

Official Journal

of the European Union

L 89



English edition

Legislation

Volume 57

25 March 2014

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I

(Legislative acts)

DECISIONS

COUNCIL DECISION 2014/161/EU

of 11 March 2014

amending Decision 2009/831/EC as regards its period of application

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 349 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) Council Decision 2009/831/EC ⁽²⁾ authorised Portugal, up to 31 December 2013, to apply a reduced rate of excise duty in Madeira, as an outermost region, on locally produced and consumed rum and liqueurs and in the Azores, as an outermost region, on locally produced and consumed liqueurs and eaux-de-vie. Article 2 of that Decision confined the above derogation to specific products. Pursuant to that Decision, Portugal could apply to those products a rate of excise duty lower than the full rate on alcohol laid down in Article 3 of Council Directive 92/84/EEC ⁽³⁾, and lower than the minimum rate of excise duty on alcohol laid down in Directive 92/84/EEC, but not more than 75 % lower than the standard national excise duty on alcohol.
- (2) The application of a lower excise duty rate establishes differentiated taxation, benefiting the local production of some products. This constitutes State aid that requires the approval of the Commission.
- (3) The Commission has confirmed that the reduction of the rate of excise duty should continue to be authorised to offset the competitive disadvantage which distilled alcoholic beverages produced in Madeira and in the Azores face as a result of higher production and marketing costs, generated from the specific structural, social and economic situation of those two outermost regions, which is compounded by their special constraints, referred to in Article 349 of the Treaty on the Functioning of the European Union (TFEU), and which already previously justified the derogation set out in Decision 2009/831/EC.
- (4) Since that specific structural, social and economic situation in those outermost regions still persists, it is necessary to further extend the period of application of Decision 2009/831/EC.
- (5) On 28 June 2013, the Commission adopted its Guidelines on regional State aid for 2014-20, setting out how Member States can grant aid to companies in order to support the development of disadvantaged regions in Europe between 2014 and 2020. Those Guidelines, which will enter into force on 1 July 2014, form part of a broader strategy to modernise State aid control, aiming at fostering growth in the Single Market by encouraging more effective aid measures and focusing the Commission's enforcement on cases with the biggest impact on competition.
- (6) Decision 2009/831/EC was applicable until 31 December 2013. It is therefore appropriate to extend the period of application of Decision 2009/831/EC for six months, so that its expiry date coincides with the date of entry into force of the Guidelines on regional State aid for 2014-20.

⁽¹⁾ Opinion of the European Parliament of 26 February 2014.

⁽²⁾ Council Decision 2009/831/EC of 10 November 2009 authorising Portugal to apply a reduced rate of excise duty in the autonomous region of Madeira on locally produced and consumed rum and liqueurs and in the autonomous region of the Azores on locally produced and consumed liqueurs and eaux-de-vie (OJ L 297, 13.11.2009, p. 9).

⁽³⁾ Council Directive 92/84/EEC of 19 October 1992 on the approximation of the rates of excise duty on alcohol and alcoholic beverages (OJ L 316, 31.10.1992, p. 29).

- (7) It should, however, be ensured that Portugal can apply without any interruption the reductions in question as from the expiry of the analogous authorisation granted through Decision 2009/831/EC. The new authorisation requested should, therefore, be granted with effect from 1 January 2014.
- (8) Decision 2009/831/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 5 of Decision 2009/831/EC, the date '31 December 2013' is replaced by the date '30 June 2014'.

Article 2

This Decision shall enter into force on the date of its adoption.
It shall apply from 1 January 2014.

Article 3

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 11 March 2014.

For the Council

The President

G. STOURNARAS

COUNCIL DECISION 2014/162/EU**of 11 March 2014****amending Decision 2004/162/EC with regard to its implementation in Mayotte from 1 January 2014**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 349 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Acting in accordance with a special legislative procedure,

Whereas:

(1) Council Decision 2004/162/EC ⁽²⁾ authorises the French authorities to apply exemptions or reductions to dock dues in respect of products produced locally in the French outermost regions and listed in the Annex to that Decision. Those exemptions or reductions constitute specific measures designed to offset the specific constraints faced by the outermost regions which increase production costs for local companies and make it difficult for their products to compete with the same products imported from metropolitan France and other Member States. Mayotte's situation is the same as that of the other French outermost regions.

(2) In accordance with European Council Decision 2012/419/EU ⁽³⁾, with effect from 1 January 2014 Mayotte became an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union (TFEU). Union law should therefore be applicable to Mayotte from that date.

(3) The French authorities have requested that Decision 2004/162/EC be applicable to Mayotte with effect from 1 January 2014, and have submitted a list of the products to which they wish to apply differentiated taxation, on the basis of whether the products are produced locally or not.

(4) This Decision should authorise the French authorities to apply differentiated taxation to the products for which

they have proven: firstly, that local production exists; secondly, that a significant importation of goods (including from metropolitan France and other Member States) could jeopardise the continuation of local production; and thirdly, that additional costs exist which increase the cost price of local production in comparison to products produced elsewhere, compromising the competitiveness of products produced locally. The authorised tax differential should not exceed the proven additional costs. Applying those principles and taking into account the specific structural social and economic situation of Mayotte as a new outermost region, which is compounded by exactly the same special constraints which justified the derogation in Decision 2004/162/EC for the other French outermost regions in accordance with Article 349 TFEU, the proposed specific measures for Mayotte are justified, without going beyond what is necessary and without creating an unjustified advantage for local production in this new outermost region.

(5) The products in respect of which the French authorities have provided those three types of proof are listed in Parts A, B and C of the Annex to Decision 2004/162/EC. The products concerned listed in Part A of that Annex (authorised tax differential of 10 percentage points) are pepper (products 0904 11 and 0904 12 ⁽⁴⁾), vanilla (0905), chocolate (1806), certain plastic products (3925 10 10, 3925 90 80, 3926 90 90 and 3926 90 97), bricks (6901 and 6902) and dental prostheses (9021 21 90).

(6) The products concerned listed in Part B of the Annex to Decision 2004/162/EC (authorised tax differential of 20 percentage points) are fish (products 0301, 0302, 0303, 0304 and 0305), certain wood articles (4407, 4409, 4414, 4418, 4419, 4420 and 4421), certain paperboard and paper articles (4819 and 4821), certain products from the press and publishing sector (4902, 4909, 4910 and 4911), certain flat glass products (7003 and 7005), certain iron articles (7210, 7301, 7312, 7314, 9406 00 31 and 9406 00 38), certain aluminium articles (7606, 7610 10 and 8310) and certain seats (9401 69, 9401 90 30 and 9403 40).

(7) The products concerned listed in Part C of the Annex to Decision 2004/162/EC (authorised tax differential of 30 percentage points) are milk and dairy products (0401, 0403 and 0406), certain meat-based processed products (1601 and 1602), certain bakery products (1901 and 1905), ice-creams (2105), mineral water and sodas (2201 and 2202), beer (2203), ylang-ylang (3301 29 11 and 3301 29 31), soaps and detergents (3401 and 3402) and foam mattresses (9404 29 90).

⁽¹⁾ Opinion of the European Parliament of 26.2.2014.

⁽²⁾ Council Decision 2004/162/EC of 10 February 2004 concerning the dock dues in the French overseas departments and extending the period of validity of Decision 89/688/EEC (OJ L 52, 21.2.2004, p. 64).

⁽³⁾ European Council Decision 2012/419/EU of 11 July 2012 amending the status of Mayotte with regard to the European Union (OJ L 204, 31.7.2012, p. 131).

⁽⁴⁾ According to the classification of the Common Customs Tariff nomenclature.

- (8) Decision 2004/162/EC should therefore be amended accordingly.
- (9) In light of the urgent need for Mayotte to be able, as a new outermost region, to benefit from the derogations introduced by this Decision as early as possible, an exception should be made to the eight-week period laid down by Article 4 of Protocol No 1 on the role of national parliaments in the European Union, annexed to the Treaty on the European Union and the TFEU.
- (10) Since Mayotte became an outermost region on 1 January 2014, and in order to avoid any legal uncertainty, it is necessary that this Decision applies from 1 January 2014,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2004/162/EC is amended as follows:

- (1) the first subparagraph of Article 1(1) is replaced by the following:

‘By way of derogation from Articles 28, 30 and 110 of the Treaty on the Functioning of the European Union (TFEU), the French authorities shall be authorised, until 1 July 2014, to apply exemptions or reductions to the dock dues tax in respect of the products listed in the Annex which are produced locally in Guadeloupe, Guyana, Martinique, Mayotte and Réunion as outermost regions within the meaning of Article 349 TFEU.’;

- (2) the Annex is amended as follows:

- (a) the following point is added to Part A:

‘5. - Mayotte as outermost region

0904 11, 0904 12, 0905, 1806, 3925 10 00, 3925 90 80, 3926 90 90, 3926 90 97, 6901, 6902, 9021 21 90.’;

- (b) the following point is added to Part B:

‘5. - Mayotte as outermost region

0301, 0302, 0303, 0304, 0305, 4407, 4409, 4414, 4418, 4419, 4420, 4421, 4819, 4821, 4902, 4909, 4910, 4911, 7003, 7005, 7210, 7301, 7312, 7314, 7606, 7610 10, 8310, 9401 69, 9401 90 30, 9403 40, 9406 00 31, 9406 00 38.’;

- (c) the following point is added to Part C:

‘5. - Mayotte as outermost region

0401, 0403, 0406, 1601, 1602, 1901, 1905, 2105, 2201, 2202, 2203, 3301 29 11, 3301 29 31, 3401, 3402, 9404 29 90.’.

Article 2

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

It shall apply from 1 January 2014.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 11 March 2014.

For the Council
The President

G. STOURNARAS

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Notice concerning the entry into force of the Protocol Amending the Agreement on Government Procurement

The Protocol Amending the Agreement on Government Procurement ⁽¹⁾ will enter into force on 6 April 2014.

⁽¹⁾ OJ L 68, 7.3.2014, p. 2.

COUNCIL DECISION

of 18 November 2013

on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, on a Framework Agreement between the European Union and the Hashemite Kingdom of Jordan on the general principles for the participation of the Hashemite Kingdom of Jordan in Union programmes

(2014/163/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(6)(a) and the first subparagraph of Article 218(8) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

(1) The Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, on a Framework Agreement between the European Union and the Hashemite Kingdom of Jordan on the general principles for the participation of the Hashemite Kingdom of Jordan in Union programmes ('the Protocol') was signed on behalf of the Union on 19 December 2012.

(2) The Protocol should be approved,

Article 1

The Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, on a Framework Agreement between the European Union and the Hashemite Kingdom of Jordan on the general principles for the participation of the Hashemite Kingdom of Jordan in Union programmes ('the Protocol') is hereby approved on behalf of the Union ⁽¹⁾.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 10 of the Protocol ⁽²⁾.

Article 3

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

Done at Brussels, 18 November 2013.

For the Council

The President

C. ASHTON

⁽¹⁾ The Protocol has been published in OJ L 117, 27.4.2013, p. 2, together with the decision on signature.

⁽²⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

COUNCIL DECISION

of 11 February 2014

on the conclusion, on behalf of the European Union, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

(2014/164/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and the first subparagraph of Article 207(4), in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (4) The Protocol provides for measures falling within the scope of the Union's common commercial policy. Several Union legal acts have been adopted which aim to facilitate and eliminate barriers for the transfer of conventional arms within the internal market or which aim to regulate the export of arms to third countries.
- (5) A legally binding instrument on the highest possible common international standards for the transfer and control of arms concerns matters that fall within the Union's exclusive competence because either those matters fall within the scope of the Union's common commercial policy, or the Union has adopted common rules the scope of which is likely to be affected or altered by the conclusion of the Protocol.
- (1) The elements of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime ('the Protocol') which are covered by the competences of the Union were negotiated by the Commission, with the approval of the Council, on behalf of the Union.
- (2) In accordance with Council Decision 2001/748/EC ⁽¹⁾ the Protocol was signed on 16 January 2002, subject to its conclusion at a later date.
- (3) The conclusion of the United Nations Convention against Transnational Organized Crime ⁽²⁾ was approved on behalf of the Union by Council Decision 2004/579/EC ⁽³⁾ which is a condition for the Union to become a Party to the Protocol, pursuant to Article 37(2) of that Convention.
- (6) Insofar as the provisions of the Protocol fall within the scope of the competence conferred on the Union, the Protocol should be approved on behalf of the Union.
- (7) In accordance with Article 17(3) of the Protocol, the Union, when depositing the instrument of approval, is also to deposit a declaration on the extent of the Union's competence with respect to matters governed by the Protocol.
- (8) The control of the acquisition and possession of firearms in the Union, as well as the formalities for the movements of firearms within the Member States, are regulated by Council Directive 91/477/EEC ⁽⁴⁾.

⁽¹⁾ Council Decision 2001/748/EC of 16 October 2001 concerning the signing on behalf of the European Community of the United Nations Protocol on the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition, annexed to the Convention against transnational organised crime (OJ L 280, 24.10.2001, p. 5).

⁽²⁾ Convention reproduced in Annex I to Decision 2004/579/EC (OJ L 261, 6.8.2004, p. 69).

⁽³⁾ Council Decision 2004/579/EC of 29 April 2004 on the conclusion, on behalf of the European Community, of the United Nations Convention Against Transnational Organised Crime (OJ L 261, 6.8.2004, p. 69).

⁽⁹⁾ The rules and procedures applicable to the intra-union transfer of defence-related products are regulated by Directive 2009/43/EC of the European Parliament and the Council ⁽⁵⁾,

⁽⁴⁾ Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons (OJ L 256, 13.9.1991, p. 51).

⁽⁵⁾ Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 146, 10.6.2009, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, is hereby approved on behalf of the European Union.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council shall designate the person(s) empowered to proceed, on behalf of the Union, to the deposit of the instrument of approval and the declaration of

competence provided for in Article 17(3) of the Protocol, in order to express the consent of the Union to be bound by the Protocol ⁽¹⁾.

The text of the declaration is attached to this Decision.

Article 3

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

Done at Brussels, 11 February 2014.

For the Council

The President

E. VENIZELOS

⁽¹⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

DECLARATION

concerning the competence of the European Union with regard to matters governed by the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

Article 17(3) of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition provides that the instrument of ratification, acceptance or approval of a regional economic integration organisation is to contain a declaration specifying the matters governed by the Protocol in respect of which competence has been transferred to the organisation by its Member States which are Parties to the Protocol.

The European Union has exclusive competence over commercial policy. It also has shared competence over rules for the achievement of the internal market, and exclusive competence as regards provisions of the Protocol which may affect or alter the scope of common rules adopted by the Union. The Union has adopted rules as regards in particular the fight against illicit manufacturing of and trafficking in firearms, regulating standards and procedures on commercial policy of the Member States concerning in particular record keeping, marking of firearms, deactivation of firearms, requirements for exports, import and transit licensing authorisation systems, strengthening of controls at export points and brokering activities.

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition shall apply, with regard to the competences transferred to the Union, to the territories in which the Treaty on the Functioning of the European Union is applied and under the conditions laid down in that Treaty.

The scope and the exercise of such Union competence are, by their nature, subject to continuous development, and the Union will complete or amend this declaration, if necessary, in accordance with Article 17(3) of the Protocol.

PROTOCOL

against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

PREAMBLE

THE STATES PARTIES TO THIS PROTOCOL,

AWARE of the urgent need to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, owing to the harmful effects of those activities on the security of each State, region and the world as a whole, endangering the well-being of peoples, their social and economic development and their right to live in peace,

CONVINCED, therefore, of the necessity for all States to take all appropriate measures to this end, including international cooperation and other measures at the regional and global levels,

RECALLING General Assembly resolution 53/111 of 9 December 1998, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration of, inter alia, an international instrument combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

BEARING IN MIND the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

CONVINCED that supplementing the United Nations Convention against Transnational Organized Crime with an international instrument against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition will be useful in preventing and combating those crimes,

HAVE AGREED AS FOLLOWS:

I. GENERAL PROVISIONS

Article 1

Relation with the United Nations Convention against Transnational Organized Crime

1. This Protocol supplements the United Nations Convention against Transnational Organized Crime. It shall be interpreted together with the Convention.

2. The provisions of the Convention shall apply, *mutatis mutandis*, to this Protocol unless otherwise provided herein.

3. The offences established in accordance with Article 5 of this Protocol shall be regarded as offences established in accordance with the Convention.

Article 2

Statement of purpose

The purpose of this Protocol is to promote, facilitate and strengthen cooperation among States Parties in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

Article 3

Use of terms

For the purposes of this Protocol:

- (a) 'Firearm' shall mean any portable barrelled weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive, excluding antique firearms or their replicas. Antique firearms and their replicas shall be defined in accordance with domestic law. In no case, however, shall antique firearms include firearms manufactured after 1899;
- (b) 'Parts and components' shall mean any element or replacement element specifically designed for a firearm and essential to its operation, including a barrel, frame or receiver, slide or cylinder, bolt or breech block, and any device designed or adapted to diminish the sound caused by firing a firearm;
- (c) 'Ammunition' shall mean the complete round or its components, including cartridge cases, primers, propellant powder, bullets or projectiles, that are used in a firearm, provided that those components are themselves subject to authorization in the respective State Party;

(d) 'Illicit manufacturing' shall mean the manufacturing or assembly of firearms, their parts and components or ammunition:

(i) From parts and components illicitly trafficked;

(ii) Without a licence or authorization from a competent authority of the State Party where the manufacture or assembly takes place; or

(iii) Without marking the firearms at the time of manufacture, in accordance with Article 8 of this Protocol;

Licensing or authorization of the manufacture of parts and components shall be in accordance with domestic law;

(e) 'Illicit trafficking' shall mean the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components and ammunition from or across the territory of one State Party to that of another State Party if any one of the States Parties concerned does not authorize it in accordance with the terms of this Protocol or if the firearms are not marked in accordance with Article 8 of this Protocol;

(f) 'Tracing' shall mean the systematic tracking of firearms and, where possible, their parts and components and ammunition from manufacturer to purchaser for the purpose of assisting the competent authorities of States Parties in detecting, investigating and analysing illicit manufacturing and illicit trafficking.

Article 4

Scope of application

1. This Protocol shall apply, except as otherwise stated herein, to the prevention of illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and to the investigation and prosecution of offences established in accordance with Article 5 of this Protocol where those offences are transnational in nature and involve an organized criminal group.

2. This Protocol shall not apply to state-to-state transactions or to state transfers in cases where the application of the Protocol would prejudice the right of a State Party to take action in the interest of national security consistent with the Charter of the United Nations.

Article 5

Criminalization

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the following conduct, when committed intentionally:

(a) Illicit manufacturing of firearms, their parts and components and ammunition;

(b) Illicit trafficking in firearms, their parts and components and ammunition;

(c) Falsifying or illicitly obliterating, removing or altering the marking(s) on firearms required by Article 8 of this Protocol.

2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences the following conduct:

(a) Subject to the basic concepts of its legal system, attempting to commit or participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and

(b) Organizing, directing, aiding, abetting, facilitating or counselling the commission of an offence established in accordance with paragraph 1 of this article.

Article 6

Confiscation, seizure and disposal

1. Without prejudice to Article 12 of the Convention, States Parties shall adopt, to the greatest extent possible within their domestic legal systems, such measures as may be necessary to enable confiscation of firearms, their parts and components and ammunition that have been illicitly manufactured or trafficked.

2. States Parties shall adopt, within their domestic legal systems, such measures as may be necessary to prevent illicitly manufactured and trafficked firearms, parts and components and ammunition from falling into the hands of unauthorized persons by seizing and destroying such firearms, their parts and components and ammunition unless other disposal has been officially authorized, provided that the firearms have been marked and the methods of disposal of those firearms and ammunition have been recorded.

II. PREVENTION

Article 7

Record-keeping

Each State Party shall ensure the maintenance, for not less than ten years, of information in relation to firearms and, where appropriate and feasible, their parts and components and ammunition that is necessary to trace and identify those firearms and, where appropriate and feasible, their parts and components and ammunition which are illicitly manufactured or trafficked and to prevent and detect such activities. Such information shall include:

- (a) The appropriate markings required by Article 8 of this Protocol;
- (b) In cases involving international transactions in firearms, their parts and components and ammunition, the issuance and expiration dates of the appropriate licences or authorizations, the country of export, the country of import, the transit countries, where appropriate, and the final recipient and the description and quantity of the articles.

Article 8

Marking of firearms

1. For the purpose of identifying and tracing each firearm, States Parties shall:
 - (a) At the time of manufacture of each firearm, either require unique marking providing the name of the manufacturer, the country or place of manufacture and the serial number, or maintain any alternative unique user-friendly marking with simple geometric symbols in combination with a numeric and/or alphanumeric code, permitting ready identification by all States of the country of manufacture;
 - (b) Require appropriate simple marking on each imported firearm, permitting identification of the country of import and, where possible, the year of import and enabling the competent authorities of that country to trace the firearm, and a unique marking, if the firearm does not bear such a marking. The requirements of this subparagraph need not be applied to temporary imports of firearms for verifiable lawful purposes;
 - (c) Ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, the appropriate unique marking permitting identification by all States Parties of the transferring country.
2. States Parties shall encourage the firearms manufacturing industry to develop measures against the removal or alteration of markings.

Article 9

Deactivation of firearms

A State Party that does not recognize a deactivated firearm as a firearm in accordance with its domestic law shall take the necessary measures, including the establishment of specific offences if appropriate, to prevent the illicit reactivation of deactivated firearms, consistent with the following general principles of deactivation:

- (a) All essential parts of a deactivated firearm are to be rendered permanently inoperable and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way;

- (b) Arrangements are to be made for deactivation measures to be verified, where appropriate, by a competent authority to ensure that the modifications made to a firearm render it permanently inoperable;
- (c) Verification by a competent authority is to include a certificate or record attesting to the deactivation of the firearm or a clearly visible mark to that effect stamped on the firearm.

Article 10

General requirements for export, import and transit licensing or authorization systems

1. Each State Party shall establish or maintain an effective system of export and import licensing or authorization, as well as of measures on international transit, for the transfer of firearms, their parts and components and ammunition.
2. Before issuing export licences or authorizations for shipments of firearms, their parts and components and ammunition, each State Party shall verify:
 - (a) That the importing States have issued import licences or authorizations; and
 - (b) That, without prejudice to bilateral or multilateral agreements or arrangements favouring landlocked States, the transit States have, at a minimum, given notice in writing, prior to shipment, that they have no objection to the transit.
3. The export and import licence or authorization and accompanying documentation together shall contain information that, at a minimum, shall include the place and the date of issuance, the date of expiration, the country of export, the country of import, the final recipient, a description and the quantity of the firearms, their parts and components and ammunition and, whenever there is transit, the countries of transit. The information contained in the import licence must be provided in advance to the transit States.
4. The importing State Party shall, upon request, inform the exporting State Party of the receipt of the dispatched shipment of firearms, their parts and components or ammunition.
5. Each State Party shall, within available means, take such measures as may be necessary to ensure that licensing or authorization procedures are secure and that the authenticity of licensing or authorization documents can be verified or validated.
6. States Parties may adopt simplified procedures for the temporary import and export and the transit of firearms, their parts and components and ammunition for verifiable lawful purposes such as hunting, sport shooting, evaluation, exhibitions or repairs.

Article 11

Security and preventive measures

In an effort to detect, prevent and eliminate the theft, loss or diversion of, as well as the illicit manufacturing of and trafficking in, firearms, their parts and components and ammunition, each State Party shall take appropriate measures:

- (a) To require the security of firearms, their parts and components and ammunition at the time of manufacture, import, export and transit through its territory; and
- (b) To increase the effectiveness of import, export and transit controls, including, where appropriate, border controls, and of police and customs transborder cooperation.

Article 12

Information

1. Without prejudice to Articles 27 and 28 of the Convention, States Parties shall exchange among themselves, consistent with their respective domestic legal and administrative systems, relevant case-specific information on matters such as authorized producers, dealers, importers, exporters and, whenever possible, carriers of firearms, their parts and components and ammunition.

2. Without prejudice to Articles 27 and 28 of the Convention, States Parties shall exchange among themselves, consistent with their respective domestic legal and administrative systems, relevant information on matters such as:

- (a) Organized criminal groups known to take part or suspected of taking part in the illicit manufacturing of or trafficking in firearms, their parts and components and ammunition;
- (b) The means of concealment used in the illicit manufacturing of or trafficking in firearms, their parts and components and ammunition and ways of detecting them;
- (c) Methods and means, points of dispatch and destination and routes customarily used by organized criminal groups engaged in illicit trafficking in firearms, their parts and components and ammunition; and
- (d) Legislative experiences and practices and measures to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

3. States Parties shall provide to or share with each other, as appropriate, relevant scientific and technological information useful to law enforcement authorities in order to enhance each other's abilities to prevent, detect and investigate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and to prosecute the persons involved in those illicit activities.

4. States Parties shall cooperate in the tracing of firearms, their parts and components and ammunition that may have

been illicitly manufactured or trafficked. Such cooperation shall include the provision of prompt responses to requests for assistance in tracing such firearms, their parts and components and ammunition, within available means.

5. Subject to the basic concepts of its legal system or any international agreements, each State Party shall guarantee the confidentiality of and comply with any restrictions on the use of information that it receives from another State Party pursuant to this article, including proprietary information pertaining to commercial transactions, if requested to do so by the State Party providing the information. If such confidentiality cannot be maintained, the State Party that provided the information shall be notified prior to its disclosure.

Article 13

Cooperation

1. States Parties shall cooperate at the bilateral, regional and international levels to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

2. Without prejudice to Article 18, paragraph 13, of the Convention, each State Party shall identify a national body or a single point of contact to act as liaison between it and other States Parties on matters relating to this Protocol.

3. States Parties shall seek the support and cooperation of manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms, their parts and components and ammunition to prevent and detect the illicit activities referred to in paragraph 1 of this article.

Article 14

Training and technical assistance

States Parties shall cooperate with each other and with relevant international organizations, as appropriate, so that States Parties may receive, upon request, the training and technical assistance necessary to enhance their ability to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including technical, financial and material assistance in those matters identified in Articles 29 and 30 of the Convention.

Article 15

Brokers and brokering

1. With a view to preventing and combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, States Parties that have not yet done so shall consider establishing a system for regulating the activities of those who engage in brokering. Such a system could include one or more measures such as:

- (a) Requiring registration of brokers operating within their territory;
- (b) Requiring licensing or authorization of brokering; or

- (c) Requiring disclosure on import and export licences or authorizations, or accompanying documents, of the names and locations of brokers involved in the transaction.

2. States Parties that have established a system of authorization regarding brokering as set forth in paragraph 1 of this article are encouraged to include information on brokers and brokering in their exchanges of information under Article 12 of this Protocol and to retain records regarding brokers and brokering in accordance with Article 7 of this Protocol.

III. FINAL PROVISIONS

Article 16

Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Protocol through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Protocol that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval or accession to this Protocol, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 17

Signature, ratification, acceptance, approval and accession

1. This Protocol shall be open to all States for signature at United Nations Headquarters in New York from the thirtieth day after its adoption by the General Assembly until 12 December 2002.

2. This Protocol shall also be open for signature by regional economic integration organizations provided that at least one member State of such organization has signed this Protocol in accordance with paragraph 1 of this article.

3. This Protocol is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval

shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Protocol. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 18

Entry into force

1. This Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession, except that it shall not enter into force before the entry into force of the Convention. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Protocol after the deposit of the fortieth instrument of such action, this Protocol shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Protocol enters into force pursuant to paragraph 1 of this article, whichever is the later.

Article 19

Amendment

1. After the expiry of five years from the entry into force of this Protocol, a State Party to the Protocol may propose an amendment and file it with the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the Parties to the Convention for the purpose of considering and deciding on the proposal. The States Parties to this Protocol meeting at the Conference of the Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties to this Protocol present and voting at the meeting of the Conference of the Parties.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Protocol. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.

3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.

4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Protocol and any earlier amendments that they have ratified, accepted or approved.

Article 20

Denunciation

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations.

Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

2. A regional economic integration organization shall cease to be a Party to this Protocol when all of its member States have denounced it.

Article 21

Depositary and languages

1. The Secretary-General of the United Nations is designated depositary of this Protocol.

2. The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Protocol.

PROTOCOLO

contra la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones, que complementa la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional

PREÁMBULO

LOS ESTADOS PARTE EN EL PRESENTE PROTOCOLO,

CONSCIENTES de la urgente necesidad de prevenir, combatir y erradicar la fabricación y el tráfico ilícito de armas de fuego, sus piezas y componentes y municiones, a causa de los efectos perjudiciales de estas actividades para la seguridad de cada Estado y región y del mundo en general, que ponen en peligro el bienestar de los pueblos, su desarrollo económico y social y su derecho a vivir en paz,

CONVENCIDOS, por tanto, de la necesidad de que los Estados adopten todas las medidas apropiadas a tal fin, incluidas medidas de cooperación internacional y de otra índole en los planos regional y mundial.

