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⁽¹⁾ Text with EEA relevance.

EN

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I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2022/612 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 6 April 2022****on roaming on public mobile communications networks within the Union****(recast)****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 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 Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) Regulation (EU) No 531/2012 of the European Parliament and of the Council ⁽³⁾ has been substantially amended several times ⁽⁴⁾. Since further amendments are to be made, that Regulation should be recast in the interests of clarity.
- (2) In particular, Regulation (EU) 2015/2120 of the European Parliament and of the Council ⁽⁵⁾ amended Regulation (EU) No 531/2012 and required retail roaming surcharges to be abolished in the Union from 15 June 2017, subject to the fair usage of roaming services and the possibility of applying a derogation mechanism for the sustainability of the abolition of retail roaming surcharges, also referred to as ‘roam-like-at-home’ (RLAH). In addition, the Commission undertook a review of the wholesale roaming market with a view to assessing measures necessary to enable the abolition of retail roaming surcharges in accordance with Article 19 of Regulation (EU) No 531/2012. Following that review, Regulation (EU) 2017/920 of the European Parliament and of the Council ⁽⁶⁾ was adopted with the aim of regulating national wholesale roaming markets in order to abolish retail roaming surcharges by 15 June 2017 without distorting the domestic or the visited markets.

⁽¹⁾ OJ C 374, 16.9.2021, p. 28.

⁽²⁾ Position of the European Parliament of 24 March 2022 (not yet published in the Official Journal) and decision of the Council of 4 April 2022.

⁽³⁾ Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union (OJ L 172, 30.6.2012, p. 10).

⁽⁴⁾ See Annex I.

⁽⁵⁾ Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1).

⁽⁶⁾ Regulation (EU) 2017/920 of the European Parliament and of the Council of 17 May 2017 amending Regulation (EU) No 531/2012 as regards rules for wholesale roaming markets (OJ L 147, 9.6.2017, p. 1).

- (3) On 29 November 2019, the Commission published its first full review of the roaming market (the 'Commission Report'), showing that travellers across the Union have benefited significantly from the abolition of retail roaming surcharges. The use of mobile services, namely regulated voice, SMS or data roaming services, while travelling in the Union has increased rapidly and massively, confirming the impact of the Union's roaming rules. The Commission Report concluded that, despite signs of some competition dynamics in both the retail and wholesale roaming markets, the underlying basic competition conditions have not changed and are not likely to change in the foreseeable future. The regulation of the retail and wholesale markets therefore remains necessary and should not be abandoned. In particular, the Commission Report found that, at the wholesale level, the sharp reduction in price caps has contributed to a further reduction in wholesale roaming prices, which has benefited net outbounder operators, that is, operators with a customer base that consumes more mobile services on the networks of partner operators in other Member States than those consumed by the partner operators' customer base on its own network.

The Commission Report took note of the recommendation of the Body of European Regulators for Electronic Communications (BEREC) to further lower wholesale roaming price caps. The Commission also analysed and documented the need to further lower wholesale roaming price caps and assessed the level of reduction that enables visited operators to recover the costs of providing wholesale roaming services. The Commission Report referred to the requirement of Regulation (EU) No 531/2012 that roaming customers have access to the same services in other Member States, for the same price, provided that those services can be delivered on the visited network. The Commission Report took note of the very recent development of new ways of trading wholesale roaming traffic, such as online trading platforms that have the potential to foster competition on the wholesale roaming market and facilitate negotiation between operators. Finally, it observed that the separate sale of data roaming services has not been taken up by the market.

- (4) Regulation (EU) No 531/2012 expires on 30 June 2022 and the aim of this Regulation is to recast it while introducing new measures to increase transparency, including transparency with regard to the use of value-added services while roaming and the use of roaming on non-terrestrial public mobile communications networks, and to ensure a genuine RLAH experience in terms of quality of service and access to emergency services while roaming. The validity of this Regulation is set for 10 years, until 2032, in order to provide certainty in the market and minimise regulatory burdens. This Regulation introduces a requirement that the Commission carry out reviews and submit reports to the European Parliament and to the Council in 2025 and 2029, followed, if appropriate, by a legislative proposal to amend this Regulation, where market developments so require. Because of rapid market developments and the rapid roll-out of new technologies, the Commission should assess, in particular, whether it is appropriate to make a legislative proposal to amend this Regulation when issuing its first report in 2025.
- (5) The national regulatory authorities or other competent authorities that are responsible for safeguarding and promoting the interests of mobile customers who normally reside within their territory are not able to control the behaviour of the visited network operators situated in other Member States on whom those customers depend when using international roaming services. That lack of control could diminish the effectiveness of measures taken by Member States based on their residual competence to adopt consumer protection rules.
- (6) The mobile communications market remains fragmented in the Union, with no mobile network covering all Member States. As a consequence, in order to provide mobile communications services to their domestic customers travelling in other Member States, roaming providers purchase wholesale roaming services from, or exchange wholesale roaming services with, operators in visited Member States.
- (7) An internal telecommunications market cannot be said to exist while there are differences between domestic and roaming prices. Therefore, differences between domestic charges and roaming charges should be eliminated in order to establish an internal market for mobile communication services.
- (8) A common, harmonised approach should be employed to ensure that users of terrestrial public mobile communications networks when travelling within the Union do not pay excessive prices for Union-wide roaming services, thereby enhancing competition concerning roaming services between roaming providers, achieving a high level of consumer protection and preserving both incentives for innovation and consumer choice. In view of the cross-border nature of the services concerned, such a common approach is needed to ensure that roaming providers can operate within a single coherent regulatory framework, based on objectively established criteria.

- (9) The widespread use of internet-enabled mobile devices means that data roaming is of great economic significance. This is relevant for both users and providers of applications and content. In order to stimulate the development of this market, charges for data transport should not impede growth, in particular considering that the development and deployment of next generation, high-speed networks and services are expected to accelerate steadily.
- (10) Directives 2002/19/EC ⁽⁷⁾, 2002/20/EC ⁽⁸⁾, 2002/21/EC ⁽⁹⁾, 2002/22/EC ⁽¹⁰⁾ and 2002/58/EC ⁽¹¹⁾ of the European Parliament and of the Council aimed to create an internal market for electronic communications within the Union, while ensuring a high level of consumer protection through enhanced competition. With the exception of Directive 2002/58/EC, those Directives were repealed by Directive (EU) 2018/1972 of the European Parliament and of the Council ⁽¹²⁾.

Directive (EU) 2018/1972 aims to stimulate investment in and take-up of very high capacity networks in the Union as well as to set new spectrum rules for mobile connectivity and 5G. Directive (EU) 2018/1972 also provides for national regulatory authorities and other competent authorities, as well as BEREC, the Commission and the Member States, to pursue, inter alia, the objectives of contributing to the development of the internal market and promoting the interests of the citizens of the Union. That Directive ensures, inter alia, that all end-users have access to affordable communication, including the internet. It increases consumer protection and security for users, and facilitates regulatory intervention.

- (11) The retail and wholesale roaming markets exhibit unique characteristics which justify exceptional measures which go beyond the mechanisms otherwise available under Directive (EU) 2018/1972.
- (12) This Regulation should allow for a departure from the rules otherwise applicable under Directive (EU) 2018/1972, namely that prices for service offerings are to be determined by commercial agreement in the absence of significant market power, thereby accommodating the introduction of complementary regulatory obligations which reflect the specific characteristics of Union-wide roaming services.
- (13) To protect roaming customers against increasing retail prices for regulated roaming services, namely regulated voice, SMS or data roaming services, due to fluctuations in the reference exchange rate of currencies other than the euro, a Member State whose currency is not the euro should use an average of several reference exchange rates over time to determine the maximum applicable surcharges in its currency. Where maximum charges are not denominated in euro, the applicable values should be determined in the relevant currency by applying the average of several reference exchange rates over time published in the *Official Journal of the European Union* (Official Journal) on the date specified in this Regulation. Where there is no publication on the date specified, the applicable reference exchange rates should be those published in the first Official Journal following that date and containing such reference exchange rates. To align the determination of values in currencies other than the euro with the rule applied to intra-EU communications in accordance with Regulation (EU) 2015/2120, the maximum charges in currencies other than the euro should be determined by applying the average of the reference exchange rates published by the European Central Bank on 15 January, 15 February and 15 March of the relevant calendar year in the Official Journal. Maximum charges calculated in this way for 2022 should apply from the date of entry into force of this Regulation until 15 May 2023.

⁽⁷⁾ Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) (OJ L 108, 24.4.2002, p. 7).

⁽⁸⁾ Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) (OJ L 108, 24.4.2002, p. 21).

⁽⁹⁾ Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) (OJ L 108, 24.4.2002, p. 33).

⁽¹⁰⁾ Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) (OJ L 108, 24.4.2002, p. 51).

⁽¹¹⁾ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

⁽¹²⁾ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (OJ L 321, 17.12.2018, p. 36).

