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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Delegated Regulation (EU) 2015/288 of 17 December 2014 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the period of time and the dates for the inadmissibility of applications** 1

Commission Implementing Regulation (EU) 2015/289 of 23 February 2015 establishing the standard import values for determining the entry price of certain fruit and vegetables 7

DECISIONS

- ★ **Commission Implementing Decision (EU) 2015/290 of 20 February 2015 on the compliance of 2014 unit rates for charging zones under Article 17 of Implementing Regulation (EU) No 391/2013 and repealing Decision 2013/631/EU (notified under document C(2015) 882)** 10

EN

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

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

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2015/288

of 17 December 2014

supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the period of time and the dates for the inadmissibility of applications

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) The achievement of the objectives of the Common Fisheries Policy (CFP) should not be undermined by operators violating CFP rules. Pursuant to Article 42(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽²⁾, financial assistance from the European Maritime and Fisheries Fund (EMFF) is made conditional upon compliance by operators with CFP rules.
- (2) According to Article 42(2) of Regulation (EU) No 1380/2013, serious infringements by operators of the CFP rules are to result in temporary or permanent bans on access to Union financial assistance. Such measures are to be dissuasive, effective, and proportionate.
- (3) In order to safeguard the financial interest of the Union and its taxpayers, operators that, within a particular time before submitting an application for financial assistance, committed serious infringements, offence or fraud as set out in Article 10 of Regulation (EU) No 508/2014 should not benefit from financial assistance from the EMFF.
- (4) Operators applying for EMFF support should be clearly identifiable in order to verify the admissibility of their applications. In order to attain the objectives of the conditionality of EMFF support, it is appropriate to lay down the necessary provisions ensuring that such operators comply with the conditions of admissibility for EMFF support in relation to all fishing vessels under their effective control.
- (5) In accordance with Article 10(4) of Regulation (EU) No 508/2014, the duration of the inadmissibility period shall be proportionate to the nature, gravity, duration and repetition of the serious infringement, offence or fraud. It is therefore necessary to lay down rules for calculation of the duration of inadmissibility and to identify the relevant starting and ending dates of the inadmissibility period.
- (6) In accordance with Article 42(3) of Regulation (EU) No 1380/2013 and Article 10(4)(a) of Regulation (EU) No 508/2014, where the competent authority has determined that an operator has committed a serious

⁽¹⁾ OJ L 149, 20.5.2014, p. 1.

⁽²⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

infringement, an application from that operator is to be inadmissible for EMFF support for a period of at least 12 months. As Regulation (EU) No 508/2014 applies as from 1 January 2014, in order to ensure proportionality and legal certainty only serious infringements determined by a decision taken as from 1 January 2013 should be taken into account for the calculation of the inadmissibility period.