RECORDANDO la resolución 53/111 de la Asamblea General, de 9 de diciembre de 1998, en la que la Asamblea decidió establecer un comité especial intergubernamental de composición abierta con la finalidad de elaborar una convención internacional amplia contra la delincuencia organizada transnacional y de examinar la posibilidad de elaborar, entre otras cosas, un instrumento internacional contra la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones,

TENIENDO PRESENTES los principios de igualdad de derechos y de libre determinación de los pueblos, consagrados en la Carta de las Naciones Unidas y en la Declaración sobre los principios de Derecho internacional referentes a las relaciones de amistad y a la cooperación entre los Estados de conformidad con la Carta de las Naciones Unidas,

CONVENCIDOS de que complementar la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional con un instrumento internacional contra la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones, será de utilidad para prevenir y combatir esos delitos,

HAN ACORDADO LO SIGUIENTE:

I. DISPOSICIONES GENERALES

Artículo 1

Relación con la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional

1. El presente Protocolo complementa la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional y se interpretará juntamente con la Convención.
2. Las disposiciones de la Convención se aplicarán *mutatis mutandis* al presente Protocolo, a menos que en él se disponga otra cosa.
3. Los delitos tipificados con arreglo al artículo 5 del presente Protocolo se considerarán delito tipificados con arreglo a la Convención.

Artículo 2

Finalidad

La finalidad del presente Protocolo es promover, facilitar y reforzar la cooperación entre los Estados Parte con el propósito de prevenir, combatir y erradicar la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones.

Artículo 3

Definiciones

Para los fines del presente Protocolo:

- a) por «arma de fuego» se entenderá toda arma portátil que tenga cañón y que lance, esté concebida para lanzar o pueda transformarse fácilmente para lanzar un balín, una bala o un proyectil por la acción de un explosivo, excluidas las armas de fuego antiguas o sus réplicas. Las armas de fuego antiguas y sus réplicas se definirán de conformidad con el Derecho interno. En ningún caso, sin embargo, podrán incluir armas de fuego fabricadas después de 1899;
- b) por «piezas y componentes» se entenderá todo elemento o elemento de repuesto específicamente concebido para un arma de fuego e indispensables para su funcionamiento, incluidos el cañón, la caja o el cajón, el cerrojo o el tambor, el cierre o el bloqueo del cierre y todo dispositivo concebido o adaptado para disminuir el sonido causado por un arma de fuego;
- c) por «municiones» se entenderá el cartucho completo o sus componentes, entre ellos las vainas, los cebos, la carga propulsora, las balas o proyectiles utilizados en las armas de fuego, siempre que estos componentes estén de por sí sujetos a autorización en el respectivo Estado Parte;

d) por «fabricación ilícita» se entenderá la fabricación o el montaje de armas de fuego, sus piezas y componentes o municiones:

- i) a partir de piezas y componente que hayan sido objeto de tráfico ilícito,
- ii) sin licencia o autorización de una autoridad competente del Estado Parte en que se realice la fabricación o el montaje, o
- iii) sin marcar las armas de fuego en el momento de su fabricación, de conformidad con el artículo 8 del presente Protocolo.

La concesión de licencia o autorización respecto de la fabricación de piezas y componentes se hará de conformidad con el Derecho interno;

e) por «tráfico ilícito» se entenderá la importación, exportación, adquisición, venta, entrega, traslado o transferencia de armas de fuego, sus piezas y componentes y municiones desde o a través del territorio de un Estado Parte al de otro Estado Parte si cualquiera de los Estados Parte interesados no lo autoriza conforme a lo dispuesto en el presente Protocolo o si las armas de fuego no han sido marcadas conforme a lo dispuesto en el artículo 8 del presente Protocolo;

f) por «localización» se entenderá el rastreo sistemático de las armas de fuego y, de ser posible, de sus piezas y componentes y municiones, desde el fabricante al comprador, con el fin de ayudar a las autoridades componentes de los Estados Parte a detectar, investigar y analizar la fabricación y el tráfico ilícitos.

Artículo 4

Ámbito de aplicación

1. A menos que contenga una disposición en contrario, el presente Protocolo se aplicará a la prevención de la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones y a la investigación y el enjuiciamiento de los delitos tipificados con arreglo al artículo 5 del presente Protocolo cuando esos delitos sean de carácter transnacional y entrañen la participación de un grupo delictivo organizado.

2. El presente Protocolo no se aplicará a las transacciones entre Estados ni a las transferencias estatales cuando la aplicación del Protocolo pudiera perjudicar el derecho de un Estado Parte a adoptar medidas en aras de la seguridad nacional en consonancia con la carta de las Naciones Unidas.

Artículo 5

Penalización

1. Cada Estado Parte adoptará las medidas legislativas o de otra índole que sean necesarias para tipificar como delito las siguientes conductas. Cuando se cometan intencionalmente:

- a) la fabricación ilícita de armas de fuego, sus piezas y componentes y municiones;
- b) el tráfico ilícito de armas de fuego, sus piezas y componentes y municiones;
- c) la falsificación o la obliteración, supresión o alteración ilícitas de la(s) marca(s) de un arma de fuego requeridas de conformidad con el artículo 8 del presente Protocolo.

2. Cada Estado Parte adoptará, asimismo, las medidas legislativas y de otra índole que sean necesarias para tipificar como delito las siguientes conductas:

- a) con sujeción a los conceptos básicos de su ordenamiento jurídico, la tentativa de comisión de un delito tipificado con arreglo al apartado 1 del presente artículo o la participación de él como cómplice, y
- b) la organización, dirección, ayuda, incitación, facilitación o asesoramiento para la comisión de delito tipificado con arreglo al apartado 1 del presente artículo.

Artículo 6

Decomiso, incautación y disposición

1. A reserva de lo dispuesto en el artículo 12 de la Convención, los Estados Parte adoptarán, en la mayor medida posible de conformidad con su ordenamiento jurídico interno, las medidas que sean necesarias para permitir el decomiso de las armas de fuego, sus piezas y componentes y municiones que hayan sido objeto de fabricación o tráfico ilícitos.

2. Los Estados Parte adoptarán, de conformidad con su ordenamiento jurídico interno, las medidas necesarias para impedir que las armas de fuego, sus piezas y componentes y municiones que hayan sido objeto de fabricación o tráfico ilícitos caigan en manos de personas no autorizadas, en particular mediante la incautación y destrucción de esas armas de fuego, sus piezas y componentes y municiones, a menos que se haya autorizado oficialmente otra forma de disposición, siempre y cuando se hayan marcado las armas de fuego y se hayan registrado los métodos para la disposición de esas armas de fuego y municiones.

II. PREVENCIÓN

Artículo 7

Registros

Cada Estado Parte garantizará el mantenimiento, por un período no inferior a diez años, de la información relativa a las armas de fuego y, cuando sea apropiado y factible, de la información relativa a sus piezas y componentes y municiones que sea necesaria para localizar e identificar las armas de fuego y, cuando sea apropiado y factible, sus piezas y componentes y municiones que hayan sido objeto de fabricación o tráfico ilícitos, así como para evitar y detectar esas actividades. Esa información incluirá:

- a) las marcas pertinentes requeridas de conformidad con el artículo 8 del presente Protocolo;
- b) en los casos que entrañen transacciones internacionales con armas de fuego, sus piezas y componentes y municiones, las fechas de emisión y expiración de las licencias o autorizaciones correspondientes, el país de importación, los países de tránsito, cuando proceda, y el receptor final, así como la descripción y la cantidad de los artículos.

Artículo 8

Marcación de las armas de fuego

1. A los efectos de identificar y localizar cada arma de fuego, los Estados Parte:

- a) en el momento de la fabricación de cada arma de fuego exigirán que esta sea marcada con una marca distintiva que indique el nombre del fabricante, el país o lugar de fabricación y el número de serie, o mantendrán cualquier otra marca distintiva y fácil de emplear que ostente símbolos geométricos sencillos, junto con un código numérico y/o alfanumérico, y que permita a todos los Estados Parte identificar sin dificultad el país de fabricación;
- b) exigirán que se aplique a toda arma de fuego importada una marca sencilla y apropiada que permita identificar el país de importación y, de ser posible, el año de esta, y permita, asimismo, a las autoridades competentes de ese país localizar el arma de fuego, así como una marca distintiva, si el arma de fuego no la lleva. Los requisitos del presente apartado no tendrán que aplicarse a la importación temporal de armas de fuego con fines lícitos verificables;
- c) velarán por que, en el momento en que se transfiera un arma de fuego de las existencias estatales a la utilización civil con carácter permanente, se aplique a dicha arma distintiva apropiada que permita a todos los Estados Parte identificar el país que realiza la transferencia.

2. Los Estados Parte alentarán a la industria de fabricación de armas de fuego a formular medidas contra la supresión o la alteración de las marcas.

Artículo 9

Desactivación de las armas de fuego

Todo Estado Parte que, de conformidad con su Derecho interno, no reconozca como arma de fuego un arma desactivada adoptará las medidas que sean necesarias, incluida la tipificación de delitos específicos, si procede, a fin de prevenir la reactivación ilícita de las armas de fuego desactivadas, en consonancia con los siguientes principios generales de desactivación:

- a) todas las piezas esenciales de un arma desactivadas se tornarán permanentemente inservibles y no susceptibles de ser retiradas, sustituidas o modificadas de cualquier forma que pueda permitir su reactivación;

- b) se adoptarán disposiciones para que una autoridad competente verifique, cuando proceda, las medidas de desactivación, a fin de garantizar que las modificaciones aportadas al arma de fuego la inutilizan permanentemente;
- c) la verificación por una autoridad competente comprenderá la expedición de un certificado o la anotación en un registro en que se haga constar la desactivación del arma de fuego o la inclusión de una marca a esos efectos claramente visible en el arma de fuego.

Artículo 10

Requisitos generales para sistemas de licencias o autorizaciones de exportación, importación y tránsito

1. Cada Estado Parte establecerá o mantendrá un sistema eficaz de licencias o autorizaciones de exportación e importación, así como de medidas aplicables al tránsito internacional, para la transferencia de armas de fuego, sus piezas y componentes y municiones.

2. Antes de emitir licencias o autorizaciones de exportación para la expedición de armas de fuego, sus piezas y componentes y municiones, cada Estado Parte se asegurará de que:

- a) los Estados importadores hayan emitido las correspondientes licencias o autorizaciones, y
- b) los Estados de tránsito hayan al menos comunicado por escrito, con anterioridad a la expedición, que no se oponen al tránsito, sin perjuicio de los acuerdos o arreglos bilaterales o multilaterales destinados a favorecer a los Estados sin litoral.

3. La licencia o autorización de exportación e importación y la documentación que la acompañe contendrán conjuntamente información que, como mínimo, comprenda el lugar y la fecha de expiración, el país de exportación, el país de importación, el destino final, una descripción y la cantidad de las armas de fuego, sus piezas y componentes y municiones y, cuando haya tránsito, los países de tránsito. La información contenida en la licencia de importación deberá facilitarse a los Estados de tránsito con antelación.

4. El Estado Parte importador notificará al Estado Parte exportador, previa solicitud, la recepción de las remesas de armas de fuego, sus piezas y componentes y municiones que le hayan sido enviadas.

5. Cada Estado Parte adoptará, dentro de sus posibilidades, las medidas necesarias para garantizar que los procedimientos de licencia o autorización sean seguros y que la autenticidad de los documentos de licencia o autorización pueda ser verificada o validada.

6. Los Estados Parte podrán adoptar procedimientos simplificados para la importación y exportación temporales y para el tránsito de armas de fuego, sus piezas y componentes y municiones para fines lícitos verificables, tales como cacerías, prácticas de tiro deportivo, pruebas, exposiciones o reparaciones.

*Artículo 11***Medidas de seguridad y prevención**

A fin de detectar, prevenir y eliminar el robo, la pérdida o la desviación, así como la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones, cada Estado Parte adoptará medidas apropiadas para:

- a) exigir que se garantice la seguridad de las armas de fuego, sus piezas y componentes y municiones en el curso de su fabricación, su importación y exportación y su tránsito a través de su territorio, y
- b) aumentar la eficacia de los controles de importación, exportación y tránsito, incluidos, cuando proceda, los controles fronterizos, así como de la cooperación transfronteriza entre los servicios policiales y aduaneros.

*Artículo 12***Información**

1. Sin perjuicio de lo dispuesto en los artículos 27 y 28 de la Convención, los Estados Parte intercambiarán, de conformidad con sus respectivos ordenamientos jurídicos y administrativos internos, información pertinente para cada caso específico sobre cuestiones como los fabricantes, agentes comerciales, importadores y exportadores y, de ser posible, transportista autorizados de armas de fuego, sus piezas y componentes y municiones.

2. Sin perjuicio de lo dispuesto en los artículos 27 y 28 de la Convención, los Estados Parte intercambiarán, de conformidad con sus respectivos ordenamientos jurídicos y administrativos internos, información pertinente sobre cuestiones como:

- a) los grupos delictivos organizados, efectiva o presuntamente involucrados en la fabricación o el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones;
- b) los medios de ocultación utilizados en la fabricación o el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones, así como las formas de detectarlos;
- c) los métodos y medios, los lugares de expedición y de destino y las rutas que habitualmente utilizan los grupos delictivos organizados que participan en el tráfico ilícito de armas de fuego, sus piezas y componentes y municiones, y
- d) experiencias de carácter legislativo, así como prácticas y medidas conexas, para prevenir, combatir y erradicar la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones.

3. Los Estados Parte se facilitarán, según proceda, toda información científica y tecnológica pertinente que sea de utilidad para las autoridades encargadas de hacer cumplir la ley, a fin de reforzar mutuamente su capacidad de prevenir, detectar e investigar la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones, y de enjuiciar a las personas involucradas en esas actividades ilícitas.

4. Los Estados Parte cooperarán en la localización de las armas de fuego, sus piezas y componentes y municiones que puedan haber sido objeto de fabricación o tráfico ilícitos. Esa cooperación incluirá la respuesta rápida de los Estados Parte a

toda solicitud de asistencia para localizar esas armas de fuego, sus piezas y componentes y municiones, dentro de los medios disponibles.

5. Con sujeción a los conceptos básicos de su ordenamiento jurídico o a cualesquiera acuerdos internacionales, cada Estado Parte garantizará la confidencialidad y acatará las restricciones impuestas a la utilización de toda información que reciba de otro Estado Parte de conformidad con el presente artículo, incluida información de dominio privado sobre transacciones comerciales, cuando así lo solicite el Estado Parte que facilita la información. Si no es posible mantener la confidencialidad, antes de revelar la información se dará cuenta de ello al Estado Parte que la facilitó.

*Artículo 13***Cooperación**

1. Los Estados Parte cooperarán en los planos bilateral, regional e internacional a fin de prevenir, combatir y erradicar la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones.

2. Sin perjuicio de lo dispuesto en el apartado 13 del artículo 18 de la Convención, cada Estado Parte designará un órgano nacional o un punto de contacto central encargado de mantener el enlace con los demás Estados Parte en toda cuestión relativa al presente Protocolo.

3. Los Estados Parte procurarán obtener el apoyo y la cooperación de los fabricantes, agentes comerciales, importadores, exportadores, corredores y transportistas comerciales de armas de fuego, sus piezas y componentes y municiones, a fin de prevenir y detectar las actividades ilícitas mencionadas en el apartado 1 del presente artículo.

*Artículo 14***Capacitación y asistencia técnica**

Los Estados Parte cooperarán entre sí y con las organizaciones internacionales pertinentes, según proceda, a fin de que los Estados Parte que lo soliciten reciban la formación y asistencia técnica requeridas para reforzar su capacidad de prevenir, combatir y erradicar la fabricación y el tráfico ilícitos de armas de fuego, sus piezas y componentes y municiones, incluida la asistencia técnica, financiera y material que proceda en las cuestiones enunciadas en los artículos 29 y 30 de la Convención.

*Artículo 15***Corredores y corretaje**

1. Con miras a prevenir y combatir la fabricación y el tráfico ilícitos de armas de fuego, con sus piezas y componentes y municiones, los Estados Parte que aún no lo hayan hecho considerarán la posibilidad de establecer un sistema de reglamentación de las actividades de las personas dedicadas al corretaje. Ese sistema podría incluir una o varias de las siguientes medidas:

- a) exigir la inscripción en un registro de los corredores que actúen en su territorio;
- b) exigir una licencia o autorización para el ejercicio del corretaje, o

c) exigir que en las licencias o autorizaciones de importación y de exportación, o en la documentación adjunta a la mercancía, se consigne el nombre y la ubicación de los corredores que intervengan en la transacción.

2. Se alienta a los Estados Parte que hayan establecido un sistema de autorización de las operaciones de corretaje como el descrito en el apartado 1 del presente artículo a que incluyan datos sobre los corredores y las operaciones de corretaje en sus intercambios de información efectuados con arreglo al artículo 12 del presente Protocolo y a lo previsto en el artículo 7 del presente Protocolo.

III. DISPOSICIONES FINALES

Artículo 16

Solución de controversias

1. Los Estados Parte procurarán solucionar toda controversia relacionada con la interpretación o aplicación del presente Protocolo mediante la negociación.

2. Toda controversia entre dos o más Estados Parte acerca de la interpretación o aplicación del presente Protocolo que no pueda resolverse mediante la negociación dentro de un plazo razonable deberá, a solicitud de uno de esos Estados Parte, someterse a arbitraje. Si, seis meses después de la fecha de la solicitud de arbitraje, esos Estados Parte no ha podido ponerse de acuerdo sobre la organización del arbitraje, cualquiera de esas Partes podrá remitir la controversia a la Corte Internacional de Justicia mediante solicitud conforme al Estatuto de la Corte.

3. Cada Estado Parte podrá, en el momento de la firma, ratificación, aceptación o aprobación del presente Protocolo o de la adhesión a él, declarar que no se considera vinculado por el apartado 2 del presente artículo. Los demás Estados Parte no quedarán vinculados por el apartado 2 del presente artículo respecto de todo Estado Parte que haya hecho esa reserva.

4. El Estado Parte que haya hecho una reserva de conformidad con el apartado 3 del presente artículo podrá en cualquier momento retirar esa reserva notificándola al Secretario General de las Naciones Unidas.

Artículo 17

Firma, ratificación, aceptación, aprobación y adhesión

1. El presente Protocolo estará abierto a la firma de todos los Estados en la sede de las Naciones Unidas en Nueva York desde el trigésimo día de su aprobación por la Asamblea General hasta el 12 de diciembre de 2002.

2. El Presente Protocolo también estará abierto a la firma de las organizaciones regionales de integración económica, siempre que al menos uno de los Estados miembros de tales organizaciones haya firmado el presente Protocolo de conformidad con lo dispuesto en el apartado 1 del presente artículo.

3. El presente Protocolo estará sujeto a ratificación, aceptación o aprobación. Los instrumentos de ratificación, aceptación

o aprobación se depositarán en poder del Secretario General de las Naciones Unidas. Las organizaciones regionales de integración económica podrán depositar su instrumento de ratificación, aceptación o aprobación si por lo menos uno de sus Estados miembros ha procedido de igual manera. En ese instrumento de ratificación, aceptación o aprobación, esas organizaciones declararán el alcance de su competencia con respecto a las cuestiones regidas por el presente Protocolo. Dichas organizaciones comunicarán también al depositario cualquier modificación pertinente del alcance de su competencia.

4. El presente Protocolo estará abierto a la adhesión de todos los Estados u organizaciones regionales de integración económica que cuente por lo menos con un Estado miembro que sea Parte en el presente Protocolo. Los instrumentos de adhesión se depositarán en poder del Secretario General de las Naciones Unidas. En el momento de su adhesión, las organizaciones regionales de integración económica declararán el alcance de su competencia con respecto a las cuestiones regidas por el presente Protocolo. Dichas organizaciones comunicarán también al depositario cualquier modificación pertinente del alcance de su competencia.

Artículo 18

Entrada en vigor

1. El presente Protocolo entrará en vigor el nonagésimo día después de la fecha en que se haya depositado el cuadragésimo instrumento de ratificación, aceptación, aprobación o adhesión, a condición de que no entre en vigor antes de la entrada en vigor de la Convención. A los efectos del presente apartado, los instrumentos depositados por una organización regional de integración económica no se considerarán adicionales a los depositados por los Estados miembros de tal organización.

2. Para cada Estado u organización regional de integración económica que ratifique, acepte el presente Protocolo o se adhiera a él después de haberse depositado el cuadragésimo instrumento de ratificación, aceptación, aprobación o adhesión, el presente Protocolo entrará en vigor el trigésimo día después de la fecha en que ese Estado u organización haya depositado el instrumento pertinente o en la fecha de su entrada en vigor con arreglo al apartado 1 del presente artículo, si esta es posterior.

Artículo 19

Enmienda

1. Cuando hayan transcurrido cinco años desde la entrada en vigor del presente Protocolo, los Estados Parte podrán proponer enmiendas por escrito al Secretario General de las Naciones Unidas, quien a continuación comunicará toda enmienda propuesta a los Estados Parte y a la Conferencia de las Partes en la Convención para que la examinen y decidan al respecto. Los Estados Parte en el presente Protocolo reunidos en la Conferencia de las Partes harán todo lo posible por lograr un consenso sobre cada enmienda. Si se han agotado todas las posibilidades de lograr un consenso y no se ha llegado a un acuerdo, la aprobación de la enmienda exigirá, en última instancia, una mayoría de dos tercios de los Estados Parte en el presente Protocolo presentes y votantes en la sesión de la Conferencia de las Partes.

2. Las organizaciones regionales de integración económica, en asuntos de su competencia, ejercerán su derecho de voto con arreglo al presente artículo con un número de votos igual al número de sus Estados miembros que sean Partes en el presente Protocolo. Dichas organizaciones no ejercerán su derecho a voto si sus Estados miembros ejercen el suyo y viceversa.

3. Toda enmienda aprobada de conformidad con el apartado 1 del presente artículo estará sujeta a ratificación, aceptación o aprobación por los Estados Parte.

4. Toda enmienda refrendada de conformidad con el apartado 1 del presente artículo entrará en vigor respecto de un Estado Parte noventa días después de la fecha en que este deposite en poder del Secretario General de las Naciones Unidas un instrumento de ratificación, aceptación o aprobación de esta enmienda.

5. Cuando una enmienda entre en vigor, será vinculante para los Estados Parte que hayan expresado su consentimiento al respecto. Los demás Estados Parte quedarán sujetos a las disposiciones del presente Protocolo, así como a cualquier otra enmienda anterior que hubiesen ratificado, aceptado o aprobado.

Artículo 20

Denuncia

1. Los Estados Parte podrán denunciar el presente Protocolo mediante notificación escrita al Secretario General de las Naciones Unidas. La denuncia surtirá efecto un año después de la fecha en que el Secretario General haya recibido la notificación.

2. Las organizaciones regionales de integración económica dejarán de ser Partes en el presente Protocolo cuando lo hayan denunciado todos sus Estados miembros.

Artículo 21

Depositario e idiomas

1. El Secretario General de las Naciones Unidas será el depositario del presente Protocolo.

2. El original del presente Protocolo, cuyos textos en árabe, chino, español, francés, inglés y ruso son igualmente auténticos, se depositará en poder del Secretario General de las Naciones Unidas.

EN FE DE LO CUAL, los plenipotenciarios infrascritos, debidamente autorizados por sus respectivos Gobiernos, han firmado el presente Protocolo.

PROTOCOLE**contre la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions, additionnel à la convention des Nations unies contre la criminalité transnationale organisée****PRÉAMBULE**

LES ÉTATS PARTIES AU PRÉSENT PROTOCOLE,

CONSCIENTS qu'il est urgent de prévenir, de combattre et d'éradiquer la fabrication et le trafic illicites des armes à feu, de leurs pièces, éléments et munitions, étant donné que ces activités sont préjudiciables à la sécurité de chaque État, de chaque région et du monde dans son ensemble, qu'elles constituent une menace pour le bien-être des peuples, pour leur promotion sociale et économique et pour leur droit à vivre en paix;

CONVAINCUS, par conséquent, qu'il est nécessaire que tous les États prennent toutes les mesures appropriées à cette fin, y compris des activités de coopération internationale et d'autres mesures aux niveaux régional et mondial;

RAPPELANT la résolution 53/111 de l'Assemblée générale du 9 décembre 1998, dans laquelle l'Assemblée a décidé de créer un comité intergouvernemental spécial à composition non limitée chargé d'élaborer une convention internationale générale contre la criminalité transnationale organisée et d'examiner s'il y avait lieu d'élaborer, notamment, un instrument international visant à lutter contre la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions;

AYANT À L'ESPRIT le principe de l'égalité de droits des peuples et de leur droit à disposer d'eux-mêmes, tel que consacré dans la charte des Nations unies et dans la déclaration relative aux principes du droit international touchant les relations amicales et la coopération entre les États conformément à la charte des Nations unies;

CONVAINCUS que le fait d'adopter à la convention des Nations unies contre la criminalité transnationale organisée un instrument international contre la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions aidera à prévenir et à combattre ce type de criminalité,

SONT CONVENUS DE CE QUI SUIT:

I. DISPOSITIONS GÉNÉRALES*Article premier***Relation avec la convention des Nations unies contre la criminalité transnationale organisée**

1. Le présent protocole complète la convention des Nations unies contre la criminalité transnationale organisée. Il est interprété conjointement avec la convention.

2. Les dispositions de la convention s'appliquent mutatis mutandis au présent protocole, sauf disposition contraire dudit protocole.

3. Les infractions établies conformément à l'article 5 du présent protocole sont considérées comme des infractions établies conformément à la convention.

*Article 2***Objet**

Le présent protocole a pour objet de promouvoir, de faciliter et de renforcer la coopération entre les États parties en vue de prévenir, de combattre et d'éradiquer la fabrication et le trafic illicites des armes à feu, de leurs pièces, éléments et munitions.

*Article 3***Terminologie**

Aux fins du présent protocole:

- a) l'expression «arme à feu» désigne toute arme à canon portative qui propulse des plombs, une balle ou un projectile par l'action d'un explosif, ou qui est conçue pour ce faire ou peut être aisément transformée à cette fin, à l'exclusion des armes à feu anciennes ou de leurs répliques. Les armes à feu anciennes et leurs répliques sont définies conformément au droit interne. Cependant, les armes à feu anciennes n'incluent en aucun cas les armes à feu fabriquées après 1899;
- b) l'expression «pièces et éléments» désigne tout élément ou élément de remplacement spécifiquement conçu pour une arme à feu et indispensable à son fonctionnement, notamment le canon, la carcasse ou la boîte de culasse, la glissière ou le barillet, la culasse mobile ou le bloc de culasse, ainsi que tout dispositif conçu ou adapté pour atténuer le bruit causé par un tir d'arme à feu;
- c) le terme «munitions» désigne l'ensemble de la cartouche ou ses éléments, y compris les étuis, les amorces, la poudre propulsive, les balles ou les projectiles, utilisés dans une arme à feu, sous réserve que lesdits éléments soient eux-mêmes soumis à autorisation dans l'État partie considéré;

d) l'expression «fabrication illicite» désigne la fabrication ou l'assemblage d'armes à feu, de leurs pièces et éléments ou de munitions:

- i) à partir de pièces et d'éléments ayant fait l'objet d'un trafic illicite;
- ii) sans licence ou autorisation d'une autorité compétente de l'État partie dans lequel la fabrication ou l'assemblage a lieu; ou
- iii) sans marquage des armes à feu au moment de leur fabrication conformément à l'article 8 du présent protocole.

Des licences ou autorisations de fabrication de pièces et d'éléments sont délivrées conformément au droit interne;

e) l'expression «trafic illicite» désigne l'importation, l'exportation, l'acquisition, la vente, la livraison, le transport ou le transfert d'armes à feu, de leurs pièces, éléments et munitions à partir du territoire d'un État partie ou à travers ce dernier vers le territoire d'un autre État partie si l'un des États parties concernés ne l'autorise pas conformément aux dispositions du présent protocole ou si les armes à feu ne sont pas marquées conformément à l'article 8 du présent protocole;

f) le terme «traçage» désigne le suivi systématique du parcours des armes à feu et, si possible, de leurs pièces, éléments et munitions depuis le fabricant jusqu'à l'acheteur en vue d'aider les autorités compétentes des États parties à déceler et analyser la fabrication et le trafic illicites et à mener des enquêtes.

