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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 1292/2011 of 9 December 2011 amending Regulation (EC) No 718/2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA)** 1
- ★ **Commission Regulation (EU) No 1293/2011 of 9 December 2011 establishing a prohibition of fishing for industrial fish in Norwegian waters of IV by vessels flying the flag of a Member State of the European Union** 3
- Commission Implementing Regulation (EU) No 1294/2011 of 12 December 2011 establishing the standard import values for determining the entry price of certain fruit and vegetables 5

DECISIONS

2011/827/EU:

- ★ **Council Implementing Decision of 30 November 2011 amending Implementing Decision 2011/77/EU on granting Union financial assistance to Ireland** 7

2011/828/EU:

- ★ **Council Decision of 5 December 2011 appointing six Dutch members and six Dutch alternate members of the Committee of the Regions** 9

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(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

2011/829/EU:

- ★ **Commission Implementing Decision of 8 December 2011 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices** (notified under document C(2011) 9030) ⁽¹⁾ 10

2011/830/EU:

- ★ **Commission Implementing Decision of 9 December 2011 on the beneficiary countries which qualify for the Special Incentive Arrangement for Sustainable Development and Good Governance from 1 January 2012, as provided in Council Regulation (EC) No 732/2008** (notified under document C(2011) 9044) 19



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1292/2011

of 9 December 2011

amending Regulation (EC) No 718/2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA) ⁽¹⁾ ('the IPA Regulation') and in particular Article 3(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA) ⁽²⁾ provides for detailed rules for the implementation of the IPA Regulation.

(2) The provisions of Regulation (EC) No 718/2007 on eligibility of operating costs should be aligned with the framework agreements concluded with international organisations.

(3) In the specific provisions for the cross-border component, the derogation clause for eligible expenditure as regards operating costs should be aligned to that of the transition assistance and institution building component.

(4) In the specific provisions for the human resources development and the rural development components, Article 160 and Article 188 of Regulation (EC) No 718/2007 lay down the conditions for paying the pre-financing for the human resources development and the rural development component. In the light of the experience gained in the implementation of these rules,

the pre-financing paid by the Commission to the countries benefiting from the human resources development and the rural development component should be increased and these provisions should be aligned with the provisions governing pre-financing for the regional development component.

(5) The provisions laid down in this Regulation are in accordance with the opinion of the IPA Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 718/2007 is amended as follows:

(1) in Article 34(3), point (e) is replaced by the following:

'(e) operating costs, except where otherwise provided for under framework agreements with international organisations;';

(2) in Article 89(3), the following subparagraph is added:

'Operating costs, including rental costs, exclusively related to the period of co-financing of the operation, may be considered eligible on a case-by-case basis.';

(3) in Article 160, paragraph 3 is replaced by the following:

'3. In addition to the provisions of Article 42, payments for the pre-financing shall amount to 30 % of the European Union contribution for the three most recent years of the programme concerned, and shall be made once the conditions laid down in Article 42(1) are met. Where

⁽¹⁾ OJ L 210, 31.7.2006, p. 82.

⁽²⁾ OJ L 170, 29.6.2007, p. 1.

necessary, with regard to the availability of budgetary commitment, the pre-financing may be made in two instalments.’;

contribution for the three most recent years of the programme concerned. Subject to the availability of budgetary appropriations, pre-financing may be paid in two or more instalments.’.

(4) in Article 160, paragraph 4 is deleted;

(5) in Article 188, paragraph 1 is replaced by the following:

Article 2

‘1. For the purposes of this component, pre-financing payments may amount to 30 % of the European Union

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, 9 December 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 1293/2011**of 9 December 2011****establishing a prohibition of fishing for industrial fish in Norwegian waters of IV by vessels flying the flag of a Member State of the European Union**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) No 57/2011 of 18 January 2011 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters ⁽²⁾, lays down quotas for 2011.
- (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 States referred to therein have exhausted the quota allocated for 2011.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member States referred to in the Annex to this Regulation for the stock referred to therein for 2011 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member States referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that 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, 9 December 2011.

*For the Commission,
On behalf of the President,*

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 24, 27.1.2011, p. 1.

