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⁽¹⁾ Text with EEA relevance

I

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REGULATIONS

COUNCIL REGULATION (EC) No 617/2009

of 13 July 2009

opening an autonomous tariff quota for imports of high-quality beef

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In view of the Community interest in developing harmonious trade relations with third countries, provision should be made for opening, as an autonomous measure, a Community import tariff quota of 20 000 tonnes for high-quality fresh, chilled or frozen beef.
- (2) In accordance with Article 144 of Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, read in conjunction with Article 4 of that Regulation, tariff quotas for the products covered by this Regulation are opened and administered by the Commission under detailed rules adopted in accordance with the procedure referred to in Article 195(2) of that Regulation,

Article 1

1. An annual Community import tariff quota of 20 000 tonnes, expressed in product weight, with order No 09.4449, is hereby opened for high-quality fresh, chilled or frozen beef falling within CN codes 0201, 0202, 0206 10 95 and 0206 29 91.

2. The import duties for the quota referred to in paragraph 1 shall be 0 %.

3. The quota year shall run from 1 July to 30 June.

Article 2

The tariff quota referred to in Article 1 shall be managed by the Commission in accordance with Article 144 and Article 195(2) of Regulation (EC) No 1234/2007.

Article 3

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 August 2009.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 July 2009.

For the Council

The President

E. ERLANDSSON

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

COMMISSION REGULATION (EC) No 618/2009
of 14 July 2009
establishing the standard import values for determining the entry price of certain fruit and
vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 July 2009.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 July 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	30,0
	ZZ	30,0
0707 00 05	TR	106,6
	ZZ	106,6
0709 90 70	TR	102,0
	ZZ	102,0
0805 50 10	AR	49,3
	TR	53,0
	ZA	67,1
	ZZ	56,5
0808 10 80	AR	85,4
	BR	73,6
	CL	97,7
	CN	94,7
	NZ	96,5
	US	98,1
	ZA	81,9
	ZZ	89,7
0808 20 50	AR	84,7
	CL	76,8
	NZ	87,2
	ZA	101,6
	ZZ	87,6
0809 10 00	HR	90,0
	TR	189,4
	XS	103,5
	ZZ	127,6
0809 20 95	TR	262,6
	ZZ	262,6
0809 30	TR	145,4
	ZZ	145,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 619/2009**of 13 July 2009****amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ⁽²⁾.
- (2) In accordance with Article 4(3) of Regulation (EC) No 2111/2005, some Member States communicated to the Commission information that is relevant in the context of updating the Community list. Relevant information was also communicated by third countries. On this basis, the Community list should be updated.
- (3) The Commission informed all air carriers concerned either directly or, when this was not practicable, through the authorities responsible for their regulatory oversight, indicating the essential facts and considerations which would form the basis for a decision to impose on them an operating ban within the Community or to modify the conditions of an operating ban imposed on an air carrier which is included in the Community list.
- (4) Opportunity was given by the Commission to the air carriers concerned to consult the documents provided by Member States, to submit written comments and to make an oral presentation to the Commission within 10 working days and to the Air Safety Committee established by Council Regulation (EEC) No 3922/91 of

16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation ⁽³⁾.

- (5) The authorities with responsibility for regulatory oversight over the air carriers concerned have been consulted by the Commission as well as, in specific cases, by some Member States.
- (6) Regulation (EC) No 474/2006 should therefore be amended accordingly.

Community carriers

- (7) Following information resulting from SAFA ramp checks carried out on aircraft of certain Community air carriers, as well as area specific inspections and audits carried out by their national aviation authorities, some Member States have taken certain enforcement measures. They informed the Commission and the Air Safety Committee about these measures: the competent authorities of Greece informed that the Air Operator Certificate (AOC) of the carrier EuroAir Ltd had been withdrawn on 8 May 2009; the competent authorities of Sweden informed that they had withdrawn on 23 January 2009 the AOC of the carrier of Nordic Airways AB ('Regional') and on 31 March 2009 that of the carrier Fly Excellence AB.

One Two Go Airlines and Orient Thai Airlines*One Two Go Airlines*

- (8) On 8 April 2009, the competent authorities of Thailand (the Thai Department of Civil Aviation — Thai DCA) informed the Commission that they have revoked the AOC of the carrier One Two Go. Although One Two Go had filed appeal against the revocation order, the Thai DCA has re-affirmed such order on 4 May 2009.
- (9) Therefore, taking into account that the operator has lost its AOC, and that as a consequence its operating licence cannot be considered as valid, on the basis of the common criteria, it is assessed that the One Two Go is no longer an 'air carrier' as defined by Article 2 of Regulation (EC) No 2111/2005, and should therefore be removed from Annex A.

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ OJ L 84, 23.3.2006, p. 14.

⁽³⁾ OJ L 373, 31.12.1991, p. 4.

Orient Thai Airlines

- (10) Pursuant to the provisions of Commission Regulation (EC) No 298/2009 of 8 April 2009 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community ⁽¹⁾, the Thai DCA provided the Commission with information regarding the effectiveness of the corrective actions taken by the carrier Orient Thai, as well as measures taken by the Thai DCA to resolve the safety deficiencies detected previously, and which led to the suspension of the carrier's operations with aircraft of type MD-80 for a period of 75 days until 7 October 2008.

- (11) The Commission considers that, on the basis of this information, no further action is needed.

Air carriers from Ukraine*Overall safety oversight of air carriers from Ukraine*

- (12) Following the adoption of Regulation (EC) No 298/2009 a team of European experts carried out a visit in Ukraine from 25 to 29 May 2009 to verify the status of implementation of the action plan submitted by the competent authorities of Ukraine to enhance oversight as well as the safety situation of the two carriers whose operations are subject to an operating ban in the Community — Ukraine Cargo Airways and Ukrainian Mediterranean Airlines. Also, with a view to verifying the exercise of oversight by the State Aviation Administration of Ukraine, the EC team of experts met with two carriers — South Airlines and Khors Air Company, which operate in to the Community and have been subject to ramp checks in the Community and in other ECAC states.
- (13) The State Aviation Administration has made limited progress in the implementation of its action plan. All actions (12/12) identified by the State Aviation Administration in its action plan submitted on 31 May 2008 to enhance the exercise of oversight remain open so far. No certification according to the requirements announced by the State Aviation Administration has taken place, the corresponding legislation has not been enacted and the completion of the corrective actions will not be completed before July 2011 at the earliest, for some implementation has slipped to 2015.
- (14) The implementation of the action plan is directly linked to the complexity of the legal system of Ukraine which does not permit to identify clearly the standards used for approval of aircraft and operators and whether they actually comply with annexes of the International Civil Aviation Organisation (ICAO). This was confirmed during meetings with the four operators.

- (15) Also, the report of the visit reveals that the competent authorities of Ukraine do not have sufficient qualified personnel to carry out the oversight of 74 AOC holders (airworthiness and operations). The implementation of the continuing oversight activities could not be fully demonstrated and the comments presented by the competent authorities of Ukraine after the visit could not clarify these matters. Also, careful review of the AOC system used by the competent authorities of Ukraine shows that this system does not provide for clear identification of the regulations/standards applied for certification nor for certainty about the exact fleet authorised for operations and the exact authorisations held.

- (16) The competent authorities of Ukraine submitted comments which were not sufficient to remove the findings raised during the visit. The various corrective actions announced by these authorities will need to be closely monitored and evaluated on a regular basis taking also into account the results of the ICAO USOAP visit carried out in June 2008. Also, following the visit, the competent authorities of Ukraine submitted a new corrective action plan, whose implementation depends on the adoption of a new aviation law in Ukraine the adoption of which is planned for 2010. Hence the adoption of various implementing rules will not be completed before the second half of 2011 for aircraft operations, end 2012 for flight crew licensing and end of 2015 for continuing airworthiness.

- (17) In the light of the results of the visit, and presentations made during the meeting of the Air Safety Committee on 1 July 2009, the Commission will continue to monitor closely the implementation of these actions and cooperate with the competent authorities of Ukraine to assist them in enhancing oversight and in addressing any non-compliances. Furthermore, Member States will verify systematically the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of carriers licensed in Ukraine pursuant to Commission Regulation (EC) No 351/2008 ⁽²⁾.

Motor Sich JSC Airlines

- (18) Following the adoption of Regulation (EC) No 298/2009 the carrier was invited to present any relevant information including corrective actions to redress the previously detected safety deficiencies. The competent authorities of Ukraine submitted information clarifying the actions taken on the AOC of the carrier. Motor Sich submitted documentation on 4 June 2009 stating that the company had carried out a root cause analysis and had drawn up corrective actions to resolve any safety deficiencies. Its analysis and corrective actions were approved by the competent authorities of Ukraine. Also, the company addressed on 15 June correspondence

⁽¹⁾ OJ L 95, 9.4.2009, p. 16.

⁽²⁾ OJ L 109, 19.4.2008, p. 7.

including corrective actions to the competent authorities of France which had performed an inspection⁽¹⁾ on the aircraft AN-12 (UR-11819). The corrective action plan indicates that the manuals and documentation of the company (operation manual and flight manual) have been modified to bring them into conformity with ICAO standards and allowing for a correct flight preparation.

- (19) However, the training of pilot and crew to ensure that the revised manuals and procedures are effectively applied is not sufficient to ensure appropriate coverage of the broad range of changes. Furthermore, the Commission has not received any information from the competent authorities of Ukraine indicating the verification of the status of implementation and the effective closure of these actions with a view to resolving in a sustainable manner the detected safety deficiencies.
- (20) In the light of these findings, and on the basis of the common criteria, the Commission considers that at this stage, the carrier Motor Sich does not meet the relevant safety standards and should therefore be retained in Annex A.

Ukraine Cargo Airways

- (21) Following the adoption of Regulation (EC) No 298/2009 the carrier was visited by the EC team of experts on 27 May 2009. The report of the visit indicates that the fleet of Ukraine Cargo Airways (UCA) has been considerably reduced in one year, declining from 20 aircraft at the beginning of 2008 (ten IL-76, three AN-12, three AN-26, three MIL-8 helicopters and one Tupolev Tu-134), to four aircraft at the time of the visit (two IL-76, one AN-12 and one AN-26). Out of 4 aircraft on the AOC, only one aircraft, an IL-76 (UR-UCC) is in airworthy condition, the other three aircraft on the AOC having expired certificates of airworthiness. The carrier stated that all other aircraft are not airworthy anymore and are not operated in any manner.
- (22) According to the report UCA has made significant progress in the implementation of its corrective action plan submitted on 1 April 2008 to the Commission. Out of the 22 actions scheduled, 19 are indicated as completed and closed. Safety policy and documentation were revised and improved. An internal safety inspection department was established. The aircraft technical condition was improved. The crew training procedures were revised and improved. However, three actions proposed in this corrective action plan still remain open, the most problematic one being the absence of quick donning masks for IL-76, AN-12 and AN-26 as required by ICAO for flights above a certain altitude.
- (23) The report also points out to significant safety deficiencies in the areas of flight operations, training and checking, continuing airworthiness and maintenance.

Furthermore, the quality management system is deficient as there is no assurance that findings raised by internal audit or by the competent authorities of Ukraine are corrected and verified prior to closure, neither does it ensure that there is systematic analysis of deficiencies. These findings raise doubts about the sustainability of corrective measures put in place by the company after the imposition of the operating ban.

- (24) The company was invited to present comments. UCA submitted documentation on 10 June to the findings raised during the visit. Out of 16 new findings raised during the visit, one could be effectively closed after examination of documentation by the company. For two findings concerning the manual of operations and its AOC, the company indicated that it had submitted to the approval of the competent authorities of Ukraine changes to its manual of operations and had requested a flight level limitation in its AOC regarding aircraft AN-12 (UR-UCN) and AN-26 (UR-UDM).
- (25) The Commission did not receive any information regarding the approval of the changes (limitations) requested by the company. Also, the carrier requested to be heard and made representations to the Commission and the Air Safety Committee on 1 July indicating that out of a total of 51 corrective actions 15 were still to be implemented by the end of August 2009 following which verification by the competent authorities of Ukraine would take place. The Commission reserves the right to proceed to verification of the implementation of corrective measures by this carrier.
- (26) In the light of these findings the Commission considers that at this stage, on the basis of the common criteria, the company does not meet the relevant safety standards and should therefore be retained in Annex A.

Ukrainian Mediterranean Airlines

- (27) Following the adoption of Regulation (EC) No 298/2009 the carrier was visited by the EC team of experts on 28 May 2009. The report of the visit indicates that UMAir has made significant improvements in its documentation system which has been completely reviewed. A safety department was established and a focal point for SAFA inspections nominated. The training procedures were also revised and improved. Nevertheless, while UMAir contends having completed the implementation of its corrective action plan, as verified by the competent authorities of Ukraine, sampled corrective actions by the team show that some deficiencies remain: Corrective actions undertaken by UMAir in relation to the load-sheet/dry operating index do not appear to be effectively applied for all aircraft types on the AOC. Some remedial actions for deficiencies noted during SAFA inspection are not being systematically corrected including determination of their root cause (oil leak on engine, missing screws, performance limitation in MEL, etc).

⁽¹⁾ DGAC/F-2008-564.

(28) Furthermore, significant safety findings were raised in the area of operations and continuing airworthiness, maintenance and engineering: a clear procedure to be applied by UMAir flight crew in case of an en route engine failure (drift-down) is not available and in the operations manual, the procedure to declare an emergency when during the flight the expected/calculated fuel at landing is expected to be below the minimum, is missing. Also, no evidence of compliance with airworthiness directives for an aircraft (UR-CFF) and its engine could be presented, various deficiencies for the aircraft of type DC-9 and MD 83 were found and the program rules of the corrosion prevention and control program (CPCP, Corrosion Level identification and reporting rules) are not followed. With regard to the quality system of the carrier, the EC team found in its report that the organization could not demonstrate that all aspects of the maintenance and flight operational processes are audited on a regular basis; actions implemented do not always take the root cause into account and there is no overall system to control the open findings (internal and external audits including Ukraine SAA findings).

(29) The company was invited to present comments. UMAir presented a corrective action plan approved by the competent authorities of Ukraine at the meeting of the Air Safety Committee on 1 July 2009. The corrective action plan has been drawn-up to address the safety deficiencies identified during the visit. However, the presentation by the carrier did not allow resolution of the findings raised during the visit in particular in the area of continuing airworthiness. The Commission reserves the right to proceed to verification of the implementation of corrective measures by this carrier.

(30) In the light of these findings, the Commission considers that at this stage, on the basis of the common criteria, the company does not meet the relevant safety standards and should therefore be retained in Annex A.

Air carriers from the Republic of Kazakhstan

(31) There is verified evidence of lack of ability of the authority responsible for the safety oversight of air carriers certified in Kazakhstan to implement and enforce the relevant safety standards, as demonstrated by the results of the audit carried out by the ICAO under the Universal Safety Oversight Audit Programme (USOAP).

(32) Following the USOAP audit of Kazakhstan carried out in April 2009, ICAO has notified to all states party to the Chicago convention the existence of significant safety concerns affecting the safety oversight of carriers and

aircraft registered in Kazakhstan, one related to operations ⁽¹⁾ and one related to airworthiness ⁽²⁾, according which the certification process used in Kazakhstan for the issuance of an Air Operator Certificate (AOC) does not address all the applicable provisions of ICAO Annex 6. Most of the existing AOCs have been issued without the involvement of a qualified airworthiness inspector. In particular, the following items are not addressed as part of the certification process: submission of maintenance programmes, review of minimum equipment lists (MEL), continuing airworthiness requirements for the issue of specific operations approvals such as ETOPS and CAT III. Further, the majority of the certificates of airworthiness have been issued without technical inspection of the aircraft and periodic aircraft inspections have not been conducted by the competent authorities of Kazakhstan. Corrective actions plans proposed by these authorities were not considered acceptable by ICAO as they do not include firm implementation dates for the immediate correctives actions to resolve these significant safety concerns.

(33) The Commission, having regard to the two significant safety concerns published shortly after the visit by ICAO and the SAFA reports, has entered into consultation with the competent authorities of Kazakhstan, expressing serious concerns about the safety of the operations of air carriers licensed in the State, asking for clarifications regarding the actions undertaken by the competent authorities to respond to ICAO findings and to SAFA findings.

(34) The competent authorities of Kazakhstan submitted documentation between 5 and 29 June and made a presentation to the Air Safety Committee on 30 June 2009. The competent authorities of Kazakhstan informed the Commission and the Air Safety Committee during their presentation on 30 June 2009 that a corrective action plan was established to address the deficiencies reported by ICAO and that they have initiated the first steps of its implementation, allowing for compliance with all ICAO safety requirements possibly in June 2010. As regards the resolution of the two significant safety concerns published by ICAO, their resolution is not expected before December 2009. The competent authorities of Kazakhstan have also informed the Commission and the Air Safety Committee that they would present quarterly reports on the status of the implementation of the corrective actions proposed to ICAO.

(35) Furthermore, the competent authorities of Kazakhstan have clarified that a total of 69 AOC have been issued and that they have taken measures to suspend or revoke 11 of these on 1 April 2009. However, uncertainty

⁽¹⁾ ICAO finding OPS/01.

