificates will guarantee that the electricity is from a renewable source and has been produced from wind energy.

The purpose of the EECS Rules is to secure, in a manner consistent with the EN16325 standard, European Union law and relevant national laws, that systems operating within the EECS framework are reliable, secure, and interoperable. The implementation, under the EECS Rules, of harmonised standards for issuing and processing EECS Certificates enables the owners of EECS Certificates to transfer them to other Account Holders at both the domestic and international level.

EFFECT OF THE EECS RULES

The EECS Rules is a constitutional document of the AIB, issued under its Articles of Association. As such, the EECS Rules document sets out the obligations of the AIB Members in connection with their membership of AIB and EECS Schemes and their capacity as Hub Participant. These obligations are owed to the AIB. The EECS Rules does not in itself create duties or obligations owed to third parties, nor does it create obligations that are enforceable (other than through the auspices of the AIB) as between Members themselves.

The effectiveness of the EECS Rules in achieving its purpose is dependent on the offices of the AIB, which assumes a regulatory function. In this regard, the AIB relies, in part, on Members conducting “peer reviews” in accordance with the Subsidiary Documents established by the AIB. Members’ duties in relation to the areas for which they are responsible (Domains) include oversight of their customers’ compliance with obligations that are not adequately covered by applicable legislation.

To the extent that such matters fall within their jurisdiction, supervision by governmental agencies and national regulators of the activities of Members and their customers also assure the coherence and reliability of EECS.

STRUCTURE OF EECS

The EECS Rules establishes harmonised standards for the creation, maintenance, transfer, cancellation, and other processing of EECS Certificates. The EECS Rules requires Members to adopt these standards as a pre-requisite for participation (as a Scheme Member) in individual EECS Schemes – the parts of the EECS framework, which relate to specific types of energy output, such as electricity, gas etc.

EECS Certificates may be based on Guarantees of Origin issued pursuant to European Union legislation as implemented by Member States. They may also be issued in connection with other legislative certification schemes or under other, entirely voluntary, arrangements. The processing of each type of EECS Certificate is subject to requirements applicable to all EECS Certificates. In addition, PART IV of the EECS Rules, in sections N onwards, imposes requirements specific to individual types of output.

For a Member to become a member of an individual EECS Scheme, the provisions applicable in that Member's Domain (its Domain Scheme) must satisfy both the general requirements of the EECS Rules and the requirements set out in the section within PART IV of the EECS Rules that specifically relates to that EECS Scheme. A Domain Scheme consists of the applicable legislative and administrative arrangements with respect to the issue of relevant Certificates, together with a Domain Protocol and the Member's Standard Terms and Conditions. The Domain Protocol supplements legislative provisions so as to secure that the Domain Scheme satisfies the general requirements of the EECS Rules, as well as those of the relevant sections of PART IV of the EECS Rules. Standard Terms and Conditions contractually oblige the Member's customers to comply with the Domain Protocol. Standard Terms and Conditions also deal with commercial matters such as service provision and the Member's fees.

Members' customers (Account Holders) are not bound by the EECS Rules itself, but by the applicable legislation in their Domain and their contractual obligations to comply with relevant Domain Protocols.

STRUCTURE OF THE EECS RULES

PART I PRINCIPLES OF EECS

Section A CORE PRINCIPLES

These Core Principles set out the long-term objectives of the AIB and its Members with respect to EECS. They provide guidance to Members on the development of the EECS Rules and are used to determine the prioritisation of Change Proposals.

Section B DEFINITIONS AND INTERPRETATION

Section B defines terms used in the EECS Rules. It also sets out provisions regarding the interpretation of the EECS Rules, which are largely a matter of common sense, but which have been included to reduce the chances of inappropriate interpretation of its terms.

PART II THE GENERIC CERTIFICATE SYSTEM

Section C HARMONISATION MEASURES

Section C establishes the common standard for all EECS Schemes, which must be reflected in Scheme Members' Domain Schemes (either in applicable legislative measures or in the Domain Protocol). These standards, principally, relate to the registration of Production Devices and the format and procedures for issuing EECS Certificates.

Section D EECS PRODUCTS

Section D establishes requirements with respect to Members' systems and processes in relation to the processing of EECS certificates, referring to the detailed requirements set out in the Subsidiary Documents. This section also establishes the mechanisms for Issue and Cancellation of EECS Certificates, and their transfer (on behalf of Account Holders) between Members.

PART III SCHEME MEMBERSHIP

Section E EECS SCHEMES

Section E defines the architecture of individual EECS Schemes. It sets out generally applicable provisions with respect to the establishment, nature and effect of EEC Schemes and their component parts – Domains, Domain Schemes, Domain Protocols and Members' Standard Terms and Conditions.

In summary, EECS Schemes are established by the incorporation into PART IV of the EECS Rules of a number of sections, each setting out specific criteria to be met by Members who wish to become (or remain) Scheme Members. Membership of EECS Schemes is only open

to Members of the AIB, but Members are not required to become Scheme Members of every (or, indeed, any) EECS Scheme.

Membership of an EECS Scheme entitles the Member to issue EECS Certificates under that EECS Scheme in respect of appropriately registered Production Devices in its Domain. As indicated above, the contents of the Domain Schemes (including the Domain Protocols) must be consistent with the specific provisions of the relevant section of PART IV of the EECS Rules, and the general provisions of the EECS Rules with respect to such matters. A Member owes a duty to the AIB to comply with the provisions of its own Domain Scheme.

Registrants of Production Devices become eligible to receive EECS Certificates under a specific EECS Scheme by contractually committing to the Member responsible for the relevant Domain (under that Member's Standard Terms and Conditions) to comply with the Domain Protocol. The Registrant will also be subject to applicable legislation. For convenience, Domain Protocols are required to include a summary of this legislation.

The criteria for the establishment of Domains include measures to prevent the double-issuance of EECS Certificates.

Section F ADMISSION AND EXPULSION PROCEDURES

Section F establishes procedures for the admission of Members into EECS Schemes and provides for their withdrawal, and, in cases of material and persistent, or wilful, or grossly negligent non-compliance, their suspension and expulsion, from individual EECS Schemes.

Section G PROBITY OF MEMBERS

Section G establishes Members' duties to the AIB with respect to their general conduct, covering matters such as conflict of interest and the confidentiality of information held by Members in connection with EECS.

Section H MEMBERS' AGENTS AND MEASUREMENT BODIES

Section H establishes criteria for the appointment of Members Agents – bodies to which Members may sub-contract their responsibilities. These responsibilities include matters such as the maintenance of EECS Registries; the verification of applications for the registration of Production Devices; and the audit of the quantity and quality of their output.

Section I COMPLIANCE

Section I establishes the procedures whereby the AIB secures the compliance of Members and (on their behalf) Member's Agents in relation to Member's Duties under the EECS Rules. It refers to detailed provisions set out in the Subsidiary Documents. In relation to duties covered by legislation, supervision is the responsibility of the government and/or the national regulatory bodies and their appointed auditors.

Section J DISPUTES

Section J establishes the dispute resolution procedures that apply with respect to disputes between Members and the AIB in relation to matters such as applications for membership of EECS Schemes and ongoing compliance. It also governs disputes between Members, providing a mechanism for disputes arising out of malfunctions in the operation of the EECS Certificate transfer process.

Section K ASSESSMENT PANELS

Section K establishes general criteria for the conduct and membership of the AIB's Assessment Panels. Detailed provisions in relation to such matters are set out in the Subsidiary Documents including the Terms of Reference for specific types of Assessment Panels.

Section L CHANGE PROCEDURES

Section L establishes the mechanism for amending the EECS Rules and the Subsidiary Documents. Detailed procedures for the treatment of, and consultation on, Change Proposals are themselves set out in a Subsidiary Document.

Amendments to generally applicable provisions of the EECS Rules and its Subsidiary Documents are implemented after approval by a qualified majority vote. Amendments to provisions of the EECS Rules and its Subsidiary Documents that apply to a specific type of output (e.g. electricity, gas etc.) are implemented after approval by a qualified majority vote of the Scheme Members of all schemes based upon this type of energy. Amendments to provisions of the EECS Rules which relate to specific EECS Schemes (as set out in PART IV of the EECS Rules), as well as the Subsidiary Documents specifically relating to individual EECS Schemes, are implemented after approval by a qualified majority vote of the Scheme Members.

The Secretary General of the AIB is responsible for amending the EECS Rules Fact Sheets to ensure that they reflect changes to the Subsidiary Documents and the changes in matters of fact (for example the existence of new Public Support schemes and the accession of new Members to the AIB).

Section L also addresses the co-ordination of change control between the EECS Rules and Domain Schemes so as to maintain the coherence of EECS. In particular, it provides for the amendment of Domain Protocols in the light of changes to applicable legislation and changes to the EECS Rules itself. It includes a requirement that Domain Protocols should include appropriate procedures for their own amendment, so that changes to the EECS Framework can be co-ordinated between the different Domains.

Section M GENERAL

Section M contains miscellaneous matters, such as procedures for the service of notices. Of particular importance are the provisions relating to the exclusion of liability.

PART IV SCHEME RULES

PART IV of the EECS Rules establishes individual EECS Schemes within the EECS framework, each being explicitly linked to a set of provisions specific to a specific type of energy. These are set out in “*energy specific*” sections of the EECS Rules from section N onwards.

Each includes definitions specific to the relevant EECS Scheme, and sets out specific provisions in relation to them, including prerequisites to becoming a Scheme Member.

The sections comprising PART IV also set out additional criteria for the contents of Domain Schemes specific to the relevant EECS Scheme. These criteria include pre-conditions and procedures for the registration of Production Devices for the purposes of the EECS Scheme, and requirements as to the contents of Scheme Certificates. These sections also set out specific requirements as to the determination of output certified under the relevant EECS Scheme.

Section N ELECTRICITY SCHEME RULES

Section N sets out those provisions that apply specifically to electricity.

Section O GAS SCHEME RULES

Section O sets out those provisions that apply specifically to gas.

EECS Rules Fact Sheets

EECS Rules Fact Sheets are published by the AIB for the purposes of the EECS Rules and record relevant factual information and technical details. As observed above, the Secretary General of the AIB is generally responsible for securing the ongoing accuracy of EECS Rules Fact Sheets.

Subsidiary Documents

The Subsidiary Documents deal with detailed procedural and technical matters. The assessment of applications for membership of EECS Schemes is an example of such a procedural matter. Technical matters include the criteria for information technology systems and telecommunications links used by Members in connection with EECS and procedures for system testing.

Although the Subsidiary Documents are not part of the EECS Rules itself, the EECS Rules provides for their application in relevant circumstances. The Subsidiary Documents are issued by the AIB but are subject to the provisions on the change control set out in section L of the EECS Rules and the provisions of the Subsidiary Document entitled “*EECS Rules Change Procedures*”.

A list of the Subsidiary Documents is set out in the EECS Rules Fact Sheet entitled “*EECS Rules Subsidiary Documents*”.

REGISTRATION OF PRODUCTION DEVICES

EECS Certificates can only be issued to the owners of Production Devices that have been successfully registered for an EECS Scheme, as operated within a Domain. Registration involves formal application.

Application for registration under EECS requires the owner of a Production Device to provide information about itself and the Production Device, including the relevant technology and possible energy sources, commissioning dates and capacities and details of any public support received. Such applications must also include details of the arrangements for measuring energy sources and outputs, including the presence of any Production Auxiliaries, storage facilities and on-site demand.

Registration requires the Production Device to comply with legal requirements and the requirements of the relevant EECS Scheme, as set out in the Domain Scheme – the Scheme Member is entitled to inspect the Production Device to confirm this. Registrants are held responsible for notifying the local Scheme Member of any changes to the Production Device.

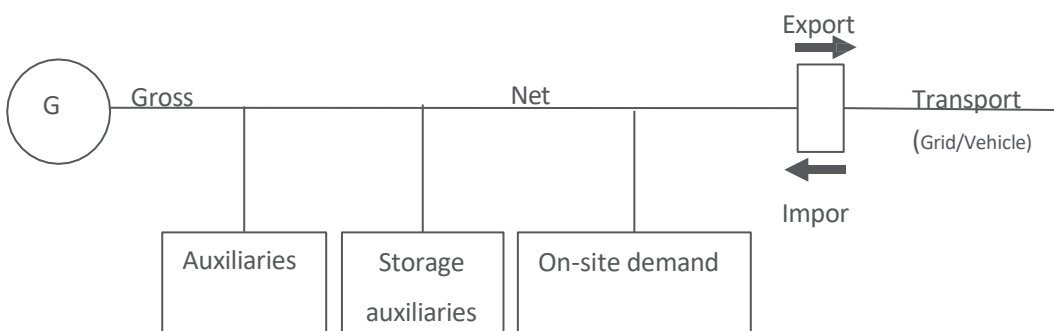
ISSUING OF EECS CERTIFICATES

Once a Production Device has been registered, then it is eligible to issue EECS Certificates.

Measurements of the energy created (and used, where fuels have been used) will be taken by the body approved to do so by the Scheme Member or authorised to do so by the Competent Body appointed by government to take such measurements for that Domain.

The EECS Certificates that are released onto the market for trade are those which represent energy flowing into a grid or energy that is otherwise physically made available for trade. These will have been produced nett of any energy used by Production Auxiliaries or lost by storage auxiliaries.

Certificates representing the source of the energy used by Production Auxiliaries and lost by storage auxiliaries will be automatically cancelled upon issue – see diagram below.



USE OF EECS CERTIFICATES

Certification of the quality of a product and the method of its production, whether this product is energy or physical in nature, provides an efficient mechanism for accounting for:

- the quality and method of production of such products, as supplied to consumers;
- progress made towards targets for the use of certain technologies; and
- production and/or consumption of such products, for the purposes of stimulating investment in certain categories of a plant.

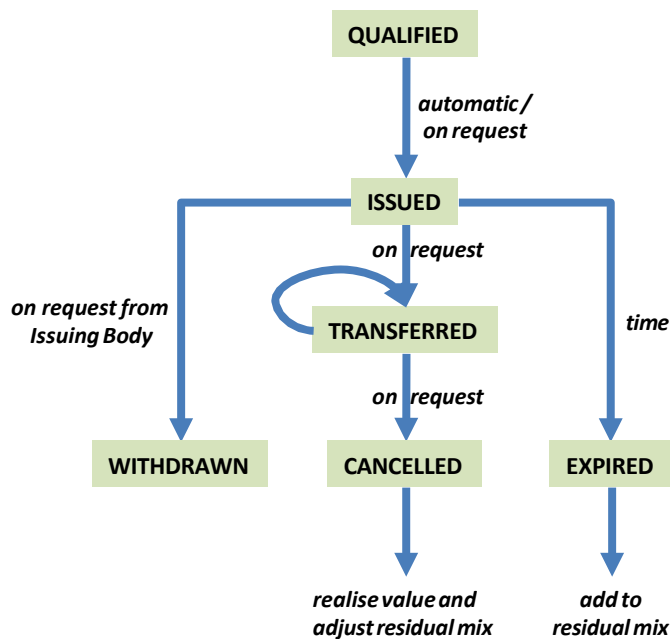
Moreover, certification enables a value to be accorded to specific types of product; and for this value to be traded separate to the product itself.

For a system of certification to discharge these functions effectively, users of the Certificates – producers, traders, suppliers, consumers, NGOs, and governments – must be satisfied that the Certificates provide reliable evidence of the qualities to which they relate. The EECS framework functions to ensure that all such users have confidence in the Certificates issued and processed by AIB Members under EECS.

The life cycle of an EECS Certificate encompasses three phases: issuance, transfer, and cancellation.

The way in which a certificate transits between these three major states is shown in the following diagram:

EECS Certificates: state transition



- Electronic EECS Certificates are issued on registries operated by, or on behalf of, AIB Members in respect of the output of Production Devices registered in connection with national legislation or, otherwise, specifically for the purposes of an EECS Scheme.
- These Certificates may be transferred from the account of the producer to that of a trader, and so on; either within the country of origin or to other registries through a Hub operated by the AIB operated by, or on behalf of, AIB Members or Hub Users that have concluded a Hub Participant Agreement with the AIB across Europe.
- Cancellation is the mechanism whereby the EECS Certificate is removed from circulation. Cancellation occurs at the point at which the value of the Certificate is realised. Examples of circumstances in which the Cancellation of an EECS Certificate may occur include: in connection with payment from a consumer in recognition of the qualities it represents; in connection with the award by government of a financial incentive, such as a tax rebate; or by way of discharge of a contractual or legal obligation. The EECS



Rules provides for EECS Certificates to be Cancelled only once, at which point they may (support certificates) realise their value and/or (disclosure certificates) be used to adjust any residual mix.

The diagram illustrates two other states:

- Withdrawn, for certificates that have been issued in error; and
- Expired, for certificates that have not been cancelled by a deadline and have thus been automatically cancelled, at which point they may be used to adjust any residual mix.

THE TRADEMARK EECS

Only Members of the AIB are allowed to use the trademark and logo of EECS[®]. Other organisations may do so after having signed a licence agreement with the AIB. The use is regulated in the document "[EECS Trademark Regulations](#)", which can be found on the AIB website. The version of the logo to be used depends on the size, colour, and background of the logo on the material in which it is used.

TABLE OF CONTENTS

PREFACE.....	2
<i>Status of these Principles and Rules of Operation</i>	2
<i>Purpose of the EECS Rules</i>	2
<i>Effect of the EECS Rules</i>	2
<i>Structure of EECS</i>	2
<i>Structure of the EECS Rules</i>	3
<i>Registration of Production Devices</i>	6
<i>Issuing of EECS Certificates</i>	6
<i>Use of EECS Certificates</i>	7
<i>The trademark EECS</i>	8
PART I PRINCIPLES OF EECS	12
A CORE PRINCIPLES.....	12
A1 INTRODUCTION	12
A2 UNIQUENESS	12
A3 IMMUTABILITY	12
A4 OWNERSHIP OF EECS	12
A5 OPERATIONAL RELIABILITY	13
A6 PROTECTION OF ACCOUNT HOLDERS	13
A7 GOVERNANCE	13
A8 ACCESS AND TRANSPARENCY	13
A9 COST EFFECTIVENESS	13
A10 COMMUNICATIONS	13
A11 REGULATION AND OVERSIGHT	13
A12 RECORDS	14
B DEFINITIONS AND INTERPRETATION	15
B1 DEFINITIONS	15
B2 INTERPRETATION	26
B3 RESPONSIBILITY OF MEMBERS	27
PART II THE GENERIC CERTIFICATE SYSTEM	28
C HARMONISATION MEASURES	28
C1 INTRODUCTION	28
C2 PRODUCTION DEVICE REGISTRATION	28
C3 ISSUE OF CERTIFICATES	29
C4 EECS TRANSFER SYSTEM	36
C5 TRANSFERS	36
C6 END OF LIFE CYCLE OF AN EECS CERTIFICATE	38
C7 CANCELLATION	38
C8 OTHER PROCESSING OF EECS CERTIFICATES	42
D EECS PRODUCTS	44
D1 INTRODUCTION	44
D2 PRODUCT ACCEPTANCE CRITERIA	45
D3 AUTHORISATION CRITERIA	46
D4 PRODUCTION DEVICE REGISTRATION CRITERIA	47
D5 REGISTRANT COMPLIANCE CRITERIA	48
D6 MEASUREMENT CRITERIA	49

D7	CERTIFICATION CRITERIA	49
D8	TRANSFER CRITERIA	50
D9	RECTIFICATION CRITERIA	50
PART III	SCHEME ADMINISTRATION.....	51
E	EECS SCHEMES	51
E1	INTRODUCTION	51
E2	ESTABLISHMENT OF EECS SCHEMES	51
E3	MEMBERSHIP OF EECS SCHEMES	51
E4	AUTHORISED ISSUING BODIES	54
E5	DOMAINS	55
E6	DOMAIN PROTOCOLS	56
E7	STANDARD TERMS AND CONDITIONS	58
E8	EECS CERTIFICATES	58
F	ADMISSION AND EXPULSION PROCEDURES.....	60
F1	GENERAL	60
F2	FEES	60
F3	APPLICATIONS FOR SCHEME MEMBERSHIP	61
F4	OTHER APPLICATIONS	62
F5	RECTIFICATION ORDERS	63
F6	SUSPENSION OF SCHEME MEMBERS	63
F7	EXPULSIONS	63
F8	WITHDRAWALS	64
G	PROBITY OF MEMBERS.....	65
G1	FURTHERANCE OF THE CORE PRINCIPLES	65
G2	CONFLICTS OF INTEREST	65
G3	CONFIDENTIALITY	65
H	MEMBERS' AGENTS AND MEASUREMENT BODIES	67
H1	APPOINTMENT AND MEMBERS' RESPONSIBILITIES	67
H2	CRITERIA FOR APPROVAL	67
H3	APPLICATIONS FOR APPROVAL	68
I	COMPLIANCE.....	69
I1	GENERAL	69
I2	FEES	69
I3	COMPLIANCE ASSESSMENTS	70
I4	OUTCOME OF ASSESSMENTS	70
J	DISPUTES	71
J1	ALLEGED NON-COMPLIANCE	71
J2	APPEALS	71
J3	DISPUTES BETWEEN AIB AND ITS MEMBERS	72
K	ASSESSMENT PANELS	73
K1	ESTABLISHMENT	73
K2	CONDUCT OF ASSESSMENT PANELS	73
K3	STATUS OF MEMBERS' REPRESENTATIVES	73
K4	STATUS OF PROFESSIONAL REVIEWERS	73
L	CHANGE PROCEDURES	75

L1	GENERAL	75
L2	REVIEWS OF THE EECS RULES AND PRODUCT RULES	75
L3	CHANGES TO THE EECS RULES AND SUBSIDIARY DOCUMENTS	75
L4	PRODUCT RULES	77
L5	DOMAIN PROTOCOLS	78
L6	MISCELLANEOUS	78
M	GENERAL.....	80
M1	GOVERNING LAW AND THE AIB ARTICLES OF ASSOCIATION	80
M2	COMMUNICATIONS	80
M3	INTEGRITY OF THE EECS RULES	81
M4	INTELLECTUAL PROPERTY	81
M5	CONNECTION TO THE HUB	83
M6	SYSTEM TESTS	83
M7	CHARGES FOR SERVICES	84
M8	DISCLAIMERS	84
M9	IMPEDIMENTS TO THE PERFORMANCE OF OBLIGATIONS	85
M10	SUBSIDIARY DOCUMENTS	86
PART IV	SCHEME-SPECIFIC RULES.....	87
N	ELECTRICITY SCHEME RULES.....	87
N1	INTRODUCTION	87
N2	INTERPRETATION	87
N3	DOMAINS	88
N4	FACE VALUE	89
N5	INSPECTIONS	89
N6	ELECTRICITY PRODUCT RULES	89
N7	PD QUALIFICATION CRITERIA	91
N8	OUTPUT CRITERIA	92
N9	Disclosure	92
N10	EECS-DISCLOSURE	93
O	GAS SCHEME RULES	94
O1	INTRODUCTION	94
O2	INTERPRETATION	94
O3	DOMAINS	95
O4	FACE VALUE	95
O5	INSPECTIONS	95
O6	GAS PRODUCT RULES	96
O7	Information on EECS Gas Certificates	98
O8	Additional information on EECS Gas Certificates	98
O9	PD Qualification Criteria	99
O10	Output Criteria	99
O11	Cancellation	99
	CHANGES INCORPORATED.....	100

PART I PRINCIPLES OF EECS

A CORE PRINCIPLES

A1 INTRODUCTION

A1.1.1 The Core Principles provide guidance to Members, Members' Representatives, Members' Agents and the AIB (and their servants and agents) as to the manner in which they should discharge their responsibilities with respect to the development of the EECS Rules.

A1.1.2 The Core Principles constitute the long-term objectives of Members for the development of the EECS System. The Core Principles are not, in themselves, binding on Members or the AIB.

A2 UNIQUENESS

A2.1.1 The arrangements for Issuing, transferring and Cancelling EECS Certificates should be such as to eliminate the possibility of more than one EECS Certificate bearing the same Purpose being Issued, registered or Cancelled in respect of the same unit of Output, unless that Purpose is Public Support.

A2.1.2 The arrangements for Issuing EECS Certificates should be such as to eliminate the possibility of EECS Certificates being Issued in respect of the same unit of Output and attributes for which other transferrable Certificates (other than EECS Certificates of a different type where specifically permitted by the EECS Rules) have been or will be issued for the same Purpose.

The arrangements for Cancelling EECS Certificates should ensure that EECS Certificates in respect of the relevant Output are used as the sole proof of the qualities of the associated Output according to the relevant Product Rules and that no form of Disclosure is used in relation to Output to which such an EECS Certificate relates other than in connection with the cancellation of that EECS Certificate.

A2.1.3 Where several EECS Certificates, each of which has a different Purpose, are issued for the same Output, then each such EECS Certificate shall uniquely identify each of the other such EECS Certificates.

A2.1.4 The Purpose of an EECS Certificate shall not conflict with the Purpose of any other Certificate issued for the same unit of Output.

A2.1.5 Scheme Members shall clearly communicate the Purpose of an EECS Certificate to the Account Holders using their registries in order that they may better inform consumers.

A2.1.6 An EECS Certificate may only be used in accordance with its Purpose.

A3 IMMUTABILITY

A3.1.1 The certificate data specified by the EECS Rules shall not change in any way once an EECS Certificate has been properly issued, except to indicate that it has expired, cancelled, or withdrawn.

A4 OWNERSHIP OF EECS

A4.1.1 Subject to Section A4.1.2, to the fullest extent possible under relevant national and regional law, the Account Holder of a Transferables Account should be treated (as between the Account Holder and that Member) as the owner of the EECS Certificates in that Transferables Account.

A4.1.2 The principle of ownership should not prevent the exercise by a Member, in whose EECS Registration Database an EECS Certificate is held, of any rights with respect to that EECS Certificate granted to it under its contract with the relevant Account Holder. Furthermore, the principle of ownership should not impair or undermine a Member's obligations under the EECS Rules, or the obligations of an Account Holder under its contract with a Member or under the relevant Product Rules.

A5 OPERATIONAL RELIABILITY

- A5.1.1 Operational risks arising in the Issue, transfer, and Cancellation processes for EECS Certificates should be identified and mitigated through the development of appropriate systems, controls, and procedures.
- A5.1.2 Systems should be reliable and secure and have adequate capacity.
- A5.1.3 Contingency plans and backup facilities should be established to allow for timely recovery of records and operations and completion of the transfer process.

A6 PROTECTION OF ACCOUNT HOLDERS

- A6.1.1 Accounting practices and safekeeping procedures should be employed that fully protect the EECS Certificates in Account Holders' Transferables Accounts.
- A6.1.2 Members and Account Holders should co-operate in seeking to minimise the risk of an unauthorised instruction with respect to an EECS Certificate being acted upon.
- A6.1.3 EECS Certificates should, as far as practicable, be protected against the claims of a Member's or Registry Operator's creditors.
- A6.1.4 Members are responsible for complying with applicable data protection legislation.

A7 GOVERNANCE

- A7.1.1 The governance arrangements for the EECS Rules and Domain Protocols should fulfil public interest requirements and promote the objectives of Members, Registrants and Account Holders.

A8 ACCESS AND TRANSPARENCY

- A8.1.1 Participation in EECS should be based on objective and publicly disclosed criteria so as to achieve fair and open access to existing and potential Members, service providers and EECS Market Participants.
- A8.1.2 Access to details of EECS Certificates should be made available to EECS Market Participants.
- A8.1.3 EECS Market Participants should be provided with sufficient information for them to identify and evaluate accurately the risks and rewards of transferring Certificates between Members' EECS Registration Databases.

A9 COST EFFECTIVENESS

- A9.1.1 While maintaining safe and secure operations, Members should be cost-effective in meeting the requirements of EECS Market Participants.
- A9.1.2 Members should be entitled to charge EECS Market Participants on a commercial basis for the provision of services in connection with the EECS Rules.

A10 COMMUNICATIONS

- A10.1.1 Members' Systems should use or accommodate appropriate international communication procedures and standards in order to facilitate effective, efficient, and secure cross-border transfers.

A11 REGULATION AND OVERSIGHT

- A11.1.1 Members should be subject to transparent and effective regulation and oversight at a national level in relation to performance of their obligations under Legislative Certification Schemes.
- A11.1.2 Members should be subject to transparent and effective regulation and oversight under the auspices of the EECS Rules in relation to their compliance with the EECS Rules (including the requirements of the relevant Section of PART IV of the EECS Rules in respect of EECS Schemes of which they are Scheme Members).

A12 RECORDS

A12.1.1 Records which are sufficient to enable resolution of disputes relating to such matters as ownership of and eligibility for EECS Certificates should be kept of all material communications between Members and EECS Market Participants regarding the registration of Production Devices and the Issue, transfer and Cancellation of EECS Certificates.

B DEFINITIONS AND INTERPRETATION

B1 DEFINITIONS

B1.1.1 In the EECS Rules and each Subsidiary Document, unless the context otherwise requires or there is express provision to the contrary, terms shall have the meanings respectively ascribed to them below:

TERM	MEANING
Account	An account in a Registry being either a Transferables Account or a Cancellation Account.
Account Holder	A person in respect of whom an Account is maintained on an EECS Registration Database.
Affiliate	A company that is closely related to another through minority ownership by a parent company.
AIB Communications Hub (Hub)	A commercial website operated on behalf of the AIB whose address is https://www.aibhub.org , which provides coordination and synchronisation services, distributing messages and acknowledgements between the registries of Hub Users. The Hub is defined in detail in Subsidiary Document “HubCom EECS Registration Databases”, otherwise known as “HubCom”.
AIB Website	The website maintained by the AIB for the purposes of the EECS Rules, the address of which is http://www.aib-net.org .
Approved Measurement Body	A person that is responsible for collecting and determining (on behalf of the Registrant) measured values of the Output of a Production Device, and which has been approved under Section H2.2 to conduct specified functions in relation to the EECS Rules.
Articles of Association	The Articles of Association of the AIB as amended from time to time in accordance with Belgian Law.
Assessment Panel	A panel, of one or more Members’ Representatives and/or one or more Professional Reviewers and consisting of at least the number of members as described in Subsidiary Document SD01, convened for the purpose of assessing: <ul style="list-style-type: none"> (a) an application made by a Member or (b) a Member’s compliance with the terms of the EECS Rules, Product Rules, or a Rectification Order (c) change proposals to the EECS Rules and its Subsidiary Documents (d) initial applications for, and applications for changes to, Independent Criteria Schemes.
Association of Issuing Bodies (AIB)	The international not-for-profit association (ivzw - aisbl) constituted in accordance with the Belgian Code of Companies and Associations of 23 March 2019, under the name of “Association of Issuing Bodies” with a company number 0864.645.330.
Attribute	Data field specifying the characteristics of an energy unit produced by a Production Device in terms of the Input(s) used and/or the details (standing data) of that Production Device and production process.