- (14) In order to allow for the development of a more efficient, integrated and competitive market for roaming services, there should be no restrictions that prevent undertakings from effectively negotiating wholesale access for the purpose of providing roaming services, including for machine-to-machine communications. Obstacles to access to such wholesale roaming services due to differences in negotiating power and in the degree of infrastructure ownership of undertakings should be removed. To that end, wholesale roaming agreements should respect the principle of technology neutrality and ensure that all operators have an equal and fair opportunity to access all available networks and technologies and should respect the principle that such agreements be negotiated in good faith to allow roaming providers to offer retail roaming services equivalent to the services they offer domestically. This Regulation does not impose an obligation on roaming providers to conclude wholesale roaming agreements only with those operators that have the most advanced networks, subject to compliance with the retail quality of service requirements laid down in this Regulation. The operators seeking wholesale roaming access should have the freedom to negotiate their wholesale roaming agreements according to their own commercial needs and the best interests of their end-users. Therefore, in the course of making the transition towards next generation mobile communications networks and technologies, roaming providers should gradually ensure wholesale roaming access that enables the provision of retail roaming services in other Member States under equivalent contractual conditions as in their home Member State, in accordance with the objectives of RLAH. Roaming providers should offer retail roaming services that are equivalent to mobile communication services that they offer domestically where there is widespread coverage or when there are competitive offers for access to such next generation mobile communications networks and technologies in the visited Member State, in accordance with the BEREC guidelines for wholesale roaming access.

Mobile virtual network operators (MVNOs) and resellers of mobile communication services without their own network infrastructure typically provide roaming services based on commercial wholesale roaming agreements with their host mobile network operators in the same Member State. Commercial negotiations, however, may not leave enough margin to MVNOs and resellers for stimulating competition through lower prices. The removal of those obstacles and balancing the bargaining power between MVNOs or resellers and mobile network operators by an access obligation and wholesale caps should facilitate the development of alternative, innovative and Union-wide roaming services and offers for customers. Directive (EU) 2018/1972 does not provide for a solution to this problem via the imposition of obligations on operators with significant market power.

- (15) An obligation to meet reasonable requests for wholesale access to public mobile communications networks for the purpose of providing roaming services should therefore be provided for. Such access should be in line with the needs of those seeking access. End-users of services requiring modern technologies and retail roaming services should be able to enjoy the same quality of service when roaming as they do domestically. A wholesale roaming access obligation should therefore ensure that access seekers can replicate the retail services offered domestically, unless visited network operators that are requested to provide access can prove that it is technically unfeasible to do so. The parameters under which mobile services are offered by the visited network operator to its own domestic customers are understood to be technically feasible. Subject to the relevant wholesale roaming agreement and without prejudice to the retail obligations laid down in this Regulation, the visited network operator should ensure that roaming customers on its network are not subject to conditions that are less advantageous than those it offers to its domestic customers, for example in terms of quality of service, such as the available speed. Access should be refused only on the basis of objective criteria, such as technical feasibility and the need to maintain network integrity.

The visited network operator should not refuse or limit access on the basis of commercial considerations in such a way that the provision of competing roaming services is restricted. Where access is refused, the aggrieved party should be able to submit the case for dispute resolution in accordance with the procedure set out in this Regulation. In order to ensure a level playing field, wholesale access for the purpose of providing roaming services should be granted in accordance with the regulatory obligations laid down in this Regulation applicable at the wholesale level and should take into account the different cost elements necessary for the provision of such access. A consistent regulatory approach to the wholesale access for the provision of roaming services should contribute to avoiding distortions between Member States. BEREC should, in coordination with the Commission and in collaboration with the relevant stakeholders, issue guidelines for wholesale access for the purpose of providing roaming services.

- (16) A wholesale roaming access obligation should include the provision of direct wholesale roaming services as well as the provision of roaming services on a wholesale basis for resale by third parties. The wholesale roaming access obligation should also cover the mobile network operator's obligation to enable MVNOs and resellers to purchase regulated wholesale roaming services from wholesale aggregators which provide a single point of access and a

standardised platform to roaming agreements all over the Union. In order to ensure that operators provide access to all facilities necessary for direct wholesale roaming access and wholesale roaming resale access to roaming providers within a reasonable period of time, a reference offer should be published containing the standard conditions for direct wholesale roaming access and wholesale roaming resale access. The publication of the reference offer should not prevent commercial negotiations between access seeker and access provider on the price level of the final wholesale agreement or on additional wholesale access services that go beyond those necessary for direct wholesale roaming access and wholesale roaming resale access.

- (17) A wholesale roaming access obligation should cover access to all the components necessary to enable the provision of roaming services, such as network elements and associated facilities; relevant software systems including operational support systems; information systems or databases for pre-ordering, provisioning, ordering, maintaining and repair requests, and billing; number translation or systems offering equivalent functionality; mobile networks and virtual network services.
- (18) If access seekers for wholesale roaming resale request access to facilities or services in addition to what is necessary for the provision of retail roaming services, mobile network operators may recover fair and reasonable charges for those facilities or services. Those additional facilities or services could, inter alia, be value-added services, additional software and information systems or billing arrangements.
- (19) Article 109 of Directive (EU) 2018/1972 requires Member States to ensure that all end-users have access to emergency services, free of charge, through emergency communications to the most appropriate public safety answering point (PSAP). That Directive also requires Member States to ensure that access by end-users with disabilities to emergency services is available through emergency communications, including when travelling within the Union, and that such access is equivalent to that enjoyed by other end-users. Those means of access could include a real time text service or total conversation service as provided for by Directive (EU) 2019/882 of the European Parliament and of the Council ⁽¹³⁾ or other non-voice communications services, such as SMS, messaging or video services through emergency applications, or relay services, which Member States deploy taking into account the requirements laid down in Union law and the capabilities and technical equipment of the national PSAP system. The implementation of the means of access to emergency services available to roaming customers with disabilities and the delivery of caller location information should be based to the greatest extent possible on European standards or specifications. Such standards should be promoted by the Commission and Member States in cooperation with European standardisation bodies and other relevant bodies.

It is for the Member States to determine the type of emergency communications that are technically feasible for ensuring roaming customers' access to emergency services. In order to ensure that roaming customers have access to emergency communications under the conditions laid down in Article 109 of Directive (EU) 2018/1972, visited network operators should include in the reference offer information about what type of emergency communications are mandated and technically feasible for ensuring access for roaming customers under national measures in the visited Member State. In addition, wholesale roaming agreements should include information on the technical parameters for ensuring access to emergency services, including by roaming customers with disabilities, as well as for ensuring the transmission of caller location information, including handset-derived information, to the most appropriate PSAP in the visited Member State. Such information should allow the roaming provider to identify and provide the emergency communication and the transmission of caller location free of charge.

- (20) Certain conditions may be included in the reference offers in order to allow mobile network operators to prevent permanent roaming or anomalous or abusive use of wholesale roaming access. In particular, where the visited network operator has reasonable grounds for considering that permanent roaming by a significant share of the roaming provider's customers or anomalous or abusive use of wholesale roaming access is taking place, it should be able to require the roaming provider to provide, in an aggregated manner and in full compliance with Union and national data protection requirements, information allowing the determination of whether a significant share of the roaming provider's customers is in a situation of permanent roaming or whether there is anomalous or abusive use of wholesale roaming access, such as information on the share of customers with insignificant domestic

⁽¹³⁾ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

consumption compared to the roaming consumption. Moreover, termination of wholesale roaming agreements with a view to preventing permanent roaming or anomalous or abusive use of wholesale roaming access should be effected only where less stringent measures have failed to address the situation. Such termination should be subject to prior authorisation by the national regulatory authority of the visited network operator, taking the utmost account of the opinion of BEREC where it has been consulted.

Less stringent measures could consist of setting higher wholesale charges not exceeding the maximum wholesale charges provided for in this Regulation for volumes exceeding an aggregated volume specified in the agreement. Such higher wholesale charges should be set in advance, or from the moment when the visited network operator has established and informed the home network operator that, based on objective criteria, permanent roaming by a significant share of the roaming provider's customers or anomalous or abusive use of wholesale roaming access is taking place. Less stringent measures could also consist of a commitment by the home network operator to adopt or revise the fair use policies applicable to its customers in accordance with the implementing acts adopted pursuant to this Regulation, or the possibility for the visited network operator to request that the wholesale roaming agreement be revised. In the interests of transparency, the national regulatory authority should make information concerning requests for authorisation to terminate wholesale roaming agreements available to the public, subject to business confidentiality.

- (21) In order to allow for the development of more efficient, integrated and competitive markets for roaming services, when negotiating wholesale roaming access for the purpose of providing retail roaming services, operators should be given the possibility of negotiating innovative wholesale pricing schemes which are not directly linked to volumes actually consumed, such as flat payments, upfront commitments or capacity-based wholesale roaming agreements, or pricing schemes that reflect variations of demand across the year. Subject to the limitations on permanent roaming included in this Regulation, machine-to-machine communications, namely services involving an automated transfer of data and information between devices or software-based applications with limited or no human interaction, are not excluded from the scope of this Regulation or the relevant wholesale roaming access obligations laid down in this Regulation, including the provisions on fair usage of roaming services and the possibility for mobile network operators of including in their reference offers conditions to prevent permanent use of regulated roaming services or the anomalous or abusive use of wholesale roaming access. However, permanent roaming is subject to commercial negotiations and can be agreed by two roaming partners in a wholesale roaming agreement. In order to allow the development of more efficient and competitive markets for machine-to-machine communications, it is expected that mobile network operators will increasingly respond to and accept all reasonable requests for wholesale roaming agreements on reasonable terms and explicitly allow permanent roaming for machine-to-machine communications.

