

ORDER
OF MINISTER OF ENVIRONMENT OF REPUBLIC OF LITHUANIA

**ON THE AMENDMENT TO ORDER NO D1-183 OF THE MINISTER OF
ENVIRONMENT OF 1 APRIL 2005 ON THE APPROVAL OF THE RULES FOR
THE IMPLEMENTATION OF JOINT IMPLEMENTATION PROJECTS**

18 October 2007, No D1-529
Vilnius

Order No D1-183 of the Minister of Environment of the Republic of Lithuania of 1 April 2005 On the Approval of the Rules for the Implementation of Joint Implementation Projects is hereby amended to read as follows:

“MINISTER OF ENVIRONMENT OF REPUBLIC OF LITHUANIA

**ORDER
ON THE APPROVAL OF THE RULES FOR THE IMPLEMENTATION OF THE
KYOTO PROTOCOL'S JOINT IMPLEMENTATION PROJECTS**

Pursuant to Section 11.5 of the Regulations of the Ministry of Environment of the Republic of Lithuania, approved by Resolution No 1138 of the Government of the Republic of Lithuania of 22 September 1998 (Official Gazette *Valstybės žinios*, 1998, No [84-2353](#); 2002, No [20-766](#)), and implementing the provision of Section 2.1.2 of Order No D1-279/4-193 of the Minister of Environment of the Republic of Lithuania and of the Minister of Economy of the Republic of Lithuania of 19 May 2004 On the Approval of Strategic Directions for the Implementation of the Joint Implementation Mechanism under the Kyoto Protocol to the United Nations Framework Convention on Climate Change and on the Inter-Institutional Allocation of Functions in Implementing this Mechanism (Official Gazette *Valstybės žinios*, 2004, No [86-3146](#)), and with a view of implementing the provisions of Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (as amended by Directive 2004/101/EC of the European Parliament and of the Council of 27 October 2004 amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms) (OJ 1996 L 257, p. 26; OJ 2004 L 338, p. 18), I hereby:

1. Approve the Rules for the Implementation of the Kyoto Protocol's Joint Implementation Projects (annexed hereto).
2. Stipulate that the Rules approved by Paragraph 1 shall be applied to all joint implementation projects (hereinafter JI projects) that meet the requirements under Article 6 of the Kyoto Protocol.
3. Authorise the Supervisory Board of the Lithuanian Environmental Investment Fund to conduct the assessment of concepts (ideas) of the Kyoto Protocol's JI projects.
4. Stipulate that upon implementation of the Kyoto Protocol's JI projects, the transfer of emission reduction units (ERUs) and/or assigned amount units (AAUs) to the investor country shall be conducted without prejudice to the provisions of legislation that transposes the requirements of Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (as amended by Directive 2004/101/EC of the European Parliament and of the Council of 27 October 2004 amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms), and by taking into account the contribution of the host country (Lithuania) to the funding of JI project implementation.
5. Assign the supervision of the implementation of this Order to Aleksandras Spruogis, undersecretary of the Ministry of Environment.

MINISTER OF ENVIRONMENT

ARŪNAS KUNDROTAS

AGREED

By Letter No (1.12-01)-3-6498 of the
Ministry of Economy of 11.10.2007

APPROVED

By Order No D1-529 of
the Minister of
Environment of the
Republic of Lithuania of
18 October 2007 (version
of Order D1-183 of the
Minister of Environment
of the Republic of
Lithuania of 1 April 2005)

THE RULES FOR THE IMPLEMENTATION OF THE KYOTO PROTOCOL'S JOINT IMPLEMENTATION PROJECTS

I. GENERAL PROVISIONS

1. The Rules for the Implementation of the Kyoto Protocol's Joint Implementation Projects (hereinafter the Rules) shall establish a procedure for the implementation in the Republic of Lithuania as a host and investor country of joint implementation projects (hereinafter JI projects) that meet the requirements of Article 6 of the Kyoto Protocol which the Republic of Lithuania has ratified by the Law of the Republic of Lithuania on the Ratification of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (Official Gazette *Valstybės žinios*, 2002, No [126-5728](#)) (hereinafter the Kyoto Protocol).