⁽²⁾ ICAO finding AIR/01.

remains in relation to the enforcement actions implemented to respond to ICAO significant safety concerns as the suspension/revocations presented by the competent authorities of Kazakhstan were taken before ICAO USOAP audit, that no evidence was provided that the AOC were actually revoked and that some of the AOC indicated as revoked on 1 April 2009 are indicated as valid on 1 June 2009. Further, the competent authorities of Kazakhstan acknowledged that Kazakh law currently allows for aircraft to be operated simultaneously by more than one operator, therefore not designating clearly the entity which is responsible for the airworthiness and operation of the said aircraft.

- (36) The carrier Berkut State Airline certified in Kazakhstan requested to be heard by the Commission and the Air Safety Committee, and did so on 30 June 2009. During this presentation, the carrier did not present a comprehensive action plan undertaken to ensure compliance with safety standards and to dissipate any confusion with the carrier BEK Air previously named Berkut Air which is included in Annex A since April 2009. Berkut State Airline also indicated that it intends to abandon commercial operations and the operations of old aircraft.
- (37) The competent authorities of Kazakhstan failed to present any information regarding the certificates held by the carriers BEK Air previously named Berkut Air, and the implementation of any corrective actions affecting the safety deficiencies which led to the inclusion of this carrier into Annex A in April 2009 and failed to submit the evidence demonstrating that this air carrier is subject to any enforcement actions.
- (38) The competent authorities of Kazakhstan informed the Air Safety Committee of the existence of a third carrier called Berkut KZ but failed to present any information regarding the certificates held by this carrier.
- (39) The carrier SCAT certified in Kazakhstan requested belatedly to be heard by the Commission and the Air Safety Committee, and did so on 30 June 2009. During this presentation, the carrier acknowledged that some of the aircraft such as the Yak 42 with registration mark UP-Y4210 are also operated by other carriers certified in Kazakhstan, therefore not designating clearly the entity which is responsible for the airworthiness and operation of the said aircraft. In addition, the carrier and the competent authorities of Kazakhstan failed to provide evidence that the continuing airworthiness and maintenance of the aircraft of type Boeing B-737-522 and B-757-204 registered in Lithuania (registration marks:

LY-AWE, LY-AWD, LY-FLB and LY-FLG) is done in accordance with applicable European regulations.

- (40) The Commission acknowledges the efforts made to reform the civil aviation system in Kazakhstan and the first steps undertaken to address the safety deficiencies reported by ICAO. However, on the basis of the common criteria, pending the effective implementation of adequate corrective actions to remedy the ICAO significant safety concerns, it is assessed that the competent authorities of Kazakhstan are, at this stage, not able to implement and enforce the relevant safety standards on all air carriers under their regulatory control. Therefore, all air carriers certified in Kazakhstan should be subject to an operating ban and therefore included in Annex A, with the exception of the air carrier Air Astana.

Air Astana

- (41) The carrier Air Astana certified in Kazakhstan requested to be heard by the Commission and the Air Safety Committee, and made presentations on 30 June 2009. During this presentation, the carrier presented a comprehensive series of corrective actions and a root cause analysis designed to address the numerous safety deficiencies on the part of the air carrier identified by Germany ⁽¹⁾, The Netherlands ⁽²⁾, the United Kingdom ⁽³⁾ as well as other ECAC states ⁽⁴⁾ during ramp inspections performed under the SAFA programme. With regard to the safety situation of its fleet, all aircraft on the AOC of the carrier are registered outside Kazakhstan (Aruba). The competent authority of Aruba is responsible for the oversight of the aircraft on the fleet of Air Astana in accordance with the provisions of Annexes 1, and 8 to the Chicago Convention as well as Annex 6 for continuing airworthiness aspects.
- (42) In view of the above does not consider it necessary to include the carrier Air Astana into Annex A. However, taking into account the results of recent ramp inspections ⁽⁵⁾ performed at Community airports under the SAFA programme, as well as the commitment of Member States to further increase the number of ramp checks on aircraft operated by Air Astana to the Community, the Commission considers that it is appropriate to institute specific surveillance of the operations of Air Astana into the Community under strict conditions and therefore that its operations should be strictly limited to their present level and with the aircraft currently used. Consequently, on the basis of the common criteria, and under these conditions, this carrier should be included in Annex B.

⁽¹⁾ LBA/D-2008-334, LBA/D-2008-944.

⁽²⁾ CAA-NL-2008-24, CAA-NL-2008-254, CAA-NL-2009-7, CAA-NL-2009-42, CAA-NL-2009-55.

⁽³⁾ CAA-UK-2008-187.

⁽⁴⁾ DGCATR-2008-85, DGCATR-2008-310, DGCATR-2008-360, DGCATR-2008-381, DGCATR-2008-460, DGCATR-2008-585, DGCATR-2009-39, DGCATR-2009-69, DGCATR-2009-93, DGCATR-2009-105.

⁽⁵⁾ LBA/D-2009-332.

Air carriers from Zambia

- (43) Following the suspension of operations of the Zambian flag carrier Zambian Airways in January 2009 and the publication by ICAO of a significant safety concern in February 2009 after the USOAP Audit visit regarding aircraft operations, certification and supervision exercised by the Civil Aviation Authority of Zambia, the Commission requested information from these authorities in April 2009 to verify the implementation of corrective actions to redress this concern. The significant safety concern relates to the fact that the Department of Civil Aviation (DCA) of Zambia has issued 21 Air Service Permits to commercial air operators, with some including the permission to conduct international operations. These Air Service Permits address economic rather than safety-related issues. The holders of these Air Service Permits operate international flights, even though the operations and airworthiness inspections required prior to the issuance of an AOC have not been conducted. In addition, reports of DCA periodic inspections identify safety deficiencies, with no record of their resolution.
- (44) The information provided by the Zambian authorities in May 2009 does not contain any evidence of the urgent corrective actions needed to resolve the significant safety concerns raised by ICAO. In particular, there is no certification plan and procedures presented, no rules and regulations substantiating the ICAO requirements in Annex 6 to the Chicago Convention for the certification. Also, there is no evidence of limitations to Zambian 'Air Service Permits', and no documentation to support the certification process required by ICAO Annex 6.
- (45) Supplementary documentation sent by the competent authorities of Zambia on 1 June 2009 did not demonstrate that the AOC (Z/AOC/001/2009) issued on 29 May 2009 to Zambezi Airlines certified in Zambia is compliant with ICAO requirements and that the safety concern has been addressed. To date the ICAO safety concern is maintained.
- (46) In the light of these findings and in view of the potential risk that this situation may present for the safety of operations of air carriers certified in Zambia which are authorised to perform international flights, the Commission considers that on the basis of the common criteria, all carriers certified in Zambia should be included in Annex A.

Air carriers from the Republic of Indonesia

- (47) The Indonesian Directorate General for Civil Aviation (DGCA) has provided the Commission with evidence that the air carriers Garuda Indonesia, Airfast Indonesia, Mandala Airlines, and Ekspres Transportasi Antarbenua (trading as PremiAir) have been granted on 10 June 2009

a new AOC under the new Indonesian Civil Aviation Safety Regulations (CASRs). In particular, the air carriers Garuda and Airfast have been granted new AOCs valid for two years, following a complete audit and recertification procedure. Mandala and Premi Air have been subject to an audit limited to the new requirements under the new CASRs.

- (48) Upon request of the Indonesian DGCA, a team of EC experts conducted a fact-finding visit to Indonesia from 15 to 18 June 2009, so as to verify if oversight activities are fully conducted at present, and if the system for the oversight activities has been upgraded to allow for an adequate follow-up of findings raised by the DGCA on Indonesian carriers. In this framework, two air carriers (Mandala Airlines and Premi Air) have also been visited to verify the capability of DGCA Indonesia to ensure their safety oversight in compliance with the relevant standards (new CASRs).
- (49) The visit showed that the current level of effectiveness of DGCA surveillance on the four above-mentioned carriers, coupled with their recertification ensures compliance with the new requirements and is considered adequate. The oversight system has been enhanced to allow for appropriate follow-up of findings raised by the DGCA on Indonesian carriers. DGCA has developed a system to efficiently manage the information coming from surveillance activities and, consequently, to track the target and actual date for the closure of a finding as well as for any extension granted by the DGCA.
- (50) In addition, the differences to Annex 6 to the Chicago Convention, which had been notified by DGCA to ICAO on 20 February 2009, and which could have an adverse impact on the safety of operations of Indonesian carriers, have been withdrawn on 25 March 2009. Following a technical review by DGCA, a new notification with limited differences has been sent to ICAO on 28 May 2009. ICAO standards henceforth going to be enforced on Indonesian carriers as of 30 November 2009; nevertheless, these newly adopted standards are already enforced on the carriers Garuda, Mandala, PremiAir and Airfast since 10 June 2009 — date of issuance of their new AOC.
- (51) DGCA requested to be heard by the Air Safety Committee, and did so on 30 June 2009. DGCA has informed the Commission that the aircraft of type Embraer EMB-120 with registration marks PK-RJC operated by Premi Air is at present not equipped with TCAS as required by the new CASR, and that its installation should be completed within 30 November 2009. This information is clearly stipulated on the AOC of the carrier, as showed by the report of the EU team.

- (52) On the basis of the common criteria, it is assessed that the current level of effectiveness of surveillance conducted by the DGCA allows for the adequate enforcement and respect of the relevant safety standards by four carriers which have been subject to a recertification process: Garuda Indonesia, Airfast Indonesia, Mandala Airlines, and Ekspres Transportasi Antarbenua (trading as Premiair). As a consequence, these four air carriers should be withdrawn from Annex A. All other Indonesian carriers should be retained in Annex A at this stage. The Commission will closely liaise with the competent authorities of Indonesia following the recertification of other Indonesian carriers.
- (53) The competent authorities of Indonesia have also provided the Commission with an updated list of air carriers holding an AOC. At present, the air carriers certified in Indonesia other than the four above-mentioned carriers, are the following: Merpati Nusantara, Kartika Airlines, Trigana Air Service, Metro Batavia, Pelita Air Service, Indonesia Air Asia, Lion Mentari Airlines, Wing Adabi Airlines, Cardig Air, Riau Airlines, Transwisata Prima Aviation, Tri MG Intra Asia Airlines, Manunggal Air Service, Megantara, Indonesia Air Transport, Sriwijaya Air, Travel Express Aviation Service, Republic Express Airlines, KAL Star, Sayap Garuda Indah, Survei Udara Penas, Nusantara Air Charter, Nusantara Buana Air, Nyaman Air, Travira Utama, Derazona Air Service, National Utility Helicopter, Deraya Air Taxi, Dirgantara Air Service, SMAC, Kura-Kura Aviation, Gatari Air Service, Intan Angkasa Air Service, Air Pacific Utama, Asco Nusa Air, Pura Wisata Baruna, Penerbangan Angkasa Semesta, ASI Pudjiastuti, Aviastar Mandiri, Dabi Air Nusantara, Sampoerna Air Nusantara, Mimika Air, Alfa Trans Dirgantara, Unindo, Sky Aviation, Johnlin Air Transport and Eastindo. The Community list should be updated accordingly and these carriers should be included in Annex A.
- (56) TAAG requested to be heard by the Air Safety Committee, and did so on 1 July 2009 assisted by INAVIC. The carrier also informed the Committee that it passed an IOSA audit in May 2009 with only a limited number of findings and that these findings were all closed by 29 June 2009.
- (57) The carrier provided to the Air Safety Committee convincing evidence that further actions were taken after the visit and that very good progress had been made in order to address the remaining open findings and presented comprehensive measures showing that more than 90 % of the findings are now closed, the remaining actions being in progress. However, the carrier could not demonstrate that flights performed by aircraft of type B-747 and B-737-200 are subject to flight data monitoring as required.
- (58) The Portuguese authorities informed the Air Safety Committee that they agreed to provide assistance to the competent authorities of Angola to enhance safety oversight of TAAG with a view to enabling this carrier to operate into Portugal. In particular, they informed the Air Safety Committee that they would accept flights operated with certain aircraft after having performed pre-flight checks in Angola and ramp checks upon arrival in Portugal. The competent authorities of Angola confirmed their acceptance of pre-flight ramp inspections in Luanda of any aircraft operated by TAAG to Lisbon with the support of the Portuguese authorities. The competent authorities of Portugal will carry out ramp checks under the SAFA programme of each flight operated by TAAG.
- (59) Consequently, on the basis of the common criteria, it is assessed that TAAG as a first step should be removed from Annex A and included into Annex B under the condition that the carrier carries out no more than 10 flights per week with the aircraft of type Boeing B-777 with registration marks D2-TED, D2-TEE and D2-TEF from Luanda to Lisbon. These flights are to be operated only after the Angolan authorities have carried out ramp checks of the aircraft to be operated before each departure from Angola and the Portuguese authorities have conducted ramp checks of each aircraft in Portugal. This is a temporary measure and the Commission will review the situation on the basis of all available information and in particular of an evaluation from the competent authorities of Portugal.

Air carriers from the Republic of Angola

TAAG Angola Airlines

- (54) The competent authorities from Angola (INAVIC) have informed the Commission that the air carrier TAAG Angola Airlines has been granted a new AOC in accordance with the Angolan Aviation Safety Regulations (AASR) on 28 May 2009, following a complete recertification procedure.
- (55) Upon request of the competent authorities of Angola (INAVIC) as well as of the carrier TAAG Angola Airlines, a team of European experts conducted a fact-finding visit to Angola from 8 to 11 June 2009. The visit confirmed that significant progress has been made towards compliance with ICAO standards. INAVIC closed 66 % of the findings raised by the previous EU fact-finding visit in February 2008 and TAAG 75 % of the findings. In particular, Angola has adopted new aviation safety rules in accordance with ICAO standards, and its flag carrier, TAAG, was recertified in compliance with the new legal framework.
- (60) The fact-finding visit conducted in Angola from 8 to 11 June 2009 revealed that Air Operator Certificates were issued to the operators PHA and SERVISAIR without appropriate certification process. Although these 2 AOCs have been temporarily suspended by INAVIC, on the basis of the common criteria, the Commission considers that the corresponding carriers should be placed on Annex A.

Overall safety oversight of air carriers from Angola

(61) The Commission takes note of the on-going recertification of 18 carriers undertaken by INAVIC and expected to be completed by end 2010 and encourages INAVIC to continue this process with determination and due consideration to potential safety concerns identified in this framework. In that respect, the Commission acknowledges that INAVIC took enforcement actions regarding some AOC holders, as 6 out of 19 have been temporarily suspended.

(62) The Commission considers that pending the complete recertification of the air carriers by INAVIC in full compliance with the new Angolan Aviation Safety Regulations, on the basis of the common criteria, these carriers should remain in Annex A.

Société Nouvelle Air Affaires Gabon (SN2AG)

(63) The air carrier SN2AG certified in Gabon requested to be heard by the Air Safety Committee in order to demonstrate that the operations performed with the aircraft of type Challenger CL601 with registration mark TR-AAG and of type HS-125-800 with registration mark ZS-AFG are in compliance with the relevant standards, and did so on 1 July 2009. The Commission took note that this carrier has undertaken further re-organisation and has made significant progress in its remedial action plan towards compliance with international standards. The Commission also noted that SN2AG was subject to a recertification audit by the competent authorities of Gabon in February 2009, and that the carrier was re-issued a new AOC in February 2009.

(64) The competent authorities of Gabon (ANAC) have also presented to the Air Safety Committee on 1 July 2009 the progress made in the enhancement of their structure and staffing, and declared they have now sufficient qualified resources to ensure the oversight of the operations and the maintenance of this carrier in accordance with ICAO provisions. This has been confirmed by the ICAO experts assisting Gabon in their oversight until March 2010.

(65) Therefore, on the basis of the common criteria, it is assessed that SN2AG meets the relevant safety standards only for flights operated with the aircraft of type Challenger CL601 with registration mark TR-AAG and of type HS-125-800 with registration mark ZS-AFG. Consequently, SN2AG should be subject to operational restrictions with respect to the rest of its fleet and should be moved from Annex A to Annex B.

Egypt Air

(66) There is evidence of numerous safety deficiencies on the part of Egypt Air certified in Egypt. These deficiencies

have been identified in 75 inspections carried out since January 2008 mainly by Austria, France, Germany, Italy, Netherlands, and Spain as well as other ECAC states during ramp inspections performed under the SAFA programme. The repetition of these findings (a total of 240 findings out of which 91 category 2 and 69 category 3) raises concerns about systemic safety deficiencies.

(67) The Commission, having regard to the SAFA reports, entered on 25 May 2009 into a formal consultation with the competent authorities of Egypt (ECAA), expressing serious concerns about the safety of the operations of this carrier and urging the carrier and its competent authorities pursuant to Article 7 of Regulation (EC) No 2111/2005 to take measures to satisfactorily resolve the detected safety deficiencies.

(68) The carrier submitted voluminous documentation on 10, 16, 17, 19 and 26 June 2009. The submitted documents indicated remedial actions taken or envisaged to be taken after the ramp inspections as well as root cause analysis, providing for long term solutions. The carrier requested to make an oral presentation to the Air Safety Committee and did so on 30 June 2009.