Article 4

Champ d'application

1. Le présent protocole s'applique, sauf disposition contraire, à la prévention de la fabrication et du trafic illicites des armes à feu, de leurs pièces, éléments et munitions et aux enquêtes et poursuites relatives aux infractions établies conformément à l'article 5 dudit protocole, lorsque ces infractions sont de nature transnationale et qu'un groupe criminel organisé y est impliqué.

2. Le présent protocole ne s'applique pas aux transactions entre États ou aux transferts d'État dans les cas où son application porterait atteinte au droit d'un État partie de prendre, dans l'intérêt de la sécurité nationale, des mesures compatibles avec la charte des Nations unies.

Article 5

Incrimination

1. Chaque État partie adopte les mesures législatives et autres nécessaires pour conférer le caractère d'infraction pénale lorsque les actes ont été commis intentionnellement:

a) à la fabrication illicite d'armes à feu, de leurs pièces, éléments et munitions;

b) au trafic illicite d'armes à feu, de leurs pièces, éléments et munitions;

c) à la falsification ou à l'effacement, à l'enlèvement ou à l'altération de façon illégale de la (des) marque(s) que doit porter une arme à feu en vertu de l'article 8 du présent protocole.

2. Chaque État partie adopte également les mesures législatives et autres nécessaires pour conférer le caractère d'infraction pénale:

a) sous réserve des concepts fondamentaux de son système juridique, au fait de tenter de commettre une infraction établie conformément au paragraphe 1 du présent article ou de s'en rendre complice; et

b) au fait d'organiser, de diriger, de faciliter, d'encourager ou de favoriser au moyen d'une aide ou de conseils, la commission d'une infraction établie conformément au paragraphe 1 du présent article.

Article 6

Confiscation, saisie et disposition

1. Sans préjudice de l'article 12 de la convention, les États parties adoptent, dans toute la mesure possible dans le cadre de leurs systèmes juridiques nationaux, les mesures nécessaires pour permettre la confiscation des armes à feu, de leurs pièces, éléments et munitions ayant fait l'objet d'une fabrication ou d'un trafic illicites.

2. Les États parties adoptent, dans le cadre de leurs systèmes juridiques nationaux, les mesures nécessaires pour empêcher que les armes à feu, leurs pièces, éléments et munitions ayant fait l'objet d'une fabrication et d'un trafic illicites ne tombent entre les mains de personnes non autorisées en saisissant et détruisant lesdites armes, leurs pièces, éléments et munitions sauf si une autre mesure de disposition a été officiellement autorisée, à condition que ces armes aient été marquées et que les méthodes de disposition desdites armes et des munitions aient été enregistrées.

II. PRÉVENTION

Article 7

Conservation des informations

Chaque État partie assure la conservation, pendant au moins dix ans, des informations sur les armes à feu et, lorsqu'il y a lieu et si possible, sur leurs pièces, éléments et munitions, qui sont nécessaires pour assurer le traçage et l'identification de celles de ces armes à feu et, lorsqu'il y a lieu et si possible, de leurs pièces, éléments et munitions qui font l'objet d'une fabrication ou d'un trafic illicites ainsi que pour prévenir et détecter ces activités. Ces informations sont les suivantes:

- a) les marques appropriées requises en vertu de l'article 8 du présent protocole;
- b) dans le cas de transactions internationales portant sur des armes à feu, leurs pièces, éléments et munitions, les dates de délivrance et d'expiration des licences ou autorisations voulues, le pays d'exportation, le pays d'importation, les pays de transit, le cas échéant, et le destinataire final ainsi que la description et la quantité des articles.
- b) prendre des dispositions pour, s'il y a lieu, faire vérifier les mesures de neutralisation par une autorité compétente, afin de garantir que les modifications apportées à une arme à feu la rendent définitivement inutilisable;
- c) prévoir dans le cadre de la vérification par l'autorité compétente la délivrance d'un certificat ou d'un document attestant la neutralisation de l'arme à feu, ou l'application à cet effet sur l'arme à feu d'une marque clairement visible.

Article 8

Marquage des armes à feu

1. Aux fins de l'identification et du traçage de chaque arme à feu, les États parties:

- a) au moment de la fabrication de chaque arme à feu, soit exigent un marquage unique indiquant le nom du fabricant, le pays ou le lieu de fabrication et le numéro de série, soit conservent tout autre marquage unique et d'usage facile comportant des symboles géométriques simples combinés à un code numérique et/ou alphanumérique, permettant à tous les États d'identifier facilement le pays de fabrication;
- b) exigent un marquage approprié simple sur chaque arme à feu importée, permettant d'identifier le pays importateur et, si possible, l'année d'importation et rendant possible le traçage de l'arme à feu par les autorités compétentes de ce pays, ainsi qu'une marque unique, si l'arme à feu ne porte pas une telle marque. Les conditions énoncées au présent alinéa n'ont pas à être appliquées aux importations temporaires d'armes à feu à des fins licites vérifiables;
- c) assurent, au moment du transfert d'une arme à feu des stocks de l'État en vue d'un usage civil permanent, le marquage approprié unique permettant à tous les États parties d'identifier le pays de transfert.

2. Les États parties encouragent l'industrie des armes à feu à concevoir des mesures qui empêchent d'enlever ou d'altérer les marques.

Article 9

Neutralisation des armes à feu

Un État partie qui, dans son droit interne, ne considère pas une arme à feu neutralisée comme une arme à feu prend les mesures nécessaires, y compris l'établissement d'infractions spécifiques, s'il y a lieu, pour prévenir la réactivation illicite des armes à feu neutralisées, conformément aux principes généraux de neutralisation ci-après:

- a) rendre définitivement inutilisables et impossibles à enlever, remplacer ou modifier en vue d'une réactivation quelconque, toutes les parties essentielles d'une arme à feu neutralisée;

Article 10

Obligations générales concernant les systèmes de licences ou d'autorisations d'exportation, d'importation et de transit

1. Chaque État partie établit ou maintient un système efficace de licences ou d'autorisations d'exportation et d'importation, ainsi que de mesures sur le transit international, pour le transfert d'armes à feu, de leurs pièces, éléments et munitions.

2. Avant de délivrer des licences ou autorisations d'exportation pour des envois d'armes à feu, de leurs pièces, éléments et munitions, chaque État partie vérifie que:

- a) les États importateurs ont délivré des licences ou autorisations d'importation; et
- b) les États de transit ont au moins notifié par écrit, avant l'envoi, qu'ils ne s'opposent pas au transit, ceci sans préjudice des accords ou arrangements bilatéraux et multilatéraux en faveur des États sans littoral.

3. La licence ou l'autorisation d'exportation et d'importation et la documentation qui l'accompagne contiennent des informations qui, au minimum, incluent le lieu et la date de délivrance, la date d'expiration, le pays d'exportation, le pays d'importation, le destinataire final, la désignation des armes à feu, de leurs pièces, éléments et munitions et leur quantité et, en cas de transit, les pays de transit. Les informations figurant dans la licence d'importation doivent être fournies à l'avance aux États de transit.

4. L'État partie importateur informe l'État partie exportateur, sur sa demande, de la réception des envois d'armes à feu, de leurs pièces et éléments ou de munitions.

5. Chaque État partie prend, dans la limite de ses moyens, les mesures nécessaires pour faire en sorte que les procédures d'octroi de licences ou d'autorisations soient sûres et que l'authenticité des licences ou autorisations puisse être vérifiée ou validée.

6. Les États parties peuvent adopter des procédures simplifiées pour l'importation et l'exportation temporaires et pour le transit d'armes à feu, de leurs pièces, éléments et munitions, à des fins légales vérifiables telles que la chasse, le tir sportif, l'expertise, l'exposition ou la réparation.

*Article 11***Mesures de sécurité et de prévention**

Afin de détecter, de prévenir et d'éliminer les vols, pertes ou détournements, ainsi que la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions, chaque État partie prend les mesures appropriées:

- a) pour exiger la sécurité des armes à feu, de leurs pièces, éléments et munitions au moment de la fabrication, de l'importation, de l'exportation et du transit par son territoire; et
- b) pour accroître l'efficacité des contrôles des importations, des exportations et du transit, y compris, lorsqu'il y a lieu, des contrôles aux frontières, ainsi que l'efficacité de la coopération transfrontière entre la police et les services douaniers.

*Article 12***Information**

1. Sans préjudice des articles 27 et 28 de la convention, les États parties échangent, conformément à leurs systèmes juridiques et administratifs respectifs, des informations pertinentes, dans chaque cas d'espèce, concernant notamment les fabricants, négociants, importateurs, exportateurs et, chaque fois que cela est possible, transporteurs autorisés d'armes à feu, de leurs pièces, éléments et munitions.

2. Sans préjudice des articles 27 et 28 de la convention, les États parties échangent, conformément à leurs systèmes juridiques et administratifs respectifs, des informations pertinentes concernant notamment:

- a) les groupes criminels organisés dont on sait ou dont on soupçonne qu'ils participent à la fabrication ou au trafic illicites d'armes à feu, de leurs pièces, éléments et munitions;
- b) les moyens de dissimulation utilisés dans la fabrication ou le trafic illicites des armes à feu, de leurs pièces, éléments et munitions et les moyens de les détecter;
- c) les méthodes et moyens, les points d'expédition et de destination et les itinéraires habituellement utilisés par les groupes criminels organisés se livrant au trafic illicite d'armes à feu, de leurs pièces, éléments et munitions; et
- d) les données d'expérience d'ordre législatif ainsi que les pratiques et mesures tendant à prévenir, combattre et éradiquer la fabrication et le trafic illicites des armes à feu, de leurs pièces, éléments et munitions.

3. Les États parties se communiquent ou s'échangent, selon qu'il convient, des informations scientifiques et technologiques pertinentes utiles aux services de détection et de répression en vue de renforcer mutuellement leur capacité de prévenir et de déceler la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions, de mener des enquêtes et d'engager des poursuites contre les personnes impliquées dans ces activités illicites.

4. Les États parties coopèrent pour le traçage des armes à feu, de leurs pièces, éléments et munitions ayant pu faire l'objet

d'une fabrication ou d'un trafic illicites et ils répondent rapidement, dans la limite de leurs moyens, aux demandes d'aide dans ce domaine.

5. Sous réserve des concepts fondamentaux de son système juridique ou de tous accords internationaux, chaque État partie qui reçoit d'un autre État partie, en application du présent article, des informations, y compris des informations exclusives concernant des transactions commerciales, garantit leur confidentialité et respecte toutes restrictions à leur usage s'il en est prié par l'État partie qui les fournit. Si une telle confidentialité ne peut pas être assurée, l'État partie qui a fourni les informations en est avisé avant que celles-ci soient divulguées.

*Article 13***Coopération**

1. Les États parties coopèrent aux niveaux bilatéral, régional et international pour prévenir, combattre et éradiquer la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions.

2. Sans préjudice du paragraphe 13 de l'article 18 de la convention, chaque État partie désigne un organisme national ou un point de contact unique chargé d'assurer la liaison avec d'autres États parties pour les questions relatives au présent protocole.

3. Les États parties cherchent à obtenir l'appui et la coopération des fabricants, négociants, importateurs, exportateurs, courtiers et transporteurs commerciaux d'armes à feu, de leurs pièces, éléments et munitions afin de prévenir et de détecter les activités illicites visées au paragraphe 1 du présent article.

*Article 14***Formation et assistance technique**

Les États parties coopèrent entre eux et avec les organisations internationales compétentes, selon qu'il convient, de façon à pouvoir recevoir, sur demande, la formation et l'assistance technique nécessaires pour améliorer leur capacité de prévenir, combattre et éradiquer la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions, y compris une assistance technique, financière et matérielle pour les questions visées aux articles 29 et 30 de la convention.

*Article 15***Courtiers et courtage**

1. En vue de prévenir et de combattre la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions, les États parties qui ne l'ont pas encore fait envisagent d'établir un système de réglementation des activités de ceux qui pratiquent le courtage. Un tel système pourrait inclure une ou plusieurs mesures telles que:

- a) l'exigence d'un enregistrement des courtiers exerçant sur leur territoire;
- b) l'exigence d'une licence ou d'une autorisation de courtage; ou

c) l'exigence de l'indication sur les licences ou autorisations d'importation et d'exportation, ou sur les documents d'accompagnement, du nom et de l'emplacement des courtiers participant à la transaction.

2. Les États parties qui ont établi un système d'autorisations concernant le courtage, tel qu'énoncé au paragraphe 1 du présent article, sont encouragés à fournir des renseignements sur les courtiers et le courtage lorsqu'ils échangent des informations au titre de l'article 12 du présent protocole et à conserver les renseignements relatifs aux courtiers et au courtage conformément à l'article 7 du présent protocole.

III. DISPOSITIONS FINALES

Article 16

Règlement des différends

1. Les États parties s'efforcent de régler les différends concernant l'interprétation ou l'application du présent protocole par voie de négociation.

2. Tout différend entre deux États parties ou plus concernant l'interprétation ou l'application du présent protocole qui ne peut être réglé par voie de négociation dans un délai raisonnable est, à la demande de l'un de ces États parties, soumis à l'arbitrage. Si, dans un délai de six mois à compter de la date de la demande d'arbitrage, les États parties ne peuvent s'entendre sur l'organisation de l'arbitrage, l'un quelconque d'entre eux peut soumettre le différend à la Cour internationale de justice en adressant une requête conformément au statut de la Cour.

3. Chaque État partie peut, au moment de la signature, de la ratification, de l'acceptation ou de l'approbation du présent protocole ou de l'adhésion à celui-ci, déclarer qu'il ne se considère pas lié par le paragraphe 2 du présent article. Les autres États parties ne sont pas liés par le paragraphe 2 du présent article envers tout État partie ayant émis une telle réserve.

4. Tout État partie qui a émis une réserve en vertu du paragraphe 3 du présent article peut la retirer à tout moment en adressant une notification au secrétaire général de l'Organisation des Nations unies.

Article 17

Signature, ratification, acceptation, approbation et adhésion

1. Le présent protocole sera ouvert à la signature de tous les États au siège de l'Organisation des Nations unies, à New York, à compter du trentième jour suivant son adoption par l'Assemblée générale et jusqu'au 12 décembre 2002.

2. Le présent protocole est également ouvert à la signature des organisations régionales d'intégration économique à la condition qu'au moins un État membre d'une telle organisation ait signé le présent protocole conformément au paragraphe 1 du présent article.

3. Le présent protocole est soumis à ratification, acceptation ou approbation. Les instruments de ratification, d'acceptation ou

d'approbation seront déposés auprès du secrétaire général de l'Organisation des Nations unies. Une organisation régionale d'intégration économique peut déposer ses instruments de ratification, d'acceptation ou d'approbation si au moins un de ses États membres l'a fait. Dans cet instrument de ratification, d'acceptation ou d'approbation, cette organisation déclare l'étendue de sa compétence concernant les questions régies par le présent protocole. Elle informe également le dépositaire de toute modification pertinente de l'étendue de sa compétence.

4. Le présent protocole est ouvert à l'adhésion de tout État ou de toute organisation régionale d'intégration économique dont au moins un État membre est partie au présent protocole. Les instruments d'adhésion sont déposés auprès du secrétaire général de l'Organisation des Nations unies. Au moment de son adhésion, une organisation régionale d'intégration économique déclare l'étendue de sa compétence concernant les questions régies par le présent protocole. Elle informe également le dépositaire de toute modification pertinente de l'étendue de sa compétence.

Article 18

Entrée en vigueur

1. Le présent protocole entrera en vigueur le quatre-vingt-dixième jour suivant la date de dépôt du quarantième instrument de ratification, d'acceptation, d'approbation ou d'adhésion, étant entendu qu'il n'entrera pas en vigueur avant que la convention n'entre elle-même en vigueur. Aux fins du présent paragraphe, aucun des instruments déposés par une organisation régionale d'intégration économique n'est considéré comme un instrument venant s'ajouter aux instruments déjà déposés par les États membres de cette organisation.

2. Pour chaque État ou organisation régionale d'intégration économique qui ratifiera, acceptera ou approuvera le présent protocole ou y adhérera après le dépôt du quarantième instrument pertinent, le présent protocole entrera en vigueur le trentième jour suivant la date de dépôt de l'instrument pertinent par ledit État ou ladite organisation ou à la date à laquelle il entre en vigueur en application du paragraphe 1 du présent article, si celle-ci est postérieure.

Article 19

Amendement

1. À l'expiration d'un délai de cinq ans à compter de l'entrée en vigueur du présent protocole, un État partie au protocole peut proposer un amendement et en déposer le texte auprès du secrétaire général de l'Organisation des Nations unies. Ce dernier communique alors la proposition d'amendement aux États parties et à la conférence des parties à la convention en vue de l'examen de la proposition et de l'adoption d'une décision. Les États parties au présent protocole réunis en conférence des parties n'épargnent aucun effort pour parvenir à un consensus sur tout amendement. Si tous les efforts en ce sens ont été épuisés sans qu'un accord soit intervenu, il faudra, en dernier recours, pour que l'amendement soit adopté, un vote à la majorité des deux tiers des États parties au présent protocole présents à la conférence des parties et exprimant leur vote.

2. Les organisations régionales d'intégration économique disposent, pour exercer, en vertu du présent article, leur droit de vote dans les domaines qui relèvent de leur compétence, d'un nombre de voix égal au nombre de leurs États membres parties au présent protocole. Elles n'exercent pas leur droit de vote si leurs États membres exercent le leur, et inversement.

3. Un amendement adopté conformément au paragraphe 1 du présent article est soumis à ratification, acceptation ou approbation des États parties.

4. Un amendement adopté conformément au paragraphe 1 du présent article entrera en vigueur pour un État partie quatre-vingt-dix jours après la date de dépôt par ledit État partie auprès du secrétaire général de l'Organisation des Nations unies d'un instrument de ratification, d'acceptation ou d'approbation dudit amendement.

5. Un amendement entré en vigueur a force obligatoire à l'égard des États parties qui ont exprimé leur consentement à être liés par lui. Les autres États parties restent liés par les dispositions du présent protocole et tous amendements antérieurs qu'ils ont ratifiés, acceptés ou approuvés.

Article 20

Dénonciation

1. Un État partie peut dénoncer le présent protocole par notification écrite adressée au secrétaire général de l'Organisa-

tion des Nations unies. Une telle dénonciation prend effet un an après la date de réception de la notification par le secrétaire général.

2. Une organisation régionale d'intégration économique cesse d'être partie au présent protocole lorsque tous ses États membres l'ont dénoncé.

Article 21

Dépositaire et langues

1. Le secrétaire général de l'Organisation des Nations unies est le dépositaire du présent protocole.

2. L'original du présent protocole, dont les textes anglais, arabe, chinois, espagnol, français et russe font également foi, sera déposé auprès du secrétaire général de l'Organisation des Nations unies.

EN FOI DE QUOI, les plénipotentiaires soussignés, à ce dûment autorisés par leurs gouvernements respectifs, ont signé le présent protocole.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 294/2014

of 20 March 2014

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Lenteja de Tierra de Campos (PGI)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Spain's application for the approval of amendments to the specification for the protected geographical indication 'Lenteja Pardina de Tierra de Campos', registered under Commission Regulation (EC) No 1485/2007 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the

amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 20 March 2014.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 330, 15.12.2007, p. 13.

⁽³⁾ OJ C 293, 9.10.2013, p. 10.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

SPAIN

Lenteja de Tierra de Campos (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 295/2014

of 20 March 2014

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Antequera (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Spain's application for the approval of amendments to the specification for the protected designation of origin 'Antequera', registered under Commission Regulation (EC) No 417/2006 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU)

No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 20 March 2014.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 72, 11.3.2006, p. 8.

⁽³⁾ OJ C 299, 15.10.2013, p. 13.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.5. Oils and fats (butter, margarine, oils, etc.)

SPAIN

Antequera (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 296/2014

of 20 March 2014

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Neufchâtel (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Neufchâtel', registered under Commission Regulation (EC) No 1107/96 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment

application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 20 March 2014.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

⁽³⁾ OJ C 316, 30.10.2013, p. 14.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3 Cheeses

FRANCE

Neufchâtel (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 297/2014**of 20 March 2014****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Valençay (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Valençay', registered under Commission Regulation (EC) No 1437/2004 ⁽²⁾
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment

application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 20 March 2014.

For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 265, 12.8.2004, p. 3.

⁽³⁾ OJ C 296, 12.10.2013, p. 4.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3. Cheeses

FRANCE

Valençay (PDO)

COMMISSION REGULATION (EU) No 298/2014**of 21 March 2014****amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards Magnesium dihydrogen diphosphate for use as raising agent and acidity regulator****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives⁽¹⁾, and in particular Article 10(3), Article 14 and Article 30(5) thereof,

Having regard to Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings⁽²⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) Commission Regulation (EU) No 231/2012⁽³⁾ lays down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008.
- (3) The Union list and the specifications may be updated in accordance with the common procedure referred to in Article 3(1) of Regulation (EC) No 1331/2008 either on the initiative of the Commission or following an application
- (4) An application for authorisation of the use of Magnesium dihydrogen diphosphate as a raising agent and acidity regulator in certain food categories was submitted on 7 April 2011 and was made available to the Member States.
- (5) Phosphoric acid - phosphates - di - tri- and polyphosphates (E 338 -452) are authorised for use in fine bakery

ware as raising agents. Diphosphates (E 450), specified in Regulation (EU) No 231/2012, may be used as an alternative to Sodium aluminium phosphate (E541) thus reducing the aluminium content of processed foods. The currently specified diphosphates have an astringent aftertaste ('pyro-taste') and may contribute to the total sodium content of food.

- (6) Specifications for Magnesium dihydrogen diphosphate should be set out in the Annex to Regulation (EU) No 231/2012, since the substance could be used as an alternative to the other diphosphates in order to reduce the 'pyro-taste' and to avoid increasing the sodium level of a food. Therefore, the use of Magnesium dihydrogen diphosphate should be authorized in the categories 6.2.1: Flours, only self-raising flour; 6.5: Noodles; 6.6: Batters; 7.1: Bread and rolls and 7.2: Fine bakery wares. The number E 450 (ix) should be assigned to Magnesium dihydrogen diphosphate.

- (7) Similar substances, with equal or higher magnesium content compared to Magnesium dihydrogen diphosphate, the mono- and dibasic magnesium salts of orthophosphoric acid (E343i; E343ii) are already authorised for use in the same food categories. The inclusion of Magnesium dihydrogen diphosphate as an alternative diphosphate in the annex of Regulation (EU) No 231/2012 and its subsequent use in foodstuffs will not result in an increase of phosphorous or magnesium intake. Therefore, the establishment of the specification and the specific authorisation of the use of Magnesium dihydrogen diphosphate (E 450 (ix)) as a raising agent and acidity regulator is not considered of safety concern.

- (8) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health. Since the inclusion of Magnesium dihydrogen diphosphate in the annex of EC regulation 231/2012 and the authorisation of the use of Magnesium dihydrogen diphosphate (E 450 (ix)) as a raising agent is not considered of safety concern it is not necessary to seek the opinion of the European Food Safety Authority.

- (9) Regulations (EC) No 1333/2008 and (EU) No 231/2012 should therefore be amended accordingly.

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).

- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

Article 2

The Annex to Regulation (EU) No 231/2012 is amended in accordance with Annex II to this Regulation.

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with Annex I to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth 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, 21 March 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Annex II to Regulation (EC) No 1333/2008 is amended as follows:

(1) The table in point (l) of Part C, is replaced by the following table:

E-number	Name
E 338	Phosphoric acid
E 339	Sodium phosphates
E 340	Potassium phosphates
E 341	Calcium phosphates
E 343	Magnesium phosphates
E 450	Diphosphates ⁽¹⁾
E451	Triphosphates
E 452	Polyphosphates

⁽¹⁾ E 450 (ix) is not included'

(2) Part E of Annex II to Regulation (EC) No 1333/2008 is amended as follows:

(a) In category 06.2.1 'Flours', the following entry is inserted after the entry E 338 - 452:

	E 450 (ix)	Magnesium dihydrogen diphosphate	15 000	(4)(81)	Only self raising flour
	(81) the total amount of phosphates shall not exceed the maximum level for E 338 - 452'				

(b) In category 06.5 'Noodles', the following entry is inserted after the entry E 338 - 452:

	E 450 (ix)	Magnesium dihydrogen diphosphate	2 000	(4)(81)	
	(81) the total amount of phosphates shall not exceed the maximum level for E 338 - 452'				

(c) In category 06.6 'Batters', the following entry is inserted after the entry for E 338 - 452:

	E 450 (ix)	Magnesium dihydrogen diphosphate	12 000	(4)(81)	
	(81) the total amount of phosphates shall not exceed the maximum level for E 338 - 452'				

(d) In category 07.1 'Bread and rolls', the following entry is inserted after the entry for E 338 - 452:

	E 450 (ix)	Magnesium dihydrogen diphosphate	15 000	(4)(81)	Only pizza dough (frozen or chilled) and "tortilla"'
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(e) In category 07.2 'Fine bakery ware', the following entry is inserted after the entry for E 338 - 452:

	E 450 (ix)	Magnesium dihydrogen diphosphate	15 000	(4)(81)	
	(81) the total amount of phosphates shall not exceed the maximum level for E 338 - 452'				

ANNEX II

In the Annex to Regulation (EU) No 231/2012, the following entry is inserted after the specifications for food additive E 450 (vii):

E 450(ix) MAGNESIUM DIHYDROGEN DIPHOSPHATE

Synonyms	Acid magnesium pyrophosphate, monomagnesium dihydrogen pyrophosphate; magnesium diphosphate, magnesium pyrophosphate
Definition	Magnesium dihydrogen diphosphate is the acidic magnesium salt of diphosphoric acid. It is manufactured by adding an aqueous dispersion of magnesium hydroxide slowly to phosphoric acid, until a molar ratio about 1:2 between Mg and P is reached. The temperature is held under 60 °C during the reaction. About 0,1 % hydrogen peroxide is added to the reaction mixture and the slurry is then heated and milled.
EINECS	244-016-8
Chemical name	Mono magnesium dihydrogen diphosphate
Chemical formula	MgH ₂ P ₂ O ₇
Molecular Weight	200,25
Assay	P ₂ O ₅ content not less than 68,0 % and not more than 70,5 % expressed as P ₂ O ₅ MgO content not less than 18,0 % and not more than 20,5 % expressed as MgO
Description	White crystals or powder
Identification	
Solubility	Slightly soluble in water, practically insoluble in ethanol
Particle size:	The average particle size will deviate between 10 and 50 µm
Purity	
Loss on ignition	Not more than 12 % (800 °C, 0,5 hours)
Fluoride	Not more than 20 mg/kg (expressed as fluorine)
Aluminium	Not more than 50 mg/kg
Arsenic	Not more than 1 mg/kg
Cadmium	Not more than 1 mg/kg.
Lead	Not more than 1 mg/kg'

COMMISSION IMPLEMENTING REGULATION (EU) No 299/2014**of 24 March 2014****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:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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 to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 24 March 2014.

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

*Jerzy PLEWA
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	MA	58,9
	TN	83,0
	TR	94,5
	ZZ	78,8
0707 00 05	MA	39,8
	TR	139,3
	ZZ	89,6
0709 93 10	MA	37,7
	TR	98,4
	ZZ	68,1
0805 10 20	EG	46,0
	IL	67,9
	MA	57,3
	TN	51,2
	TR	53,5
	ZZ	55,2
0805 50 10	TR	68,2
	ZZ	68,2
0808 10 80	AR	91,7
	BR	92,4
	CL	94,1
	CN	116,8
	MK	23,6
	US	187,9
	ZA	68,9
	ZZ	96,5
0808 30 90	AR	97,0
	CL	125,8
	TR	127,0
	ZA	92,0
	ZZ	110,5

⁽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 IMPLEMENTING REGULATION (EU) No 300/2014**of 24 March 2014****withdrawing the suspension of submission of applications for import licences for sugar products under certain tariff quotas**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Regulation (EC) No 891/2009 of 25 September 2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) The submission of applications for import licences concerning order number 09.4321 was suspended as from 27 September 2013 by Commission Implementing Regulation (EU) No 931/2013 of 26 September 2013 fixing the allocation coefficient for the issuing of

import licences applied for from 8 to 14 September 2013 for sugar products under certain tariff quotas and suspending submission of applications for such licences ⁽³⁾, in accordance with Regulation (EC) No 891/2009.

- (2) Following notifications on unused and/or partly used licences, quantities became available again for this order number. The suspension of applications should therefore be withdrawn,

HAS ADOPTED THIS REGULATION:

Article 1

The suspension of submission of applications for import licences for order number 09.4321 as from 27 September 2013 laid down by Implementing Regulation (EU) No 931/2013 is withdrawn.

Article 2

This Regulation shall enter into force on the day 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, 24 March 2014.

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

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 254, 26.9.2009, p. 82.

⁽³⁾ OJ L 255, 27.9.2013, p. 11.