2. These Rules have been prepared pursuant to the provisions of the Strategic Directions for the Implementation of the Joint Implementation Mechanism under the Kyoto Protocol to the United Nations Framework Convention on Climate Change, approved by Order No D1-279/4-193 of the Minister of Environment of the Republic of Lithuania and of the Minister of Economy of the Republic of Lithuania of 19 May 2004 (Official Gazette *Valstybės žinios*, 2004, No [86-3146](#)) (hereinafter the Strategic Directions), in accordance with Decision 9/CMP.1 of 30 March 2006 of the Conference of the Parties of the United Nations Framework Convention on Climate Change (hereinafter the Convention), serving as the meeting of the Parties to the Kyoto Protocol, On the Guidelines for the Implementation of Article 6 of the Kyoto Protocol (hereinafter the JI Project Implementation Guidelines), with Report No FCCC/CP/2001/13/Add.1 of 21 January 2002 of the Conference of the Parties of the United Nations Framework Convention on Climate Change (hereinafter the Marrakesh Accords) and with the regional recommendations of January 2007 on the amended procedures for joint implementation projects in the Baltic Sea region (hereinafter the Regional Recommendations) prepared by experts of the Climate Change Working Group of the Baltic Sea Region Energy Cooperation (BASREC).

3. The Rules shall be applied to participants of JI projects implemented in Stage 2 provided for in the Strategic Directions (after the entry into force of the Kyoto Protocol and the launch of JI project implementation in accordance with the requirements of Track Two). In the implementation of JI projects in accordance with the requirements of Track Two, the provisions of these Rules shall apply to the extent of their consistency with the requirements of the Joint Implementation Supervisory Committee (hereinafter the JI Supervisory Committee).

4. All documents that under these Rules are submitted to authorities of the Republic of Lithuania shall be drawn up in or translated into Lithuanian.

5. For the purposes of these Rules:

Accredited independent entity is an entity accredited by the JI Supervisory Committee that assesses and verifies whether a JI project and a reduction of greenhouse gas emissions resulting from the project meet the requirements of Article 6 of the Kyoto Protocol.

Track two means the other of the two tracks contained in the Marrakesh Accords, for the implementation of the Kyoto Protocol's joint implementation mechanism, and defined in the annex to the Strategic Directions.

Baseline refers to the projected greenhouse gas emissions that would be generated during the crediting period, without taking into account a reduction of greenhouse gas emissions resulting from a JI project.

Joint Implementation Supervisory Committee is an international committee authorised and governed by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, which carries out supervision of the Kyoto Protocol's joint implementation mechanism by providing mandatory guidelines with respect to the joint implementation modalities and procedures and bears responsibility for the accreditation of independent entities.

Joint implementation (JI) project is a project defined in Article 6 of the Kyoto Protocol, under which any Party included in Annex I to the Convention, ratified by Resolution No I-812 of the Parliament of the Republic of Lithuania of 23 February 1995 On the Ratification of the United Nations Framework Convention on Climate Change (Official Gazette *Valstybės žinios*, 1995, No [18-413](#)), may transfer to, or acquire from, any other such Party emission reduction units.

Participants involved in the JI project cycle are the project proponent, the host and investor countries represented by their authorities, the JI Supervisory Committee and the accredited independent entity.

Investor country means any Party included in Annex I to the Convention which purchases or for investment in a JI project in the host country receives from such country emission reduction units (ERUs) or provides assistance in their purchase by legal entities that participate in the greenhouse gas emission allowance trading scheme.

Emission reduction unit (ERU) is a unit equal to one metric tonne of carbon dioxide (CO₂) equivalent and designed to calculate a reduction of greenhouse gas emissions resulting from a JI project provided for in Article 6 of the Kyoto Protocol.