- (7) Nevertheless, an immediate and automatic trigger of inadmissibility for EMFF support would be disproportionate in infringement cases which, while maintaining their serious character as determined by the competent authorities, do not necessarily directly cause a serious prejudice to the fishing resources and the marine environment referred to in Article 90(4) of Council Regulation (EC) No 1224/2009 ⁽¹⁾. Such cases would include, for instance, minor instances of misreporting of catches which should not result as such in the immediate inadmissibility of applications for EMFF support.
- (8) Serious infringements related to the taking on board, transshipping or landing of undersized fish should be appraised in relation to the gradual entry into force of the elimination of discards as envisaged by the CFP. It appears unnecessary and inappropriate to immediately render inadmissible applications for EMFF support by operators having committed such infringements.
- (9) In those exceptional cases referred to in recitals (7) and (8), in order to ensure that the inadmissibility of applications by operators for EMFF support complies with the principle of proportionality, it is appropriate to base the calculation of the period of inadmissibility on the already established system of points assigned for certain serious infringements as laid down in Article 92 of Regulation (EC) No 1224/2009, and Article 126 and Annex XXX of Commission Implementing Regulation (EU) No 404/2011 ⁽²⁾. In those exceptional cases listed in points 1, 2, and 5 of Annex XXX to Implementing Regulation (EU) No 404/2011, the starting date of the application and calculation of inadmissibility period should be defined with regard to Article 126(4) of Implementing Regulation (EU) No 404/2011.
- (10) In accordance with Article 92(4) of Regulation (EC) No 1224/2009, if the holder of a fishing licence does not commit, within three years from the date of the last serious infringement, another serious infringement, all points on its fishing licence should be deleted. As a consequence, points on a fishing licence remain valid at least three years. As the provisions of the EMFF apply as from 1 January 2014, in order to ensure proportionality and legal certainty, points for serious infringements listed in points 1, 2, and 5 of Annex XXX to Implementing Regulation (EU) No 404/2011 should be taken into account for the calculation of the inadmissibility period, only if assigned as from 1 January 2013.
- (11) Illegal, unreported and unregulated (IUU) fishing constitutes one of the most serious threats to the sustainable exploitation of living aquatic resources and fundamentally undermines the achievement of the CFP objectives. It is therefore appropriate to lay down rules on inadmissibility of applications for EMFF support from operators of fishing vessels flagged to countries included in the Union list of vessels engaged in IUU fishing or of vessels flagged to countries identified as non-cooperating third countries.
- (12) Article 10(3) of Regulation (EU) No 508/2014 provides that applications submitted by operators who have committed a fraud in the context of the European Fisheries Fund (EFF) or the EMFF will be inadmissible for a certain period of time. As fraud constitutes one of the biggest threats to the financial interests of the Union and of its taxpayers, and in order to provide for a harmonised and equal treatment of operators in all Member States, rules appropriate to the gravity of such threat should be defined as regards the period during which applications submitted by operators who committed such fraud will be inadmissible.
- (13) In order to ensure proportionate and effective application of rules on inadmissibility of applications by operators for EMFF support, it is appropriate to lay down rules for calculation of the inadmissibility periods in cases where a single operator owns more than one fishing vessel. These rules should ensure that EMFF support does not benefit fishing vessels that were used to commit serious infringements resulting in the inadmissibility of applications by those operators. It is also appropriate to lay down rules for revision of the inadmissibility period where further serious infringements are committed by an operator during the inadmissibility period.

⁽¹⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006, (OJ L 343, 22.12.2009, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy, (OJ L 112, 30.4.2011, p. 1).

- (14) Rules should be laid down to ensure fair treatment of operators who become new owners of fishing vessels following a sale or other type of transfer of ownership while at the same time not undermining the Union system for control, inspection and enforcement laid down in Regulation (EC) No 1224/2009 which is necessary to achieve the objectives of the CFP.
- (15) Should an operator's fishing license be permanently withdrawn due to the high frequency and gravity of the infringements committed, the introduction of a ban on access to EMFF support until the end of the eligibility period laid down in Article 65(2) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council ⁽¹⁾ is justified by the need to safeguard the financial interests of the Union and of its taxpayers. The ban would be justified even if according to the calculation method laid down in this Regulation the inadmissibility period ends before the end of the eligibility period.
- (16) In accordance with Article 10(5) of Regulation (EU) No 508/2014, Member States are to require operators submitting an application under the EMFF to provide to the managing authority a signed statement confirming that they comply with criteria laid down in Article 10(1) of Regulation (EU) No 508/2014 and have not committed a fraud under the EFF or the EMFF as referred to in Article 10(3) of that Regulation. Member States are also to verify the veracity of that statement. Member States should ensure that the application of national rules concerning the suspensory effects of review proceedings do not render the rules on determination of inadmissibility period ineffective.
- (17) Concerning cases of serious infringements and offences referred to in Article 10(1)(c) and (d) of Regulation (EU) No 508/2014, those cases will need to be further assessed and analysed to ensure that the duration of the inadmissibility period is proportionate to the nature, gravity, duration and repetition of those serious infringements and offences. Following that analysis, this Regulation should be amended.
- (18) In order to allow for the prompt application of the measures provided for in this Regulation and given the importance of ensuring a harmonised and equal treatment of operators in all Member States from the start of the programming period, this Regulation should enter into force on the day following that of its publication and apply from the first day of the eligibility period of the EMFF, namely 1 January 2014,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter and scope