They should be able to establish flexible wholesale roaming agreements enabling wholesale roaming services and to apply tariff schemes which are not based on the volume of data consumed but instead are based on alternative schemes, for example, the number of connected machines per month. In that context, in the event of a cross-border dispute, the parties involved should have recourse to the dispute resolution procedure laid down in Article 27 of Directive (EU) 2018/1972. The negotiating parties should have the option of agreeing not to apply maximum regulated wholesale roaming charges for the duration of wholesale roaming agreements. That would exclude the possibility for either party to subsequently request the application of volume based maximum wholesale charges to actual consumption, as set out in this Regulation. This should be without prejudice to obligations as regards the provision of regulated retail roaming services. Furthermore, the Commission Report takes note of the very recent development of new ways of trading wholesale roaming traffic, such as online trading platforms, that have the potential to facilitate the negotiation process between operators. The use of similar instruments could contribute to enhancing competition in the wholesale roaming market and drive further down actual wholesale rates charged.

- (22) Regulation (EU) No 531/2012 provides that end-users are not to be prevented by operators from accessing regulated data roaming services on a visited network offered by an alternative roaming provider. However, this structural measure, introduced by way of the obligation for the separate sale of data roaming services, has become ineffective following the introduction of RLAH. In addition, due to the lack of uptake in the market, this obligation no longer appears to be relevant. Therefore, provisions that require operators to provide separate sales of roaming data services at retail level should no longer apply.

- (23) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of setting out detailed rules on the application of fair use policies and on the methodology for assessing the sustainability of the provision of retail roaming services at domestic prices, as well as on the application to be submitted by a roaming provider for the purposes of that assessment. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽¹⁴⁾. Until the adoption of those implementing measures, Commission Implementing Regulation (EU) 2016/2286 ⁽¹⁵⁾ should continue to apply.
- (24) Regulatory obligations should be imposed at both retail and wholesale levels to protect the interests of roaming customers, since experience has shown that reductions in wholesale prices for Union-wide roaming services may not be reflected in lower retail prices for roaming, owing to the absence of incentives for this to happen. On the other hand, action to reduce the level of retail prices without addressing the level of the wholesale costs associated with the provision of those services could risk disrupting the orderly functioning of the internal market for roaming services and would not allow a higher degree of competition.
- (25) The abolition of retail roaming surcharges in accordance with Regulation (EU) 2015/2120 was necessary to establish and ease the functioning of a digital single market across the Union. However, that Regulation alone was not sufficient to ensure the proper functioning of the roaming market. This Regulation should contribute to pricing models in domestic markets not being affected by the abolition of retail roaming surcharges.
- (26) The relevant domestic retail price should be equal to the domestic retail per-unit charge. However, in situations where there are no specific domestic retail prices that could be used as a basis for a regulated retail roaming service (for example, in the case of domestic unlimited tariff plans, bundles or domestic tariffs which do not include data), the domestic retail price should be deemed to be the same charging mechanism as if the customer were consuming the domestic tariff plan in that customer's Member State.
- (27) When roaming within the Union, roaming customers should be able to use the retail services to which they subscribe and benefit from the same level of quality of service as at home. To that end, and in accordance with the wholesale access obligations laid down in this Regulation, roaming providers and mobile network operators should take the necessary measures to ensure that regulated retail roaming services are provided under the same conditions as if such services were consumed domestically. For example, if the maximum available data speed of the visited network is equal to, or higher than, the maximum available speed offered domestically by the roaming provider, the roaming provider should not offer a lower speed than the maximum available speed provided domestically. If the maximum available data speed of the visited network is lower than the maximum available speed offered domestically by the roaming provider, the roaming provider should not offer a lower speed than that maximum available speed of the visited network. Where a newer network generation or technology is available on the visited network, the roaming provider should not restrict the roaming service to a network generation or technology older than that offered domestically. Furthermore, in particular during the transition to next generation mobile communications networks and technologies, where the implementation of those networks and technologies by the roaming provider and the visited network operator are not comparable, the roaming provider may offer the regulated retail roaming service with the existing mobile communication technology. Commercial considerations that result in a reduction of the quality of regulated retail roaming services, such as reducing bandwidth to reduce roaming volumes, should be prohibited. Operators should take reasonable measures to minimise any undue delay in handovers between mobile communications networks, without prejudice to Article 28 of Directive (EU) 2018/1972. National administrations and operators can conclude spectrum coordination agreements and ensure coverage, at least along 5G corridors and terrestrial transport paths.
- (28) Roaming providers should be able to apply fair use policies to the consumption of regulated retail roaming services provided at the applicable domestic retail price. Fair use policies should only address the abusive or anomalous usage of regulated retail roaming services by roaming customers, such as the use of such services by roaming customers in a Member State other than that of their domestic provider for purposes other than periodic travel. Implementing

⁽¹⁴⁾ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

⁽¹⁵⁾ Commission Implementing Regulation (EU) 2016/2286 of 15 December 2016 laying down detailed rules on the application of fair use policy and on the methodology for assessing the sustainability of the abolition of retail roaming surcharges and on the application to be submitted by a roaming provider for the purposes of that assessment (OJ L 344, 17.12.2016, p. 46).

measures on the application of fair use policies should ensure that this objective is not circumvented by roaming providers to pursue other purposes to the detriment of roaming customers engaged in any form of periodic travel. In cases of force majeure caused by circumstances such as pandemics, temporary border closures or natural disasters, which involuntarily extend the period of temporary stay of the roaming customer in another Member State, roaming providers should extend the applicable fair use allowance for an appropriate period upon a justified request by the roaming customer. Any fair use policy should enable the roaming provider's customers to consume volumes of regulated retail roaming services at the applicable domestic retail price that are consistent with their respective tariff plans. Implementing measures on the application of fair use policies should take into account the many and varied patterns of periodic travel by roaming customers, in order to ensure that fair use policies do not act as a barrier to a genuine RLAH experience on the part of such customers.

- (29) When reviewing its implementing acts the Commission, after consulting BEREC, should assess the extent to which market conditions, consumption and travel patterns, the evolution and convergence of pricing and the observable risk of distortion of competition would allow for a sustainable provision of roaming services at domestic prices for periodic travel and the possibility of limiting the application and effects of the measures under a fair use policy to exceptional cases.
- (30) In specific and exceptional circumstances where a roaming provider is not able to recover its overall actual and projected costs of providing regulated retail roaming services from its overall actual and projected revenues from the provision of such services, that roaming provider should be able to apply for authorisation to apply a surcharge with a view to ensuring the sustainability of its domestic charging model. The assessment of the sustainability of the domestic charging model should be based on relevant objective factors specific to the roaming provider, including objective variations between roaming providers in the Member State concerned and the level of domestic prices and revenues. That may, for example, be the case for flat-rate domestic retail models of operators with significant negative traffic imbalances, where the implicit domestic unit price is low and the operator's overall revenues are also low relative to the roaming cost burden, or where the implicit unit price is low and actual or projected roaming services consumption is high. In order to avoid the domestic charging model of roaming providers being rendered unsustainable by such cost recovery problems, generating a risk of an appreciable effect on the evolution of domestic prices or so-called 'waterbed effect', roaming providers, upon authorisation by the national regulatory authority, should, in such circumstances, be able to apply a surcharge to regulated retail roaming services only to the extent necessary to recover all relevant costs of providing such services.
- (31) To that end, the costs incurred in order to provide regulated retail roaming services should be determined by reference to the effective wholesale roaming charges applied to the outbound roaming traffic of the roaming provider concerned in excess of its inbound roaming traffic, as well as by reference to reasonable provision for joint and common costs. Revenues from regulated retail roaming services should be determined by reference to revenues at domestic price levels attributable to the consumption of regulated retail roaming services, whether on a unit-price basis or as a proportion of a flat fee, reflecting the respective actual and projected proportions of regulated retail roaming services consumption by customers within the Union and domestic consumption. Account should also be taken of the consumption of regulated retail roaming services and domestic consumption by the roaming provider's customers, and of the level of competition, prices and revenues in the domestic market, and any observable risk that roaming at domestic retail prices would appreciably affect the evolution of such prices.
- (32) Regulation (EU) No 531/2012 provides that, where a roaming provider applies a surcharge for the consumption of regulated retail roaming services in excess of any limits under any fair use policy, the sum of the domestic retail price and any surcharge applied for regulated roaming calls made, regulated roaming SMS messages sent or regulated data roaming services are not to exceed EUR 0,19 per minute, EUR 0,06 per SMS message and EUR 0,20 per megabyte used, respectively. Given the effective functioning of RLAH rules since 15 June 2017, that provision is no longer necessary.
- (33) In accordance with the principle that 'the calling party pays', mobile customers do not pay for receiving domestic mobile calls and the cost of terminating a call in the network of the called party is covered in the retail charge of the calling party. The convergence of mobile termination rates across the Member States should allow the same principle to be applied to regulated retail roaming calls. Pursuant to Article 75(1) of Directive (EU) 2018/1972, the

Commission has established, by means of Commission Delegated Regulation (EU) 2021/654 ⁽¹⁶⁾, a single maximum Union-wide voice termination rate for mobile services in order to reduce the regulatory burden in addressing the competition problems relating to wholesale voice termination consistently across the Union. Delegated Regulation (EU) 2021/654 includes a three-year glide path: the single maximum Union-wide mobile voice termination rates is to be EUR 0,7 cent in 2021, EUR 0,55 cent in 2022, EUR 0,4 cent in 2023, reaching the single maximum Union-wide mobile voice termination rate of EUR 0,2 cent from 2024 onwards. In the situations set out in this Regulation where roaming providers are allowed to apply a surcharge to regulated retail roaming services, the surcharge applied to regulated roaming calls received should not exceed the single maximum Union-wide mobile voice termination rate set by the Commission for the relevant year in Delegated Regulation (EU) 2021/654. If the Commission subsequently concludes that it is no longer necessary to set a single maximum Union-wide mobile voice termination rate, any surcharge applied to regulated roaming calls received should not exceed the rate set by the latest delegated act adopted under Article 75 of Directive (EU) 2018/1972.