Letter of intent (LoI) means a mutual written arrangement on the intent to purchase and sell ERUs, between the project proponent and the investor country whereby they agree on the terms and conditions of cooperation.

Crediting period is a period for which an accredited independent entity may determine a reduction of greenhouse gas emissions. JI project participants may establish the beginning of the crediting period that would commence after or coincide with the date of a reduction of greenhouse gas emissions resulting from a JI project. The crediting period shall not exceed the duration of a JI project. The crediting period may end also after 2012, depending on the decision of the host country.

Letter of approval means, in the case of JI project activities that generate ERUs or assigned amount units (hereinafter AAUs), a binding obligation undertaken in a written form by the host country to issue ERUs or AAUs in accordance with the country's national JI project implementation rules.

Additionality refers to the main requirement for the eligibility of JI projects, meaning that greenhouse gas emissions shall be lower than the baseline as a result of a JI project.

Host country means any Party included in Annex I to the Convention, in the territory of which a JI project is implemented.

Letter of endorsement is an official communication in a written form by the host country that it considers the project activity as one with a potential to gain eventual approval as a JI project activity.

Project Design Document (PDD) means all documents necessary for the development of a JI project, which is elaborated and submitted by the project proponent to the accredited independent entity for evaluation.

Project boundary is a hypothetical scope of a proposed JI project within which the assessment of the project's impact on the change of greenhouse gas emissions will take place.

Project proponent is a legal entity responsible for the development and implementation of a JI project, and operating in the host country, or the legal entity's partner in the investor country or their authorised representative (consultancy).

Registry means a registry of greenhouse gas emission allowances established under Order No D1-252 of the Minister of Environment of the Republic of Lithuania of 16 May 2005 On the Establishment of a Registry of Greenhouse Gas Emission Allowances (Official Gazette *Valstybės žinios*, 2005, No [64-2319](#));

Determination is a determination by the accredited independent entity taken before JI project implementation on the eligibility of the Project Design Document under the joint implementation requirements (occasionally also referred to as **validation**).

Stakeholders means the public, including individuals, groups or communities affected, or likely to be affected, by the JI project.

Greenhouse gases refers to the gases listed in Annex A to the Kyoto Protocol: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF₆).

Verification is an independent periodic review of the project activity monitoring results carried out by the accredited independent entity during the established JI project monitoring period, and an assessment of additionality based on actual indicators.

Party included in Annex I means any Party included in Annex I to the Convention that has ratified the Kyoto Protocol.

6. Other terms used in these Rules shall have the meaning defined in the Strategic Directions.

II. SUBMITTAL OF JI PROJECT CONCEPT AND ITS ASSESSMENT IN LITHUANIA AS HOST COUNTRY

7. A project proponent who proposes to implement a JI project in the Republic of Lithuania shall submit in a written form a concept of the JI project to the competent authority, the Ministry of Environment. Where a JI project is related to the energy sector and/or is proposed for implementation under the Agreement on a Testing Ground for Application of the Kyoto Mechanisms on Energy Projects in the Baltic Sea Region, ratified by Law No IX-2463 of the Republic of Lithuania of 28 September 2004 (Official Gazette *Valstybės žinios*, 2004, No [163-5948](#)) (hereinafter the Agreement on a Testing Ground), the JI project concept shall be submitted also to the Ministry of Economy with a notification thereof to the Ministry of Environment.

8. The JI project concept shall specify the nature of the project, the projected impact on the environment and results expected to be achieved, and shall contain a preliminary assessment of the JI project additionality.

9. With a view of taking the decision specified in Section 15, the Ministry of Environment shall submit the concept received to the Lithuanian Environmental Investment Fund (hereinafter the LEIF) for evaluation.

10. The LEIF shall evaluate the concept in accordance with the criteria for priority projects eligible for joint implementation, listed in the Strategic Directions, with the provisions of national strategic documents and with the terms laid down herein.

