

Rules established by the National Climate Commission for the submission of an application for approval of a project activity in pursuance of Article 9, §2 of the cooperation agreement on the implementation of certain provisions of the Kyoto Protocol

Article 1. For the purposes of these rules the following definitions shall apply:

1° project design document:

a) in the case of a CDM project activity: the document, mentioned under point 5 (m) of the annex to decision 3/CMP.1 on modalities and procedures for a clean development mechanism as defined in Article 12 of the Kyoto Protocol;

b) in the case of a JI project activity: the document, mentioned under point 3, e) of the annex to decision 9/CMP.1 on guidelines for the implementation of Article 6 of the Kyoto Protocol;

2° validation report: the report on the process of independent validation of a project activity by an operational entity accredited to this end in accordance with the relevant guidelines adopted under Article 12 of the Kyoto Protocol;

3° determination report: the report on the process of independent determination of a project activity by an independent operational entity accredited to this end in accordance with the relevant guidelines adopted under Article 6 of the Kyoto Protocol.

Art.2. An application for approval of a CDM project activity shall include at least the following documents:

1° the project design document of the project activity, as made publicly available through the UNFCCC secretariat;

2° a declaration by the applicant that participation in the project activity is in accordance with the relevant guidelines, conditions of implementation and procedures pursuant to the UNFCCC, the Kyoto Protocol and the relevant Belgian regulation. This declaration shall be drawn up using the form provided to that end by the National Climate Commission;

3° the letter of approval issued by the designated national authority of the host country;

4° the validation report of the project activity, as made publicly available through the UNFCCC secretariat or, if the report is not yet publicly available, a provisional version thereof;

5° a copy of a valid proof of identification if the applicant is a natural person; the Crossroads Bank for Enterprises identification number or, in the absence thereof, an extract from a trade register or an equivalent document if the applicant is a legal person;

6° a written declaration by all project participants confirming that the applicant will be added to the list of project participants in the project design document, if the applicant is not included as a project participant in the project design document.

Art.3. An application for approval of a JI project activity shall include at least the following documents:

1° if the procedure mentioned under section E of the annex to decision 9/CMP.1 on guidelines for the implementation of Article 6 of the Kyoto Protocol applies to the JI project activity:

a) the project design document as made publicly available through the UNFCCC secretariat;

b) a declaration by the applicant that participation in the project activity is in accordance with the relevant guidelines, conditions of implementation and procedures pursuant to the UNFCCC, the Kyoto Protocol and the relevant Belgian regulation. This declaration shall be drawn up using the form provided to that end by the National Climate Commission;

c) the letter of approval issued by the focal point of the host country;

d) the determination report of the project activity, as made publicly available through the UNFCCC secretariat or, if the report is not yet available, a provisional version thereof;

e) a copy of a valid proof of identification if the applicant is a natural person; the Crossroads Bank for Enterprises identification number or, in the absence thereof, an extract from a trade register or an equivalent document if the applicant is a legal person;

f) a written declaration by all project participants confirming that the applicant will be added to the list of project participants in the project design document, if the applicant is not included as a project participant in the project design document.

2° if the procedure mentioned under point 1° does not apply:

- a) the letter of approval issued by the focal point of the host country;
- b) the documentation which forms the basis of the approval of the JI project activity by the host country in accordance with the relevant national guidelines of the host country;
- c) a declaration by the applicant that participation in the project activity is in accordance with the relevant guidelines, conditions of implementation and procedures pursuant to the UNFCCC, the Kyoto Protocol and the relevant Belgian regulation. This declaration shall be drawn up using the form provided to that end by the National Climate Commission;
- d) a copy of a valid proof of identification if the applicant is a natural person; the Crossroads Bank for Enterprises identification number or, in the absence thereof, an extract from a trade register or an equivalent document if the applicant is a legal person;
- e) a written declaration by all project participants stating their agreement that the applicant become a project participant, if the applicant has not yet been authorised to participate in the JI project activity.

Art.4. The documents mentioned under Articles 2 and 3 shall be drawn up in Dutch, French or English. If this is not the case, a translation in one of these languages by a sworn translator shall be enclosed.

Art.5. An application for approval of a project activity shall be submitted both in electronic and in written form to the Permanent Secretariat of the National Climate Commission.

Art.6. The applicant shall pay a fee of 364 euros for each application for approval of a project activity. This fee shall be paid by bank transfer to the account number of the National Climate Commission.

In case the National Climate Commission has not received the fee at the time of receipt of the project activity approval application, the National Climate Commission shall fix a deadline for payment and notify it to the applicant. If the fee is not paid before the deadline expires, the project activity approval application will not be treated.