DECISIONS

COUNCIL DECISION

of 3 March 2014

authorising Member States to ratify, in the interests of the European Union, the Arms Trade Treaty

(2014/165/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 207(3) in conjunction with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 11 March 2013 the Council authorised the Commission to negotiate the Arms Trade Treaty ('ATT') in the framework of the United Nations on those matters coming under the exclusive competence of the Union.
- (2) On 2 April 2013 the General Assembly of the United Nations adopted the text of the ATT. The General Assembly also requested the Secretary-General, as depositary of the ATT, to open it for signature on 3 June 2013 and called upon all States to consider signing and, thereafter, according to their respective constitutional processes, becoming parties to the ATT at the earliest possible date.
- (3) The object of the ATT is to establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms and to prevent and eradicate illicit trade in conventional arms and prevent their diversion. Member States expressed their satisfaction for the outcome of the negotiations and their willingness to urgently proceed to the signature and ratification of the ATT.
- (4) Some of the provisions of the ATT concern matters that fall under the exclusive competence of the Union because

they are within the scope of the common commercial policy or affect the internal market rules for the transfer of conventional arms and explosives.

- (5) The European Union cannot sign and ratify the ATT, as only States can be parties thereto.
- (6) On the 27 May 2013, the Council adopted Decision 2013/269/CFSP authorising Member States to sign, in the interests of the European Union, the Arms Trade Treaty ⁽¹⁾.
- (7) Therefore, in accordance with Article 2(1) of the Treaty on the Functioning of the European Union, with respect to those matters falling under the exclusive competence of the Union, the Council should authorise Member States to ratify the ATT in the interests of the Union,

HAS ADOPTED THIS DECISION:

Article 1

With respect to those matters falling under the exclusive competence of the Union, Member States are hereby authorised to ratify the Arms Trade Treaty in the interests of the Union.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 March 2014.

For the Council
The President
I. MICHELAKIS

⁽¹⁾ OJ L 155, 7.6.2013, p. 9.

COMMISSION IMPLEMENTING DECISION

of 21 March 2014

amending Decision 2005/381/EC as regards the questionnaire for reporting on the application of Directive 2003/87/EC of the European Parliament and of the Council

(notified under document C(2014) 1726)

(Text with EEA relevance)

(2014/166/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC ⁽¹⁾, and in particular Article 21(1) thereof,

Whereas:

the greenhouse gas emission allowance trading scheme of the Union, respectively. Commission Regulation (EU) No 601/2012 ⁽⁴⁾ laid down rules for the monitoring and reporting of greenhouse gas emissions and activity data, while Commission Regulation (EU) No 600/2012 ⁽⁵⁾ set out rules for the verification of greenhouse gas emission reports, the accreditation and mutual recognition of verifiers, and peer evaluation of accreditation bodies.

- (3) Furthermore, Commission Regulation (EU) No 389/2013 ⁽⁶⁾ determined the general, operational and maintenance requirements concerning the Union Registry and Commission Decision 2011/278/EU ⁽⁷⁾ set out transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC.

- (1) Article 21(1) of Directive 2003/87/EC requires Member States to submit annual reports to the Commission on the application of that Directive. Since its adoption, Directive 2003/87/EC has been substantially amended and the Commission has adopted various legislative instruments to further implement it.

- (2) Directive 2008/101/EC of the European Parliament and of the Council ⁽²⁾ and Directive 2009/29/EC of the European Parliament and of the Council ⁽³⁾ amended Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Union and to improve and extend

- (4) Commission Decision 2005/381/EC ⁽⁸⁾ set out a questionnaire to be used by the Member States for the drawing up of annual reports aimed at establishing a

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community (OJ L 8, 13.1.2009, p. 3).

⁽³⁾ Directive 2009/29/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community (OJ L 140, 5.6.2009, p. 63).

⁽⁴⁾ Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 181, 12.7.2012, p. 30).

⁽⁵⁾ Commission Regulation (EU) No 600/2012 of 21 June 2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 181, 12.7.2012, p. 1).

⁽⁶⁾ Commission Regulation (EU) No 389/2013 of 2 May 2013 establishing a Union Registry pursuant to Directive 2003/87/EC of the European Parliament and of the Council, Decisions No 280/2004/EC and No 406/2009/EC of the European Parliament and of the Council and repealing Commission Regulations (EU) No 920/2010 and No 1193/2011 (OJ L 122, 3.5.2013, p. 1).

⁽⁷⁾ Commission Decision 2011/278/EU of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 130, 17.5.2011, p. 1).

⁽⁸⁾ Commission Decision 2005/381/EC of 4 May 2005 establishing a questionnaire for reporting on the application of Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 126, 19.5.2005, p. 43).

detailed account of the application of Directive 2003/87/EC. Commission Decision 2006/803/EC ⁽¹⁾ amended that questionnaire in the light of the experience gained by the Member States and the Commission in using it.

- (5) The application of Directive 2003/87/EC as amended and the legislative instruments adopted by the Commission as well as further experience gained by the Member States and the Commission in using the questionnaire have shown the need to increase synergies and the coherence of the information reported.
- (6) In particular, the reporting requirements set out in that questionnaire should be modified in line with the legislative instruments mentioned and should be further improved in a harmonised manner in order to enhance the effectiveness of the reporting process and the quality of the information reported by the Member States.
- (7) The Annex to Decision 2005/381/EC should therefore be amended.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Climate Change

Committee established in accordance with Article 26 of Regulation (EU) No 525/2013 of the European Parliament and of the Council ⁽²⁾,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2005/381/EC is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 March 2014.

For the Commission

Connie HEDEGAARD

Member of the Commission

⁽¹⁾ Commission Decision 2006/803/EC of 23 November 2006 amending Decision 2005/381/EC establishing a questionnaire for reporting on the application of Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 329, 25.11.2006, p. 38).

⁽²⁾ Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

ANNEX

‘ANNEX

QUESTIONNAIRE ON THE IMPLEMENTATION OF DIRECTIVE 2003/87/EC**1. Details of institution submitting the report**

Name and department of organisation:

Name of contact person:

Job title of contact person:

Address:

International telephone number:

E-mail:

2. Responsible authorities in the emissions trading scheme (eu ets) and coordination between authorities

Questions in this section are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

- 2.1. In the table below, please state the name, abbreviation and contact details of the competent authorities involved in the implementation of EU ETS for installations and aviation in your Member State. Add further rows if necessary.

Name	Abbreviation	Contact details ⁽¹⁾

In the table below, please state the name, abbreviation and contact details of the national accreditation body appointed pursuant to Article 4(1) of Regulation (EC) No 765/2008 of the European Parliament and of the Council ⁽²⁾.

Name	Abbreviation	Contact details ⁽¹⁾

Have you set up a national certification authority to certify verifiers pursuant to Article 54(2) of Commission Regulation (EU) No 600/2012 ⁽³⁾? Yes/No

If yes, please state the name, abbreviation and contact details of the national certification authority using the table below.

Name	Abbreviation	Contact details ⁽¹⁾

In the table below, please state the name, abbreviation and contact details of the registry administrator in your Member State.

Name	Abbreviation	Contact details ⁽¹⁾

⁽¹⁾ Please provide the telephone number, e-mail address and website address.

⁽²⁾ OJ L 218, 13.8.2008, p. 30.

⁽³⁾ OJ L 181, 12.7.2012, p. 1.

- 2.2. In the table below, please indicate which competent authority is responsible for the following tasks, using their abbreviation. Add further rows if necessary.

Please note that if a box in the table below is grey, the task is not relevant for either installations or aviation.

Competent authority in charge of:	Installations	Aviation
Issuance of permits		
Free allocation to stationary installations pursuant to Article 10a of Directive 2003/87/EC		
Free allocation pursuant to Articles 3e and 3f of Directive 2003/87/EC		
Activities related to auctioning (the auctioneer mentioned in Commission Regulation (EU) No 1031/2010) (OJ L 302, 18.11.2010, p. 1)		
Financial measures with respect to indirect carbon leakage		
Issuance of allowances		
Approval of the monitoring plan and significant changes to the monitoring plan		
Receiving and assessing verified emissions reports and verification reports		
Making a conservative estimation of emissions according to Article 70 of Commission Regulation (EU) No 601/2012 (OJ L 181, 12.7.2012, p. 30)		
Approval of improvement reports according to Article 69 of Regulation (EU) No 601/2012		
Approval of the operator's application to waive a verifier's site visit pursuant to Article 31(1) of Regulation (EU) No 600/2012		
Inspection and enforcement		
Information to the public		
Administration of unilateral inclusion of activities and gases under Article 24 of Directive 2003/87/EC ⁽¹⁾		
Administration of installations excluded under Article 27 of Directive 2003/87/EC ⁽²⁾		
Other, please specify:		

⁽¹⁾ This box needs only to be completed if the Member State has included activities or gases under Article 24 of Directive 2003/87/EC.

⁽²⁾ This box needs only to be completed if the Member State has excluded installations under Article 27 of Directive 2003/87/EC.

- 2.3. If more than one competent authority is designated in your Member State pursuant to Article 18 of Directive 2003/87/EC, which competent authority is your focal point referred to in Article 69(2) of Regulation (EU) No 600/2012? Please answer using the abbreviation concerned in the table below.

Name of the competent authority that is the focal point referred to in Article 69(2) of Regulation (EU) No 600/2012	Abbreviation

If more than one competent authority is designated in your Member State to carry out the activities in Regulation (EU) No 601/2012, what measures have been taken to coordinate the work of those competent authorities in accordance with Article 10 of Regulation (EU) No 601/2012? Please answer using the table below. Add further rows if necessary.

Coordination of activities with respect to Article 10 of Regulation (EU) No 601/2012	Yes/No	Comments (optional)
Does national legislation require a central competent authority to review and provide binding instructions on monitoring plans, notifications of changes to the monitoring plan or emissions reports?		
Does a central competent authority steer local and/or regional competent authorities by giving binding instructions and guidance?		
Does a central competent authority review and provide advice on monitoring plans, notifications and emissions reports on a voluntary basis?		
Are regular working groups or meetings organised with the competent authorities?		
Is common training organised for all competent authorities to ensure consistent implementation of requirements?		
Are IT systems or tools used to ensure common approaches to monitoring and reporting issues?		
Is a coordination group established, with competent authority staff, which discusses monitoring and reporting issues and develops common approaches?		

Are there other coordination activities? If yes, please specify:

- 2.4. What effective exchange of information and cooperation has been established in accordance with Article 69(1) of Regulation (EU) No 600/2012 between the national accreditation body or, if relevant, the national certification authority and the competent authority within your Member State? Please answer using the table below. Add further rows if necessary.

Coordination of activities with respect to Article 69(1) of Regulation (EU) No 600/2012	Yes/No	Comments (optional)
Are regular meetings organised between the national accreditation body/national certification authority (if relevant) and the competent authority responsible for the coordination?		
Has a working group been established where the national accreditation body/national certification authority (if relevant), the competent authority and verifiers discuss accreditation and verification issues?		
Can the competent authority accompany the national accreditation body in accreditation activities as an observer?		

Are there other coordination activities? If yes, please specify:

3. Coverage of activities, installations and aircraft operators

The second sub-question of question 3.1 and the second and third sub-questions of question 3.2 in this section are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

3.A. Installations

- 3.1. How many installations carry out activities and emit greenhouse gas emissions listed in Annex I to Directive 2003/87/EC? How many of those installations are category A, B and C installations as referred to in Article 19(2) of Regulation (EU) No 601/2012? How many are installations with low emissions as referred to in Article 47(2) of Regulation (EU) No 601/2012? Please answer using the table below.

Installations	Number
Installations with low emissions	
Category A installations	
Category B installations	
Category C installations	
Total number of installations	

For which Annex I activities has your Member State issued permits under Directive 2003/87/EC? Please answer using the table below.

Annex I activity	Yes/No
Combustion activities as specified in Annex I to Directive 2003/87/EC	
Refining of mineral oil	
Production of coke	
Metal ore (including sulphide ore) roasting or sintering, including pelletisation	
Production of pig iron or steel as specified in Annex I to Directive 2003/87/EC	
Production or processing of ferrous metals as specified in Annex I to Directive 2003/87/EC	
Production of primary aluminium	
Production of secondary aluminium as specific in Annex I to Directive 2003/87/EC	
Production or processing of non-ferrous metals as specified in Annex I to Directive 2003/87/EC	
Production of cement clinker in rotary kilns as specified in Annex I to Directive 2003/87/EC	
Production of lime or calcination of dolomite or magnesite as specified in Annex I to Directive 2003/87/EC	
Manufacture of glass as specified in Annex I to Directive 2003/87/EC	
Manufacture of ceramic products as specified in Annex I to Directive 2003/87/EC	
Manufacture of mineral wool insulation material using glass, rock or slag as specified in Annex I to Directive 2003/87/EC	

Annex I activity	Yes/No
Drying or calcination of gypsum or production of plaster boards and other gypsum products, as specified in Annex I to Directive 2003/87/EC	
Production of pulp as specified in Annex I to Directive 2003/87/EC	
Production of paper or cardboard as specified in Annex I to Directive 2003/87/EC	
Production of carbon black as specified in Annex I to Directive 2003/87/EC	
Production of nitric acid	
Production of adipic acid	
Production of glyoxal and glyoxylic acid	
Production of ammonia	
Production of bulk organic chemicals as specified in Annex I to Directive 2003/87/EC	
Production of hydrogen (H ₂) and synthesis gas as specified in Annex I to Directive 2003/87/EC	
Production of soda ash (Na ₂ CO ₃) and sodium bicarbonate (NaHCO ₃) as specified in Annex I to Directive 2003/87/EC	
Capture of greenhouse gases from installations as specified in Annex I to Directive 2003/87/EC	
Transport of greenhouse gases by pipelines for geological storage in a storage site permitted under Directive 2009/31/EC of the European Parliament and of the Council (OJ L 140, 5.6.2009, p. 114)	
Geological storage of greenhouse gases in a storage site permitted under Directive 2009/31/EC	

3.2. Have you excluded installations under Article 27 of Directive 2003/87/EC? Yes/No

If yes, please complete the table and the questions below.

Main Annex I activity	Total emissions of installations excluded under Article 27 of Directive 2003/87/EC	Number of installations that have exceeded the threshold of 25 000 tonnes of CO _{2(e)} and need to re-enter the emissions trading scheme

What verification measures have been implemented pursuant to Article 27 of Directive 2003/87/EC? Please specify below.

Have any simplified monitoring, reporting and verification requirements been established for installations whose annual verified emissions between 2008 and 2010 are below 5 000 tonnes of CO_{2(e)} a year? Yes/No

If yes, please indicate below what simplified requirements apply.

3.B. Aircraft operators

- 3.3. How many aircraft operators are carrying out activities listed in Annex I to Directive 2003/87/EC for which you are responsible as administering Member State and have submitted a monitoring plan? How many of those aircraft operators are commercial aircraft operators and non-commercial aircraft operators? How many of the total number of aircraft operators are small emitters as referred to in Article 54(1) of Regulation (EU) No 601/2012? Please specify using the table below.

Type of aircraft operators	Number
Commercial aircraft operators	
Non-commercial aircraft operators	
Total number of aircraft operators	
Small emitters	

Are you aware of any additional aircraft operators for which you are responsible as administering Member State that should have submitted a monitoring plan and complied with other requirements under Directive 2003/87/EC? Yes/No

If yes, please specify the number of aircraft operators in the table below.

Total number of additional aircraft operators that should have complied with the EU ETS requirements	
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If you would like to raise issues related to the number of these additional aircraft operators, please specify below.

4. The issue of permits for installations

Question 4.1 and the first part of question 4.2 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

- 4.1. Have the requirements specified in Articles 5, 6 and 7 of Directive 2003/87/EC been integrated into the procedures as required by Directive 2010/75/EU of the European Parliament and of the Council ⁽¹⁾? Yes/No

If yes, please specify in the table below how the integration was carried out. Add further rows if necessary.

Integration of the greenhouse gas emission permit (ETS permit) and the Industrial Emissions Directive (IED) permit	Yes/No	Comments (optional)
Is the ETS permit part of the IED permit?		
Are the permitting procedures under the IED Directive and ETS permit integrated?		
Are the approval of monitoring plans and assessment of emissions reports carried out by IED regulators?		
Is inspection of the EU ETS activities carried out by the IED regulators?		

Is the integration carried out in another way? If yes, please specify:

⁽¹⁾ OJ L 334, 17.12.2010, p. 17.

If no, please specify in the table below how the coordination of conditions and procedures for the issue of the ETS permit and the IED permit are carried out. Add further rows if necessary.

Coordination of conditions and procedures for the issue of the ETS permit and the IED permit	Yes/No	Comments (optional)
IED regulators check whether an ETS permit is applicable and necessary, and inform the competent authority responsible for the activities under the EU ETS		
The legislation which transposes the IED Directive does not include emission or concentration limits for CO ₂		
IED regulators give binding instructions to the competent authority responsible for emissions trading during the permitting procedure		
IED regulators give advice on a voluntary and non-binding basis to the competent authority responsible for emissions trading during the permitting procedure		

Is the coordination carried out in another way? If yes, please specify:

- 4.2. When does national law require the permit to be updated in accordance with Article 6 and 7 of Directive 2003/87/EC? Please provide details of the provisions in national law in the table below. Add further rows if necessary.

Category of changes	Details of provisions in national law
When can permits be withdrawn by the competent authority?	
Does a permit expire under national law? If yes, under what circumstances?	
When is a permit changed as a result of an increase in capacity?	
When is a permit changed as a result of a decrease in capacity?	
When is a permit changed as a result of changes to the monitoring plan?	
Are there other types of permit updates? If yes, please provide details:	

What is the total number of permit updates that occurred in the reporting period? Please specify in the table below the number of permit updates as far as this is known to the competent authority.

Total number of permits updated in the reporting period	
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5. Application of the monitoring and reporting regulation

5.A. General

Question 5.1, 5.2, 5.3 and 5.4 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

- 5.1. Has additional national legislation been implemented to assist in the application of Regulation (EU) No 601/2012? Yes/No

If yes, please specify below for which areas additional national legislation has been implemented.

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Has additional national guidance been developed to support the understanding of Regulation (EU) No 601/2012?
Yes/No

If yes, please specify below for which areas additional national guidance has been developed.

- 5.2. What measures have been taken to complement the reporting requirements of other existing reporting mechanisms such as greenhouse gas inventory reporting and EPRT reporting? Please specify below.

- 5.3. Have you developed Member State customised electronic templates or specific file formats for monitoring plans, emissions reports, verification reports and/or improvement reports? Yes/No

If yes, please complete the tables below.

	Member State specific template or file format ⁽¹⁾	What elements of the template or specific file format are Member State specific ⁽²⁾ ?
Monitoring plan for installations		
Emissions report for installations		
Verification report for installations		
Improvement report for installations		

⁽¹⁾ Please select Member State specific template or Member State specific file format.

⁽²⁾ Compared to the requirements of the Commission published template and specific file formats.

	Member State specific template or file format ⁽¹⁾	What elements of the template or specific file format are Member State specific ⁽²⁾ ?
Monitoring plan for aircraft operators		
Emissions report for aircraft operators		
Verification report for aircraft operators		
Improvement report for aircraft operators		

⁽¹⁾ Please select Member State specific template or Member State specific file format.

⁽²⁾ Compared to the requirements of the Commission published template and specific file formats.

What measures have you implemented to comply with the requirements in Article 74(1) and (2) of Regulation (EU) No 601/2012? Please specify below.

- 5.4. Have you developed an automated system for electronic data exchange between operators or aircraft operators and the competent authority and other parties? Yes/No

If yes, please specify below what provisions you have implemented to comply with the requirements in Article 75(1) and (2) of Regulation (EU) No 601/2012.

5.B. **Installations**

Questions 5.7, 5.9, the second sub-question of 5.17 and the questions 5.19 and 5.20 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

- 5.5. In the table below, please complete, for the fuels listed, the total fuel consumption and total annual emissions based on data reported in the operator's emissions reports for the reporting year.

Fuel type description	Total fuel consumption (TJ)	Total annual emissions (t CO ₂)
Hard coal		
Lignite and sub-bituminous coal		
Peat		
Coke		
Natural gas		
Coke oven gas		
Blast furnace gas		
Refinery gas and other process derived gases		
Fuel oil		
Liquefied petroleum gas		
Petroleum coke		
Other fossil fuels ⁽¹⁾		

⁽¹⁾ Please note that this question does not cover biomass (including non-sustainable biofuels and bioliquids). Information concerning biomass, biofuels and bioliquids is covered by question 5.17.

- 5.6. In the table below, please complete the aggregate total emissions for each reported IPCC Common Reporting Format (CRF) category based on the data provided in the operator's emissions reports in accordance with Article 73 of Regulation (EU) No 601/2012.

CRF Category 1 (Energy)	CRF Category 2 (Process emissions)	Total emissions (t CO _{2(e)})	Total combustion emissions (t CO _{2(e)})	Total process emissions (t CO _{2(e)})

5.7. In the table below, please indicate:

- the number of installations for which the competent authority has approved literature values referred to in Article 31(1)(c) of Regulation (EU) No 601/2012;
- the value, fuel type and calculation factor concerned as well as the source and justification for these literature values;
- the number of installations for which the competent authority has approved Type I default values, i.e. values referred to in Article 31(1)(d) and (e) of Regulation (EU) No 601/2012;
- the value, fuel type or material type and calculation factor concerned as well as the source and justification for these Type I default values.

Type of value ⁽¹⁾	Fuel or material type	Calculation factor ⁽²⁾	Value used in practice	Source of the value and its justification	Number of installations for which the competent authority has approved the value
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⁽¹⁾ Please select under the type of value: the literature value agreed with the competent authority or Type I default value. Literature values referred to in Article 31(1)(c) of Regulation (EU) No 601/2012 are related to calculation factors concerning fuel types.

⁽²⁾ Please select under calculation factor: net calorific value, emission factor, oxidation factor, conversion factor, carbon content or biomass fraction.

How many of the Type I default values are values listed in Annex VI to Regulation (EU) No 601/2012 as referred to in Article 31(1)(a) of that Regulation?

Total number of Type I default values that are values as referred to in Article 31(1)(a) of Regulation (EU) No 601/2012	
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5.8. Have sampling plans been drawn up in all cases required under Article 33 of Regulation (EU) No 601/2012? Yes/No

If no, please indicate below the cases and reasons for not drawing up a sampling plan.

Are you aware of any particular problems or issues concerning sampling plans set-up by operators? Yes/No

If yes, please specify below problems or issues that have arisen.

5.9. In the table below, please indicate the number of installations for which the competent authority has allowed a different frequency in accordance with Article 35(2)(b) of Regulation (EU) No 601/2012 as well as confirmation that the sampling plan in those cases is fully documented and adhered to.

Name of fuel or material	Number of installations for which the competent authority has allowed a different frequency	Number of major source streams for which a different frequency is applied	Confirmation that the sampling plan is fully documented and adhered to Yes/No. If no, please specify the reason

5.10. If the highest tier approaches for major source streams of category C installations referred to in Article 19(2)(c) of Regulation (EU) No 601/2012 are not applied, please indicate in the table below, for each installation for which this situation occurred, the affected source streams, the affected monitoring parameter, the highest tier required under Regulation (EU) No 601/2012 and the tier applied.

Installation identification code ⁽¹⁾	Affected source stream in the calculation based methodology	Affected emission source in the measurement based methodology	Affected monitoring parameter ⁽²⁾	Highest tier required under Regulation (EU) No 601/2012	Tier applied in practice

⁽¹⁾ Installation identification code recognised in accordance with Regulation (EU) No 389/2013.

⁽²⁾ Please select under affected monitoring parameter: quantity of fuel, quantity of material, net calorific value, emission factor, preliminary emission factor, oxidation factor, conversion factor, carbon content, biomass fraction, or in the case of a measurement based methodology: the annual average hourly emissions in kg/h from the emission source.

- 5.11. In the table below, please indicate the number of category B installations referred to in Article 19(2)(b) of Regulation (EU) No 601/2012 that do not apply the highest tier for all major source streams and all major emission sources ⁽¹⁾ in accordance with Regulation (EU) No 601/2012.

Monitoring methodology ⁽¹⁾	Main Annex I activity	Number of installations affected

⁽¹⁾ Please select: calculation based methodology or measurement based methodology.

- 5.12. Have installations in your Member State applied the fall-back approach in accordance with Article 22 of Regulation (EU) No 601/2012? Yes/No

If yes, please complete the table below.

Installation identification code ⁽¹⁾	Reason for applying the fall-back approach ⁽²⁾	Parameter, for which not at least tier 1 was reached ⁽³⁾	Estimated emissions affected by this parameter

⁽¹⁾ Installation identification code recognised in accordance with Regulation (EU) No 389/2013.

⁽²⁾ Please select:

- a) applying tier 1 is technically infeasible or leads to unreasonable costs for one major source stream;
- b) applying tier 1 is technically infeasible or leads to unreasonable costs for one minor source stream;
- c) applying tier 1 is technically infeasible or leads to unreasonable costs for more than one major or minor source stream; or
- d) applying tier 1 in the measurement based methodology is technically infeasible or leads to unreasonable costs as referred to in Article 22 of Regulation (EU) No 601/2012.

⁽³⁾ Please select: quantity of fuel, quantity of material, net calorific value, emission factor, preliminary emission factor, oxidation factor, conversion factor, carbon content, biomass fraction or, in the case of a measurement based methodology, the annual average hourly emissions in kg/h from the emission source.

- 5.13. Please indicate in the table below the number of category A, B and C installations that were required to submit and actually submitted an improvement report in accordance with Article 69 of Regulation (EU) No 601/2012. The information in the table below relates to the previous reporting period.

Installation category	Main Annex I activity	Type of improvement report ⁽¹⁾	Number of installations required to submit an improvement report	Number of installations that submitted an improvement report in practice

⁽¹⁾ Please select: improvement report according to Article 69(1), improvement report according to Article 69(3) or improvement report according to Article 69(4).

- 5.14. Has inherent CO₂ in accordance with Article 48 or CO₂ in accordance with Article 49 of Regulation (EU) No 601/2012 been transferred in your Member State? Yes/No

If yes, please complete the table below.

⁽¹⁾ Emission sources which emit more than 5 000 tonnes of CO_{2(e)} per year or which contribute more than 10 % of the total annual emissions of the installation, whichever is higher in terms of absolute emissions.

Installation identification code ⁽¹⁾ of the installation transferring the inherent CO ₂ or CO ₂ under Article 49	Type of transfer ⁽²⁾	Installation identification code ⁽³⁾	Amount of CO ₂ transferred ⁽⁴⁾ (t CO ₂)	Emissions of inherent CO ₂ received (t CO ₂)	Type of receiving installation in the case of transfer of CO ₂ (Article 49) ⁽⁵⁾	Permit number for the storage site (permit under Directive 2009/31/EC)

⁽¹⁾ Installation identification code recognised in accordance with Regulation (EU) No 389/2013.

⁽²⁾ Please select: transfer of inherent CO₂ (Article 48) or transfer of CO₂ (Article 49).

⁽³⁾ Please provide either the installation identification code of the installation receiving the inherent CO₂ or the installation identification code of the installations receiving CO₂ pursuant to Article 49.

⁽⁴⁾ Please provide the amount of inherent CO₂ or CO₂ transferred pursuant to Article 49.

⁽⁵⁾ Please select:

- capture of greenhouse gases from an installation covered by Directive 2003/87/EC for the purpose of transport and geological storage in a storage site permitted under Directive 2009/31/EC;
- transport of greenhouse gases by pipelines for geological storage in a storage site permitted under Directive 2009/31/EC; or
- geological storage of greenhouse gases in a storage site permitted under Directive 2009/31/EC.

5.15. Are there innovative technologies foreseen, other than those allowed under Article 49 of Regulation (EU) No 601/2012, that could be applied for permanent storage and for which you would like to bring to the attention of the Commission because of its relevance for future amendments to Regulation (EU) No 601/2012?

5.16. Did any installations in your Member State apply continuous emissions measurement in accordance with Article 40 of Regulation (EU) No 601/2012? Yes/No

If yes, please indicate in the table below, the total emissions of each installation, the emissions covered by continuous emission measurement, and whether the measured gas contains biomass CO₂.

Installation identification code ⁽¹⁾ of installations emitting CO ₂	Installation identification code ⁽²⁾ of installations emitting N ₂ O	Total annual emissions (t CO _{2(e)})	Emissions covered by continuous measurement (t CO _{2(e)})	Does the measured flue gas contain biomass? Yes/No

⁽¹⁾ Installation identification code recognised in accordance with Regulation (EU) No 389/2013.

⁽²⁾ Please select: transfer of inherent CO₂ (Article 48) or transfer of CO₂ (Article 49).