ANNEX

No	81/T&Q
Member State	European Union – All Member States
Stock	I/F/04-N.
Species	Industrial fish
Zone	Norwegian waters of IV
Date	29.11.2011

COMMISSION IMPLEMENTING REGULATION (EU) No 1294/2011**of 12 December 2011****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

Implementing Regulation (EU) No 543/2011 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 XVI, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 December 2011.

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

Done at Brussels, 12 December 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, 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	AL	59,7
	MA	61,1
	TN	80,5
	TR	99,6
	ZZ	75,2
0707 00 05	EG	170,1
	TR	163,9
	ZZ	167,0
0709 90 70	MA	40,8
	TR	146,0
	ZZ	93,4
0805 10 20	AR	38,9
	BR	41,5
	TR	51,8
	ZA	55,2
	ZZ	46,9
0805 20 10	MA	70,2
	ZZ	70,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	77,0
	TR	78,2
	ZZ	77,6
0805 50 10	TR	57,8
	ZZ	57,8
0808 10 80	CA	109,9
	CL	90,0
	CN	71,1
	US	118,2
	ZA	80,2
0808 20 50	ZZ	93,9
	CN	54,2
	ZZ	54,2

⁽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'.

DECISIONS

COUNCIL IMPLEMENTING DECISION

of 30 November 2011

amending Implementing Decision 2011/77/EU on granting Union financial assistance to Ireland

(2011/827/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 407/2010 of 11 May 2010 establishing a European financial stabilisation mechanism ⁽¹⁾, and in particular Article 3(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Upon a request by Ireland, the Council granted financial assistance to it (Implementing Decision 2011/77/EU ⁽²⁾) in support of a strong economic and financial reform programme aiming at restoring confidence, enabling the return of the economy to sustainable growth, and safeguarding financial stability in Ireland, the euro area and the Union.

(2) In line with Article 3(9) of Implementing Decision 2011/77/EU, the Commission, together with the International Monetary Fund and in liaison with the European Central Bank (ECB), conducted the fourth review of the Irish authorities' progress in implementing the agreed measures as well as of the effectiveness and economic and social impact of those measures.

(3) Bank of Ireland's remaining outstanding capital requirement has decreased from EUR 500 million to EUR 350 million due to further liability management exercises and gains from closing out of hedging contracts attached to the subordinated debt instruments.

(4) The Irish authorities have requested moving until the end of the second quarter of 2012 the deadline to prepare the legislation to strengthen the regulatory framework for the credit unions sector, to enable thorough consultation

of stakeholders. In the meantime, the authorities will address the weaknesses in the most troubled credit unions while protecting deposits to ensure financial stability.

(5) The Irish authorities have requested moving until the end of the first quarter of 2012 the deadline to prepare the envisaged fiscal responsibility legislation, which will give enactment to the recent enhancements of the Stability and Growth Pact, to enable thorough discussion with stakeholders.

(6) In the light of these developments and considerations, Implementing Decision 2011/77/EU should be amended,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Implementing Decision 2011/77/EU is hereby amended as follows:

(1) in paragraph 7, point (g) is replaced by the following:

'(g) the recapitalisation of the domestic banks by the end of July 2011 (subject to appropriate adjustment for expected asset sales and liability management exercises in the cases of Irish Life & Permanent and Bank of Ireland) in line with the findings of the 2011 Prudential Liquidity Assessment Review (PLAR) and Prudential Capital Assessment Review (PCAR), as announced by the Central Bank of Ireland on 31 March 2011. To allow further burden sharing, the final EUR 0,35 billion step in recapitalising Bank of Ireland shall be completed by the end of 2011 and any further recapitalisation of Irish Life & Permanent shall be completed following the disposal of the insurance arm;'

(2) in paragraph 7, points (e) and (p) are deleted;

⁽¹⁾ OJ L 118, 12.5.2010, p. 1.

⁽²⁾ OJ L 30, 4.2.2011, p. 34.

(3) in paragraph 8, the following points are added:

- '(d) the submission of legislation to the *Oireachtas* to assist the credit unions with a strengthened regulatory framework including more effective governance and regulatory requirements;
- (e) the adoption of measures reinforcing a credible budgetary strategy and strengthening the budgetary framework. Ireland shall adopt and implement the fiscal rule that any additional unplanned revenues in 2011-2015 will be allocated to deficit and debt reduction. Ireland shall introduce a Fiscal Responsibility Bill including provisions for a medium-term budgetary framework with binding multiannual ceilings on expenditure in each area, fiscal rules and assure the Fiscal Advisory Council's independence. This shall be made

taking into account the revised economic governance reforms at Union level and build on reforms already in place.'.