TERM	MEANING
Authorisation Criteria	The Authorisation Criteria specified in Section D3.1.
Authorised Issuing Body	In relation to any EECS Product, a Member which the AIB has accepted meets the Authorisation Criteria with respect to that EECS Product.
Authorised Measurement Body	In relation to any EECS Product, shall have the meaning set out in the Section of PART IV establishing the EECS Scheme in relation to the relevant Output.
Cancel	To remove an EECS Certificate from a Transferables Account at the request of an Account Holder for the purposes of enabling the Account Holder (whether on its own behalf or on behalf of another person): <ul style="list-style-type: none"> (a) to realise such real or intangible benefits as may be accorded to it; and/or (b) to comply with a legal obligation; (and Cancellation shall be construed accordingly).
Cancellation Account	A record on an EECS Registration Database relating to a particular person incorporating EECS Certificates which have been Cancelled by that person, or which have been transferred to that person in connection with their Cancellation by another Account Holder.
Cancellation Agreement	A mutual agreement between two or more Scheme Members regulating the provision by the Cancelling Scheme Member or Members to another Scheme Member or Members of statistical information concerning Cancelled EECS Certificates, and the items of information held on any related Cancellation Statement.
Cancellation Statement	A non-transferable electronic or printed receipt for providing evidence of the attributes at the time of Cancellation of Certificates acquired by an Account Holder.
Cancelling Body	A body, which may or may not be an Account Holder which: <ul style="list-style-type: none"> (a) provides real or intangible benefits in connection with the Cancellation of EECS Certificates; and/or (b) imposes a legal obligation that may be satisfied by the Cancellation of EECS Certificates.
Capacity	In relation to a Production Device registered for the purposes of an EECS Product relating to a type of Output and in relation to an EECS Certificate corresponding to an EECS Product in relation to a type of Output, this shall have the meaning ascribed to that term in the Section of PART IV which establishes the EECS Scheme in respect of that Output.
Certificate	A certificate, record, or guarantee (in any form including an electronic form) in relation to: <ul style="list-style-type: none"> (a) attributes of the Input consumed in the production of a quantity of Output and/or (b) attributes of the method and quality of the production of a quantity of Output.

TERM	MEANING
Certification Scheme	A legislative, administrative and/or contractual framework establishing a system of Certificates.
Change Proposal	A proposal made by a Member to amend the EECS Rules or a Subsidiary Document.
Competent Authority	In relation to the exercise or discharge of any legislative, governmental, regulatory or administrative function with respect to any Domain, the body duly authorised under the laws and regulations of the state (and, as the case may be, region) in which such Domain is situated to exercise or discharge that function, and, in relation to any Guarantee of Origin or Support Certificate the body duly authorised by the State under the relevant Legislative Certification Scheme to issue that Guarantee of Origin and/or Support Certificate as the case may be.
Confidential Information	Confidential information in relation to the business of the AIB, of any Hub users and third parties, such as transaction data, the technical and operational structure of the Hub, financial, strategic and economic information and documentation, in any form, that must be deemed “confidential” in accordance with the common business ethics.
Consumption Declaration	A declaration with respect to the Inputs of a Production Device (including the electrical energy used in storing energy to be used by the Production Device).
Core Principles	The principles set out in Section A.
Country of Issue	The country in which the relevant Production Device is situated.
Customer	In relation to a Member, a Registrant of a Production Device, or an Account Holder registered on that Member’s EECS Registration Database.
Date of Issue	The earlier of the date of issue of the EECS Certificate, and of any underlying Certificate.
Disclosure	Provision of information to a final customer on the share or quantity of the energy supplied to them as having specific Attributes.
Disclosure Scheme	A legislative, administrative and/or contractual framework for Disclosure based on Cancellation of Certificates.
Domain	An area containing Production Devices with respect to which a Member is an Authorised Issuing Body for the purposes of an EECS Product.
Domain Code	A code signifying the identity of a Domain (and accordingly corresponding to an EECS Registration Database).
Domain Protocol	In connection with an EECS Scheme, EECS Product and Domain, the document approved by the AIB in relation thereto under Section F4.
EECS Certificate	A unique electronic Certificate specifying and representing the quality and method of production of a specific quantity of Output, which is maintained on an EECS Registration Database and Issued in accordance with the provisions of the EECS Rules.

TERM	MEANING
EECS Conversion Issuance	The issuance of an EECS Certificate corresponding to Energy Carrier Conversion, and for which EECS Certificates representing Input to that Production Device have been Cancelled.
EECS GO	An EECS Certificate corresponding to a type of Guarantee of Origin.
EECS Market Participant	A Registrant or an Account Holder.
EECS Product	A Product supported by EECS.
EECS Registration Database	A database operated by a Member, or operated by a Registry Operator on behalf of a Member, for the purposes of EECS, comprising: <ul style="list-style-type: none"> (a) Transferables and Cancellation Accounts and the EECS Certificates in those Accounts; (b) details of Production Devices and information provided to the Member or its Registry Operator in connection with the registration of those Production Devices with that Member or Registry Operator; and (c) details of EECS Certificates which have been transferred out of that EECS Registration Database.
EECS Scheme	Arrangements established by a Section of PART IV of the EECS Rules for the acceptance of Products in relation to a type of Output into EECS.
EECS Transfer System	The communication links and procedures for the transfer of EECS Certificates established by Members pursuant to the EECS Rules.
EECS-Disclosure	The ICS operated by the AIB in relation to electricity produced from Non-Renewable sources.
EECS-Disclosure Certificate	An EECS Certificate in respect of Output which meets the Output Criteria specified in Section N10.3.1 Issued by an Authorised Issuing Body in relation to EECS-Disclosure and which, in accordance with the EECS Rules, indicates that it is an EECS-Disclosure Certificate.
Electricity Scheme	The EECS Scheme in relation to the Output of electricity established by Section N.
Energy Carrier	Substance or phenomenon that contains chemical, thermal or electrical energy, which can be converted with the purpose to deliver mechanical work or heat or to operate chemical or physical processes.
Energy Carrier Conversion	The transfer of energy carried by one type of energy carrier to another type of energy carrier.
Entry Measurement	The technical and administrative arrangements for determining the quantity of Input flowing to a Production Device (including, where enabled by the location of the Exit Measurement Point, on-site production).
Entry Measurement Point	The point in a Production Device at which Entry Measurement takes place.
European Energy Certificate System (EECS)	The integrated European framework for the issuing, registration, transfer, Cancellation, and other processing of Certificates arising as a consequence of the implementation of the provisions of the EECS Rules.

TERM	MEANING
European Union (EU)	An economic and political union of member states, located primarily in Europe and established by the Treaty of Maastricht on 1 November 1993 upon the foundations of the pre-existing European Economic Community.
Ex-Domain Cancel	To Cancel an EECS Certificate in accordance with section C7.1.1 (b) or section C7.1.1 (c).
Exit Measurement	The technical and administrative arrangements for determining (in whole or in part) the quantity of Output flowing from a Production Device and, where permitted by national practice, including the Output flowing from that Production Device to satisfy onsite demand.
Exit Measurement Point	The point in a Production Device at which Exit Measurement takes place.
Expiry	The prevention by the Issuing Body on whose EECS Registration Database an EECS Certificate resides of transfer to another Transferables Account and Cancellation of such EECS Certificate by the holder as a consequence of the passage of a given period of time since its Issue or since the production of the associated energy.
Face Value	The amount of Output to which an EECS Certificate relates.
General Meeting	A general meeting of the Members of the AIB, convened in accordance with the Articles of Association.
Guarantee of Origin	<p>A certificate issued by (a) a Competent Authority; or (b) by a Member acting as the duly authorised agent on behalf of a Competent Authority, under the laws of a State as a guarantee of the nature and origin of energy for the purpose of providing proof to the final consumer of energy that a given share or quantity of energy, as the case may be:</p> <ul style="list-style-type: none"> (i) was produced from the energy source to which the guarantee relates; and/or (ii) was produced by the specified technology type to which the guarantee relates; and/or (iii) has, or the Production Device(s) which produced it has (or have), other attributes to which the guarantee relates.
Harmonisation Measures	The provisions of Section C.
Hub Participant Agreement	An agreement signed between the AIB and a Hub User, who may or may not be a Member of the AIB, relating to the use of the Hub and who for the purpose of signing the agreement is called a Hub Participant. The template of the Hub Participant Agreement is agreed and amended by the Board.
Hub User	A Competent Authority, its duly authorised agent or a Registry Operator appointed by it, which may or may not be a member of the AIB, and which uses the Hub for Transactions.
ICS Rules	The rules establishing the operation of an ICS.

TERM	MEANING
Implementation Date	The date on which the amendment to the EECS Rules, which gave effect to the provision hereof providing for this document to be referred to as the EECS Rules, came into effect.
Independent Criteria Scheme (or ICS)	A scheme for Certificates that provides assurance that the Output certified by an EECS Certificate, and/or the relevant Production Device with which it is associated, conforms to a specific set of qualities.
Input	An amount of a specific source of energy or material goods as listed in the Fact Sheet “Types of Energy Inputs and Technologies” consumed by a Production Device in the production of Output.
Issue	The process of creating (as an EECS Certificate) a record in a Transferables Account in an EECS Registration Database.
Issuing Frequency	The frequency with which EECS Certificates are issued.
Label	Attribute on a Certificate reflecting that the Output and/or Production Device and/or Input to which a Certificate relates, conforms to a specific set of qualities defined in a Label Scheme, following an agreement between the Authorised Issuing Body and the corresponding Label Scheme Operator.
Label Scheme	Scheme with criteria independent from the criteria for Certificate Issuing, that provides assurance that the Output and/or the Production Device to which a Certificate relates, conforms to specific requirements which are additional to those established for the EECS Product.
Label Scheme Operator	In relation to a Label Scheme, the body responsible for the rules establishing the operation of that Label Scheme.
Legislative Certificate	A Certificate issued under a Legislative Certification Scheme.
Legislative Certification Scheme	A Certification Scheme implemented pursuant to the law of any EU Member State or a State bound to the EU by a Treaty requiring the recognition of GOs or of any other State accepted by the AIB.
Legislative Disclosure Scheme	A Disclosure Scheme implemented pursuant to the law of any EU Member State or a State bound to the EU by a Treaty requiring the recognition of GOs or of any other State accepted by the AIB.
Measurement Body	A person responsible for collecting and determining (on behalf of the Registrant) measured values of the Output of a Production Device.
Measurement Frequency	The frequency with which the Output of a Production Device is measured.
Member	A member of the AIB from time to time (as determined in accordance with the provisions of the Articles of Association and the law of Belgium).
Member’s Agent	A person, including a Registry Operator, engaged by a Member to perform any of its obligations under the EECS Rules on its behalf.
Member’s Representative	An individual appointed to act as the representative of a Member pursuant to the terms of the Articles of Association, or any internal regulations of the AIB issued pursuant thereto, or the EECS Rules or any Subsidiary Document.

TERM	MEANING
National Scheme Certificate	A Certificate issued under a Legislative Certificate Scheme.
Nature (of the Output of an Originating Production Device)	For a specific unit of Output, the type of Input consumed by the Originating Production Device and/or the type of technology used by that Production Device to convert the Input into that Output.
Non-Renewable	An energy source which is not Renewable.
Non-Governmental Certificate (or NGC)	A type of Certificate, issued under an Independent Criteria Scheme which is not issued in the framework of a Legislative Certification Scheme.
Originating Directive	In relation to any EECS Product the EU Directive (if any) pursuant to which the relevant Legislative Certification Scheme was established.
Operator of a Registry (or Registry Operator)	In relation to any Member and EECS Scheme either: <ul style="list-style-type: none"> (a) that Scheme Member; or (b) where such appointment has been made, the person appointed by such Scheme Member to administer the operation of the EECS Registration Database for the purposes of that EECS Scheme.
Originating Member	With respect to an EECS Certificate, the Member which Issued that EECS Certificate.
Originating Production Device	In relation to an EECS Certificate, the Production Device which produced the Output to which that EECS Certificate relates.
Output	An amount of nett energy content of a specific Energy Carrier yielded by a Production Device and measured by a Measurement Body.
Output Criteria	In relation to a Product, the criteria within the Product Rules for Output which must be satisfied by the Output of a Production Device for a Certificate corresponding to the Product to be issued in relation to that Output.
PD Qualification Criteria	In relation to a Product, the criteria for Production Devices to qualify for registration for the purposes of that Product.
Principles and Rules of Operation of the European Energy certificate System (EECS Rules)	This document, being issued pursuant to the Articles of Association of the AIB and the Principles and Rules of Operation of Members for EECS, as amended from time to time in accordance with Section L.
Product	A type of Guarantee of Origin, Support Certificate, Target Certificate or ICS Certificate.
Product Rules	In relation to an EECS Product, the Legislative Certification Scheme and Legislative Disclosure Scheme or, as appropriate, the ICS Rules as supplemented by the Domain Protocol in relation to the relevant Domain.
Production Audit	In relation to any Production Device, the independent examination by a Production Auditor of relevant records and, where appropriate, plant and equipment to confirm the accuracy of Production Declarations and

TERM	MEANING
	(where appropriate) Consumption Declarations in relation to that Production Device.
Production Auditor	In relation to any Domain and EECS Product, such Approved Body as the relevant Authorised Issuing Body appoints to audit information provided by Registrants in Production Declarations by reference to the records of, or made available by, the Registrant (or, if different, the owner or operator of the relevant Production Device) and, where appropriate, by inspecting the relevant Production Device.
Production Auxiliary	A device that consumes some of the energy produced by a Production Device in order to prepare Input for consumption by that Production Device.
Production Declaration	A request by the operator of a Production Device to an Authorised Issuing Body for the Issue of EECS Certificates, in respect of a particular Production Device and a specific period of time.
Production Device	A separately measured device or group of devices that produces an Output.
Production Registrar	In relation to any Domain and EECS Product, the Authorised Issuing Body or such other person as the Domain Protocol provides is responsible for assessing applications to register Production Devices for the purposes of the relevant EECS Product.
Professional Reviewer	A suitably qualified and experienced individual who has been approved by the Board to conduct Product Rules Assessment reviews, Compliance Assessment reviews, Change Assessments or ICS Assessment reviews and is independent of the party being reviewed and the other reviewer and has no conflicting professional interests.
Professional Reviewers Group	Group consisting of the Professional Reviewers.
Public Support (Support)	Any direct or indirect financial support (other than through the sale or Cancellation of EECS Certificates) that has been or is currently being received for investment in Qualifying Production Devices or for their current (ongoing) production of Output. Public Support includes (among others): <ul style="list-style-type: none"> (a) financial support given to Qualifying Production Devices; (b) financial support which is higher for Qualifying Production Devices or their Output than it is for non-Qualifying Production Devices or, as the case may be, their Output; (c) prices paid, which may either include or be in addition to the market price of the related energy, for the supply of Output in recognition of its particular method or quality of production; and (d) guaranteed minimum price for support certificates whenever this minimum price is significantly above the market rate.
Purpose	The original intended use for which a certificate is issued, whether this is Disclosure, Support, Target or a combination of these Purposes.

TERM	MEANING
Qualifying Output	In relation to an EECS Product, is Output which meets the requirements of Section C3.2.1.
Qualifying Production Devices	Those Production Devices that satisfy the PD Qualification Criteria relating to an EECS Product in the corresponding Domain.
Rectification Order	An order issued by the AIB under Section F5.1.1 requiring a Member to take specific steps to bring itself into compliance with the terms of the EECS Rules.
Registrant	A person in whose name a Production Device is registered from time to time in an EECS Registration Database for the purposes of the Issue of one or more EECS Products.
Registration Functions	The registration of Production Devices and the issuing and registration of Certificates in respect of their Output, and the maintenance of records regarding such processes.
Registration Period	The length of the period following the successful registration of a Production Device in an EECS Registration Database at the end of which such registration lapses.
Renewable	A renewable non-fossil source (namely wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases).
Renewable Energy Directive (RES Directive)	Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources and its predecessor Directive 2009/28/EC of the European Parliament and the Council of 23 April 2009 on the promotion of the use of energy from renewable sources amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC).
RES-E	Has the meaning attributed to the expression “ <i>electricity produced from renewable energy sources</i> ” by the RES Directive.
Scheme Certificate	In relation to any EECS Scheme, an EECS Certificate Issued under that EECS Scheme by a Scheme Member.
Scheme Member	In relation to any EECS Scheme or Scheme Certificate, a Member which is for the time being admitted to the relevant EECS Scheme in accordance with Section F3.4.1.
Scheme Operator	In relation to an ICS, the body responsible for the ICS Rules.
Standard Terms and Conditions	The terms and conditions upon which a Scheme Member is prepared to provide services, as contemplated by the EECS Rules and the Hub Participant Agreement, to its EECS Market Participants.
Storage System	Device or system that stores energy, for which the Energy Carrier injected into that device or system is the same as the Energy Carrier that flows out of it.
Subsidiary Document	A document designated as such by any provision of the EECS Rules and published in accordance with the provisions thereof.
Support Certificate	A Certificate, issued by (a) a Competent Authority; or (b) by a Member acting as a duly authorised agent on behalf of a Competent Authority, in

TERM	MEANING
	<p>compliance with the provisions of a Support Scheme, in relation to a given quantity of energy for the purpose of allocating financial support to the production of the energy, on the grounds that, as the case may be:</p> <ul style="list-style-type: none"> (i) it was produced from the energy source to which the Support Scheme relates; and/or (ii) was produced by the specified technology type to which the Support Scheme relates; and/or (iii) it, or the Production Device which produced it, has other attributes to which the Support Scheme relates.
Support Scheme	<p>A Legislative Certificate Scheme established for the purposes of allocating support to the production of energy on the grounds that:</p> <ul style="list-style-type: none"> (i) it was produced from a particular energy source; and/or (ii) it was produced by a particular technology; and/or (iii) it, or the Production Device which produced it, has other specified attributes.
System	<p>The website, communication links, database and associated software, hardware, and administrative procedures, used or proposed to be used by a Member or a Member’s Agent in connection with any EECS Scheme.</p>
Target	<p>A quantitative goal to be met, in relation with consumption, production or supply of energy, which may be fulfilled by cancellation of Target Certificates.</p>
Target Accounting Scheme	<p>A framework and set of rules for accounting compliance towards a Target.</p>
Target Certificate	<p>A Certificate, issued by (a) a Competent Authority or (b) a Member acting as a duly authorized agent on behalf of a Competent Authority, in compliance with the provisions of a Target Accounting Scheme, in relation to a given quantity of energy represented by Certificates of which the cancellation is eligible for accounting towards a Target.</p>
Transfer Link	<p>Telecommunications equipment and services for the purpose of communications between Registration Databases, or between a Registration Database and the Hub.</p>
Transfer Request	<p>A request to transfer one or more EECS Certificates which specifies (in accordance with the requirements of the EECS Rules):</p> <ul style="list-style-type: none"> (i) the identity of the relevant EECS Certificates; (ii) the identity of the Transferables Account in which such EECS Certificates are held; (iii) the identity of the Transferee’s Transferables Account; and (iv) the Domain Code corresponding to the EECS Registration Database on which such Transferables Account is held, and which is made by the Account Holder of that Transferables Account or by the operator of a trading exchange which the Account Holder has notified the relevant Member is authorised

TERM	MEANING
	to make such a request in relation to EECS Certificates held in its (relevant) Transferables Account.
Transferables Account	<p>A record on an EECS Registration Database relating to a particular person incorporating:</p> <ul style="list-style-type: none"> (a) EECS Certificates Issued to that person by the Member operating that EECS Registration Database; and (b) EECS Certificates transferred (by notice to the Member operating that EECS Registration Database) by another person; <p>which in either case have not subsequently:</p> <ul style="list-style-type: none"> (i) been transferred to another Transferables Account on this or another EECS Registration Database; (ii) been Cancelled; (iii) Expired; or (iv) been Withdrawn.
Transferee	An Account Holder whose Transferables Account has been nominated in a Transfer Request.
Transferor	An Account Holder who has requested the Member in whose EECS Registration Database the EECS Certificate is held to transfer an EECS Certificate from its Transferables Account in that EECS Registration Database to another Transferables Account.
Withdrawal	The correction the Issuing Body on whose EECS Registration Database an EECS Certificate resides of errors in the Issue and transfer to another Transferables Account of this EECS Certificate by its removal from a Transferables Account or by the amendment of its status.

B2 INTERPRETATION

B2.1 GENERAL

- B2.1.1 In the EECS Rules and each Subsidiary Document, unless the context otherwise requires or there is express provision to the contrary:
- (a) a reference to a particular part is a reference to a part of the document in which such reference is made;
 - (b) a reference to a particular Section is a reference to a Section of the document in which such reference is made;
 - (c) words in the singular may be interpreted as including the plural and vice versa;
 - (d) the word “*including*” shall be construed as meaning “*including without limitation*”;
 - (e) a term derived from any term, the definition or interpretation of, which is provided for by this Section B shall be construed in accordance with the relevant definition or interpretative provision;
 - (f) a reference to a particular gender may be interpreted as including any other gender;
 - (g) a reference to a person (howsoever made) includes a reference to a body corporate or government agency;
 - (h) a reference to a “*body*” is reference to a body corporate, government agency, or where appropriate a panel of Members’ Representatives convened by the AIB under the terms of its Articles of Association, its internal regulations or the EECS Rules;
 - (i) a reference to an action taken “*under*” the EECS Rules, any Subsidiary Document or any Section or other part of any such document is a reference to an action taken in accordance with and subject to (as the case may be) the terms of the EECS Rules, such Subsidiary Document or such Section or other part;
 - (j) an EECS Certificate “*corresponds*” to an EECS Product where it is Issued under the Product Rules in respect of that EECS Product;
 - (k) a reference to any legislative measure shall be construed, at any particular time, as including a reference to any modification, extension, re-adoption or re-enactment (whether made before or after the date on which the relevant provision of the EECS Rules or Subsidiary Document was adopted) of that legislative measure in force at that time;
 - (l) a reference to any Subsidiary Document shall be construed, at any particular time, as including a reference to any modification, extension, or replacement of that Subsidiary Document in force at that time;
 - (m) a reference to any agreement is to such agreement as amended, novated, or replaced from time to time;
 - (n) in the event of any inconsistency between the provisions of the EECS Rules and the provisions of a Subsidiary Document the provisions of the EECS Rules shall take precedence; and
 - (o) the index and Section headings and Preface of the EECS Rules are for convenience only and shall not affect the interpretation of the EECS Rules.

The provisions of a Hub Participant Agreement are to be regarded as additional provisions to the EECS Rules and are aimed to regulate the use of the Hub. In that respect, such provisions will take precedence over the EECS Rules in case of contradictions.

B2.2 NOTES AND EXAMPLES

- B2.2.1 Notes and examples under Sections of the EECS Rules are given for illustrative purpose only and, in the event of any discrepancy between any note or example and the provisions of the EECS Rules, the latter shall prevail.

B3 RESPONSIBILITY OF MEMBERS

B3.1 MEMBERS' DUTIES UNDER THE EECS RULES

B3.1.1 Any references in the EECS Rules or any Subsidiary Document to an obligation or responsibility of a Member or a member of an Assessment Panel (howsoever made) is to be construed as that Member or member owing the obligation to, or being responsible to, the AIB alone.

B3.2 REGISTRY OPERATORS

B3.2.1 Where a Member has appointed a Registry Operator then, unless the context otherwise requires:

- (a) references to that Member's EECS Registration Database shall be treated as being references to the EECS Registration Database operated by that Registry Operator; and
- (b) references to that Member shall be treated as being references to that Registry Operator.

PART II THE GENERIC CERTIFICATE SYSTEM

C HARMONISATION MEASURES

C1 INTRODUCTION

C1.1 GENERAL

C1.1.1 This Section C sets out:

- (a) requirements with respect to the registration of Production Devices for the purposes of EECS Products;
- (b) requirements with respect to the processing of EECS Certificates, including their Issuance, their transfer between Transferables Accounts and from Transferables Accounts into Cancellation Accounts;
- (c) restrictions with respect to the processing of EECS Certificates; and
- (d) provisions in respect of the rectification of errors arising out of malfunctions of (or unauthorised access to) EECS Registration Databases and EECS Certificates transfers.

C2 PRODUCTION DEVICE REGISTRATION

C2.1 GENERAL

C2.1.1 A Member shall accept an application for the registration of a Production Device for the purposes of an EECS Product where:

- (a) the Member is an Authorised Issuing Body with respect to that EECS Product;
- (b) the Production Device is in that Member's Domain in relation to that EECS Product;
- (c) the applicant complies with the Product Rules in relation to that application; and
- (d) the Production Device satisfies the PD Qualification Criteria for that Product.

C2.1.2 Where an application for registration of a Production Device for the purposes of an EECS Product is successful, the Authorised Issuing Body shall revise its Registration Database so that:

- (a) (at least to the extent that the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output requires Scheme Members to make such information available), it shall incorporate the information provided in relation to that Production Device in connection with that application, save that:
 - (i) detailed descriptions of plant and equipment;
 - (ii) graphical representations of the Production Device and its location, including diagrams and photographs; and
 - (iii) details of:
 - 1 the person responsible for the application; and
 - 2 where the Registrant of the Production Device is not its owner, the Production Device's owner,

need not be included;

- (b) (where it is not already registered in that EECS Registration Database for the purposes of another EECS Product) the Production Device shall be assigned a unique number in accordance with the provisions of the AIB Transfer Interface Protocol; and
- (c) the Production Device shall be registered as qualifying for the EECS Product.

C2.1.3 Production Devices located at the border between the Domains of two or more Members, for the purpose of section C2.1.1(b) shall be allocated to one or more of these Domains as follows:

- (a) the Production Device may be considered as situated in each of the involved Domains, splitting its Qualifying Output as determined in a mutual agreement between the relevant Competent Authorities for each of those Domains. This agreement shall determine the share of Qualifying Output for which each of these Competent Authorities is entitled to issue Certificates, thereby assuring that the total amount of EECS Certificates issued by all Members involved does not exceed the total amount of Qualifying Output from that Production Device; or
- (b) unless provided differently in PART IV of the EECS Rules, where no such agreement exists, the Domain that comprises the official address of the site where the Production Device is located.

C2.2 REVISIONS TO EECS REGISTRATION DATABASES

- C2.2.1 Where a Member is notified by the Registrant of a Production Device of any changes having the effect that the information recorded in that Member's EECS Registration Database in relation to that Production Device is no longer, or will cease to be, accurate, the Member shall amend its EECS Registration Database accordingly.
- C2.2.2 Where (pursuant to an inspection or otherwise) a Member becomes aware of any changes which have, or planned changes which have, been notified to the Member by the Registrant of a Production Device which will have, the effect that the PD Qualification Criteria for an EECS Product are no longer fulfilled or will cease to be fulfilled by that Production Device, the Production Device shall cease to be recorded in that Member's EECS Registration Database as qualifying for that EECS Product:
 - (a) (in relation to planned changes notified in advance to the Member) with effect from the date on which such planned changes are due to come into effect; or
 - (b) (in relation to other changes) as soon as reasonably practicable.
- C2.2.3 Where the period of time during which a Production Device has been recorded in a Member's EECS Registration Database as qualifying for an EECS Product is in excess of five (5) years, or where a Registrant so desires, then unless the Registrant successfully re-registers the relevant Production Device as set out in Section D5, then the Member shall, where permitted by the legislation in the relevant Domain, amend with immediate effect the relevant records in the EECS Registration Database to indicate that the Production Device no longer qualifies for that EECS Product.
- C2.2.4 When re-registering a Production Device, a Member shall satisfy itself that the relevant records in the EECS Registration Database adequately describe that Production Device.
- C2.2.5 Where the Capacity of an existing Production Device increases for any reason, including refurbishment or enhancement of the Production Device, then such additional capacity may be registered in the relevant EECS Registration Database as a separate element of that Production Device with:
 - (a) the Capacity specified in the application for registration;
 - (b) the date on which the Production Device became operational as specified in the application for registration.
- C2.2.6 Where a Member ceases to be an Authorised Issuing Body in relation to an EECS Product, it shall revise its EECS Registration Database so that each Production Device in the relevant Domain ceases to be registered for the purposes of that EECS Product.
- C2.2.7 Where a Member ceases to be a Scheme Member of an EECS Scheme it shall revise its EECS Registration Database so that every Production Device registered therein ceases to be registered for the purposes of each EECS Product in relation to the Output to which that EECS Scheme relates.

C3 ISSUE OF CERTIFICATES

C3.1 AUTHORITY

- C3.1.1 An EECS Certificate may only be Issued by a Member which is

- (a) an Authorised Issuing Body in respect of the corresponding EECS Product;
- (b) in respect of the Output from a Production Device which is, at the time of Issue:
 - (i) situated in that Member's Domain in respect of that EECS Product; and
 - (ii) registered in the EECS Registration Database of that Member for the purposes of that EECS Product.

C3.2 QUALIFYING OUTPUT

C3.2.1 An EECS Certificate corresponding to an EECS Product may only be Issued in respect of Output:

- (a) which is produced by an Originating Production Device which meets the PD Qualification Criteria in respect of that EECS Product;
- (b) that meets the Output Criteria for that EECS Product;
- (c) in respect of which the Authorised Issuing Body is in receipt of measured values of Output collected and determined by an Authorised Measurement Body (or, where the relevant Product Rules so permits, an Approved Measurement Body) which, having regard to the relevant Consumption Declaration where relevant, corroborate the amount so specified; and
- (d) which has been determined in accordance with the Product Rules for that EECS Product.
- (e) In case of EECS Conversion Issuance, Certificates for the proportion of Output that equals the proportion of cancelled EECS Certificates compared to the total Input into the Conversion Production Device.

C3.2.2 Where Output is produced from Input carried by another energy carrier, the produced Output shall be eligible for Issuing EECS Certificates from the energy source as identified in Section C3.5.4(f), provided:

- (a) The Input consists of this energy source, and no other proof certifying the same Output for the same Purpose has been Issued for this Input, in line with Section A2.1.1, or
- (b) EECS Certificates of the energy carrier identified in Section C3.5.4(a), containing this specific energy source as identified in Section C3.5.4(f), are Cancelled corresponding to the energy carrier and quantity of Input, while the corresponding Cancellation request indicates that the beneficiary is a Conversion Production Device in the Domain of the Scheme Member by whom the request for EECS Conversion Issuance is processed. The Qualifying Output for the Issuance of EECS Certificates shall be determined in accordance with Section C3.2.1.