5.17. In the table below, please indicate for each main activity listed in Annex I to Directive 2003/87/EC:

- the number of category A, B and C installations using biomass;
- the total emissions from biomass which are considered zero rated, i.e. where no sustainability criteria apply or where the sustainability criteria are complied with;
- the total emissions from biomass which are not considered zero rated, i.e. where sustainability criteria apply but the sustainability criteria are not complied with;
- the energy content of the biomass which is considered zero rated; and
- the energy content of the biomass which is not considered zero rated.

Main Annex I activity	Installation category	Emissions from biomass to which sustainability criteria are applied and satisfied and emissions from biomass to which no sustainability criteria apply (t CO _{2(e)})	Emissions from biomass to which the sustainability criteria apply but were not satisfied (t CO _{2(e)})	Energy content of zero rated biomass (TJ)	Energy content of non-zero rated biomass (TJ)

Which of the methods to demonstrate compliance with sustainability criteria are in general applied in your Member State? Please describe below the main elements if national systems are used to demonstrate this compliance.

- 5.18. What was for each waste type the total quantity of fossil CO₂ emissions from waste used as fuel or input material, as reported by operators in their verified emissions report? Please answer by using the table below. Add further rows if necessary.

Waste type	Emissions (t CO ₂)

- 5.19. Has your Member State allowed use of any simplified monitoring plans in accordance with Article 13(2) of Regulation (EU) No 601/2012? Yes/No

If yes, please specify in the table below what sort of risk assessment was carried out and on which principles it was configured.

Type of risk assessment ⁽¹⁾	General principles of the risk assessment

⁽¹⁾ Please select: risk assessment carried out by the competent authority or risk assessment carried out by the operator.

- 5.20. Have innovative ways been used to simplify compliance for installations with low emissions referred to in Article 47(2) of Regulation (EU) No 601/2012? Yes/No

If yes, please specify per item in the table below. Add further rows if necessary.

Innovative ways used to simplify compliance	Yes/No
Customised guidance, templates and/or specific examples	
Workshops specifically designed for installations with low emissions	
Simplified template for monitoring plans	
Other, please specify:	

5.C. Aircraft operators

Questions 5.26 and 5.27 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

- 5.21. How many aircraft operators are using Method A or B to determine the fuel consumption? Please answer using the table below.

Method to determine the fuel consumption	Number of aircraft operators	Share (in %) of small emitters (of the total number of aircraft operators in the second column) determining fuel consumption
Method A		
Method B		
Method A and B		

- 5.22. In the table below, please specify the aggregate total emissions of all flights and domestic flights carried out in the reporting period by aircraft operators for which you are the administering Member State.

Total emissions of flights carried out by aircraft operators for which you are the administering Member State (t CO ₂)	Total emissions of domestic flights carried out by aircraft operators for which you are the administering Member State (t CO ₂)

5.23. In the table below, please indicate:

- the number of aircraft operators using biofuels;
- the total emissions from biofuels which are considered zero rated, i.e. where the sustainability criteria are complied with;
- the total emissions from biofuels which are not considered zero rated, i.e. where sustainability criteria apply but the sustainability criteria are not complied with;
- the energy content of the biofuels which is considered zero rated; and
- the energy content of the biofuels which is not considered zero rated.

Number of aircraft operators using biofuels	Emissions from biofuels to which sustainability criteria are applied and satisfied (t CO ₂)	Emissions from biofuels to which the sustainability criteria apply but were not satisfied (t CO ₂)	Energy content of zero rated biofuels (TJ)	Energy content of non-zero rated biofuels (TJ)

5.24. In the table below, please indicate:

- the number of small emitters using the small emitters tool (SET) to determine the fuel consumption;
- the number of small emitters whose emission report is based on the SET and generated from the EU ETS support facility independently from any input of the aircraft operator;
- the number of aircraft operators using an alternative method to determine the emissions of missing flights; and
- the number of aircraft operators using the small emitters tool to determine the emissions of missing flights in accordance with Article 65(2) of Regulation (EU) No 601/2012.

Number of small emitters using the small emitters tool (SET) to determine the fuel consumption	
Number of small emitters whose emission report is based on the SET and generated from the EU ETS support facility independently from any input of the aircraft operator	
Number of aircraft operators using an alternative method to determine the emissions of missing flights	
Number of aircraft operators using the tool referred to in Article 54(2) of Regulation (EU) No 601/2012 to determine the emissions of missing flights	

5.25. In the table below, please indicate the number of aircraft operators that were required to submit and actually submitted an improvement report in accordance with Article 69 of Regulation (EU) No 601/2012. The information requested in the table below relates to the previous reporting period.

Number of aircraft operators required to submit an improvement report	Number of aircraft operators that submitted an improvement report in practice

5.26. Has your Member State allowed use of any simplified monitoring plans in accordance with Article 13(2) of Regulation (EU) No 601/2012? Yes/No.

If yes, please specify in the table below what type of risk assessment was carried out and on which principles it was configured.

Type of risk assessment ⁽¹⁾	General principles of risk assessment

⁽¹⁾ Please select: risk assessment carried out by the competent authority or risk assessment carried out by the aircraft operator.

- 5.27. Have innovative ways been used to simplify compliance for small emitters as referred to in Article 54(1) of Regulation (EU) No 601/2012? Yes/No

If yes, please specify per item in the table below. Add further rows if necessary.

Innovative ways used to simplify compliance	Yes/No
Customised guidance and specific examples	
Workshops specifically designed for small emitters	
Simplified template for monitoring plans	
Other, please specify:	

6. Arrangements for verification

6.A. General

- 6.1. Please indicate in the table below the number of verifiers accredited for a particular scope of accreditation referred to in Annex I to Regulation (EU) No 600/2012. If Member States have allowed certification of natural person verifiers pursuant to Article 54(2) of Regulation (EU) No 600/2012, please indicate also the number of natural person verifiers certified for a particular scope of certification referred to in Annex I to Regulation (EU) No 600/2012.

Scope of accreditation or certification listed in Annex I to Regulation (EU) No 600/2012	Number of verifiers accredited in your Member State	Number of verifiers certified in your Member State

- 6.2. In the table below, please provide information on the application of the requirements on information exchange specified in Chapter VI of Regulation (EU) No 600/2012

Information on the application of information exchange requirements specified in Chapter VI of Regulation (EU) No 600/2012

Number of verifiers accredited by a national accreditation body in another Member State that carried out verification in your Member State	For installations	For aviation	
Number of verifiers certified by a national certification authority in another Member State that carried out verification in your Member State (if relevant)	For installations	For aviation	
Number of administrative measures imposed on verifiers accredited by your Member State	Suspension	Withdrawal of accreditation	Reduction of scope

Number of administrative measures imposed on verifiers certified by your Member State (if relevant)	Suspension	Withdrawal of accreditation	Reduction of scope
Number of times that the national accreditation body in your Member State has requested the national accreditation body in another Member State to carry out surveillance on its behalf in accordance with Article 49(5) of Regulation (EU) No 600/2012			
Number of complaints made about verifiers accredited by your Member State and the number that have been resolved	Number of complaints made	Number of complaints resolved	
Number of complaints made about verifiers certified by your Member State and the number that have been resolved	Number of complaints made	Number of complaints resolved	
Number of outstanding non-conformities for verifiers reported in the information exchange and the number that have been resolved	Number of non-conformities	Number of non-conformities resolved	

6.B. Installations

- 6.3. For which installations did the competent authority make a conservative estimation of emissions in accordance with Article 70(1) of Regulation (EU) No 601/2012? Please answer using the table below. Add further rows if necessary.

Installation identification code ⁽¹⁾	Total annual emissions of the installation (t CO _{2(e)})	Reason for making a conservative estimation ⁽²⁾	Share (in %) of emissions of the installation conservatively estimated	Method used to conservatively estimate the emissions	Further action taken or proposed ⁽³⁾

⁽¹⁾ Installation identification code recognised in accordance with Regulation (EU) No 389/2013.

⁽²⁾ Please specify: no emissions report submitted by 31 March, no positive verification because of material misstatements, no positive verification because of limitation of scope (Article 27(1)(c) of Regulation (EU) No 600/2012, no positive verification because of Article 27(1)(d) of Regulation (EU) No 600/2012, emissions report rejected because it was not in line with Regulation (EU) No 601/2012, or emissions report not verified in line with Regulation (EU) No 600/2012.

⁽³⁾ Please indicate which of the following actions have been carried out or are being proposed: reminder or formal warning on imposing sanctions sent to operators, blocking of the operator holding account, imposition of fines, or other (please specify). A combination of actions is possible.

- 6.4. Did any verification report include non-material misstatements, non-conformities that did not lead to a negative verification opinion statement, non-compliance with Regulation (EU) No 601/2012 or recommendations for improvement? Yes/No

If yes, please provide information in the table below:

Main Annex I activity	Type of issue found ⁽¹⁾	Number of installations	Main reasons for the issue(s) found (in general) ⁽²⁾	Share (in %) of verified emissions reports that have led to conservative estimation of the emissions by the competent authority

⁽¹⁾ Please specify: non-material misstatements, non-conformities not leading to a negative verification opinion statement, non-compliance with Regulation (EU) No 601/2012, recommendations for improvement.

⁽²⁾ Only high level information on main reasons should be completed. A specification of each individual misstatement, non-conformity, non-compliance or recommendation is not necessary.

6.5. Did the competent authority carry out any checks on verified emissions reports? Yes/No

If yes, please specify what checks were carried out using the table below:

Checks on the verified verification reports

Share of the emissions reports checked for completeness and internal consistency.	%	
Share of the emissions reports checked for consistency with the monitoring plan	%	
Share of the emissions reports that were cross-checked with allocation data	%	
Share of the emissions reports that were cross-checked with other data	%	
Please provide information with which other data cross-checks were performed using the third column		
Share of the emissions reports that were analysed in detail	%	
Please provide information on the criteria used for selecting emissions reports for detailed analysis using the third column ⁽¹⁾		
Number of inspections of installations that were carried out through site visits by the competent authority		
Number of verified emissions reports that were rejected because of non-compliance with Regulation (EU) No 601/2012		
Number of verified emissions reports that were rejected because of other reasons		
Please indicate the reasons for rejecting the emissions reports using the third column		
Action taken as a result of rejection of verified emissions reports		
Other action taken as a consequence of checks on verified emissions reports		

⁽¹⁾ Please select: risk based assessment, % of installations, all category C installations, random selection, or other (if other please specify).

6.6. Have site visits been waived for installations emitting more than 25 000 tonnes CO_{2(e)} per year? Yes/No

If yes, please indicate in the table below the number of installations for which a site visit was waived under a particular condition. Add further rows if necessary.

Condition for waiving site visit ⁽¹⁾	Main Annex I activity	Number of installations

⁽¹⁾ Please select the condition(s) as mentioned in the Commission Key guidance note II.5 Site visits concerning installations, section 3: Condition I, Condition II, Condition III or Condition IV.

Were site visits waived for installations with low emissions referred to in Article 47(2) of Regulation (EU) No 601/2012? Yes/No

If yes, please indicate in the table below the number of installations for which a site visit was waived.

Total number of site visits waived for installations with low emissions	
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6.C. **Aircraft operators**

6.7. For which aircraft operators did the competent authority make a conservative estimation of emissions in accordance with Article 70(1) of Regulation (EU) No 601/2012? Please answer using the table below. Add further rows if necessary.

Aircraft operator identification code ⁽¹⁾	Total annual emissions of the aircraft operator (t CO _{2(e)})	Reason for making a conservative estimation ⁽²⁾	Share (in %) of emissions of the aircraft operator conservatively estimated	Method used to conservatively estimate the emissions	Further action taken or proposed ⁽³⁾

⁽¹⁾ Aircraft operator identification code recognised in accordance with Regulation (EU) No 389/2013.

⁽²⁾ Please select: no emissions report submitted by 31 March, no positive verification because of material misstatements, no positive verification because of limitation of scope (Article 27(1)(c) of Regulation (EU) No 600/2012, no positive verification because of Article 27(1)(d) of Regulation (EU) No 600/2012, emissions report rejected because it was not in line with Regulation (EU) No 601/2012, emissions report not verified in line with Regulation (EU) No 600/2012.

⁽³⁾ Please indicate which of the following actions have been carried out or are being proposed: reminder or formal warning on imposing sanctions sent to aircraft operators, blocking of the aircraft operator holding account, imposition of fines, or other (please specify). A combination of actions is possible.

6.8. Did any verification report include non-material misstatements, non-conformities that did not lead to a negative verification opinion statement, non-compliance with Regulation (EU) No 601/2012 or recommendations for improvement? Yes/No

If yes, please provide information in the tables below for emissions and tonne-kilometre data respectively.

Table for data related to emissions reports

Type of issue found ⁽¹⁾	Number of aircraft operators	Main reasons for the issue(s) found (in general) ⁽²⁾	Share (in %) of verified emissions reports that have led to conservative estimation of the emissions by the competent authority

⁽¹⁾ Please select: non-material misstatements, non-conformities not leading to a negative verification opinion statement, non-compliance with Regulation (EU) No 601/2012 or recommendations for improvement.

⁽²⁾ Only high level information on main reasons should be completed. A specification of each individual misstatement, non-conformity, non-compliance or recommendation is not necessary.

Table for data related to tonne-kilometre reports

Type of issue found ⁽¹⁾	Number of aircraft operators	Main reasons for the issue(s) found (in general) ⁽²⁾

⁽¹⁾ Please select: non-material misstatements, non-conformities not leading to a negative verification opinion statement, non-compliance with Regulation (EU) No 601/2012 or recommendations for improvement.

⁽²⁾ Only high level information on main reasons should be completed. A specification of each individual misstatement, non-conformity, non-compliance or recommendation is not necessary.

6.9. Did the competent authority carry out any checks on verified emissions reports? Yes/No

If yes, please specify what checks were carried out using the tables below for emissions and tonne-kilometre data respectively.

Table for data related to emissions reports

Checks on the verified emissions reports		
Share of the emissions reports checked for completeness and internal consistency	%	
Share of the emissions reports checked for consistency with the monitoring plan	%	
Share of the emissions reports that were cross-checked with other data Please provide information with which other data cross-checks were performed using the third column	%	
Share of the emissions reports that were analysed in detail Please provide information on the criteria used for selecting emissions reports for detailed analysis using the third column ⁽¹⁾	%	
Number of inspections carried out on aircraft operators		
Number of verified emissions reports rejected because of non-compliance with Regulation (EU) No 601/2012		
Number of verified emissions reports rejected because of other reasons Please indicate the reasons for rejecting the emissions reports using the third column		
Action taken as a result of rejection of verified emissions reports		
Other action taken as a consequence of checks on verified emissions reports		

⁽¹⁾ Please select: risk based assessment, % of aircraft operators, all large aircraft operators, random selection, or other (if other, please specify).

Table for data related to tonne-kilometre reports

Checks on the tonne-kilometre reports		
Share of the tonne-kilometre reports checked for completeness and internal consistency	%	

Share of the tonne kilometre reports checked for consistency with the monitoring plan	%	
Share of the tonne kilometre reports that were cross-checked with other data	%	
Please provide information with which other data cross-checks were performed using the third column		
Share of the tonne kilometre reports that were analysed in detail	%	
Please provide information on the criteria used for selecting tonne kilometre reports for detailed analysis using the third column ⁽¹⁾		
Number of inspections carried out on aircraft operators		
Number of verified tonne kilometre reports rejected because of non-compliance with Regulation (EU) No 601/2012		
Number of verified tonne kilometre reports rejected because of other reasons		
Please indicate in the reasons for rejecting the tonne-kilometre reports using the third column		
Action taken as a consequence of checks on verified tonne-kilometre reports		

⁽¹⁾ Please select: risk based assessment, % of aircraft operators, large aircraft operators, random selection, or other (if other please specify).

- 6.10. Were site visits waived for small emitters referred to in Article 54(1) of Regulation (EU) No 601/2012? Yes/No
If yes, please indicate in the table below the number of small emitters for which a site visit was waived.

Total number of site visits waived for small emitters	
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7. Registries

- 7.1. Please attach a copy of your Member State specific terms and conditions required to be signed by account holders.
- 7.2. In all cases where an account was closed because there was no reasonable prospect of further allowances being surrendered by an installation or aircraft operator, please describe in the table below why there was no reasonable further prospect and state the amount of outstanding allowances. Add further rows if necessary.

Installation/operator identification code ⁽¹⁾	Operator Name	Installation name	Number of allowances outstanding	Reason for no reasonable further prospect

⁽¹⁾ Installation identification code recognised in accordance with Regulation (EU) No 389/2013.

- 7.3. On how many occasions during the reporting year did aircraft operators use the mandate as provided for in Article 17(3) of Commission Regulation (EU) No 389/2013 ⁽¹⁾? Please specify below the number of occasions.

Number of occasions that the mandate was used during the reporting period	
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Which aircraft operators used a mandate during the reporting period as provided for in Article 17(3) of Regulation (EU) No 389/2013? Please provide the information by using the table below. Add further rows if necessary.

⁽¹⁾ OJ L 122, 3.5.2013, p. 1.

Aircraft operator identification code ⁽¹⁾	Aircraft operator name

⁽¹⁾ Aircraft operator identification code recognised in accordance with Regulation (EU) No 389/2013

8. Allocation

- 8.1. In the table below, please specify the number of changes that occurred to installations and their allocation since the start of the third trading period and during the reporting period.

Reason for the change in the allocation	During the reporting period		Since the start of third trading period	
	Number of changes in the reporting period	Quantity of emission allowances corresponding to all changes in the reporting period	Number of changes since the start of the third trading period	Quantity of emission allowances corresponding to all changes since the start of the third trading period
Allocation to new installations or new sub-installations as referred to in Article 19 of Commission Decision 2011/278/EU (OJ L 130, 17.5.2011, p. 1)				
Significant capacity extensions as referred to in Article 20 of Decision 2011/278/EU				
Cessation as referred to in Article 22(1)(a) — (d) of Decision 2011/278/EU				
Cessation as referred to in Article 22(1)(e) of Decision 2011/278/EU				
Significant capacity reductions as referred to in Article 21 of Decision 2011/278/EU				
Partial cessation as referred to in Article 23 of Decision 2011/278/EU				

- 8.2. Were any planned or effective changes to the capacity, activity levels or operation of an installation, as referred to in Article 24 of Decision 2011/278/EU, not notified to the competent authority? Yes/No

If yes, please specify in the table below how many installations it concerned and how these changes were identified.

Number of installations that did not notify planned or effective changes	How the planned or effective changes were identified

- 8.3. Have you applied Article 10c of Directive 2003/87/EC? Yes/No

If yes, please provide in the table below the total number of emission allowances issued and the total value of investments made under Article 10c of Directive 2003/87/EC in the reporting period?

	Within the reporting period
Total number of emission allowances issued under Article 10c of Directive 2003/87/EC	
Total value of investments under Article 10c of Directive 2003/87/EC	

9. **Use of emission reduction units (ERUs) and certified emission reduction (CERs) in the Community scheme**

Question 9.1 is to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

- 9.1. What measures have been taken, prior to issuing a letter of approval for a project, to ensure that relevant international criteria and guidelines, including those contained in the year 2000 Final Report of the World Commission on Dams (WCD), will be respected during the development of hydro-electric power production projects with a generating capacity exceeding 20 MW? Please answer using the table below. Add further rows if necessary.

Measures taken to ensure that relevant international criteria and guidelines, including those contained in the Final report of the WCD, have been respected	Yes/No	Comments
Project participants are legally obliged to adhere to relevant international criteria and guidelines, including those contained in the World Commission on Dams November 2000 Report "Dams and Development — A New Framework for Decision-Making"		
Adherence to relevant international criteria and guidelines, including those contained in the World Commission on Dams November 2000 Report "Dams and Development — A New Framework for Decision-Making" is verified. If yes, please specify the relevant authority, e.g. competent authority or designated national authority (DNA) using the comments column		
In approving hydroelectric power production project activities with a generating capacity exceeding 20 MW, the DNA or another relevant authority is required to adhere to a set of harmonised guidelines on the application of Article 11b(6) of Directive 2003/87/EC, agreed to by Member States at the Climate Change Committee		
Project proponents have to submit a validated Article 11b(6) compliance report in line with the harmonised guidelines. If yes, please provide relevant documents or web-links using the comments column		
Entities other than designated operational entities (DOEs) are also authorised to carry out a validation of the Article 11b(6) Compliance Report. If yes, please specify who these entities are using the comments column		
Project activities are approved in line with the harmonised guidelines. If yes, please specify the number of project activities approved using the comments column		
The general public have access to information on hydroelectric production project activities approved in your Member State in line with Article 11 b(6) of Directive 2003/87/EC. If yes, please provide information on this access including web-links, if available, using the comments column		
Other, please specify:		

10. Fees and charges

Questions 10.1, 10.2 and 10.3 are only to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

10.A. Installations**10.1. Are fees charged to operators? Yes/No**

If yes, please provide details in the table below regarding fees charged for the issuance and update of permits and approval and update of monitoring plans.

Reason for fee/description	Amount in euros
Permit issuance/monitoring plan approval	
Permit update	
Permit transfer	
Permit surrender	
New entrant reserve application	
Other, please specify:	

If yes, please provide details for the annual subsistence fees using the following table.

Reason for fee/description	Amount in euros
Annual subsistence charge	
Other, please specify	

10.B. Aircraft operators**10.2. Are fees charged to aircraft operators? Yes/No**

If yes, please provide details in the table below regarding fees charged for the approval and update of monitoring plans.

Reason for fee/description	Amount in euros
Approval of monitoring plan for emissions	
Approval of change to monitoring plan for emissions	
Approval of monitoring plan for tonne-kilometre data	
Approval of change to monitoring plan for tonne-kilometre data	
Transfer of monitoring plan	
Surrender of monitoring plan	
Other, please specify	

If yes, please provide in the table below details for the annual subsistence fees..

Reason for fee/description	Amount in euros
Annual subsistence charge	
Other, please specify	

10.C. Installations and aircraft operators

- 10.3. In the tables below, please specify the one-off and annual fees that are charged to operators and aircraft operators in relation to registry accounts.

Table for one-off fees

Reason for fee/description	Amount in euros

Table for annual fees

Reason for fee/description	Amount in euros

11. Issues related to compliance with the ETS Directive**11.A. Installations**

Questions 11.1 and 11.2 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

- 11.1. In the table below, please specify what measures have been taken to ensure that operators complied with the permit and Regulation (EU) No 601/2012 and with Regulation (EU) No 600/2012. Add further rows if necessary.

Measures taken to ensure compliance	Yes/No
Spot checks and inspection of implementation and compliance by installations with the monitoring plan and Regulations (EU) No 601/2012 and (EU) No 600/2012	
Regular meetings with industry and/or verifiers	
Ensuring that selling of emission allowances is prohibited in the case of irregularities	
Publishing the names of operators that are not in compliance with Regulation (EU) No 601/2012	
Other, please specify:	

- 11.2. In the table below, please state the penalties for infringements of Regulation (EU) No 601/2012, Regulation (EU) No 600/2012 and national law pursuant to Article 16(1) of Directive 2003/87/EC. Add further rows if necessary.

Type of infringement	Fines in euros		Imprisonment in months		Other
	Min	Max	Min	Max	
Operation without a permit					
Failure to comply with the conditions of the permit					
Failure to hold a monitoring plan approved by the competent authority					

Type of infringement	Fines in euros		Imprisonment in months		Other
	Min	Max	Min	Max	
Failure to submit supporting documentation in accordance with Article 12(1) of Regulation (EU) No 601/2012					
Failure to hold a required sampling plan(s) approved by the competent authority					
Failure to monitor in accordance with the approved monitoring plan and Regulation (EU) No 601/2012					
The quality assurance of measurement equipment is not in line with Regulation (EU) No 601/2012					
Failure to implement the procedures required by Regulation (EU) No 601/2012					
Failure to notify changes to the monitoring plan and to update the monitoring plan in accordance with Articles 14 to 16 of Regulation (EU) No 601/2012					
Failure to submit a verified emissions report in due time					
Failure to submit an improvement report(s) in accordance with Article 69 of Regulation (EU) No 601/2012					
Failure to provide the verifier information in accordance with Article 10 of Regulation (EU) No 600/2012					
The verified emissions report is found not to be in line with Regulation (EU) No 601/2012					
Failure to notify planned or effective changes to capacity, activity levels and operation of an installation by 31 December of the reporting period in accordance with Article 24 of Decision 2011/278/EU					
Other, please specify					

11.3. In the table below, please specify infringements incurred and penalties imposed during the reporting period pursuant to Article 16(1) of Directive 2003/87/EC. Add further rows if necessary.

Type of infringement	Actual penalties imposed			Are there ongoing proceedings related to the imposition of the penalty? Yes/No	Was the penalty executed? Yes/No
	Fines in euros	Imprisonment in months	Other		
Type of infringement should be selected from the list in question 11.2. Every imposed penalty should be reported in a separate line					

- 11.4. In the table below, please provide the names of operators for which excess emission penalties were imposed during the reporting period pursuant to Article 16(3) of Directive 2003/87/EC.

Installation identification code ⁽¹⁾	Name of operator

⁽¹⁾ Installation identification code recognised in accordance with Regulation (EU) No 389/2013.

11.B. Aircraft operators

Questions 11.5, 11.6 and 11.9 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period

- 11.5. In the table below, please specify what measures have been taken to ensure that aircraft operators complied with Regulation (EU) No 601/2012 and with Regulation (EU) No 600/2012. Add further rows if necessary.

Measures taken	Yes/No
Spot checks and inspection of the implementation of and compliance by aircraft operators with the monitoring plan and Regulations (EU) No 601/2012 and (EU) No 600/2012	
Regular meetings with aircraft operators and/or verifiers	
Ensuring that selling of emission allowances is prohibited in the case of irregularities	
Publishing the names of aircraft operators that are not in compliance with Regulation (EU) No 601/2012	

Other, please specify:

- 11.6. In the table below, please state the penalties for infringements of Regulation (EU) No 601/2012, Regulation (EU) No 600/2012 and national law pursuant to Article 16(1) of Directive 2003/87/EC. Add further rows if necessary.

Type of infringement	Fines in euros		Imprisonment in months		Other
	Min	Max	Min	Max	
Failure to hold a monitoring plan approved by the competent authority					
Failure to submit supporting documentation in accordance with Article 12(1) of Regulation (EU) No 601/2012					
Failure to monitor in accordance with the approved monitoring plan and Regulation (EU) No 601/2012					
Failure to implement the procedures required by Regulation (EU) No 601/2012					
Failure to notify changes to the monitoring plan and to update the monitoring plan in accordance with Articles 14 to 16 of Regulation (EU) No 601/2012					
Failure to correct discrepancies in the reported completeness of flights					

Type of infringement	Fines in euros		Imprisonment in months		Other
	Min	Max	Min	Max	
Failure to submit a verified emissions report in due time					
Failure to submit an improvement report(s) in accordance with Article 69 of Regulation (EU) No 601/2012					
Failure to provide the verifier information in accordance with Article 10 of Regulation (EU) No 600/2012					
The verified emissions report is found not to be in line with Regulation (EU) No 601/2012					
The verified tonne-kilometre report is found not to be in line with Regulation (EU) No 601/2012					
Other, please specify:					

11.7. In the table below, please specify infringements incurred and penalties imposed during the reporting period pursuant to Article 16(1) of Directive 2003/87/EC. Add further rows if necessary.

Type of infringement	Actual penalties imposed			Are there ongoing proceedings related to the imposition of the penalty? Yes/No	Was the penalty executed? Yes/No
	Fines in euros	Imprisonment in months	Other		
Type of infringement should be selected from the list in question 11.6. Every imposed penalty should be reported in a separate line					

11.8. In the table below, please provide the names of aircraft operators for which excess emission penalties were imposed during the reporting period pursuant to Article 16(3) of Directive 2003/87/EC.

Aircraft operator identification code ⁽¹⁾	Name of aircraft operator

⁽¹⁾ Aircraft operator identification code recognised in accordance with Regulation (EU) No 389/2013.

11.9. What measures would have to be taken in your Member State before your Member State would request an operating ban from the Commission in accordance with Article 16(10) of Directive 2003/87/EC? Please specify below the types of measures.

12. The legal nature of emission allowances and fiscal treatment

Questions 12.1, 12.2, 12.3 and 12.4 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

12.1. What is the legal nature of an emission allowance in your Member State?

12.2. What is the accounting treatment of emission allowances in the annual financial report of the companies following the Member State's accounting norm?

12.3. Is VAT due on the issuance of emission allowances? Yes/No

Is VAT due on transaction of emission allowances on the secondary market? Yes/No

Does your Member State apply the reverse-charge mechanism on domestic transactions involving emission allowances? Yes/No

12.4. Are emission allowances taxed? Yes/No

If yes, please indicate in the table below the type of tax and tax rates that apply. Add further rows if necessary.