(69) In view of the persistence of serious findings in the areas of continuing airworthiness, maintenance, operations, as well as the safety of cargo on board, the Commission requests the competent authorities of Egypt to send monthly reports on verification of the implementation of the corrective action plan along with any other reports of audits that these authorities will carry out on Egypt Air. The Commission should also receive a report of the final audit to be carried out by the competent authorities of Egypt at the end of this period, the results of which will be communicated to the Commission along with the recommendations of this authority.

(70) The carrier and competent authorities of Egypt accepted a visit from EC experts to verify the implementation of the corrective action plan. The Commission urged the carrier to provide without delay for the sustainable resolution of the various findings, failing which appropriate measures will have to be taken. On this basis, at this stage, it is assessed that the carrier should not be included in Annex A.

(71) The Member States shall ensure that the number of inspections of Egypt Air will be intensified in order to provide the basis for a reassessment of this case during the next Air Safety Committee meeting which is to take place in November 2009.

Air carriers from the Russian Federation

- (72) The competent authorities of the Russian Federation informed the Commission on 11 June 2009 that they modified their decision of 25 April 2008, whereby they excluded from operations into the Community aircraft on the AOC of 13 Russian aircraft which at that time were not equipped to perform international flights as per ICAO standards, since they lacked in particular the required TAWS/E-GPWS equipment. Certain aircraft excluded by decision of 25 April 2008 have been since then equipped appropriately to perform international flights. Furthermore, the AOCs and operations' specifications of these carriers have been modified to take account of these changes.
- (73) According to the new decision, the following aircraft are excluded from operations into, within and out of the Community:
- (a) Aircompany Yakutia: Tupolev TU-154: RA-85007 and RA-85790; Antonov AN-140: RA-41250; AN-24RV: RA-46496, RA-46665, RA-47304, RA-47352, RA-47353, RA-47360; AN-26: RA-26660.
 - (b) Atlant Soyuz: Tupolev TU-154M: RA-85672.
 - (c) Gazpromavia: Tupolev TU-154M: RA-85625 and RA-85774; Yakovlev Yak-40: RA-87511, RA-88186 and RA-88300; Yak-40K: RA-21505 and RA-98109; Yak-42D: RA-42437; all (22) helicopters Kamov Ka-26 (unknown registration); all (49) helicopters Mi-8 (unknown registration); all (11) helicopters Mi-171 (unknown registration); all (8) helicopters Mi-2 (unknown registration); all (1) helicopter EC-120B: RA-04116.
 - (d) Kavminvodyavia: Tupolev TU-154B: RA-85307, RA-85494 and RA-85457.
 - (e) Krasnoyarsky Airlines: The AOC of the air carrier has been revoked. As concerns the following two aircraft of type TU-154M previously operated by Krasnoyarsky Airlines, RA-85682 is currently operated by another air carrier certified in the Russian Federation, and the aircraft RA-85683 is currently not operated.
 - (f) Kuban Airlines: Yakovlev Yak-42: RA-42526, RA-42331, RA-42336, RA-42350, RA-42538, and RA-42541.
 - (g) Orenburg Airlines: Tupolev TU-154B: RA-85602; all TU-134 (unknown registration); all Antonov An-24 (unknown registration); all An-2 (unknown registration); all helicopters Mi-2 (unknown registration); all helicopters Mi-8 (unknown registration);
 - (h) Siberia Airlines: Tupolev TU-154M: RA-85613, RA-85619, RA-85622 and RA-85690.
 - (i) Tatarstan Airlines: Yakovlev Yak-42D: RA-42374, RA-42433; all Tupolev TU-134A including: RA-65065, RA-65102, RA-65691, RA-65970 and RA-65973; all Antonov AN-24RV including: RA-46625 and RA-47818; the aircraft of type AN24RV with registration marks RA-46625 and RA-47818 are currently operated by another Russian carrier.
 - (j) Ural Airlines: Tupolev TU-154B: RA-85319, RA-85337, RA-85357, RA-85375, RA-85374, RA-85432 and RA-85508.
 - (k) UTAir: Tupolev TU-154M: RA-85813, RA-85733, RA-85755, RA-85806, RA-85820; all (25) TU-134: RA-65024, RA-65033, RA-65127, RA-65148, RA-65560, RA-65572, RA-65575, RA-65607, RA-65608, RA-65609, RA-65611, RA-65613, RA-65616, RA-65618, RA-65620, RA-65622, RA-65728, RA-65755, RA-65777, RA-65780, RA-65793, RA-65901, RA-65902, and RA-65977; the aircraft RA-65143 is operated by another Russian carrier; all (1) TU-134B: RA-65726; all (10) Yakovlev Yak-40: RA-87292, RA-87348, RA-87907, RA-87941, RA-87997, RA-88209, RA-88210, RA-88227, RA-88244 and RA-88280; all helicopters Mil-26: (unknown registration); all helicopters Mil-10: (unknown registration); all helicopters Mil-8 (unknown registration); all helicopters AS-355 (unknown registration); all helicopters BO-105 (unknown registration); the aircraft of type AN-24B RA-46388; the aircraft AN-24B (RA-46267 and RA-47289) and the aircraft of type AN-24RV (RA-46509, RA-46519 and RA-47800) are operated by another Russian carrier.
 - (l) Rossija (STC Russia): Tupolev TU-134: RA-65555, RA-65904, RA-65905, RA-65911, RA-65921 and RA-65979; TU-214: RA-64504, RA-64505; Ilyushin IL-18: RA-75454 and RA-75464; Yakovlev Yak-40: RA-87203, RA-87968, RA-87971, RA-87972 and RA-88200.
- (74) No such aircraft were identified for the carriers Red Wings (former Airlines 400 JSC).
- (75) The competent authorities of the Russian Federation also informed the Commission that the AOC of the carrier Aeroflot-Nord had been limited on June 3 2009 to exclude operations into the Community.

- (76) The competent authorities of the Russian Federation and the Commission remain committed to continue their close cooperation and to exchange all necessary information related to the safety of their air carriers. Member States will verify systematically the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of these carriers pursuant to Regulation (EC) No 351/2008.

Yemenia Yemen Airways

- (77) The European Aviation Safety Agency (EASA) informed the Air Safety Committee that it suspended the maintenance organisation approval EASA.145.0177 issued to Yemenia Yemen Airways certified in Yemen, due to unresolved safety deficiencies. Furthermore, the competent authorities of France informed the Air Safety Committee that they subsequently suspended the certificates of airworthiness of the aircraft of type Airbus A-310 registered in France (F-OHPR and F-OHPS) and operated by the carrier.
- (78) The Commission takes note of non-compliance with European regulations, as applicable, and, having regard to the fatal accident to Yemenia Yemen Airways flight 626 on 30 June, decided on 1 July 2009 to launch formal consultations with Yemenia Yemen Airways pursuant to Article 7 of Regulation (EC) No 2111/2005 as well as the competent authorities of Yemen pursuant to Article 3 of Regulation (EC) No 473/2006 in order to assess compliance of the operations and maintenance of the aforementioned carrier with applicable ICAO standards and reserves itself the right to take urgent measures, if appropriate.

General considerations concerning the other carriers included in Annexes A and B

- (79) No evidence of the full implementation of appropriate remedial actions by the other carriers included in the Community list updated on 8 April 2009 and by the authorities with responsibility for regulatory oversight of these air carriers has been communicated to the Commission so far in spite of specific requests submitted by the latter. Therefore, on the basis of the common criteria, it is assessed that these air carriers should continue to be subject to an operating ban (Annex A) or operating restrictions (Annex B), as the case may be.
- (80) The measures provided for in this Regulation are in accordance with the opinion of the Air Safety Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 474/2006 is amended as follows:

1. Annex A is replaced by the text set out in Annex A to this Regulation.
2. Annex B is replaced by the text set out in Annex B to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 July 2009.

For the Commission

Antonio TAJANI

Vice-President

ANNEX A

LIST OF AIR CARRIERS OF WHICH ALL OPERATIONS ARE SUBJECT TO A BAN WITHIN THE COMMUNITY ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
AIR KORYO	Unknown	KOR	Democratic People Republic of Korea (DPRK)
AIR WEST CO. LTD	004/A	AWZ	Republic of the Sudan
ARIANA AFGHAN AIRLINES	009	AFG	Islamic Republic of Afghanistan
MOTOR SICH	025	MSI	Ukraine
SIEM REAP AIRWAYS INTERNATIONAL	AOC/013/00	SRH	Kingdom of Cambodia
SILVERBACK CARGO FREIGHTERS	Unknown	VRB	Republic of Rwanda
UKRAINE CARGO AIRWAYS	145	UKS	Ukraine
UKRAINIAN MEDITERRANEAN AIRLINES	164	UKM	Ukraine
VOLARE AVIATION ENTREPRISE	143	VRE	Ukraine
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines, including,			Republic of Angola
AEROJET	015	Unknown	Republic of Angola
AIR26	004	Unknown	Republic of Angola
AIR GEMINI	002	Unknown	Republic of Angola
AIR GICANGO	009	Unknown	Republic of Angola
AIR JET	003	Unknown	Republic of Angola
AIR NAVE	017	Unknown	Republic of Angola
ALADA	005	Unknown	Republic of Angola
ANGOLA AIR SERVICES	006	Unknown	Republic of Angola
DIEXIM	007	Unknown	Republic of Angola
GIRA GLOBO	008	Unknown	Republic of Angola
HELIANG	010	Unknown	Republic of Angola
HELIMALONGO	011	Unknown	Republic of Angola
MAVEWA	016	Unknown	Republic of Angola
PHA	019	Unknown	Republic of Angola
RUI & CONCEICAO	012	Unknown	Republic of Angola
SAL	013	Unknown	Republic of Angola