C3.2.3 An EECS Certificate shall only be issued for the production of a corresponding quantity of physical Output of the same energy carrier as that identified on that EECS Certificate.

C3.2.4 Energy flowing out of a Storage System shall only be eligible for the issuing of EECS Certificates where,

- (a) in relation to the energy fed into the Storage System:
 - (i) the energy so fed into the Storage System:
 - 1 has demonstrably been produced on the site of the Storage System, the Attributes of which can be readily determined; and
 - 2 represents an amount greater than or equal to the Output of the Storage System; and
 - 3 is proportional to the amount of energy flowing out of the Storage System;
 - 4 has not been and will not be subject to issuance of EECS Certificates or any other Certificates that may be used for the same Purpose; and
 - 5 the origin of which shall not be disclosed other than in relation with charging the Storage System, thus informing the Attributes of the EECS Certificates issued in relation with the Output of this Storage System;

or

- (ii) EECS Certificates are cancelled for proving the Attributes of the energy fed into the Storage System, while provisions are in place for

- 1 accounting for storage losses;
- 2 conveying of Attributes of these cancelled Certificates to the relevant newly issued Certificates;

and

- (b) the energy flowing out of the Storage System is measured based under the same conditions as Output of any other Production Device;

and

- (c) a transparent system is in place for allocating characteristics (in case of C3.2.4(a)(i)) and Certificate Attributes (in case of C3.2.4(a)(ii)) corresponding to energy charged into the Storage System towards Certificates Issued for energy flowing out of the Storage System. This allows to allocate Attributes to Certificates issued for release of energy from Storage, of the time periods at which the Storage System is being charged to the time periods at which it is being discharged;

and

- (d) there is compliance with any additional rules for storage as set out in the relevant section for that Energy Carrier in PART IV.

C3.3 EECS GOS

C3.3.1 An EECS GO shall only be Issued in respect of Output which has not been and is not being otherwise Disclosed, including by the Issue of any other Certificate of any variety (save to the extent permitted under Section C8) except, in the case of an EECS GO derived from, and incorporating, the relevant electronic data from one or more National Scheme Certificates, where such National Certificate(s) has/have been withdrawn or cancelled in order for it/them to be replaced by that EECS GO and the Certificate according to the National Certification Scheme has not been and is not being used for Disclosure prior to Withdrawal or Cancellation.

C3.4 FREQUENCY OF ISSUE

C3.4.1 Subject to Sections C3.4.2 and C3.4.3:

- (a) where the period between measurements of the Output of a Production Device is no more than one month, then the EECS Certificates in respect of such Output shall be Issued no later than one month after the month in which such Output was produced;
- (b) where the period between measurements of the Output of a Production Device is more than one month, then the Issuing Frequency shall be the same as the Measurement Frequency; and
- (c) where the period between measurements of the Output of a Production Device is more than one month, then the number of EECS Certificates Issued to a Production Device for each month must be determined on a pro-rata or profiled basis in accordance with the relevant Product Rules by reference to the period between measurements.

C3.4.2 Any EECS Certificate derived from and incorporating electronic data from a National Scheme Certificate shall:

- (a) subject to Sections (b) and (c) below, replicate the content of a National Scheme Certificate Cancelled or Withdrawn in connection with the Issue of such EECS Certificate insofar as such information is required to be included on the EECS Certificate pursuant to Section C3.5.2 (and incorporate such further information as may be required by the relevant Product Rules), save that the Issuing Date shall be the Date of Issue of such EECS Certificate; and

- (b) have, in aggregate with any other EECS Certificates Issued in connection with the Cancellation or Withdrawal of such National Scheme Certificate, a Face Value which is equal to the Face Value of such Cancelled National Scheme Certificate);
- (c) where the Face Value specified in the Section of PART IV of the EECS Rules establishing the EECS Scheme in respect of the relevant Output is greater than the Face Value of the relevant National Scheme Certificate shall only be Issued on Cancellation or Withdrawal of National Scheme Certificates which in aggregate have a Face Value equal to that of such EECS Certificate; and
- (d) shall only be Issued within one month of the Cancellation of the relevant National Scheme Certificate(s).

C3.4.3 A quantity of Qualifying Output produced by a Production Device which is less than the Face Value of an EECS Certificate may be carried over until the Qualifying Output of the Production Device is sufficient to qualify for the Issue of such an EECS Certificate.

C3.4.4 An EECS Certificate may only be Issued by a Member in respect of the Output of a Production Device:

- (a) during a period in which that Production Device was registered in that Member's EECS Registration Database for the relevant Domain for the purposes of the corresponding EECS Product;
- (b) where the last day on which such Output was generated is not more than:
 - (i) thirteen (13) calendar months after the first day on which the measured Output was generated;
 - (ii) twelve (12) calendar months before the date of Issue of any related EECS Certificates;
- (c) which has been found to be produced from the Input or Inputs claimed by the Registrant of the originating Production Device and which meets the Output Criteria for that EECS Product; and
- (d) the measured value of which has been collected and determined by an Authorised Measurement Body.

C3.5 ISSUING PROCESS

C3.5.1 EECS Certificates shall only be Issued

- (a) in respect of Qualifying Output in respect of the corresponding EECS Product;
- (b) in respect of the Originating Production Device and period claimed in a Production Declaration specified by the Registrant of the Production Device or an Account Holder duly authorised on its behalf, in accordance with the requirements of the Product Rules for that EECS Product;

C3.5.2 An EECS Certificate shall be Issued by a Member by recording its details on that Member's EECS Registration Database in the Transferables Account nominated for such purposes by the Registrant of the Originating Production Device.

C3.5.3 A Member shall inform an Account Holder of the Issuance of any EECS Certificate into that Account Holder's Transferables Account and of that EECS Certificate's details, or otherwise make such information available to that Account Holder.

C3.5.4 Each EECS Certificate shall contain the following information:

- (a) the EECS Product under which it has been Issued, so identifying the carrier by which energy is conveyed, where this may be:
 - (i) electricity; or
 - (ii) fuel, whether gaseous, liquid, or solid and if gaseous, the specific Energy Carrier as specified in section O1; or

- (iii) thermal energy, being heating or cooling, whether this is conveyed by a heat or cold transfer fluid, being in gaseous or liquid state, or by heat transfer by conduction or radiation;
- (b) the unique number assigned to it by the Originating Member in accordance with the Subsidiary Document “*HubCom*”;
- (c) the date on which the Originating Production Device became operational (as determined in accordance with relevant national legislation), as verified by the Production Auditor during the registration process for that Production Device;
- (d) the first day on which the Output to which it relates was produced;
- (e) the last day on which the Output to which it relates was produced;
- (f) the energy source from which the Output was produced (by reference to the types of energy sources set out in the EECS Rules Fact Sheet “*Types of Energy Inputs and Technologies*”;
- (g) the type of the Originating Production Device, by reference to the types of installation set out in the EECS Rules Fact Sheet “*Types of Energy Inputs and Technologies*”;
- (h) the identity of the Originating Production Device, where this shall include:
 - (i) the unique number which has been assigned to the Production Device according to Section C2.1.2(b); and
 - (ii) optionally, the name of the Production Device as specified in the application for registration of that Production Device, provided that the Registrant of the Production Device has agreed to this information being recorded on EECS Certificates which are Issued for this Production Device;
- (i) the Country of Issue;
- (j) the location of the Originating Production Device, being its:
 - (i) latitude and longitude in accordance with the EECS Rules Fact Sheet “*Geographical Coordinates*”; and/or
 - (ii) country, city, and postal code;
- (k) the Capacity of the Originating Production Device, as specified by the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output;
- (l) its Face Value in accordance with the Section of PART IV of the EECS Rules establishing the EECS Scheme in respect of the relevant Output;
- (m) the identity of the Originating Member;
- (n) the Date of Issue;
- (o) the Product Type of the EECS Certificate, by reference to whether the Certificate is a Guarantee of Origin, and/or a Support Certificate, and/or a Target Certificate or an NGC; and
 - (i) where the Certificate is a Guarantee of Origin, whether it is a Guarantee of Origin in relation to the energy source for the Output to which it relates and/or the technology type used in producing such Output;
 - (ii) where the Certificate is a Support Certificate, the type of Support Certificate which it is;
 - (iii) where the Certificate is a Target Certificate, the type of Target it relates to and a reference to the relevant Target Accounting Scheme;
 - (iv) where the Certificate is a Support Certificate and/or a Guarantee of Origin, the Competent Authority (or Competent Authorities where appropriate);
- (p) the Purpose for which the EECS Certificate has been Issued, being:
 - (i) Disclosure; and/or
 - (ii) Support; and/or
 - (iii) Target;
- (q) an indication, as appropriate, as to whether:

- (i) the relevant EECS Registration Database records that no Public Support has been, is being or will be given in respect of the Originating Production Device;
- (ii) the relevant EECS Registration Database records that Public Support has been given in relation to an investment in the Originating Production Device or its owner;
- (iii) the relevant EECS Registration Database records that Public Support is being or will be given with respect to the Output of that Originating Production Device;
- (iv) the relevant EECS Registration Database records that both:
 - 1 Public Support has been given to an investor in the Originating Production Device in relation to its investment therein or in the body which owns that Production Device; and
 - 2 Public Support is being, or will be, given in respect of the Output of that Originating Production Device; or
- (v) the relevant EECS Registration Database does not record whether or not Public Support has been, or is being, given in respect of the Originating Production Device;
- (r) such other information as is specified by the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output as being required to be provided in respect of the energy source and type of Originating Production Device to which the Certificate relates;
- (s) where the Certificate has been Issued in respect of a Production Device which is accredited to a Label Scheme and the Scheme member is supporting that Label Scheme, the identifier of the relevant Label.
- (t) the dissemination level of the Output for which the Certificate has been Issued, as set out in the EECS Fact Sheet "*Dissemination level of Output*";
- (u) An indication whether or not the Certificate was Issued following EECS Conversion Issuance
- (v) An indication whether or not the Certificate was Issued following release from a Storage System in accordance with the provisions of section C3.2.4.

C3.5.5 In addition to the information listed in C3.5.4, an EECS Certificate may also provide the following information:

- (a) where applicable, in addition to the capacity mentioned in C3.5.4 as the main capacity of the Production Device, the capacity and type of a relevant production element of the Production Device and the date when this production element became operational;
- (b) a quantification of the carbon footprint, in kg/MWh, of the Output covered by the EECS Certificate, and a reference to the methodology used for this quantification as set out in Fact Sheet GHG Methodology Reference;
- (c) starting time when the Output to which the EECS Certificate relates was produced;
- (d) the end time when the Output to which the EECS Certificate relates was produced;
- (e) where the source type relates to nuclear energy, a quantification of the radioactive waste produced per MWh of Output to which that EECS Certificate relates, and it may provide a reference to the methodology used for this quantification.

C3.5.6 The relevant Scheme in PART IV may determine that any of the elements indicated in section C3.5.5. is mandatory rather than optional.

C3.5.7 Each EECS Certificate and the information contained in it, or to be indicated by it, shall be in the format specified in the Subsidiary Document "*HubCom*".

C3.6 DATA REGISTRATION RELATED TO EECS CONVERSION ISSUANCE

C3.6.1 Attributes recorded on the EECS Certificate after Energy Carrier Conversion Issuance are those which relate to the Production Device of the Energy Carrier Conversion, in line with Section C3.5.4, except for the following attributes:

- (a) The energy source, as in C3.5.4.(f), is inherited from the cancelled EECS Certificate related to the consumption of each Input Energy Carrier. The quantity of EECS Certificates to be issued for each specific energy source, is determined as its respective Energy Input Factor as defined in the relevant EECS Scheme, defined in Part IV of the EECS Rules, multiplied by the measured Net Energy Production produced by that conversion Production Device.
- (b) The Product Type and Purpose of the EECS Certificate shall be identified in accordance with Sections C3.5.4(o) and C3.5.4(p) and shall be the Purpose as identified on the Cancelled EECS Certificate for the Input to the EECS Conversion Issuance;

C3.6.2 A Member Issuing an EECS Certificate for Output from an EECS Conversion Issuance may at its discretion transfer non-mandatory data from the EECS Certificate for Input to the EECS Certificate for Output which may inherit the following Attributes:

- (a) The production period of the pre-conversion energy (in accordance with Section C3.5.4(d) and C3.5.4(e);
- (b) Identity of the pre-conversion production Device (in accordance with Sections C3.5.4(g), C3.5.4(h), and C3.5.4(k));
- (c) The location of the pre-conversion Production Device (in accordance with Sections C3.5.4(j));
- (d) The date when the pre-conversion Production Device became operational (in accordance with Section C3.5.4(c);
- (e) An indication as to whether the pre-conversion Production Device or the Output of the pre-conversion Production Device has benefited from public support operational (in accordance with Section C3.5.4(q));
- (f) A quantification of the carbon footprint related to the pre-conversion energy, taking into account the energy efficiency of such conversion, together with a reference to the methodology used (in accordance with Section C3.5.5(b));
- (g) A quantification of the radioactive waste related to the energy pre-conversion, taking into account the energy efficiency of such conversion, together with a reference to the methodology used (in accordance with section C3.5.5(e));
- (h) Where the relevant Label Operator supports this, a label related to the pre-conversion energy (in accordance with Section C3.5.4(s)).

C3.6.3 EECS Conversion Issuance may only take place if all data items which are mandatory on the EECS Certificate for Output from EECS Conversion Issuance according to Subsidiary Document “HubCom” are present on the EECS Certificate for Input to EECS Conversion Issuance, or if there is an alternative and reliable source of such data.

C3.6.4 The Issuing Body shall take the necessary steps to ensure that where GOs are cancelled for the Input to a Production Device for Conversion, the details of the cancelled GOs are correctly transposed in the GOs issued for the Conversion.

C3.6.5 The Issuing Body shall ensure qualitative verification takes place on the cancelled EECS Certificate for the Input to the Conversion Issuance.

C3.7 DATA REGISTRATION RELATED TO EECS STORAGE ISSUANCE

C3.7.1 Where EECS Certificates are issued for energy flowing out of a Storage System while EECS Certificates are Cancelled for proving the Attributes of the energy fed into the Storage System as in section C3.2.4(a)(ii), the Attributes of these Issued EECS Certificates are the same as on those cancelled EECS Certificates for the Input into Storage, except for:

- (a) the following Attributes which are new data, relating to the relevant Issuing Body, the Storage System or the energy flowing out of it:
 - (i) the unique identification number of the certificates, as in C3.5.4(b);
 - (ii) the production period as in C3.5.4 (d,e) and C3.5.5 (c, d);
 - (iii) the country of Issue as in C3.5.4(i);

- (iv) the dissemination level of Output as in C3.5.4(t);
- (b) Attributes related to any carbon footprint (as in section C3.5.5(b)), if any, which are calculated, following the methodology as referred to on the Certificate.

C4 EECS TRANSFER SYSTEM

C4.1 GENERAL

- C4.1.1 Each EECS Member shall ensure that its manual and automated information systems for the Issue, holding and transfer of EECS Certificates are able to support audit of all transactions with respect to EECS Certificates held on its EECS Registration Database or transferred to or from such EECS Registration Database.
- C4.1.2 Member's Systems shall, to the extent such Subsidiary Documents are applicable, comply with the Subsidiary Document "*HubCom*".
- C4.1.3 Each Member shall use in connection with any EECS Scheme the EECS Registration Database and Transfer Links approved for the purposes of that EECS Scheme.

C5 TRANSFERS

C5.1 TRANSFER REQUESTS

- C5.1.1 A Member shall only accept a Transfer Request from the duly authorised personnel of an Account Holder (or of a trading exchange duly authorised by the Account Holder) with respect to an EECS Certificate held on that Account Holder's Transferables Account on that Member's EECS Registration Database.
- C5.1.2 A Member shall retain all records to which it has had access relating to any EECS Certificate on its EECS Registration Database which is the subject of a Transfer Request for not less than 6 years after its Cancellation or Expiry (or such longer period as may be required by applicable national legislation).
- C5.1.3 Where a Scheme Member receives a Transfer Request with respect to one or more Scheme Certificates held in a Transferables Account on its EECS Registration Database, the Scheme Member shall, having confirmed that the Transfer Request is valid:
 - (a) remove from that Transferables Account the details of the EECS Certificate(s) specified in the Transfer Request;
 - (b) where the Transferee's Transferables Account specified in the Transfer Request is in its own EECS Registration Database:
 - (i) include the full details of the EECS Certificate(s) referred to in Section (a) above in the Transferee's Transferables Account;
 - (ii) confirm, to the Transferor, the identity of the EECS Certificates so transferred and any EECS Certificate split in connection with such transfer by reference to their unique identifying number(s) and Face Values; and
 - (iii) confirm, to the Transferee, the identity of the Transferor and of the EECS Certificates so transferred by reference to their unique identifying number and Face Values; and
 - (c) where the Transferee's Transferables Account specified in the Transfer Request is on another Member's EECS Registration Database:
 - (i) notify that other Member of that Transfer Request;
 - (ii) send the full details of the EECS Certificates referred to at Section (a) above to that other Member's EECS Registration Database in accordance with the provisions of the Subsidiary Document "*HubCom*". These details are preferably sent via the Hub;
 - (iii) record on its own EECS Registration Database, the export of such EECS Certificates; and
 - (iv) on receipt of confirmation from that other Member, which, as the case may be, may come from either the Hub or from that other Member directly, that the transfer has

been completed, confirm to the Transferor of the identity of that other Member's EECS Registration Database and of the EECS Certificates so transferred and of any EECS Certificate split in connection with such transfer by reference to their unique identifying numbers and Face Values.

- C5.1.4 Where a Scheme Member receives a Transfer Request with respect to a Scheme Certificate with a Face Value greater than the Face Value required in the Section of PART IV of the EECS Rules establishing the relevant EECS Scheme and in relation to which the Transferables Account of the Transferee is held on the EECS Registration Database of another Member, the Member shall split that EECS Certificate into EECS Certificates in accordance with Section C8 and the Transfer Request shall be treated as a Transfer Request in respect of each of the EECS Certificates Issued as a consequence of that splitting.
- C5.1.5 Where a Scheme Member receives a Transfer Request with respect to a Scheme Certificate which specifies a quantity of Output which is less than the Face Value of that Scheme Certificate, the Member shall split that Scheme Certificate (in accordance with Section C8) and the Transfer Request shall be treated as a Transfer Request in relation to EECS Certificates Issued as a consequence of that splitting with an aggregate Face Value equal to the quantity of Output specified in such request.
- C5.1.6 Where a Scheme Member is notified by another Scheme Member of a Transfer Request, which, as the case may be, may come from either the Hub or from that other Member directly, and pursuant thereto receives details of a Scheme Certificate with the account number for a Transferables Account on its own EECS Registration Database, it shall:
- (a) insert the full details of that Scheme Certificate in that Transferables Account;
 - (b) confirm to the Member that notified it of such Transfer Request that the transfer of that Scheme Certificate has been completed. Such confirmation should be sent via the Hub when appropriate; and
 - (c) confirm, to the Transferee, that such Scheme Certificate has been transferred by reference to its unique identifying number and Face Value.
- C5.1.7 Where a Scheme Member is notified by another Scheme Member of a Transfer Request, which, as the case may be, may come from either the Hub or from that other Member directly, and pursuant thereto receives an account number which does not correspond with an account number for a Transferables Account on its own EECS Registration Database, each such Member shall use reasonable endeavours to exchange information such that the correct account number can be identified, failing which:
- (a) the full details of the EECS Certificate shall be re-entered into the Transferor's Transferables Account on the relevant EECS Registration Database and that EECS Registration Database shall be amended so that the EECS Certificate is no longer recorded as having been exported; and
 - (b) all details of the EECS Certificate shall be removed from the other EECS Registration Database.

C5.2 PROHIBITIONS – USE OF THE HUB

- C5.2.1 A Scheme Member of any EECS Scheme may not transfer (or attempt to transfer), directly or via the Hub, a Scheme Certificate:
- (a) to another Scheme Member other than between their respective EECS Registration Databases in respect of that EECS Scheme; or
 - (b) to a Member that is not a Scheme Member of that EECS Scheme.

A Competent Authority, its duly authorised agent or a Registry Operator appointed by it, which may be a Member of the AIB or not, may become a Hub User and consequently use the Hub for transfers, excluding other means of transfer or separate arrangements in this respect, only after concluding a Hub Participant Agreement with the AIB and having fulfilled the conditions precedent for grant of access set out therein.

- C5.2.2 A Scheme Member of any EECS Scheme may not receive (or attempt to receive), directly or via the Hub, transfers of Scheme Certificates other than into its EECS Registration Database from the EECS Registration Database of a Scheme Member of that EECS Scheme or of a Hub User.
- C5.2.3 A Member shall not permit the transfer of an EECS Certificate which has been Cancelled, Withdrawn or the validity of which has Expired.
- C5.2.4 Once a Certificate has been held in the Registry of a non-Hub User, it may never be transferred through the Hub again. A Scheme Member is only allowed to use the Hub when transferring Certificates to any other Hub User, excluding other means of transfer or separate arrangements in this respect. However, this does not prevent the Scheme Member to (1) import through a bilateral connection in its own Registry a Certificate that was Issued by a Competent Authority that is not a Hub User (even if the Certificate is compliant with EECS and the Subsidiary Document “HubCom”) and to (2) transfer such Certificate through a bilateral connection.

C6 END OF LIFE CYCLE OF AN EECS CERTIFICATE

- C6.1.1 An EECS Certificate shall cease to be valid when:
- (a) it is Cancelled in accordance with a valid Cancellation request made under Section C8;
 - (b) it is Withdrawn, as the case may be:
 - (i) in accordance with Section C8.2;
 - (ii) in accordance with Section C8.4.2 with the purpose of rectifying errors; or
 - (c) its validity Expires in the manner and time set out in the Product Rules for the relevant EECS Product.

C7 CANCELLATION

C7.1 GENERAL

- C7.1.1 A Scheme Member may Cancel a Scheme Certificate solely:
- (a) for use in its own Domain (in relation to any EECS Product in respect of the relevant Output);
or
 - (b) for use in a Domain (in relation to any EECS Product) of another Scheme Member; provided:
 - (i) it is not possible to transfer EECS Certificates directly or via the Hub to a Scheme Member for the other Domain; and
 - (ii) a Cancellation Agreement exists between the Cancelling Scheme Member and the Scheme Member for the other Domain; and
 - (iii) such Cancellation Agreement requires:
 - 1 the provision by the Cancelling Scheme Member to the Scheme Member for the other Domain of statistical information concerning Cancelled EECS Certificates; and
 - 2 the inclusion on any related Cancellation Statement of the identity of the Domain, Account Holder, and purpose for which the EECS Certificates were Cancelled; or
 - (c) for use in any country or region which is not a Domain, provided:
 - (i) there is export of energy of the corresponding Energy Carrier from the cancelling country to the destination country; and
 - (ii) automated transfer of GOs is temporarily impossible due to technical difficulties; and
 - (iii) the Cancelling Issuing Body provides information on the Cancelled Certificates to the Issuing Body of the country in which the beneficiary of the Cancelled Certificates is located; and

- (iv) the inclusion on any related Cancellation Statement of the identity of the country for which the GOs are Cancelled.

- C7.1.2 Any Scheme Member entering into a Cancellation Agreement with another Scheme Member must inform the Secretary General within one month of doing so.
- C7.1.3 A Member may only Cancel Certificates for which they are Scheme Member, unless it is for the purpose of EECS Conversion Issuance, in relation with Issuance of a Certificate under the Scheme to which they are Scheme Member.
- C7.1.4 A Member may only Cancel EECS Certificates for EECS Conversion Issuance that takes place in the same geographical area as for which the Member is a Scheme Member
- C7.1.5 A Member may only Cancel an EECS Certificate with the goal of Issuing a new Certificate under another Certification Scheme, if they can ensure that the following are still safeguarded relating to the original Certificate:
- (a) the uniqueness of the Attributes: the new Certificate uniquely represents the Attributes of the original EECS Certificate; and
 - (b) the Purpose : the new Certificate incorporates the Purpose of the original EECS Certificate, including that
 - (i) the principle set out in section C7.1.6 below is ensured for the new EECS Certificate, and
 - (ii) in case this original EECS Certificate did not convey the Purpose of Disclosure, this Purpose of Disclosure shall not be attributed to the new Certificate.
- C7.1.6 Where the Purpose of a Certificate is Disclosure,
- (a) it shall be ensured that it is cancelled for this goal, being provision of information to a final customer on the share or quantity of the energy supplied to them as having specific Attributes;
 - (b) it shall only be cancelled to demonstrate the origin of energy consumed before the date of cancellation of the Certificate.

C7.2 CANCELLATION REQUEST

- C7.2.1 A Cancellation Request is a request for the Cancellation of a number of EECS Certificates made by the duly authorised personnel of an Account Holder and containing the following information:
- (a) The Account Holder requesting Cancellation of the EECS Certificates;
 - (b) The relevant Production Device identity(s) or category(ies) by Technology Type and Source Type as identified in EECS Fact Sheet “Types of Energy Inputs and Technologies”;
 - (c) The relevant number of EECS Certificates associated with each Production Device or category listed in Section (b) above to be Cancelled;
 - (d) The relevant production period(s);
 - (e) The usage into which this Cancellation falls, where this may be one of:
 - (i) Support, where the certificate is being Cancelled in order to receive financial support; and/or
 - (ii) Disclosure, where the certificate is being Cancelled under a labelling scheme or as proof of supply to consumers or for own use, and has not been used in order to receive financial support; and/or
 - (iii) Target accounting, where the Certificate is being Cancelled for accounting Compliance towards a policy target; or
 - (iv) EECS Conversion Issuance, where the EECS certificate representing Input to a Production Device is being Cancelled in relation with the issuance of an EECS Certificate corresponding to Energy Carrier Conversion; or

- (v) Storage, where an EECS certificate representing energy fed into a Storage System is being Cancelled in relation with the issuance of an EECS Certificate following release of energy from Storage in accordance with section C3.2.4; or
- (vi) Issuance of a Certificate under another Certification Scheme, ensuring that the uniqueness of the Attributes and the Purpose of the original Certificate are still safeguarded, indicating whether it is recognised by either:
 - the Member, and/or
 - the legislative framework in which it operates, and/or
 - AIB, and/or
 - another party and its identity; or
- (vii) Other, for any other purpose.

The possible usages for Cancellation under each EECS Scheme are set out in the Section of PART IV of the EECS Rules establishing that EECS Scheme;

- (f) Information about the beneficiary or beneficiaries of the Cancellation, being:
 - (i) The usage category, type and identity of the beneficiary, being clarified for each of these categories as follows:

Usage	Type of beneficiary	Identity of the beneficiary
The original Purpose of the Certificate, being either Disclosure, Support and/or Target compliance accounting	“Energy supplier” or “End consumer”	The identity of the energy supplier or of the end consumer, as appropriate.
EECS Conversion Issuance	“Conversion Production Device operator”	The identity of the Conversion Production Device and its operator
Storage	“Storage System”	The identity of the Storage System and its operator
Issuance of another Certificate	“Other Certification Scheme”	<ol style="list-style-type: none"> 1. The identity of the Certification Scheme, and 2. The identity of the Operator of that scheme, and 3. The Purpose(s) of Certificates issued under that Certification Scheme, and 4. The party who recognized that Certification Scheme, being either: <ol style="list-style-type: none"> a) the Member, b) the legislative framework in which it operates, or c) AIB, or d) another party and its identity.

- (ii) The country (and, if known, the location within that country) where the energy associated with the Cancellation is consumed;
- (iii) Where relevant, the brand name of the product associated with this Cancellation; and

- (g) The period during which the associated energy has been consumed, or in case of supply in bulk, the date of delivery;
- (h) A declaration that the requested cancellation corresponds with the contractual supply of energy in the same Energy Carrier as the Energy Carrier identified on the Certificate, or where the Certificate is for Gas, the same Type of Gas as the Type of Gas identified on the Certificate;
- (i) Any other information related to specific Energy Carriers if explicitly mentioned in PART IV.

C7.2.2 Where a Member receives a Cancellation Request from an Account Holder (which may or may not be a Cancelling Body) to Cancel an EECS Certificate held in that Account Holder's Transferables Account on that Member's EECS Registration Database, the Member shall:

- (a) remove the details of that EECS Certificate from that Transferables Account and insert the details of that EECS Certificate in the Cancellation Account of the Cancellation Body which made, or is specified, in that request;
- (b) or mark that EECS Certificate as having been Cancelled;
- (c) provide the Account Holder with access to the full details of that EECS Certificate certifying that it has been Cancelled; and
- (d) provide details of the Cancelled EECS Certificate to the Cancelling Body and its auditors where requested to do so and, where relevant and where one has been appointed for a Domain, the Competent Authority for that Domain, and the relevant Product.

C7.2.3 A Member who is not a Scheme Member of an EECS Scheme shall not Cancel any Scheme Certificates.

C7.2.4 A Member shall not consider a Cancellation Request to be valid unless it is reassured that the requested Cancellation corresponds with the same type of Output as the energy medium identified on the Scheme Certificate in accordance with Section C3.5.4(a).

C7.3 CANCELLATION STATEMENTS

C7.3.1 A Member may issue Cancellation Statements in respect of the Cancellation of EECS Certificates, provided that:

- (a) the request for a Cancellation Statement is made by an Account Holder in relation to Certificates that have been Cancelled from the Transferables Account of that Account Holder in accordance with Section C7.1;
- (b) the Cancellation Statement is Issued in the format identified for the relevant EECS Product in the relevant Domain Protocol of that Member, and shall display:
 - (i) a statement that it relates to the Cancellation of Scheme Certificates;
 - (ii) the account number, name and address of the Account Holder that made the request;
 - (iii) information about the beneficiary or beneficiaries of this Cancellation, being
 - 1 The usage category, type and identity of the beneficiary, in accordance with what is reported under section C7.2.1(f);
 - 2 Where the beneficiary is an energy supplier, the identity of the energy supplier or where the beneficiary is an end-consumer, the identity of the end-consumer or end-consumer group or in case of EECS Conversion Issuance, the identity of the Production Device in which the energy is being converted into another energy carrier;
 - 3 The country (and, if known, the location within that country) where the energy associated with the Cancellation is consumed; and
 - 4 The brand name of the product associated with this Cancellation, if one has been specified in the associated Cancellation Request;
 - (iv) a statement that the environmental qualities of the associated energy have been consumed and that this Cancellation Statement and these Certificates included in it may not be transferred to any party other than the beneficiary as identified in this statement;

- (v) the identity and energy carrier of each EECS Certificate to which the Cancellation Statement relates;
- (vi) the date of producing the Cancellation Statement; and
- (vii) the period during which the associated energy has been consumed;
- (viii) the date of producing the Cancellation Statement;
- (ix) a unique identification number of the Cancellation Statement;
- (x) where the Cancellation would lead to the Issuance of a Certificate under another Certification Scheme:
 - 1 an indication that this is the case, an identification of this Certification Scheme, the identity of the relevant Certification Scheme, its Purpose and the identity of the organisation who processes it;
 - 2 where the Purpose of a cancelled Certificate is Disclosure, an explicit statement that the new Certificate shall have the same Purpose, being provision of information to a final customer on the share or quantity of the energy supplied to them as having specific Attributes;
 - 3 in case this original EECS Certificate did not convey the Purpose of Disclosure, a statement that this Purpose of Disclosure shall not be attributed to the new Certificate and that the new Certificate does not entitle to inform consumers on the origin of the energy supplied to them;
- (xi) other information related to specific EECS Products if explicitly mentioned in section IV.