Type of tax	Tax rate applied

13. Fraud

Question 13.1 and 13.2 are to be answered in the report due by 30 June 2014 and in subsequent reports if changes have occurred during the reporting period.

13.1. In the table below, please specify what arrangements are in place concerning fraudulent activities related to the free allocation of allowances.

Arrangements concerning fraudulent activities	Details of arrangements and procedures in national law
What arrangements, if any, are in place for operators, aircraft operators or third parties to raise concerns over potentially fraudulent activity regarding the free allocation of allowances?	
What arrangements are in place for the investigation of concerns over potentially fraudulent activity regarding the free allocation of allowances?	
What arrangements are in place for prosecution of fraudulent activity related to the free allocation of allowances?	
In the event of prosecution for fraudulent activities, what are the maximum penalties? Please describe fines and imprisonment terms.	

13.2. In the table below, please specify what arrangements, if any, are in place so that competent authorities involved in the implementation of EU ETS are made aware of fraudulent activities.

Arrangements concerning the communication of fraudulent activities to the competent authority	Details of arrangements and procedures
What arrangements, if any, are in place so that the competent authority is made aware of investigations on fraudulent activities?	

Arrangements concerning the communication of fraudulent activities to the competent authority	Details of arrangements and procedures
What arrangements, if any, are in place so that the competent authority is made aware of cases on fraudulent activities brought to court?	
What arrangements, if any, are in place so that the competent authority is made aware of court cases on fraudulent activities settled out of court?	
What arrangements, if any, are in place so that the competent authority is made aware of the verdict of court cases on fraudulent activities?	

13.3. In the table below, please indicate the following information on fraudulent activities as far as it is known to the competent authority involved in the implementation of EU ETS in your Member State:

- the number of investigations carried out in the reporting period (including ongoing);
- the number of cases brought to court in the reporting period;
- the number of cases settled out of court without conviction and the number of cases leading to acquittal in the reporting period; and
- the number of cases in the reporting period leading to a conviction that a fraudulent activity was committed.

Information concerning fraudulent activities	Number	Type of fraud or fraudulent activity
Number of investigations carried out		
Number of cases brought to court		
Number of cases settled out of court without conviction and the number of cases leading to acquittal		
Number of cases leading to a conviction that a fraudulent activity has been committed		

14. Other observations

14.1. In the table below, please provide details of any other issues that give rise to concerns in your Member State, or any other relevant information you would like to provide.

Section	Other information or issues of concern concerning
General	
Section 2	
Section 3	
Section 4	
Section 5	
Section 6	
Section 7	

Section	Other information or issues of concern concerning
Section 8	
Section 9	
Section 10	
Section 11	
Section 12	
Section 13	

14.2. Have you addressed all one-off questions in this questionnaire and updated the responses to those questions where relevant? Yes/No

If no, please return to the question concerned.'

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:
<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29docstts.html>

Regulation No 56 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of headlamps for mopeds and vehicles treated as such

Incorporating all valid text up to:

01 series of amendments — Date of entry into force: 12 September 2001

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ANNEXES

Annex 1 — Communication concerning the approval or extension or refusal or withdrawal of approval or production definitely discontinued of a type of headlamp pursuant to Regulation No 56

Annex 2 — Arrangement of approval mark

Annex 3 — Photometric measurements

Annex 4 — Minimum requirements for conformity of production control procedures

Annex 5 — Minimum requirements for sampling by an inspector

1. SCOPE

This Regulation applies to the approval of headlamps using filament lamps, producing one single passing beam, which are provided for the equipment of mopeds ⁽¹⁾ and vehicles treated as such.

2. DEFINITION OF 'TYPE'

Headlamps of different 'types' means headlamps which differ in such essential respects as:

- 2.1. the trade name or mark;
- 2.2. the characteristics of the optical system;
- 2.3. the inclusion or the suppression of components capable of altering the optical effects by reflexion, refraction or absorption. A change in the colour of the beams emitted by headlamps whose other characteristics are not changed does not constitute a change of headlamp type. The same approval number shall accordingly be assigned to such headlamps.

3. APPLICATION FOR APPROVAL

The application for approval shall be submitted by the holder of the trade name or mark or by his duly accredited representative. Any application shall be accompanied by:

- 3.1. Drawings in triplicate, sufficiently detailed to permit identification of the type. The drawings must show the provided position for the approval mark and indicate the headlamp in front and in cross lateral elevation, with schematic indication of the optical grooves and prisms of the lens;
- 3.2. A brief technical description stating, in particular, the class of the filament lamp provided;
- 3.3. Two devices with colourless lenses ⁽²⁾.
- 3.4. The competent authority shall verify the existence of satisfactory arrangements for ensuring effective control of the conformity of production before type approval is granted.

4. MARKINGS

- 4.1. Headlamps submitted for approval shall clearly, legibly and indelibly bear the following inscriptions:
 - 4.1.1. the trade name or mark of the applicant;
 - 4.1.2. the identification of the category of the provided filament lamp;

⁽¹⁾ As defined in the 1968 Convention on Road Traffic, chapter I, article 1 (m) (E/CONF.56/16/Rev.I).

⁽²⁾ If it is intended to manufacture the headlamp with coloured lenses, two samples of coloured lenses shall be submitted in addition for testing of the colour only.

- 4.2. Moreover, they shall include on the lens and on the main body (the reflector being considered as main body) ⁽¹⁾ a space of sufficient size to accommodate the approval marking; these spaces must be shown on the drawings referred to in paragraph 3.1. above.
5. APPROVAL
- 5.1. If the devices submitted in accordance with paragraph 3. above meet the requirements of this Regulation, approval shall be granted.
- 5.2. An approval number shall be assigned to each type approved. Its first two digits (at present 00 for the Regulation in its original form) shall indicate the series of amendments incorporating the most recent major technical amendment made to the Regulation at the time of issue of the approval. The same Contracting Party may not assign the same number to another type of headlamp.
- 5.3. Notice of approval or of extension or refusal of approval of a type of headlamp pursuant to this Regulation shall be communicated to the Parties to the 1958 Agreement which apply this Regulation, by means of a form conforming to the model in annex 1 to this Regulation.
- 5.4. Every headlamp conforming to a type approved under this Regulation shall bear in the spaces referred to in paragraph 4.2. above, in addition to the marking prescribed in paragraph 4.1.
- 5.4.1. an international approval mark ⁽²⁾ consisting of:
- 5.4.1.1. a circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval ⁽³⁾;
- 5.4.1.2. an approval number.
- 5.5. The markings according to paragraph 5.4. shall be clearly legible and indelible.
- 5.6. Annex 2 to this Regulation gives an example of the arrangement of the approval mark.
6. GENERAL SPECIFICATIONS
- 6.1. Each device shall conform to the specifications of paragraph 7 of this Regulation.
- 6.2. Headlamps shall be so designed and constructed that, in normal use, despite the vibrations to which they may be subjected, their satisfactory operation continues to be ensured and they retain the characteristics prescribed by this Regulation.
- 6.3. The parts intended for holding the filament lamp in the reflector shall be so made that, even in darkness, the filament lamp can be mounted in no other position than the correct one.
7. SPECIAL SPECIFICATIONS
- 7.1. The correct position of the lens in relation to the optical system shall be unequivocally marked and be locked against rotation in service.
- 7.2. For the measurement of the illumination produced by the headlamp, a measuring screen as described in annex 3 of this Regulation and a standard filament lamp with a smooth and colourless bulb according to category S3 of Regulation No 37 shall be used.

The standard filament lamp shall be adjusted to the applicable reference luminous flux according to values prescribed for these lamps in Regulation No 37.

⁽¹⁾ If the lens cannot be separated from the main body (the reflector being considered as main body), the provision of such a space on the lens will suffice.

⁽²⁾ If different types of headlamps have an identical lens or an identical reflector, the lens and the reflector may bear the various approval marks of these types of headlamps, on condition that the approval number granted for the specific type submitted can be identified without ambiguity.

⁽³⁾ The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to Consolidated Resolution on the Construction of Vehicles (R.E.3), document TRANS/WP.29/78/Rev.2/Amend.1.

- 7.3. The beam shall have a cut-off sufficiently sharp in order that satisfactory aiming can practically be achieved with its aid. The cut-off shall be substantially horizontal and as straight as possible over a horizontal length of at least ± 900 mm measured at a distance of 10 m.

When aimed according to annex 3, the headlamps shall meet the requirements specified in it.

- 7.4. The beam pattern shall not present any lateral variations detrimental to good visibility.
- 7.5. The illumination on the screen mentioned in paragraph 7.2. above shall be measured by means of a photo-receptor having a useful area comprised within a square of 65 mm side.
8. PROVISIONS CONCERNING COLOURED LENSES AND FILTERS
- 8.1. Approval may be obtained for headlamps emitting either colourless or selective-yellow lights with an uncoloured lamp. Expressed in CIE trichromatic co-ordinates, the corresponding colorimetric characteristics for yellow glasses or filters are as follows:

Selective-yellow filter (screen or lens)

Limit towards red	$y \geq$	$0,138 + 0,58 x$
Limit towards green	$y \leq$	$1,29 x - 0,1$
Limit towards white	$y \leq$	$-x + 0,966$
Limit towards spectral value	$y \leq$	$-x + 0,992$

which can also be expressed as follows:

dominant wave-length	575 - 585 nm
purity factor	0,90 - 0,98

The transmission factor must be $\geq 0,78$

The transmission factor shall be determined by using a light source with a colour temperature of 2,854 °K. (Corresponding to illuminant A of the International Commission on Illumination (CIE)).

- 8.2. The filter must be part of the headlamp, and must be attached to it in such a way that the user cannot remove it either inadvertently or intentionally, with ordinary tools.
- 8.3. Observation concerning colour
- Since any approval under this Regulation is granted, pursuant to paragraph 8.1 above, for a type of headlamp emitting either colourless light or selective-yellow light; article 3 of the Agreement to which the Regulation is annexed shall not prevent the Contracting Parties from prohibiting headlamps emitting a beam of uncoloured or selective-yellow light on vehicles registered by them.

9. CONFORMITY OF PRODUCTION

- 9.1. Headlamps approved under this Regulation shall be so manufactured as to conform to the type approved by meeting the requirements set forth in paragraphs 7 and 8.
- 9.2. In order to verify that the requirements of paragraph 9.1 are met, suitable controls of the production shall be carried out.
- 9.3. The holder of the approval shall in particular:
- 9.3.1. ensure the existence of procedures for the effective control of the quality of products;
 - 9.3.2. have access to the control equipment necessary for checking the conformity to each approved type;
 - 9.3.3. ensure that data of test results are recorded and that related documents shall remain available for a period to be determined in accordance with the administrative service;
 - 9.3.4. analyze the results of each type of test in order to verify and ensure the stability of the product characteristics, making allowance for variation of an industrial production;

- 9.3.5. ensure that, for each type of product, at least the tests prescribed in annex 4 to this Regulation are carried out;
- 9.3.6. ensure that any collecting of samples giving evidence of non-conformity with the type of test considered shall give rise to another sampling and another test. All the necessary steps shall be taken to re-establish the conformity of the corresponding production.
- 9.4. The competent authority which has granted type approval may at any time verify the conformity control methods applicable to each production unit.
 - 9.4.1. In every inspection, the test books and production survey records shall be presented to the visiting inspector.
 - 9.4.2. The inspector may take samples at random to be tested in the manufacturer's laboratory. The minimum number of samples may be determined in the light of the results of the manufacturer's own checks.
 - 9.4.3. When the quality level appears unsatisfactory or when it seems necessary to verify the validity of the tests carried out in the application of paragraph 9.4.2 above, the inspector shall select samples, to be sent to the technical service which has conducted the type approval tests, using the criteria of annex 5.
 - 9.4.4. The competent authority may carry out any test prescribed in this Regulation. These tests will be on samples selected at random without causing distortion of the manufacturer's delivery commitments and in accordance with the criteria of annex 5.
 - 9.4.5. The competent authority shall strive to obtain a frequency of inspection of once every two years. However, this is at the discretion of the competent authority and their confidence in the arrangements for ensuring effective control of the conformity of production. In the case where negative results are recorded, the competent authority shall ensure that all necessary steps are taken to re-establish the conformity of production as rapidly as possible.
- 9.5. Headlamps with apparent defects are disregarded.
- 10. PENALTIES FOR NON-CONFORMITY OF PRODUCTION
 - 10.1. The approval granted in respect of a type of headlamp pursuant to this Regulation may be withdrawn if the requirements set forth above are not met or if a headlamp bearing the approval mark does not conform to the type approved.
 - 10.2. If a Contracting Party to the 1958 Agreement applying this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation, by means of a communication form conforming to the model in annex 1 to this Regulation.
- 11. MODIFICATION AND EXTENSION OF APPROVAL OF A TYPE OF HEADLAMP
 - 11.1. Every modification of the vehicle type shall be notified to the administrative department which approved the type of headlamp. The department may then either:
 - 11.1.1. Consider that the modifications made are unlikely to have an appreciable adverse effect and that in any case the type of headlamp still complies with the requirements; or
 - 11.1.2. Require a further test report from the technical service responsible for conducting the tests.

- 11.2. Confirmation or refusal of approval, specifying the alterations shall be communicated by the procedure specified in paragraph 5.3 above to the Parties to the Agreement applying this Regulation.
- 11.3. The competent authority issuing the extension of approval shall assign a series number for such an extension and inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in annex 1 to this Regulation.
12. PRODUCTION DEFINITELY DISCONTINUED
- If the holder of an approval completely ceases to manufacture a headlamp approved in accordance with this Regulation, he shall so inform the authority which granted the approval. Upon receiving the relevant communication that authority shall inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in annex 1 to this Regulation.
13. NAMES AND ADDRESSES OF TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS, AND OF ADMINISTRATIVE DEPARTMENTS
- The Parties to the 1958 Agreement which apply this Regulation shall communicate to the United Nations Secretariat the names and addresses of the technical services responsible for conducting approval tests and of the administrative departments which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, issued in other countries, are to be sent.
14. TRANSITIONAL PROVISIONS
- 14.1. As from six months after the official date of entry into force of Regulation No 113, Contracting Parties applying this Regulation shall cease to grant ECE approvals according to this Regulation.
- 14.2. Contracting Parties applying this Regulation shall not refuse to grant extensions of approval to the 01 series of amendments to this Regulation.
- 14.3. Approvals granted under this Regulation before the date of entry into force of Regulation No 113 and all extensions of approvals, including those to the original version of this Regulation granted subsequently, shall remain valid indefinitely.
- 14.4. Contracting Parties applying this Regulation shall continue to issue approvals for headlamps on the basis of the 01 series of amendments or the original version of this Regulation, provided that the headlamps are intended as replacements for fitting to vehicles in use.
- 14.5. As from the official date of entry into force of Regulation No 113, no Contracting Party applying this Regulation shall prohibit the fitting on a new vehicle type of a headlamp approved under Regulation No 113.
- 14.6. Contracting Parties applying this Regulation shall continue to allow fitting on a vehicle type or vehicle of a headlamp approved to this Regulation.
- 14.7. Contracting Parties applying this Regulation shall continue to allow fitting or use on a vehicle in use of a headlamp approved to this Regulation in its original version, provided that the headlamp is intended for replacement.
-

ANNEX 1

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration

.....

.....

.....

concerning ⁽²⁾: APPROVAL GRANTED
APPROVAL EXTENDED
APPROVAL REFUSED
APPROVAL WITHDRAWN
PRODUCTION DEFINITELY DISCONTINUED

of a type of headlamp pursuant to Regulation No 56

Approval No

Extension No

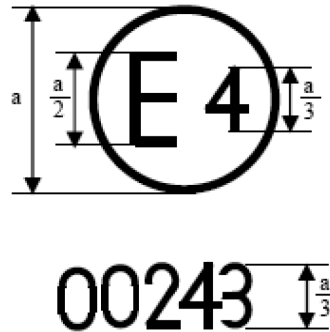
1. Headlamp type
2. Headlamp emitting, with a colourless lamp, a colourless beam/a selective yellow beam ⁽²⁾
3. Trade name or mark
4. Manufacturer's name and address
5. If applicable, name and address of manufacturer's representative
6. Submitted for approval on
7. Technical service responsible for conducting approval tests
8. Date of report issued by that service
9. Number of report issued by that service
10. Approval granted/extended/refused/withdrawn ⁽²⁾
11. Place
12. Date
13. Signature
14. The attached drawing No ... bearing the approval number shows the headlamp

⁽¹⁾ Distinguishing number of the country which has granted/extended/refused/withdrawn approval (see approval provisions in the Regulation).

⁽²⁾ Strike out what does not apply.

ANNEX 2

ARRANGEMENT OF APPROVAL MARK

 $a \geq 5 \text{ mm}$

The headlamp bearing the above approval mark has been approved in the Netherlands (E 4) under approval number 00243. The first two digits of the approval number indicate that the approval was granted in accordance with the requirements of this Regulation in its original form.

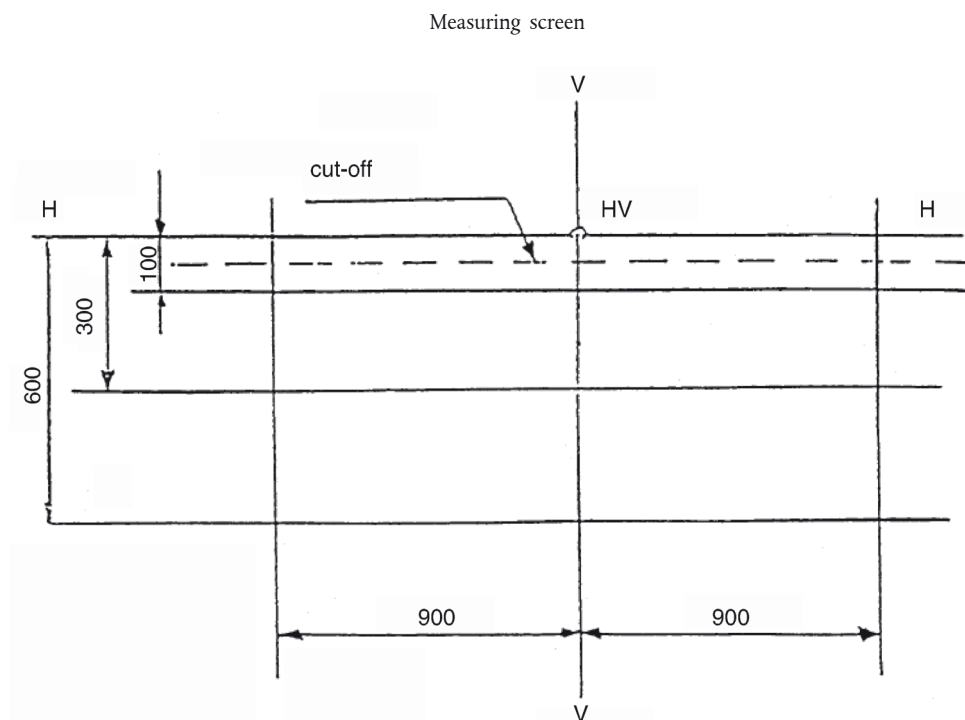
Note:

The approval number must be placed close to the circle and either above or below the "E" or to the left or right of that letter. The digits of the approval number must be on the same side of the "E" and face in the same direction. The use of Roman numerals as approval numbers should be avoided so as to prevent any confusion with other symbols.

ANNEX 3

PHOTOMETRIC MEASUREMENTS

1. For measurements, the measuring screen shall be located at a distance of 10 m in front of the headlamp and perpendicular to a line joining the filament of the lamp and the point HV; the line H-H shall be horizontal. For lamps with transverse filament, the filament shall be as horizontal as possible during the measurements.
2. Laterally, the headlamps shall be so aimed that the beam is as symmetrical as possible with reference to the line V-V
3. Vertically, the headlamp shall be so aimed that the illumination in point HV is 2 lx. Under those conditions, the cut-off shall be situated between the line H-H and the line H-100 mm.
4. When aimed according to paragraphs 2 and 3 above, the illumination shall meet the following values:
 - 4.1. on the line H-H and above: 2 lx max.;
 - 4.2. on a line situated 300 mm below H-H and over a width of 900 mm in both sides of the vertical line V-V: not less than 8 lx;
 - 4.3. on a line situated 600 mm below the line H-H and over a width of 900 mm on both sides of the vertical line V-V: not less than 4 lx.



(dimensions in mm for 10 m distance)

ANNEX 4

MINIMUM REQUIREMENTS FOR CONFORMITY OF PRODUCTION CONTROL PROCEDURES**1. GENERAL**

- 1.1. The conformity requirements shall be considered satisfied from a mechanical and geometric standpoint, if the differences do not exceed inevitable manufacturing deviations within the requirements of this Regulation.
- 1.2. With respect to photometric performances, the conformity of mass-produced headlamps shall not be contested if, when testing photometric performances of any headlamp chosen at random and equipped with a standard filament lamp, no measured value deviates unfavourably by more than 20 per cent from the values prescribed in this Regulation.
- 1.3. If the results of the tests described above do not meet the requirements, tests on the headlamp shall be repeated, using another standard filament lamp.
- 1.4. Headlamps with apparent defects are disregarded.
- 1.5. The chromaticity coordinates shall be complied with when the headlamp is equipped with a filament lamp set to Standard A colour temperature.

The photometric performance of a headlamp emitting selective yellow light when equipped with a colourless filament lamp shall be the values contained in this Regulation multiplied by 0,84.

2. MINIMUM REQUIREMENTS FOR VERIFICATION OF CONFORMITY BY THE MANUFACTURER

For each type of headlamp the holder of the approval mark shall carry out at least the following tests, at appropriate intervals. The tests shall be carried out in accordance with the provisions of this Regulation.

If any sampling shows non-conformity with regard to the type of test concerned, further samples shall be taken and tested. The manufacturer shall take steps to ensure the conformity of the production concerned.

2.1. Nature of tests

Tests of conformity in this Regulation shall cover the photometric characteristics.

2.2. Methods used in tests

- 2.2.1. Tests shall generally be carried out in accordance with the methods set out in this Regulation.
- 2.2.2. In any test of conformity carried out by the manufacturer, equivalent methods may be used with the consent of the competent authority responsible for approval tests. The manufacturer is responsible for proving that the applied methods are equivalent to those laid down in this Regulation.
- 2.2.3. The application of paragraphs 2.2.1 and 2.2.2 requires regular calibration of test apparatus and its correlation with measurements made by a competent authority.
- 2.2.4. In all cases, the reference methods shall be those of this Regulation, particularly for the purposes of administrative verification and sampling.

2.3. Nature of sampling

Samples of headlamps shall be selected at random from the production of a uniform batch. A uniform batch means a set of headlamps of the same type, defined according to the production methods of the manufacturer.

The assessment shall in general cover series production from individual factories. However, a manufacturer may group together records concerning the same type from several factories, provided these operate under the same quality system and quality management.

2.4. Measured and recorded photometric characteristics

The sampled headlamp shall be subjected to photometric measurements at the points provided for in the Regulation, the readings being limited to points HV, LH, RH, L 600 and R 600.

2.5. Criteria governing acceptability

The manufacturer is responsible for carrying out a statistical study of the test results and for defining, in agreement with the competent authority, criteria governing the acceptability of his products, in order to meet the specifications laid down for the verification of conformity of products in paragraph 9.1 of this Regulation.

The criteria governing the acceptability shall be such that, with a confidence level of 95 per cent, the minimum probability of passing a spot check in accordance with annex 5 (first sampling) would be 0,95.

ANNEX 5

MINIMUM REQUIREMENTS FOR SAMPLING BY AN INSPECTOR

1. GENERAL

- 1.1. The conformity requirements shall be considered satisfied from a mechanical and a geometric standpoint, if the differences do not exceed inevitable manufacturing deviations within the requirements of this Regulation.
- 1.2. With respect to photometric performance, the conformity of mass-produced headlamps shall not be contested if, when testing photometric performances of any headlamp chosen at random and equipped with a standard filament lamp, no measured value deviates unfavourably by more than 20 per cent from the values prescribed in this Regulation.
- 1.3. The chromaticity coordinates shall be complied with when the headlamp is equipped with a filament lamp set to Standard A colour temperature.

The photometric performance of a headlamp emitting selective yellow light when equipped with a colourless filament lamp shall be multiplied by 0,84.

2. FIRST SAMPLING

In the first sampling four headlamps are selected at random. The first sample of two is marked A, the second sample of two is marked B.

2.1. The conformity is not contested

- 2.1.1. Following the sampling procedure shown in Figure 1 of this annex the conformity of mass-produced headlamps shall not be contested if the deviation of the measured values of the headlamps in the unfavourable directions are:

2.1.1.1. Sample A

A1: one headlamp	0 per cent
one headlamp not more than	20 per cent
A2: both headlamps more than	0 per cent
but not more than	20 per cent

Go to sample B

2.1.1.2. Sample B

B1: both headlamps	0 per cent
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2.2. The conformity is contested

- 2.2.1. Following the sampling procedure shown in Figure 1 of this annex the conformity of mass-produced headlamps shall be contested and the manufacturer requested to make his production meet the requirements (alignment) if the deviations of the measured values of the headlamps are:

2.2.1.1. Sample A

A3: one headlamp not more than	20 per cent
one headlamp more than	20 per cent
but not more than	30 per cent

2.2.1.2. Sample B

B2: in the case of A2

one headlamp more than	0 per cent
but not more than	20 per cent
one headlamp not more than	20 per cent

B3: in the case of A2

one headlamp	0 per cent
one headlamp more than	20 per cent
but not more than	30 per cent

2.3. Approval withdrawn

Conformity shall be contested and paragraph 10 applied if, following the sampling procedure in Figure 1 of this annex, the deviations of the measured values of the headlamps are:

2.3.1. Sample A

A4: one headlamp not more than	20 per cent
one headlamp more than	30 per cent

A5: both headlamps more than	20 per cent
------------------------------	-------------

2.3.2. Sample B

B4: in the case of A2

one headlamp more than	0 per cent
but not more than	20 per cent
one headlamp more than	20 per cent

B5: in the case of A2

both headlamps more than	20 per cent
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B6: in the case of A2

one headlamp	0 per cent
one headlamp more than	30 per cent

3. REPEATED SAMPLING

In the cases of A3, B2, B3 a repeated sampling, third sample C of two headlamps and fourth sample D of two headlamps, selected from stock manufactured after alignment, is necessary within two months time after the notification.