⁽¹⁾ Air carriers listed in Annex A could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
SERVISAIR	018	Unknown	Republic of Angola
SONAIR	014/	Unknown	Republic of Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Benin, including,		—	Republic of Benin
AERO BENIN	PEA No 014/MDCTTTATP-PR/ANAC/DEA/SCS	Unknown	Republic of Benin
AFRICA AIRWAYS	Unknown	Unknown	Republic of Benin
ALAFIA JET	PEA No 014/ANAC/MDCTTTATP-PR/DEA/SCS	N/A	Republic of Benin
BENIN GOLF AIR	PEA No 012/MDCTTP-PR/ANAC/DEA/SCS.	Unknown	Republic of Benin
BENIN LITTORAL AIRWAYS	PEA No 013/MDCTTTATP-PR/ANAC/DEA/SCS.	BLA	Republic of Benin
COTAIR	PEA No 015/MDCTTTATP-PR/ANAC/DEA/SCS.	Unknown	Republic of Benin
ROYAL AIR	PEA No 11/ANAC/MDCTTP-PR/DEA/SCS	Unknown	Republic of Benin
TRANS AIR BENIN	PEA No 016/MDCTTTATP-PR/ANAC/DEA/SCS	TNB	Republic of Benin
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (RDC), including,		—	Democratic Republic of Congo (RDC)
AFRICA ONE	409/CAB/MIN/TC/0114/2006	CFR	Democratic Republic of Congo (RDC)
AFRICAN AIR SERVICES COMMUTER	409/CAB/MIN/TVC/051/09	Unknown	Democratic Republic of Congo (RDC)
AIGLE AVIATION	409/CAB/MIN/TC/0042/2006	Unknown	Democratic Republic of Congo (RDC)
AIR BENI	409/CAB/MIN/TC/0019/2005	Unknown	Democratic Republic of Congo (RDC)
AIR BOYOMA	409/CAB/MIN/TC/0049/2006	Unknown	Democratic Republic of Congo (RDC)
AIR INFINI	409/CAB/MIN/TC/006/2006	Unknown	Democratic Republic of Congo (RDC)
AIR KASAI	409/CAB/MIN/ TVC/036/08	Unknown	Democratic Republic of Congo (RDC)
AIR KATANGA	409/CAB/MIN/TVC/031/08	Unknown	Democratic Republic of Congo (RDC)
AIR NAVETTE	409/CAB/MIN/TC/015/2005	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
AIR TROPIQUES	409/CAB/MIN/TVC/029/08	Unknown	Democratic Republic of Congo (RDC)
BEL GLOB AIRLINES	409/CAB/MIN/TC/0073/2006	Unknown	Democratic Republic of Congo (RDC)
BLUE AIRLINES	409/CAB/MIN/TVC/028/08	BUL	Democratic Republic of Congo (RDC)
BRAVO AIR CONGO	409/CAB/MIN/TC/0090/2006	Unknown	Democratic Republic of Congo (RDC)
BUSINESS AVIATION	409/CAB/MIN/TVC/048/09	Unknown	Democratic Republic of Congo (RDC)
BUSY BEE CONGO	409/CAB/MIN/TVC/052/09	Unknown	Democratic Republic of Congo (RDC)
BUTEMBO AIRLINES	409/CAB/MIN/TC/0056/2006	Unknown	Democratic Republic of Congo (RDC)
CARGO BULL AVIATION	409/CAB/MIN/TC/0106/2006	Unknown	Democratic Republic of Congo (RDC)
CETRACA AVIATION SERVICE	409/CAB/MIN/TVC/026/08	CER	Democratic Republic of Congo (RDC)
CHC STELLAVIA	409/CAB/MIN/TC/0050/2006	Unknown	Democratic Republic of Congo (RDC)
COMAIR	409/CAB/MIN/TC/0057/2006	Unknown	Democratic Republic of Congo (RDC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	409/CAB/MIN/TVC/035/08	Unknown	Democratic Republic of Congo (RDC)
DOREN AIR CONGO	409/CAB/MIN/TVC/0032/08	Unknown	Democratic Republic of Congo (RDC)
EL SAM AIRLIFT	409/CAB/MIN/TC/0002/2007	Unknown	Democratic Republic of Congo (RDC)
ENTREPRISE WORLD AIRWAYS (EWA)	409/CAB/MIN/TVC/003/08	Unknown	Democratic Republic of Congo (RDC)
ESPACE AVIATION SERVICE	409/CAB/MIN/TC/0003/2007	Unknown	Democratic Republic of Congo (RDC)
FILAIR	409/CAB/MIN/TVC/037/08	Unknown	Democratic Republic of Congo (RDC)
FREE AIRLINES	409/CAB/MIN/TC/0047/2006	Unknown	Democratic Republic of Congo (RDC)
GALAXY KAVATSI	409/CAB/MIN/TVC/027/08	Unknown	Democratic Republic of Congo (RDC)
GILEMBE AIR SOUTENANCE (GISAIR)	409/CAB/MIN/TVC/053/09	Unknown	Democratic Republic of Congo (RDC)
GOMA EXPRESS	409/CAB/MIN/TC/0051/2006	Unknown	Democratic Republic of Congo (RDC)
GOMAIR	409/CAB/MIN/TVC/045/09	Unknown	Democratic Republic of Congo (RDC)
GREAT LAKE BUSINESS COMPANY	409/CAB/MIN/TC/0048/2006	Unknown	Democratic Republic of Congo (RDC)
HEWA BORA AIRWAYS (HBA)	409/CAB/MIN/TVC/038/08	ALX	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
INTERNATIONAL TRANS AIR BUSINESS (ITAB)	409/CAB/MIN/TVC/033/08	Unknown	Democratic Republic of Congo (RDC)
KATANGA AIRWAYS	409/CAB/MIN/TC/0088/2006	Unknown	Democratic Republic of Congo (RDC)
KIN AVIA	409/CAB/MIN/TVC/042/09	Unknown	Democratic Republic of Congo (RDC)
KIVU AIR	409/CAB/MIN/TC/0044/2006	Unknown	Democratic Republic of Congo (RDC)
LIGNES AERIENNES CONGOLAISES (LAC)	Ministerial signature (ordonnance No. 78/205)	LCG	Democratic Republic of Congo (RDC)
MALU AVIATION	409/CAB/MIN/TVC/04008	Unknown	Democratic Republic of Congo (RDC)
MALILA AIRLIFT	409/CAB/MIN/TC/0112/2006	MLC	Democratic Republic of Congo (RDC)
MANGO AVIATION	409/CAB/MIN/TVC/034/08	Unknown	Democratic Republic of Congo (RDC)
PIVA AIRLINES	409/CAB/MIN/TC/0001/2007	Unknown	Democratic Republic of Congo (RDC)
RWAKABIKA BUSHI EXPRESS	409/CAB/MIN/TC/0052/2006	Unknown	Democratic Republic of Congo (RDC)
SAFARI LOGISTICS SPRL	409/CAB/MIN/TC/0076/2006	Unknown	Democratic Republic of Congo (RDC)
SAFE AIR COMPANY	409/CAB/MIN/TVC/025/08	Unknown	Democratic Republic of Congo (RDC)
SERVICES AIR	409/CAB/MIN/TVC/030/08	Unknown	Democratic Republic of Congo (RDC)
SUN AIR SERVICES	409/CAB/MIN/TC/0077/2006	Unknown	Democratic Republic of Congo (RDC)
SWALA AVIATION	409/CAB/MIN/TVC/050/09	Unknown	Democratic Republic of Congo (RDC)
TEMBO AIR SERVICES	409/CAB/MIN/TC/0089/2006	Unknown	Democratic Republic of Congo (RDC)
THOM'S AIRWAYS	409/CAB/MIN/TC/0009/2007	Unknown	Democratic Republic of Congo (RDC)
TMK AIR COMMUTER	409/CAB/MIN/TVC/044/09	Unknown	Democratic Republic of Congo (RDC)
TRACEP CONGO AVIATION	409/CAB/MIN/TVC/046/09	Unknown	Democratic Republic of Congo (RDC)
TRANS AIR CARGO SERVICES	409/CAB/MIN/TVC/024/08	Unknown	Democratic Republic of Congo (RDC)
TRANSPORTS AERIENS CONGOLAIS (TRACO)	409/CAB/MIN/TC/0105/2006	Unknown	Democratic Republic of Congo (RDC)
VIRUNGA AIR CHARTER	409/CAB/MIN/TC/018/2005	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
WIMBI DIRA AIRWAYS	409/CAB/MIN/TVC/039/08	WDA	Democratic Republic of Congo (RDC)
ZAABU INTERNATIONAL	409/CAB/MIN/TVC/049/09	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including,			Equatorial Guinea
CRONOS AIRLINES	Unknown	Unknown	Equatorial Guinea
CEIBA INTERCONTINENTAL	Unknown	CEL	Equatorial Guinea
EGAMS	Unknown	EGM	Equatorial Guinea
EUROGUINEANA DE AVIACION Y TRANSPORTES	2006/001/MTTCT/DGAC/SOPS	EUG	Equatorial Guinea
GENERAL WORK AVIACION	002/ANAC	n/a	Equatorial Guinea
GETRA — GUINEA ECUATORIAL DE TRANSPORTES AEREOS	739	GET	Equatorial Guinea
GUINEA AIRWAYS	738	n/a	Equatorial Guinea
STAR EQUATORIAL AIRLINES	Unknown	Unknown	Equatorial Guinea
UTAGE — UNION DE TRANSPORT AEREO DE GUINEA ECUATORIAL	737	UTG	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Indonesia, with the exception of Garuda Indonesia, Airfast Indonesia, Mandala Airlines, and Ekspres Transportasi Antarbenua, including,			Republic of Indonesia
AIR PACIFIC UTAMA	135-020	Unknown	Republic of Indonesia
ALFA TRANS DIRGANTATA	135-012	Unknown	Republic of Indonesia
ASCO NUSA AIR	135-022	Unknown	Republic of Indonesia
ASI PUDJIASTUTI	135-028	Unknown	Republic of Indonesia
AVIASTAR MANDIRI	135-029	Unknown	Republic of Indonesia
CARDIG AIR	121-013	Unknown	Republic of Indonesia
DABI AIR NUSANTARA	135-030	Unknown	Republic of Indonesia
DERAYA AIR TAXI	135-013	DRY	Republic of Indonesia
DERAZONA AIR SERVICE	135-010	Unknown	Republic of Indonesia
DIRGANTARA AIR SERVICE	135-014	DIR	Republic of Indonesia
EASTINDO	135-038	Unknown	Republic of Indonesia
GATARI AIR SERVICE	135-018	GHS	Republic of Indonesia
INDONESIA AIR ASIA	121-009	AWQ	Republic of Indonesia
INDONESIA AIR TRANSPORT	135-034	IDA	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Republic of Indonesia
JOHNLIN AIR TRANSPORT	135-043	Unknown	Republic of Indonesia
KAL STAR	121-037	Unknown	Republic of Indonesia
KARTIKA AIRLINES	121-003	KAE	Republic of Indonesia
KURA-KURA AVIATION	135-016	Unknown	Republic of Indonesia
LION MENTARI AIRLINES	121-010	LNI	Republic of Indonesia
MANUNGGA AIR SERVICE	121-020	Unknown	Republic of Indonesia
MEGANTARA	121-025	Unknown	Republic of Indonesia
MERPATI NUSANTARA AIRLINES	121-002	MNA	Republic of Indonesia
METRO BATAVIA	121-007	BTV	Republic of Indonesia
MIMIKA AIR	135-007	Unknown	Republic of Indonesia
NATIONAL UTILITY HELICOPTER	135-011	Unknown	Republic of Indonesia
NUSANTARA AIR CHARTER	121-022	Unknown	Republic of Indonesia
NUSANTARA BUANA AIR	135-041	Unknown	Republic of Indonesia
NYAMAN AIR	135-042	Unknown	Republic of Indonesia
PELITA AIR SERVICE	121-008	PAS	Republic of Indonesia
PENERBANGAN ANGKASA SEMESTA	135-026	Unknown	Republic of Indonesia
PURA WISATA BARUNA	135-025	Unknown	Republic of Indonesia
REPUBLIC EXPRESS AIRLINES	121-040	RPH	Republic of Indonesia
RIAU AIRLINES	121-016	RIU	Republic of Indonesia
SAMPOERNA AIR NUSANTARA	135-036	Unknown	Republic of Indonesia
SAYAP GARUDA INDAH	135-004	Unknown	Republic of Indonesia
SKY AVIATION	135-044	Unknown	Republic of Indonesia
SMAC	135-015	SMC	Republic of Indonesia
SRIWIJAYA AIR	121-035	SJY	Republic of Indonesia
SURVEI UDARA PENAS	135-006	Unknown	Republic of Indonesia
TRANSWISATA PRIMA AVIATION	135-021	Unknown	Republic of Indonesia
TRAVEL EXPRESS AVIATION SERVICE	121-038	XAR	Republic of Indonesia
TRAVIRA UTAMA	135-009	Unknown	Republic of Indonesia
TRI MG INTRA ASIA AIRLINES	121-018	TMG	Republic of Indonesia
TRIGANA AIR SERVICE	121-006	TGN	Republic of Indonesia
UNINDO	135-040	Unknown	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
WING ABADI AIRLINES	121-012	WON	Republic of Indonesia
All air carriers certified by the authorities with responsibility for regulatory oversight of Kazakhstan, with the exception of Air Astana, including,			Republic of Kazakhstan
AERO AIR COMPANY	Unknown	Unknown	Republic of Kazakhstan
AEROPRAKT KZ	Unknown	Unknown	Republic of Kazakhstan
AEROTOUR KZ	Unknown	Unknown	Republic of Kazakhstan
AIR ALMATY	AK-0331-07	LMY	Republic of Kazakhstan
AIR COMPANY KOKSHETAU	AK-0357-08	KRT	Republic of Kazakhstan
AIR DIVISION OF EKA	Unknown	Unknown	Republic of Kazakhstan
AIR FLAMINGO	Unknown	Unknown	Republic of Kazakhstan
AIR TRUST AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
AK SUNKAR AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
ALMATY AVIATION	Unknown	Unknown	Republic of Kazakhstan
ARKHABAY	Unknown	Unknown	Republic of Kazakhstan
ASIA CONTINENTAL AIRLINES	AK-0345-08	CID	Republic of Kazakhstan
ASIA CONTINENTAL AVIALINES	AK-0371-08	RRK	Republic of Kazakhstan
ASIA WINGS	AK-0390-09	AWA	Republic of Kazakhstan
ASSOCIATION OF AMATEUR PILOTS OF KAZAKHSTAN	Unknown	Unknown	Republic of Kazakhstan
ATMA AIRLINES	AK-0372-08	AMA	Republic of Kazakhstan
ATYRAU AYE JOLY	AK-0321-07	JOL	Republic of Kazakhstan
AVIA-JAYNAR	Unknown	Unknown	Republic of Kazakhstan
BEYBARS AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
BERKUT AIR/BEK AIR	AK-0311-07	BKT/BEK	Republic of Kazakhstan
BERKUT STATE AIRLINE	AK-0378-09	BEC	Republic of Kazakhstan
BERKUT KZ	Unknown	Unknown	Republic of Kazakhstan
BURUNDAYAVIA AIRLINES	AK-0374-08	BRY	Republic of Kazakhstan
COMLUX	AK-0352-08	KAZ	Republic of Kazakhstan
DETA AIR	AK-0344-08	DET	Republic of Kazakhstan
EAST WING	AK-0332-07	EWZ	Republic of Kazakhstan
EASTERN EXPRESS	AK-0358-08	LIS	Republic of Kazakhstan
EOL AIR	Unknown	Unknown	Republic of Kazakhstan
EURO-ASIA AIR	AK-0384-09	EAK	Republic of Kazakhstan

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
EURO-ASIA AIR INTERNATIONAL	Unknown	Unknown	Republic of Kazakhstan
EXCELLENT GLIDE	AK-0338-08	EGB	Republic of Kazakhstan
FENIX	Unknown	Unknown	Republic of Kazakhstan
FLY JET KZ	AK-0391-09	FJK	Republic of Kazakhstan
IJT AVIATION	AK-0335-08	DVB	Republic of Kazakhstan
INVESTAVIA	AK-0342-08	TLG	Republic of Kazakhstan
IRBIS	AK-0317-07	BIS	Republic of Kazakhstan
IRTYSH AIR	AK-0381-09	MZA	Republic of Kazakhstan
JET AIRLINES	AK-0349-09	SOZ	Republic of Kazakhstan
JET ONE	AK-0367-08	JKZ	Republic of Kazakhstan
KAVIASPAS	AK-0322-07	KZS	Republic of Kazakhstan
KAZAIR JET	AK-0387-09	KEJ	Republic of Kazakhstan
KAZAIRTRANS AIRLINE	AK-0347-08	KUY	Republic of Kazakhstan
KAZAIRWEST	Unknown	Unknown	Republic of Kazakhstan
KAZAVIA	Unknown	Unknown	Republic of Kazakhstan
KOKSHETAU	AK-0357-08	KRT	Republic of Kazakhstan
MAK AIR AIRLINE	AK-0334-07	AKM	Republic of Kazakhstan
MEGA AIRLINES	AK-0356-08	MGK	Republic of Kazakhstan
MIRAS	AK-0315-07	MIF	Republic of Kazakhstan
NAVIGATOR	Unknown	Unknown	Republic of Kazakhstan
OLIMP AIR	Unknown	Unknown	Republic of Kazakhstan
ORLAN 2000 AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
PANKH CENTER KAZAKHSTAN	Unknown	Unknown	Republic of Kazakhstan
PRIME AVIATION	AK-0308-07	PKZ	Republic of Kazakhstan
SALEM AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
SAMAL AIR	Unknown	Unknown	Republic of Kazakhstan
SAYAT AIR	AK-0351-08	SYM	Republic of Kazakhstan
SAYAKHAT AIRLINES	AK-0359-08	Unknown	Republic of Kazakhstan
SEMEYAVIA	Unknown	Unknown	Republic of Kazakhstan
SCAT	AK-0350-08	VSV	Republic of Kazakhstan
STARLINE KZ	AK-0373-08	LMZ	Republic of Kazakhstan
SKYBUS	AK-0364-08	BYK	Republic of Kazakhstan
SKYJET	AK-0307-09	SEK	Republic of Kazakhstan

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
SKYSERVICE	Unknown	Unknown	Republic of Kazakhstan
TAHMID AIR	Unknown	Unknown	Republic of Kazakhstan
TULPAR AVIA SERVICE	Unknown	Unknown	Republic of Kazakhstan
TYAN SHAN	Unknown	Unknown	Republic of Kazakhstan
UST-KAMENOGORSK	AK-0385-09	UCK	Republic of Kazakhstan
ZHETYSU AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
ZHERSU AVIA	Unknown	Unknown	Republic of Kazakhstan
ZHEZKAZGANAIR	Unknown	Unknown	Republic of Kazakhstan
All air carriers certified by the authorities with responsibility for regulatory oversight of the Kyrgyz Republic, including,			Kyrgyz Republic
AIR MANAS	17	MBB	Kyrgyz Republic
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyz Republic
AEROSTAN (EX BISTAIR-FEZ BISHKEK)	08	BSC	Kyrgyz Republic
CLICK AIRWAYS	11	CGK	Kyrgyz Republic
DAMES	20	DAM	Kyrgyz Republic
EASTOK AVIA	15	Unknown	Kyrgyz Republic
GOLDEN RULE AIRLINES	22	GRS	Kyrgyz Republic
ITEK AIR	04	IKA	Kyrgyz Republic
KYRGYZ TRANS AVIA	31	KTC	Kyrgyz Republic
KYRGYZSTAN	03	LYN	Kyrgyz Republic
MAX AVIA	33	MAI	Kyrgyz Republic
S GROUP AVIATION	6	Unknown	Kyrgyz Republic
SKY GATE INTERNATIONAL AVIATION	14	SGD	Kyrgyz Republic
SKY WAY AIR	21	SAB	Kyrgyz Republic
TENIR AIRLINES	26	TEB	Kyrgyz Republic
TRAST AERO	05	TSJ	Kyrgyz Republic
VALOR AIR	07	Unknown	Kyrgyz Republic
All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia		—	Liberia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Gabon, with the exception of Gabon Airlines, Afrijet and SN2AG, including,			Republic of Gabon
AIR SERVICES SA	0002/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
AIR TOURIST (ALLEGIANCE)	0026/MTACCMDH/SGACC/DTA	NIL	Republic of Gabon
NATIONALE ET REGIONALE TRANSPORT (NATIONALE)	0020/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
SCD AVIATION	0022/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
SKY GABON	0043/MTACCMDH/SGACC/DTA	SKG	Republic of Gabon
SOLENTA AVIATION GABON	0023/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone, including,	—	—	Sierra Leone
AIR RUM, LTD	Unknown	RUM	Sierra Leone
DESTINY AIR SERVICES, LTD	Unknown	DTY	Sierra Leone
HEAVYLIFT CARGO	Unknown	Unknown	Sierra Leone
ORANGE AIR SIERRA LEONE LTD	Unknown	ORJ	Sierra Leone
PARAMOUNT AIRLINES, LTD	Unknown	PRR	Sierra Leone
SEVEN FOUR EIGHT AIR SERVICES LTD	Unknown	SVT	Sierra Leone
TEEBAH AIRWAYS	Unknown	Unknown	Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Swaziland, including,	—	—	Swaziland
AERO AFRICA (PTY) LTD	Unknown	RFC	Swaziland
JET AFRICA SWAZILAND	Unknown	OSW	Swaziland
ROYAL SWAZI NATIONAL AIRWAYS CORPORATION	Unknown	RSN	Swaziland
SCAN AIR CHARTER, LTD	Unknown	Unknown	Swaziland
SWAZI EXPRESS AIRWAYS	Unknown	SWX	Swaziland
SWAZILAND AIRLINK	Unknown	SZL	Swaziland
All air carriers certified by the authorities with responsibility for regulatory oversight of Zambia, including,			Zambia
Zambezi Airlines	Z/AOC/001/2009	Unknown	Zambia

ANNEX B

**LIST OF AIR CARRIERS OF WHICH OPERATIONS ARE SUBJECT TO OPERATIONAL RESTRICTIONS
WITHIN THE COMMUNITY ⁽¹⁾**

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type	Registration mark(s) and, when available, construction serial number(s)	State of registry
AFRIJET ⁽¹⁾	CTA 0002/MTAC/ ANAC-G/DSA		Republic of Gabon	All fleet with the exception of: 2 aircraft of type Falcon 50; 1 aircraft of type Falcon 900	All fleet with the exception of: TR-LGV; TR-LGY; TR-AFJ	Republic of Gabon
AIR ASTANA ⁽²⁾	AK-0388-09	KZR	Kazakhstan	All fleet with the exception of: 2 aircraft of type B767; 4 aircraft of type B757; 10 aircraft of type A319/320/321; 5 aircraft of type Fokker 50	All fleet with the exception of: P4-KCA, P4-KCB; P4-EAS, P4-FAS, P4-GAS, P4-MAS; P4-NAS, P4-OAS, P4-PAS, P4-SAS, P4-TAS, P4-UAS, P4-VAS, P4-WAS, P4-YAS, P4-XAS; P4-HAS, P4-IAS, P4-JAS, P4-KAS, P4-LAS	Aruba (Kingdom of the Netherlands)
AIR BANGLADESH	17	BGD	Bangladesh	B747-269B	S2-ADT	Bangladesh
AIR SERVICE COMORES	06-819/TA-15/ DGACM	KMD	Comoros	All fleet with the exception of: LET 410 UVP	All fleet with the exception of: D6-CAM (851336)	Comoros
GABON AIRLINES ⁽³⁾	CTA 0001/MTAC/ ANAC	GBK	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Boeing B-767-200	All fleet with the exception of: TR-LHP	Republic of Gabon
NOUVELLE AIR AFFAIRES GABON (SN2AG)	CTA 0003/MTAC/ ANAC-G/DSA	NVS	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Challenger; CL601 1 aircraft of type HS-125-800	All fleet with the exception of: TR-AAG, ZS-AFG	Republic of Gabon; Republic of South Africa
TAAG ANGOLA AIRLINES ⁽⁴⁾	001	DTA	Republic of Angola	All fleet with the exception of: 3 aircraft of type Boeing B-777	All fleet with the exception of: D2-TED, D2-TEE, D2-TEF	Republic of Angola

⁽¹⁾ Afrijet is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

⁽²⁾ Air Astana is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

⁽³⁾ Gabon Airlines is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

⁽⁴⁾ TAAG Angola Airlines is allowed to operate only to Portugal using the specific aircraft under the conditions set out in recitals (58) and (59) of this Regulation.