Article 2

This Decision is addressed to Ireland.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 30 November 2011.

For the Council

The President

J. VINCENT-ROSTOWSKI

COUNCIL DECISION

of 5 December 2011

appointing six Dutch members and six Dutch alternate members of the Committee of the Regions

(2011/828/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Dutch Government,

Whereas:

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

(2) Six members' seats on the Committee of the Regions have become vacant following the end of the terms of office of Mr Sipke SWIERSTRA, Mr Léon FRISSEN, Ms Rinske KRUISINGA, Mr Dick BUURSINK, Ms Karla PEIJS and Ms Lenie DWARSHUIS-VAN DE BEEK. Four alternate members' seats have become vacant following the end of the terms of office of Mr René VAN DIESSEN, Mr Sjoerd GALEMA, Mr Martin JAGER and Mr Joop BINNEKAMP. Two alternate members' seats will become vacant following the appointment of Mr W.B.H.J. VAN DE DONK and Mr Co VERDAAS as members of the Committee of the Regions,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

(a) as members:

- Ms A.E. (Anne) BLIEK-DE JONG, gedeputeerde (member of the Executive Council) of the Province of Flevoland,
- Mr dr. J.C. (Co) VERDAAS, gedeputeerde (member of the Executive Council) of the Province of Gelderland,
- Mr mr. P.G. (Piet) DE VEY MESTDAGH, gedeputeerde (member of the Executive Council) of the Province of Groningen,

— Mr prof. dr. W.B.H.J. (Wim) VAN DE DONK, Commissaris van de Koningin (Queen's Commissioner) Province of Noord-Brabant,

— Ms W.H. (Hester) MAIJ, gedeputeerde (member of the Executive Council) of the Province of Overijssel,

— Mr drs. R.E. (Ralph) DE VRIES, gedeputeerde (member of the Executive Council) of the Province of Utrecht;

and

(b) as alternate members:

— Mr H. (Henk) BRINK, gedeputeerde (member of the Executive Council) of the Province of Drenthe,

— Ms S.A.E. (Sietske) POEPJES, gedeputeerde (member of the Executive Council) of the Province of Fryslân,

— Mr drs. Th.J.F.M. (Theo) BOVENS, Commissaris van de Koningin (Queen's Commissioner) Province of Limburg,

— Ms drs. E.M. (Elvira) SWEET, gedeputeerde (member of the Executive Council) of the Province of Noord-Holland,

— Mr drs. B.J. (Ben) DE REU, gedeputeerde (member of the Executive Council) of the Province of Zeeland,

— Mr mr. drs. R.A.M. (Rogier) VAN DER SANDE, gedeputeerde (member of the Executive Council) of the Province of Zuid-Holland.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 5 December 2011.

For the Council
The President
W. PAWLAK

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COMMISSION IMPLEMENTING DECISION

of 8 December 2011

amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices

(notified under document C(2011) 9030)

(Text with EEA relevance)

(2011/829/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

(1) Commission Decision 2006/771/EC ⁽²⁾ harmonises the technical conditions for use of spectrum for a wide variety of short-range devices, including applications such as alarms, local communications equipment, door openers, medical implants and for intelligent transport systems. Short-range devices are typically mass-market and/or portable products which can easily be taken and used across borders; differences in spectrum access conditions therefore prevent their free movement, increase their production costs and create risks of harmful interference with other radio applications and services.

(2) However, due to rapid changes in technology and societal demands, new applications for short-range devices can emerge. These require regular updates of spectrum harmonisation conditions.

(3) On 5 July 2006, the Commission issued a permanent mandate to the European Conference of Postal and Telecommunications Administrations (CEPT), pursuant to Article 4(2) of Decision No 676/2002/EC, to update the Annex to Decision 2006/771/EC in response to technological and market developments in the area of short-range devices.

(4) Commission Decisions 2008/432/EC ⁽³⁾, 2009/381/EC ⁽⁴⁾ and 2010/368/EU ⁽⁵⁾ already amended the harmonised technical conditions for short-range devices contained in Decision 2006/771/EC by replacing its Annex.