3.1. The conformity is not contested

3.1.1. Following the sampling procedure shown in Figure 1 of this annex the conformity of mass-produced headlamps shall not be contested if the deviations of the measured values of the headlamps are:

3.1.1.1. Sample C

C1: one headlamp	0 per cent
one headlamp not more than	20 per cent

C2: both headlamps more than	0 per cent
but not more than	20 per cent

Go to sample D

3.1.1.2. Sample D

D1: in the case of C2

both headlamps	0 per cent
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3.2. The conformity is contested

3.2.1. Following the sampling procedure shown in Figure 1 of this annex the conformity of mass-produced headlamps shall be contested and the manufacturer requested to make his production meet the requirements (alignment) if the deviations of the measured values of the headlamps are:

3.2.1.1. Sample D

D2: in the case of C2

one headlamp more than	0 per cent
but not more than	20 per cent
one headlamp not more than	20 per cent

3.3. Approval withdrawn

Conformity shall be contested and paragraph 10 applied if, following the sampling procedure in Figure 1 of this annex, the deviations of the measured values of the headlamps are:

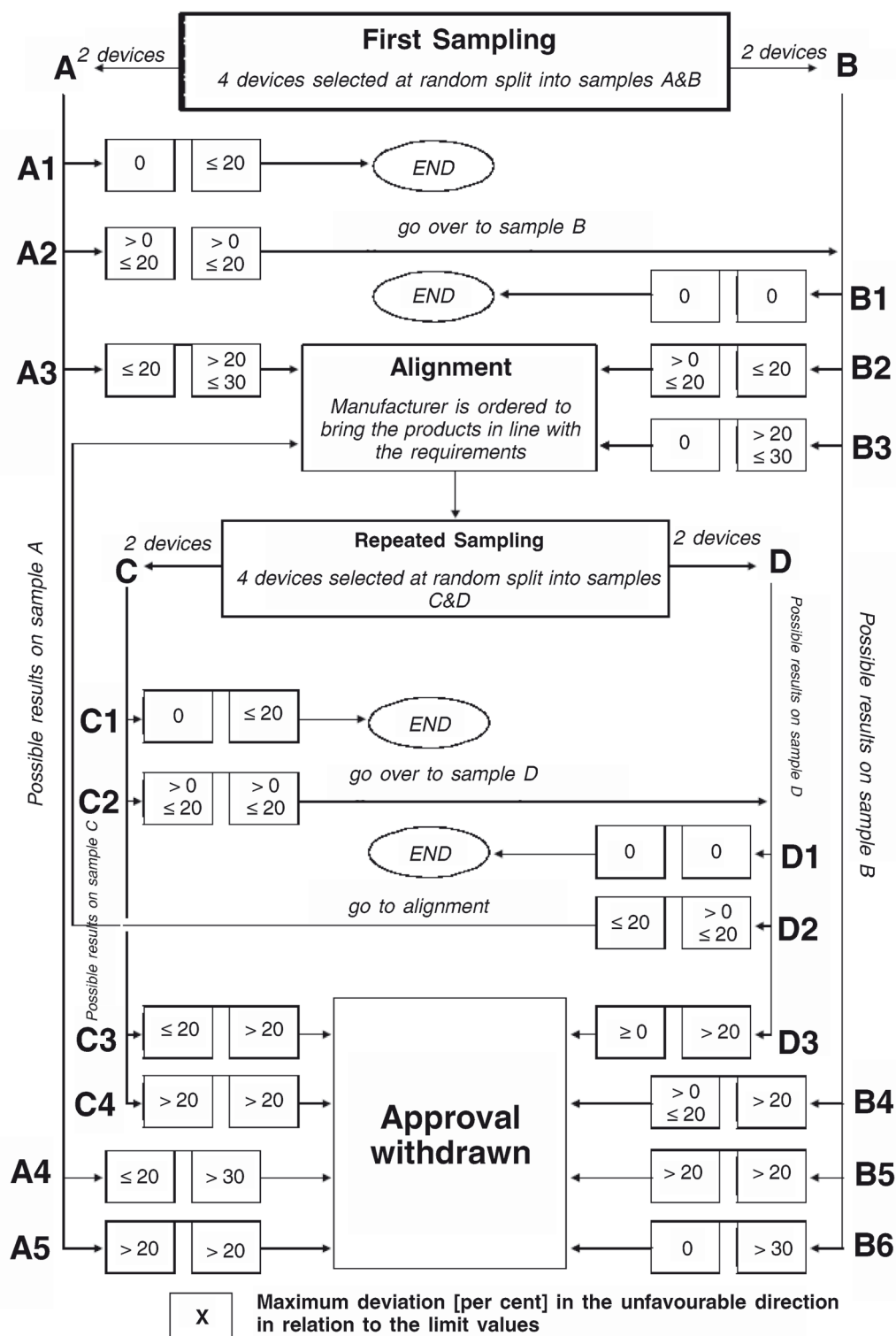
3.3.1. Sample C

C3: one headlamp not more than	20 per cent
one headlamp more than	20 per cent
C4: both headlamps more than	20 per cent

3.3.2. Sample D

D3: in the case of C2

one headlamp 0 or more than	0 per cent
one headlamp more than	20 per cent



Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:
<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29docstts.html>

**Regulation No 82 of the Economic Commission for Europe of the United Nations (UN/ECE) —
Uniform provisions concerning the approval of moped headlamps equipped with filament halogen
lamps (HS₂ lamps)**

Incorporating all valid text up to:

01 series of amendments – Date of entry into force: 12 September 2001

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- Annex 1 - Communication concerning the approval or extension or refusal or withdrawal of approval or production definitely discontinued of a type of headlamp pursuant to Regulation No 82
- Annex 2 - Arrangement of approval mark
- Annex 3 - Photometric tests
- Annex 4 - Colour of the Light Emitted

1. SCOPE

This regulation applies to the approval of headlamps equipped with halogen lamps (HS₂ lamps), which are provided for the equipment of mopeds and vehicles treated as such.

2. DEFINITION OF 'TYPE'

Headlamps of different 'types' means headlamps which differ in such essential respects as:

2.1. The trade name or mark,

2.2. The characteristics of the optical systems,

2.3. The inclusion or elimination of components capable of altering the optical effects by reflection, refraction or absorption. A change in the colour of the beams emitted by headlamps whose other characteristics are not changed does not constitute a change of headlamp type. The same approval number shall accordingly be assigned to such headlamps.

3. APPLICATION FOR APPROVAL

3.1. The application for approval shall be submitted by the holder of the trade name or mark or by his duly accredited representative.

3.2. Any application for approval shall be accompanied by:

3.2.1. Drawings in triplicate, sufficiently detailed to permit identification of the type (see paragraphs 4.2 and 5.3) and showing the headlamp in cross-(vertical) section and in front elevation, with details of the flutings, if any, of the lens,

3.2.2. A brief technical description,

3.2.3. Samples, as follows:

3.2.3.1. Two samples with colourless lenses,

3.2.3.2. For the testing of a coloured filter or coloured screen (or of a coloured lens): two samples.

3.3. The competent authority shall verify the existence of satisfactory arrangements for ensuring effective control of the conformity of production before type approval is granted.

4. MARKINGS ⁽¹⁾

4.1. Headlamps submitted for approval shall bear the trade name or mark of the applicant, this mark must be clearly legible and be indelible.

4.2. A space of sufficient size to accommodate the approval mark shall be provided both on the lens and on the main body ⁽¹⁾ every headlamp, these spaces shall be shown on the drawings referred to in paragraph 3.3.1 above.

5. APPROVAL

5.1. If all the samples of a type of headlamp which are submitted in accordance with paragraph 3.3.3 above meet the requirements of this Regulation, approval shall be granted.

⁽¹⁾ If the lens cannot be separated from the main body, the provision of such a space on the lens will suffice.

- 5.2. An approval number shall be assigned to each type approved. Its first two digits (at present 00 for the Regulation in its original form) shall indicate the series of amendments incorporating the most recent major technical amendments made to the Regulation at the time of issue of the approval. The number so assigned shall not be assigned by the same Contracting Party to another type of headlamp covered by this Regulation ⁽¹⁾.
- 5.3. Notice of approval or of extension or refusal of approval of a type of headlamp pursuant to this Regulation shall be communicated to the Parties to the 1958 Agreement applying this Regulation, by means of a form conforming to the model in annex 1 to this Regulation.
- 5.4. There shall be placed on every headlamp conforming to a type approved under this Regulation, in the spaces referred to in paragraph 4.2 above, in addition to the mark prescribed in paragraph 4.1 above, an international approval mark ⁽²⁾ consisting of:
- 5.4.1. A circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval ⁽³⁾;
- 5.4.2. The approval number.
- 5.5. The marks referred to in paragraph 5.4 above shall be clearly legible and be indelible.
- 5.6. Annex 2 to this Regulation gives examples of the arrangement of the approval marks referred to above.
6. GENERAL SPECIFICATIONS
- 6.1. Each sample shall conform to the specifications set forth in paragraph 7 below.
- 6.2. Headlamps shall be so designed and made that, in normal use, in spite of the vibration to which they may then be subjected, their satisfactory operation continues to be ensured and they retain the characteristics prescribed by this Regulation.
- 6.3. The components by which the halogen lamp is fixed to the reflector shall be so made that, even in darkness, the halogen lamp can be fixed in no position but the correct one.
7. SPECIAL SPECIFICATIONS
- 7.1. The correct position of the lens in relation to the optical system shall be unequivocally marked and be blocked against rotation.
- 7.2. For the measurement of the illumination produced by the headlamps, a measuring screen as described in annex 3 of this Regulation and a standard halogen filament lamp with a smooth and colourless bulb according to HS₂ category of Regulation No 37 shall be used.

The standard halogen filament lamp shall be adjusted to the applicable reference luminous flux according to values prescribed for these lamps of Regulation No 37 for a rated voltage of six volts.

The passing beam shall have a cut-off sufficiently sharp in order that satisfactory aiming can practically be achieved with its aid.

⁽¹⁾ A change in the colour of the beams emitted by headlamps whose other characteristics are not changed does not constitute a change of headlamp type. The same approval number shall accordingly be assigned to such headlamps (see paragraph 2.3).

⁽²⁾ If different types of headlamps have an identical lens or an identical reflector, the lens and the reflector may bear the various approval marks of these types of headlamps, on condition that the approval number granted for the specific type submitted can be identified without ambiguity.

⁽³⁾ The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to Consolidated Resolution on the Construction of Vehicles (R.E.3), document TRANS/WP.29/78/Rev.2/Amend.1.

- 7.3. The cut-off shall be as straight and horizontal as possible over a horizontal length of at least $\pm 2,250$ mm measured at a distance of 25 m.

When aimed ⁽¹⁾ according to annex 3, the headlamps shall meet the requirements specified in it.

- 7.4. The beam pattern shall not present any lateral variations detrimental to good visibility.
- 7.5. The screen illumination values shall be measured by means of a photoreceptor, the effective area of which shall be contained within a square of 65 mm side.

8. CONFORMITY OF PRODUCTION

- 8.1. Every headlamp bearing an approval mark as prescribed under this Regulation shall conform to the type approved and the requirements of this Regulation.
- 8.2. Nevertheless, in the case of a device picked at random from series production, the requirements as to maximum and minimum intensities of the light emitted (measured with a standard halogen lamp as referred to in paragraph 7.2 above) shall be at least 80 % of the minimum values and not exceed 120 % of the maximum values specified in annex 3.

9. PENALTIES FOR NON-CONFORMITY OF PRODUCTION

- 9.1. The approval granted in respect of a type of headlamp pursuant to this Regulation may be withdrawn if the requirements set forth above are not met.
- 9.2. If a Contracting Party to the Agreement applying this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation, by means of a communication form conforming to the model in annex 1 to this Regulation.

10. MODIFICATION AND EXTENSION OF APPROVAL OF A TYPE OF HEADLAMP

- 10.1. Every modification of the type of headlamp shall be notified to the administrative department which approved the type of headlamp. The department may then either:
- 10.1.1. Consider that the modifications made are unlikely to have an appreciable adverse effect and that in any case the headlamp still complies with the requirements; or
- 10.1.2. Require a further test report from the technical service responsible for conducting the tests.
- 10.2. Confirmation or refusal of approval, specifying the alterations shall be communicated by the procedure specified in paragraph 5.3 above to the Parties to the Agreement applying this Regulation.
- 10.3. The competent authority issuing the extension of approval shall assign a series number for such an extension and inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in annex 1 to this Regulation.

⁽¹⁾ It shall be possible to adjust the vertical angle of the headlamp.

11. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a type of headlamp approved in accordance with this Regulation, he shall so inform the authority which granted the approval. Upon receiving the relevant communication that authority shall inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in annex 1 to this Regulation.

12. NAMES AND ADDRESSES OF TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS AND OF ADMINISTRATIVE DEPARTMENTS

The Parties to the 1958 Agreement applying this Regulation shall communicate to the United Nations Secretariat the names and addresses of the technical services responsible for conducting approval tests and of the administrative departments which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, issued in other countries, are to be sent.

13. TRANSITIONAL PROVISIONS

13.1. As from six months after the official date of entry into force of Regulation No 113, Contracting Parties applying this Regulation shall cease to grant ECE approvals according to this Regulation.

13.2. Contracting Parties applying this Regulation shall not refuse to grant extensions of approval to the 01 series of amendments or the original version of this Regulation.

13.3. Approvals granted under this Regulation before the date of entry into force of Regulation No 113 and all extensions of approvals, including those to the original version of this Regulation granted subsequently, shall remain valid indefinitely.

13.4. Contracting Parties applying this Regulation shall continue to issue approvals for headlamps on the basis of the 01 series of amendments or the original version of this Regulation, provided that the headlamps are intended as replacements for fitting to vehicles in use.

13.5. As from the official date of entry into force of Regulation No 113, no Contracting Party applying this Regulation shall prohibit the fitting on a new vehicle type of a headlamp approved under Regulation No 113.

13.6. Contracting Parties applying this Regulation shall continue to allow fitting on a vehicle type or vehicle of a headlamp approved to this Regulation.

13.7. Contracting Parties applying this Regulation shall continue to allow fitting or use on a vehicle in use of a headlamp approved to this Regulation in its original version, provided that the headlamp is intended for replacement.

ANNEX 1

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration

.....

.....

.....

concerning ⁽²⁾: APPROVAL GRANTED
 APPROVAL EXTENDED
 APPROVAL REFUSED
 APPROVAL WITHDRAWN
 PRODUCTION DEFINITELY DISCONTINUED

of a type of headlamp pursuant to Regulation No 82.

Approval No Extension No

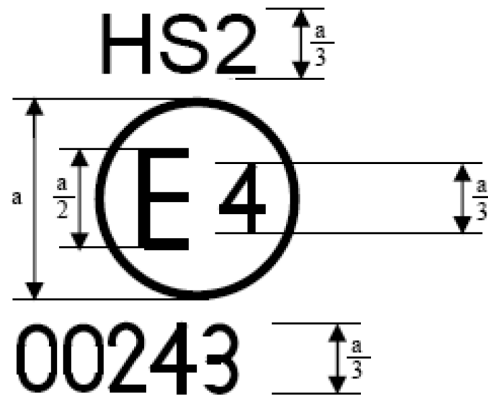
1. Headlamp type
2. Headlamp emitting, with a colourless lamp, a colourless beam/a selective yellow beam ⁽²⁾
3. Trade name or mark
4. Manufacturer's name and address
5. If applicable, name and address of manufacturer's representative
6. Submitted for approval on
7. Technical service responsible for conducting approval tests
8. Date of report issued by that service
9. Number of report issued by that service
10. Approval is granted/refused/extended/withdrawn ⁽²⁾
11. Place:
12. Date:
13. Signature:
14. The attached drawing No bearing the approval number shows the headlamp.
15. The list of documents filed with the administration service which has/granted approval and available on request is annexed to this communication.

⁽¹⁾ Distinguishing number of the country which has granted/extended/refused/withdrawn approval (see approval provisions in the Regulation).

⁽²⁾ Strike out what does not apply.

ANNEX 2

ARRANGEMENT OF APPROVAL MARK

 $a \geq 12 \text{ mm}$

The headlamp bearing the above approval mark has been approved in the Netherlands (E4) pursuant to Regulation No 82 under approval number 00243. The first two digits of the approval number indicate that the approval was granted in accordance with the requirements of this Regulation in its original form.

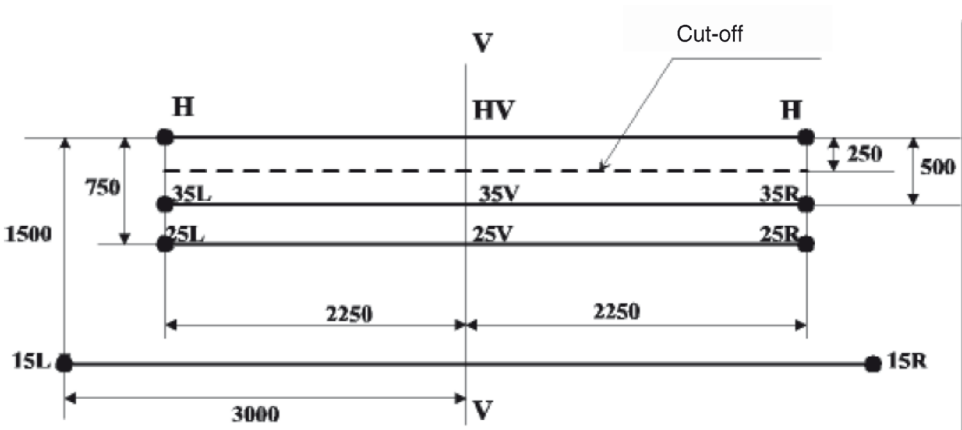
ANNEX 3

PHOTOMETRIC TESTS

1. For measurements, the measuring screen shall be located at a distance of 25 m in front of the headlamp and perpendicular to the line joining the filament of the lamp and the point HV; the line H-H shall be horizontal.
2. Laterally, the headlamp shall be so aimed that the centre of the beam is on the vertical line V-V.
3. Vertically, the headlamp shall be so aimed that the "cut-off" is situated 250 mm below the line H-H. It shall be as horizontal as possible.
4. The headlamp when aimed according to paragraphs 2 and 3 above, shall meet the following conditions:

Measuring point	Illumination E/Lux
Any point on and above the line H-H	$\leq 0,7$
Any point on the line 35L-35R except 35V	≥ 1
Point 35V	≥ 2
Any point on the line 25L-25R	≥ 2
Any point on the line 15L-15R	$\geq 0,5$

5. Measuring screen



(dimensions are in mm for 25 m distance)

ANNEX 4

COLOUR OF THE LIGHT EMITTED

1. The headlamps may emit white or selective yellow light.
2. The trichromatic co-ordinates of the selective yellow colour are:

limit towards red	$y \geq 0,138 + 0,580 x$
limit towards green	$y \leq 1,29 x - 0,100$
limit towards white	$y \geq -x + 0,966$
limit towards spectral value	$y \geq -x + 0,992$

3. The trichromatic co-ordinates for white light are:

limit towards blue	$x \geq 0,310$
limit towards yellow	$x \leq 0,500$
limit towards green	$y \leq 0,150 + 0,640 x$
limit towards green	$y \leq 0,440$
limit towards purple	$y \geq 0,050 + 0,750 x$
limit towards red	$y \geq 0,382$

Note:

Article 3 of the Agreement to which this Regulation is annexed shall not prevent the Contracting Parties from prohibiting headlamps emitting either white or selective yellow light on vehicles approved by them.

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:
<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29fdocsts.html>

**Regulation No 119 of the Economic Commission for Europe of the United Nations (UN/ECE) —
Uniform provisions concerning the approval of cornering lamps for power-driven vehicles**

Incorporating all valid text up to:

Supplement 3 to the 01 series of amendments — Date of entry into force: 3 November 2013

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5. General specifications
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8. Colour of light emitted
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- 1 Communication concerning the approval or extension or refusal or withdrawal of approval or production definitively discontinued of a type of cornering lamp pursuant to Regulation No 119
- 2 Examples of arrangements of approval marks
- 3 Photometric measurements
- 4 Colour of white light

- 5 Minimum requirements for conformity of production control procedures
- 6 Minimum requirements for sampling by an inspector

SCOPE

This Regulation applies to cornering lamps for vehicles of categories M, N and T ⁽¹⁾.

1. DEFINITIONS

- 1.1. 'Cornering lamp' means a lamp used to provide supplementary illumination of that part of the road which is located near the forward corner of the vehicle at the side towards which the vehicle is going to turn.

- 1.2. 'Cornering lamps of different types' means lamps which differ in such essential respects as:

- (a) The trade name or mark;

- (b) The characteristics of the optical system (level of intensity, light distribution angles, category of light source, light source module, etc.);

A change of the colour of the filament lamp or the colour of any filter does not constitute a change of type.

- 1.3. The definitions of the colour of the light emitted given in Regulation No 48 and its series of amendments in force at the time of application for type approval shall apply to this Regulation.

- 1.4. References made in this Regulation to standard (étalon) filament lamp(s) and to Regulation No 37 shall refer to Regulation No 37 and its series of amendments in force at the time of application for type approval.

2. APPLICATION FOR APPROVAL

- 2.1. The application for approval shall be submitted by the holder of the trade name or mark or by his duly accredited representative.

- 2.2. For each type of cornering lamp, the application shall be accompanied by:

- 2.2.1. Drawings, in triplicate, in sufficient detail to permit identification of the type of the cornering lamp and showing in what geometrical position the cornering lamp is to be mounted on the vehicle; the axis of observation to be taken as the axis of reference in the tests (horizontal angle $H = 0$, vertical angle $V = 0$); and the point to be taken as the centre of reference in the said tests. The drawings must show the position intended for the approval number and the additional symbol in relation to the circle of the approval mark;

- 2.2.2. A brief technical description stating, in particular, with the exception of lamps with non-replaceable light sources:

- (a) The category or categories of filament lamp(s) prescribed; this filament lamp category shall be one of those contained in Regulation No 37 and its series of amendments in force at the time of application for type approval; and/or

⁽¹⁾ As defined in the Consolidated Resolution on the Construction of vehicles (R.E.3), document ECE/TRANS/WP.29/78/Rev.2, para.2.

- (b) The category or categories of LED light source(s) prescribed; this LED light source category shall be one of those contained in Regulation No 128 and its series of amendments in force at the time of application for type approval; and/or
 - (c) The light source module specific identification code.
- 2.2.3. Two samples. If the devices are not identical but are symmetrical and suitable for mounting one on the left and one on the right side of the vehicle, the two samples submitted may be identical and be suitable for mounting only on the right or only on the left side of the vehicle.
- 3. MARKINGS

The samples of a type of cornering lamp submitted for approval shall:
- 3.1. Bear the trade name or mark of the applicant; this marking shall be clearly legible and be indelible;
- 3.2. With the exception of lamps with non-replaceable light sources, bear a clearly legible and indelible marking indicating:
 - (a) The category or categories of light source(s) prescribed; and/or
 - (b) The light source module specific identification code;
- 3.3. Provide adequate space for the approval mark and for the additional symbols prescribed in paragraph 4.3 below; the said space shall be shown in the drawings referred to in paragraph 2.2.1 above;
- 3.4. In the case of lamps with an electronic light source control gear and/or non-replaceable light sources and/or light source module(s), bear the marking of the rated voltage or range of voltage and rated maximum wattage.
- 3.5. In the case of lamps with light source module(s), the light source module(s) shall bear:
 - 3.5.1. The trade name or mark of the applicant; this marking must be clearly legible and indelible;
 - 3.5.2. The specific identification code of the module; this marking must be clearly legible and indelible. This specific identification code shall comprise the starting letters 'MD' for 'MODULE' followed by the approval marking without the circle as prescribed in paragraph 4.3.1.1 below and, in the case several non-identical light source modules are used, followed by additional symbols or characters; this specific identification code shall be shown in the drawings mentioned in paragraph 2.2.1 above.

The approval marking does not have to be the same as the one on the lamp in which the module is used, but both markings shall be from the same applicant;
- 3.5.3. The marking of the rated voltage and rated wattage.
- 3.6. Lamps operating at voltages other than the nominal rated voltages of 6 V, 12 V or 24 V respectively, by the application of an electronic light source control gear being not part of the lamp, must also bear a marking denoting the rated secondary design voltage.
- 3.7. An electronic light source control gear being part of the lamp but not included into the lamp body shall bear the name of the manufacturer and its identification number.

4. APPROVAL
- 4.1. If the two samples of a type of cornering lamp meet the requirements of this Regulation, approval shall be granted.
- 4.2. An approval number shall be assigned to each type approved. The same Contracting Party shall not assign the same number to another type of cornering lamp covered by this Regulation. Notice of approval or of extension or refusal or withdrawal of approval or production definitively discontinued of a type of cornering lamp pursuant to this Regulation shall be communicated to the Parties to the 1958 Agreement which apply this Regulation by means of a form conforming to the model in Annex 1 to this Regulation.
- 4.3. Every cornering lamp conforming to a type approved under this Regulation shall bear in the space referred to in paragraph 3.3 above, in addition to the mark and the particulars prescribed above in paragraphs 3.1, 3.2 and 3.3 or 3.4 respectively:
 - 4.3.1. An international approval mark consisting of:
 - 4.3.1.1. A circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted the approval ⁽¹⁾; and
 - 4.3.1.2. An approval number;
 - 4.3.2. An additional symbol consisting of the letter 'K' as shown in Annex 2 to this Regulation.
 - 4.3.3. The first two digits (at present 01) of the approval number which indicate the most recent series of amendments to this Regulation may be placed in the vicinity of the additional letter 'K'.
- 4.4. When two or more lamps are part of the same assembly of grouped, combined or reciprocally incorporated lamps, approval is granted only if each of these lamps satisfies the requirements of this Regulation or of another Regulation. Lamps not satisfying any one of those Regulations shall not be part of such an assembly of grouped, combined or reciprocally incorporated lamps.
 - 4.4.1. Where grouped, combined or reciprocally incorporated lamps comply with the requirements of several Regulations, a single international approval mark may be applied, consisting of a circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted the approval, an approval number and, if necessary, the required arrow. This approval mark may be placed anywhere on the grouped, combined or reciprocally incorporated lamps provided that:
 - 4.4.1.1. It is visible after their installation;
 - 4.4.1.2. No part of the grouped, combined or reciprocally incorporated lamps that transmits light can be removed without at the same time removing the approval mark.
 - 4.4.2. The identification symbol for each lamp appropriate to each Regulation under which approval has been granted, together with the corresponding series of amendments incorporating the most recent major technical amendments to the Regulation at the time of issue of the approval, shall be marked:
 - 4.4.2.1. Either on the appropriate light-emitting surface;
 - 4.4.2.2. Or in a group, in such a way that each lamp of the grouped, combined or reciprocally incorporated lamps may be clearly identified (see three possible examples in Annex 2).

⁽¹⁾ The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to the Consolidated Resolution on the Construction of Vehicles (R.E.3), document TRANS/WP.29/78/Rev.2/Amend.1.

- 4.4.3. The size of the components of a single approval mark shall not be less than the minimum size required for the smallest of the individual marks by a Regulation under which approval has been granted.
- 4.4.4. An approval number shall be assigned to each type approved. The same Contracting Party may not assign the same number to another type of grouped, combined or reciprocally incorporated lamps covered by this Regulation.
- 4.5. The mark and symbol referred to in paragraphs 4.3.1 and 4.3.2 shall be indelible and shall be clearly legible even when the cornering lamp is mounted on the vehicle.
- 4.6. Annex 2 gives examples of approval marks for a single lamp (Figure 1) and for grouped, combined or reciprocally incorporated lamps (Figure 2) with all the additional symbols referred to above, in which the letter 'K' indicates a cornering lamp.
- 4.7. The approval marking shall be clearly legible and indelible. It may be placed on an inner or outer part (transparent or not) of the device which cannot be separated from the transparent part of the device emitting the light. In any case the marking shall be visible when the device is fitted on the vehicle or when a movable part such as the hood or boot lid or a door is opened.
5. GENERAL SPECIFICATIONS
- 5.1. Each sample shall conform to the specifications set forth in the paragraphs below.
- 5.2. Cornering lamps shall be so designed and constructed that in normal use, despite the vibration to which they may then be subjected, they continue to function satisfactorily and retain the characteristics prescribed by this Regulation.
- 5.3. In the case of light source modules, it shall be checked that:
- 5.3.1. The design of the light source module(s) shall be such as:
- (a) That each light source module can only be fitted in no other position than the designated and correct one and can only be removed with the use of tool(s);
 - (b) If there are more than one light source module used in the housing for a device, light source modules having different characteristics cannot be interchanged within the same lamp housing.
- 5.3.2. The light source module(s) shall be tamperproof.
- 5.3.3. A light source module shall be so designed that regardless of the use of tool(s), it shall not be mechanically interchangeable with any replaceable approved light source.
- 5.4. In the case of replaceable light sources:
- 5.4.1. Any category or categories of light source(s) approved according to Regulation No 37 and/or Regulation No 128 may be used, provided that no restriction on the use is made in Regulation No 37 and its series of amendments in force at the time of application for type approval or in Regulation No 128 and its series of amendments in force at the time of application for type approval.

5.4.2. The design of the device shall be such that the light source can be fixed in no other position but the correct one.

5.4.3. The light source holder shall conform to the characteristics given in IEC Publication 60061. The holder data sheet relevant to the category of light source used, applies.

6. INTENSITY OF LIGHT EMITTED

6.1. The intensity of light emitted by each of two samples shall be not less than the minimum intensity and not greater than the maximum intensity specified in paragraphs 6.2 and 6.3. The intensity shall be measured in relation to the axis of reference in the directions shown below (expressed in degrees of angle with the axis of reference). Test points are given for a lamp mounted on the left side of the vehicle, the L designations become R designations for a lamp mounted on the right side of the vehicle.

6.2. For the left-hand device, the minimum intensity of the light at the specified measuring points shall be as follows:

(1) 2,5D – 30L: 240 cd

(2) 2,5D – 45L: 400 cd

(3) 2,5D – 60L: 240 cd

The same values apply symmetrically for a right-hand device. (Shown in Annex 3)

6.3. The intensity of the light emitted in all directions shall not exceed:

(a) 300 cd above the 1,0U, L and R line;

(b) 600 cd between the horizontal plane and the 1,0U, L and R Line; and

(c) 14 000 cd below the 0,57 D, L and R line.

6.4. In the case of a single lamp containing more than one light source, the lamp shall comply with the minimum intensity required when any one light source has failed and when all light sources are illuminated the maximum intensities shall not be exceeded.

7. TEST PROCEDURE

7.1. In the case of a lamp with replaceable light source, when not supplied by an electronic light source control gear, with an uncoloured or coloured standard light source of the category prescribed for the device, supplied with the voltage:

(a) In the case of filament lamp(s), that is necessary to produce the reference luminous flux required for that category of filament lamp,

(b) In the case of LED light sources of 6,75 V, 13,5 V or 28,0 V; the luminous flux value produced shall be corrected. The correction factor is the ratio between the objective luminous flux and the mean value of the luminous flux found at the voltage applied.