- (34) Where providers of Union-wide regulated roaming services make changes to their retail roaming tariffs and to accompanying roaming usage policies in order to comply with the requirements of this Regulation, such changes should not trigger for mobile customers any right under national laws transposing Directive (EU) 2018/1972 to withdraw from their retail contracts.
- (35) A retail contract which includes any type of regulated retail roaming service should specify, in a clear and comprehensible manner, the characteristics of that regulated retail roaming service, including the expected level of quality of service. Although roaming providers do not exercise control over visited networks, the roaming services provided are subject to the wholesale roaming agreement with the visited network operator. Therefore, in order to empower roaming customers, roaming providers should inform their customers in the retail contract, in a clear manner, how the quality of the roaming services can differ in practice from the services consumed domestically. Roaming providers should also explain, to the extent possible, how other relevant factors can affect the quality of service, such as the speed, latency and availability of roaming services or other services when roaming, due to availability of certain technologies, coverage or variation due to external factors such as topography. Such a retail contract should also include clear and comprehensible information about the complaints procedure that is available where the quality of service does not correspond to the terms of the retail contract. The roaming provider should handle any complaints in that regard in a timely and effective manner.
- (36) In order to ensure that roaming customers are adequately informed about the quality of their roaming service, roaming providers should publish the relevant information on their webpages. To that end, they should include information about reasons why a roaming service could be offered under conditions that are less advantageous than those offered domestically. That information should contain, in particular, a clear and comprehensible explanation of possible significant deviations from the advertised or estimated maximum upload and download speeds that are offered domestically, and how such deviations can impact the roaming service to which the customer subscribes. The information could also include a clear and comprehensible explanation as to how any volume limitations, speed, available network generations and technologies and other quality of service parameters may in practice have an impact on the data roaming service, and in particular on the use of content, applications and services when roaming.
- (37) Roaming customers and home operators sometimes unwittingly incur large bills as a result of the lack of transparency on the numbers used for value-added services across the Union and on the wholesale prices charged for value-added services, without prejudice to Article 97 of Directive (EU) 2018/1972. Communications to certain numbers which are used for providing value-added services, for example, premium-rate numbers, freephone numbers or shared cost numbers, are subject to particular pricing conditions at the national level. This Regulation should not apply to the part of the tariff that is charged for the provision of value-added services but only to the tariffs for the connection to such services. The RLAH principle might create an expectation for roaming customers that communications to such numbers while roaming should not incur any increased costs in comparison to the domestic situation. However, this is not always the case when roaming. Roaming customers are confronted with increased costs, even when they call numbers that are free when called domestically. This could erode customer

⁽¹⁶⁾ Commission Delegated Regulation (EU) 2021/654 of 18 December 2020 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council by setting a single maximum Union-wide mobile voice termination rate and a single maximum Union-wide fixed voice termination rate (OJ L 137, 22.4.2021, p. 1).

confidence in using their phones when roaming and could result in 'bill shock', thus having a negative impact on a genuine RLAH experience. At retail level, this is mainly caused by the insufficient level of transparency regarding the higher charges which can be incurred for communications to numbers used for value-added services. Therefore, measures should be introduced to raise awareness of the risk of high bills and to increase transparency regarding the terms relating to communications to numbers for value-added services. To that end, roaming customers should be informed in their retail contract, and should be notified and warned, in a timely, user-friendly manner free of charge, that communications to numbers for value-added services in roaming can entail additional charges. The facility to deactivate third-party billing in Annex VI to Directive (EU) 2018/1972, if available, may be applied to roaming situations.

- (38) The functioning of wholesale roaming markets should allow operators to recover all the costs of providing regulated wholesale roaming services, including joint and common costs. The cost model relied upon for the purposes of the review process took into the utmost account investments made by operators in order to deliver mobile roaming services, such as the cost of spectrum, the cost of equipment and infrastructure investments, as well as the infrastructure deployed by operators and the technology that is expected to dominate consumption until the next review. The review planned for 2025 will rely on a new cost model, taking the utmost account of technological developments observed in the interim period. This should preserve incentives to invest in visited networks and avoid any distortion of domestic competition in the visited markets caused by regulatory arbitrage by operators using wholesale roaming access remedies to compete in domestic visited markets.
- (39) In light of the objectives of this Regulation to ensure continued competition and the protection of end-users, this Regulation should set wholesale roaming price caps that reflect developments in the operators' costs of providing wholesale roaming services. The cost model used for the purposes of the review process and referred to in the impact assessment carried out for the purposes of this Regulation demonstrates that operators' costs have been gradually decreasing and continue to decrease. Considering the expected timeline for the planned review of wholesale caps on the basis of the two reports to be submitted by the Commission to the European Parliament and to the Council by 30 June 2025 and 30 June 2029, maximum wholesale charges should decrease on the basis of a glide path, taking into account relevant cost estimates and likely market developments in the period between 2022 and 2027.
- (40) The cost estimates for the provision of wholesale roaming services, including joint and common costs, have been assessed on the basis of several sources. One source was a general cost model for wholesale roaming services used for the purposes of the review process, which estimated the costs of an efficient operator when providing roaming wholesale services. The outcome of the cost model enables analysing costs, for each year in each Member State, under different scenarios and assumptions in the years in which it estimates costs. The cost model was populated with data submitted by the operators and was subsequently confirmed by the relevant national regulatory authorities. Seasonality was also taken into account for the Member States able to illustrate that it affected operators' network dimensioning. Throughout the period in which the cost model was developed, operators, BEREC and national regulatory authorities were consulted. The cost assessment also drew on current wholesale roaming charges in the Union and took into account the anticipated future take-up of updated network technologies, in line with indications received from BEREC in its opinions.
- (41) With regard to rules on wholesale charges, regulatory obligations at Union level should be maintained since any measure that enables RLAH across the Union without addressing the level of the wholesale costs associated with providing wholesale roaming services could risk disrupting the internal market for roaming services and would not encourage more competition. Wholesale charges at an appropriate level should facilitate sustainable competition, including by new entrants, small and medium-sized enterprises and start-ups.
- (42) Maximum wholesale charges should act as a safeguard level and should ensure that operators can recover their costs, including joint and common costs. They should also enable the widespread sustainable provision of RLAH, while at the same time leaving a margin for commercial negotiations between operators.

- (43) The practice by some mobile network operators of billing for the provision of wholesale roaming calls on the basis of minimum charging periods of up to 60 seconds, as opposed to the per-second basis normally applied for other wholesale interconnection charges, creates a distortion of competition between those operators and those applying different billing methods, and undermines the consistent application of the maximum wholesale charges laid down in this Regulation. Moreover it represents an additional charge which, by increasing wholesale costs, has negative consequences for the pricing of voice roaming services at retail level. Mobile network operators should therefore be required to bill for the wholesale provision of regulated roaming calls on a per-second basis.
- (44) To ensure that roaming customers have uninterrupted and effective access to emergency services free of charge, visited networks should not levy on the roaming providers any wholesale charges related to any type of emergency communications.
- (45) In order to improve the transparency of retail prices for roaming services and to help roaming customers make decisions on the use of their mobile devices while abroad, providers of mobile communication services should supply their roaming customers with information free of charge about the roaming charges applicable to them when using roaming services in a visited Member State. Since certain customer groups might be well informed about roaming charges, roaming providers should provide a possibility to easily opt-out from that automatic message. In addition, roaming customers should be provided with a text message including a link to access, free of charge, a webpage established by the roaming provider giving detailed information about the types of services, namely calls and SMS messages, that may be subject to increased costs, without prejudice to Article 97 of Directive (EU) 2018/1972. Roaming customers should be fully informed, in a clear manner, of any charges applicable to freephone numbers while roaming. Moreover, roaming providers should actively give their customers, provided that the latter are located in the Union, on request and free of charge, additional information on the per-minute, per-SMS message or per-megabyte data charges, including VAT, for the making or receiving of voice calls and for the sending and receiving of SMS messages, MMS messages and other data communication services in the visited Member State.
- (46) A roaming customer can connect to a non-terrestrial public mobile communications network, such as on board marine vessels (MCV services) as defined in Commission Decision 2010/166/EU ⁽¹⁷⁾ or on aircraft (MCA services) as defined in Commission Decision 2008/294/EC ⁽¹⁸⁾, that are provided through types of radio networks other than terrestrial networks, by means of specific devices mounted on board. Those services are often accessible on international waters or on board aircraft. Charges incurred by roaming customers when they intentionally or inadvertently connect to non-terrestrial networks are significantly higher than tariffs for regulated roaming services. Roaming customers are accustomed to benefiting from RLAH and the use of roaming services at domestic prices. Due to the absence of a consistent approach to transparency and safeguard measures for connections to non-terrestrial networks, roaming customers are at greater risk of bill-shock. Therefore, additional transparency and safeguard measures should be introduced to apply to connections to non-terrestrial networks such as on marine vessels and aircraft.