⁽¹⁾ Air carriers listed in Annex B could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

COMMISSION REGULATION (EC) No 620/2009**of 13 July 2009****providing for the administration of an import tariff quota for high-quality beef**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 144(1) and Article 148 thereof, in conjunction with Article 4,

Whereas:

- (1) Council Regulation (EC) No 617/2009 ⁽²⁾ opens on a multiannual basis an autonomous import tariff quota for import of 20 000 tonnes of high-quality beef. Article 2 of that Regulation provides that the tariff quota is to be managed by the Commission in accordance with Article 144 of Regulation (EC) No 1234/2007. Detailed rules should therefore be adopted for the administration of that quota.
- (2) That quota should be managed using import licences. Therefore, rules should be laid down concerning the submission of applications and the information to be provided in the applications and licences. Where necessary, that can be done by way of derogation from certain provisions of Commission Regulation (EC) No 376/2008 of 23 April 2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽³⁾, and Commission Regulation (EC) No 382/2008 of 21 April 2008 on rules of application for import and export licences in the beef and veal sector ⁽⁴⁾.
- (3) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽⁵⁾ lays down detailed rules concerning the applications for import licences, the status of applicants and the issue of licences. That Regulation limits the period of validity of licences to the last day of the import tariff quota period. The provisions of Regulation (EC) No 1301/2006 should apply to import licences issued for the quota covered by Regulation (EC) No 617/2009, without prejudice to additional conditions laid down in this Regulation.
- (4) In order to ensure a regular flow of imports, it is appropriate to sub-divide each import tariff quota period into several sub-periods.
- (5) The release into free circulation of the products imported under the quota covered by Regulation (EC) No 617/2009 should be subject to a presentation of a certificate of authenticity issued by the competent authority of the exporting third country. The issue of such certificates of authenticity should guarantee that the imported products qualify as high-quality beef as defined in this Regulation. The form and layout of the certificates of authenticity and the procedures for using those certificates should be specified. Certificates should be issued by authorities in third countries affording all the necessary guarantees to ensure that the arrangements concerned are properly applied.
- (6) Regulation (EC) No 617/2009 provides that the import tariff quota is opened from 1 August 2009. Therefore, this Regulation should also apply from the same day.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter and scope**

1. This Regulation lays down rules for the administration of import tariff quota of high-quality beef as provided for in Article 1(1) of Regulation (EC) No 617/2009, hereinafter referred to as 'the tariff quota'.

2. This Regulation shall apply to high-quality fresh, chilled or frozen beef that fulfils the requirements laid down in Annex I.

For the purposes of this Regulation, 'frozen meat' means meat with an internal temperature of – 12 °C or lower when it enters the customs territory of the Community.

3. Regulations (EC) No 1301/2006, (EC) No 376/2008, and (EC) No 382/2008 shall apply, save as otherwise provided for in this Regulation.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ L 114, 26.4.2008, p. 3.

⁽⁴⁾ OJ L 115, 29.4.2008, p. 10.

⁽⁵⁾ OJ L 238, 1.9.2006, p. 13.

Article 2

Administration of the tariff quota

1. The tariff quota shall be administered by applying the simultaneous examination method in accordance with Chapter II of Regulation (EC) No 1301/2006.

2. The rate of the import duty, referred to in Article 1(2) of Regulation (EC) No 617/2009, shall be mentioned in section 24 of the import licence application and the import licence as provided for in Article 9 of Regulation (EC) No 1301/2006.

3. The quota year provided for in Article 1(3) of Regulation (EC) No 617/2009 shall be divided into 12 monthly sub-periods. The quantity available for each sub-period shall be one twelfth of the total quantity.

By way of derogation from the first subparagraph, the 2009/2010 quota year shall be divided in 10 monthly sub-periods, with the exception of the first sub-period which shall cover the period from 1 August 2009 to 30 September 2009. The quantity available in each sub-period shall be one tenth of the total quantity.

Article 3

Import licence applications

1. Licence applications shall be submitted during the first seven days of the month preceding each sub-period referred to in Article 2(3).

By way of derogation from the first subparagraph, for the 2009/2010 quota year, licence applications for the first sub-period shall be lodged the first four days of August 2009.

2. Notwithstanding Article 5(1) of Regulation (EC) No 382/2008, licence applications may cover one or several of the products covered by the CN codes or groups of CN codes listed in Annex I to that Regulation. In case applications cover several CN codes, the respective quantity applied for each CN code or each group of CN codes shall be specified. All the CN codes shall be mentioned in section 16 and their description in section 15 of licence applications and licences.

3. Member States shall notify the Commission, at the latest on the 14th day of the month in which applications are submitted, of the total quantities covered by licence applications, as referred to in Article 11(1)(a) of Regulation (EC) No 1301/2006, per country of origin and expressed in kilograms of product weight.

By way of derogation from the first subparagraph, the deadline for the notification for the first sub-period of the 2009/2010 quota year shall be the 7 August 2009.

4. Section 8 of licence applications and licences shall mention the country of origin.

Section 20 of licence applications and licences shall mention one of the entries listed in Annex II.

Article 4

Issue of import licences

1. Licences shall be issued from the 23rd and no later than at the end of the month in which the applications were submitted.

By way of derogation from the first subparagraph, licences applied for in August 2009, shall be issued from the 14 August till the 21 August 2009.

2. Each licence shall mention the quantity for each CN code or for each group of CN codes.

Article 5

Validity of import licences

Licences shall be valid for three months from the first day of the sub-period for which they were issued.

By way of derogation from the first paragraph, for licence applications referred to in the second subparagraph of Article 3(1), licences shall be valid for three months from the actual day of issue within the meaning of Article 22(2) of Regulation (EC) No 376/2008.

Article 6

Notifications to the Commission by the Member States

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, the Member States shall notify the Commission:

- (a) no later than the tenth day of each month, of the quantities of products, including nil returns, for which import licences were issued in the previous month;
- (b) the quantities of products, including nil returns, covered by unused or partly used import licences and corresponding to the difference between the quantities entered on the back of the import licences and the quantities for which they were issued:
 - (i) together with the notifications referred to in Article 3(3) of this Regulation regarding the applications submitted for the last sub-period of the quota year;

- (ii) no later than 31 October following the end of each quota year, regarding the quantities not yet notified under point (i).

2. No later than 31 October following the end of each quota year, the Member States shall notify the Commission of the quantities of products which were actually released into free circulation during the preceding import tariff quota period.

3. In the notifications referred to in paragraphs 1 and 2, the quantities shall be expressed in kilograms product weight, per country of origin and per product category as indicated in Annex V to Regulation (EC) No 382/2008.

4. The notifications shall be transmitted electronically in accordance with models and methods made available to the Member States by the Commission.

Article 7

Certificates of authenticity

1. The release into free circulation of the products imported under the quota shall be subject to the presentation of a certificate of authenticity, established in accordance with the model presented in Annex III.

2. On the reverse side of the certificate of authenticity it shall be stated that the meat originating in the exporting country fulfils the requirements laid down in Annex I.

3. A certificate of authenticity shall be valid only if it is duly completed and endorsed by the issuing authority.

4. A certificate of authenticity shall be considered to have been duly endorsed if it states the date and place of issue and if it bears the stamp of the issuing authority and the signature of the person or persons empowered to sign it.

5. The stamp may be replaced by a printed seal on the original of the certificate of authenticity and any copies thereof.

6. The validity of a certificate of authenticity shall expire at the latest on 30 June following the date of its issue.

Article 8

Issuing authorities in third countries

1. The issuing authority referred to in Article 7(3) shall:

(a) be recognised as such by the competent authority of the exporting country;

(b) undertake to verify entries in the certificates of authenticity.

2. The following information shall be notified to the Commission:

(a) the name and address, if possible including e-mail and Internet address, of authorities authorised to issue the certificates of authenticity referred to in Article 7;

(b) specimen of the stamps used by those authorities;

(c) the procedures and criteria followed by the issuing authority in order to establish whether the requirements laid down in Annex I are fulfilled.

Article 9

Third country notifications

When the requirements laid down in Annex I are fulfilled, the Commission shall publish the name of the issuing authority referred to in Article 8(1) in the C series of the *Official Journal of the European Union* or by any other appropriate means.

Article 10

On-the-spot checks in third countries

The Commission may request the third country to authorise representatives of the Commission to carry out, where required, on-the-spot checks in that third country. Those checks shall be performed jointly with the competent authorities of the third country concerned.

Article 11

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 August 2009.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 July 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Requirements for products under the tariff quota referred to in Article 1(1)

1. Beef cuts are obtained from carcasses of heifers and steers less than 30 months of age which have only been fed a diet, for at least the last 100 days before slaughter, containing not less than 62 % of concentrates and/or feed grain co-products on a dietary dry matter basis that meet or exceed a metabolisable energy content greater than 12,26 mega joules per one kilogram of dry matter.
2. The heifers and steers that are fed the diet described in point 1 shall be fed, on average, no less than 1,4 % of live body weight per day on a dry matter basis.
3. The carcass from which beef cuts are derived are evaluated by an evaluator employed by the national government who bases the evaluation, and a resulting classification of the carcass, on a method approved by the national government. The national government evaluation method, and its classifications, must evaluate expected carcass quality using a combination of carcass maturity and palatability traits of the beef cuts. Such an evaluation method of the carcass shall include, but not be limited to, an evaluation of the maturity characteristics of colour and texture of the *longissimus dorsi* muscle and bone and cartilage ossification, as well as an evaluation of expected palatability traits, including a combination of the discrete specifications of intramuscular fat and firmness of the *longissimus dorsi* muscle.
4. The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000 of the European Parliament and of the Council ⁽¹⁾.
5. The indication 'High Quality Beef' may be added to the information on the label.

⁽¹⁾ OJ L 204, 11.8.2000, p. 1.

ANNEX II

Entries referred to in Article 3(4)

— In Bulgarian:	Говеждо/телешко месо с високо качество (Регламент (ЕО) № 620/2009)
— In Spanish:	Carne de vacuno de alta calidad [Reglamento (CE) n° 620/2009]
— In Czech:	Vysoce jakostní hovězí/telecí maso (nařízení (ES) č. 620/2009)
— In Danish:	Oksekød af høj kvalitet (forordning (EF) nr. 620/2009)
— In German:	Qualitätsrindfleisch (Verordnung (EG) Nr. 620/2009)
— In Estonian:	Kõrge kvaliteediline veiseliha/vasikaliha (määrus (EÜ) nr 620/2009)
— In Greek:	Βόειο κρέας εκλεκτής ποιότητας [κανονισμός (ΕΚ) αριθ. 620/2009]
— In English:	High-quality beef/veal (Regulation (EC) No 620/2009)
— In French:	Viande bovine de haute qualité [règlement (CE) n° 620/2009]
— In Italian:	Carni bovine di alta qualità [regolamento (CE) n. 620/2009]
— In Latvian:	Augstākā labuma liellopu/teļa gaļa (Regula (EK) Nr. 620/2009)
— In Lithuanian:	Aukštos kokybės jautiena ir (arba) veršiena (Reglamentas (EB) Nr. 620/2009)
— In Hungarian:	Kiváló minőségű marha-/borjúhús (620/2009/EK rendelet)
— In Maltese:	Ċanga/vitella ta' kwalità għolja (Regolament (KE) Nru 620/2009)
— In Dutch:	Rundvlees van hoge kwaliteit (Verordening (EG) nr. 620/2009)
— In Polish:	Wołowina/cielęcina wysokiej jakości (Rozporządzenie (WE) nr 620/2009)
— In Portuguese:	Carne de bovino de alta qualidade [Regulamento (CE) n.º 620/2009]
— In Romanian:	Carne de vită/vițel de calitate superioară [Regulamentul (CE) nr. 620/2009]
— In Slovak:	Vysoko kvalitné hovädzie/teľacie mäso [Nariadenie (ES) č. 620/2009]
— In Slovenian:	Visokokakovostno goveje/telečje meso (Uredba (ES) št. 620/2009)
— In Finnish:	Korkealaatuista naudanlihaa (asetus (EY) N:o 620/2009)
— In Swedish:	Nötkött av hög kvalitet (förfordning (EG) nr 620/2009)

ANNEX III

1. Exporter (name and address)	2. Certificate No	ORIGINAL	
4. Consignee (name and address)	3. Issuing authority		
6. Means of transport	5. CERTIFICATE OF AUTHENTICITY BEEF AND VEAL Regulation (EC) No 620/2009		
7. Marks, numbers, number and kind of packages; description of goods	8. Gross weight (kg)	9. Net weight (kg)	
10. Net weight (in words)			
11. CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf. Place: Date: Signature and stamp (or printed seal)			

To be completed either by typewriter or by hand in block capitals.

COMMISSION REGULATION (EC) No 621/2009**of 14 July 2009****establishing a prohibition of fishing for mackerel in VI, VII, VIIla, VIIlb, VIIId and VIIle; EC waters of Vb; international waters of IIa, XII and XIV by vessels flying the flag of Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 43/2009 of 16 January 2009 fixing for 2009 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2009.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2009.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2009 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 July 2009.

For the Commission

Fokion FOTIADIS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1.

⁽³⁾ OJ L 22, 26.1.2009, p. 1.

ANNEX

No	2/T&Q
Member State	Spain
Stock	MAC/2CX14-
Species	Mackerel (<i>Scomber scombrus</i>)
Zone	VI, VII, VIIIa, VIIIb, VIIIc and VIId; EC waters of Vb; international waters of IIa, XII and XIV
Date	15 June 2009

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 30 June 2009

establishing a template for National Renewable Energy Action Plans under Directive 2009/28/EC of the European Parliament and of the Council

(notified under document number C(2009) 5174)

(Text with EEA relevance)

(2009/548/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the measures to be taken to fulfil the requirements of Articles 13 to 19 of Directive 2009/28/EC.

Having regard to the Treaty establishing the European Community,

- (2) In accordance with Directive 2009/28/EC, the Commission should adopt by 30 June 2009 a template for the national renewable energy action plans comprising the minimum requirements set out in Annex VI to that Directive,

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC ⁽¹⁾, and in particular Article 4(1) second subparagraph thereof,

HAS ADOPTED THIS DECISION:

Whereas:

Article 1

The template for the national renewable energy action plans required by Article 4(1) of Directive 2009/28/EC as set out in the Annex to this Decision is adopted.

- (1) Directive 2009/28/EC requires each Member State to adopt a national renewable energy action plan. These plans are to set out Member States' national targets for the share of energy from renewable sources consumed in transport, electricity and heating and cooling in 2020, taking into account the effects of other policy measures relating to energy efficiency on final consumption of energy, and adequate measures to be taken to achieve those national overall targets, including cooperation between local, regional and national authorities, planned statistical transfers or joint projects, national policies to develop existing biomass resources and mobilise new biomass resources for different uses, and

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 June 2009.

For the Commission

Andris PIEBALGS

Member of the Commission

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

ANNEX

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Template For National Renewable Energy Action Plans (NREAPs)

Directive 2009/28/EC requires Member States to submit a National Renewable Energy Action Plan (NREAP) to the European Commission by 30 June 2010. This is the template for these Action Plans. In accordance with Article 4 of Directive 2009/28/EC, the use of this template is obligatory.

The purpose of the template is to ensure that NREAPs are complete, cover all the requirements laid down in the Directive and are comparable with each other and with future Member State biannual reports on the implementation of the Directive.

When filling in the template, Member States are required to comply with the definitions, calculation rules and terminology laid down in Directive 2009/28/EC. Member States are furthermore encouraged to use the definitions, calculation rules and terminology in Regulation (EC) No 1099/2008 of the European Parliament and the Council ⁽¹⁾.

Additional information can be provided either in the prescribed structure of the Action Plan or by including annexes.

Passages in italics aim to guide Member States in the preparation of their NREAP. Member States may delete these passages in the version of the NREAP which they submit to the Commission.

The Commission reminds Member States that all national support schemes must respect the State aid rules as foreseen in Articles 87 and 88 of the EC-Treaty. The notification of the NREAPs does not replace a State aid notification in accordance with Article 88(3) of the EC-Treaty.

1. SUMMARY OF NATIONAL RENEWABLE ENERGY POLICY

Please give a short overview of the national renewable energy policy describing the objectives of the policy (such as security of supply, environmental, economic and social benefits) and the main strategic lines of action.

2. EXPECTED FINAL ENERGY CONSUMPTION 2010-2020

In this section, Member States are required to set out their estimates of gross final energy consumption of all types of energy (from both renewable and conventional sources), overall and for each sector, in the period up to 2020.

These estimates have to also take into account the expected effects of energy efficiency and saving measures to be introduced during the period. Under the heading 'reference scenario' a scenario has to be presented taking into account only the energy efficiency and savings measures adopted before 2009. Under the heading 'additional energy efficiency scenario' a scenario has to be presented taking into account all measures to be adopted from 2009. The elaboration of the other parts of the NREAP is based on this additional energy efficiency scenario.