(5) In its March 2011 report ⁽⁶⁾ submitted in response to the abovementioned mandate, the CEPT advised the Commission to amend a number of technical aspects in the Annex to Decision 2006/771/EC.

(6) The Annex to Decision 2006/771/EC should therefore be amended accordingly.

(7) Equipment operating within the conditions set in this Decision should also comply with Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity ⁽⁷⁾ in order to use the spectrum effectively so as to avoid harmful interference, demonstrated either by meeting harmonised standards or by fulfilling alternative conformity assessment procedures.

(8) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2006/771/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 December 2011.

For the Commission

Neelie KROES

Vice-President

⁽¹⁾ OJ L 108, 24.4.2002, p. 1.

⁽²⁾ OJ L 312, 11.11.2006, p. 66.

⁽³⁾ OJ L 151, 11.6.2008, p. 49.

⁽⁴⁾ OJ L 119, 14.5.2009, p. 32.

⁽⁵⁾ OJ L 166, 1.7.2010, p. 33.

⁽⁶⁾ CEPT Report 38, RSCOM 11-17.

⁽⁷⁾ OJ L 91, 7.4.1999, p. 10.

ANNEX

‘ANNEX

Harmonised frequency bands and technical parameters for short-range devices

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
Non-specific short-range devices ⁽⁵⁾	6 765–6 795 kHz	42 dBµA/m at 10 metres			1 October 2008
	13,553–13,567 MHz	42 dBµA/m at 10 metres			1 October 2008
	26,957–27,283 MHz	10 mW effective radiated power (e.r.p.), which corresponds to 42 dBµA/m at 10 metres		Video applications are excluded	1 June 2007
	40,660–40,700 MHz	10 mW e.r.p.		Video applications are excluded	1 June 2007
	433,050–434,040 ⁽⁶⁾ MHz	1 mW e.r.p. and - 13dBm/10 kHz power density for bandwidth modulation larger than 250 kHz	Voice applications allowed with advanced mitigation techniques	Audio and video applications are excluded	1 November 2010
		10 mW e.r.p.	Duty cycle limit ⁽⁷⁾ : 10 %	Analogue audio applications other than voice are excluded. Analogue video applications are excluded	1 November 2010
	434,040–434,790 ⁽⁶⁾ MHz	1 mW e.r.p. and - 13dBm/10 kHz power density for bandwidth modulation larger than 250 kHz	Voice applications allowed with advanced mitigation techniques	Audio and video applications are excluded	1 November 2010
		10 mW e.r.p.	Duty cycle limit ⁽⁷⁾ : 10 %	Analogue audio applications other than voice are excluded. Analogue video applications are excluded	1 November 2010
			Duty cycle limit ⁽⁷⁾ : 100 % subject to channel spacing up to 25 kHz Voice applications allowed with advanced mitigation techniques	Audio and video applications are excluded	1 November 2010

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
Non-specific short-range devices (cont.)	863,000–865,000 MHz	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 0,1 % may also be used	Analogue audio applications other than voice are excluded. Analogue video applications are excluded	1 November 2010
	865,000–868,000 MHz	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 1 % may also be used	Analogue audio applications other than voice are excluded. Analogue video applications are excluded	1 November 2010
	868,000–868,600 MHz	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 1 % may also be used	Analogue video applications are excluded	1 November 2010
	868,700–869,200 MHz	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 0,1 % may also be used	Analogue video applications are excluded	1 November 2010
	869,400–869,650 ⁽⁶⁾ MHz	500 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 10 % may also be used Channel spacing must be 25 kHz, except that the whole band may also be used as a single channel for high-speed data transmission	Analogue video applications are excluded	1 November 2010
		25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 0,1 % may also be used	Analogue audio applications other than voice are excluded. Analogue video applications are excluded	1 November 2010