C7.3.2 When producing a Cancellation Statement, a Scheme Member shall record in its EECS Registration Database the Scheme Certificates that are included in that Cancellation Statement, ensuring that each Scheme Certificate is included in no more than one Cancellation Statement.

C7.4 CANCELLATION REPORTING

C7.4.1 Where a Competent Authority exists for supervision of Disclosure in a Domain, the Scheme Member shall dispose to this Competent Authority its statistics on Cancelled Scheme Certificates for consumption in this Domain, per category mentioned in section C7.2.1(e) and (h).

C8 OTHER PROCESSING OF EECS CERTIFICATES

C8.1 SPLITTING

C8.1.1 A Member on whose EECS Registration Database an EECS Certificate is held may (at the explicit request of the Account Holder or in connection with a Transfer Request) split an EECS Certificate in a Transferables Account by deleting it and replacing it with EECS Certificates identical with that EECS Certificate in every respect save as to their denominations in units of Output as defined in the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output and any unique identification numbers, provided that the aggregated Face Values of the replacement EECS Certificates is the same as the Face Value of the original EECS Certificate.

C8.2 WITHDRAWALS

C8.2.1 A Member may Withdraw an EECS Certificate held in a Transferables Account on its EECS Registration Database at the request of the Account Holder of that Account, or otherwise in accordance with the provisions of the relevant Product Rules.

C8.3 EXPIRY

C8.3.1 The status of an EECS Certificate which has Expired as set out in Section C6.1.1 above shall be recorded as Expired in the EECS Registration Database in which it is held at such time.

C8.4 ERRORS

C8.4.1 Where an error is introduced (subsequent to its Issuance) into, or with respect to, an EECS Certificate held in an Account Holder's Transferables Account in a Member's EECS Registration Database:

- (a) in the course of its transfer into that Account; or
- (b) during such time as it is in such Account,

that Member shall correct the error in or with respect to that EECS Certificate and any errors replicated in EECS Certificates split from it, provided that such EECS Certificate(s) have not been transferred out of that Transferables Account.

C8.4.2 A Member may Withdraw or alter an EECS Certificate held in its EECS Registration Database to give effect to an agreement reached with an EECS Market Participant under provisions of its Standard Terms and Conditions that meet the criterion at Section E7.1.1.

C8.4.3 A Member may alter an EECS Certificate held in its EECS Registration Database so as to rectify an error which occurred prior to its transfer into the Account in which it is held at such time, provided:

- (a) the Account Holder has agreed to such alteration;
- (b) it is reasonably satisfied that any unjust enrichment of an EECS Market Participant as a consequence of such error has, to the extent reasonably practicable, been nullified; and
- (c) it is reasonably satisfied that the alteration itself does not give rise to undue enrichment of the Account Holder.

C8.4.4 Each Member shall afford each other Member all such co-operation as may be required to identify and rectify errors in EECS Certificates in a timely manner.

C8.5 PROHIBITION

C8.5.1 A Member shall not alter the details of any EECS Certificate (save with respect to the Account in which it is held) or delete any EECS Certificate once it has been Issued save as provided by the provisions of Section C8.4.

D EECS PRODUCTS

D1 INTRODUCTION

D1.1 GENERAL

- D1.1.1 This Section D establishes the criteria to be met by any Product for it to be incorporated into an EECS Scheme as an EECS Product and for a Member to be approved as an Authorised Issuing Body in respect of that Product.
- D1.1.2 Additional criteria to be satisfied by EECS Products are set out in the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output.
- D1.1.3 The criteria may be met by the Legislative Certification Scheme or ICS Rules, as appropriate, in either case as supplemented by the Domain Protocol for the relevant Domain.
- D1.1.4 In addition to satisfying the criteria referred to in this Section D, Legislative Certificate Schemes and, where appropriate, ICS Rules in relation to a Product may include further provisions consistent with the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output, and the Core Principles as set out in Section A.

D1.2 ESTABLISHMENT OF PRODUCTS AS EECS PRODUCTS

- D1.2.1 The mechanism for acceptance of a Product into EECS as an EECS Product and recognition of a Member as an Authorised Issuing Body in respect of that EECS Product are set out at Section F.
- D1.2.2 Section F also sets out provisions with respect to circumstances in which an EECS Product cease to satisfy the criteria set out in this Section D and the Section of PART IV establishing the EECS Scheme in respect of the relevant Output.

D1.3 AIB EECS-DISCLOSURE

- D1.3.1 The AIB is the Scheme Operator of the EECS-Disclosure ICS. The Product Rules in respect of EECS-Disclosure incorporate Section N6 of PART IV and the provisions of the Domain Protocol implementing the aforementioned provisions with respect to Registrants and Account Holders in that Domain.
- D1.3.2 The Product Rules in respect of EECS-Disclosure for the purposes of those EECS Products incorporate:
- (a) with respect to procedures for registering Production Devices in an EECS Registration Database, the Production Device Registration Criteria specified in Section D4.1.2;
 - (b) with respect to the obligations of a Registrant in relation to the maintenance of a Production Device in an EECS Registration Base, the Registrant Compliance Criteria set out at Section D5.1.2;
 - (c) with respect to the measurement of Output and Inputs the Measurement Criteria specified at Section D6.1.2;
 - (d) with respect to the Issuing of EECS Certificates corresponding to the relevant EECS Product, the Certification Criteria set out at Section D7.1.2;
 - (e) with respect to the obligations of an Account Holder in respect of the transfer of an EECS Certificate corresponding to the relevant EECS Product Issuing, the Transfer Criteria set out at Section D8.1.2;
 - (f) with respect to the obligations of an Account Holder in respect of the errors or inaccuracies in an EECS Certificate corresponding to the relevant EECS Product, the Rectification Criteria set out at Section D9.1.2 (Rectification Criteria); and
 - (g) in relation to an Authorised Issuing Body's Domain with respect to EECS-Disclosure, the provisions of the Domain Protocol implementing such requirements with respect to that Domain.

D2 PRODUCT ACCEPTANCE CRITERIA

D2.1 GENERAL

D2.1.1 The following provisions of this Section D2 set out specific criteria for Products to be accepted into EECS as EECS Products.

D2.1.2 For a Product to be accepted as an EECS Product:

- (a) the Product must be either a type of Guarantee of Origin or Support Certificate or Target Certificate under a Legislative Certification Scheme established by the laws of a European state, or a Product established under an Independent Criteria Scheme, and in each such case compliant with the relevant requirements of Section D2.2 to D2.5;
- (b) at least one Member must be approved as an Authorised Issuing Body in respect of a Domain for the purposes of that Product;
- (c) the Product Rules must comply with the provisions of Sections D4 to D9
- (d) the PD Qualification Criteria and Output Criteria for that Product must be consistent with the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output.

D2.2 GUARANTEES OF ORIGIN

D2.2.1 For a type of a Guarantee of Origin to be accepted as an EECS Product:

- (a) an EECS Certificate Issued by the Authorised Issuing Body corresponding to that type of Guarantee of Origin must either:
 - (i) constitute a National Scheme Certificate under the Legislative Certification Scheme in relation to the relevant Product and Domain; or
 - (ii) be derived from and incorporate the relevant electronic data from a National Scheme Certificate issued under such Legislative Certification Scheme;
- (b) the type of Guarantee of Origin must relate to either or both of:
 - (i) the energy source for the associated Output; and
 - (ii) the technology used in producing the associated Output; and
- (c) there is a demonstrable demand for the international transfer of EECS Certificates corresponding to that type of Guarantee of Origin.

D2.3 SUPPORT CERTIFICATES

D2.3.1 For a type of Support Certificate to be accepted as an EECS Product:

- (a) an EECS Certificate Issued by the Authorised Issuing Body corresponding to such type of Support Certificate must either:
 - (i) constitute a National Scheme Certificate under the Legislative Certification Scheme in relation to the relevant Product and Domain; or
 - (ii) be derived from and incorporate the relevant electronic data from a National Scheme Certificate issued under such Legislative Certification Scheme; and
- (b) the type of Support Certificate must relate to either or both of:
 - (i) the energy source for the associated Output; and
 - (ii) the technology used in producing the associated Output; and
- (c) there is a demonstrable demand for the international transfer of EECS Certificates corresponding to that type of Support Certificate.

D2.4 ICS CERTIFICATES

D2.4.1 For a type of ICS Certificate to be accepted as an EECS Product:

- (a) the type of ICS Certificate must relate either to:
 - (i) the energy source for the associated Output;
 - (ii) the technology used in producing the associated Output;
- (b) the Scheme Operator of the relevant ICS Scheme must have entered into an agreement with the AIB regarding the operation of that ICS Scheme.

Independent Criteria Schemes may only be added to or removed from the Fact Sheet “*Independent Criteria Schemes*” by the Secretary General and with the support of the relevant Scheme Group.

D2.5 TARGET CERTIFICATE

For a type of Target Certificate to be accepted as an EECS Product:

It shall be assured that the corresponding Target Accounting Scheme acknowledges that the eligibility for Target accounting is transferred together with the corresponding Target Certificate.

Its Purpose, as in C3.5.4(p) is referred to as Target.

D3 AUTHORISATION CRITERIA

D3.1 GENERAL

D3.1.1 This Section D3 sets out the criteria for a Member to Issue EECS Certificates corresponding to an EECS Product (the Authorisation Criteria).

D3.1.2 The Authorisation Criteria for a Member in respect of an EECS Product are that:

- (a) the Member is a Scheme Member of the EECS Scheme in respect of the relevant type of Output;
- (b) where the EECS Product is type of Guarantee of Origin and/or Support Certificate, and/or Target Certificate, the Member is either:
 - (i) a Competent Authority in relation to that EECS Product and the relevant Domain; or
 - (ii) its agent for the purpose of Issuing Certificates under the relevant Legislative Certification Scheme, with respect to any Production Device located in the relevant Domain(s); and

in each such case (subject only to the consent of the owner and/or operator of the relevant Production Device) entitled to:

- 1 receive and use the data contained in Certificates issued in electronic form under the relevant Legislative Certification Scheme for the purposes contemplated by the EECS Rules; and
 - 2 grant the licence referred to in Section M4.1.1 with respect to such data; and
- (c) where the EECS Product is an ICS Certificate, the Member either:
 - (i) has been appointed by the Scheme Operator of the relevant ICS Scheme to Issue Certificates under that ICS Scheme in respect of Production Devices in the relevant Domain(s); or
 - (ii) meets such other Authorisation Criteria as are specified in relation to that EECS Product in the Section of PART IV which establishes the EECS Scheme for the relevant Output);
 - (d) each of the Member’s proposed Member’s Agents with respect to that EECS Product is an Approved Member’s Agent for the purposes of the functions specified in relation to it in the relevant Domain Protocol;
 - (e) each of the Member’s Domains with respect to that EECS Product satisfies the requirements of Section E5.2;
 - (f) its Standard Terms and Conditions for the relevant EECS Product and Domain(s) satisfy the requirements of Section E7;

- (g) its Domain Protocol for each Domain in relation to that EECS Product satisfies the requirements of Section E6.2;
- (h) information recorded on the relevant EECS Registration Database with respect to each Production Device in its Domain(s) registered for the purposes of that EECS Product will be made available to any EECS Market Participant to the extent (if any) required by the Section of PART IV of the EECS Rules setting out the requirements for the relevant Output;
- (i) subject to Section (j) below, all information required for the determination of the Output of Production Devices within its Domain(s) and the calculation of Output Certifiable for the purposes of the EECS Product will be collected and processed by Authorised Bodies;
- (j) in the absence of an Authorised Measurement Body responsible for any function specified in Section (i) above in relation to the Domain(s), the relevant function will be conducted by the Member itself, or by an Approved Measurement Body on behalf of the Registrant of the relevant Production Device.

D4 PRODUCTION DEVICE REGISTRATION CRITERIA

D4.1 GENERAL

D4.1.1 The Product Rules with respect to procedures for registering Production Devices in an EECS Registration Database for the purposes of an EECS Product shall be clear, unambiguous and non-discriminatory and must satisfy the criteria set out at Section D4.1.2 (PD Registration Criteria).

D4.1.2 The PD Registration Criteria are as follows:

- (a) a Production Device may only be registered in an EECS Registration Database for the purposes of the Product by:
 - (i) the owner of the Production Device; or
 - (ii) an Account Holder duly authorised by the owner, which has provided adequate evidence:
 - 1 of such authorisation; and
 - 2 that it can comply with the requirements of the Product Rules with respect to the imposition of duties on the owner and/or operator of the Production Device;
- (b) applicants for registration of a Production Device for the purposes of the Product are obliged to provide the following information to the Authorised Issuing Body:
 - (i) the applicant's name and address and any additional contact details;
 - (ii) the Product with respect to which it is applying for registration;
 - (iii) the Transferables Account into which EECS Certificates (corresponding to the Product) in respect of the Output of such Production Device are to be Issued, or a request to open such an account;
 - (iv) the location of the Production Device, being its:
 - 1 latitude and longitude in accordance with the EECS Rules Fact Sheet "*Geographical Coordinates*"; and/or
 - 2 country, city, and postal code;
 - (v) details of the Exit Measurement Point(s) for the Production Device;
 - (vi) details of any Production Auxiliaries associated with the Production Device;
 - (vii) where there are Production Auxiliaries associated with the Production Device and the consumption of these Production Auxiliaries is not determined at an Exit Measurement Point, details of Entry Measurement Point(s) at which the Input consumed by the Production Device is determined;
 - (viii) (irrespective of whether or not there is any intention to use such Inputs in connection with the Production Device) all Inputs that may be converted into Outputs by the

- Production Device, by reference to the Input types set out in the EECS Rules Fact Sheet *"Types of Energy Inputs and Technologies"*;
- (ix) the type of Production Device, where this reflects the relevant fuel source(s) for and technology of that Production Device by reference to the fuel sources and technologies set out in the EECS Rules Fact Sheet *"Types of Energy Inputs and Technologies"*;
 - (x) the Capacity of the Production Device;
 - (xi) where at the time of such application it has been commissioned, the date on which that Production Device was commissioned;
 - (xii) the identity of the Authorised Measurement Body or, where appropriate, Approved Measurement Body responsible for collecting and determining the measured values of the Outputs of the Production Device and providing such measured values to the Member;
 - (xiii) details of any payments (other than payments arising from the sale of EECS Certificates):
 - 1 which have been received by any person in relation to the Production Device under any of the Public Support schemes set out in the EECS Rules Fact Sheet *"Types of Public Support"*; and
 - 2 that are due to accrue to any person in relation to the Production Device under any such Public Support scheme; and
 - (xiv) a diagram of that Production Device, including details of the location of:
 - 1 the Exit Measurement Point(s) for the Production Device;
 - 2 any Production Auxiliaries for the Production Device; and
 - 3 any Entry Measurement Points for the Production Device; and
 - (xv) the name commonly used to identify the Production Device, provided that the applicant agrees to this information being recorded on EECS Certificates that are Issued in relation to the Production Device;
 - (xvi) where the Production Device is accredited to a Label Scheme, the identity of that Label Scheme;
- (c) applicants for registration of a Production Device for the purposes of the EECS Product are obliged to provide the Authorised Issuing Body (or a Production Registrar appointed by it) access to the Production Device together with records relating thereto so as to verify the information provided in connection with that application, and any application for Registration is to be rejected where such access is not provided on reasonable request;
- (d) the Production Device meets the PD Qualification Criteria for the relevant Product;
- (e) the measurement arrangements for the Inputs and Outputs of the Production Device (including Output consumed in storing energy to be used by that Production Device) satisfy the Product Rules for the relevant Product.

D5 REGISTRANT COMPLIANCE CRITERIA

- D5.1.1 The Product Rules with respect to the obligations of a Registrant in relation to the maintenance of the registration of a Production Device in an EECS Registration Database for the purposes of an EECS Product must meet the criteria set out at Section D5.1.2 (Registrant Compliance Criteria).
- D5.1.2 The Registrant Compliance Criteria are that the Registrant of a Production Device for the purposes of the EECS Product is required:
- (a) to notify the Authorised Issuing Body, in advance of such changes coming into effect, of any planned changes that will result in:
 - (i) the information recorded in the Authorised Issuing Body's EECS Registration Database in relation to the Production Device becoming inaccurate; or

- (ii) the PD Qualification Criteria for any Product ceasing to be satisfied with respect to that Production Device; and
- (b) to notify the Authorised Issuing Body of any unplanned changes that have resulted in:
 - (i) the information recorded in the Authorised Issuing Body's EECS Registration Database in relation to the Production Device becoming inaccurate; or
 - (ii) the PD Criteria for the EECS Product ceasing to be satisfied with respect to that Production Device;
- (c) where requested to do so, to permit the Authorised Issuing Body Member (or its Production Registrar), its servants or agents to inspect that Production Device including, if so required, without prior notice;
- (d) to provide the Authorised Issuing Body (or its Production Auditor), its servants and agents with access to such records as the Authorised Issuing Body (or Production Auditor) may request in relation to that Production Device, its Outputs and Inputs, including, if so required, without prior notice;
- (e) to re-apply for registration for the Production Device for the purposes of the Product on each occasion that it notifies the Authorised Issuing Body of changes that have occurred, or are planned, with respect to that Production Device, which as the case may be, have resulted in, or will result in, the information recorded in the EECS Registration Database with respect to that Production Device becoming inaccurate.

D6 MEASUREMENT CRITERIA

D6.1 GENERAL

D6.1.1 The Product Rules with respect to the measurement of Output and Inputs for the purposes of an EECS Product must meet the criteria set out at Section D6.1.2 (Measurement Criteria).

D6.1.2 The Measurement Criteria are as follows:

- (a) the Registrant of a Production Device for the purposes of the EECS Product is responsible for the delivery, quality, and accuracy of measured values with respect to the Output of that Production Device; and
- (b) the Measurement Frequency shall be as required by the legislation and regulations that are applicable in the country in which that Production Device is situated. If no such legislation or regulation is applicable, then the Measurement Frequency shall be such that the period between measurements may not be more than twelve months
- (c) the Measurement Criteria specified in relation to the relevant Product in the Section establishing the EECS Scheme in respect of the relevant type of Output.

D7 CERTIFICATION CRITERIA

D7.1.1 The Product Rules with respect to the Issuing of EECS Certificates corresponding to the relevant EECS Product must meet the criteria set out at Section D7.1.2 (Certification Criteria).

D7.1.2 The Certification Criteria are that EECS Certificates corresponding to the relevant Product:

- (a) may only be Issued in respect of Qualifying Output produced by an Originating Production Device which meets the PD Qualification Criteria for that Product
- (b) may only be Issued in relation to Qualifying Output notified in a Production Declaration which meets the requirements of the Section of PART IV establishing the EECS Scheme in respect of the relevant Output
- (c) may only be Issued in respect of Qualifying Output which meets the Qualification Criteria in respect of that EECS Product;
- (d) must specify the information in relation to such Output and the Originating Production Device specified in Section C3.5.4.

D8 TRANSFER CRITERIA

D8.1 GENERAL

- D8.1.1 The Product Rules with respect to the obligations of an Account Holder in respect of the transfer of an EECS Certificate corresponding to the relevant EECS Product must meet the criteria set out at Section D8.1.2 (Transfer Criteria).
- D8.1.2 The Transfer Criteria are that the Account Holder of a Transferables Account in relation to which a Transfer Request is made shall be obliged to retain all records to which they have had access relating to any EECS Certificate corresponding to the relevant EECS Product which is the subject of a Transfer Request for not less than 6 years after the Cancellation of such EECS Certificate (or such longer period as may be required by applicable national legislation).

D9 RECTIFICATION CRITERIA

D9.1 GENERAL

- D9.1.1 The Product Rules with respect to the obligations of an Account Holder in respect of the errors or inaccuracies in an EECS Certificate corresponding to the relevant EECS Product must meet the criteria set out at Section D9.1.2 (Rectification Criteria).
- D9.1.2 The Rectification Criteria are that:
- (a) if it transpires that the data in any EECS Certificate corresponding to the relevant EECS Product is inaccurate (whether or not through an act or omission of the Registrant of the Originating Production Device), the Member which Issued it shall:
 - (i) be entitled to Withdraw that EECS Certificate from where it is, at the time of such Withdrawal, in the Transferables Account of that Registrant; and
 - (ii) be entitled to recover the cost of securing the agreement of another Account Holder to the Withdrawal of Certificates of the same type from that other Account Holder's Transferables Account, where the EECS Certificate is not in the Transferables Account of that Registrant,
- so that, as far as reasonably practicable, EECS Certificates are Withdrawn with a Face Value and a financial value which make good the discrepancy.

PART III SCHEME ADMINISTRATION

E EECS SCHEMES

E1 INTRODUCTION

E1.1 GENERAL

E1.1.1 This Section E:

- (a) sets out provisions with respect to the establishment, nature, and effect of EECS Schemes, Domains, Domain Protocols and Members' Standard Terms and Conditions;
- (b) imposes obligations on Scheme Members of EECS Schemes and on Authorised Issuing Bodies in relation to EECS Products;
- (c) establishes the criteria for Scheme Members to become an Authorised Issuing Body in respect of an EECS Product; and
- (d) describes the nature of EECS Certificates.

E1.1.2 Matters particular to an individual EECS Scheme and individual EECS Products are dealt with in the Section of PART IV of the EECS Rules which establishes the relevant EECS Scheme.

E2 ESTABLISHMENT OF EECS SCHEMES

E2.1 GENERAL

E2.1.1 An EECS Scheme is established within EECS by a specific Section of PART IV of the EECS Rules.

E2.1.2 Further EECS Schemes may be established (and the EECS Rules amended by the introduction of further Sections of PART IV of the EECS Rules accordingly) from time to time, in accordance with Section L.

E2.2 EFFECT OF EECS SCHEMES

E2.2.1 An EECS Scheme enables Products relating to the relevant type of Output to be accepted into EECS as EECS Products and establishes obligations to be imposed on Registrants and Account Holders by Members in relation thereto.

E2.2.2 A Scheme Member of an EECS Scheme may Issue Certificates corresponding to EECS Products without complying with the EECS Rules in relation thereto. However, Certificates Issued in such circumstances are not EECS Certificates nor are they eligible for transfer under EECS.

E3 MEMBERSHIP OF EECS SCHEMES

E3.1 GENERAL

E3.1.1 A Member may, in accordance with, and subject to, the provisions of Section F, become a Scheme Member of any EECS Scheme.

E3.1.2 Members are admitted to EECS Schemes as Scheme Members in accordance with the provisions of Section F3. Subject to Section E3.1.3, a Scheme Member of an EECS Scheme shall remain a Scheme Member of that EECS Scheme until such time as it withdraws from the EECS Scheme in accordance with Section F8 or is expelled from it in accordance with Section F7.

E3.1.3 A Scheme Member shall temporarily cease to be a Scheme Member of an EECS Scheme for the period of any suspension in relation thereto under Section F.

E3.1.4 The members of each EECS Scheme and their respective Domains in relation to EECS Products relating to the relevant Output, in respect of which they are Authorised Issuing Bodies shall be set out in the EECS Rules Fact Sheet "*EECS Scheme Members and EECS Products*".

E3.2 ADMISSION CRITERIA

E3.2.1 A Member may not become a Scheme Member of any EECS Scheme unless:

- (a) the database it proposes to use as the EECS Registration Database for that EECS Scheme or that of any proposed Registry Operator meets the requirements of the Subsidiary Document "HubCom";
- (b) its Transfer Links or that of any Registry Operator which it appoints meet the requirements of the Subsidiary Document "HubCom";
- (c) the Transfer Links and the EECS Registration Database of the Member (and any proposed Registry Operator) and the processes to be used in connection therewith meet the requirements specified by any other Subsidiary Document for the purposes of this Section E3.2.1;
- (d) it is authorised as an Authorised Issuing Body in respect of at least one EECS Product in respect of the type of Output to which that EECS Scheme relates;
- (e) it has discharged all payments due from it to the AIB, including any outstanding membership fees;
- (f) it is not at such time suspended from any other EECS Scheme or in breach of a Rectification Order;
- (g) a Hub Participant Agreement with the AIB exists with regard to the relevant EECS Scheme; and
- (h) where the proposed EECS Product is an EECS GO in respect of RES-E, the Product Rules for that proposed EECS Product comprise a Legislative Certification Scheme and a Legislative Disclosure Scheme.

E3.3 CONSEQUENCES OF SCHEME MEMBERSHIP

E3.3.1 At any time during which it is admitted to an EECS Scheme a Scheme Member, subject to the provisions of the EECS Rules:

- (a) may become an Authorised Issuing Body in respect of an EECS Product in relation to the type of Output to which that EECS Scheme relates
- (b) may Issue Scheme Certificates corresponding to EECS Products in relation to which it is an Authorised Issuing Body;
- (c) on receipt of a Transfer Request, shall transfer Scheme Certificates from the appropriate Transferables Account in its EECS Registration Database to the EECS Registration Database of any other Scheme Member through the Hub; and
- (d) shall receive into the appropriate Account in its EECS Registration Database transfers of Scheme Certificates from the EECS Registration Database of any Scheme Member of the same EECS Scheme.

E3.3.2 A Scheme Member shall only provide services to Registrants and Account Holders in connection with any EECS Product on contractual terms substantially the same as the Standard Terms and Conditions annexed to its Domain Protocol.

E3.3.3 A Scheme Member shall monitor the transfers of Scheme Certificates within and to and from its EECS Registration Database.

E3.3.4 A Scheme Member shall by the 22nd of every month make available to the Secretary General the number of Scheme Certificates with respect to each EECS Product and each of its Domains and for each month, which, within the preceding twenty-five calendar months:

- (a) it has Issued;
- (b) (where relevant) have been transferred within its EECS Registration Database from Accounts associated with any Domain in one country to Accounts associated with a Domain in another country held on the same EECS Registration Database;
- (c) have been transferred into its EECS Registration Database from EECS Registration Databases of other Members;

- (d) have been transferred from its EECS Registration Database to EECS Registration Databases of other Members;
- (e) it has Cancelled:
 - (i) for use within its own Domain; and
 - (ii) for use in other Domains including sub-totals for each energy source and for each other Domain (or country, if no Domain exists for the relevant country); and
- (f) which have Expired.

E3.3.5 A Scheme Member shall contribute to the AIB annual report in respect of a calendar year within six months of the end of that calendar year on matters relating to the functioning and efficiency of the market in Scheme Certificates Issued or transferred to Transferable Accounts in its EECS Registration Database(s).

E3.3.6 The report referred to in Section E3.3.5 shall specify any institutional, structural, and legal impediments to the efficient functioning of the EECS Scheme within each of the Scheme Member's Domains.

E3.3.7 A Scheme Member shall at its own discretion conduct inspections of Production Devices registered on its EECS Registration Database and the associated Entry Measurement Point and Exit Measurement Point with a view to satisfying itself that:

- (a) the information recorded in relation thereto on the EECS Registration Database is accurate;
- (b) the Registrant and, where applicable, the owner and/or operator of the Production Device, is complying with all relevant obligations under the relevant Product Rules;
- (c) such Production Device meets the PD Qualification Criteria for the EECS Products in relation to which it is registered;
- (d) each Measurement Device, registering data that is being used to determine the amount of Output for the purposes of EECS certificates, is correctly positioned in order to measure the quantity needed for calculating the amount of GOs to be Issued;
- (e) the accuracy of the Measurement Devices involved in the calculation of the amount of GOs to be Issued, is acceptable in accordance with the existing regulatory framework and applicable standards; and
- (f) after onsite verification of the Production Device and its measurement equipment, the formula for calculating the amount of EECS certificates correctly reflects the amount of Output that qualifies for the purposes of EECS certificates, or whether amendments to this formula are needed.

E3.3.8 A Scheme Member shall at its sole discretion conduct ad hoc inspections of records associated with relevant Public Support in relation to Production Devices registered on its EECS Registration Database for the purposes of EECS Schemes.

E3.3.9 A Scheme Member shall endeavour to provide a system that ensures that:

- (a) the information provided in connection with applications for Registration of Production Devices on its EECS Registration Database for the purposes of EECS Products is verified as being complete and accurate;
- (b) EECS Certificates are only Issued in respect of Production Devices in its Domain for the purposes of an EECS Product that satisfy the PD Qualification Criteria for that EECS Product;
- (c) without prejudice to Section C8, no more than one EECS Certificate corresponding to the same EECS Product is Issued in respect of the same Output of a Production Device within its Domain(s);
- (d) EECS Certificates Issued in respect of Production Devices in its Domain for the corresponding EECS Products accurately reflect the amount of Output of the relevant type.

E3.3.10 A Scheme Member shall ensure that its procedures for:

- (a) the registration of Production Devices for the purposes of EECS Products under the relevant EECS Scheme; and
 - (b) the Issue, transfer, and Cancellation of Scheme Certificates;
- are robust, effective, efficient, and adequate.

E3.3.11 The Scheme Member shall verify the information provided in connection with an application to register a Production Device in its EECS Registration Database for the purposes of the relevant EECS Scheme and specific Products and conduct an inspection of such Production Device where appropriate.

E3.3.12 For the purposes of Section E3.3.11, an inspection of a Production Device is likely to be appropriate where:

- (a) the Scheme Member (or Production Registrar) is not familiar with the Production Device;
- (b) the Scheme Member (or Production Registrar) is familiar with the Production Device and the information provided in the relevant application does not accord with the Scheme Member's (or Production Registrar's) experience and prior information;
- (c) the Production Device is technologically novel or complex;
- (d) the information in the relevant application cannot otherwise be verified;
- (e) the relevant application relates to a Production Device which is or has previously been registered and specifies significant changes to the Production Device; or
- (f) this is specified in the Section of PART IV of the EECS Rules setting out the provisions for the relevant EECS Scheme;

but may be appropriate even where such circumstances do not apply.