This Regulation applies to applications for support from the EMFF and identifies the period during which such applications submitted by operators who have carried out actions referred to in Article 10(1)(a) and (b) of Regulation (EU) No 508/2014, or in Article 10(3) of that Regulation, shall be inadmissible ('the inadmissibility period').

Article 2

Definitions

For the purposes of this Regulation:

1. 'infringement points' means points assigned to the operator for a fishing vessel in the context of the point system for serious infringements set out in Article 92 of Regulation (EC) No 1224/2009.
2. 'operator' means an operator as defined in Article 4(30) of Regulation (EU) No 1380/2013 who submits an application for EMFF support.

⁽¹⁾ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

CHAPTER II

DURATION AND STARTING DATE OF INADMISSIBILITY PERIOD*Article 3***Inadmissibility of applications by operators who have committed serious infringements under Article 42(1) of Council Regulation (EC) No 1005/2008 ⁽¹⁾ or Article 90(1) of Regulation (EC) No 1224/2009**

1. Where a competent authority has determined that an operator has committed a serious infringement under Article 42(1) of Regulation (EC) No 1005/2008 or Article 90(1) of Regulation (EC) No 1224/2009, applications for EMFF support by that operator shall be inadmissible for a period of 12 months.

2. By way of derogation from paragraph 1, where a Member State pursuant to Article 42(1)(a) of Regulation (EC) No 1005/2008 assigns infringement points for serious infringements listed in points 1, 2, and 5 of Annex XXX to Regulation (EU) No 404/2011, the following rules shall apply:

- (a) if the infringement points accumulated by an operator in respect of a fishing vessel remain below 9, applications for EMFF support by that operator shall be admissible;
- (b) if the number of infringement points accumulated by an operator in respect of a fishing vessel is 9 points, the inadmissibility period shall be 12 months;
- (c) each infringement point assigned in addition to the points accumulated by an operator in respect of a fishing vessel in point (b) shall result in an additional period of inadmissibility of 1 month.

3. The starting date of the inadmissibility period shall be the date of the first official decision by a competent authority determining that a serious infringement within the meaning of Article 42(1) of Regulation (EC) No 1005/2008 or Article 90(1) of Regulation (EC) No 1224/2009 was committed.

For the purposes of calculating the inadmissibility period, only serious infringements committed as from 1 January 2013 and for which a decision within the meaning of the above subparagraph was taken as from that date shall be taken into account.

4. However, for the specific purposes of paragraph 2, the starting date of the inadmissibility period shall be the date of the first official decision by a competent authority assigning infringement points to an operator pursuant to Article 126(4) of Implementing Regulation (EU) No 404/2011 and resulting in that operator being assigned a total of 9 or more infringement points in respect of a fishing vessel.

For the purposes of calculating the inadmissibility period, only points for infringements committed as from 1 January 2013 and assigned by an official decision taken as from that date shall be taken into account.

*Article 4***Inadmissibility of applications by operators included in the Union IUU vessel list or whose vessel is flagged to a non-cooperating third country**

1. The period of inadmissibility for an operator whose fishing vessel is included in the Union list of fishing vessels engaged in illegal, unreported and unregulated (IUU) fishing as referred to in Article 27 of Regulation (EC) No 1005/2008 shall be the whole period during which the fishing vessel is included in that list and, in any event, not less than 24 months from the date of its listing.

2. Operators whose fishing vessel is flagged to a country identified as a non-cooperating third country as provided for in Article 33 of Regulation (EC) No 1005/2008 shall be inadmissible during the whole period while that country is listed and, in any event, for a minimum period of 12 months.