Roaming providers should take reasonable steps to apply such transparency and safeguard measures. Such steps could include network operation measures, financial limits, an opt-out mechanism, or equivalent measures. They should, in particular, include measures to ensure that adequate information is provided in a clear and comprehensible manner, in order to empower roaming customers to actively prevent such instances of inadvertent roaming. Roaming providers that offer an opt-out mechanism should inform roaming customers about the limitations of the instant opt-in or reactivation of the service, such as the risk that without their connection to the network they will be unable to reactivate connection to a non-terrestrial network. Roaming providers should inform their roaming customers about the possibility of manually and instantly opting out of roaming on their handset device, either through the settings or by activating flight mode. To the extent possible, when planning and operating their networks, roaming providers should aim to prioritise connections to terrestrial networks to

⁽¹⁷⁾ Commission Decision 2010/166/EU of 19 March 2010 on harmonised conditions of use of radio spectrum for mobile communication services on board vessels (MCV services) in the European Union (OJ L 72, 20.3.2010, p. 38).

⁽¹⁸⁾ Commission Decision 2008/294/EC of 7 April 2008 on harmonised conditions of spectrum use for the operation of mobile communication services on aircraft (MCA services) in the Community (OJ L 98, 10.4.2008, p. 19).

minimise the risk of inadvertent connection to non-terrestrial networks. In order to ensure a high level of protection for roaming customers, when connecting to non-terrestrial public mobile communications networks, providers of mobile communication services should provide their roaming customers with information about any additional charges that apply, by way of a text message free of charge every time a connection to such a network is established.

- (47) This Regulation should in relation to regulated retail roaming services lay down specific transparency requirements aligned with the specific tariff and volume conditions applicable following the abolition of the retail roaming surcharges. In particular, provision should be made for roaming customers to be notified, in a timely and user-friendly manner and free of charge, of the applicable fair use policy, when the applicable fair use volume of regulated voice, SMS or data roaming services is fully consumed, of any surcharge, and of accumulated consumption of regulated data roaming services.
- (48) Customers living in border regions should not receive unnecessarily high bills due to inadvertent roaming. Roaming providers should therefore take all reasonable steps to minimise the risk of inadvertent roaming and to protect customers against incurring roaming charges while they are located in their Member State. Such steps should include financial limits, mechanisms to opt out of roaming on a network outside the Union where technically feasible, or equivalent measures. Such steps should in particular include adequate measures for the provision of information in a clear and comprehensible manner in order to empower customers to actively prevent such instances of inadvertent roaming. National regulatory authorities and other competent authorities responsible for safeguarding and promoting the interests of customers who normally reside within their territory should be alert to situations in which customers face problems with paying roaming charges while they are still located in their Member State and should take appropriate steps to mitigate the problem.
- (49) Moreover, measures should be laid down to ensure the transparency of retail charges for all data roaming services, including for connecting to non-terrestrial public mobile communications networks, in particular to eliminate the problem of bill shock, which constitutes a barrier to the smooth functioning of the internal market, and to provide roaming customers with the tools they need to monitor and control their expenditure on data roaming services. Equally, there should be no obstacles to the emergence of applications or technologies which can be a substitute for, or alternative to, roaming services, including but not limited to Wi-Fi.
- (50) In addition, in order to avoid bill shocks, roaming providers should establish one or more maximum financial or volume limits for their outstanding charges for all data roaming services, expressed in the currency in which the roaming customer is billed, which they should offer to all their roaming customers, free of charge, with an appropriate notification, in a media format that can be consulted again subsequently, when that limit is being approached. Upon reaching that maximum limit, customers should no longer receive or be charged for those services unless they specifically request continued provision of those services in accordance with the terms and conditions set out in the notification. In such a case, they should receive free confirmation, in a media format that can be consulted again subsequently. Roaming customers should be given the opportunity to opt out of those maximum financial or volume limits within a reasonable period or to choose not to have such a limit. Unless customers state otherwise, they should be put on a default limit system.
- (51) These transparency measures should be seen as minimum safeguards for roaming customers, and should not preclude roaming providers from offering their customers a range of other facilities which help them to predict and control their expenditure on data roaming services.
- (52) Customers under pre-paid tariffs may also suffer from bill shocks for the use of data roaming services. For that reason provisions on cut-off limit should also apply to those customers.
- (53) Consumers do not always distinguish between access to electronic communications services while roaming, namely where end-users access such services in visited Member States, and intra-EU communications, namely where consumers located in their home Member State make calls or send SMS messages to another Member State. While roaming and intra-EU communications constitute two distinct and separate markets, certain parallels can be drawn

between them from a consumer perspective. Since 15 May 2019, the retail price, excluding VAT, that can be charged to consumers for regulated intra-EU communications has been capped at EUR 0,19 per minute for calls and EUR 0,06 per SMS message. With the prolongation of the RLAH measures introduced by this Regulation, which address the risk of discouraging cross-border communication and enabling the establishment of an internal market, it should be considered appropriate to look into the development of the intra-EU communications market. To that end, the existing measures should be evaluated in light of the application of Directive (EU) 2018/1972 and, in particular, the rules on interpersonal communication services, and the introduction of single maximum Union-wide voice termination rates, which is a component of the cost structure of intra-EU communications. The Commission, with the support of BEREC, should assess the effects of the existing measures introduced by Regulation (EU) 2018/1971 of the European Parliament and of the Council⁽¹⁹⁾ and determine whether and to what extent there is an ongoing need to reduce the caps in order to protect consumers. That assessment should take place at least one year before the expiry of those measures on 14 May 2024.

- (54) There are considerable disparities between regulated roaming tariffs within the Union and roaming tariffs incurred by customers when they are travelling outside the Union, which are significantly higher than prices within the Union, where roaming surcharges are only exceptionally applied following the abolition of retail roaming charges. Due to the absence of a consistent approach to transparency and safeguard measures concerning roaming outside the Union, consumers are not confident about their rights and are therefore often deterred from using mobile services while abroad. Transparent information provided to consumers could not only assist them in the decision as to how to use their mobile devices while travelling abroad (both within and outside the Union), but could also assist them in the choice between roaming providers. It is therefore necessary to address the problem of the lack of transparency and consumer protection by applying certain transparency and safeguard measures also to roaming services provided outside the Union. Those measures should facilitate competition and improve the functioning of the internal market.
- (55) Union citizens face high roaming charges when using retail roaming services in third countries. Therefore, initiatives that aim to lower the roaming charges for roaming services between the Union and third countries on a reciprocal basis should be encouraged. In particular, end-users in the Union external border regions would greatly benefit from lower roaming charges with the neighbouring third countries.
- (56) If the visited network operator in the visited third country does not allow the roaming provider to monitor its customers' usage on a real-time basis, the roaming provider should not be obliged to provide the maximum financial or volume limits for safeguarding customers.
- (57) Roaming providers should inform roaming customers of the possibility of accessing emergency services free of charge by calling the single European emergency number '112' and should inform roaming customers of alternative means of access through emergency communications that are technically feasible for use by roaming customers, in particular by roaming customers with disabilities. Alternative means of access through emergency communications enable roaming customers, in particular roaming customers with disabilities, to access emergency services through means other than calls. For example, alternative means of access may be ensured through emergency applications, messaging, relay services or real time text or total conversation implemented pursuant to Article 4 of Directive (EU) 2019/882. The information on the means of access should be provided by an SMS message which informs the roaming customer of the possibility of accessing emergency services free of charge by calling the single European emergency number '112' and which provides a link to a dedicated webpage, that can be accessed free of charge and complies with Directive (EU) 2016/2102 of the European Parliament and of the Council⁽²⁰⁾, describing, in an easily understandable way, the alternative means of access to emergency services in the visited Member State and indicating only those means of access that are technically feasible for use by roaming customers. The dedicated webpage should contain information in the language in which the roaming provider communicates with the roaming customer.

⁽¹⁹⁾ Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 (OJ L 321, 17.12.2018, p. 1).

⁽²⁰⁾ Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1).