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
Non-specific short-range devices (cont.)	869,700–870,000 ⁽⁶⁾ MHz	5 mW e.r.p.	Voice applications allowed with advanced mitigation techniques	Audio and video applications are excluded	1 June 2007
		25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 1 % may also be used	Analogue audio applications other than voice are excluded. Analogue video applications are excluded	1 November 2010
	2 400–2 483,5 MHz	10 mW equivalent isotropic radiated power (e.i.r.p.)			1 June 2007
	5 725–5 875 MHz	25 mW e.i.r.p.			1 June 2007
	24,150–24,250 GHz	100 mW e.i.r.p.			1 October 2008
	61,0–61,5 GHz	100 mW e.i.r.p.			1 October 2008
	122–123 GHz	100 mW e.i.r.p.			1 June 2012
	244–246 GHz	100 mW e.i.r.p.			1 June 2012
Wideband data transmission systems	2 400–2 483,5 MHz	100 mW e.i.r.p. and 100 mW/100 kHz e.i.r.p. density applies when frequency hopping modulation is used, 10 mW/MHz e.i.r.p. density applies when other types of modulation are used	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used		1 November 2009
	57,0–66,0 GHz	40 dBm e.i.r.p. and 13 dBm/MHz e.i.r.p. density	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used	Fixed outdoor installations are excluded	1 November 2010
Alarm systems	868,600–868,700 MHz	10 mW e.r.p.	Channel spacing: 25 kHz The whole frequency band may also be used as a single channel for high-speed data transmission Duty cycle limit ⁽⁷⁾ : 1,0 %		1 October 2008
	869,250–869,300 MHz	10 mW e.r.p.	Channel spacing: 25 kHz Duty cycle limit ⁽⁷⁾ : 0,1 %		1 June 2007

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
	869,300–869,400 MHz	10 mW e.r.p.	Channel spacing: 25 kHz Duty cycle limit ⁽⁷⁾ : 1,0 %		1 October 2008
	869,650–869,700 MHz	25 mW e.r.p.	Channel spacing: 25 kHz Duty cycle limit ⁽⁷⁾ : 10 %		1 June 2007
Social alarms ⁽⁸⁾	869,200–869,250 MHz	10 mW e.r.p.	Channel spacing: 25 kHz Duty cycle limit ⁽⁷⁾ : 0,1 %		1 June 2007
Inductive applications ⁽⁹⁾	9,000–59,750 kHz	72 dBµA/m at 10 metres			1 November 2010
	59,750–60,250 kHz	42 dBµA/m at 10 metres			1 June 2007
	60,250–74,750 kHz	72 dBµA/m at 10 metres			1 June 2012
	74,750–75,250 kHz	42 dBµA/m at 10 metres			1 June 2012
	75,250–77,250 kHz	72 dBµA/m at 10 metres			1 June 2012
	77,250–77,750 kHz	42 dBµA/m at 10 metres			1 June 2012
	77,750–90 kHz	72 dBµA/m at 10 metres			1 June 2012
	90–119 kHz	42 dBµA/m at 10 metres			1 June 2012
	119–128,6 kHz	66 dBµA/m at 10 metres			1 June 2012
	128,6–129,6 kHz	42 dBµA/m at 10 metres			1 June 2012
	129,6–135 kHz	66 dBµA/m at 10 metres			1 June 2012
	135–140 kHz	42 dBµA/m at 10 metres			1 June 2012
	140–148,5 kHz	37,7 dBµA/m at 10 metres			1 October 2008
	148,5–5 000 kHz	– 15 dBµA/m at 10 metres in any bandwidth of 10 kHz			1 October 2008
In the specific bands mentioned below, higher field strengths and additional usage restrictions apply:		Furthermore the total field strength is – 5 dBµA/m at 10 m for systems operating at bandwidths larger than 10 kHz			