⁽¹⁾ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

3. The starting date of the inadmissibility period shall be the date of entry into force of the Commission Regulation (EU) No 468/2010 ⁽¹⁾ establishing the Union IUU vessel list or of the Council Implementing Decision 2014/170/EU ⁽²⁾ establishing the list of non-cooperating third countries or the date of an amendment to such a Regulation or a Decision whereby a fishing vessel or a country would be added to such a list.

Article 5

Inadmissibility of applications by operators that have committed fraud in the context of the EFF or the EMFF

1. Where it is determined by a competent authority that an operator committed a fraud in the context of the EFF or EMFF, all applications for EMFF support by that operator shall be inadmissible from the date of the first official decision establishing the fraud as defined in Article 1 of the Convention on the protection of the European Communities' financial interests ⁽³⁾.

2. The inadmissibility period shall last until the end of the eligibility period of the EMFF as set out to in Article 65(2) of Regulation (EU) No 1303/2013.

CHAPTER III

COMMON PROVISIONS

Article 6

Calculation of the inadmissibility period where the operator owns more than one fishing vessel

1. Where an operator owns or controls more than one fishing vessel, the inadmissibility period of an application by that operator shall be determined separately in relation to each individual fishing vessel, in accordance with Article 3 or Article 4.

2. However, applications for EMFF support by that operator shall also be inadmissible:

- (a) if applications in relation to more than half of fishing vessels owned or controlled by that operator are inadmissible for EMFF support pursuant to Article 3 and Article 4, or
- (b) if, in the case of serious infringements pursuant to Article 42(1)(a) of Regulation (EC) No 1005/2008 listed in points 1, 2, and 5 of Annex XXX to Implementing Regulation (EU) No 404/2011, the average number of assigned infringement points per fishing vessel owned or controlled by the operator is 7 or more.

3. By way of derogation from paragraphs 1 and 2, where a serious infringement committed by an operator is not related to any fishing vessel owned or controlled by that operator, all applications for EMFF support by that operator shall be inadmissible.

Article 7

Transfer of ownership

1. In the case of a sale or other type of transfer of ownership of a fishing vessel, the inadmissibility period concerning the operator transferring the fishing vessel and resulting from serious infringements committed prior to the change of ownership shall not be transferred to the new operator. The inadmissibility of applications by the new operator can only result from new serious infringements committed by that new operator.

2. However, where infringement points are assigned for serious infringements within the meaning of Article 42(1)(a) of Regulation (EC) No 1005/2008 listed in points 1, 2, and 5 of Annex XXX to Implementing Regulation (EU) No 404/2011 committed prior to the change of ownership of the fishing vessel, those points shall be taken into account

⁽¹⁾ Commission Regulation (EU) No 468/2010 of 28 May 2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing (OJ L 131, 29.5.2010, p. 22).

⁽²⁾ Council Implementing Decision 2014/170/EU of 24 March 2014 establishing a list of non-cooperating third countries in fighting IUU fishing pursuant to Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (OJ L 91, 27.3.2014, p. 43).

⁽³⁾ Council Act of 26 July 1995 drawing up the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

for the purposes of calculating the inadmissibility period of the new operator pursuant to Article 3(2) and Article 6(2)(b) if that operator commits a new serious infringement under Article 42(1)(a) of Regulation (EC) No 1005/2008 listed in points 1, 2, and 5 of Annex XXX to Implementing Regulation (EU) No 404/2011.

Article 8

Permanent withdrawal of the fishing licence

By way of derogation from Article 6, where the fishing licence of an operator has been permanently withdrawn for any of the fishing vessels owned or controlled by that operator:

- (a) in accordance with Article 129(2) of Implementing Regulation (EU) No 404/2011; or, where applicable,
- (b) as a result of sanctions for serious infringements imposed by the Member States in accordance with Article 45 of Regulation (EC) No 1005/2008,

all applications by that operator shall be inadmissible for support from the EMFF from the date of the withdrawal until the end of the eligibility period as set out in Article 65(2) of Regulation (EU) No 1303/2013.