E3.3.13 A Scheme Member shall seek, gain, and maintain recognition under such internationally recognised quality standards as the AIB may specify.

E3.3.14 Where the Product Rules for an EECS Product contain a Legislative Disclosure Scheme, Scheme Members shall, to the extent reasonably practicable, put in place appropriate mechanisms to ensure that EECS GOs in respect of the relevant Output are used as the sole proof of the qualities of the associated Output according to the relevant Product Rules and that no form of Disclosure is used in relation to Output to which such an EECS GO relates other than in connection with the cancellation of that EECS GO.

E4 AUTHORISED ISSUING BODIES

E4.1 GENERAL

E4.1.1 This Section E4 sets out the responsibilities of a Scheme Member with respect to EECS Products in relation to which it is an Authorised Issuing Body.

E4.1.2 The criteria for recognition of a Product as an EECS Product and for recognition of a member as an Authorised Issuing Body in relation to it are set out in Section D. The mechanism for approval of a Scheme Member as an Authorised Issuing Body for the purposes of an EECS Product and Domain is set out in Section F4.

E4.1.3 A Scheme Member shall temporarily cease to be an Authorised Issuing Body in relation to an EECS Product and Domain for the period of any suspension in relation thereto under Section F5.

E4.2 OBLIGATIONS

E4.2.1 An Authorised Issuing Body shall comply with those provisions of Product Rules in relation to its Domain(s) with respect to an EECS Product which apply to the Authorised Issuing Body itself.

E4.2.2 An Authorised Issuing Body shall (subject to obtaining the necessary approval of the AIB for any changes to its Domain Protocols under Section L5) ensure that the Domain Protocol in respect of each of its Domains secures that the Product Rules for EECS Product in relation to which it is an Authorised

Issuing Body comply with the provisions of Section D2.1.2 and the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output.

- E4.2.3 An Authorised Issuing Body shall institute applications for approval of proposed changes to Domain Protocols under Section L5 on a timely basis so as to enable the AIB (where appropriate) to approve any changes in good time to prevent any change to the terms of the EECS Rules or a relevant Legislative Certificate Scheme or Independent Criteria Scheme rendering the Product Rules in respect of any EECS Product in relation to which it is an Authorised Issuing Body non-compliant with the provisions of Section D2.1.2 and the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output.
- E4.2.4 It is the responsibility of an Authorised Issuing Body to secure that those aspects of Product Rules applicable to Registrants are enforced and that the sanctions and remedies for failures on the part of EECS Market Participants therewith are enforced.
- E4.2.5 It is recommended that an Authorised Issuing Body reports failures by EECS Market Participants to comply with the provisions of Product Rules to the Competent Authorities in relation to such matters. Such failures shall include behaviour by EECS Market Participants of which the Authorised Issuing Body is aware and which, in its reasonable opinion, amounts to a breach of Competition Law, or applicable law governing the conduct of financial markets.
- E4.2.6 An Authorised Issuing Body shall notify the AIB of any report made by it under Section E4.2.5 and shall provide the AIB with as much information in relation to such report as is consistent with any duty of confidentiality it may have to the relevant EECS Market Participant(s).
- E4.2.7 Where an Authorised Issuing Body determines that an EECS Market Participant is in breach of the Product Rules or determines that a Production Device does not meet PD Qualification Criteria for an EECS Product in relation to which it is registered, that Authorised Issuing Body shall:
- (a) take such action as is necessary to secure that it is compliant with Section E3.3.9(b), such action to include, in a case of material non-compliance by the Registrant, the withdrawal of registration of the relevant Production Device for the purposes of that EECS Product; and
 - (b) notify the AIB of such breach where the Authorised Issuing Body is of the reasonable opinion that such breach could affect the transfer of EECS Certificates out of its EECS Registration Database into the EECS Registration Database of another Member.
- E4.2.8 Where an Authorised Issuing Body is supporting a Label Scheme which is associated with an EECS Product and the relevant Production Device and/or Output qualifies for that Label Scheme, then the relevant Label Scheme identifier must be associated with the EECS Certificate on its Issue.

E5 DOMAINS

E5.1 INTRODUCTION

- E5.1.1 An Authorised Issuing Body's Domain in relation to an EECS Product is an area in relation to which it is an Authorised Issuing Body for the purposes of that EECS Product.
- E5.1.2 An Authorised Issuing Body may have more than one Domain in relation to any EECS Product.
- E5.1.3 The same area may be a Domain for the purposes of different EECS Products whether or not the same Member is an Authorised Issuing Body in respect of both EECS Products.
- E5.1.4 Domains are subject to approval by the AIB in accordance with the provisions of Section F4.
- E5.1.5 A Domain of a Member with respect to an EECS Product shall remain a Domain of that Member until such time as it ceases to be an Authorised Issuing Body in relation to that Domain and EECS Product, or withdraws from the relevant EECS Scheme in accordance with Section F8 or is expelled from it under Section F7.

E5.2 CRITERIA

- E5.2.1 The area of a Domain in relation to an EECS Product shall be defined in geographical or geopolitical terms or in such other manner as may be specified in the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output.
- E5.2.2 The area of any one Domain shall be such that inconsistent national or regional laws do not apply to EECS Certificates corresponding to the relevant EECS Product Issued in respect of Production Devices located in different parts of the Domain.
- E5.2.3 A Member may utilise the same EECS Registration Database in respect of Domains in different countries provided each Account on that Registration Database is associated with Domains in only one country and transfers of EECS Certificates from a Domain in one country to a Domain in another country are clearly identifiable and can be reported under Section E3.3.4.

E5.3 EXCLUSIVITY

- E5.3.1 Save as provided by Section E5.3.2, a Member's Domain in relation to an EECS Product shall not include any part of any other Authorised Issuing Body's Domain in respect of the same EECS Product and, where the Purpose of the EECS Product is Disclosure, of any other EECS Product used for the same purpose.
- E5.3.2 Section E5.3.1 shall not apply where each Authorised Issuing Body whose Domains coincide with that of another Authorised Issuing Body in relation to the same EECS Product have, in conjunction with each other, established arrangements that will secure to the satisfaction of the AIB:
- (a) that (by reason of their utilisation of a common database, or otherwise) no more than one EECS Certificate corresponding to the same EECS Product will be Issued in respect of the same Output of a Production Device; and
 - (b) that the AIB shall have full access to the records of each such Authorised Issuing Body in relation to the ongoing performance and maintenance of such arrangements.

E6 DOMAIN PROTOCOLS

E6.1 INTRODUCTION

- E6.1.1 The template of a Domain Protocol shall be approved by the EECS Unit.
- E6.1.2 Domain Protocols are prepared by Scheme Members but are subject to approval in accordance with the provisions of Section F4.
- E6.1.3 Changes to Domain Protocols are subject to the provisions of Section L.

E6.2 CRITERIA

- E6.2.1 Each Domain Protocol shall:
- (a) define the area and scope of the relevant Domain in clear, transparent, and unambiguous terms;
 - (b) specify the National Legislation and Originating Directive (if any) and the associated Competent Body for each EECS Product in respect of which the Scheme Member is an Authorised Issuing Body in relation to the relevant Domain;
 - (c) specify each Authorised Measurement Body, each Approved Member's Agent, and each Approved Measurement Body for each EECS Product in relation to which the Scheme Member is an Authorised Issuing Body with respect to the relevant Domain;
 - (d) secure that the Product Rules for each EECS Product in relation to which the Scheme Member is an Authorised Issuing Body with respect to the relevant Domain meet the requirements of Section D and the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output, including:

- (i) where the relevant Product is based on a Legislative Certification Scheme, by supplementing the Legislative Certification Scheme to that effect; and
 - (ii) where the relevant Product is based on an ICS, by implementing the ICS Rules with respect to Registrants and Account Holders;
 - (e) include change procedures enabling it to be amended so that the Product Rules in respect of each relevant EECS Product continue to meet the requirements of Section D notwithstanding any amendment to the EECS Rules or any Legislative Certification Scheme in respect of the relevant Domain. Such change procedures shall provide that a change to the Domain Protocol may only be implemented at the time provided for in a resolution by the relevant Scheme Group under Section L5.2;
 - (f) provide a clear and unambiguous summary of the Product Rules for each EECS Product in respect of the relevant type of Output, in relation to which the applicant is an Authorised Issuing Body;
 - (g) clearly state the Purpose of each EECS Product in relation to which the Scheme Member is an Authorised Issuing Body with respect to the relevant Domain;
 - (h) contain provisions regarding the time and manner of Expiry; and
 - (i) secure that each Account Holder in the relevant Domain shall not cancel an EECS Certificate for Disclosure of any other Energy Medium than that to which that EECS Certificate relates.
- E6.2.2 Subject to Section E6.2.3, for the purposes of enabling the Product Rules to meet the requirements of Section D and the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output, a Domain Protocol may require Registrants of Production Devices to waive rights or entitlements under the relevant Legislative Certification Scheme (or secure such waiver by the owner and/or operator of that Production Device).
- E6.2.3 Section E6.2.2 shall not apply in relation to Product Rules in respect of EECS Products based on a Legislative Certification Scheme where the relevant waiver would result in any EECS Certificate Issued with respect to a Production Device in the relevant Domain being invalid as a National Scheme Certificate.
- E6.2.4 Domain Protocols shall be published in English. Further versions may be published in languages appropriate to the relevant Domain.
- E6.3 EFFECT**
- E6.3.1 In relation to an EECS Product based on a Legislative Certification Scheme, the Domain Protocol of a Scheme Member supplements the terms of the Legislative Certification Scheme applicable in the Scheme Member's Domain in respect of that EECS Product.
- E6.3.2 In relation to an EECS Product based on an ICS, the Domain Protocol of a Scheme Member implements the ICS Rules with respect to Registrants and Account Holders in the Scheme Member's Domain in respect of that EECS Product.
- E6.3.3 A Domain Protocol establishes:
- (a) obligations owed by the relevant Scheme Member to the AIB in relation to the Scheme Members membership of the relevant EECS Scheme;
 - (b) obligations owed by the relevant Scheme Member to EECS Market Participants under its contracts with them; and
 - (c) (where applicable) obligations to be imposed by the relevant Scheme Member on its EECS Market Participants under its contracts with them, including remedies and sanctions for breaches of such obligations requirements (in addition to contractual and/or legal requirements, remedies and sanctions under the Product Rules).
- E6.3.4 For the purpose of determining the responsibilities of a Scheme Member to the AIB (including the obligations to be imposed by the Scheme Members on Registrants and Account Holders for the

purposes of that EECS Scheme and the remedies and sanctions to be imposed by the Scheme Member in the event of breach) the English version of the Domain Protocol shall take precedence over the versions published in other languages.

E7 STANDARD TERMS AND CONDITIONS

E7.1 CRITERIA

E7.1.1 A Member's Standard Terms and Conditions will contain at least the principles as set forth in the Model STC as published on the AIB website and in the Hub Participant Agreement.

A Member's Standard Terms and Conditions shall meet at least the following criteria:

- (a) their use will secure that the provisions of the Domain Protocol which supplement any Legislative Certification Scheme or ICS may be contractually enforced by the Member against its (solvent) Customers;
- (b) their use will secure that the provisions of the Product Rules referred to at Section (a) above (whether or not specified in the Domain Protocol) may be contractually enforced against its (solvent) Customers;
- (c) they contain provisions that will provide adequate protection to other Members, Members' Representatives and the AIB against any claim made against such a person by that Member's Customers for any losses arising in connection with EECS Certificates (including as a result of any breach of the terms of the EECS Rules) in circumstances where a contractual relationship does not exist between such person and Customer in relation to EECS Certificates; and
- (d) they provide that:
 - (i) the Member and the Account Holder shall co-operate (to the extent within their power) to ensure that no unjust enrichment occurs as a result of an error in the course of the processing of an EECS Certificate or as a result of any unauthorised access to, or malfunctioning of, an EECS Registration Database and that for that purpose EECS Certificates held in that Account Holders account may be Withdrawn or amended by the Member, having regard to the objective of securing the accuracy of EECS Certificates;
 - (ii) each of its Customers is required to keep secret any passwords and other information used to establish that communications purportedly made on its behalf in connection with the EECS Scheme are duly authorised ("*authorisation data*"); and
 - (iii) each of its Customers agrees that it shall be deemed to have sent any communication which is sent using its currently applicable authorisation data (and that consequently it shall be bound by the consequences of such communication).

E8 EECS CERTIFICATES

E8.1 INTRODUCTION

E8.1.1 EECS Certificates are Issued pursuant to the relevant Product Rules in relation to the Domain in which the Originating Production Device is situated.

E8.2 NATURE OF EECS CERTIFICATES

E8.2.1 An EECS Certificate may be Issued in connection with a Legislative Certification Scheme or on the basis of entirely voluntary (but commercial) arrangements.

E8.2.2 An EECS Certificate may correspond to more than one EECS Product, (provided that the requirements of all relevant Product Rules are met) but, subject to Section C8, only one EECS Certificate may be properly Issued in respect of the same Output for the Purpose of Disclosure.

E8.3 OBLIGATIONS WITH RESPECT TO EECS CERTIFICATES

E8.3.1 Members shall comply with the provisions of Section C in relation to EECS Certificates.

E8.3.2 Members shall take all reasonable measures to ensure that an EECS Certificate may not be converted into an EECS Certificate bearing another Purpose.

E8.4 EFFECT OF EECS CERTIFICATES

E8.4.1 An EECS Certificate identifies the entitlement of the Account Holder of the Transferables Account in which it is held to any real and intangible benefits associated with the attributes (relevant to the requirements of the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output) of:

- (a) the Input consumed in the production of the Output to which it relates;
- (b) the method and quality of the production of such Output; and/or
- (c) other characteristics associated with such Input or Output or its method and quality of production

which might be realised by Cancellation of the EECS Certificate.

E8.4.2 The entitlements referred to in Section E8.4.1 are dependent on the laws of the country in which the Originating Production Device is situated and the laws applicable in any country to which they may be transferred for their recognition at law.

E8.4.3 In relation to any EECS Certificate the benefits referred to in Section E8.4.1 are realised on its Cancellation.

F **ADMISSION AND EXPULSION PROCEDURES**

F1 **GENERAL**

F1.1 **INTRODUCTION**

F1.1.1 This Section F sets out the procedures that apply with respect to:

- (a) the admission of Members to EECS Schemes;
- (b) the acceptance of Products as EECS Products;
- (c) Scheme Members becoming Authorised Issuing Bodies in relation to EECS Products;
- (d) changes to Product Rules and Domains; and
- (e) procedures with respect to the suspension, withdrawal, and expulsion of Scheme Members from EECS Schemes; and
- (f) suspension and disqualification of a Member as Authorised Issuing Body in relation to an EECS Product.

F1.2 **ASSESSMENT PROCEDURES**

F1.2.1 Applications made under this Section F shall be assessed by Assessment Panels in accordance with the requirements of the Subsidiary Document "*Assessment Panels*" and such other requirements as the relevant Assessment Panel(s) may reasonably impose on the applicant.

F1.2.2 Members shall comply with, and secure that their Members' Agents, comply with the requirements referred to in Section F1.2.1.

F1.2.3 The Assessment Panel responsible for assessing an application under this Section F shall, on completion of its assessment, compile a report on the application and the outcome of its assessment, in accordance with the provisions of the Subsidiary Document "*Assessment Panels*". The Assessment Panel shall provide a copy of such report to the applicant, and to the Secretary General, for distribution to all Scheme Members of the relevant EECS Scheme.

F1.3 **GENERAL MEETINGS**

F1.3.1 A Member shall not be entitled to vote at a General Meeting in relation to any resolution in connection with a decision to be taken under this Section F in connection with a particular EECS Scheme, unless it is itself a Scheme Member of that EECS Scheme.

F1.3.2 Section F1.3.1 shall not apply where there are fewer than five Scheme Members in the EECS Scheme.

F1.3.3 The voting rights of Members and requisite majority with respect to resolutions of the General Meeting for the purposes of this Section F are set out in the Subsidiary Document "*Voting Rights*".

F1.3.4 In exercising voting rights in respect of any resolution for the admission of a Member to an EECS Scheme, each Member shall instruct its Member's Representative(s) present and voting on its behalf at the relevant General Meeting to have regard to the Core Principles.

F2 **FEES**

F2.1 **GENERAL**

F2.1.1 The charges (if any) payable by a Member in respect of any application under this Section F, and the recipient of such charges shall be determined in accordance with the Subsidiary Document governing such application.

F2.1.2 A Member shall pay any charges imposed on it in connection with an application under this Section D together with any TVA, VAT or other applicable value added tax within 30 days of the receipt of a valid invoice for the purposes of such tax. Such payment shall be made to the person entitled to levy such charges under the relevant Subsidiary Document.

F3 APPLICATIONS FOR SCHEME MEMBERSHIP

F3.1 INTRODUCTION

F3.1.1 In order to become a Scheme Member of an EECS Scheme, a Member must have been admitted to that EECS Scheme pursuant to an application made under this Section F3.

F3.2 APPLICATIONS FOR SCHEME MEMBERSHIP

F3.2.1 A Member seeking to become a Scheme Member of an EECS Scheme shall apply to the AIB for Scheme Membership.

F3.2.2 An application for Scheme Membership of an EECS Scheme shall be sent to the Secretary General accompanied by:

- (a) an application(s) under Section F4.1.1 for acceptance of a Product as an EECS Product;
- (b) an application to become an Authorised Issuing Body in relation to that proposed EECS Product in relation to one or more Domains; and
- (c) such further applications as are provided for by Section F4.1.2.

F3.3 ASSESSMENT OF APPLICATIONS FOR SCHEME MEMBERSHIP

F3.3.1 The Secretary General shall review applications for new scheme membership and associated applications and announce the results to Members. Any issues arising from this review shall be notified to the Assessment Panel and the Management Board of the AIB and where, in the opinion of the Board, these prevent the proper conduct of the review; such issues shall be resolved prior to the commencement of the review.

F3.3.2 The Secretary General shall, with the support of the Board, accept the application for membership and authorise the commencement of testing of the linkage between the registry of the applicant and the Hub as required by Section M5.

F3.3.3 The Secretary General shall notify the Assessment Panel as to whether at the relevant time the applicant Member:

- (a) has discharged all payments due from it to the AIB; or
- (b) has failed to demonstrate compliance with any outstanding Rectification Order.

F3.3.4 An application for Scheme Membership of an EECS Scheme shall be approved by the Assessment Panel where it is reasonably satisfied that, in relation to that EECS Scheme, the requirements of Section E3.2 are satisfied.

F3.3.5 For the purposes of Section F3.3.4, the Assessment Panel shall (unless its Members are aware of compelling reasons to the contrary) rely on:

- (a) a notice received from the Secretary General under Section F3.3.1; and
- (b) assessments conducted by Assessment Panels in connection with the matters referred to in Sections F4.1.2(e), (f) and (g) within the previous 6 months, either under this Section F or under Section I.

F3.4 ADMISSION TO SCHEME MEMBERSHIP

F3.4.1 Where a Member's application for admission to an EECS Scheme has been approved by an Assessment Panel, then that Member shall become a Scheme Member on a resolution to that effect by a Scheme Group in accordance with the requirements of Section F1.3.

F3.5 HUB CONNECTION

F3.5.1 Where the Scheme Group approves the application of a Member for Scheme Membership then the Secretary General shall make arrangements for that Member to be able to use the Hub for the transfer of data other than test data.

F4 OTHER APPLICATIONS

F4.1 NEW EECS PRODUCTS

- F4.1.1 A Member seeking to establish a Product as a new EECS Product shall apply to the AIB for approval of that Product.
- F4.1.2 An application for approval of a Product as an EECS Product shall be accompanied by applications to the AIB:
- (a) for the recognition of one or more Domains for the purposes of the proposed EECS Product;
 - (b) to become an Authorised Issuing Body in relation to such proposed EECS Product and Domain(s);
 - (c) for approval of the Domain Protocol(s) (or amendments thereto) in connection with the Product Rules and Domain(s) in relation to that EECS Product;
 - (d) if such Standard Terms and Conditions have not previously been approved in connection with the relevant Domain(s), for approval of its Standard Terms and Conditions in relation thereto;
 - (e) if such database has not previously been approved in connection with another EECS Product, for approval of the database it proposes to use as the EECS Registration Database (and that of any Registry Operator which it appoints) in connection with the relevant Domain(s);
 - (f) if such Transfer Links have not previously been approved, for approval of its Transfer Links; and
 - (g) where any proposed Member's Agent to be used by the Member in connection with such Domain(s) is not an Approved Agent, for Approval of that proposed Member's Agent.

F4.2 FURTHER APPLICATIONS IN RESPECT OF AN EECS PRODUCT

- F4.2.1 Applications specified in Sections F4.1.2 (a) to (g) may be made in relation to proposed Domains for the purposes of an existing EECS Product.

F4.3 ASSESSMENT OF APPLICATIONS

- F4.3.1 An application of a Product as a new EECS Product shall be recommended by the Assessment Panel for approval by a Scheme Group where:
- (a) it is reasonably satisfied that in relation to the proposed EECS Product the requirements of Section D are satisfied;
 - (b) the applicant is approved as an Authorised Issuing Body in relation to that EECS Product in respect of a Domain approved pursuant to Section F4.3.2.
- F4.3.2 An application of a Domain in relation to an EECS Product or proposed EECS Product shall be recommended by the Assessment Panel for approval by the Scheme Group where:
- (a) it is reasonably satisfied that in relation to the proposed Domain the requirements of Section E5 are satisfied; and
 - (b) the applicant's application to become an Authorised Issuing Body in relation to such Domain and EECS Product has been approved pursuant to Section F3.
- F4.3.3 An application of a Domain Protocol shall be recommended by the Assessment Panel for approval by a Scheme group where it is satisfied that the Domain Protocol meets the requirements of Section E6.2.
- F4.3.4 A proposal of Standard Terms and Conditions shall be recommended by the Assessment Panel for approval by a Scheme Group where it is satisfied that the Standard Terms and Conditions meet the requirements of Section E7.1.1.
- F4.3.5 A proposed EECS Registration Database shall be recommended by the Assessment Panel for approval by the Information Systems Unit where:
- (a) it is satisfied that the proposed EECS Registration Database meet the requirements of Sections E3.2.1(b), E3.2.1(a) and E3.2.1(c); and

- (b) the database has been successfully tested in accordance with the requirements of the Subsidiary Document “HubCom”.

F4.3.6 An application for proposed Transfer Links shall be recommended by the Assessment Panel for approval by the Secretary General where:

- (a) it is satisfied that the proposed Transfer Links meet the requirements of Sections (b) and E3.2.1(c); and
- (b) the Secretary General has confirmed in accordance with Section M5.1.2 that the Transfer Links have been successfully tested in accordance with the requirements of the Subsidiary Document “HubCom”.

F4.3.7 An application to become an Authorised Issuing Body in relation to an EECS Product shall be recommended by the Assessment Panel for approval by the Scheme Group:

- (a) in relation to an EECS Product which is based on a Legislative Certification Scheme, where it has been provided with satisfactory evidence that the applicant is a Competent Authority in relation to the underlying Product or an authorised agent of that Competent Authority to issue that Product;
- (b) in relation to an EECS Product which is based on an ICS, where it has been provided with evidence of the Authorisation of the applicant by the operator of the ICS Scheme to Issue the Product in the relevant Domain.

F5 RECTIFICATION ORDERS

F5.1 ISSUE

F5.1.1 Where an Assessment Panel has recommended that a Rectification Order be issued in relation to a Member, such Rectification Order shall take effect (with such amendments as may be determined by the Board) where the Board approves the issuance of such Rectification Order.

F5.2 MONITORING

F5.2.1 An Assessment Panel shall meet in good time to determine a Member’s compliance with a Rectification Order issued as a consequence of its recommendations.

F6 SUSPENSION OF SCHEME MEMBERS

F6.1 GENERAL

F6.1.1 Where an Assessment Panel has recommended that a Member be suspended from an EECS Scheme or as an Authorised Issuing Body in relation to a Domain and EECS Product, such suspension shall take effect (on such terms as may be determined by the Board) where the Board approves such suspension.

F6.1.2 If a Member fails to demonstrate compliance with the terms of a Rectification Order to the satisfaction of the relevant Assessment Panel by the time for compliance specified therein, that Member may be suspended as an Authorised Issuing Body in respect of any Domain and EECS Product to which that Rectification Order relates upon decision of the Board.

F7 EXPULSIONS

F7.1 EECS SCHEMES

F7.1.1 Where an Assessment Panel has recommended that a Member be expelled from an EECS Scheme, such expulsion shall take effect (on such terms as may be determined by the Board) where the Board approves such expulsion.

F7.1.2 The terms referred to in Section F7.1.1 may, notwithstanding Section C, include the institution of arrangements for the transfer (subject to the agreement of the relevant Account Holders) of EECS Certificates from the EECS Registration Database of the expelled Member to that of another Scheme Member.

F7.2 EECS PRODUCTS

F7.2.1 Where an Assessment Panel has recommended that a Member's status as an Authorised Issuing Body in relation to an EECS Products and Domain be withdrawn, the Member shall cease to be an Authorised Issuing Body in respect of such EECS Product and Domain (on such terms as may be determined by the EECS Unit) where the EECS Unit approves such withdrawal of status.

F8 WITHDRAWALS

F8.1 VOLUNTARY WITHDRAWALS

F8.1.1 A Member seeking to withdraw from an EECS Scheme or seeking to cease to be an Authorised Issuing Body in relation to a Domain and EECS Product shall give at least 3 months written notice to the AIB.

F8.1.2 The withdrawal of a Member from an EECS Scheme or the cessation of Member as an Authorised Issuing Body in respect of a Domain and EECS Product, as case may be, shall take effect on the date of withdrawal or cessation specified in the notice referred to in Section F8.1.1.

F8.2 COMPULSORY WITHDRAWALS

F8.2.1 A Member shall cease to be an Authorised Issuing Body in relation to a Domain and EECS Product where it ceases to meet the Authorisation Criteria in relation thereto.

F8.2.2 With effect from the withdrawal or expulsion of a Member from an EECS Scheme, that Member shall cease to be an Authorised Issuing Body in respect of any EECS Product in relation to the Output to which that EECS Scheme relates.

F8.3 MANAGEMENT OF WITHDRAWALS

F8.3.1 A Member withdrawing or expelled from an EECS Scheme shall institute arrangements for the transfer (subject to the agreement of the relevant Account Holders) of Scheme Certificates held on its EECS Registration Database to the EECS Registration Database of a successor or, in the absence of a successor, another Scheme Member.

F8.3.2 For the purposes of Section F8.3.1 the AIB, acting through its Management Board, may grant a right of derogation from the terms of the EECS Rules in favour of the withdrawing Member and any other relevant Member.

G PROBITY OF MEMBERS

G1 FURTHERANCE OF THE CORE PRINCIPLES

G1.1.1 In conducting their functions in relation to the EECS Rules and to each EECS Scheme and EECS Product, Members shall at all times endeavour to further the attainment of the Core Principles.

G2 CONFLICTS OF INTEREST

G2.1 INTERESTS IN EECS

G2.1.1 A Member shall not own any EECS Certificate nor hold any beneficial entitlement to any EECS Certificate unless:

- (a) such EECS Certificate has been purchased by the Member for the sole purposes of:
 - (i) proving the Nature of the Output that it has consumed; or
 - (ii) testing the system under the conditions specified in Section M5; or
- (b) the holder of such EECS Certificate has defaulted on an undisputed payment to that Member, in which case the Member may hold the EECS certificate in order to take appropriate actions in accordance with national law to minimise its losses;
- (c) such EECS Certificate is issued to the Member and subsequently auctioned, with the full proceeds being used as determined by national law.

G2.1.2 Where a Member and/or its Affiliates has sold and/or purchased an EECS Certificate or Certificates for the purposes specified in Section G2.1.1 then it shall, by the end of the following month in which such purchase has been made, notify the Secretary General of the vendor and/or purchaser, the number and type of EECS Certificates, and the reason for the transaction.

G2.1.3 Where the Secretary General has been informed of sales and/or purchases of EECS Certificates in the circumstances specified in Section G2.1.2 then he or she will prepare and circulate to all Members a report setting out the details provided in Section G2.1.2 of such sales and/or purchases.

G2.1.4 A Member shall not be entitled to continue to become or remain a Scheme Member of an EECS Scheme if it or any of its Affiliates owns or holds a beneficial entitlement to any Scheme Certificate except in the circumstances listed in Section G2.1.1.

G2.1.5 The AIB shall not authorise a Member to become or remain a Scheme Member of an EECS Scheme in the circumstances specified in Section G2.1.4 unless it is satisfied that:

- (a) the governance of the relevant Member and Affiliate(s) is such that the interests of the Affiliate(s) in relation to the relevant Scheme Certificate(s) will not materially affect the conduct of the Member in relation to the relevant EECS Scheme; and
- (b) it has been and will be granted sufficient access to the records of the relevant Member and Affiliate(s) to satisfy itself that the condition in Section (a) above remains satisfied.

G2.2 INTERESTS IN MARKET PARTICIPANTS

G2.2.1 A Member shall not be entitled to become or remain a Scheme Member of any EECS Scheme if it or any of its Affiliates participates in markets associated with EECS Certificates (other than in connection with the performance of EECS Registration Functions or associated functions such as metering, inspections, reviews, audits and data collection and aggregation).

G3 CONFIDENTIALITY

G3.1 GENERAL

G3.1.1 During their Membership and 15 years after the termination thereof Members shall preserve the confidentiality of Confidential Information, in relation to the business of the AIB, of other Members

and third parties, such as transaction data, the technical and operational structure of the Hub, financial, strategic and economic information and documentation, in any form, that must be deemed “*confidential*” in accordance with the common business ethics. The confidentiality of this information provided to them in connection with these EECS Rules shall be preserved save to the extent that:

- (a) they are implicitly or explicitly required to disclose such information under the EECS Rules;
- (b) they are otherwise authorised to disclose such information by the person to whom a duty of confidentiality with respect to such information is owed; or
- (c) they are required to disclose such information by law, including by any direction or request of a Competent Authority which it is reasonable for the Member to treat as having the force of law.

G3.1.2 Unless applicable national legislation directs otherwise, no Member shall make available any individual Account Holder information relating to the absolute CO₂ emissions saved per MWh as referred to in Section N6.6.1(d)(ii).

H MEMBERS' AGENTS AND MEASUREMENT BODIES

H1 APPOINTMENT AND MEMBERS' RESPONSIBILITIES

H1.1 APPOINTMENT

H1.1.1 A Scheme Member may (subject to the terms of the relevant Product Rules) appoint an Agent (a Member's Agent) to discharge any of the obligations imposed on it by the EECS Rules or its Product Rules, provided such Member's Agent is Approved in relation to such functions.