11. When evaluating the JI project concept and deciding on the endorsement of further development thereof, in addition to the criteria for priority project eligible for joint implementation listed in the Strategic Directions, the following conditions shall be taken into consideration:

11.1. Whether the JI project will result in a reduction of greenhouse gas emissions from the level in the absence of the project, i.e. compared to the baseline.

11.2. Whether the JI project implementation is relevant in the geographical part of the host country where its implementation is proposed.

11.3. Whether an opportunity exists for effective monitoring of the JI project activity and for verification if the JI project results in reduced greenhouse gas emissions.

11.4. Whether an opportunity exists for using reliable and verifiable information on the JI project implementation.

12. No later than within 45 (forty-five) days from the date of receipt of the JI project concept, the LEIF shall draw up conclusions on the eligibility and further development of the JI project and shall provide the same in a written form to the Ministry of Environment.

13. When providing the conclusions specified in Section 12, the LEIF may propose to the Ministry of Environment to take a decision with reasoned terms or proposals which the project proponent should take into account when drawing up the Project Design Document, and request submittal of other documents with a view of obtaining assurance of the JI project results.

14. Within 45 (forty-five) days from the date of receipt of the JI project concept, the Ministry of Economy within its competence shall provide a conclusion to the Ministry of the Environment on the eligibility and feasibility of further development of the proposed JI project concept.

15. The Ministry of Environment, upon taking into account the conclusions of the LEIF and the Ministry of Economy (if such conclusions were to be provided under the provisions of the Strategic Directions and Section 7 hereof), shall take a reasoned decision on whether to endorse further development of the JI project concept and shall issue a notification thereof by a Letter of Endorsement to the project proponent, the Ministry of Economy, the LEIF and the investor country, if any, no later than within 60 (sixty) days from the date of receipt of the JI project concept. The Ministry of Environment may indicate in the Letter of Endorsement the date of expiry thereof.

16. Upon receipt of the decision on the endorsement of the JI project concept from the Ministry of Environment, the project proponent shall draw up a project design document which shall be submitted to the accredited independent entity for evaluation within a period not exceeding the time period specified in Section 15 hereof (if such time period was specified).

III. CONTENT OF PROJECT DESIGN DOCUMENT

17. Any project design document shall contain the following information:

17.1. General description of the JI project.

17.2. Establishment of the baseline.

17.3. Duration of the JI project and crediting period.

17.4. Monitoring plan of the JI project activity.

17.5. Estimation of greenhouse gas emission reductions.

17.6. Environmental impact assessment of the JI project.

17.7. Stakeholders' comments on and proposals for the JI project.

17.8. Other documents and assessments which the Ministry of Environment could have requested pursuant to Section 13 hereof, and documents submitted on the initiative of the project proponent.

18. *The section of general description of the JI project* shall contain the following:

18.1. Title of the JI project, number and date of the project design document's edition.

18.2. Description of the JI project.

18.3. Information on the JI project participants.

18.4. Technical information on the JI project.

18.4.1. Location of the JI project implementation (specify the country, region and city) and details of the physical location.

18.4.2. Technologies to be employed, or measures, operations and actions to be implemented by the project.

18.5. Brief explanation of how greenhouse gas emissions are to be reduced by the proposed JI project, including why the emission reductions would not occur in the absence of

the JI project, taking into account national and/or sectoral policies and circumstances of the host country, and an estimated amount of emission reductions over the crediting period.

18.6. Copies of the Letters of Approval, if any, of the investor country and the host country.

19. *The section of establishment of the baseline*, taking into account that establishment of the baseline, including also the definition of the specific JI project boundary within which monitoring of the JI project activity will have to be carried out, is the main issue in elaborating the JI project, shall contain the following:

19.1. Description and justification of the baseline chosen.

19.2. Description of the JI project additionality based on estimations.

19.3. Description of the JI project boundary.

19.4. Further baseline information: the date of baseline setting and the name(s) of the person(s)/entity(ies) setting the baseline.