Article 9

Revision of inadmissibility period

Provided it lasts at least 12 months in total, the inadmissibility period:

- (a) shall be reduced in the case of serious infringements pursuant to Article 42(1)(a) of Regulation (EC) No 1005/2008 listed in points 1, 2, and 5 of Annex XXX to Implementing Regulation (EU) No 404/2011 by 2 months if 2 infringement points are deleted in accordance with Article 133(3) of Implementing Regulation (EU) No 404/2011 for such serious infringements;
- (b) shall be extended by 12 months for each additional serious infringement committed by the operator during the inadmissibility period under Article 42(1) of Regulation (EC) No 1005/2008 or Article 90(1) of Regulation (EC) No 1224/2009; or
- (c) by way of derogation from paragraph (b), shall be extended in accordance with the rules set out in Article 3(2)(c) for each additional serious infringement committed by the operator during the inadmissibility period under Article 42(1)(a) of Regulation (EC) No 1005/2008 listed in items 1, 2 and 5 of Annex XXX to Implementing Regulation (EU) No 404/2011;

CHAPTER IV

FINAL PROVISIONS

Article 10

Entry into force

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

It shall apply from 1 January 2014.

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

Done at Brussels, 17 December 2014.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/289**of 23 February 2015****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 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 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 multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (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, 23 February 2015.

*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 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	EG	169,3
	IL	81,7
	MA	82,9
	TR	104,0
	ZZ	109,5
0707 00 05	EG	191,6
	TR	189,2
	ZZ	190,4
0709 93 10	MA	173,0
	TR	227,9
	ZZ	200,5
0805 10 20	EG	46,8
	IL	71,3
	MA	48,4
	TN	53,4
	TR	68,6
	ZZ	57,7
0805 20 10	IL	132,4
	MA	102,5
	ZZ	117,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	EG	74,4
	IL	145,3
	JM	118,8
	MA	98,7
	TR	85,6
	US	143,7
	ZZ	111,1
	EG	41,5
	TR	62,0
0805 50 10	ZZ	51,8
0808 10 80	BR	68,9
	CL	94,5
	MK	29,8
	US	184,5
	ZZ	94,4

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0808 30 90	CL	170,1
	CN	84,8
	US	122,7
	ZA	91,4
	ZZ	117,3

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2015/290

of 20 February 2015

on the compliance of 2014 unit rates for charging zones under Article 17 of Implementing Regulation (EU) No 391/2013 and repealing Decision 2013/631/EU

(notified under document C(2015) 882)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the Single European Sky (the service provision Regulation) ⁽¹⁾ and in particular Article 15 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 391/2013 ⁽²⁾ lays down a common charging scheme for air navigation services. The common charging scheme is an integral element in reaching the objectives of the performance scheme established under Article 11 of Regulation (EC) No 549/2004 of the European Parliament and of the Council ⁽³⁾ and Commission Implementing Regulation (EU) No 390/2013 ⁽⁴⁾.
- (2) Commission Decision 2011/121/EU ⁽⁵⁾ set Union-wide performance targets, including a cost-efficiency target for the provision of air navigation services for the years 2012 to 2014. By letters of 19 July 2012 and 17 December 2012, the Commission informed the Member States that their revised performance plans and targets are consistent with, and adequately contributing to, the adopted Union-wide performance targets. Cost-efficiency targets are expressed in terms of determined unit rates.
- (3) Pursuant to Article 17(1)(b) and (c) of Implementing Regulation (EU) No 391/2013, the Commission is to assess on a yearly basis the unit rates for charging zones, submitted by the Member States to the Commission, against the provisions of that Regulation and Implementing Regulation (EU) No 390/2013.
- (4) In 2013, the Commission carried out its assessment of the 2014 unit rates for charging zones with the support of the Performance Review Body (PRB) and Eurocontrol's Central Route Charges Office, using the data and additional information provided by Member States. As a consequence, it adopted Commission Decision 2013/631/EU ⁽⁶⁾. By means of that Decision the Commission notified the Member States, in accordance with Article 17(1)(d) of Implementing Regulation (EU) No 391/2013, that it had found that the 2014 unit rates for charging zones submitted to it are in compliance with Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013.
- (5) Subsequent to the adoption of Decision 2013/631/EU, in 2014, Bulgaria, Denmark, Lithuania, Hungary, Poland and Slovakia informed the Commission about changes in certain parameters for the calculation of the respective unit rates, which were not known to them at the time of submitting the initial data and additional information to the Commission for its compliance assessment and which necessitated certain corrections to the 2014 unit rates concerned. Those six Member States therefore submitted corrected unit rates to the Commission.