H1.2 RESPONSIBILITY

H1.2.1 Where a Member has appointed a Member's Agent to discharge any of its obligations under the EECS Rules then, as between the AIB and that Member, the Member shall remain responsible for the discharge of such functions, and any failure on the part of that Member's Agent to discharge such a function shall be treated for the purposes of the EECS Rules as a failure on the part of that Member.

H1.2.2 Section H1.2.1 shall not apply with respect to any assessment of the performance of that Member's Agent under Section H3.

H1.2.3 Approval by the AIB of a Measurement Body and the inclusion of an Approved Measurement Body in a Domain Protocol shall be without prejudice to a Registrant's responsibility for the performance of that Approved Measurement Body with respect to the collection and determination of measured Output quantities in relation to a Production Device registered in name of that Registrant.

H1.2.4 In relation with E3.3.7, the Scheme Member shall ensure that the Production Auditor and/or Production Registrar has access to:

- (a) the data regarding the Production Device to be inspected, as registered in the EECS Registration Database;
- (b) the formula for calculation of the amount of Output that qualifies for the purposes of EECS Certificates for the relevant Production Device; and
- (c) specifications of the Measurement Devices as recorded by the Production Registrar.

H2 CRITERIA FOR APPROVAL

H2.1 MEMBERS' AGENTS

H2.1.1 The criteria for approval of a Member's Agent as an "Approved" Member's Agent in relation to functions connected with the EECS Rules are that:

- (a) that Member's Agent agrees to provide such information to Members and such access to Members' Representatives to its facilities as may reasonably be required for the purposes of Sections F, H3 and I;
- (b) that Member's Agent has granted to the Member appointing it as a Member's Agent, or directly to the AIB, a licence in the terms provided for by Section M4.1.1;
- (c) that Member's Agent has agreed with the Member appointing it as a Member's Agent, or directly with the AIB, to comply with the other provisions of Section M4 as if it were a Member; and
- (d) that Member meets such other requirements as may be specified for the purposes of this Section H1.2.4 in relation to those functions in the relevant Subsidiary Document.

H2.1.2 For the purposes of Section H2.1.1, references to a Member in Section M4 shall be deemed to be a reference to the relevant Member's Agent, or other person, as appropriate.

H2.2 MEASUREMENT BODIES

H2.2.1 The criteria for approval of a Measurement Body as an "Approved" Measurement Body for the purposes of the EECS Rules are that:

- (a) that Measurement Body agrees to provide such information to Members and such access to Members' Representatives to its facilities as may reasonably be required for the purposes of this Section H2.2.1;
- (b) that person undertakes to the AIB to that it will not assert any rights with respect to data inconsistent with the grant by Members of the licence and rights referred to in Section M4.1.1; and
- (c) that Member meets such other requirements as may be specified for the purposes of this Section H1.2.4 and the Subsidiary Document "*Member's Agents and Measurement Bodies*".

H3 APPLICATIONS FOR APPROVAL

H3.1 APPLICATIONS

- H3.1.1 Applications for Approval of Member's Agents and Measurement Bodies shall be assessed by Assessment Panels convened in accordance with the requirements of the Subsidiary Document "*Member's Agents and Measurement Bodies*".
- H3.1.2 Applications for Approval of Member's Agents and Measurement Bodies shall made and conducted in accordance with the requirements of the Subsidiary Document "*Member's Agents and Measurement Bodies*" and such other requirements as the relevant Assessment Panel may reasonably impose on the applicant.

H3.2 OUTCOME OF ASSESSMENTS

- H3.2.1 An application for Approval shall be rejected where:
- (a) the relevant Member's Agent or Measurement Body fails to comply with the requirements referred to in Section H3; or
 - (b) the relevant Assessment Panel is not satisfied that the relevant Member's Agent or Measurement Body meets the relevant criteria specified at Section H2.1.1 or H2.2.1 as appropriate (and, where relevant, with respect to those functions).
- H3.2.2 A Member's Agent or Measurement Body shall be Approved with respect to functions in connection with the EECS Rules for such period (not exceeding five years) as the relevant Assessment Panel may determine in accordance with the Subsidiary Document "*Member's Agents and Measurement Bodies*" where that Assessment Panel is satisfied that the relevant Member's Agent or Measurement Body meets the relevant criteria specified at Section H2.1.1 or H2.2.1 as appropriate (and, where relevant, with respect to those functions)..
- H3.2.3 The Assessment Panel responsible for assessing an application under this Section H shall, on completion of its assessment, compile a report on the application and the outcome of its assessment, in accordance with the provisions of the Subsidiary Document "*Member's Agents and Measurement Bodies*". The Assessment Panel shall provide a copy of such report to the applicant, the Secretary General, and the relevant Member.

I COMPLIANCE

I1 GENERAL

I1.1 INTRODUCTION

- I1.1.1 This Section I sets out the procedures that apply with respect to the assessment of:
- (a) Members' compliance with the terms of the EECS Rules and Product Rules in relation to EECS Products in respect of which they are an Authorised Issuing Body;
 - (b) compliance by Members' Agents with obligations under the EECS Rules such Product Rules which they have been appointed to discharge on behalf of Members;
 - (c) the standards of performance of Approved Measurement Bodies; and
 - (d) the compliance of Product Rules with the terms of Section D2.1.2 and the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output.
- I1.1.2 The assessment procedures set out in this Section I may be initiated on a periodic basis in accordance with Section I3.1, or by the Secretary General following a notice served by a Member or an EECS Market Participant under Section J1.1.

I1.2 ASSESSMENT PROCEDURES

- I1.2.1 Assessments under this Section I shall be conducted by Assessment Panels in accordance with the requirements of the Subsidiary Document "*Assessment Panels*" and such other requirements as the relevant Assessment Panel(s) may reasonably impose on the Member and Member's Agent(s) under assessment.
- I1.2.2 Members shall comply with, and secure that their Members' Agents, comply with the requirements referred to in Section I1.2.1.
- I1.2.3 The Assessment Panel responsible for an assessment under this Section I shall, on completion of its assessment, compile a report on the assessment and, where applicable, the complaint giving rise to such assessment, including its findings and any recommendations in relation to the matters specified at Section I4.1. The Assessment Panel shall provide a copy of such report to the applicant and, where applicable, the complainant, and a copy to the Secretary General for distribution to all Scheme Members of the relevant EECS Scheme.
- I1.2.4 A report prepared under Section I1.2.3 shall not identify any individual Account Holder, unless such Account Holder agrees to the contrary.

I2 FEES

I2.1 GENERAL

- I2.1.1 The charges (if any) payable by a Member in respect of any assessment made under this Section I, and the recipient(s) of such charges shall be determined in accordance with the Subsidiary Document, if any, established for the purposes of determining fees to be paid under the EECS Rules.
- I2.1.2 A Member shall pay any charges imposed on it in connection with an application under this Section I together with any TVA, VAT or other applicable value added tax within 30 days of the receipt of a valid invoice for the purposes of such tax. Such payment shall be made to the person(s) entitled to levy such charges as determined in accordance with the Subsidiary Document, if any, established for the purposes of determining fees to be paid under the EECS Rules under the relevant Subsidiary Document.

I3 COMPLIANCE ASSESSMENTS

I3.1 PERIODIC ASSESSMENTS

I3.1.1 The frequency, timing and scope of assessments to be conducted and sanctions for breaching the periodic assessments under this Section I3 shall be determined under the Subsidiary Document “*Assessment Panels*”.

I3.2 COMPLAINTS

I3.2.1 The relevant Assessment Panel (as determined in accordance with Subsidiary Document “*Assessment Panels*”) shall conduct an assessment in relation to the alleged non-compliance of a Member or the Product Rules applicable to a Member, when required to do so by the Secretary General under Section J1.1.3.

I4 OUTCOME OF ASSESSMENTS

I4.1 RECOMMENDATIONS

I4.1.1 Where an Assessment Panel considers that:

- (a) the relevant Member is materially non-compliant with the terms of the EECS Rules and Product Rules in relation to EECS Products in respect of which it is an Authorised Issuing Body;
 - (b) such Product Rules fail in a material respect to comply with the requirements of Section D;
- and
- (c) the relevant Member has not:
 - (i) undertaken to rectify such non-compliance within such period as may be determined by the Assessment Panel may determine having regard to the gravity of such non-compliance; or
 - (ii) having given an undertaking under Section (i) above, complied with such undertaking within the relevant period,

it shall recommend to the Board either:

- (iii) the issuing of a Rectification Order; or
- (iv) the suspension of the Member from the relevant EECS Scheme(s) or as an Authorised Issuing Body in respect of such Domain and EECS Product until such time as the Member has demonstrated compliance with a recommended Rectification Order; or
- (v) the withdrawal of the Member’s status as an Authorised Issuing Body in respect of the relevant Domain and EECS Product; or
- (vi) the expulsion of that Member from the relevant EECS Scheme(s).

I4.1.2 Where an Assessment Panel recommends the issuance of a Rectification Order, it shall specify the date by which it recommends the relevant Member should demonstrate compliance with the terms thereof.

J DISPUTES

J1 ALLEGED NON-COMPLIANCE

J1.1 TREATMENT OF COMPLAINTS

J1.1.1 Where a Member finds and has supporting evidence to prove that an EECS Certificate which is the subject of a Transfer Request for its transfer to or from a Transferable Account on another Member's EECS Registration Database does not comply with:

- (a) any of the Harmonisation Measures with respect to EECS Certificates;
- (b) any of the requirements of the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to the relevant Output; or
- (c) any of the provisions of the Product Rules with respect to that EECS Certificate,

then it shall bring this to the attention of such other Member. Where the Members are unable to resolve the problem, then either one of them may bring this to the attention of the AIB by notice in writing to the Secretary General.

J1.1.2 Where the Secretary General is notified in writing by an EECS Market Participant that:

- (a) an Authorised Issuing Body in relation to an EECS Product is in breach of any of the provisions of Product Rules in relation to that EECS Product; or
- (b) any Product Rules do not comply with the relevant provisions of the EECS Rules,

and is provided with evidence substantiating such allegation, and evidence that the Authorised Issuing Body has been given adequate opportunity to respond to such allegation, the Secretary General shall invite the relevant Authorised Issuing Body to respond to the allegation.

J1.1.3 Where the Secretary General determines that the alleged non-compliance of an Authorised Issuing Body or Product Rules notified to him under Section J1.1.1 or J1.1.2 is material and that:

- (a) the allegation is reasonably well founded; and
- (b) the alleged non-compliance has not been voluntarily rectified by the relevant Authorised Issuing Body,

he shall refer the alleged non-compliance to an Assessment Panel convened in of the purpose of assessing the compliance of the Member or relevant Product Rules.

J2 APPEALS

J2.1 LODGING APPEALS

J2.1.1 A Member may appeal against any decision reached in relation to itself or any of its Member's Agents by the Board under Section F or H.

J2.1.2 A Scheme Group may appeal against a resolution of another Scheme Group which in its opinion conflicts with the Core Principles.

J2.1.3 An appeal may only be made once in relation to the same subject matter and must be made within 3 months of the relevant decision.

J2.1.4 A notice of appeal shall be made in writing to the relevant appeal body and shall specify the grounds of the appeal.

J2.1.5 Where an appeal is made against a resolution in favour of expulsion of a Member from an EECS Scheme or the withdrawal of a Members status as an Authorised Issuing Body in relation to an EECS Product and Domain, that resolution shall be treated as a resolution suspending the Member from that EECS Scheme or, as appropriate, suspending that Member as an Authorised Issuing Body in respect of the relevant ECS Product and Domain until such time as the outcome of the appeal is determined.

J2.2 APPEAL BODY

J2.2.1 The appeal body is

- (a) The Board with respect to an appeal lodged under J2.1.1 above;
- (b) The EECS Unit with respect to appeals under Section J2.1.2

J2.2.2 Where the appeal body of the AIB receives a notice of appeal, it shall consider the grounds of appeal, and where (after consulting the relevant Assessment Panel and, to the extent it deems necessary, the appellant) it determines that:

- (a) there has been a procedural irregularity with respect to the decision under appeal;
- (b) the report of the Assessment Panel to the relevant organ of the AIB contained material errors which are not attributable to a default on the part of the appellant which has lodged the relevant appeal; or
- (c) the decision under appeal is otherwise manifestly unreasonable,

the appeal body shall instruct the relevant Assessment Panel to re-conduct the relevant assessment and revise its report as appropriate in the light of subsequent findings of the Assessment Panel.

J2.2.3 Where the appeal relates to a failure to comply with the EECS Rules or a Subsidiary Document with respect to the membership of an Assessment Panel, the appeal body may ask the Board to replace such members of the Assessment Panel, in line with the rules on the composition of the relevant Assessment Panel as laid down in these EECS Rules and Subsidiary Document 01 'Assessment Panels'.

J2.2.4 After having given due consideration to the grounds of appeal, the appeal body shall take a decision in relation to that appeal and shall inform the appellant accordingly, setting out its opinion. Where this would result in a decision made under sections F5, F6 or F7.1 being upheld, the appeal body shall bring the matter to the consideration of the General Meeting, which will have the final judgment.

J2.2.5 Where, in relation to an appeal, the appeal body is not satisfied that any of the circumstances specified in Section J2.2.3 apply; the appeal body shall reject the appeal.

J2.3 ASSESSMENT PANELS

J2.3.1 Any Assessment conducted by an Assessment Panel in compliance with Section J2.2.2 shall be conducted in accordance with the provisions of Section F, H or I, as appropriate and, where applicable its recommendations shall be subject, to a resolution of the relevant appeal body convened in accordance with the relevant provisions of such Sections.

J3 DISPUTES BETWEEN AIB AND ITS MEMBERS

J3.1.1 In case of a dispute between the AIB and a Member in connection with the EECS Rules, each of them will have the right to enter arbitration proceedings and the party that is ready to do so will send a notice of arbitration by registered mail to the other party. In this case, the dispute shall be finally settled by an arbitrator, jointly appointed by the parties. If the parties are not able to appoint an arbitrator within 20 calendar days, they will each appoint a person (delegate) who is a practicing lawyer or legal counsel in Belgium or any other country, and both appointed delegates will jointly appoint an arbitrator within 15 calendar days from the date that the parties require them to do so. If the delegates cannot appoint an arbitrator within a timeframe of 15 calendar days as from the request, each party may require the appointment of an arbitrator in conformity with the Rules of Conciliation and Arbitration of the International Chamber of Commerce (ICC) ("*ICC Rules*"), unless both parties jointly agree (1) to follow the rules of the Belgian arbitration organisation Cepina or (2) jointly agree to submit the appointment of an arbitrator to the competent court of Brussels. The parties may jointly agree to apply other arbitration procedures.

K ASSESSMENT PANELS

K1 ESTABLISHMENT

K1.1 ESTABLISHMENT OF ASSESSMENT PANELS

K1.1.1 Assessment Panels are established pursuant to the Internal Regulations of the AIB.

K1.1.2 Subject to Section K1.2, the composition, membership and terms of reference of individual Assessment Panels shall be determined in accordance with the Subsidiary Document “*Assessment Panels*”.

K1.2 MEMBERSHIP OF ASSESSMENT PANELS

K1.2.1 No Member’s Representative of any Member shall be appointed to an Assessment Panel in relation to an assessment of:

- (a) a System of that Member’s, or any Affiliate;
- (b) any System which incorporates software or hardware supplied by that Member or any Affiliate;
- (c) the compliance by that Member or any Affiliate with the terms of the EECS Rules or any Product Rules;
- (d) any application made by that Member or any Affiliate under the terms of the EECS Rules;
- (e) the compliance with the requirements of Section D2.1.2.of the Product Rules in respect of a Domain and EECS Product, in relation to which such Member is an Authorised Issuing Body; or
- (f) where such Assessment Panel is convened as a consequence of a notice served under Section I3.2.1 by that Member.

K1.2.2 A Member's Representative of a Member (“*the first Member*”) shall not be appointed to an Assessment Panel convened to assess:

- (a) another Member's performance (under the terms of the EECS Rules or Product Rules); or
- (b) another Member's application under the EECS Rules,

where a Members' Representative of that other Member has previously been appointed to an Assessment Panel convened to assess the first Member's performance (under the terms of the EECS Rules or Product Rules) or an application of the first Member under the EECS Rules.

K2 CONDUCT OF ASSESSMENT PANELS

K2.1 GENERAL

K2.1.1 Members shall instruct each of their Member’s Representatives appointed to an Assessment Panel to comply with the terms of the EECS Rules and the Subsidiary Documents in so far as those terms relate to the conduct and proceedings of Assessment Panels.

K3 STATUS OF MEMBERS’ REPRESENTATIVES

K3.1 GENERAL

K3.1.1 A Member’s Representative employed by a Member in connection with the EECS Rules (including members of Assessment Panels) shall be under the complete control of that Member and shall not be deemed to be employees of the AIB, and nothing contained in the EECS Rules or any Subsidiary Document shall be construed to create any contractual relationship between any such Member’s Representative and the AIB.

K4 STATUS OF PROFESSIONAL REVIEWERS

K4.1 GENERAL

K4.1.1 Professional Reviewers shall be appointed based on transparent criteria as set out in Subsidiary Document “*Professional Reviewers*”.

K4.1.2 The terms of reference of the Professional Reviewers' Group shall be determined in accordance with the Subsidiary Document "Professional Reviewers".

L CHANGE PROCEDURES

L1 GENERAL

L1.1 INTRODUCTION

- L1.1.1 This Section L sets out the mechanisms for amending the EECS Rules, Domain Protocols and Standard Terms and Conditions.
- L1.1.2 The arrangements for amending the rules of an ICS shall be as set out in the agreement between the AIB and the Scheme Operator, save that the ICS Rules in respect of EECS-Disclosure are incorporated within the EECS Rules and, accordingly, are subject to the provisions of this Section L in respect of amendments to the EECS Rules.

L1.2 THE GENERAL MEETING

- L1.2.1 A Member shall not be entitled to vote at a General Meeting in relation to any resolution in connection with a decision to be taken under this Section L in connection with a particular Output, including:
- (a) the Section of PART IV of the EECS Rules establishing the EECS Scheme in relation to that Output,
 - (b) any Subsidiary Document which applies exclusively to that Output or EECS Scheme;
 - (c) any application for approval of a change to a Domain in relation to an EECS Product in relation to the relevant type of Output; or
 - (d) any application for approval of a change to a Domain Protocol so as to secure the compliance of the Product Rules in relation to such an EECS Product with Section D,
- unless it is itself a Scheme Member of the EECS Scheme in respect of that Output.
- L1.2.2 Section L1.2.1 shall not apply where there are fewer than five Scheme Members in the relevant EECS Scheme.
- L1.2.3 The voting rights of Members and requisite majority with respect to resolutions of the General Meeting for the purposes of this Section L are set out in the Subsidiary Document "*Voting Rights*".
- L1.2.4 In exercising voting rights in respect of any resolution provided for by this Section L, each Member shall instruct its Member's Representative(s) present and voting on its behalf at the relevant General Meeting to have regard to the Core Principles.

L1.3 ASSESSMENT PANELS

- L1.3.1 Any assessment required to be conducted by an Assessment Panel pursuant to this Section L shall be conducted in accordance with the requirements of the Subsidiary Document "*Change Management*". The Member to which such assessment relates shall comply with the provisions of that Subsidiary Document "*Change Management*" and such other requirement as the relevant Assessment Panel may reasonably impose.

L2 REVIEWS OF THE EECS RULES AND PRODUCT RULES

L2.1 GENERAL

- L2.1.1 Members shall comply with the procedures set out in the Subsidiary Document "*Review Procedures*" in order to conduct periodic reviews of Product Rules to ensure that these are compatible with the EECS Rules and its Subsidiary Documents.

L3 CHANGES TO THE EECS RULES AND SUBSIDIARY DOCUMENTS

L3.1 CHANGE PROPOSALS

- L3.1.1 Subject to Section L3.1.2 a Member may at any time propose a change to the EECS Rules and/or a Subsidiary Document (whether or not in response to a request to that effect from an Account Holder).

- L3.1.2 A Member may not propose a change to a Section of PART IV of the EECS Rules establishing an EECS Scheme unless:
- (a) it is at such time a Scheme Member of that EECS Scheme; or
 - (b) there are at such time fewer than three Scheme Members of that EECS Scheme.
- L3.1.3 A Member may not propose a change to a Section addressing a specific Output unless:
- (a) it is at such time a Scheme Member of an EECS Scheme addressing that Output; or
 - (b) there are at such time fewer than three Scheme Members of EECS Schemes addressing that Output.
- L3.1.4 Members shall comply with the procedures set out in the Subsidiary Document for making, consulting upon and developing Change Proposals.
- L3.1.5 Members shall not be prevented by their duties with respect to the Core Principles from proposing, prioritising, or voting for the implementation of a Change Proposal with respect to the Core Principles themselves.
- L3.1.6 Change Proposals may also be raised by the Secretary General.
- L3.1.7 Where a Subsidiary Document is added or deleted or the name of a Subsidiary Document is altered, the Secretary General shall amend the EECS Rules Fact Sheet *“EECS Rules Subsidiary Documents”* accordingly.
- L3.1.8 Where the EECS Rules and/or a Subsidiary Document is (or are) altered, the Secretary General shall, where appropriate, make amendments to the EECS Rules Fact Sheet *“Guidelines and Framework for Domain Protocols”* to reflect such alterations.

L3.2 IMPLEMENTATION OF CHANGES

- L3.2.1 A change to PART I, PART II or PART III of the EECS Rules, and/or any Subsidiary Document shall take effect from the date specified in a resolution in favour of the relevant Change Proposal made by the EECS Unit in accordance with the requirements of this Section L3.2 and the Subsidiary Document *“Change Management”*.
- L3.2.2 A resolution of the EECS Unit in relation to a Change Proposal shall be invalid unless it is either:
- (a) a resolution to reject the Change Proposal (in which case the proposed amendment to PART I, PART II or PART III of the EECS Rules or a Subsidiary Document, as the case may be, shall not take effect); or
 - (b) a resolution to implement the proposed change, specifying the date on which such change shall take effect.
- L3.2.3 A change to PART IV of the EECS Rules shall take effect from the date specified in a resolution in favour of the relevant Change Proposal made by a relative Scheme Group Meeting in accordance with the requirements of this Section L3.2 and the Subsidiary Document *“Change Management”*.
- L3.2.4 A resolution of the Scheme Group Meeting in relation to a Change Proposal shall be invalid unless it is either:
- (a) a resolution to reject the Change Proposal (in which case the proposed amendment to PART IV of the EECS Rules shall not take effect); or
 - (b) a resolution to implement the proposed change, specifying the date on which such change shall take effect in accordance with the requirements of Section L1.2 and the Subsidiary Document *“Change Management”*.
- L3.2.5 A Scheme Group may appeal against a resolution of another Scheme Group conflicting with the interpretation of the Core Principles by the first Scheme Group.

- L3.2.6 In exercising voting rights in respect of any Change Proposal and its proposed implementation date, each Member shall instruct its Member's Representative(s) present and voting on its behalf at the relevant General Meeting to have regard to:
- (a) the Core Principles;
 - (b) the time which is reasonably required by Members to implement changes to their Information Technology systems to accommodate the change; and
 - (c) the time which is reasonably required by Members to implement changes to Domain Protocols so as to secure the ongoing compliance of Product Rules for which they are responsible with Section D.

- L3.2.7 Changes made to EECS Rules Fact Sheets by the Secretary General under this Section L shall take effect at the time a version of the EECS Rules Fact Sheet incorporating such change is published on the AIB Website.

L4 PRODUCT RULES

L4.1 CHANGES TO PRODUCT RULES

- L4.1.1 Changes to Product Rules, as a consequence of amendments in a Legislative Certification Scheme, take place at the time of implementation of such amendments and are not dependent on the approval of the AIB to take effect.

- L4.1.2 If, as a consequence of a change to a Legislative Certification Scheme or NGC, the Product Rules in respect of an EECS Product and Domain in relation to which a Member is an Authorised Issuing Body cease to comply with Section D, the Member shall forthwith:

- (a) notify the AIB;
- (b) cease issuing EECS Products to which those Product Rules relate in respect of Registered Production Devices in that Domain;
- (c) subject to Section L4.1.3, institute procedures under its Domain Protocol to amend the Domain Protocol so as to secure the Product Rules comply with Section D, in spite of the change to the relevant Legislative Certification Scheme; and
- (d) issue, under Section L5.1, an application for approval of its proposed amendments to its Domain Protocol.

- L4.1.3 Where a change to a Legislative Certification Scheme or NGC causes the Product Rules in respect of an EECS Product to cease to comply with Section D in such a manner that the Authorised Issuing Body in relation to such Domain and EECS Product is unable to implement changes to the Domain Protocol to secure such compliance, that Member shall either:

- (a) cease to issue Products to which those Product Rules relate and suspend the Registration of Production Devices for the purposes of such EECS Product; or
- (b) initiate a Change Proposal with a view to rectifying the inconsistency.

- L4.1.4 If a Change Proposal made in the circumstances described in Section L4.1.3 is rejected, the relevant Member shall cease to issue Products related to, and suspend the Registration of Production Devices for the purposes of, such EECS Product.

L4.2 ALTERATIONS TO EXISTING DOMAINS

- L4.2.1 An Authorised Issuing Body seeking to alter the scope of an existing Domain for the purposes of an EECS Product shall apply to the AIB for prior approval of that alteration.

- L4.2.2 An application for approval of an alteration to the scope of an existing Domain shall be assessed by an Assessment Panel.

- L4.2.3 An application for approval of an alteration to the scope of an existing Domain shall be approved by the Assessment Panel where:

- (a) it is satisfied that the alteration to the Domain will not result in the Domain failing to meet the requirements of Sections E5.2 and E5.3; and
- (b) it is satisfied that the applicant meets the requirements of Section D3.1.2 (b) or (c) as appropriate in relation to the Domain as so altered and the relevant EECS Product.

- L4.2.4 Subject to Section L4.2.5, for the purposes of the EECS Rules and the relevant EECS Product, a Domain shall be altered when the Assessment Panel notifies the Secretary General that it has approved the relevant application.
- L4.2.5 In relation to an application to alter the scope of an existing Domain which includes, or, if the proposed alteration takes effect, will include, any part of any other Domain in respect of the same EECS Product, the proposed alteration shall take not take effect unless and until the Scheme Group passes a resolution in favour of it.
- L4.2.6 Where a Domain is altered, the Secretary General shall amend the EECS Rules Fact Sheet “*Member and Competent Authority Codes*” and the EECS Rules Fact Sheet in respect of the relevant EECS Scheme accordingly.
- L4.2.7 Where, as a consequence of the withdrawal or expulsion of a Member from an EECS Scheme or the withdrawal of its status as an Authorised Issuing Body in respect of an EECS Product, a Domain ceases to exist (for the purposes of an EECS Product), the Secretary General shall amend the EECS Rules Fact Sheet “*Member and Competent Authority Codes*” and the relevant EECS Rules Fact Sheets as appropriate.

L5 DOMAIN PROTOCOLS

L5.1 GENERAL

- L5.1.1 A Member may amend a Domain Protocol in accordance with its own change control procedures for that Domain Protocol but subject, always, to the prior approval of the Assessment Panel in accordance with Section L5.2.1 and the prior consent of the Scheme Group in accordance with the provisions of this Section L5.
- L5.1.2 An application to amend a Domain Protocol shall be made in accordance with requirements of the Subsidiary Document “*Change Management*”.

L5.2 IMPLEMENTATION OF CHANGES

- L5.2.1 The Assessment Panel shall approve a proposed change to a Domain Protocol where it is reasonably satisfied that, subsequent to such change, the Domain Protocol would meet the requirements of Section E6.2
- L5.2.2 A change to a Domain Protocol shall take effect (from the date specified in the resolution) on resolution to that effect by a General Meeting in accordance with the requirements of this Section L5 and the Subsidiary Document “*Change Management*”.
- L5.2.3 A resolution of the General Meeting in relation to a proposed change to a Domain Protocol shall be invalid unless it is either:
- (a) a resolution to reject the proposed change (in which case the proposed change shall not take effect); or
 - (b) a resolution to implement the proposed resolution, specifying the date on which such change shall take effect.

L6 MISCELLANEOUS

L6.1 PUBLIC SUPPORT

- L6.1.1 (Where such Public Support is not already specified in the EECS Rules Fact Sheet “*Types of Public Support*”) each Member shall notify the AIB of any forms of Public Support which Production Devices

registered on its EECS Registration Database are, or may reasonably be expected to become in future, eligible to receive.

- L6.1.2 On receipt of a notice pursuant to Section L6.1.1, the Secretary General shall amend the EECS Rules Fact Sheet "*Types of Public Support*".

L6.2 CHANGE TO PERMITTED VALUES

- L6.2.1 Where the permitted values listed on a Fact Sheet change as the result of changes to legislation or at the direction of the General Meeting, Scheme Group or Unit, as the case may be, then the Secretary General shall amend the relevant EECS Rules Fact Sheet accordingly.

L6.3 CHANGES IN MEMBERSHIP

- L6.3.1 Where a Member which has not previously been admitted to any EECS Scheme becomes a Scheme Member, the Secretary General shall assign a code to that Scheme Member in accordance with the Subsidiary Document "*Assignment of Codes*" and shall revise the relevant EECS Rules Fact Sheets as appropriate.
- L6.3.2 Where a Scheme Member responsible for two or more Domains in respect of one EECS Product withdraws from one of those Domains, the Secretary General shall revise the EECS Rules Fact Sheet in respect of the relevant EECS Scheme by removing the reference to that Domain as being a Domain of that Scheme Member in relation to the relevant EECS Product.
- L6.3.3 Where a Member ceases to be a Scheme Member or a member of the AIB, the Secretary General shall revise the relevant EECS Rules Fact Sheets as appropriate.
- L6.3.4 Where a new Member joins the AIB, or where a Member becomes a Scheme Member, or where a Member ceases to be a Scheme Member, or a member of the AIB, then the Secretary General shall amend the EECS Rules Fact Sheet "*Product Rules Assessment Panel Matrix*" to reflect such changes to membership.

L6.4 NEW DOMAINS

- L6.4.1 Where a Domain is first established for the purposes of any EECS Product, the Secretary General shall, in accordance with the provisions of the Subsidiary Document "*Assignment of Codes*", assign a Domain Code to that Domain and revise the relevant EECS Rules Fact Sheets as appropriate.

L6.5 NEW SECTIONS OF PART IV OF THE EECS RULES

- L6.5.1 Where the EECS Rules is amended by the introduction of a new Section of PART IV of the EECS Rules, the AIB shall amend the EECS Rules Fact Sheets as appropriate.