20. *The section of duration of the JI project and crediting period* shall contain the following:

20.1. Starting date of the JI project.

20.2. Expected operational lifetime of the JI project.

20.3. Length of the crediting period. .

21. *Monitoring plan of the JI project activity*, which shows the crucial part of the JI project cycle, i.e. monitoring of activity quality in the course of the project, shall be developed in accordance with Annex B to the JI Project Implementation Guidelines and with other criteria for the baseline and monitoring set by the JI Supervisory Committee. Monitoring should be carried out to enable a comparison of the project activity quality results and data on greenhouse gas emissions with baseline data, i.e. the monitoring plan shall be closely associated with the baseline establishment study and shall cover the same JI project boundary. The JI project activity monitoring plan shall contain the following:

21.1. Detailed description of the JI project activity monitoring plan chosen.

21.2. Description of monitoring of greenhouse gas emissions in the project scenario and the baseline scenario, or direct monitoring of emission reductions resulting from the JI project activity.

21.3. How leakage which is outside the JI project boundary but which can be measured and attributed to the JI project activity will be estimated. It is necessary to describe the data and information that will be collected in order to monitor leakage effects of the JI project activity, and to provide formulae used to estimate leakage.

21.4. Formulae used to calculate emission reductions from the project activity.

21.5. How data on the environmental impacts of the JI project activity will be collected and archived.

21.6. Quality control and quality assurance procedures undertaken for data monitoring.

21.7. Description of the operational and management structure that the project proponent will apply in implementing the monitoring plan.

21.8. Name of person(s)/entity(ies) establishing the monitoring plan of the JI project activity.

22. The monitoring plan may be amended when reviewing and/or adding information. Project participants shall justify any amendment to the monitoring plan. An amended monitoring plan shall be approved by the accredited independent entity.

23. *The section of estimation of greenhouse gas emission reductions* shall contain the following:

23.1. Estimate emission reductions resulting from the JI project activity.

23.2. Estimated leakage which is outside the JI project boundary but which can be measured and attributed to the JI project activity.

23.3. The sum of emissions indicated in Sections 23.1 and 23.2.

23.4. Estimated baseline emissions.

23.5. Difference between emissions indicated in Sections 23.3 and 23.4.

24. Values of the section specified in Section 23 shall be provided in a consistent manner by the emission, source, etc. Greenhouse gas emissions shall be given in CO₂ equivalents. Where appropriate, it is recommended to provide detailed calculations to ensure transparency.

25. *The section of environmental impact assessment of the JI project*, taking into account the scale, nature or location specifics of the proposed JI project, shall contain copies of documents mandatory under the Law of the Republic of Lithuania on Environmental Impact Assessment of Proposed Projects (Official Gazette *Valstybės žinios*, 1996, No [82-1965](#); 2000, No [39-1092](#)), and of documents justifying the eligibility of the proposed project in terms of environmental impacts, received under other laws regulating environmental impact assessment of projects.

26. *The section of stakeholders' comments on and proposals for the JI project* shall contain information on stakeholders' comments and proposals; stakeholders from whom comments on and proposals for the JI project were received; the nature of comments and proposals received, and how comments and proposals were taken into account, if at all. The fact that no comments and proposals were received shall be indicated.

27. The project proponent shall submit to the Ministry of Environment a project design document containing such information as provided for herein and in the JI project design document form prepared by the JI Supervisory Committee.

IV. DETERMINATION ON ELIGIBILITY OF PROJECT DESIGN DOCUMENT IN LITHUANIA AS HOST COUNTRY

28. Prior to the starting date of the JI project, the project proponent shall submit the project design document elaborated to the accredited independent entity for evaluation and shall obtain from such entity a Report on Project Design Document Eligibility (hereinafter the PDD Eligibility Report) specified in Section 30.3, which report shall be equivalent to approval of the project design document.

29. The PDD Eligibility Report by the accredited independent entity shall be valid for one year from the date of approval thereof.