⁽¹⁾ OJ L 96, 31.3.2004, p. 10.

⁽²⁾ Commission Implementing Regulation (EU) No 391/2013 of 3 May 2013 laying down a common charging scheme for air navigation services (OJ L 128, 9.5.2013, p. 31).

⁽³⁾ Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the Single European Sky (the framework Regulation) (OJ L 96, 31.3.2004, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions (OJ L 128, 9.5.2013, p. 1).

⁽⁵⁾ Commission Decision 2011/121/EU of 21 February 2011 setting the European Union-wide performance targets and alert thresholds for the provision of air navigation services for the years 2012 to 2014 (OJ L 48, 23.2.2011, p. 16).

⁽⁶⁾ Commission Decision 2013/631/EU of 29 October 2013 on the compliance of 2014 unit rates for charging zones under Article 17 of Implementing Regulation (EU) No 391/2013 (OJ L 289, 31.10.2013, p. 68).

- (6) In accordance with Article 17(1)(c) and (d) of Implementing Regulation (EU) No 391/2013, the Commission has assessed those corrected 2014 unit rates for charging zones in Bulgaria, Denmark, Lithuania, Hungary, Poland and Slovakia against the provisions of Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013 and concluded that they are compliant. This finding should therefore be notified to the Member States concerned.
- (7) In the interest of clarity and transparency, Decision 2013/631/EU should be repealed and replaced by this Decision.
- (8) The notification that unit rates for charging zones are in compliance with Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013 is without prejudice to Article 16 of Regulation (EC) No 550/2004.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS DECISION:

Article 1

The 2014 unit rates for charging zones set out in the Annex to this Decision are in compliance with Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013.

Article 2

Decision 2013/631/EU is repealed.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 February 2015.

For the Commission
Violeta BULC
Member of the Commission

ANNEX

Charging zone	2014 <i>en route</i> unit rate in national currency ⁽¹⁾ (ISO Code)
Austria	73,39 EUR
Belgium & Luxembourg	72,04 EUR
Bulgaria	73,09 BGN
Cyprus	38,41 EUR
Czech Republic	1 198,16 CZK
Denmark	531,33 DKK
Estonia	23,97 EUR
Finland	52,06 EUR
France	65,77 EUR
Germany	77,32 EUR
Greece	34,53 EUR
Hungary	12 539,40 HUF
Ireland	30,62 EUR
Italy	78,83 EUR
Latvia	28,44 EUR
Lithuania	157,97 LTL
Malta	27,61 EUR
Netherlands	66,47 EUR
Poland	147,43 PLN
Portugal — Lisboa	38,74 EUR
Romania	168,83 RON
Slovakia	60,93 EUR
Slovenia	67,46 EUR
Spain — Continental	71,69 EUR
Spain — Canary Islands	58,36 EUR
Sweden	638,85 SEK
United Kingdom	70,46 GBP

⁽¹⁾ These unit rates do not include the administrative unit rate referred to in Article 18 of Implementing Regulation (EU) No 391/2013 and applying to those States parties to Eurocontrol's Multilateral Agreement relating to route charges