The term 'consumption for heating and cooling' has to be understood as the derived heat produced (heat sold), plus the final consumption of all other energy commodities except electricity in end-use sectors such as industry, households, services, agriculture, forestry and fisheries. The notion of heating and cooling covers therefore also final energy consumption for processing. Electricity may also be used for heating and cooling in final consumption, but this electricity is covered in the electricity target, which is why it is excluded here.

According to Article 5(6) of Directive 2009/28/EC, for the purpose of measuring compliance with the 2020 target and the interim trajectory, the amount of energy consumed in aviation is to be considered to be no more than 6,18 % of the Member State's gross final energy consumption (4,12 % for Cyprus and Malta). The appropriate adjustments (if any) could be made in the table. The box shows how to calculate this

⁽¹⁾ OJ L 304, 14.11.2008, p. 1.

BOX — How to calculate the ‘aviation capping mechanism’ in the Renewable Energy Directive

Assume Country A has a share of aviation energy consumption (AEC) of its total gross final energy consumption (GFEC) of X:

$$X = \text{AEC} / \text{GFEC}$$

Assume $X > 6,18 \%$

In this case the cap implies that for the purpose of assessing compliance,

$$\text{GFEC}_{\text{adjusted}} = \text{GFEC} - \text{AEC} + \text{AEC}_{\text{adjusted}}$$

$$\text{where } \text{AEC}_{\text{adjusted}} = 0,0618 * \text{GFEC}$$

In other terms

$$\text{GFEC}_{\text{adjusted}} = \text{GFEC} - \text{AEC} + 0,0618 * \text{GFEC} =$$

$$= \text{GFEC} - X * \text{GFEC} + 0,0618 * \text{GFEC} =$$

$$= \text{GFEC} * (1,0618 - X)$$

The ‘adjustment’ as a % of the real GFEC and as a function of X is therefore

$$\text{Adjustment} = (\text{GFEC} - \text{GFEC}_{\text{adjusted}}) / \text{GFEC} =$$

$$= X - 0,0618$$

NB: In the case of Cyprus and Malta, the figures of 4,12 % and 0,0412 should replace the figures of 6,18 % and 0,0618 respectively.

Table 1

Expected gross final energy consumption of [Member State] in heating and cooling, electricity and transport up to 2020 taking into account the effects of energy efficiency and energy saving measures ⁽²⁾ 2010-2020 (ktoe)

	2005	2010		2011		2012		2013		2014	
	base year	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency
1. heating and cooling ⁽¹⁾											
2. electricity ⁽²⁾											
3. transport as in Article 3(4)a ⁽³⁾											
4. Gross final energy consumption ⁽⁴⁾											
<i>The following calculation is needed only if final energy consumption for aviation is expected to be higher than 6,18 % (4,12 % for Malta and Cyprus):</i>											
Final consumption in aviation											
Reduction for aviation limit ⁽⁵⁾ Article 5(6)											
Total consumption after reduction for aviation limit											

⁽²⁾ These estimates on energy efficiency and energy savings shall be consistent with other such estimates that Member States notify to the Commission, notably in Action Plans under the Energy Services Directive and the Energy Performance of Buildings Directive. If different units are used in those Action Plans the conversion factors applied should be indicated.

	2015		2016		2017		2018		2019		2020	
	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency	reference scenario	additional energy efficiency
1. heating and cooling ⁽¹⁾												
2. electricity ⁽²⁾												
3. transport as in Article 3(4)a ⁽³⁾												
4. Gross final energy consumption ⁽⁴⁾												

The following calculation is needed only if final energy consumption for aviation is expected to be higher than 6,18 % (4,12 % for Malta and Cyprus):

Final consumption in aviation												
Reduction for aviation limit ⁽⁵⁾ Article 5(6)												
Total consumption after reduction for aviation limit												

⁽¹⁾ It is the final energy consumption of all energy commodities except electricity for purposes other than transport, plus the consumption of heat for own use at electricity and heat plants and heat losses in networks (items '2. Own use by plant' and '11. Transmission and distribution losses' of Regulation (EC) No 1099/2008 (p. 23-24).

⁽²⁾ The gross electricity consumption is national gross electricity production, including autoproduction, plus imports, minus exports.

⁽³⁾ Transport consumption as defined in Article 3(4)(a) of Directive 2009/28/EC. Renewable electricity in road transport for this figure should be multiplied by a factor of 2,5, as indicated by Article 3(4)(c) of Directive 2009/28/EC.

⁽⁴⁾ As defined in Article (2)(f) of Directive 2009/28/EC. This comprises final energy consumption plus network losses and own use of heat and electricity at electricity and heating plants (NB: this does not include consumption of electricity for pumped hydro storage or for transformation in electrical boilers or heat pumps at district heating plants).

⁽⁵⁾ According to Article 5(6) consumption for aviation has to be considered only up to 6,18 % (Community average), for Cyprus and Malta up to 4,12 % of gross final energy consumption.

3. RENEWABLE ENERGY TARGETS AND TRAJECTORIES

3.1. National overall target

Table 2

National overall target for the share of energy from renewable sources in gross final consumption of energy in 2005 and 2020 (figures to be transcribed from Annex I, Part A to Directive 2009/28/EC)

A. Share of energy from renewable sources in gross final consumption of energy in 2005 (S ₂₀₀₅) (%)	
B. Target of energy from renewable sources in gross final consumption of energy in 2020 (S ₂₀₂₀) (%)	
C. Expected total adjusted energy consumption in 2020 (from Table 1, last cell) (ktoe)	
D. Expected amount of energy from renewable sources corresponding to the 2020 target (calculated as B x C) (ktoe)	

Member States may choose to look to the flexibility measures in Articles 6, 7, 8 and 11 of Directive 2009/28/EC with a view to making some of their own renewable energy consumption available to count towards the targets of other Member State(s) — or with a view to counting energy from renewable sources consumed in other Member State(s) towards their own targets. In addition they may use physical imports from third countries of electricity from renewable energy sources in accordance with the provisions of Articles 9 and 10 of Directive 2009/28/EC.

Any assessments of the renewable energy potential of your country can be attached in annex.

Any renewable energy targets at regional level or in major cities or in major energy consuming industries supporting the national renewable energy target fulfilment can also be attached in annex.

3.2. Sectoral targets and trajectories

According to Article 4(1) of Directive 2009/28/EC, Member States are required to set their targets for the share of energy from renewable sources in 2020 in the following sectors:

- heating and cooling,
- electricity,
- transport.

The total of the three sectoral targets, translated into expected volumes (ktoe) including the planned use of flexibility measures, has to be at least as high as the expected amount of energy from renewable sources that corresponds to the Member State's 2020 target (as reported in the last cell of Table 2).

The transport target, in addition, has to be compatible with the requirements of Article 3(4) of Directive 2009/28/EC for a 10 % share of renewable energy in transport. It should, however, be noted that the calculation of compliance with the target in Article 3(4) differs from the calculation of transport's contribution to the Member State's overall national target for renewable energy.

For the transport target, and not for the overall target:

- Among petroleum products, only petrol and diesel count towards the **denominator**. This means that the kerosene/jet fuel used in aviation and the fuel oil used in shipping do not count (though the diesel used by some trains and some inland waterway vessels does),
- Biofuels from wastes, residues, non-food cellulosic material and ligno-cellulosic material count double towards the **numerator**,
- Electricity from renewable sources used in road vehicles counts 2,5 times towards the **numerator and the denominator**.

According to Article 3(4)(c) of Directive 2009/28/EC to calculate the contribution of electricity produced from renewable sources and consumed in electric vehicles, Member States may choose to use either the average share of electricity from renewable energy sources in the Community, or the share of electricity from renewable energy sources in their own country, as measured two years before the year in question. For the estimation of the average share of electricity from renewable energy sources in the Community, Member States may use the future scenarios prepared by/for the European Commission ⁽³⁾.

As well as setting sectoral targets for 2020, Member States must also describe the trajectory that they expect the growth of renewable energy use in each sector to follow between 2010 and 2020. The sectoral renewable targets in electricity and heating and cooling and the sectoral trajectories are estimations.

Table 3 requires Member States to furnish the information referred to above.

When filling in the table, Member States will wish to draw on the more detailed breakdown of expected renewable energy use required by Table 9. Calculation Tables 4a and 4b provide guidance in preparing Table 3.

The Directive requires Member States to publish and notify to the Commission their forecast for the use of the flexibility measures by 31 December 2009. Member States will wish to draw on this forecast in filling in the relevant parts of Table 4a. Member States are not, however, required to use the same figures in their Action Plans as they gave in their forecast documents. In particular, they may wish to adjust the figures in the light of the information contained in other Member States' forecast documents.

⁽³⁾ For example the scenario documented in Appendix 4, p. 287, in 'Appendixes to Model-based Analysis of the 2008 EU Policy Package on Climate Change and Renewables': http://ec.europa.eu/environment/climat/pdf/climat_action/analysis_appendix.pdf In this scenario the EU-27 average share of gross electricity production from renewable energy forms is 19,4 %, 24,6 % and 32,4 % for the years 2010, 2015 and 2020, respectively.

Table 3

National 2020 target and estimated trajectory of energy from renewable sources in heating and cooling, electricity and transport

(Calculation Tables 4a and 4b are expected to guide the preparation of Table 3)

(%)

	2005	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
RES-H&C ⁽¹⁾												
RES-E ⁽²⁾												
RES-T ⁽³⁾												
Overall RES share ⁽⁴⁾												
Of which from cooperation mechanism ⁽⁵⁾												
Surplus for cooperation mechanism ⁽⁵⁾												

⁽¹⁾ Share of renewable energy in heating and cooling: gross final consumption of energy from renewable sources for heating and cooling (as defined in Articles 5(1)b) and 5(4) of Directive 2009/28/EC) divided by gross final consumption of energy for heating and cooling. Line (A) from Table 4a divided by line (1) of Table 1.

⁽²⁾ Share of renewable energy in electricity: gross final consumption of electricity from renewable sources for electricity (as defined in Articles 5(1)a) and 5(3) of Directive 2009/28/EC) divided by total gross final consumption of electricity. Row (B) from Table 4a divided by row (2) of Table 1.

⁽³⁾ Share of renewable energy in transport: final energy from renewable sources consumed in transport (cf. Article 5(1)c) and 5(5) of Directive 2009/28/EC) divided by the consumption in transport of 1) petrol; 2) diesel; 3) biofuels used in road and rail transport and 4) electricity in land transport (as reflected in row 3 of Table 1). Line (J) from Table 4b divided by row (3) of Table 1.

⁽⁴⁾ Share of renewable energy in gross final energy consumption. Row (G) from Table 4a divided by row (4) of Table 1.

⁽⁵⁾ In percentage point of overall RES share.

As Part B of Annex I to the Directive			2011-2012	2013-2014	2015-2016	2017-2018		2020
			$S_{2005} + 20\%$ ($S_{2020}-S_{2005}$)	$S_{2005} + 30\%$ ($S_{2020}-S_{2005}$)	$S_{2005} + 45\%$ ($S_{2020}-S_{2005}$)	$S_{2005} + 65\%$ ($S_{2020}-S_{2005}$)		S_{2020}
RES minimum trajectory ⁽¹⁾								
RES minimum trajectory (ktoe)								

⁽¹⁾ As defined in Annex I.B to the Directive 2009/28/EC.

Table 4a

Calculation table for the renewable energy contribution of each sector to final energy consumption

(ktoe)

	2005	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
(A) Expected gross final consumption of RES for heating and cooling												
(B) Expected gross final consumption of electricity from RES												
(C) Expected final consumption of energy from RES in transport												
(D) Expected total RES consumption ⁽¹⁾												
(E) Expected transfer of RES to other Member States												
(F) Expected transfer of RES from other Member States and 3rd countries												
(G) Expected RES consumption adjusted for target (D) - (E) + (F)												

⁽¹⁾ According to Article 5(1) of Directive 2009/28/EC gas, electricity and hydrogen from renewable energy sources shall only be considered once. No double counting is allowed.

Table 4b

Calculation table for the renewable energy in transport share

(ktoe)

	2005	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
(C) Expected RES consumption in transport ⁽¹⁾												
(H) Expected RES electricity in road transport ⁽²⁾												
(I) Expected consumption of biofuels from wastes, residues, non-food cellulosic and lingo-cellulosic material in transport ⁽²⁾												
(J) Expected RES contribution to transport for the RES-T target: (C) + (2,5 - 1) x (H) + (2 - 1) x (I)												

⁽¹⁾ Containing all RES used in transport including electricity, hydrogen and gas from renewable energy sources, and excluding biofuels that do not comply with the sustainability criteria (cf. Article 5(1) last subparagraph). Specify here actual values without using the multiplication factors.

⁽²⁾ Specify here actual values without using the multiplication factors.

4. MEASURES FOR ACHIEVING THE TARGETS

4.1. Overview of all policies and measures to promote the use of energy from renewable resources

Table 5

Overview of all policies and measures

Name and reference of the measure	Type of measure (*)	Expected result (**)	Targeted group and or activity (***)	Existing or planned	Start and end dates of the measure
1.					
2.					
3.					
...					

(*) Indicate if the measure is (predominantly) regulatory, financial or soft (i.e. information campaign).

(**) Is the expected result behavioural change, installed capacity (MW; t/year), energy generated (ktoe)?

(***) Who are the targeted persons: investors, end users, public administration, planners, architects, installers, etc.? or what is the targeted activity/sector: biofuel production, energetic use of animal manure, etc.)?

4.2. Specific measures to fulfil the requirements under Articles 13, 14, 16 and Articles 17 to 21 of Directive 2009/28/EC

4.2.1. Administrative procedures and spatial planning (Article 13(1) of Directive 2009/28/EC)

When answering the following questions, Member States are requested to explain the current national, regional and local rules concerning the authorisation, certification and licensing procedures applied to plants and associated transmission and distribution network infrastructure for the production of electricity, heating or cooling from renewable sources, and to the process of transformation of biomass into biofuels or other energy products. Where further steps are needed to ensure that procedures are proportionate and necessary, Member States are requested also to describe planned revisions, expected results and the authority responsible to carry out such revisions. When information is technology specific, please indicate it. When regional/local authorities have a substantial role, please also explain it.

- (a) List of existing national and, if applicable, regional legislation concerning authorisation, certification, licensing procedures and spatial planning applied to plants and associated transmission and distribution network infrastructure:
- (b) Responsible Ministry(/ies)/authority(/ies) and their competences in the field:
- (c) Revision foreseen with the view to take appropriate steps as described by Article 13(1) of Directive 2009/28/EC by: [date]
- (d) Summary of the existing and planned measures at regional/local levels (where relevant):
- (e) Are there unnecessary obstacles or non-proportionate requirements detected related to authorisation, certification and licensing procedures applied to plants and associated transmission and distribution network infrastructure for the production of electricity, heating or cooling from renewable sources, and to the process of transformation of biomass into biofuels or other energy products? If so, what are they?
- (f) What level of administration (local, regional and national) is responsible for authorising, certifying and licensing renewable energy installations and for spatial planning? (If it depends on the type of installation, please specify.) If more than one level is involved, how is coordination between the different levels managed? How will coordination between different responsible authorities be improved in the future?
- (g) How is it ensured that comprehensive information on the processing of authorisation, certification and licensing applications and on assistance to applicants made available? What information and assistance is available to potential applicants for new renewable energy installations on their applications?
- (h) How is horizontal coordination facilitated between different administrative bodies, responsible for the different parts of the permit? How many procedural steps are needed to receive the final authorisation/licence/permit? Is there a one-stop shop for coordinating all steps? Are timetables for processing applications communicated in advance? What is the average time for obtaining a decision for the application?

- (i) Do authorisation procedures take into account the specificities of the different renewable energy technologies? If so, please describe how. If they do not, do you envisage taking them into account in the future?
- (j) Are there specific procedures, for example simple notification, for small-scale, decentralised installations (such as solar panels on buildings or biomass boilers in buildings)? If so, what are the procedural steps? Are the rules publicly available to citizens? Where are they published? Is the introduction of simplified notification procedures planned in the future? If so, for which types of installation/system? (Is net metering possible?)
- (k) Where are the fees associated with applications for authorisation/licences/permits for new installations published? Are they related to the administrative costs of granting such permits? Is there any plan to revise these fees?
- (l) Is official guidance available to local and regional administrative bodies on planning, designing, building and refurbishing industrial and residential areas to install equipments and systems using renewable energy sources in electricity and heating and cooling, including in district heating and cooling? If such official guidance is not available or insufficient, how and when will this need be addressed?
- (m) Are there specific trainings for case handlers of authorisation, certification and licensing procedures of renewable energy installations?

4.2.2. **Technical specifications (Article 13(2) of Directive 2009/28/EC)**

- (a) To benefit from support schemes do renewable energy technologies need to meet certain quality standards? If so, which installations and what quality standards? Are there national, regional standards that go beyond European standards?

4.2.3. **Buildings (Article 13(3) of Directive 2009/28/EC)**

Please note that when referring to increasing the use of renewable energy sources in buildings, the supply of renewable electricity from the national grid should not be considered. The focus here is on increasing local supply of heat and/or electricity to individual buildings. The direct supply of heat or cooling through district heating and cooling in buildings could also be taken into account.