30. The determination on the eligibility of the project design document should be taken as follows:

30.1. The accredited independent entity shall public information on the proposed JI project on the websites of the LEIF and the Convention's Secretariat and shall wait for 30 (thirty) days for comments that may be provided by all stakeholders, Parties to the Kyoto Protocol and Convention accredited observers.

30.2. The accredited independent entity shall determine whether the JI project was approved by the host country and the investor country, i.e. whether Letters of Approval from both abovementioned countries are available, and shall evaluate the project design document in detail, establishing whether setting of the baseline was appropriate, and shall verify the additionality of the JI project, the availability of the monitoring plan and submittal of documents justifying the eligibility of the proposed project with regard to environmental impacts, etc. To verify the additionality of the JI project, the conservative approach shall be used which corresponds to the minimum likelihood of emission reductions. With a view of the most detailed evaluation possible of the project design document, the accredited independent entity may visit the site of the JI project implementation in order to obtain assurance of the validity of information and data provided in the project design document.

30.3. Upon expiry of the deadline for submitting comments, except for the cases specified in Section 30.4, the accredited independent entity, after taking into account the reasoned comments received within the period laid down in Section 30.1, shall draw up a PDD Eligibility Report which shall indicate if the project design document meets the requirements, if the JI project is eligible, etc.

30.4. In cases when the accredited independent entity has insufficient data or information for drawing up the PDD Eligibility Report referred to in Section 30.3, the accredited independent entity shall draw up a draft report requesting the project proponent to provide

additional data necessary to verify the additionality of the JI project, and shall submit the same to the project proponent.

30.5. In the cases specified in Section 30.4, the accredited independent entity shall draw up the PDD Eligibility Report within 30 (thirty) days from receipt of the project proponent's replies to the question contained in the draft report.

31. The project proponent shall submit to the Ministry of Environment a copy of the letter by the accredited independent entity approving the PDD Eligibility Report, the approved project design document (in Lithuanian) and the request for the Letter of Approval. Also the project proponent shall submit a copy of the letter approving the PDD Eligibility Report to the LEIF, and in cases specified in Section 7 also to the Ministry of Economy of the Republic of Lithuania.

32. The Ministry of Environment, upon taking into account the conclusions provided in the PDD Eligibility Report, shall take a reasoned decision on whether to approve by a Letter of Approval further JI project implementation, and shall notify the project proponent thereof in a written form no later than within 60 (sixty) days from the date of receipt of the documents specified in Section 31.

33. Upon receipt of the Letter of Approval from the Ministry of Environment, the project proponent shall submit the same to the accredited independent entity.

34. The accredited independent entity shall publish the Letter of Approval and the PDD Eligibility Report, including a summary of comments received and information on how the project proponent took into account the comments made, on the websites of the LEIF and the Convention's Secretariat.

35. The publication of the PDD Eligibility Report and additional information shall not disclose information that is considered proprietary, commercial or confidential information. The project proponent shall specify information not subject to disclosure in the project design document.

36. The following information shall not be considered secret or confidential information:

36.1. Information that serves to establish whether a reduction of greenhouse gas emissions resulting from the proposed JI project is additional.

36.2. Information that explains methods of setting the baseline and its application.

36.3. Information on environmental impacts of the proposed project.

37. The PDD Eligibility Report shall be subject to final approval by the letter of the accredited independent entity to the project proponent after 45 (forty-five) days from its publication as laid down in Section 34, if during this period neither of the parties participating in the JI project has made an official statement on its refusal to implement the JI project, except for cases when one of the JI project participants or three of the JI Supervisory Committee members submit an official application for a review of the PDD Eligibility Report by the JI Supervisory Committee. In this case the PDD Eligibility Report, taking into account the results of the review, shall come into force from the adoption of an appropriate decision by the JI Supervisory Committee.

38. After the accredited independent entity has recognised the JI project as eligible, the data on the proposed JI project shall be entered in the registry in accordance with the procedure prescribed by laws regulating the activities thereof.