- (58) Article 110 of Directive (EU) 2018/1722 requires Member States to ensure that their public warning systems transmit public warnings to end-users concerned, namely end-users who are located in the geographic areas potentially being affected by imminent or developing major emergencies and disasters during the warning period, including roaming end-users. Currently available technologies enable national authorities to send public warnings to concerned roaming customers without the need for prior action by the roaming customer, such as downloading an application. However, in some Member States, public warning mobile applications which allow sending rich information to end-users are deployed, sometimes in addition to the previously mentioned technologies. In the Member States where the link to such a national public warning mobile application is provided in the database of the means of access to emergency services that are mandated in each Member State established pursuant to this Regulation, roaming providers should inform roaming customers of the link to that application. The information should be provided in the language in which the roaming provider communicates with the roaming customer. With reference to the preamble to Directive (EU) 2018/1722, the Commission will assess possibilities for enabling roaming customers concerned to receive public warnings issued by the competent national authorities, including through a mobile application when travelling within the Union, through a Union-wide public warning system that complements national public warning systems.
- (59) Numbering ranges, including those used for value-added services, are set in the national numbering plans and are not harmonised at Union level. Operators may therefore not be able to recognise the numbering ranges for value-added services in all countries in advance. Numbering ranges used for value-added services are subject to particular pricing conditions at the national level, and in many cases their termination rates are not regulated. While this is understood by roaming providers, the level of the wholesale charges they will incur may still be unexpectedly high. In a roaming scenario, operators are unable to address this issue because they lack information on numbering ranges used for value-added services throughout the Union. To address this problem, BEREC should establish and maintain a single Union-wide, secure database of numbering ranges for value-added services. The database is intended to enhance transparency, enabling national regulatory authorities and, where applicable, other competent authorities, as well as operators, to have direct access to information about which numbering ranges can generate higher costs (termination rates) in all Member States. It represents a necessary intermediate step to increase transparency at retail level as it could be used to inform roaming customers about the types of services that may be subject to increased charges when roaming. With a view to providing better consumer protection and transparency, it should be possible for the database to contain additional information, for example about the tariffs associated with numbering ranges for value-added services, such as per minute or per act tariffs. Such tariff information could be made available on the dedicated webpage providing information about value-added services. BEREC should establish the procedures by which competent authorities are to provide and update the information in the database of numbering ranges for value-added services established pursuant to this Regulation.
- (60) BEREC should establish and maintain a single Union-wide database of means of access to emergency services that are mandated and are technically feasible to be used by roaming end-users in each Member State. The database is intended to help national operators, national regulatory authorities and, where applicable, other competent authorities to be informed of all these means of access to emergency services deployed in the Union. Member States should be able to update the database with the link to the national public warning mobile application, if applicable. BEREC should establish the procedures by which the competent authorities are to provide and update the information requested pursuant to this Regulation.
- (61) Where Member States assign to competent authorities other than national regulatory authorities some of the tasks related to end-user protection, for instance regarding information requirements for retail contracts, transparency, or contract termination, the competence of those competent authorities for those tasks covers all parts of the retail contract, including the roaming related rights and obligations. Without prejudice to the assignment of tasks under Directive (EU) 2018/1722, the national regulatory authorities and, where applicable, other competent authorities which are responsible for carrying out tasks under that Directive should have the powers needed to monitor, supervise and enforce the obligations under this Regulation within their territory. They should also monitor developments in the pricing of voice, SMS and data services for roaming customers within the Union including, where appropriate, the specific costs related to roaming calls made and received in the outermost regions of the Union and the need to ensure that these costs can be adequately recovered on the wholesale market, and that traffic-steering techniques are not used to limit choice to the detriment of customers. They should ensure that up-to-date information on the application of this Regulation is made available to interested parties and publish the results of such monitoring. Information should be provided on corporate, post-paid and pre-paid customers separately.

- (62) In-country roaming in the outermost regions of the Union, where mobile telephony licences are distinct from those issued in respect of the rest of the national territory, could benefit from rate reductions equivalent to those practised on the internal market for roaming services. The implementation of this Regulation should not give rise to less favourable pricing treatment for customers using in-country roaming services as opposed to customers using Union-wide roaming services. To that end, the national authorities may take additional measures consistent with Union law.
- (63) While ensuring business confidentiality and in order to monitor and supervise the application of this Regulation and developments in wholesale roaming markets, national regulatory authorities should be entitled to require information on wholesale roaming agreements that do not provide for the application of the maximum wholesale roaming charges. Those authorities should also be allowed to require information on the adoption and application of conditions in wholesale roaming agreements aiming to prevent permanent roaming and any anomalous or abusive use of wholesale roaming access for purposes other than the provision of regulated roaming services to roaming providers' customers travelling within the Union.
- (64) Where Union providers of mobile services find the benefits of interoperability and end-to-end connectivity for their customers jeopardised by the termination, or threat of termination, of their roaming arrangements with mobile network operators in another Member State or where they are unable to provide their customers with services in another Member State as a result of a lack of agreement with at least one wholesale network provider, national regulatory authorities, or other competent authorities in the situations referred to under Article 61(2), points (b) and (c) of Directive (EU) 2018/1972, should make use, where necessary, of the powers under Article 61 of that Directive to ensure adequate access and interconnection, taking into account the objectives set out in Article 3 of that Directive, in particular the development of the internal market by favouring the provision, availability and interoperability of pan-European services, and end-to-end connectivity.
- (65) The specific price regulation applicable to wholesale roaming services entails that an overall Union cap applies to a composite product which may also include other wholesale roaming access and interconnection inputs, including, in particular, those subject to national or, potentially, cross-border regulation. In this regard divergences across the Union in the regulation of those inputs are predicted to decrease, in particular because of additional measures taken in accordance with Directive (EU) 2018/1972 aiming to ensure greater consistency of regulatory approaches. In the meantime, any dispute between visited network operators and other operators on the rates applied to those regulated inputs necessary for the provision of wholesale roaming services should be addressed, taking into account BEREC's opinion, where it has been consulted, in accordance with the specific regulatory obligations applicable to roaming as well as with Directive (EU) 2018/1972.
- (66) It is necessary to monitor and to review regularly the functioning of wholesale roaming markets and their interrelationship with the retail roaming markets, taking into account competitive and technological developments and traffic flows. The Commission should submit two reports to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal. In those reports, the Commission should, in particular, assess whether RLAH has any impact on the evolution of tariff plans available on the retail markets. That should include, on the one hand, an assessment of the emergence of any tariff plans that include only domestic services and that exclude retail roaming services altogether, thus undermining the very objective of RLAH and, on the other, an assessment of any reduction in the availability of flat-rate tariff plans, which could also represent a loss for consumers and undermine the objectives of the digital single market.

The Commission's reports should, in particular, analyse the extent to which exceptional retail roaming surcharges have been authorised by national regulatory authorities, the ability of home network operators to sustain their domestic charging models and the ability of visited network operators to recover the efficiently incurred costs of providing regulated wholesale roaming services. In addition, the Commission's reports should assess: how, at wholesale level, access to the different network technologies and generations is ensured; the information about wholesale pricing for data services; the level of usage of trading platforms and similar instruments to trade traffic at wholesale level; the evolution of machine-to-machine roaming; persistent problems at retail level in relation to value-added services; the application of the measures on emergency communications; the transparency measures on roaming in third countries and non-terrestrial public mobile networks aiming to prevent inadvertent roaming; the

effectiveness of the quality of service obligations laid down in this Regulation; and the extent to which customers are properly informed in their retail contracts about those obligations and can benefit from a genuine RLAH experience. Furthermore, the Commission's reports should assess what impact the roll-out and implementation of new technologies, as well as pandemics and natural disasters, have on the roaming market. In order to enable such reporting with a view to assessing how the roaming markets adapt to RLAH rules, sufficient data should be gathered on the functioning of those markets after the implementation of those rules.

- (67) In order to assess competitive developments in Union-wide roaming markets and to report regularly on changes in actual wholesale roaming charges for unbalanced traffic between providers of roaming services, BEREC should continue to collect data from national regulatory authorities. Where applicable, national regulatory authorities should be able to coordinate with other competent authorities. Such data should include the actual charges applied for balanced and unbalanced traffic, respectively, together with actual traffic volumes for the relevant roaming services. The collection of data that allows the monitoring and assessment of the impact of changes in travel behaviour and consumption patterns, such as changes caused by pandemics, is vital for the analysis required in the reports provided for by this Regulation. BEREC should also collect data on cases where parties to a wholesale roaming agreement have opted out of the application of maximum wholesale roaming charges or have implemented measures at wholesale level that aim to prevent permanent roaming or anomalous or abusive use of wholesale roaming access for purposes other than the provision of regulated roaming services to roaming providers' customers while the latter are periodically travelling within the Union. On the basis of the data collected with sufficient level of granularity, BEREC should report regularly on the relationship between retail prices, wholesale charges and wholesale costs for roaming services. By 30 June 2027, the Commission should submit a report to the European Parliament and to the Council, based on the regular BEREC reports, followed, if appropriate, by a legislative proposal. BEREC should also collect the necessary data to allow the monitoring of the elements to be assessed by the Commission in the reports provided in this Regulation.
- (68) In the medium term, facilitating machine-to-machine roaming and internet-of-things (IoT) roaming should be recognised as an important driver for digitising the Union's industry and should build on related Union policies in sectors such as health, energy, environment, and transport. The Commission should regularly assess the role of roaming in the market for machine-to-machine connectivity and in the IoT market. If appropriate, the Commission should also provide recommendations, after consulting BEREC. BEREC should also collect the necessary data to allow the monitoring of the elements to be assessed in the Commission's reports on the development of machine-to-machine roaming and IoT devices provided for in this Regulation, taking into account cellular connectivity solutions based on unlicensed spectrum.
- (69) The Commission, BEREC, the national regulatory authorities and, where applicable, other competent authorities concerned should fully ensure business confidentiality when sharing information for the purposes of reviewing, monitoring and supervising the application of this Regulation. Compliance with business confidentiality requirements should therefore not prevent national regulatory authorities from being able to share in a timely manner confidential information for such purposes.
- (70) Since the objectives of this Regulation, namely to provide for a common approach for ensuring that users of public mobile communications networks, when travelling within the Union, do not pay excessive prices for Union-wide roaming services in comparison with competitive national prices, and to increase transparency and consumer protection, as well as to ensure the sustainability of the provision of retail roaming services at domestic prices and a genuine RLAH experience in terms of quality of service and access to emergency services while roaming, cannot be sufficiently achieved by the Member States but can rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

- (71) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.
- (72) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽²¹⁾, and delivered an opinion on 20 April 2021,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation provides for a common approach for ensuring that users of public mobile communications networks, when travelling within the Union, do not pay excessive prices for Union-wide roaming services in comparison with competitive national prices, when making calls and receiving calls, when sending and receiving SMS messages and when using packet switched data communication services.