- (a) Reference to existing national and regional legislation (if any) and summary of local legislation concerning the increase of the share of energy from renewable sources in the building sector:
- (b) Responsible Ministry(/ies)/authority(/ies):
- (c) Revision of rules, if any, planned by: [date]
- (d) Summary of the existing and planned measures at regional/local levels:
- (e) Are there minimum levels for the use of renewable energy in building regulations and codes? In which geographical areas and what are these requirements? (Please summarise.) In particular, what measures have been built into these codes to ensure the share of renewable energy used in the building sector will increase? What are the future plans related to these requirements/measures?
- (f) What is the projected increase of renewable energy use in buildings until 2020? (If possible differentiating between residential — 'single-unit' and 'multiple unit', commercial, public and industrial.) (To answer this question you may use a table as Table 6 below. Data could be given yearly, or for selected years. Both heating and cooling and electricity consumption from renewable energy sources should be included.)

Table 6

Estimated share of renewable energy in the building sector

(%)

	2005	2010	2015	2020
Residential				
Commercial				
Public				
Industrial				
Total				

- (g) Have obligations for minimum levels of renewable energy in new and newly refurbished buildings been considered in national policy? If so, what are these levels? If not, how will the appropriateness of this policy option be explored by 2015?
- (h) Please describe plans for ensuring the exemplary role of public buildings at national, regional and local level by using renewable energy installations or becoming zero energy buildings from 2012 onwards? (Please take into account the requirements under the EPBD).
- (i) How are energy efficient renewable energy technologies in buildings promoted? (Such measures may concern biomass boilers, heat pumps and solar thermal equipment fulfilling eco-label requirements or other standards developed at national or Community level (cf. text of Article 13(6))).

4.2.4. **Information provisions (Articles 14(1), 14(2) and 14(4) of Directive 2009/28/EC)**

Current and future information and awareness raising campaigns and programmes, as well as planned revisions, and expected results have to be described. Member States should also indicate which responsible authority will monitor and review the effects of the programmes. When regional/local authorities have a substantial role, please also indicate and summarise it.

- (a) Reference to existing national and or regional legislation (if any) concerning information requirements according to Article 14 of Directive 2009/28/EC:
- (b) Responsible body/(ies) for dissemination of information at national/regional/local levels:
- (c) Summary of the existing and planned measures at regional/local levels (where relevant):
- (d) Please indicate how information is made available on supporting measures for using renewable energy sources in electricity, heating and cooling and in transport to all relevant actors (consumers, builders, installers, architects, suppliers of relevant equipment and vehicles). Who is responsible for the adequacy and the publishing of this information? Are there specific information resources for the different target groups, such as end consumers, builders, property managers, property agents, installers, architects, farmers, suppliers of equipment using renewable energy sources, public administration? Are there information campaigns or permanent information centres in the present, or planned in the future?
- (e) Who is responsible for publishing information on the net benefits, costs and energy efficiency of equipment and systems using renewable energy sources for heating, cooling and electricity? (Supplier of the equipment or system, public body or someone else?)
- (f) How is guidance for planners and architects provided to help them to properly consider the optimal combination of renewable energy sources, high efficiency technologies and district heating and cooling when planning, designing, building and renovating industrial or residential areas? Who is responsible for that?
- (g) Please describe the existing and planned information, awareness raising and training programmes for citizens on the benefits and practicalities of developing and using energy from renewable sources. What is the role of regional and local actors in the designing and managing these programmes?

4.2.5. **Certification of installers (Article 14(3) of Directive 2009/28/EC)**

- (a) Reference to existing national and/or regional legislation (if any) concerning certification or equivalent qualification schemes for installers according to Article 14(3) of the Directive 2009/28/EC:
- (b) Responsible body/(ies) for setting up and authorising certification/qualification schemes by 2012 for installers of small-scale biomass boilers and stoves, solar photovoltaic and solar thermal systems, shallow geothermal systems and heat pumps:
- (c) Are such certification schemes/qualifications already in place? If so, please, describe.
- (d) Is information on these schemes publicly available? Are lists of certified or qualified installers published? If so, where? Are other schemes accepted as equivalent to the national/regional scheme?
- (e) Summary of existing and planned measures at regional/local levels (where relevant).

4.2.6. **Electricity infrastructure development (Article 16(1) and Article 16(3) to (6) of Directive 2009/28/EC)**

Besides the current situation and already existing legislation future actions, planned revisions, responsible bodies for it and expected results have to be described.

- (a) Reference to existing national legislation concerning requirements related to the energy grids (Article 16):
- (b) How is it ensured that transmission and distribution grids will be developed with a view to integrating the targeted amount of renewable electricity while maintaining the secure operation of the electricity system? How is this requirement included in the transmission and distribution operators' periodical network planning?
- (c) What will be the role of intelligent networks, information technology tools and storage facilities? How will their development be ensured?
- (d) Is the reinforcement of the interconnection capacity with neighbouring countries planned? If so, which interconnectors, for which capacity and by when?
- (e) How is the acceleration of grid infrastructure authorisation procedures addressed? What is the current state and average time for getting approval? How will it be improved? *(Please refer to current status and legislation, bottlenecks detected and plans to streamline procedure with timeframe of implementation and expected results.)*
- (f) How is coordination between grid infrastructure approval and other administrative planning procedures ensured?
- (g) Are priority connection rights or reserved connection capacities provided for new installations producing electricity from renewable energy sources?
- (h) Are any renewable installations ready to come online but not connected due to capacity limitations of the grid? If so, what steps are taken to resolve this and by when is it expected to be solved?
- (i) Are the rules on cost sharing and bearing of network technical adaptations set up and published by transmission and distribution system operators? If so, where? How is it ensured that these rules are based on objective, transparent and non-discriminatory criteria? Are there special rules for producers located in peripheral regions and regions with low population density? *(Cost bearing rules define which part of the costs is covered by the generator wishing to be connected and which part by the transmission or distribution system operator. Cost sharing rules define how the necessary cost should be distributed between subsequently connected producers that all benefit from the same reinforcements or new lines.)*
- (j) Please describe how the costs of connection and technical adaptation are attributed to producers and/or transmission and/or distribution system operators? How are transmission and distribution system operators able to recover these investment costs? Is any modification of these cost bearing rules planned in the future? What changes do you envisage and what results are expected? *(There are several options for distributing grid connection costs. Member States are likely to choose one or a combination of these. According to the 'deep' connection cost charging the developer of the installation generating electricity from renewable energy sources bears several grid infrastructure related costs (grid connection, grid reinforcement, and extension). Another approach is the 'shallow' connection cost charging, meaning that the developer bears only the grid connection cost, but not the costs of reinforcement and extension (this is built into the grid tariffs and paid by the customers). A further variant is when all connection costs are socialised and covered by the grid tariffs.)*
- (k) Are there rules for sharing the costs between initially and subsequently connected producers? If not, how are the benefits for subsequently connected producers taken into account?
- (l) How will it be ensured that transmission and distribution system operators provide new producers wishing to be connected with the necessary information on costs, a precise timetable for processing their requests and an indicative timetable for their grid connection?

4.2.7. **Electricity network operation (Article 16(2) and Article 16(7) and (8) of Directive 2009/28/EC)**

- (a) How is the transmission and distribution of electricity from renewable energy sources guaranteed by transmission and distribution system operators? Is priority or guaranteed access ensured?
- (b) How is it ensured that transmission system operators, when dispatching electricity generating installations give priority to those using renewable energy sources?

- (c) How are grid- and market-related operational measures taken in order to minimise the curtailment of electricity from renewable energy sources? What kinds of measures are planned and when is implementation expected? *(Market and grid design that enable the integration of variable resources could cover measures such as trading closer to real time (changing from day-ahead to intra-day forecasting and rescheduling of generators), aggregation of market areas, ensuring sufficient cross border interconnection capacity and trade, improved cooperation of adjacent system operators, the use of improved communication and control tools, demand-side management and active demand-side participation in markets (through two-way communication systems — smart metering), increased distributed production and domestic storage (e.g. electric cars) with active management of distribution networks (smart grids).)*
- (d) Is the energy regulatory authority informed about these measures? Does it have the competence to monitor and enforce implementation of these measures?
- (e) Are plants generating electricity from renewable energy sources integrated in the electricity market? Could you please describe how? What are their obligations regarding participation in the electricity market?
- (f) What are the rules for charging transmission and distribution tariffs to generators of electricity from renewable energy sources?

4.2.8. *Biogas integration into the natural gas network (Article 16(7) and Article 16(9) and (10) of Directive 2009/28/EC)*

- (a) How is it ensured that the charging of transmission and distribution tariffs does not discriminate against gas from renewable energy sources?
- (b) Has any assessment been carried out on the need to extend the gas network infrastructure to facilitate the integration of gas from renewable sources? What is the result? If not, will there be such an assessment?
- (c) Are technical rules on network connection and connection tariffs for biogas published? Where are these rules published?

4.2.9. *District heating and cooling infrastructure development (Article 16(11) of Directive 2009/28/EC)*

- (a) Please provide an assessment of the need for new district heating and cooling infrastructure using renewable energy sources and contributing to the 2020 target. Based on this assessment, are there plans to promote such infrastructures in the future? What are the expected contributions of large biomass, solar and geothermal facilities in the district heating and cooling systems?

4.2.10. *Biofuels and other bioliquids — sustainability criteria and verification of compliance (Articles 17 to 21 of Directive 2009/28/EC)*

The following part of the national action plan should explain Member States' future strategy regarding fulfilment of the sustainability criteria for biofuels and bioliquids and verification of compliance with the scheme.

- (a) How will the sustainability criteria for biofuels and bioliquids be implemented at national level? *(Is there legislation planned for implementation? What will be the institutional setup?)*
- (b) How will it be ensured that biofuels and bioliquids that are counted towards the national renewable target, towards national renewable energy obligations and/or are eligible for financial support comply with the sustainability criteria set down in Article 17(2) to (5) of Directive 2009/28/EC? *(Will there be a national institution/body responsible for monitoring/verifying compliance with the criteria?)*
- (c) If a national authority/body will monitor the fulfilment of the criteria, does such a national authority/body already exist? If so, please specify. If not, when is it envisaged to be established?
- (d) Please provide information on the existence of national law on land zoning and national land register for verifying compliance with Article 17(3) to (5) of Directive 2009/28/EC. How economic operators can access to this information? *(Please provide information on the existence of rules and distinction between different land statuses, like biodiversity area, protected area etc; and on the competent national authority who will monitor this land register and changes in land status.)*
- (e) As far as protected areas are concerned, please provide information under which national, European or international protection regime they are classified.

- (f) What is the procedure for changing the status of land? Who monitors and reports at national level on land status changes? How often are the land zoning register updated (monthly, annually, bi-annually, etc.)?
- (g) How is compliance with good agro-environmental practices and other cross-compliance requirements (required by Article 17(6) of Directive 2009/28/EC) ensured and verified at national level?
- (h) Do you intend to help develop voluntary 'certification' scheme(s) for biofuel and bioliquid sustainability as described in the second subparagraph of Article 18(4) of Directive 2009/28/EC? If so, how?

4.3. Support schemes to promote the use of energy from renewable resources in electricity applied by the Member State or a group of Member States

Support schemes can be regulatory, providing for targets and/or obligations. They may provide financial support either for investment or during the operation of a plant. There are also soft measures like information, education, or awareness-raising campaigns. As soft measures are described above, this assessment should focus on regulatory and financial measures.

Please describe existing schemes with legal reference, details of the scheme, duration (indicating start and end dates), past impact and explain whether any reform or future schemes are planned and by when. What are the expected results?

Regulation

Regulation can set target(s) and obligations. In case there is such an obligation please detail it:

- (a) What is the legal basis for this obligation/target?
- (b) Are there any technology-specific targets?
- (c) What are the concrete obligations/targets per year (per technology)?
- (d) Who has to fulfil the obligation?
- (e) What is the consequence of non-fulfilment?
- (f) Is there any mechanism to supervise fulfilment?
- (g) Is there any mechanism to modify obligations/targets?

Financial support

Financial support can be classified in various ways. Examples are financial support for investment, capital grants, low interest loans, tax exemptions or reductions, tax refunds, tender schemes, renewable energy obligations with or without green certificates (tradable green certificates), feed-in tariffs, feed-in premiums, voluntary schemes.

For any scheme you use, please give a detailed description answering the following questions?

- (a) What is the name and a short description of the scheme?
- (b) Is it a voluntary or obligatory scheme?
- (c) Who manages the scheme? (*Implementing body, monitoring authority*)
- (d) What are the measures taken to ensure availability of necessary budget/funding to achieve the national target?
- (e) How is long-term security and reliability addressed by the scheme?
- (f) Is the scheme periodically revised? What kind of feed-back or adjustment mechanism exists? How has the scheme been optimised so far?

- (g) Does support differ according to technology?
- (h) What are the expected impacts in terms of energy production?
- (i) Is support conditional on meeting energy efficiency criteria?
- (j) Is it an existing measure? Could you please indicate national legislation regulating it?
- (k) Is this a planned scheme? When would it be operational?
- (l) What start and end dates (duration) are set for the whole scheme?
- (m) Are there maximum or minimum sizes of system which are eligible?
- (n) Is it possible for the same project to be supported by more than one support measure? Which measures can be cumulated?
- (o) Are there regional/local schemes? If so, please detail using the same criteria.

Specific questions for financial support for investment:

- (a) What is granted by the scheme? (subsidies, capital grants, low interest loans, tax exemption or reduction, tax refunds)
- (b) Who can benefit from this scheme? Is it specified for certain technology(/ies)?
- (c) Are applications continuously received and granted or are there periodical calls? If periodical, could you please describe the frequency and conditions?

Specific questions for tradable certificates:

- (a) Is there an obliged share of electricity produced from renewable sources in the total supply?
- (b) Who has the obligation?
- (c) Are there technology-specific bands?
- (d) Which technologies are covered by the scheme?
- (e) Is international trade in certificates allowed? What are the conditions?
- (f) Is there a floor bottom price?
- (g) Is there a penalty for non-fulfilment?
- (h) What is the average price for certificates? Is it made public? Where?
- (i) What is the trading scheme for certificates?
- (j) How long can a plant participate in the scheme?

Specific questions for feed-in fixed tariffs:

- (a) What are the conditions to get the fixed tariff?
- (b) Is there a cap on the total volume of electricity produced per year or of installed capacity that is entitled to the tariff?

(c) Is it a technology specific scheme? What are the tariff levels for each?

(d) Are there other criteria differentiating tariffs?

(e) For how long is the fixed tariff guaranteed?

(f) Is there any tariff adjustment foreseen in the scheme?

Specific questions for feed-in premiums:

(a) What are the conditions to get the premium?

(b) Is there a cap on the total volume of electricity produced per year or of installed capacity that is entitled to the premium?

(c) Is it an alternative to fixed tariff?

(d) Is it a technology-specific scheme? What are the premium levels for each?

(e) Is there a floor and/or a cap for the premium? Please specify.

(f) For how long is the premium price guaranteed?

(g) Is any tariff adjustment foreseen in the scheme?

Specific questions for tendering:

(a) What is the frequency and size of the tenders?

(b) Which technologies are specified?

(c) Is it integrated with grid development?

4.4. Support schemes to promote the use of energy from renewable resources in heating and cooling applied by the Member State or a group of Member States

Please follow the structure of point 4.3 and apply the questions to the support measures provided for renewable energy use in the heating and cooling sector. Please address the following additional points:

(a) How are the support schemes for electricity from renewable energy sources adapted to encourage the use of CHP from renewable energy sources?

(b) What support schemes are in place to encourage the use of district heating and cooling using renewable energy sources?

(c) What support schemes are in place to encourage the use of small-scale heating and cooling from renewable energy sources?

(d) What support schemes are in place to encourage the use of heating and cooling from renewable energy sources in industrial applications?

4.5. Support schemes to promote the use of energy from renewable resources in transport applied by the Member State or a group of Member States

Please follow the structure of point 4.3 and apply the questions the support measures provided for renewable energy use in the transport sector. Please make distinctions according to transport modes (such as road transport, non-road land transport). Please address the following additional points:

- (a) What are the concrete obligations/targets per year (per fuel or technology)?
- (b) Is there differentiation of the support according to fuel types or technologies? Is there any specific support to biofuels which meet the criteria of Article 21(2) of the Directive?

4.6. Specific measures for the promotion of the use of energy from biomass

Biomass has an important role as primary energy in all the three sectors: heating and cooling, electricity and transport. National biomass strategy is crucial to plan the role and the interaction of uses between the energy end uses and interaction with other non-energy sectors. Therefore Member States are required to assess their domestic potential and increased mobilisation of domestic and imported biomass resources. The impact on and the interaction with other non-energy sectors (as the food and feed industry, pulp and paper industry, construction industry, furniture industry etc.) should be analysed.

4.6.1. Biomass supply: both domestic and trade

Under this point Member States should assess the supply of domestically available biomass and the need for imports.