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
Inductive applications (cont.)	400–600 kHz	– 8 dBµA/m at 10 metres		This set of usage conditions applies to RFID ⁽¹⁰⁾ only	1 October 2008
	3 155–3 400 kHz	13,5 dBµA/m at 10 metres			1 October 2008
	5 000–30 000 kHz In the specific bands mentioned below, higher field strengths and additional usage restrictions apply:	– 20 dBµA/m at 10 metres in any bandwidth of 10 kHz Furthermore the total field strength is – 5 dBµA/m at 10 m for systems operating at bandwidths larger than 10 kHz			1 October 2008
	6 765–6 795 kHz	42 dBµA/m at 10 metres			1 June 2007
	7 400–8 800 kHz	9 dBµA/m at 10 metres			1 October 2008
	10 200–11 000 kHz	9 dBµA/m at 10 metres			1 October 2008
	13 553–13 567 kHz	42 dBµA/m at 10 metres			1 June 2007
		60 dBµA/m at 10 metres		This set of usage conditions applies to RFID ⁽¹⁰⁾ and EAS ⁽¹¹⁾ only	1 October 2008
Active medical implants ⁽¹²⁾	26 957–27 283 kHz	42 dBµA/m at 10 metres			1 October 2008
	9–315 kHz	30 dBµA/m at 10m	Duty cycle limit ⁽⁷⁾ : 10 %		1 October 2008
	30,0–37,5 MHz	1 mW e.r.p.	Duty cycle limit ⁽⁷⁾ : 10 %	This set of usage conditions applies to ultra low power medical membrane implants for blood pressure measurements only	1 November 2010
	402–405 MHz	25 µW e.r.p.	Channel spacing: 25 kHz Individual transmitters may combine adjacent channels for increased bandwidth up to 300 kHz.		1 November 2009

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
			Other techniques to access spectrum or mitigate interference, including bandwidths greater than 300 kHz, can be used provided they result at least in an equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC to ensure compatible operation with the other users and in particular with meteorological radiosondes		
Active medical implants and associated peripherals ⁽¹³⁾	401–402 MHz	25 µW e.r.p.	Channel spacing: 25 kHz Individual transmitters may combine adjacent channels for increased bandwidth up to 100 kHz. Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 0,1 % may also be used		1 November 2010
	405–406 MHz	25 µW e.r.p.	Channel spacing: 25 kHz Individual transmitters may combine adjacent channels for increased bandwidth up to 100 kHz. Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ⁽⁷⁾ of 0,1 % may also be used		1 November 2010
Animal implantable devices ⁽¹⁴⁾	315–600 kHz	– 5 dBµA/m at 10m	Duty cycle limit ⁽⁷⁾ : 10 %		1 November 2010
	12,5–20,0 MHz	– 7 dBµA/m at 10m in a bandwidth of 10 kHz	Duty cycle limit ⁽⁷⁾ : 10 %	This set of usage conditions applies to indoor applications only	1 November 2010
Low power FM transmitters ⁽¹⁵⁾	87,5–108,0 MHz	50 nW e.r.p.	Channel spacing up to 200 kHz		1 November 2010
Wireless audio applications ⁽¹⁶⁾	863–865 MHz	10 mW e.r.p.			1 November 2010
Radio determination applications ⁽¹⁷⁾	2 400–2 483,5 MHz	25 mW e.i.r.p.			1 November 2009

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
	17,1–17,3 GHz	26 dBm e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used	This set of usage conditions applies to ground-based systems only	1 November 2009
Tank level probing radar ⁽¹⁸⁾	4,5–7,0 GHz	24 dBm e.i.r.p. ⁽¹⁹⁾			1 November 2009
	8,5–10,6 GHz	30 dBm e.i.r.p. ⁽¹⁹⁾			1 November 2009
	24,05–27,0 GHz	43 dBm e.i.r.p. ⁽¹⁹⁾			1 November 2009
	57,0–64,0 GHz	43 dBm e.i.r.p. ⁽¹⁹⁾			1 November 2009
	75,0–85,0 GHz	43 dBm e.i.r.p. ⁽¹⁹⁾			1 November 2009
Model control ⁽²⁰⁾	26 990–27 000 kHz	100 mW e.r.p.			1 November 2009
	27 040–27 050 kHz	100 mW e.r.p.			1 November 2009
	27 090–27 100 kHz	100 mW e.r.p.			1 November 2009
	27 140–27 150 kHz	100 mW e.r.p.			1 November 2009
	27 190–27 200 kHz	100 mW e.r.p.			1 November 2009
Radio frequency identification (RFID)	2 446–2 454 MHz	500 mW e.i.r.p.			1 June 2012
Road transport and traffic telematics	24,050–24,075 GHz	100 mW e.i.r.p.			1 June 2012
	24,075–24,150 GHz	0,1 mW e.i.r.p.			1 June 2012
	24,075–24,150 GHz	100 mW e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used Dwell time limits and frequency modulation range apply as specified in harmonised standards	This set of usage conditions applies to vehicle radars only	1 June 2012
	24,150–24,250 GHz	100 mW e.i.r.p.			1 June 2012
	63–64 GHz	40 dBm e.i.r.p.		This set of usage conditions applies to vehicle-to-vehicle, vehicle-to-infrastructure and infrastructure-to-vehicle systems only	1 June 2012