This Regulation thereby contributes to the smooth functioning of the internal market while achieving a high level of consumer protection, data protection, privacy and trust, fostering competition, independence and transparency in the market and offering incentives for innovation, consumer choice and the integration of persons with disabilities, while fully complying with the Charter of Fundamental Rights of the European Union.

This Regulation sets out the conditions for wholesale access to public mobile communications networks for the purpose of providing regulated roaming services. It applies both to charges levied by network operators at wholesale level and to charges levied by roaming providers at retail level.

2. This Regulation also lays down rules aiming to increase transparency and improving the provision of information on charges to users of roaming services, including users of non-regulated roaming services in third countries. It also increases transparency for users of non-regulated roaming services when they connect to a non-terrestrial public mobile communications network, such as on board vessels or aircraft, where applicable.

3. The maximum charges set out in this Regulation are expressed in euro.

4. Where maximum charges under Articles 8 to 11 are denominated in currencies other than the euro, the values shall be determined in those currencies by applying the average of the reference exchange rates published on 15 January, 15 February and 15 March of the relevant calendar year by the European Central Bank in *the Official Journal of the European Union*. For the maximum charges, the limits in currencies other than the euro shall be revised annually as from 2023. The annually revised limits in those currencies shall apply from 15 May.

5. This Regulation is without prejudice to the assignment of tasks to national regulatory authorities and other competent authorities under Directive (EU) 2018/1972, including the responsibilities for implementing Part III, Title III of that Directive.

Article 2

Definitions

1. For the purposes of this Regulation, the definitions set out in Article 2 of Directive (EU) 2018/1972 shall apply.

⁽²¹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

2. In addition to the definitions referred to in paragraph 1, the following definitions shall apply:
- (a) 'roaming provider' means an undertaking that provides a roaming customer with regulated retail roaming services;
 - (b) 'domestic provider' means an undertaking that provides a roaming customer with domestic mobile communications services;
 - (c) 'home network' means a public communications network located within a Member State and used by the roaming provider for the provision of regulated retail roaming services to a roaming customer;
 - (d) 'visited network' means a terrestrial public mobile communications network situated in a Member State other than that of the roaming customer's domestic provider that permits a roaming customer to make or receive calls, to send or receive SMS messages or to use packet switched data communications, by means of arrangements with the home network operator;
 - (e) 'Union-wide roaming' means the use of a mobile device by a roaming customer to make or receive intra-Union calls, to send or receive intra-Union SMS messages, or to use packet switched data communications, while in a Member State other than that in which the network of the domestic provider is located, by means of arrangements between the home network operator and the visited network operator;
 - (f) 'roaming customer' means a customer of a roaming provider of regulated roaming services, by means of a terrestrial public mobile communications network situated in the Union, whose retail contract or arrangement with that roaming provider permits Union-wide roaming;
 - (g) 'regulated roaming call' means a mobile voice telephony call made by a roaming customer, originating on a visited network and terminating on a public communications network within the Union or received by a roaming customer, originating on a public communications network within the Union and terminating on a visited network;
 - (h) 'SMS message' means a Short Message Service text message, composed principally of alphabetical or numerical characters, or both, capable of being sent between mobile and/or fixed numbers assigned in accordance with national numbering plans;
 - (i) 'regulated roaming SMS message' means an SMS message sent by a roaming customer, originating on a visited network and terminating on a public communications network within the Union or received by a roaming customer, originating on a public communications network within the Union and terminating on a visited network;
 - (j) 'regulated data roaming service' means a roaming service enabling the use of packet switched data communications by a roaming customer by means of his mobile device while it is connected to a visited network, excluding the transmission or receipt of regulated roaming calls or SMS messages, but including the transmission and receipt of MMS messages;
 - (k) 'wholesale roaming access' means direct wholesale roaming access or wholesale roaming resale access;
 - (l) 'direct wholesale roaming access' means the making available of facilities or services, or both, by a mobile network operator to another undertaking, under defined conditions, for the purpose of that other undertaking providing regulated roaming services to roaming customers;
 - (m) 'wholesale roaming resale access' means the provision of roaming services on a wholesale basis by a mobile network operator different from the visited network operator to another undertaking for the purpose of that other undertaking providing regulated roaming services to roaming customers;
 - (n) 'domestic retail price' means a roaming provider's domestic retail per-unit charge applicable to calls made and SMS messages sent, originating and terminating on different public communications networks within the same Member State, and to data consumed by a customer.

With regard to the first subparagraph, point (n), in the event that there is no specific domestic retail per-unit charge, the domestic retail price shall be deemed to be the same charging mechanism as that applied to the customer for calls made and SMS messages sent, originating and terminating on different public communications networks within the same Member State, and data consumed in that customer's Member State.

Article 3

Wholesale roaming access

1. Mobile network operators shall meet all reasonable requests for wholesale roaming access, in particular in a manner that allows the roaming provider to replicate the retail mobile services offered domestically where it is technically feasible to do so on the visited network.
2. Mobile network operators may refuse requests for wholesale roaming access only on the basis of objective criteria, such as technical feasibility and network integrity. Commercial considerations shall not be grounds to refuse requests for wholesale roaming access in order to limit the provision of competing roaming services.
3. Wholesale roaming access shall cover access to all network elements and associated facilities, relevant services, software and information systems, necessary for the provision of regulated roaming services to customers, and shall cover all available network technologies and all available network generations.
4. Rules on regulated wholesale roaming charges laid down in Articles 9, 10 and 11 shall apply to the provision of access to all components of wholesale roaming access referred to in paragraph 3 of this Article, unless both parties to the wholesale roaming agreement explicitly agree that any average wholesale roaming charge resulting from the application of the agreement is not subject to the maximum regulated wholesale roaming charge for the period of validity of the agreement.

Without prejudice to the first subparagraph of this paragraph, in the case of wholesale roaming resale access, mobile network operators may charge fair and reasonable prices for components not covered by paragraph 3.

5. Mobile network operators shall publish a reference offer, taking into account the BEREC guidelines referred to in paragraph 8, and shall make it available to an undertaking requesting wholesale roaming access. Mobile network operators shall provide the undertaking requesting access with a draft wholesale roaming agreement, in accordance with this Article, for such access at the latest one month after the initial receipt of the request by the mobile network operator. The wholesale roaming access shall be granted within a reasonable period of time not exceeding three months from the conclusion of the wholesale roaming agreement. Mobile network operators receiving a wholesale roaming access request and undertakings requesting access shall negotiate in good faith.
6. The reference offer referred to in paragraph 5 shall be sufficiently detailed and shall include all components necessary for wholesale roaming access as referred to in paragraph 3, providing a description of the offerings relevant for direct wholesale roaming access and wholesale roaming resale access, and the associated terms and conditions. The reference offer shall contain all information necessary to enable the roaming provider to ensure its customers have access, free of charge, to emergency services through emergency communications to the most appropriate PSAP and to enable the transmission, free of charge, of caller location information to the most appropriate PSAP while using roaming services.

That reference offer may include conditions to prevent permanent roaming or anomalous or abusive use of wholesale roaming access for purposes other than the provision of regulated roaming services to roaming providers' customers while the latter are periodically travelling within the Union. Where specified in a reference offer, such conditions shall include the specific measures that the visited network operator may take to prevent permanent roaming or anomalous or abusive use of wholesale roaming access as well as the objective criteria on the basis of which such measures may be taken. Such criteria may refer to aggregate roaming traffic information. They shall not refer to specific information relating to individual traffic of the roaming provider's customers.

The reference offer may, inter alia, provide that where the visited network operator has reasonable grounds for considering that permanent roaming by a significant share of the roaming provider's customers or anomalous or abusive use of wholesale roaming access is taking place, the visited network operator may require the roaming provider to provide, without prejudice to Union and national data protection requirements, information allowing the determination of whether a significant share of the roaming provider's customers is in a situation of permanent roaming or whether there is anomalous or abusive use of wholesale roaming access on the network of the visited operator, such as information on the share of customers for which a risk of anomalous or abusive use of regulated retail roaming services provided at the applicable domestic retail price has been established on the basis of objective indicators in accordance with the implementing acts on the application of fair use policies adopted pursuant to Article 7.