L6.6 STANDARD TERMS AND CONDITIONS

- L6.6.1 A Member may amend its Standard Terms and Conditions at any time, provided that subsequent to amendment its Standard Terms and Conditions continue to meet the criteria at Section E7.1.

L6.7 INDEPENDENT CRITERIA SCHEMES

- L6.7.1 Where the Scheme Group has withdrawn support for an Independent Criteria Scheme, the Secretary General shall revise EECS Rules Fact Sheet "*EECS Scheme Members and EECS Products*" accordingly by associating an end date with that ICS. The end date shall be two (2) years after the date of the decision of the Scheme Group.

M GENERAL

M1 GOVERNING LAW AND THE AIB ARTICLES OF ASSOCIATION

M1.1 GOVERNING LAW

M1.1.1 The EECS Rules is established under the Articles of Association of the AIB, an international not-for-profit association constituted under Belgian law. Accordingly, the EECS Rules is a constitutional document of the AIB, and is governed by, and shall be interpreted in accordance with, the laws of Belgium.

M1.2 ARTICLES OF ASSOCIATION

M1.2.1 For the purposes of the Articles of Association, each of the following shall (without limitation) constitute a material breach of the EECS Rules (or "*infraction grave à la Charte fondamentale*"):

- (a) a Member purporting to Issue Scheme Certificates with respect to an EECS Scheme of which it is not at the time being a Scheme Member or an EECS Certificate corresponding to an EECS Product and Domain in relation to which it is not an Authorised Issuing Body;
- (b) an attempt, by a Member which is not at such time a Scheme Member or otherwise entitled to make such a transfer, to transfer Scheme Certificates to another Member;
- (c) the acceptance by a Member of a transfer of Scheme Certificates from a Member which is not at such time a Scheme Member or otherwise entitled to make such a transfer;
- (d) a Member's persistent and wilful or grossly negligent disregard to the terms of the EECS Rules; and
- (e) any fraudulent activity by a Member in connection with the subject matter of the EECS Rules or any Product Rules.

M1.3 INDEPENDENCE OF MEMBERS

M1.3.1 The EECS Rules establishes duties of Members with respect to their participation in the AIB but save only to that extent does not create any agency, partnership, joint venture, or other joint relationship between the Members.

M2 COMMUNICATIONS

M2.1 LANGUAGE

M2.1.1 Save where all parties to such communications agree otherwise, all communications with respect to the subject matter of the EECS Rules between Members (and between Members and the AIB) shall be in the English language.

M2.2 NOTICES

M2.2.1 Unless otherwise stated in the EECS Rules, all notices to be given under the EECS Rules shall be in writing, and shall be sent by personal delivery, post, special courier, facsimile or electronic mail (e-mail) to the address of the relevant party set out in the EECS Rules Fact Sheet "*Addresses for EECS Rules Notices*" in accordance with the provisions of this Section M2.2.

M2.2.2 Any notice sent by post or special courier shall be deemed (in the absence of evidence of earlier receipt) to have been delivered ten (10) days after dispatch. In proving the fact of dispatch, it shall be sufficient to show that the envelope containing such notice was properly addressed, stamped, and conveyed to the postal authorities or courier service for transmission by airmail or special courier.

M2.2.3 Any notice delivered personally or sent by facsimile or e-mail shall be deemed to have been delivered on date of its dispatch.

M2.2.4 The AIB or any Member may change its postal, facsimile or e-mail address or addressee for receipt of notices by notifying the Secretary General of such change. The change in address shall take effect on

publication of the EECS Rules Fact Sheet “*Addresses for EECS Rules Notices*” amended as appropriate on the AIB Website.

M2.2.5 Notices shall be deemed to include any approvals, consents, instructions, and orders to be given under the EECS Rules.

M2.2.6 Subject to Section M2.1.1, communications between Members shall be made in accordance with (and, where appropriate, shall be deemed to have been received as provided for by) the terms of the Subsidiary Document “*HubCom*”.

M3 INTEGRITY OF THE EECS RULES

M3.1 ENTIRETY

(deleted)

M3.2 WAIVERS

M3.2.1 Subject to Section M3.2.3 below, no relaxation, forbearance, delay or indulgence by the AIB, an Assessment Panel or any Member in enforcing any rights, powers or remedies under the EECS Rules, or the granting of time by the AIB or any Assessment Panel to a Member shall prejudice, affect or restrict the rights of that party under the EECS Rules, nor shall any waiver by either party of any breach of the provisions of the EECS Rules operate as waiver of any subsequent or continuing breach of the EECS Rules.

M3.2.2 Any single or partial exercise of any such right, power or remedy shall not preclude any other or future exercise thereof or the exercise of any other right, power, privilege, or remedy.

M3.2.3 Any waiver of the rights, powers or remedies of the AIB, any Member or Assessment Panel under the EECS Rules must be in writing, must be dated and signed by an authorised representative of the party granting such waiver (in the case of an Assessment Panel, the authorised person being the acting chairman of that Assessment Panel), and must specify the right and the extent of such waiver.

M3.3 SEVERABILITY

M3.3.1 If any provision of the EECS Rules is prohibited or rendered invalid or unenforceable, such prohibition, invalidity or unenforceability shall not affect the validity or enforceability of any other provision of the EECS Rules.

M3.4 AMENDMENT

M3.4.1 No amendment or other variation of the EECS Rules, a Subsidiary Document or an EECS Rules Fact Sheet shall be effective unless it is made in accordance with the provisions of Section L.

M3.5 ASSIGNMENT

M3.5.1 Neither the AIB nor any Member may assign to any third party any right, benefit, obligation or interest in the EECS Rules or thereunder, except that any person shall be entitled to assign either absolutely or by way of charge any monies due and payable to it or which may become due and payable to it under the EECS Rules.

M4 INTELLECTUAL PROPERTY

M4.1 INTELLECTUAL PROPERTY RIGHTS

M4.1.1 Each Member grants to the AIB a non-exclusive licence to use data provided in connection with the EECS Rules by that Member (or on its behalf) to the AIB or to any other Member to the extent necessary and solely for the purposes contemplated by the EECS Rules, together with:

- (a) the right to sub-license the use of such data to each other Member as necessary solely for those purposes; and

- (b) the right to grant each other Member the right to sub-license the use of such data to EECS Market Participants as necessary solely for those purposes.

M4.1.2 Each Member shall take all such steps and sign all documents or instruments within its power and reasonably necessary in the opinion of the AIB to secure that:

- (a) the licence from it to the AIB referred to in Section M4.1.1 is perfected and takes effect in respect of any item of data from the date at which that data is provided to the AIB or any other Member in connection with the EECS Rules;
- (b) to secure that such licence survives that Member ceasing to be a Member; and
- (c) to secure that the indemnity referred to in Section M4.2.1 is perfected and survives that Member ceasing to be a Member.

M4.1.3 To the extent that it is entitled to do so having regard to the rights of third parties, the AIB grants each Member a non-exclusive licence to use the data provided to that Member by each other Member in connection with the EECS Rules to the extent necessary and solely for the purposes contemplated by the EECS Rules, together with the right to sub-license the use of such data to EECS Market Participants as necessary solely for those purposes.

M4.1.4 Each Member shall ensure that, and warrants to AIB (for itself and for the benefit of all other Members), in each case in respect of the data referred to in Section M4.1.1 provided by or on behalf of that Member, that:

- (a) the provision of such data to any person under the EECS Rules;
- (b) the use and disclosure and sub-licensing of the use and disclosure of such data by the AIB, any Member or any EECS Market Participant under, or for the purposes contemplated by, the EECS Rules;
- (c) the publication of any such data under, or for the purposes contemplated by, the EECS Rules; and
- (d) the operation of Section M4.1.5 in relation to any data derived from that data;

will not infringe the intellectual property rights of any person or be contrary to any obligations of confidence or be in breach of any obligation or duty to any third party.

M4.1.5 Each Member shall take all such steps and sign all documents or instruments within its power and reasonably necessary in the opinion of the AIB to secure that any intellectual property rights in:

- (a) data created or produced (including by way of processing of data provided by Members) by the AIB, its servant of agents, or any Assessment Panel under the terms of the EECS Rules; and
- (b) the EECS Rules, Subsidiary Documents, EECS Rules Fact Sheets, change proposals and all associated documentation and all reports and reviews by Assessment Panels,

shall (as between the AIB and Members) be the property of and vest in the AIB.

M4.1.6 Steps to be taken by Members under Section M4.1.5 may, at the discretion of the AIB, include waivers (or securing the waivers of) moral rights.

M4.1.7 To the extent that it is entitled to do so having regard to the rights of third parties, the AIB grants each Member:

- (a) a non-exclusive licence to use the data and documentation referred to in Section M4.1.5, to the extent to which such data is provided to, or made available to any Member in accordance with the provisions of (or as contemplated by) the EECS Rules, any Subsidiary Document, the Articles of Association, and internal regulations of the AIB; and
- (b) a non-exclusive right to sub-license such data and documentation to EECS Market Participants, in each case to the extent necessary and solely for the purposes contemplated by the EECS Rules.

M4.1.8 The licenses and rights granted under Sections M4.1.3 and M4.1.7 in favour of any Member shall terminate on that Member ceasing to be a Member.

M4.1.9 Notwithstanding Section M4.1.8, any sub-license granted by a Member to an EECS Market Participant in pursuance of the rights granted to that Member under Section M4.1.3 or Section M4.1.7 may, with respect to data or documentation provided to that EECS Market Participant by that Member in connection with the EECS Rules (during such time as it remains a Member), survive the termination of that Member's licence and rights referred to in Section M4.1.8.

M4.2 INDEMNITY

M4.2.1 Unless stated otherwise in the Hub Participant Agreement, each Member shall indemnify the AIB (for itself and for the benefit of each other Member) in respect of any loss, liability, damages, costs (including legal costs), expenses, claims and proceedings which the AIB or such other Member may suffer or incur by reason of any breach by that Member of its obligations under Section M4.1, or by reason of any breach of a warranty given by that Member thereunder.

M5 CONNECTION TO THE HUB

M5.1 GENERAL

- M5.1.1 No Member may transfer data other than test data to and from the Hub until that Member has successfully proved by formal testing that the interoperability of its EECS Registration Database and Transfer Links with the Hub is both reliable and secure. This testing shall be as directed by the provisions of the Subsidiary Document "*HubCom*".
- M5.1.2 As required by Section F4.3.6, the Secretary General shall confirm to the General Meeting that the formal testing referred to in Section M5.1.1 has successfully completed.
- M5.1.3 All Members shall ensure that their registries are able to transfer messages to and from the Hub at all times during which they are operationally available to Account Holders and Registrants.
- M5.1.4 All Members shall respect the provisions of the Hub Participant Agreement they signed and the HubCom.
- M5.1.5 In particular, but without limitation, all Members shall respect the security and data protection requirements in view of limiting the access to their Registry, the protection of the integrity of messages and data collected in their Registry and all other security requirements as set forth in the HubCom. Integrity comprises the accuracy and consistency of retained and transmitted data, indicated by an absence of any alteration in data during its retention and its transmission from a Sender to a Receiver. Data integrity is maintained through the use of error checking and validation routines.

M6 SYSTEM TESTS

M6.1 GENERAL

- M6.1.1 Each Member shall comply with any request made under the Subsidiary Document "*HubCom*" to test the reliable and secure interoperability of its EECS Registration Database and Transfer Links with the Hub in connection with any assessment in relation to that other Member conducted under Sections F or I.
- M6.1.2 A Scheme Member may create an EECS Certificate in an Account for purposes of testing its EECS Registration Database or transfer an EECS Certificate to an Account held on the EECS Registration Database of another Scheme Member provided:
- (a) Either:
 - (i) the Scheme Member is the Account Holder of that Account; and
 - (ii) no more than 100 EECS Certificates are held in that Account;
 - (b) Or:

- (i) it has instructed an Account Holder to transfer an EECS Certificate held in an Account (the “*Sending Account*”) held by that Account Holder to an Account (the “*Receiving Account*”) held by another Account Holder; and
- (ii) it has instructed the receiving Account Holder, on receipt of such EECS Certificate, to transfer it from the Receiving Account to the Sending Account; and
- (iii) no more than 100 such EECS Certificates are transferred in this way during one calendar month.

M7 CHARGES FOR SERVICES

M7.1 AIB AND MEMBERS

- M7.1.1 Save to the extent expressly agreed otherwise in writing between the relevant Member and the AIB and in relation to an Assessment Panel in accordance with the Subsidiary Document “*Assessment Panels*”, no Member shall be entitled to charge the AIB for performing any obligation under, or providing any service contemplated by, the EECS Rules. For the avoidance of doubt, such prohibition extends to the participation of Member’s Representatives in Assessment Panels.
- M7.1.2 For the avoidance of doubt, the entitlement of the AIB to charge a Member for the provision of services, in connection with the EECS Rules or otherwise, shall be determined in accordance with the Articles of Association, the internal regulations of the AIB and any agreement between the AIB and that Member.

M7.2 CHARGES BETWEEN MEMBERS

- M7.2.1 Save:
- (a) to the extent expressly agreed otherwise between the relevant Members; or
 - (b) as expressly provided for by the EECS Rules (and any relevant Subsidiary Document),
- no Member shall be entitled to charge another Member for performing any obligation under the EECS Rules or any Product Rules, or providing any service contemplated by, the EECS Rules.

M7.3 MEMBERS AND EECS MARKET PARTICIPANTS

- M7.3.1 Subject to the remaining provisions of this Section M7.3, the EECS Rules shall not be construed as:
- (a) requiring a Member to provide any service to an EECS Market Participant free of charge;
 - (b) inhibiting in any way the right of Members to charge EECS Market Participants for the provision of services to them, to the extent permissible under applicable national and European law.
- M7.3.2 Subject to Sections M7.3.3 and M7.3.4, nothing in the EECS Rules shall be construed as imposing an obligation on a Member to transfer, or receive a transfer of, Cancel or otherwise process an EECS Certificate where the Account Holder of the Account in which such EECS Certificate is held, or to whose Account such EECS Certificate is to be transferred, is in breach of an obligation to make payment to that Member under its Standard Terms and Conditions.
- M7.3.3 Any sub-licence granted by a Member to an EECS Market Participant in pursuance of the rights granted to that Member under Section M4.1.3 or M4.1.7 shall be royalty free.
- M7.3.4 (Without implying an obligation to charge for their services on a commercial basis) Members’ charges for services provided in connection with the EECS Rules and any Domain shall be established with due regard to the principles set out in Section A9.

M8 DISCLAIMERS

M8.1 THIRD PARTY RIGHTS

- M8.1.1 Subject to Section M8.1.2, the AIB and Members do not intend that any third party shall have any rights, benefits, entitlements or privileges under the EECS Rules or any Subsidiary Document, and

nothing in the EECS Rules or any Subsidiary Document shall be construed as conferring or purporting to confer any such right, benefit, entitlement or privilege on any such person.

- M8.1.2 The AIB and each Member acknowledges and agrees that the AIB and each Member holds the benefit of the provisions of this Section M8 for itself and as trustee and agent for its officers, employees and agents.

M8.2 RESPONSIBILITY OF MEMBERS AND MEMBERS' REPRESENTATIVES

- M8.2.1 The obligations of Members and their Member's Representatives under the EECS Rules and Subsidiary Documents are owed to the AIB. Accordingly (but without prejudice to the rights of any person under legislative or contractual arrangements), such references shall not be taken as evidence that any Member or Member's Representative accepts a duty of care in favour of any person other than the AIB in respect of the subject matter of the EECS Rules or any Domain Protocol or Product Rules.

- M8.2.2 (deleted)

- M8.2.3 The provisions of this Section M8 shall be without prejudice to any procedural right or remedy expressly provided by the EECS Rules as being available to the AIB with respect to Members.

- M8.2.4 The AIB is authorised by Members to make the disclaimers in this Section M8.2 on their behalf.

- M8.2.5 For the avoidance of doubt, the liability of a Member to an EECS Market Participant for any failure to comply with the provisions of any Product Rules shall be governed by the provisions of those Product Rules and any contractual arrangements between that Member and that EECS Market Participant pursuant thereto.

M8.3 RESPONSIBILITY OF AIB – DISCLAIMER

- M8.3.1 Whilst the AIB uses its reasonable endeavours to ensure that it fulfils the functions ascribed to it under the terms of the EECS Rules and Subsidiary Documents, neither the AIB nor its servants and agents accepts a duty of care to any third party and shall not be deemed to have made or to make any representation, warranty or guarantee as to the reliability, adequacy or completeness of the performance of such functions. Accordingly (but without prejudice to the rights of any person under legislative or contractual arrangements, such as a Hub Participant Agreement) neither the AIB nor its servants or agents accept any liability for any failure to discharge any such function properly, nor any liability for any failure, act or omission on the part of the AIB or such servants or agents.

M9 IMPEDIMENTS TO THE PERFORMANCE OF OBLIGATIONS

M9.1 FORCE MAJEURE

- M9.1.1 Neither the AIB nor a Member shall be held liable nor be deemed in default under the EECS Rules for any delay or failure in performance of any of their respective obligations if such delay or failure is the result of causes beyond its control and is not caused by its negligence. Such causes shall include, without limitation, acts of war, civil war, riots, acts of terrorism, general strikes or lockouts, insurrections, sabotage, embargoes, blockades, acts or failures to act of any governmental or regulatory body (whether civil or military, domestic or foreign, national or supranational), communication line failures, power failures, fires, explosions, floods, accidents, epidemics, earthquakes or other natural or man-made disasters, and all occurrences similar to the foregoing (collectively referred to as "*Force Majeure*").

- M9.1.2 The AIB or the Member affected by an event of Force Majeure, upon giving prompt notice to the other party, shall be excused from performance hereunder on a day-to-day basis to the extent prevented by Force Majeure and the direct consequences thereof (and the other party shall likewise be excused from performance of its obligations on a day-to-day basis to the extent that such obligations relate to the performance so prevented), provided that the party so affected shall use its best efforts to avoid or remove such causes of non-performance and to minimize the consequences thereof and the Parties shall continue performance hereunder with the utmost dispatch whenever such causes are removed.

M9.1.3 If the Force Majeure continues to persist for a period exceeding one (1) month, then the Member shall have the right to withdraw by giving twenty (20) business days written notice of termination to the AIB, and the AIB or the Member will have the right to terminate any agreement with regard to the use of the Hub as set forth in the Hub Participant Agreement.

M9.2 COMPLIANCE WITH APPLICABLE LAWS

M9.2.1 Nothing in the EECS Rules shall be taken as requiring the AIB or any Member to act in breach of any law applicable to it (including any law with respect to data protection).

M9.2.2 The provisions of Section M9.2.1 shall not be construed as implying that Product Rules need not comply with the requirements of Section D2.1.2.

M10 SUBSIDIARY DOCUMENTS

M10.1 GENERAL

M10.1.1 The EECS Rules is supported by the provisions set out in Subsidiary Documents.

M10.1.2 The AIB shall publish a list of Subsidiary Documents in an EECS Rules Fact Sheet "*EECS Rules Subsidiary Documents*".

PART IV SCHEME-SPECIFIC RULES

N ELECTRICITY SCHEME RULES

N1 INTRODUCTION

N1.1.1 The Electricity Scheme is hereby established as an EECS Scheme.

N2 INTERPRETATION

N2.1.1 The provisions of this Section N shall be construed as applying to each EECS Product in respect of electrical Output and in relation to Production Devices with an Output of electricity. The provisions of this Section N shall not apply to EECS Products in respect of Output other than electricity.

N2.1.2 In the EECS Rules and each Subsidiary Document where the Output of a Production Device is electrical energy then, unless the context or law otherwise requires or there is express provision to the contrary, terms shall have the meanings respectively ascribed to them by the definitions in Section B1.1.1 of the EECS Rules as modified by the following, which shall take precedence:

TERM	MEANING
Authorised Measurement Body	A person who is authorised or, where appropriate, appointed by the relevant Competent Authority for the relevant Domain to collect and determine measured Output quantities and other measured energy values for use in connection with charging for use of (as is appropriate in connection with the relevant Production Device) a distribution or transmission system.
Capacity	Nominal Capacity as defined by Unipede terminology (1991) item 2.1.3 (Power, capacity, load, demand). <i>NOTE: Nominal Capacity is usually determined by the manufacturer's specification and often appearing on the "nameplate" of the equipment not necessarily relating to any operational reality) is a characteristic of a particular class of equipment considered in operation, and for prime movers is measured in kW on the shaft. Where it refers to a power station (kW or kVA), it is the arithmetic sum of the nominal capacities of the machines of the same type (e.g. steam, gas turbine, hydro), and normally includes the main and auxiliary generators of all generator sets including standby generator sets. Values of kVA and cos(j) should also be recorded where these are available.</i>
Cogeneration	Is the simultaneous generation in one process of thermal energy and electrical and/or mechanical energy.
EECS-Disclosure Member	A Scheme Member of the EECS Scheme known as EECS-Disclosure which was consolidated into the Electricity Scheme on or around 1 st September 2011.
Electrical Energy Generation or Gross Electrical Energy Generation	The total annual gross electricity production of a Production Device; as evidenced by measured values collected and determined by an Authorised Measurement Body with reference to its Import and Export Meters (adjusted by meter amendments and the outcome of any disputes).

TERM	MEANING
Energy Efficiency Directive	Directive 2012/27/EC of the European Parliament and of the Council of 25 October 2012 on energy efficiency amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC 92/42/EEC.
Energy Input Factor	In relation to any Production Device and period of time and single type of Input as defined in the Fact Sheet “Types of Energy Inputs and Technologies” the proportion expressed as a factor of less than one of the Nett Electrical Energy Generation of that Production Device which is from that single type of Input, as specified (consistently with the terms of the relevant Product Rules) in the Production Declaration for that Production Device with respect to the period over which the electricity was generated.
Export Meter	Has the meaning assigned to an Exit Measurement Point by the definition in Section B1.1.1 of the EECS Rules and refers to a device, or collection of devices, and supporting arrangements for determining (in whole or in part) the quantity of electrical energy flowing from a Production Device to a distribution or transmission system and, where permitted by national practice, including the electrical energy flowing from that Production Device to satisfy onsite demand.
High-Efficiency Cogeneration	Cogeneration which meets the criteria of the Energy Efficiency Directive;
Import Meter	Has the meaning assigned to an Entry Measurement Point by the definition in Section B1.1.1 of the EECS Rules and refers to a device, or collection of devices, and supporting arrangements for determining the quantity of electrical energy flowing into a Production Device from a distribution or transmission system or, where enabled by the location of the Entry Measurement Point, onsite production.
Nett Electrical Energy Generation	The gross electricity production of a Production Device as evidenced by measured values collected and determined by an Authorised Measurement Body (or where appropriate an Approved Measurement Body) with reference to its Import and Export Meters (adjusted by meter amendments and the outcome of any disputes) minus the demand of any Production Auxiliaries and minus losses in the main generator transformers on the site of the Production Device.
Primary Energy Savings	Primary energy savings that can be attributed to the use of cogeneration technology, calculated according to the Energy Efficiency Directive.
Useful Heat	Heat produced in a Cogeneration process to satisfy an economically justifiable demand for heat or cooling, as intended by Directive 2012/27(EU).

N3 DOMAINS

N3.1 DOMAINS

N3.1.1 Subject to Section E5.2.2, a Domain in relation to an EECS Product may be defined by reference to connections to a system or systems for the transmission and/or distribution of electricity provided that

the AIB is satisfied that the question of whether or not a Production Device falls within that Domain can be readily determined and that its adoption will not prejudice the attainment of the Core Principles.

N4 FACE VALUE

N4.1.1 The Face Value of EECS Certificates corresponding to EECS Products shall be 1MWh.

N5 INSPECTIONS

N5.1.1 For the purposes of Section E3.3.11, an inspection of a Production Device is also likely to be appropriate where the application for registration indicates that the Input for the relevant Production Device is, in whole or in part, comprised of biomass.

N6 ELECTRICITY PRODUCT RULES

N6.1 GENERAL

N6.1.1 In order for a Product to be admitted as an EECS Product, the Product Rules in relation to that Product must comply with the following requirements of this Section N6.

N6.2 REGISTRATION

N6.2.1 Procedures for the registration of Production Devices shall be such that registration applicants shall, in addition to the provisions of Section D4.1.2(b)(xi), be placed under an obligation to provide to the relevant Authorised Issuing Body details of the location of any transformer substations at the site of the Production Device.

N6.3 PRODUCTION DECLARATIONS

N6.3.1 A person submitting a Production Declaration in relation to a Production Device, for which one of the Inputs is stored energy, shall be obliged to submit (in respect of the same period as that to which the Production Declaration relates) a Consumption Declaration and to specify therein the amount of Output consumed in placing energy (in any medium) into storage for use by that Production Device in that period.

N6.3.2 A person submitting a Production Declaration in relation to a Production Device, for which there is more than one Input, shall be obliged to submit (in respect of the same period as that to which the Production Declaration relates) a Consumption Declaration for each combustible Input and to specify therein:

- (a) the values of M^1 , C^1 ... M^n and C^n ; and
- (b) as the Energy Input Factor for that Input and that period, a factor no greater than L, where L is the proportion of the total Output produced during this period by the relevant Input and is calculated as follows:

$$L = \frac{M^1 \times C^1}{(M^1 \times C^1) + \dots + (M^n \times C^n)}$$

Where

- M^1 is the mass of the relevant Energy Input for that Production Device during the relevant period
- C^1 is the average calorific value of the relevant Energy Input for that Production Device during the relevant period
- M^n is the mass of each relevant Input other than the relevant Input for that Production Device during the relevant period

C^n is the average calorific value of each relevant Input other than the relevant Input for that Production Device during the relevant period.

N6.4 DETERMINATION OF OUTPUT

N6.4.1 Where the Product relates to the energy source of the Output, the amount of Output determined for the purposes of EECS Certificates corresponding to that EECS Product as having been produced by that Production Device shall be:

- (a) where the Originating Production Device only produces Output from a single Input, the amount of Nett Electrical Energy Generation produced by that Production Device provided that Output meets the Output Criteria for the Product;
- (b) where the Originating Production Device produces energy from more than one Input, the amount of Nett Electrical Energy Generation produced by that Production Device multiplied by the Energy Input Factor for the relevant Input.

N6.4.2 Where an EECS Product relates to the technology type of the Originating Production Device Output, the amount of Output determined for the purposes of EECS Certificates corresponding to that EECS Product as having been produced by that Production Device shall be the amount of Output which meets the Output Criteria for that Product.

N6.4.3 EECS Certificates shall not be Issued in respect of electricity consumed by Production Auxiliaries.

N6.4.4 Where an EECS Certificate is Issued for electricity from a pumped-hydro Production Device, only the electricity derived from natural inflow shall qualify for the Issuance of an EECS Certificate, which means that:

- (a) EECS Certificates shall be Issued for natural inflow minus any nett electricity consumed by pumping;
- (b) Where an onsite Production Device supplies electricity to the pumped-storage Production Device, then the onsite Production Device shall be considered to be a separate Production Device to the pumped-storage Production Device;
- (c) Where the amount of energy imported by the relevant Production Device during a period exceeds that exported by it during the same period, then the difference between such imports and exports shall be compensated by an equivalent amount of nett exports during successive periods before new EECS Certificates may be Issued; and
- (d) EECS Certificates shall be issued according to the following formula:

(i) **Issue** = $E - I * \eta_p + I * \eta_p * AF$, where:

- Issue** = Net production from natural inflow (Qualifying Output)
- E** = Electricity measured by the Export Meter
- I** = Electricity measured by the Import Meter (including consumption of the pump)
- η_p** = Efficiency of the pump (this is not mandatory, by default 100% must be assumed)
- AF** = Share (%) of energy consumption of Production Auxiliaries from total gross generation (this is not mandatory and if this is not measured, $I * \eta_p * AF$ must be assumed to be zero).

N6.5 INFORMATION ON EECS CERTIFICATES

N6.5.1 For the purposes of Section C3.5.4(k), an EECS Certificate in respect of Electricity shall contain:

- (a) the Electrical Capacity; and

- (b) where such EECS Certificate corresponds to a Product relating to the technology type of the Originating Production Device where such technology type is Cogeneration, the Thermal Capacity; and
- (c) where appropriate, the Mechanical Capacity.

N6.6 ADDITIONAL INFORMATION IN CERTIFICATES

N6.6.1 EECS Certificates corresponding to Products relating to the technology type of the Originating Production Device where such technology type is High-Efficiency Cogeneration

- (a) must specify:
 - (i) use of heat, being the value identified in the EECS Rules Fact Sheet “Cogeneration GO Codes” which represents the predominant use of the relevant heat; and
 - (ii) lower calorific value in megajoules per kilogram of fuel or megajoules per cubic meter of gaseous fuel or megajoules per liter of liquid fuels; and
 - (iii) the Primary Energy Savings, being the primary energy saved expressed as a percentage according to the Energy Efficiency Directive, and
- (b) may specify:
 - (i) the actual amount of primary energy saved expressed in megajoules per MWh; and
 - (ii) the overall primary energy savings expressed as a percentage based on the total energy input and output flows of a Cogeneration unit (whereas the Annex II primary energy savings calculations identified in section N6.6.1(c)(i) are based on the Cogeneration inputs and outputs only); and
 - (iii) information relating to GHG emissions, as in section C3.5.5(b), comprising:
 - 1 the GHG emissions produced per unit of highly efficient Cogeneration electricity in kilograms per MWh; and
 - 2 absolute GHG emissions saved per MWh of highly efficient Cogeneration electricity compared with the best available and economically justifiable technology for separate production of heat and electricity using the same fuels; and which was on the market in the year of construction of the Cogeneration unit, as defined in the Energy Efficiency Directive.

N6.6.2 EECS Certificates in respect of Output produced from a fossil fuel by any Production Device may record the GHG emitted by the Originating Production Device in the production of 1 MWh of electrical energy and associated with the relevant Input in kilograms per MWh of final energy produced, as in section C3.5.5(b). The format of such information shall be in accordance with the Subsidiary Document “HubCom”.

N6.6.3 EECS Certificates in respect of Output produced from nuclear fuel may record the radioactive waste produced per MWh of electricity. The format of such information shall be in accordance with the Subsidiary Document “HubCom”.

N6.6.4 Input and technology types shall be those set out in the EECS Rules Fact Sheet “Types of Energy Inputs and Technologies”.

N6.6.5 EECS Certificates corresponding to Products relating to the technology type of the Originating Production Device shall specify whether or not the technology type is High-Efficiency Cogeneration.