Type of short-range device	Frequency band ⁽¹⁾	Transmit power limit/field strength limit/power density limit ⁽²⁾	Additional parameters (channelling and/or channel access and occupation rules) ⁽³⁾	Other usage restrictions ⁽⁴⁾	Implementation deadline
	76,0–77,0 GHz	55 dBm peak e.i.r.p. and 50 dBm mean e.i.r.p. and 23,5 dBm mean e.i.r.p. for pulse radars		This set of usage conditions applies to terrestrial vehicle and infrastructure systems only	1 November 2010

⁽¹⁾ Member States must allow the usage of adjacent frequency bands within this table as a single frequency band provided the specific conditions of each of these adjacent frequency bands are met.

⁽²⁾ Member States must allow the usage of spectrum up to the transmit power, field strength or power density given in this table. In conformity with Article 3(3) of Decision 2006/771/EC, they may impose less restrictive conditions, i.e. allow the use of spectrum with higher transmit power, field strength or power density.

⁽³⁾ Member States may only impose these “additional parameters (channelling and/or channel access and occupation rules)”, and may not add other parameters or spectrum access and mitigation requirements. Less restrictive conditions within the meaning of Article 3(3) of Decision 2006/771/EC mean that Member States may completely omit the “additional parameters (channelling and/or channel access and occupation rules)” in a given cell or allow higher values.

⁽⁴⁾ Member States may only impose these “other usage restrictions”, and may not add additional usage restrictions. As less restrictive conditions may be introduced within the meaning of Article 3(3) of Decision 2006/771/EC, Member States may omit one or all of these restrictions.

⁽⁵⁾ This category is available for any type of application which fulfils the technical conditions (typical uses are telemetry, telecommand, alarms, data in general and other similar applications).

⁽⁶⁾ For this frequency band Member States must make all the alternative sets of usage conditions possible.

⁽⁷⁾ “Duty cycle” means the ratio of time during any one-hour period when equipment is actively transmitting. Less restrictive conditions within the meaning of Article 3(3) of Decision 2006/771/EC mean that Member States may allow a higher value for “Duty cycle”.

⁽⁸⁾ Social alarm devices are used to assist elderly or disabled people when they are in distress.

⁽⁹⁾ This category covers, for example, devices for car immobilisation, animal identification, alarm systems, cable detection, waste management, personal identification, wireless voice links, access control, proximity sensors, anti-theft systems, including RF anti-theft induction systems, data transfer to handheld devices, automatic article identification, wireless control systems and automatic road tolling.

⁽¹⁰⁾ This category covers inductive applications used for radio frequency identification (RFID).

⁽¹¹⁾ This category covers inductive applications used for electronic article surveillance (EAS).

⁽¹²⁾ This category covers the radio part of active implantable medical devices, as defined in Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices (OJ L 189, 20.7.1990, p. 17).

⁽¹³⁾ This category covers systems specifically designed for the purpose of providing non-voice digital communications between active medical implants, as defined in footnote 19, and/or body-worn devices and other devices external to the human body used for transferring non-time critical individual patient-related physiological information.

⁽¹⁴⁾ This category covers transmitting devices which are placed inside the body of an animal for the purpose of performing diagnostic functions and/or delivery of therapeutic treatment.

⁽¹⁵⁾ This category includes applications which connect personal audio devices, including mobile phones, and the automotive or home entertainment system.

⁽¹⁶⁾ Applications for wireless audio systems, including: wireless microphones; cordless loudspeakers; cordless headphones; cordless headphones for portable use, e.g. portable CD, cassette or radio devices carried on a person; cordless headphones for use in a vehicle, for example for use with a radio or mobile telephone, etc.; in-ear monitoring and wireless microphones for use at concerts or other stage productions.

⁽¹⁷⁾ This category covers applications used for determining the position, velocity and/or other characteristics of an object, or for obtaining information relating to these parameters.

⁽¹⁸⁾ Tank level probing radars (TLPR) are a specific type of radio-determination application, which are used for tank level measurements and are installed in metallic or reinforced concrete tanks, or similar structures made of material with comparable attenuation characteristics. The purpose of the tank is to contain a substance.