V. JI PROJECT IMPLEMENTATION, JI PROJECT ACTIVITY MONITORING AND VERIFICATION OF MONITORING RESULTS IN LITHUANIA AS HOST COUNTRY

39. JI project implementation may start only upon approval of the JI project by a Letter of Approval of the Ministry of Environment and upon performance of all necessary actions and obtainment of the necessary approvals or permits in accordance with the procedure prescribed by laws that regulate an appropriate activity depending on the nature of the JI project.

40. When implementing the JI project, the project proponent shall carry out monitoring of the JI project activity in accordance with the JI project activity monitoring plan developed pursuant to Section 21 hereof.

41. The project proponent may conclude an agreement with an independent expert and/or experts on the performance of the JI project activity monitoring and the accounting of ERUs resulting from the JI project.

42. The list of persons with whom the agreement referred to in Section 39 may be made shall be compiled by the JI Supervisory Committee.

43. The project proponent shall be responsible for the due performance of the JI project activity monitoring in all cases.

44. The project proponent shall submit a report in a written form on the results of the JI project activity monitoring to the accredited independent entity and the LEIF at least once a month or at such intervals as specified in the JI project activity monitoring plan. The accredited independent entity shall make the report on the results of the JI project activity monitoring publicly available.

45. The accredited independent entity shall have the right to prescribe to the project proponent an interval for submitting the report on the results of the JI project activity monitoring other than the interval specified in Section 42, and a different form of the report.

46. Upon receipt of the report on the results of the JI project activity monitoring, the accredited independent entity shall establish whether monitoring is carried out in accordance with the monitoring plan approved and whether the results of monitoring justify the reduction of greenhouse gas emissions. The accredited independent entity shall state this in the JI project implementation verification report.

47. The accredited independent entity shall publish the JI project implementation verification report together with a justification thereof on the websites of the Convention's Secretariat and the LEIF.

48. The JI project implementation verification report shall come into force after 15 days from publication thereof, except for cases when one of the project participants or three of the JI Supervisory Committee members submit an official application for a review of the report by the JI Supervisory Committee. In this case the report, taking into account the results of the review, shall come into force from the adoption of an appropriate decision by the JI Supervisory Committee.

49. Upon entry into force of the JI project implementation verification report, ERUs/AAUs shall be entered in the registry in accordance with the prescribed procedure and they may be transferred to the investor country, the national registry of which shall transfer ERUs/AAUs to the account of the project proponent.

VI. JI PROJECT IMPLEMENTATION IN LITHUANIA AS INVESTOR COUNTRY

50. JI projects shall be implemented in Lithuania as the investor country in accordance with the host country's national guidelines and procedure for the approval of the JI project activity, with these Rules and with other laws. It is recommended, where appropriate, to take the Regional Recommendations into account.

51. Stages of JI project implementation:

51.1. The project proponent who proposes the JI project shall submit the JI project concept to the host country, if so required under the laws of the host country.

51.2. Upon obtaining preliminary approval on JI project implementation from the host country, the project proponent shall ensure submittal of the Letter of Endorsement signed by the host country, to the Ministry of Environment of the Republic of Lithuania.

51.3. The project proponent and the investor country shall sign a Letter of Intent in two copies.

51.4. Upon adoption by the host country of a favourable determination on further implementation of the JI project, the project proponent shall ensure submittal of the Letter of Approval signed by the host country, to the Ministry of Environment of the Republic of Lithuania.

52. JI project implementation and verification thereof shall be carried out in accordance with the requirements of the host country's rules for JI project implementation and other laws. Upon entry into force of the JI project verification report, ERUs shall be entered in the

registry of the host country in accordance with the prescribed procedure and shall be transferred to the investor country.

VII. FINAL PROVISIONS

53. In case of any disagreement over the application of the provisions hereof, appropriate provisions of the Regional Recommendations and the JI project implementation guidelines may be applied by agreement of the host country and the investor country.

54. Disputes related to the application of these Rules shall be settled by a court of the Republic of Lithuania.”