There should be a distinction between biomass (A) from forestry — (1) direct and (2) indirect supply; (B) from agriculture and fisheries — (1) directly provided and (2) by-products/processed crops; and (C) from waste — (1) biodegradable fraction of municipal solid waste, (2) biodegradable fraction of industrial solid waste and (3) sewage sludge. Data is required for the above-mentioned first subcategories, while more detailed information is optional. However the aggregated figures shall reflect the following categorisation and give information in the units of Table 7. The role of imports (EU and non-EU) and exports (if possible, EU and non-EU) must be reflected.

Please note that wood chips, briquettes and pellets can be either from direct supply or from indirect supply from forestry. If information on pellets is included in the table, it should specify whether the raw material comes from direct or indirect supply.

In the case of biogas and biofuels the amount of raw feedstock should be detailed in Table 7, not the amount of processed feedstock. It is understood that for imports and exports the amount of biomass feedstocks for biofuels is more difficult to ascertain, and estimations may be necessary. Alternatively, if the information on imports is given on the basis of biofuel imports, it must be specified in the table.

Table 7

Biomass supply in 2006

Sector of origin		Amount of domestic resource (1)	Imported		Exported	Net amount	Primary energy production (ktoe)
			EU	Non-EU	EU/non-EU		
(A) Biomass from forestry (2)	Of which:						
	(1) direct supply of wood biomass from forests and other wooded land for energy generation						
	Optional — if information is available you can further detail the amount of feedstock belonging to this category:						
	(a) fellings (b) residues from fellings (tops, branches, bark, stumps) (c) landscape management residues (woody biomass from parks, gardens, tree rows, bushes) (d) other (please define)						

Sector of origin		Amount of domestic resource (t)	Imported		Exported	Net amount	Primary energy production (ktoe)
			EU	Non-EU	EU/non-EU		
	(2) indirect supply of wood biomass for energy generation						
	<i>Optional — if information is available you can further detail:</i> (a) residues from sawmilling, wood-working, furniture industry (bark, sawdust) (b) by products of the pulp and paper industry (black liquor, tall oil) (c) processed wood-fuel (d) post consumer recycled wood (recycled wood for energy generation, household waste wood) (e) other (please define)						
(B) Biomass from agriculture and fisheries	Of which:						
	(1) agricultural crops and fishery products directly provided for energy generation						
	<i>Optional — if information is available you can further detail:</i> (a) arable crops (cereals, oilseeds, sugar beet, silage maize) (b) plantations (c) short rotation trees (d) other energy crops (grasses) (e) algae (f) other (please define)						
	(2) Agricultural by-products/processed residues and fishery by-products for energy generation						
	<i>Optional — if information is available you can further detail:</i> (a) straw (b) manure (c) animal fat (d) meat and bone meal (e) cake by-products (incl. oil seed and olive oil cake for energy) (f) fruit biomass (including shell, kernel) (g) fishery by product (h) clippings from vines, olives, fruit trees (i) other (please define)						

Sector of origin		Amount of domestic resource ⁽¹⁾	Imported		Exported	Net amount	Primary energy production (ktoe)
			EU	Non-EU	EU/non-EU		
(C) Biomass from waste	Of which:						
	(1) Biodegradable fraction of municipal solid waste including biowaste (biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises, and comparable waste from food processing plants) and landfill gas						
	(2) Biodegradable fraction of industrial waste (including paper, cardboard, pallets)						
	(3) Sewage sludge						

⁽¹⁾ Amount of the resource in m³ (if possible, otherwise in appropriate alternative units) for category A and its subcategories and in tonnes for categories B and C and their subcategories.

⁽²⁾ Biomass from forestry should also include biomass from forest-based industries. Under the category of biomass from forestry processed solid fuels, such as chips, pellets and briquettes should be included in the corresponding subcategories of origin.

Please explain the conversion factor/calculation methodology used above for the conversion of the amount of available resources to primary energy.

Please specify on what basis the biodegradable fraction of municipal solid waste and of industrial waste was calculated.

Please use Table 7a to give an estimated contribution of biomass energy use in 2015 and 2020. (Following the categorisation used in Table 7.)

Table 7a

Estimated biomass domestic supply in 2015 and 2020

Sector of origin		2015		2020	
		Expected amount of domestic resource	Primary energy production (ktoe)	Expected amount of domestic resource	Primary energy production (ktoe)
(A) Biomass from forestry	(1) direct supply of wood biomass from forests and other wooded land for energy generation				
	(2) indirect supply of wood biomass for energy generation				
(B) Biomass from agriculture and fisheries	(1) agricultural crops and fishery products directly provided for energy generation				
	(2) Agricultural by-products/processed residues and fishery by-products for energy generation				

Sector of origin		2015		2020	
		Expected amount of domestic resource	Primary energy production (ktoe)	Expected amount of domestic resource	Primary energy production (ktoe)
(C) Biomass from waste	(1) Biodegradable fraction of municipal solid waste including biowaste (biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises, and comparable waste from food processing plants) and landfill gas				
	(2) Biodegradable fraction of industrial waste (including paper, cardboard, pallets)				
	(3) Sewage sludge				

What is the estimated role of imported biomass up to 2020? Please specify the quantities expected (ktoe) and indicate possible import countries.

In addition to the information provided above, could you please describe the current situation of agricultural land used for dedicated energy production as follows:

Table 8

Current agricultural land use for production of crops dedicated to energy in 2006

(ha)

Agricultural land use for production of dedicated energy crops	Surface
1. Land used for short rotation trees (willows, poplars)	
2. Land used for other energy crops such as grasses (reed canary grass, switch grass, Miscanthus), sorghum	

4.6.2. **Measures to increase biomass availability, taking into account other biomass users (agriculture and forest-based sectors)**

Mobilisation of new biomass sources

(a) Please specify how much land is degraded.

(b) Please specify how much unused arable land there is.

(c) Are any measures planned to encourage unused arable land, degraded land, etc. to be used for energy purposes?

(d) Is energy use of certain already available primary material (such as animal manure) planned?

(e) Is there any specific policy promoting the production and use of biogas? What type of uses are promoted (local, district heating, biogas grid, natural gas grid integration)?

- (f) What measures are planned to improve forest management techniques in order to maximise the extraction of biomass from the forest in a sustainable way? ⁽⁴⁾: How will forest management be improved in order to increase future growth? What measures are planned to maximise the extraction of existing biomass that can already be put into practice?

Impact on other sectors

- (a) How will the impact of energy use of biomass on other sectors based on agriculture and forestry be monitored? What are these impacts? (If possible, please provide information also on quantitative effects.) Is the monitoring of these impacts planned in the future?
- (b) What kind of development is expected in other sectors based on agriculture and forest that could have an impact on the energy use? (E.g. could improved efficiency/productivity increase or decrease the amount of by-products available for energy use?)

4.7. Planned use of statistical transfers between Member States and planned participation in joint projects with other Member States and third countries

Under this subchapter the expected use of cooperation mechanisms between Member States and Member States and third countries has to be described. This information should draw on that provided in the forecast document referred to in Article 4(3) of the Directive 2009/28/EC.

4.7.1. Procedural aspects

- (a) Describe the national procedures (step by step) established or to be established, for arranging a statistical transfer or joint project (including responsible bodies and contact points).
- (b) Describe the means by which private entities can propose and take part in joint projects either with Member States or third countries.
- (c) Give the criteria for determining when statistical transfers or joint projects shall be used.
- (d) What is going to be the mechanism to involve other interested Member States in a joint project?
- (e) Are you willing to participate in joint projects in other Member States? How much installed capacity/electricity or heat produced per year are you planning to support? How do you plan to provide support schemes for such projects?

4.7.2. Estimated excess production of renewable energy compared to the indicative trajectory which could be transferred to other Member States

Please use Table 9 filling in the required information.

4.7.3. Estimated potential for joint projects

- (a) In which sectors can you offer renewable energy use development in your territory for the purpose of joint projects?
- (b) Has the technology to be developed been specified? How much installed capacity/electricity or heat produced per year?
- (c) How will sites for joint projects be identified? (For example, can local and regional authorities or promoters recommend sites? Or can any project participate regardless its location?)
- (d) Are you aware of the potential for joint projects in other Member States or in third countries? (In which sector? How much capacity? What is the planned support? For which technologies?)
- (e) Do you have any preference to support certain technologies? If so, which?

⁽⁴⁾ Recommendations can be found in the report issued by the Standing Forestry Committee ad hoc Working Group II in July 2008 on Mobilisation and efficient use of wood and wood residues for energy generation. The report can be downloaded at: http://ec.europa.eu/agriculture/fore/publi/sfc_wgii_final_report_072008_en.pdf

4.7.4. **Estimated demand for renewable energy to be satisfied by means other than domestic production**

Please use Table 9 filling in the required information.

Table 9

Estimated excess and/or deficit production of renewable energy compared to the indicative trajectory which could be transferred to/from other Member States in [Member State]

	(ktoe)										
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Estimated excess in forecast document											
Estimated excess in NREAP											
Estimated deficit in forecast document											
Estimated deficit in NREAP											

5. ASSESSMENTS

5.1. **Total contribution expected of each renewable energy technology to meet the binding 2020 targets and the indicative interim trajectory for the shares of energy from renewable resources in electricity, heating and cooling and transport**

The contribution of each renewable energy technology to the trajectory and 2020 targets in the electricity, heating and cooling and transport sectors should be estimated giving a possible future scenario without necessarily establishing any technology target or obligation.

For the electricity sector, both the expected (accumulated) installed capacity (in MW) and yearly production (GWh) should be indicated by technology. For hydro, a distinction should be made between plants of less than 1 MW, between 1 and 10 MW, and over 10 MW installed capacity. For solar power, details should be given separately for contributions from photovoltaic solar and concentrated solar power. Wind energy data should be indicated for onshore and offshore separately. For biomass, a distinction should be made between solid, gaseous and liquid biomass for electricity.

When assessing the heating and cooling sector, estimates of both installed capacity and production should be given for geothermal, solar, heat pumps and biomass technologies, with a breakdown for the latter category for solid, gaseous and liquid biomass. The contribution from district heating plants using renewable energy sources should be estimated.

The contribution from different technologies to the renewable energy target in the transport sector should be indicated for ordinary biofuels (both bioethanol and biodiesel), biofuels from wastes and residues, biofuels from non-food cellulosic material or from ligno-cellulosic material, biogas, electricity from renewable energy sources and hydrogen from renewable energy origin.

In case you have estimations on developing the use of certain technologies by regions, could you please indicate that after the table?

Table 10.a

Estimation of total contribution (installed capacity, gross electricity generation) expected from each renewable energy technology in [Member State] to meet the binding 2020 targets and the indicative interim trajectory for the shares of energy from renewable resources in electricity 2010-2014

	2005		2010		2011		2012		2013		2014	
	MW	GWh	MW	GWh	MW	GWh	MW	GWh	MW	GWh	MW	GWh
Hydro:												
< 1MW												
1MW–10 MW												
> 10MW												
Of which pumping												
Geothermal												
Solar:												
photovoltaic												
concentrated solar power												
Tide, wave, ocean												
Wind:												
onshore												
offshore												
Biomass:												
solid												
biogas												
bioliquids ⁽¹⁾												
Total												
of which in CHP												

⁽¹⁾ Take into account only those complying with the sustainability criteria (cf. Article 5(1) of Directive 2009/28/EC last subparagraph).

Table 10.b

Estimation of total contribution (installed capacity, gross electricity generation) expected from each renewable energy technology in [Member State] to meet the binding 2020 targets and the indicative interim trajectory for the shares of energy from renewable resources in electricity 2015-2020

	2015		2016		2017		2018		2019		2020	
	MW	GWh	MW	GWh	MW	GWh	MW	GWh	MW	GWh	MW	GWh
Hydro:												
< 1MW												
1MW–10 MW												
> 10MW												
Of which pumping												
Geothermal												
Solar:												
Photovoltaic												
Concentrated solar power												
Tide, wave, ocean												
Wind:												
Onshore												
Offshore												
Biomass:												
solid												
biogas												
bioliquids ⁽¹⁾												
Total												
of which in CHP												

⁽¹⁾ Take into account only those complying with the sustainability criteria (cf. Article 5(1) of Directive 2009/28/EC last subparagraph).

Table 11

Estimation of total contribution (final energy consumption ⁽⁵⁾) expected from each renewable energy technology in [Member State] to meet the binding 2020 targets and the indicative interim trajectory for the shares of energy from renewable resources in heating and cooling 2010-2020

(ktoe)

	2005	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Geothermal (excluding low temperature geothermal heat in heat pump applications)												
Solar												
Biomass:												
<i>solid</i>												
<i>biogas</i>												
<i>bioliquids</i> ⁽¹⁾												
Renewable energy from heat pumps: — of which aerothermal — of which geothermal — of which hydrothermal												
Total												
<i>Of which DH</i> ⁽²⁾												
<i>Of which biomass in households</i> ⁽³⁾												

⁽¹⁾ Take into account only those complying with the sustainability criteria (cf. Article 5(1) last subparagraph of Directive 2009/28/EC).

⁽²⁾ District heating and/or cooling from total renewable heating and cooling consumption (RES-DH).

⁽³⁾ From the total renewable heating and cooling consumption.

⁽⁵⁾ Direct use and district heat as defined in Article 5(4) of Directive 2009/28/EC.

Table 12

Estimation of total contribution expected from each renewable energy technology in [Member State] to meet the binding 2020 targets and the indicative interim trajectory for the shares of energy from renewable resources in the transport sector 2010-2020 ⁽⁶⁾

	(ktoe)											
	2005	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Bioethanol/bio-ETBE												
Of which Biofuels ⁽¹⁾ Article 21(2)												
Of which imported ⁽²⁾												
Biodiesel												
Of which Biofuels ⁽¹⁾ Article 21(2)												
Of which imported ⁽³⁾												
Hydrogen from renewables												
Renewable electricity												
Of which road transport												
Of which non-road transport												
Others (as biogas, vegetable oils, etc.) — please specify												
Of which Biofuels ⁽¹⁾ Article 21(2)												
Total												

⁽¹⁾ Biofuels that are included in Article 21(2) of Directive 2009/28/EC.

⁽²⁾ From the whole amount of bioethanol/bio-ETBE.

⁽³⁾ From the whole amount of biodiesel.

- 5.2. **Total contribution expected from energy efficiency and energy saving measures to meet the binding 2020 targets and the indicative interim trajectory for the shares of energy from renewable resources in electricity, heating and cooling and transport.**

The answer to this requirement should be included in Table 1 under chapter 2.

- 5.3. **Assessment of the impacts (Optional)**

Table 13

Estimated costs and benefits of the renewable energy policy support measures

Measure	Expected renewable energy use (ktoe)	Expected cost (in EUR) — indicate time frame	Expected GHG reduction by gas (t/year)	Expected job creation

⁽⁶⁾ For biofuels take into account only those compliant with the sustainability criteria (cf. Article 5(1) last subparagraph).

5.4. Preparation of the National Renewable Energy Action Plan and the follow-up of its implementation

- (a) How were regional and/or local authorities and/or cities involved in the preparation of this Action Plan? Were other stakeholders involved?
 - (b) Are there plans to develop regional/local renewable energy strategies? If so, could you please explain? In case relevant competences are delegated to regional/local levels, what mechanism will ensure national target compliance?
 - (c) Please explain the public consultation carried out for the preparation of this Action Plan.
 - (d) Please indicate your national contact point/the national authority or body responsible for the follow-up of the Renewable Energy Action Plan?
 - (e) Do you have a monitoring system, including indicators for individual measures and instruments, to follow-up the implementation of the Renewable Energy Action Plan? If so, could you please give more details on it?
-

COMMISSION DECISION
of 13 July 2009
nominating a public policy member of the Supervisory Board of the European Financial Reporting
Advisory Group
(2009/549/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) In accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards⁽¹⁾, an accounting technical committee should provide support and expertise to the Commission in the assessment of international accounting standards. The role of that accounting technical committee is fulfilled by the European Financial Reporting Advisory Group (EFRAG).
- (2) EFRAG was founded in 2001 by European organisations representing issuers, investors and the accountancy profession involved in the financial reporting process.
- (3) Following the reforms of EFRAG's governance structure, EFRAG's Supervisory Board includes four public policy members specifically selected on the basis of their experience in public policy making at either national or

European level. In accordance with Section 3.2 of Appendix 1 to the EFRAG Statutes effective from 11 June 2009, it is for the Commission to nominate those public policy members. EFRAG's Supervisory Board members are appointed by EFRAG's General Assembly.

- (4) After a public call for applications⁽²⁾ the Commission has selected one candidate to be nominated as public policy member of EFRAG's Supervisory Board,

HAS DECIDED AS FOLLOWS:

Sole Article

The Commission hereby nominates Mr Pedro SOLBES to be appointed as public policy member of the Supervisory Board of the European Financial Reporting Advisory Group.

Done at Brussels, 13 July 2009.

For the Commission
Charlie McCREEVY
Member of the Commission

⁽¹⁾ OJ L 243, 11.9.2002, p. 1.

⁽²⁾ OJ C 74, 28.3.2009, p. 61.

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