⁽¹⁹⁾ The power limit applies inside a closed tank and corresponds to a spectral density of – 41,3 dBm/MHz e.i.r.p. outside a 500 litre test tank.

⁽²⁰⁾ This category covers applications used to control the movement of models (principally miniature representations of vehicles) in the air, on land or over or under the water surface.

COMMISSION IMPLEMENTING DECISION

of 9 December 2011

on the beneficiary countries which qualify for the Special Incentive Arrangement for Sustainable Development and Good Governance from 1 January 2012, as provided in Council Regulation (EC) No 732/2008

*(notified under document C(2011) 9044)**(2011/830/EU)*

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 732/2008 of 22 July 2008 applying a scheme of generalised tariff preferences from 1 January 2009 and amending Regulations (EC) No 552/97, (EC) No 1933/2006 and Commission Regulations (EC) No 1100/2006 and (EC) No 964/2007 ⁽¹⁾, and in particular Article 10(2) thereof,

Whereas:

(1) Regulation (EU) No 512/2011 of the European Parliament and of the Council ⁽²⁾ extended the application of Regulation (EC) No 732/2008 to 31 December 2013 or until a date laid down by the successor Regulation, whichever is earlier.

(2) Regulation (EC) No 732/2008 provides for the granting of a special incentive arrangement for sustainable development and good governance to developing countries which satisfy the requirements established under its Articles 8 and 9.

(3) Any developing country wishing to avail itself of the special incentive arrangement as of 1 January 2012 had to submit a request to that effect by 31 October 2011, accompanied by comprehensive information concerning ratification of the relevant conventions, the legislation and measures taken to implement effectively the provisions of the conventions and its commitment to accept and comply fully with the monitoring and review mechanism envisaged in the relevant conventions. To be granted the special incentive arrangement, the requesting country also has to be a vulnerable country as defined in Article 8(2) of Regulation (EC) No 732/2008.

(4) By 31 October 2011, the Commission received a request from the Republic of Cape Verde (hereinafter Cape Verde) to benefit from the special incentive arrangement for sustainable development and good governance as from 1 January 2012.

(5) The request has been examined in accordance with the provisions of Article 10(1) of Regulation (EC) No 732/2008.

(6) The examination showed that Cape Verde fulfils all the necessary requirements of Articles 8 and 9 of Regulation (EC) No 732/2008. Accordingly, the special incentive arrangement should be granted to Cape Verde from 1 January 2012 to 31 December 2013 or until a date laid down by the successor Regulation, whichever is earlier.

(7) Pursuant to Article 10(3) of Regulation (EC) No 732/2008, this Decision is to be notified to Cape Verde.

(8) The measures provided for in this Decision are in accordance with the opinion of the Generalised Preferences Committee.

(9) This Decision does not affect the beneficiary status under the arrangement of any country listed in Commission Decision 2008/938/EC of 9 December 2008 on the list of the beneficiary countries which qualify for the special incentive arrangement for sustainable development and good governance, provided for in Council Regulation (EC) No 732/2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011 ⁽³⁾, as amended by Decision 2009/454/EC ⁽⁴⁾, and in Commission Decision 2010/318/EU of 9 June 2010 on the beneficiary countries which qualify for the special incentive arrangement for sustainable development and good governance for the period from 1 July 2010 to 31 December 2011, as provided in Council Regulation (EC) No 732/2008 ⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Article 1

The Republic of Cape Verde shall benefit from the special incentive arrangement for sustainable development and good governance provided for in Regulation (EC) No 732/2008 from 1 January 2012 to 31 December 2013 or until a date laid down by the successor Regulation, whichever is earlier.

⁽¹⁾ OJ L 211, 6.8.2008, p. 1.

⁽²⁾ OJ L 145, 31.5.2011, p. 28.

⁽³⁾ OJ L 334, 12.12.2008, p. 90.

⁽⁴⁾ OJ L 149, 12.6.2009, p. 78.

⁽⁵⁾ OJ L 142, 10.6.2010, p. 10.

Article 2

This Decision is addressed to the Republic of Cape Verde.

Done at Brussels, 9 December 2011.

For the Commission

Karel DE GUCHT

Member of the Commission

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