N7 PD QUALIFICATION CRITERIA

N7.1 GENERAL

N7.1.1 The PD Qualification Criteria for a Production Device are:

- (a) in relation to a Product in respect of the energy source of the Output, that the Production Device is capable of producing Output from that energy source;

- (b) in relation to a Product in respect of the technology type of the Originating Production Device of Output, that the Production Device complies with the requirements of the Product Rules in relation to that technology type and any requirements of this Section N7 in relation to the relevant technology type.

N7.2 COGENERATION PD QUALIFICATION CRITERIA

N7.2.1 For the purposes of N7.1.1(b) where the technology type is High-Efficiency Cogeneration:

- (a) the Production Device must be capable of Cogeneration; and
- (b) the Production Device conforms to the definition of a Cogeneration unit in the Energy Efficiency Directive and is in accordance with the guidelines established by the Energy Efficiency Directive.

N8 OUTPUT CRITERIA

N8.1 GENERAL

N8.1.1 The Output Criteria in relation to an EECS Product in respect of the energy source of Output shall be that the Output is produced from that energy source.

N8.1.2 The Output Criteria in relation to an EECS Product in respect of the technology type of the Originating Production Device shall be that the Output is produced by a Production Device of that technology type in accordance with:

- (a) the requirements of the Product Rules in relation to that technology type; and
- (b) any requirements of this Section N8 in relation to the relevant technology type.

N8.2 COGENERATION

N8.2.1 In the case of Cogeneration using fuels burned directly by the Production Device:

- (a) where the Production Device produces High-Efficiency Cogeneration only, the amount of electrical Output produced by that Production Device from fuels burned at the same site; and
- (b) where the Production Device produces High-Efficiency Cogeneration and electricity which is not High-Efficiency Cogeneration, calculated in accordance with the Energy Efficiency Directive taking into account only energy produced from Inputs at the same site.

N8.2.2 Where a Production Device produces electrical energy from a specific source of energy using High-Efficiency Cogeneration, then the relevant Scheme Member may issue no more than one EECS Certificate for each relevant MWh. This EECS Certificate may convey either: an EECS GO for a specific source of energy; or an EECS GO for High-Efficiency Cogeneration; or both an EECS GO for a specific source of energy and an EECS GO for High-Efficiency Cogeneration.

N9 DISCLOSURE

N9.1.1 In order to comply with EECS Rules sections C3.3.1 and E3.3.14, at least the following requirements are fulfilled in the Domain, for the energy medium of the related Output:

- (a) Disclosure of the origin of electricity must be mandatory for all suppliers of electricity, but may also apply to other type of actors depending on member state legislation;
- (b) A competent national authority for Disclosure exists and is independent of energy companies. This body is responsible for supervision of the following elements as provided for by the corresponding provisions of the national legal framework:
 - (i) Disclosure figures as determined by legislation of the Member State, and the methodology to be used by energy companies;
 - (ii) That the disclosure information provided to consumers with the bill or with other billing material is supervised by a competent authority;

- (iii) That the total quantity of disclosed volumes, according to tracking mechanisms supported by legislation, such as cancelled Guarantees of Origin, matches total supplied volumes by energy companies;
 - (iv) (If there is a practice to use a residual mix in that Domain,) residual mix calculation and figures, as well as the usage of those figures in Disclosure by suppliers; and
 - (v) (If there is no practice to use the residual mix in that Domain,) calculation and, figures of an alternative implicit mix (e.g. production mix which excludes renewable attributes) are used by suppliers for Disclosure, which prevents attributes represented by GOs from being double counted implicitly; and
- (c) Where a GO system is in place for a specific energy source, there is an obligation to cancel Guarantees of Origin (or to use other tracking mechanisms supported by the legislation) when claiming the related attributes of that energy source for Disclosure.

N10 EECS-DISCLOSURE

N10.1 GENERAL

N10.1.1 EECS-Disclosure Certificates for certain energy sources or technologies shall not be supported in any country bound by the relevant Directives or by national law to Issue GOs for those sources or technologies. Where a country subsequently becomes bound by such legislation, then it shall be given a fixed period to cease to support EECS-Disclosure Certificates. The PD Qualification Criteria and Output Criteria for the purposes of EECS-Disclosure are maintained by the AIB.

N10.2 PD QUALIFICATION CRITERIA

N10.2.1 The PD Qualification Criteria for registration of a Production Device for the purposes of EECS-Disclosure are that the Production Device is capable of generating electricity from Non-Renewable sources.

N10.3 OUTPUT CRITERIA

N10.3.1 The Output Criteria for EECS-Disclosure is that the Output is produced from Non-Renewable sources.

N10.4 AUTHORISATION CRITERIA

N10.4.1 The Authorisation Criteria in respect of EECS-Disclosure are that, in relation to the relevant Domain the Scheme Group has approved the appointment of the Member as an Authorised Issuing Body in respect of the relevant Domain for the purposes of EECS-Disclosure.

O GAS SCHEME RULES

O1 INTRODUCTION

- O1.1.1 The Gas Scheme is hereby established as an EECS Scheme for gaseous Energy Carriers. This Scheme covers the following Energy Carriers:
- (a) Energy Gas;
 - (b) Hydrogen.

O2 INTERPRETATION

- O2.1.1 The provisions of this Section O shall be construed as applying to each EECS Product in respect of gaseous Output and in relation to Production Devices with an Output of Gas. The provisions of this Section O shall not apply to EECS Products in respect of Output other than Gas.
- O2.1.2 In the EECS Rules and each Subsidiary Document where the Output of a Production Device is gaseous energy then, unless the context or law otherwise requires or there is express provision to the contrary, terms shall have the meanings respectively ascribed to them by the definitions in Section B1.1.1 of the EECS Rules as modified by the following, which shall take precedence:

TERM	MEANING
Authorised Measurement Body	A person who is authorised or, where appropriate, appointed by the relevant Competent Authority for the relevant Domain to collect and determine measured Output quantities and other measured values.
Distribution System Operator	Defined as in EU Directive 2009/73/EC, Article 2 (6).
Energy Gas	An Energy Carrier consisting of chemical compounds, composed mainly of the elements of carbon and hydrogen, being in gaseous state at 15°C and average atmospheric pressure at sea level (101,325 kPa).
Energy Input Factor	This relates to any Production Device and period of time and single type of Input (as defined in the Fact Sheet “Types of Energy Inputs and Technologies”). It is the proportion, expressed as a factor of less than one, of the Nett Gas Production of a specific Production Device, which is from a single type of Input, as specified (consistent with the terms of the relevant Domain Scheme) in the Production Declaration for that Production Device, with respect to the period over which the Gas was produced.
Export Meter	Has the meaning assigned to an Exit Measurement Point by the definition in section B1.1.1 of the EECS Rules and refers to a device, or collection of devices, and supporting arrangements for determining the quantity of Gas flowing from a Production Device to a distribution or transportation system.
6B5BGas	A gaseous energy medium, of which the principal purpose is to carry energy content towards an energy consumer r, being in gaseous state at 15°C and average atmospheric pressure at sea level (101,325 kPa).
Gas Production or Gross Gas Production	The total gross Gas produced by a Production Device; as evidenced by measured values collected and determined by an Authorised Body

TERM	MEANING
	with reference to its Import and Export Meters (adjusted by meter amendments and the outcome of any disputes).
_Hydrogen	An Energy Carrier consisting of dihydrogen molecules (H ₂), with a concentration of at least 99,9% _{vol} .
_Import Meter	Has the meaning assigned to an Entry Measurement Point by the definition in section B1.1.1 of the EECS Rules and refers to a device, or collection of devices, and supporting arrangements for determining the quantity of Gas flowing into a Production Device from a distribution or transportation system or, where enabled by the location of the Entry Measurement Point, onsite production.
_Network-compatible Gas	_A gas, fulfilling the technical criteria for injection in the natural gas grid of the respective Domain.
_Nett Gas Production	<p>The Gas produced by a Production Device as evidenced by measured values collected and determined by an Authorised Measurement Body (or, where appropriate, an Approved Measurement Body) with reference to its Import and Export Meters (adjusted by meter amendments and the outcome of any disputes) minus the demand of any Production Auxiliaries and minus losses due to heating, compression and pumping on the site of the Production Device.</p> <p>The energy consumed by a Production Auxiliary from a non-gaseous energy carrier is quantified as the equivalent energy content of the amount of gas that can be produced with this auxiliary energy, and state-of-the-art methods shall be used to determine conversion reference efficiency in accordance with the EECS Rules Subsidiary Document “Determination of Conversion Efficiency.</p>
_Nominal Capacity	Measured in kW, this is usually determined by the manufacturer’s specification and is a characteristic of a particular class of equipment.
Transmission System Operator	Defined as in EU Directive 2009/73/EC, Article 2 (4).

O3 DOMAINS

O3.1 DOMAINS

O3.1.1 Subject to Section E5.2.2, a Domain in relation to an EECS Product may be defined by reference to connections to a system or systems for the transportation of gas, provided that the AIB is satisfied that the question of whether or not a Production Device falls within that Domain can be readily determined and that its adoption will not prejudice the attainment of the Core Principles of EECS.

O4 FACE VALUE

O4.1.1 The Face Value of EECS Certificates corresponding to EECS Products shall be 1MWh.

O5 INSPECTIONS

O5.1.1 For the purposes of section E3.3.11, an inspection of a Production Device, the Output of which is Gas, is mandatory before the first production period for which EECS Certificates can be issued.

- O5.1.2 Documentation-based inspection of the Consumption and Production Declarations as in O6 in relation to any issuing request for EECS Certificates for Gas, shall at least take place on an annual basis, ensuring verification of the aspects mentioned in section E3.3.7.
- O5.1.3 This annual inspection includes a verification of these Energy Source(s) (related to the ones mentioned on the EECS Certificates, as included in the EECS Rules Fact Sheet “Types of Energy Inputs and Technologies”). This implies a verification of:
- (a) the overall energy content of the Inputs used by the Production Device with a feasibility check to obtain the reported Output; and
 - (b) where the Energy Source, as mentioned in section C3.5.4(f) has a biological origin, the record of substances used in the reported timespan and their corresponding quantities, including a confirmation of them to suffice for the produced quantity of Gas from biological origin as reported in the Production Declaration(s) in relation with section C3.5.1.
- O5.1.4 The annual inspection includes verification of meter equipment, used for metering of the Inputs and Outputs, which has 2 options:
- (a) Verification of Metering data by Distribution or Transmission System Operators. The distribution or transmission system operators provide the metering data directly (manually or through an automated interface) or through a third party (for example metering point administrator or Production Registrar) to the respective Issuing Body (or Production Registrar).
Or
 - (b) Onsite inspection by Production Auditor every two years. A Production Auditor provides the inspection results regarding the production of Gas once the onsite production inspection of the Production Device has taken place.
- O5.1.5 Provisions of O5.1.1, O5.1.2, O5.1.3 and O5.1.4 may be considered to be fulfilled for Production Devices and their meter equipment, which are audited and/or inspected according to prevailing legislation.

O6 GAS PRODUCT RULES

O6.1 GENERAL

- O6.1.1 For a Product to be admitted as an EECS Product, the Product Rules in relation to that Product must comply with the following requirements of this Section O6.

O6.2 REGISTRATION

- O6.2.1 The requirements of each Domain Scheme’s procedures for the registration of Production Devices whose Output is Gas shall, for the purposes of the relevant EECS Scheme, be such that registration applicants shall, in addition to the provisions of section D4.1.2(b), be placed under an obligation to provide to the Scheme Member details of the location of any pumping and compression stations at the site of the Production Device.

O6.3 PRODUCTION DECLARATIONS

- O6.3.1 A person submitting a Production Declaration in relation to a Production Device for which one of the Inputs is stored energy shall be obliged to submit (in respect of the same period as that to which the Production Declaration relates) a Consumption Declaration; and to specify therein the amount of Output consumed in placing energy (in any medium) into storage for use by that Production Device in that period.
- O6.3.2 Where relevant for determining the energy source on the EECS Certificate, as mentioned in section C3.5.4(f), a person submitting a Production Declaration in relation to a Production Device, for which there is more than one Input, shall be obliged to submit (in respect of the same period as that to which the Production Declaration relates) a Consumption Declaration for each Input and to specify therein:

- (a) the values of I_1, \dots, I_n , and where applicable, the values of M_1, C_1, \dots, M_n and C_n ; and
- (b) the Energy Input Factor L_i for that Input and that period, where L_i is the proportion of the total Output produced during this period by the relevant Input and is calculated as follows:

$$L_i = \frac{I_i}{I_1 + \dots + I_n}$$

Where (for the relevant Energy Input and period):

I_i is the energy content of the relevant Energy Input for that Production Device during that period;

I_1, \dots, I_n is the energy content of each Input other than the relevant Input for that Production Device during that period;

In case the Input is a primary energy source in the form of a material input with energy content, I_1 shall be determined as M_1 multiplied by C_1 , I_i shall be determined as M_i multiplied by C_i , ..., and I_n shall be determined as M_n multiplied by C_n ; where:

- M1** is the mass of the material that is fed into the Production Device as the relevant Energy Input for that Production Device during the relevant period where the Inputs are liquid and/or solid. Where the Inputs are a mixture of gases, their volume shall be used rather than their mass;
- C1** is the average calorific value of the relevant Energy Input for that Production Device during the relevant period;
- M1...n** is the mass of each material that is fed into the Production Device as the Input other than the relevant Input for that Production Device during the relevant period where the Inputs are in liquid and/or solid phase. Where the Inputs are a mixture of gases, then the volume shall be used instead of the mass; and
- C1...n** is the average calorific value of each Input other than the relevant Input for that Production Device during the relevant period.

For specific classes of Production Devices (e.g. PDs with multiple Outputs (CI, H2) reference should be made to Subsidiary Document "*Consumption Declarations for Production Devices with Multiple Inputs and/or Outputs*".

06.4 DETERMINATION OF OUTPUT

06.4.1 The amount of Output determined for the purposes of EECS Certificates under the relevant EECS Scheme and Product as having been produced by that Production Device shall be the energy content of the Gas produced by that Production Device during the relevant period, being the volume of Nett Gas Production produced by that Production Device multiplied by:

- (a) where a Production Device produces Output solely from a single Input, or from a mixture of Inputs from renewable energy sources which together generate an Output with a higher calorific value than the sum of the individual calorific values of the separate Inputs, the average calorific value of the Energy Output for that Production Device during the relevant period; and
- (b) where the Production Device produces energy from more than one Input, and where relevant for determining the energy source on the EECS Certificate, as mentioned in section C3.5.4(f), the Energy Input Factor for that Input.

06.4.2 EECS Certificates for Gas shall only be Issued for Nett Gas Production. EECS Certificates shall not be Issued in respect of Gas consumed by Production Auxiliaries. If there is more than 2% of energy

consumption from another energy carrier related to the production of Output, this shall be taken into account in the determination of Output.

- O6.4.3 In application of section O6.4.2, the provisions of a Domain Certification Scheme may be such that
- (a) energy consumed for waste treatment needs not to be deducted from the gross Output as Auxiliary consumption where the Registrant has demonstrated that such treatment is necessary for treating the waste being processed in this Production Device;
 - (b) auxiliary energy consumption of other Energy Carriers than the Energy Carrier produced, needs not to be deducted from the measured Output for which GOs are to be issued where and insofar the Auxiliary energy consumption has demonstrably been produced with renewable energy sources and thus:
 - (i) GOs for renewable energy sources are cancelled for that Input, or
 - (ii) the energy so consumed has demonstrably been produced from renewable energy sources on the site of the Production Device and on condition that no GOs have been or will be issued for it.
- O6.4.4 For any other energy that is fed into the Production Device, the Domain's Certification Scheme may determine whether a flow of energy that goes into a Production Device is considered to be an Input or an Auxiliary.

O7 INFORMATION ON EECS GAS CERTIFICATES

- O7.1.1 For the purposes of Section C3.5.4(a), an EECS Certificate in respect of Gas shall record the Energy Carrier by which energy is conveyed either as "Energy Gas" or "Hydrogen", in the format specified in the Subsidiary Document "HubCom".
- O7.1.2 For the purposes of Section C3.5.4(k), an EECS Certificate in respect of Gas shall record its Nominal Capacity as the capacity of that Production Device.
- O7.1.3 In addition to the data mentioned in Section C3.5.4, EECS Certificates corresponding to the Gas Scheme must specify the following information in respect of the Output, in the format specified in the Subsidiary Document "HubCom":
- (a) the type of Gas, referring to the chemical composition of the produced Gas as identified in EECS Fact Sheet "Type of Gas";
 - (b) Whether the number of certificates is determined based on the lower or the higher calorific value of the Gas.
 - (c) Whether or not auxiliary energy from non-renewable sources has been deducted from the net Output in the energy, eligible for GO issuing (*this information is also called the Fossil Auxiliary Deduction Tag*).

O8 ADDITIONAL INFORMATION ON EECS GAS CERTIFICATES

- O8.1.1 In accordance with the Domain's Certification Scheme provisions, EECS Gas Certificates may contain the following information:
- (a) the greenhouse gas emissions intensity of the Output relating to the Nett Gas Production, as in section C3.5.5(b), and a reference to the methodology used to calculate this information, as identified in EECS Rules Fact Sheet "GHG Methodology Reference"; and
 - (b) data regarding the greenhouse gas emissions saved relating to the Nett Gas Production and a reference to the methodology used to calculate this information, as identified in EECS Rules Fact sheet "GHG Methodology Reference";
 - (c) Whether or not greenhouse gas emission savings criteria are met, as referred to in the Renewable Energy Directive;
 - (d) Whether or not the Production Device complies with the applicable sustainability criteria, together with

- (i) a reference to the legislative or other source that sets sustainability requirements, and
 - (ii) a reference to the relevant sustainability certification scheme(s), and
 - (iii) an indication as to whether these criteria have been met, and
 - (iv) a reference to the certification body which confirmed that this is the case, and
 - (v) a reference to the relevant reports, certificates or other documents produced by this certification body under the sustainability certification scheme(s);
- (e) the Calorific Value for calculating the MW of Output;
 - (f) End-use of the Gas, as set out in EECS Rules Fact Sheet “*Use of Gas*”;
 - (g) Source-shares: If Output is produced from a mixture of Inputs, consisting of other than only the Input from the Source Type indicated in C3.5.4(f) in addition to the attribute recorded as the Source Type for which the corresponding GO was Issued, information on those Inputs, Source Type, and their share in total energy Input. This share shall be determined in accordance with the Energy Input Factor;
 - (h) Element description and date-operational: In case the Production Device consists of separate modules of which there is a plant which upgrades the gas quality, the date on which the plant(s) that produced the raw gas became operational and its/their capacity.
 - (i) Pre-Conversion Support: Where the Certificate was issued as a consequence of EECS Conversion Issuance, and in general for EECS Gas Certificates issued for Output as a result from Energy Carrier Conversion, an indication of the public support granted in relation with the energy fed as Input into the converting Production Device (“pre-conversion support info”).
 - (j) An indication of the purity of the composition of the Type of Gas that constitutes the Output for which the EECS Certificate is issued, in relation with O7.1.3 Type of Gas.
 - (k) Where the Output complies with specific criteria relating to the physical composition of the produced gas, a reference to the relevant criteria, as mentioned on the EECS Fact Sheet *Type of Gas*.
 - (l) Where the Source Type is an energy source of biological origin, an indication whether or not this energy source originates from an Advanced Biomass Feedstock, according to the feedstocks listed in Annex IX of the Renewable Energy Directive.

O9 PD QUALIFICATION CRITERIA

- O9.1.1 The PD Qualification Criteria for a Production Device shall, in relation to a Product in respect of the energy source of the Output, be that the Production Device is capable of producing Output from that energy source.

O10 OUTPUT CRITERIA

- O10.1.1 The Output Criteria in relation to an EECS Product in respect of the energy source of Output shall be that the Output is produced from that energy source.

O11 CANCELLATION

- O11.1.1 If the data in O8.1.1(f) is provided on the Certificate, the provisions of the Domain’s Certification Scheme shall ensure that cancellation of the Certificate takes place only in correspondence with the gas usage category mentioned on the Certificate.
- O11.1.2 Where a Cancellation Statement is issued and where such information is available on the cancelled Certificates, an Account Holder may request the Issuing Body to record the information on compliance of the Gas with applicable sustainability requirements, as in section O8.1.1(d), on a cancellation statement with respect to the GO for which he requests the cancellation in addition to the information specified in section O7.1.3(b).

CHANGES INCORPORATED

DOCUMENT HISTORY

VERSION	ISSUE DATE	REASON FOR ISSUE
Release 1.0	01 March 2005	Initial release
Release 1.0 – working version 1	14 June 2005	PRO-CR0502: C3.5.10: Annual report PRO-CR0503: C3.5.12: reporting of breach PRO-CR0508: F2.1.1(a): Standards for security and robustness
Release 1.0 – working version 2	06 October 2005	PRO-CR0504: C3.5.14: need for inspection PRO-CR0505: C3.5.15: need for inspection of records PRO-CR0506: C3.5.17: need to provide PD information PRO-CR0509: new E4 and new F7: computerised and manual operations PRO-CR0511: C6+F2+M10: drafting errors
Release 1.0 – working version 3	21 November 2005	PRO-CR0513: E1+E3+H2 - Housekeeping PRO-CR0514: I4.1.2+D6.1.2 - Assessment Panels PRO-CR0515: L2.1.1 – Review Procedures PRO-CR0516: M10.1.1 - Change to SDs PRO-CR0517: L3.1.6 - Change proposals PRO-CR0518: L1.3.2+ L3.1.4 - Change management – relocation of provisions
Release 2.0	1 December 2005	Revised release
Release 3.0	2 June 2006	PRO-CR0607: E2.1.3, CH1-5.1, CH3-5.1 and CH3-5.7 - Inclusion of emissions on Disclosure certificates, and removal of inconsistencies
Release 3.1 – working document	5 October 2006	PRO-CR0611: A2.1.1, C8.2.2, C8.3.2 and E3.2.1 – uniqueness a requirement rather than an aspiration
Release 3.2 – working document	22 March 2007	PRO-CR0510: F4.1.1: Harmonisation of redemption statements PRO-CR0520: B1 + E2: Import and Export Metering PRO-CR0602: Issue of RECS certificates over several months PRO-CR0604: Introduce concepts of time limit for registration and registration expiry PRO-CR0606: SD03: EECS Registration Databases and CHP PRO-CR0614: Standard reasons for redemption PRO-CR0617: SD03 EECS Registration Databases - Disclosure PRO-CR0618: Test certificates PRO-CR0619: Ownership and sale of certificates by IBs PRO-CR0620: Certificate holding by affiliates PRO-CR0621: Concealment of CO2 emissions reduction for CHP PRO-CR0622: Region codes PRO-CR0624: SD03 changes to accommodate the Hub PRO-CR0701: Alignment of Disclosure Chapter with CHP Chapter regarding concealment of CHP CO2 emissions reduction PRO-CR0703: Emissions by fossil sourced hydrogen
Release 4.0	22 March 2007	Revised release
Release 5.0	10 April 2008	HOUSEKEEPING CORRECTIONS C8.4.2: “dependant” should be “dependent” CH1 - 2.1 line 11: “from” should be “form” CH2 -5.5 line 5: “of” should be “or” CH3 - 2.1 line 13: “from” should be “form” CH4 - 2.1 line 13: “from” should be “form” M3.1.2(c): spelling error – “imitations” should be “limitations” CONTENT CORRECTIONS

VERSION	ISSUE DATE	REASON FOR ISSUE
		PRO-CR0704: Absorption of Internal Regulations into the PRO
		PRO-CR0709: Common date handling with RECS only countries
Release 5.1 – working document	21 June 2008	PRO-CR0706: Definition of qualifying criteria for energy sources PRO-CR0714: GS1 or email address encoding in SD03 PRO-CR0802: Disclosure certificate information and energy source types PRO-CR0804: Requirement for electronic certificates PRO-CR0806: PRO Fact Sheet 5 – Technology code 95 PRO-CR0809: Approval of trivial changes to DPs PRO-CR0810: Use of Certificates for Disclosure
Release 5.2 – working document	01 October 2008	PRO-CR0801: Inclusion of capacity into EECS certificates PRO-CR0808: STC grammatical error PRO-CR0811: Hub impact on PRO Addition of CHAPTER 5: “GO RES-E including domains with multiple certificates”
Release 5.3 – working document	29 November 2008	PRO-CR0805: Requirement for web-based interfaces for registrants and account holders PRO-CR0813: Hub definition PRO-CR0814: Definition of EECS PRO-CR0815: Consistency of definitions of RES-E
Release 6.0	1 January 2009	Revised release
Release 6.0h – working document	14 April 2009	Adjusted document to handle multiple energy types
Release 6.0j – working document	17 December 2009	STC-CR0803: Use of only one certificate system PRO-CR0812: Earmark on support PRO-CR0817: Exclusion of ex-domain redemptions PRO-CR0819: Treatment outdated/seized certificates PRO-CR0820: Replacement of BC by PRO PRO-CR0821: CHP model changes PRO-CR0904: Adjustments to Disclosure Chapter 3 PRO-CR0905: Initial review of scheme membership applications PRO-CR0906: Replacement of the term “redemption” by “cancellation” PRO-CR0912: Integration of publication of statistics in review guidelines PRO-CR0914: Correcting errors in CH3 (Disclosure) PRO-CR0923: Energy Medium
Release 6.0k – working document	24 May 2010	PRO-CR0613: Output nett of auxiliaries PRO-CR0816: PRO adjustment for multi-fuels PRO-CR0911: Addition of consumer information to Cancellation Statements PRO-CR0915: 2009 RES Directive – face value PRO-CR0916: 2009 RES Directive – date of expiry PRO-CR0917: 2009 RES Directive: Energy Source PRO-CR0918: 2009 RES Directive – location PRO-CR0920: 2009 RES Directive: Date Operational and Capacity Increase PRO-CR0924: Identity PRO-CR0925: Independent Criteria Schemes PRO-CR1001: Connection to the Hub PRO-CR1006: Issuing, holding, transfer and cancellation of GO by bodies other than Competent Bodies PRO-CR1010: RECS response to consultation PRO-CR1014: Identity of Competent Body PRO-CR1015: Appointment Criteria for non-Competent Bodies

VERSION	ISSUE DATE	REASON FOR ISSUE
Release 6.0m – working document	27 September 2010	PRO-CR1018: Purpose PRO-CR1024: Changes to Fact Sheets PRO-CR1025: Medium and scheme on a GO PRO-CR1005: Date and country of issue PRO-CR1008: Originating Directive PRO-CR1023: Changing the name PRO to EECS RULES (throughout document) PRO-CR1026: Treatment of Fossil and Nuclear PRO-CR1029: Definitions of CHP and cogeneration
Release 6.0n – working document	1 January 2011	PRO-CR1028: Approval of Independent Criteria Scheme members
Release 6.0P – working document	7 June 2011	EECS RULES RESTRUCTURING
Release 7	17 June 2011	Release
Release 7 v2	2 February 2012	New AIB logo
Release 7 v3	21 December 2012	PRO-CR1027 – Brand name and beneficiaries on Cancellation Statements
Release 7 v4	1 October 2013	Adaptation to support HPA and implementation of: CR1101 Approval of ICSs by AIB CR1104 New term for Registry Operators CR1301 Cessation of support for RECS certificates
Release 7 v5	10 October 2013	Corrected version of release 7 v4
Release 7 v6	24 March 2014	CR1313 Inclusion of ICS in Certificate Information
Release 7 v7	22 December 2014	GM03-25 as supported by Decision 25 of the Split GM CR1312: Requirement for disclosure legislation to be in place CR1402: Permit removal of ICS from approved list in Fact Sheet 17 CR1404: Avoidance of overlap between Guarantees of Origin and Non-Governmental Certificates CR1406: High-efficiency Cogeneration GOs CR1407: Brand name and beneficiaries in cancellation statement
Release 7 v8	22 December 2015	CR1505: Immutability CR1510: Ex Domain Cancellation Reporting Requirements CR1511: Consistency between EECS Rules and HubCom CR1512: Country of consumption
Release 7 v9	22 December 2016	AIB-2016-GM04-14: Definition of professional reviewers - part of changes approved by Baden GM AIB-2016-GM02-19: Measurement of pumped hydro CR1602: Professional Reviewers Group and other changes to review procedures
Release 7 v10	22 December 2017	CR1701: Inspections of Production Devices and Output CR1702: EECS Rule N6.6.1 and N6.6.2 CR1706: Domain Cancellation Definition & Reporting to Secretary General AIB-2017-GM02-04: Cooperation of members to periodic audits
Release 7 v11	23 March 2020	CR1805: Clarify Disclosure Requirements to Facilitate Audit CR1901: Cancellation of GOs only for corresponding energy carrier CR1902: Energy Medium Conversion Rules CR1903: Initial Gas Scheme Rules CR1904: Allow members to hold GOs for auctioning CR2001: Removal of RECS Certificates and Transition Provisions from EECS

VERSION	ISSUE DATE	REASON FOR ISSUE
Release 7 v12	22 June 2020	AIB-2020-GM-04-10; CR-2008: Adaptation of the EECS Rules and Subsidiary documents to reflect the outcome of the Change process
Release 7 v13	10 October 2020	CR2010: Rules for reporting of statistics
Release 7 v14	10 November 2020	CR2009: Adapting the EECS Rules to the new organisation structure: Appeals
Release 7 v15	3 December 2021	CR2101 Update Gas Scheme CR2103 Cross-border devices
Release 8 v1	20 May 2022	CR2104 Disentangling Label and ICS CR2108 Data on EECS Certificates CR2109 Fact sheet 20 Dissemination level CR2110 HEC Criterion CR2201 Purpose Target: Avoid cross-purpose double-counting CR2204 Additional data on Gas Certificates CR2205 Storage Tag
Release 8 v1.1	14 July 2022	Changes to lay-out and correction of cross-references
Release 8 v1.2	22 September 2022	CR2207 GHG emissions on EECS Certificates
Release 8 v1.3	24 January 2023	CR2209 update preface of EECS Rules
Release 8 v1.4	17 March 2023	CR2208 Inspections for gas CR2209 Conversion rules finetuning
Release 8 v1.5	11 May 2023	CR1801 Data retention obligation in the EECS Rules
Release 8 v1.6	2 August 2023	New AIB logo, house style and address
Release 8 v1.7	1 December 2023	CR2304 Domain Exclusivity CR2305 Electricity Storage Issuance - allowance for longer than hourly production periods Corrections ('secretary general' instead of 'general secretary') and deletion of the mention "commercially funded" in Preface
Release 8 v1.8	1 June 2024	CR2303 Cancellation for conversion into another certification mechanism & general CEN EN16325 updates CR2403 data on post-conversion GOs – align with CEN CR2404 Fossil Auxiliary Tag