7.2. All measurements on lamps equipped with non-replaceable light sources (filament lamps and other) shall be made at 6,75 V, 13,5 V or 28,0 V respectively, when not supplied by an electronic light source control gear.

7.3. In the case of a system that uses an electronic light source control gear being part of the lamp ⁽¹⁾, applying at the input terminals of the electronic light source control gear a voltage of 6,75 V, 13,5 V or 28,0 V respectively.

⁽¹⁾ For the purpose of this Regulation 'being part of the lamp' means to be physically included in the lamp body or to be external, separated or not, from the lamp body but supplied by the lamp manufacturer as part of the lamp system.

- 7.4. In the case of a system that uses an electronic light source control gear not being part of the lamp the voltage declared by the manufacturer shall be applied to the input terminals of the lamp. The test laboratory shall require from the applicant the light source control gear needed to supply the light source and the applicable functions.

The voltage to be applied to the lamp shall be noted in the communication form in Annex 1 of this Regulation.

- 7.5. For any lamp except those equipped with filament lamps, the luminous intensities, measured after one minute and after 30 minutes of operation, shall comply with the minimum and maximum requirements. The luminous intensity distribution after one minute of operation can be calculated from the luminous intensity distribution after 30 minutes of operation by applying at each test point the ratio of luminous intensities measured at HV after one minute and after 30 minutes of operation.

8. COLOUR OF LIGHT EMITTED

The colour of the light emitted inside the field of the light distribution grid defined in paragraph 2 of Annex 3 shall be white. For testing see Annex 4 to this Regulation. Outside this field, no sharp variations of colour shall be observed.

9. CONFORMITY OF PRODUCTION

The conformity of production procedures shall comply with those set out in the Agreement, Appendix 2 (E/ECE/324-E/ECE/TRANS/505/Rev.2), with the following requirements:

- 9.1. Lamps approved under this Regulation shall be so manufactured as to conform to the type approved by meeting the requirements set forth in paragraphs 6 and 8 above.
- 9.2. The minimum requirements for conformity of production control procedures set forth in Annex 5 to this Regulation shall be complied with.
- 9.3. The minimum requirements for sampling by an inspector set forth in Annex 6 to this regulation shall be complied with.
- 9.4. The authority which has granted type approval may at any time verify the conformity control methods applied in each production facility. The normal frequency of these verifications shall be once every two years.

10. PENALTIES FOR NON-CONFORMITY OF PRODUCTION

- 10.1. The approval granted in respect of a type of cornering lamp pursuant to this Regulation may be withdrawn if the foregoing requirements are not complied with or if a cornering lamp bearing the mark referred to in paragraphs 4.3.1 and 4.3.2 does not conform to the type approved.
- 10.2. If a Contracting Party to the Agreement which applies this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation by means of a communication form conforming to the model in Annex 1 to this Regulation.

11. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a type of cornering lamp approved in accordance with this Regulation, he shall so inform the authority which granted the approval. Upon receiving the relevant communication that authority shall inform thereof the other Parties to the 1958 Agreement which apply this Regulation by means of a communication form conforming to the model in Annex 1 to this Regulation.

12. NAMES AND ADDRESSES OF TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS, AND OF TYPE APPROVAL AUTHORITIES

The Parties to the 1958 Agreement which apply this Regulation shall communicate to the United Nations secretariat the names and addresses of the Technical Services responsible for conducting approval tests and of the Type Approval Authority which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, issued in other countries or production definitively discontinued, are to be sent.

13. TRANSITIONAL PROVISIONS

13.1. From the date of entry into force of the 01 series of amendments to this Regulation, no Contracting Party applying it shall refuse to grant approvals under this Regulation as amended by the 01 series of amendments.

13.2. As from 60 months after the date of entry into force of the 01 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if the cornering-lamp meets the requirements of this Regulation as amended by the 01 series of amendments.

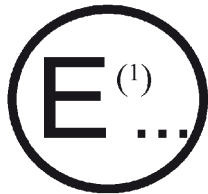
13.3. Existing approvals for cornering-lamps already granted under this Regulation before the date of entry into force of the 01 series of amendments, shall remain valid indefinitely.

13.4. Contracting Parties applying this Regulation shall not refuse to grant extensions of approvals to the preceding series of amendments to this Regulation.

ANNEX 1

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration:

.....

.....

.....

concerning ⁽²⁾: Approval granted
 Approval extended
 Approval refused
 Approval withdrawn
 Production definitely discontinued

of a type of cornering lamp pursuant to Regulation No 119

Approval No: Extension No:

1. Trade name or mark of the device:
2. Manufacturer's name for the type of device:
3. Manufacturer's name and address:
4. If applicable, name and address of the manufacturer's representative:
5. Submitted for approval on:
6. Technical Service responsible for conducting approval tests:
7. Date of report issued by that service:
8. Number of report issued by that service:
9. Concise description:

By category of lamp:

Number, category and kind of light source(s) ⁽²⁾:

Voltage and wattage:

Light source module: yes/no ⁽³⁾

Light source module specific identification code:

Application of an electronic light source control gear:

(a) Being part of the lamp yes/no ⁽³⁾(b) Being not part of the lamp yes/no ⁽³⁾

Input voltage supplied by an electronic light source control gear:

Electronic light source control gear manufacturer and identification number (when the light source control gear is part of the lamp but is not included into the lamp body):

- Geometrical conditions of installation and relating variations, if any:
10. Position of the approval mark:
11. Reason(s) for extension (if applicable):
12. Approval granted/extended/refused/withdrawn ⁽³⁾
13. Place:
14. Date:
15. Signature:
16. The list of documents deposited with the Type Approval Authority which has granted approval is annexed to this communication and may be obtained on request.
- _____

⁽¹⁾ Distinguishing number of the country which has granted/extended/refused/withdrawn approval.

⁽²⁾ For cornering lamps with non-replaceable light sources indicate the number and total wattage of the light sources used.

⁽³⁾ Strike out what does not apply.

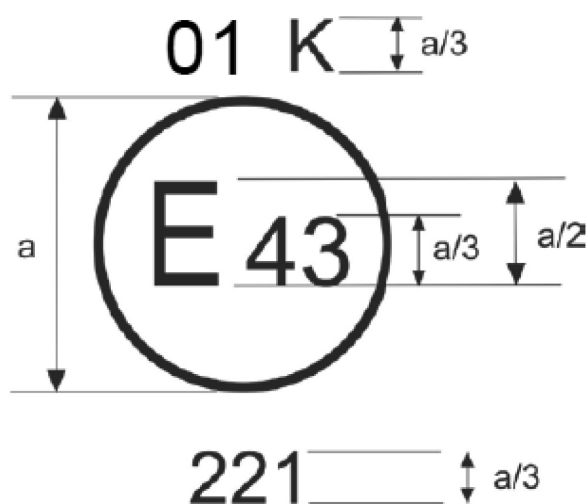
ANNEX 2

EXAMPLES OF ARRANGEMENTS OF APPROVAL MARKS

Figure 1

Marking for single lamps

Model A



a = 5 mm min.

The device bearing the approval mark shown above is a cornering lamp approved in Japan (E43) pursuant to Regulation No 119 under approval number 221. The approval number indicates that the approval was granted in accordance with the requirements of Regulation No 119 as amended by the 01 series of amendments.

Note: The approval number and additional symbol shall be placed close to the circle and either above or below the letter "E" or to the left or right of that letter. The digits of the approval number and of the production serial number shall be on the same side of the letter "E" and face the same direction. The use of Roman numerals as approval numbers should be avoided so as to prevent any confusion with other symbols.

Figure 2

Simplified marking for Grouped, combined or reciprocally incorporated lamps

(The vertical and horizontal lines schematize the shape of the light-signalling device. These are not part of the approval mark.)

Model B

	3333 E₄₃		
	02 A →	01 1	01 K

Model C

	02 A 01 1 01 K →		
	3333 E₄₃		

Model D

02 A →	01 1 →	01 K			
3333 E₄₃					

Note: The three examples of approval marks, models B, C and D represent three possible variables for the marking of a lighting device when two or more lamps are part of the same assembly or grouped, combined or reciprocally incorporated lamps. This approval mark shows that the device was approved in Japan (E 43) under approval number 3333 and comprising:

A direction indicator lamp of category 1 approved in accordance with the 01 series of amendments to Regulation No 6;

A front position lamp approved in accordance with the 02 series of amendments to Regulation No 7;

A cornering lamp approved in accordance with the 01 series of amendments to Regulation No 119.

Figure 3

Light source modules

MD E3 17325

The light source module bearing the identification code shown above has been approved together with a lamp approved in Italy (E3) under approval number 17325.

ANNEX 3

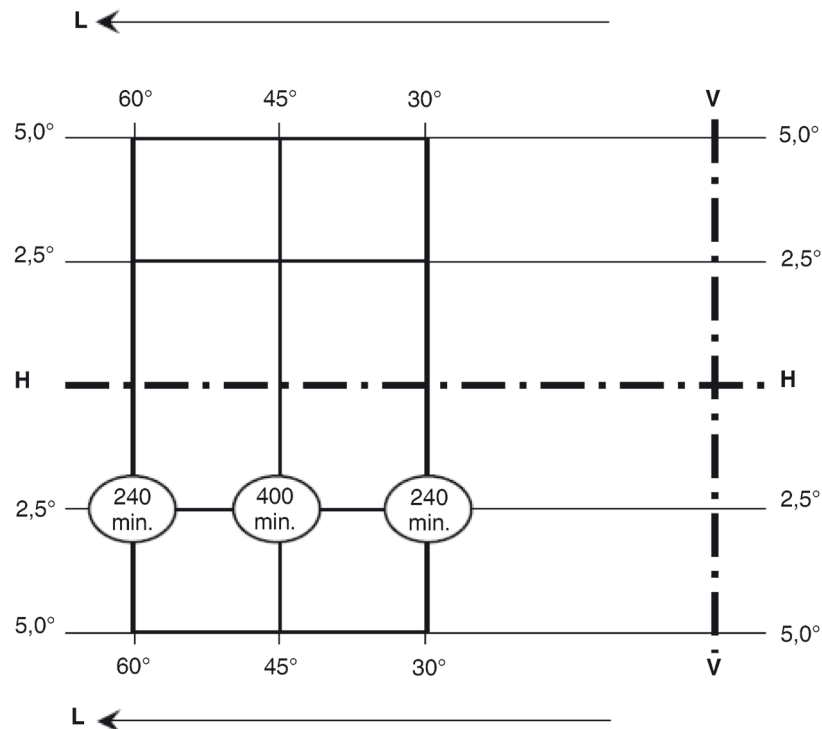
PHOTOMETRIC MEASUREMENTS

1. MEASUREMENT METHODS

- 1.1. When photometric measurements are taken, stray reflections shall be avoided by appropriate masking.
- 1.2. In the event that the results of measurements are challenged, measurements shall be taken in such a way as to meet the following requirements:
- 1.2.1. The distance of measurement shall be such that the law of the inverse of the square of the distance is applicable;
- 1.2.2. The measuring equipment shall be such that the angle subtended by the receiver from the reference centre of the light is between $10'$ and 1° ;
- 1.2.3. The intensity requirement for a particular direction of observation shall be satisfied if the required intensity is obtained in a direction deviating by not more than one quarter of a degree from the direction of observation.

2. MEASURING POINTS EXPRESSED IN DEGREES OF ANGLE WITH THE AXIS OF REFERENCE

Figure 1



○ = Minimum intensity in cd
 = Left-side lamp (L angle should be substituted for R angle for right-side lamp)

2.1. Field of geometric visibility

Figure 1

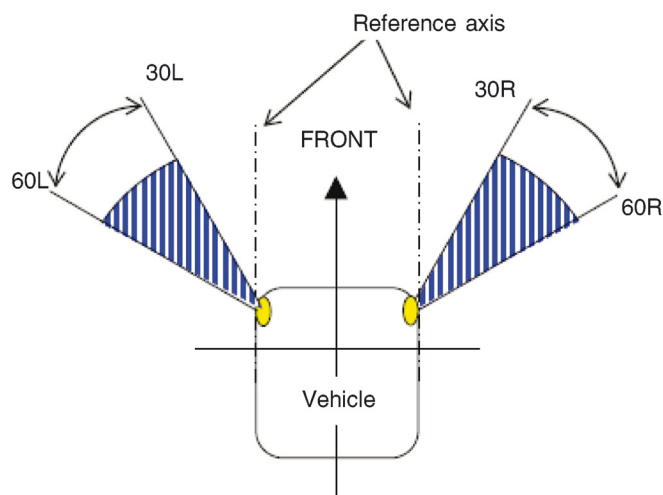
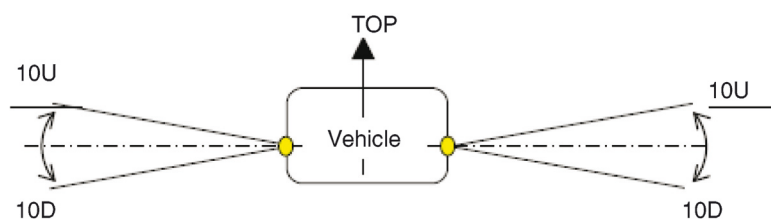


Figure 2



- 2.1.1. The directions $H = 0^\circ$ and $V = 0^\circ$ correspond to the axis of reference. On the vehicle they are horizontal, parallel to the median longitudinal plane of the vehicle and oriented in the required direction of visibility. They pass through the centre of reference. The values shown in the table give, for the various directions of measurement, the minimum intensities in cd.

3. PHOTOMETRIC MEASUREMENT OF LAMPS EQUIPPED WITH SEVERAL LIGHT SOURCES

The photometric performance shall be checked:

- 3.1. For non-replaceable light sources (filament lamps and other):

With the light sources present in the lamp, in accordance with paragraph 7.1.1 of this Regulation.

- 3.2. For replaceable light sources:

When equipped with light sources at 6,75 V, 13,5 V or 28,0 V, the luminous intensity values produced shall be corrected. For filament lamps the correction factor is the ratio between the reference luminous flux and the mean value of the luminous flux found at the voltage applied (6,75 V, 13,5 V or 28,0 V).

For LED light sources the correction factor is the ratio between the objective luminous flux and the mean value of the luminous flux found at the voltage applied (6,75 V, 13,5 V or 28,0 V).

The actual luminous fluxes of each light source used shall not deviate more than ± 5 per cent from the mean value. Alternatively and in case of filament lamps only, a standard filament lamp may be used in turn, in each of the individual positions, operated at its reference flux, the individual measurements in each position being added together.

- 3.3. For any cornering lamp except those equipped with filament lamp(s), the luminous intensities, measured after one minute and after 30 minutes of operation, shall comply with the minimum and maximum requirements. The luminous intensity distribution after one minute of operation can be calculated from the luminous intensity distribution after 30 minutes of operation by applying at each test point the ratio of luminous intensities measured at $45^\circ L$ $2,5^\circ D$ after one minute and after 30 minutes of operation for a left-side lamp (the L angle should be substituted for the R angle for a right-side lamp).

ANNEX 4

COLOUR OF WHITE LIGHT

(Chromaticity coordinates)

1. For checking the colorimetric characteristics, a source of light at a colour temperature of 2 856 K, corresponding to illuminant A of the international commission (CIE), shall be used. For lamps equipped with non-replaceable light sources (filament lamps and other), or light sources (replaceable or non-replaceable) operated together with an electronic light source control gear, the colorimetric characteristics should be verified with the light sources present in the lamp, in accordance with paragraph 7 of this Regulation.
 2. The replaceable light source shall be subjected to the intensity, which produces the same colour as the illuminant A of the CIE.
-

ANNEX 5

MINIMUM REQUIREMENTS FOR CONFORMITY OF PRODUCTION CONTROL PROCEDURES**1. GENERAL**

- 1.1. The conformity requirements shall be considered satisfied from a mechanical and geometric standpoint, if the differences do not exceed inevitable manufacturing deviations within the requirements of this Regulation.
- 1.2. With respect to photometric performances, the conformity of mass-produced lamps shall not be contested if, when testing photometric performances of any lamp chosen at random and equipped with a standard light source, or when the lamps are equipped with non-replaceable light sources (filament lamps or other), and when all measurements are made at 6,75 V, 13,5 V or 28,0 V respectively:
 - 1.2.1. No measured value deviates unfavourably by more than 20 per cent from the values prescribed in this Regulation.
 - 1.2.2. If, in the case of a lamp equipped with a replaceable light source and if results of the test described above do not meet the requirements, tests on lamps shall be repeated using another standard light source.
- 1.3. The chromaticity coordinates shall be complied with when the lamp is equipped with a standard light source, or for lamps equipped with non-replaceable light sources (filament lamps or other), when the colorimetric characteristics are verified with the light source present in the lamp.

2. MINIMUM REQUIREMENTS FOR VERIFICATION OF CONFORMITY BY THE MANUFACTURER

For each type of lamp the holder of the approval mark shall carry out at least the following tests, at appropriate intervals. The tests shall be carried out in accordance with the provisions of this Regulation.

If any sampling shows non-conformity with regard to the type of test concerned, further samples shall be taken and tested. The manufacturer shall take steps to ensure the conformity of the production concerned.

2.1. Nature of tests

Tests of conformity in this Regulation shall cover the photometric and colorimetric characteristics.

2.2. Methods used in tests

- 2.2.1. Tests shall generally be carried out in accordance with the methods set out in this Regulation.
- 2.2.2. In any test of conformity carried out by the manufacturer, equivalent methods may be used with the consent of the competent authority responsible for approval tests. The manufacturer is responsible for proving that the applied methods are equivalent to those laid down in this Regulation.
- 2.2.3. The application of paragraphs 2.2.1 and 2.2.2 requires regular calibration of test apparatus and its correlation with measurements made by a competent authority.
- 2.2.4. In all cases the reference methods shall be those of this Regulation, particularly for the purpose of administrative verification and sampling.

2.3. Nature of sampling

Samples of lamps shall be selected at random from the production of a uniform batch. A uniform batch means a set of lamps of the same type, defined according to the production methods of the manufacturer.

The assessment shall in general cover series production from individual factories. However, a manufacturer may group together records concerning the same type from several factories, provided these operate under the same quality system and quality management.

2.4. Measured and recorded photometric characteristics

The sampled lamp shall be subjected to photometric measurements for the minimum values at the points listed in Annex 4 and the required chromaticity coordinates.

2.5. Criteria governing acceptability

The manufacturer is responsible for carrying out a statistical study of the test results and for defining, in agreement with the competent authority, criteria governing the acceptability of his products in order to meet the specifications laid down for verification of conformity of products in paragraph 9.1 of this Regulation.

The criteria governing the acceptability shall be such that, with a confidence level of 95 per cent, the minimum probability of passing a spot check in accordance with Annex 6 (first sampling) would be 0,95.

ANNEX 6

MINIMUM REQUIREMENTS FOR SAMPLING BY AN INSPECTOR

1. GENERAL

1.1. The conformity requirements shall be considered satisfied from a mechanical and a geometric standpoint, in accordance with the requirements of this Regulation, if any, if the differences do not exceed inevitable manufacturing deviations.

1.2. With respect to photometric performance, the conformity of mass-produced lamps shall not be contested if, when testing photometric performances of any lamp chosen at random and equipped with a standard light source, or when the lamps are equipped with non-replaceable light sources (filament lamps or other), and when all measurements are made at 6,75 V, 13,5 V or 28,0 V respectively:

1.2.1. No measured value deviates unfavourably by more than 20 per cent from the values prescribed in this Regulation.

1.2.2. If, in the case of a lamp equipped with a replaceable light source and if results of the test described above do not meet the requirements, tests on lamps shall be repeated using another standard light source.

1.2.3. Lamps with apparent defects are disregarded.

1.3. The chromaticity coordinates shall be complied with when the lamp is equipped with a standard light source, or for lamps equipped with non-replaceable light sources (filament lamps or other), when the colorimetric characteristics are verified with the light source present in the lamp.

2. FIRST SAMPLING

In the first sampling four lamps are selected at random. The first sample of two is marked A, the second sample of two is marked B.

2.1. The conformity is not contested

2.1.1. Following the sampling procedure shown in Figure 1 of this Annex the conformity of mass-produced lamps shall not be contested if the deviation of the measured values of the lamps in the unfavourable directions are:

2.1.1.1. Sample A

A1: One lamp	0 per cent
One lamp not more than	20 per cent
A2: Both lamp more than	0 per cent
But not more than	20 per cent
Go to sample B	

2.1.1.2. Sample B

B1: Both lamps	0 per cent
----------------	------------

2.1.2. Or, if the conditions of paragraph 1.2.2 for sample A are fulfilled.

2.2. The conformity is contested

2.2.1. Following the sampling procedure shown in Figure 1 of this Annex the conformity of mass-produced lamps shall be contested and the manufacturer requested to make his production meet the requirements (alignment) if the deviations of the measured values of the lamps are:

2.2.1.1. Sample A

A3: One lamp not more than	20 per cent
One lamp more than	20 per cent
But not more than	30 per cent

2.2.1.2. Sample B

B2: In the case of A2

One lamp more than 0 per cent

But not more than 20 per cent

One lamp not more than 20 per cent

B3: In the case of A2

One lamp 0 per cent

One lamp more than 20 per cent

But not more than 30 per cent

2.2.2. Or, if the conditions of paragraph 1.2.2 for sample A are not fulfilled.

2.3. Approval withdrawn

Conformity shall be contested and paragraph 10 applied if, following the sampling procedure in Figure 1 of this Annex, the deviations of the measured values of the lamps are:

2.3.1. Sample A

A4: One lamp not more than

20 per cent

One lamp more than

30 per cent

A5: Both lamps more than

20 per cent

2.3.2. Sample B

B4: In the case of A2

One lamp more than 0 per cent

But not more than 20 per cent

One lamp more than 20 per cent

B5: In the case of A2

Both lamps more than 20 per cent

B6: In the case of A2

One lamp 0 per cent

One lamp more than 30 per cent

2.3.3. Or, if the conditions of paragraph 1.2.2 for samples A and B are not fulfilled.

3. REPEATED SAMPLING

In the cases of A3, B2, B3 a repeated sampling, third sample C of two lamps and fourth sample D of two lamps, selected from stock manufactured after alignment, is necessary within two months' time after the notification.

3.1. The conformity is not contested

3.1.1. Following the sampling procedure shown in Figure 1 of this Annex the conformity of mass-produced lamps shall not be contested if the deviations of the measured values of the lamps are:

3.1.1.1. Sample C

C1: One lamp

0 per cent

One lamp not more than

20 per cent

C2: Both lamps more than

0 per cent

But not more than

20 per cent

Go to sample D

3.1.1.2. Sample D

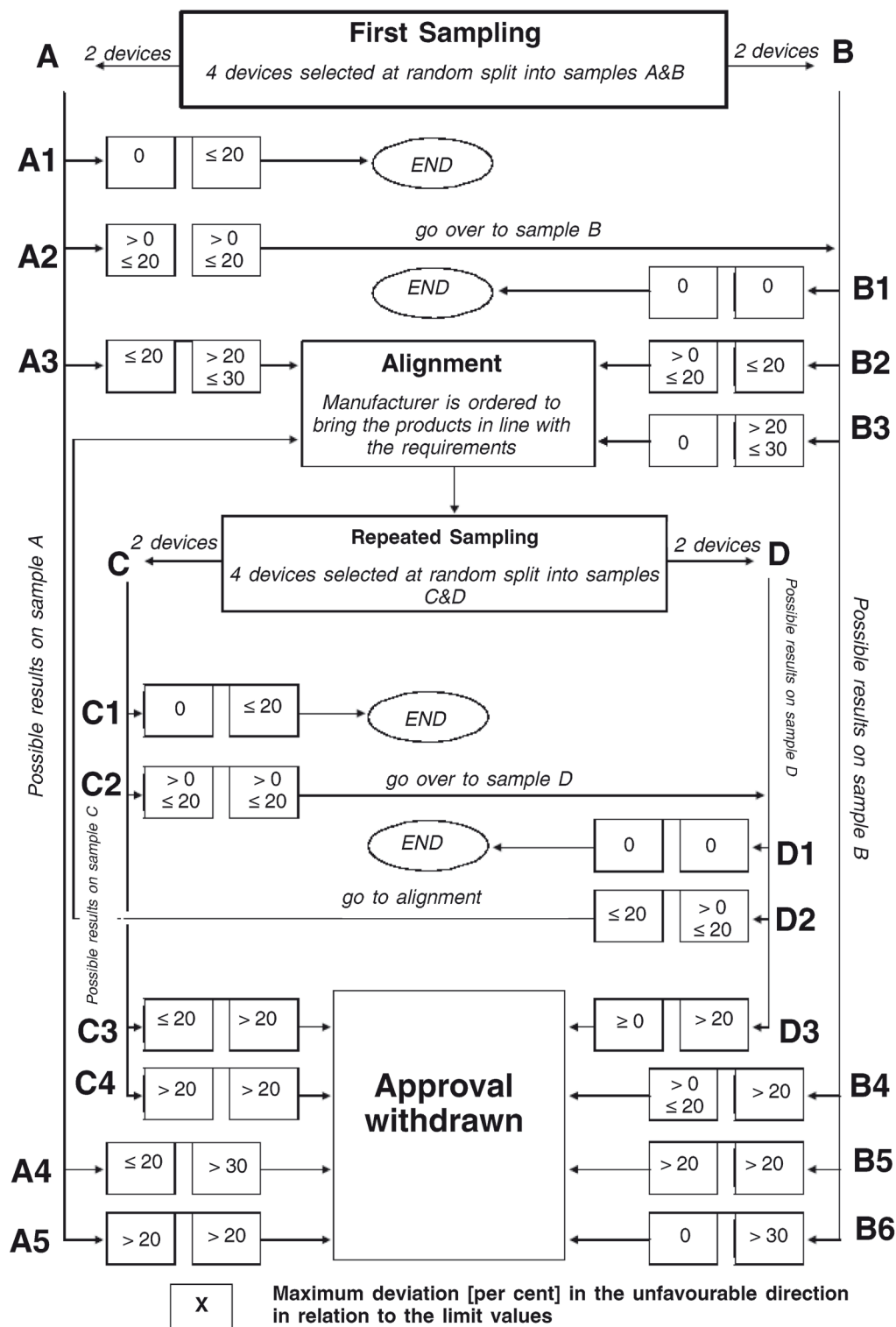
D1: In the case of C2

Both lamps

0 per cent

- 3.1.2. Or, if the conditions of paragraph 1.2.2 for sample C are fulfilled.
- 3.2. The conformity is contested
- 3.2.1. Following the sampling procedure shown in Figure 1 of this Annex the conformity of mass-produced lamps shall be contested and the manufacturer requested to make his production meet the requirements (alignment) if the deviations of the measured values of the lamps are:
- 3.2.1.1. Sample D
- | | |
|------------------------|-------------|
| D2: In the case of C2 | |
| One lamp more than | 0 per cent |
| But not more than | 20 per cent |
| One lamp not more than | 20 per cent |
- 3.2.1.2. Or, if the conditions of paragraph 1.2.2 for sample C are not fulfilled.
- 3.3. Approval withdrawn
- Conformity shall be contested and paragraph 10 applied if, following the sampling procedure in Figure 1 of this Annex, the deviations of the measured values of the lamps are:
- 3.3.1. Sample C
- | | |
|----------------------------|-------------|
| C3: One lamp not more than | 20 per cent |
| One lamp more than | 20 per cent |
| C4: Both lamps more than | 20 per cent |
- 3.3.2. Sample D
- | | |
|-------------------------|-------------|
| D3: In the case of C2 | |
| One lamp 0 or more than | 0 per cent |
| One lamp more than | 20 per cent |
- 3.3.3. Or, if the conditions of paragraph 1.2.2. for samples C and D are not fulfilled.

Figure 1



Commission Implementing Regulation (EU) No 300/2014 of 24 March 2014 withdrawing the suspension of submission of applications for import licences for sugar products under certain tariff quotas	43
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DECISIONS

2014/165/EU:

★ Council Decision of 3 March 2014 authorising Member States to ratify, in the interests of the European Union, the Arms Trade Treaty	44
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2014/166/EU:

★ Commission Implementing Decision of 21 March 2014 amending Decision 2005/381/EC as regards the questionnaire for reporting on the application of Directive 2003/87/EC of the European Parliament and of the Council (<i>notified under document C(2014) 1726</i>) ⁽¹⁾	45
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ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

★ Regulation No 56 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of headlamps for mopeds and vehicles treated as such	77
★ Regulation No 82 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of moped headlamps equipped with filament halogen lamps (HS₂ lamps)	92
★ Regulation No 119 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of cornering lamps for power-driven vehicles	101



⁽¹⁾ Text with EEA relevance



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2985 Luxembourg
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