The reference offer may, as a last resort, where less stringent measures have failed to address the situation, provide for the possibility to terminate a wholesale roaming agreement where the visited network operator has established that, based on objective criteria, permanent roaming by a significant share of the roaming provider's customers or anomalous or abusive use of wholesale roaming access is taking place, and has informed the home network operator accordingly.

The visited network operator may terminate the wholesale roaming agreement unilaterally on grounds of permanent roaming or anomalous or abusive use of wholesale roaming access only upon prior authorisation of the visited network operator's national regulatory authority.

Within three months of receipt of a request by the visited network operator for authorisation to terminate a wholesale roaming agreement, the national regulatory authority of the visited network operator shall, after consulting the national regulatory authority of the home network operator, decide whether to grant or refuse such authorisation and shall inform the Commission accordingly.

The national regulatory authorities of the visited network operator and of the home network operator may each request BEREC to adopt an opinion with regard to the action to be taken in accordance with this Regulation. BEREC shall adopt its opinion within one month of receipt of such a request.

Where BEREC has been consulted, the national regulatory authority of the visited network operator shall await and take the utmost account of BEREC's opinion before deciding, subject to the three-month deadline referred to in the sixth subparagraph, whether to grant or refuse authorisation for the termination of the wholesale roaming agreement.

The national regulatory authority of the visited network operator shall make information concerning authorisations to terminate wholesale roaming agreements available to the public, subject to business confidentiality.

The fifth to ninth subparagraphs of this paragraph shall be without prejudice to the power of a national regulatory authority to require the immediate cessation of a breach of the obligations set out in this Regulation pursuant to Article 17(7) and to the right of the visited network operator to apply adequate measures in order to combat fraud.

If necessary, national regulatory authorities shall impose changes to reference offers, including as regards the specific measures that the visited network operator may take to prevent permanent roaming or anomalous or abusive use of wholesale roaming access, and the objective criteria on the basis of which the visited network operator may take such measures, to give effect to obligations laid down in this Article.

7. Where the undertaking requesting the access desires to enter into commercial negotiations to include components not covered by the reference offer, the mobile network operators shall respond to such a request within a reasonable period of time not exceeding two months from its initial receipt. For the purposes of this paragraph, paragraphs 2 and 5 shall not apply.

8. By 5 October 2022, in order to contribute to the consistent application of this Article, BEREC shall, after consulting stakeholders and in close cooperation with the Commission, update the guidelines for wholesale roaming access laid down in accordance with Article 3(8) of Regulation (EU) No 531/2012.

*Article 4***Provision of regulated retail roaming services**

1. Roaming providers shall not levy any surcharge in addition to the domestic retail price on roaming customers in any Member State for any regulated roaming calls made or received, for any regulated roaming SMS messages sent or for any regulated data roaming services used, nor shall they levy any general charge to enable the terminal equipment or service to be used abroad, subject to Articles 5 and 6.

2. Roaming providers shall not offer regulated retail roaming services under conditions that are less advantageous than those offered domestically, in particular in terms of the quality of service provided for in the retail contract, where the same generation of mobile communications networks and technologies are available on the visited network.

Mobile communication operators shall avoid unreasonable delays in handovers between networks at internal Union border crossings.

3. In order to contribute to the consistent application of this Article, by 1 January 2023, after consulting stakeholders and in close cooperation with the Commission, BEREC shall update its retail guidelines regarding the implementation of the quality-of-service measures.

*Article 5***Fair use**

1. Roaming providers may apply in accordance with this Article and the implementing acts adopted pursuant to Article 7 a fair use policy to the consumption of regulated retail roaming services provided at the applicable domestic retail price level, in order to prevent abusive or anomalous usage of regulated retail roaming services by roaming customers, such as the use of such services by roaming customers in a Member State other than that of their domestic provider for purposes other than periodic travel.

Any fair use policy shall enable the roaming provider's customers to consume volumes of regulated retail roaming services at the applicable domestic retail price that are consistent with their respective tariff plans.

2. Article 8 shall apply to regulated retail roaming services exceeding any limits under any fair use policy.

*Article 6***Sustainability mechanism**

1. In specific and exceptional circumstances, with a view to ensuring the sustainability of its domestic charging model, where a roaming provider is not able to recover its overall actual and projected costs of providing regulated roaming services in accordance with Articles 4 and 5, from its overall actual and projected revenues from the provision of such services, that roaming provider may apply for authorisation to apply a surcharge. That surcharge shall be applied only to the extent necessary to recover the costs of providing regulated retail roaming services, having regard to the applicable maximum wholesale charges.

2. Where a roaming provider decides to avail itself of paragraph 1 of this Article, it shall without delay submit an application to the national regulatory authority and provide it with all necessary information in accordance with the implementing acts referred to in Article 7. Every 12 months thereafter, the roaming provider shall update that information and submit it to the national regulatory authority.

3. Upon receipt of an application pursuant to paragraph 2, the national regulatory authority shall assess whether the roaming provider has established that it is unable to recover its costs in accordance with paragraph 1, with the effect that the sustainability of its domestic charging model would be undermined. The assessment of the sustainability of the domestic charging model shall be based on relevant objective factors specific to the roaming provider, including objective variations between roaming providers in the Member State concerned and the level of domestic prices and revenues. The national regulatory authority shall authorise the surcharge where the conditions laid down in paragraph 1 and in this paragraph are met.

4. Within one month of receipt of an application pursuant to paragraph 2, the national regulatory authority shall authorise the surcharge unless the application is manifestly unfounded or provides insufficient information. Where the national regulatory authority considers that the application is manifestly unfounded, or considers that insufficient information has been provided, it shall take a final decision within a further period of two months, after having given the roaming provider the opportunity to be heard, authorising, amending or refusing the surcharge.

Article 7

Implementation of fair use policy and of sustainability mechanism

1. In order to ensure consistent application of Articles 5 and 6, the Commission shall, after consulting BEREC, adopt implementing acts laying down detailed rules on the following:

- (a) the application of fair use policies;
- (b) the methodology for assessing the sustainability of the provision of retail roaming services at domestic prices; and
- (c) the application to be submitted by a roaming provider for the purposes of the assessment referred to in point (b).

The implementing acts referred to in the first subparagraph of this paragraph shall be adopted in accordance with the examination procedure referred to in Article 20(2).

The Commission shall, after consulting BEREC, review the implementing acts referred to in the first subparagraph periodically in light of market developments.

2. When adopting implementing acts laying down detailed rules on the application of fair use policies, the Commission shall take into account the following:

- (a) the evolution of pricing and consumption patterns in the Member States;
- (b) the degree of convergence of domestic price levels across the Union;
- (c) the travelling patterns in the Union;
- (d) any observable risks of distortion of competition and investment incentives in domestic and visited markets.

3. The Commission shall base the implementing acts referred to in paragraph 1, points (b) and (c) on the following:

- (a) the determination of the overall actual and projected costs of providing regulated retail roaming services by reference to the effective wholesale roaming charges for unbalanced traffic and a reasonable share of the joint and common costs necessary to provide regulated retail roaming services;
- (b) the determination of overall actual and projected revenues from the provision of regulated retail roaming services;
- (c) the consumption of regulated retail roaming services and the domestic consumption by the roaming provider's customers;
- (d) the level of competition, prices and revenues in the domestic market, and any observable risk that roaming at domestic retail prices would appreciably affect the evolution of such prices.

4. The national regulatory authority and, where applicable for the exercise of the powers conferred on them by national law transposing Directive (EU) 2018/1972, other competent authorities shall strictly monitor and supervise the application of fair use policies. The national regulatory authority shall strictly monitor and supervise the application of the measures on the sustainability of the provision of retail roaming services at domestic prices, taking utmost account of relevant objective factors specific to the Member State concerned and of relevant objective variations between roaming providers. Without prejudice to the procedure set out in Article 6(3), the national regulatory authority shall, in a timely manner, enforce the requirements of Articles 5 and 6 and the implementing acts provided for in paragraph 2 of this Article. The national regulatory authority may at any time require the roaming provider to amend or discontinue the surcharge if it does not comply with Article 5 or 6.

Other competent authorities shall enforce the requirements of Article 5 and of the implementing acts which are relevant for the exercise of the powers conferred on them by national law transposing Directive (EU) 2018/1972, as the case may be.

The national regulatory authority and, where applicable, other competent authorities shall inform the Commission annually concerning the application of Articles 5 and 6, and of this Article.

5. Implementing Regulation (EU) 2016/2286 shall continue to apply until the date of application of a new implementing act adopted pursuant to paragraph 1 of this Article.

Article 8

Exceptional application of retail surcharges for the consumption of regulated retail roaming services and provision of alternative tariffs

1. Without prejudice to the third subparagraph, where a roaming provider applies a surcharge for the consumption of regulated retail roaming services in excess of any limits under any fair use policy, it shall meet the following requirements, excluding VAT:

- (a) any surcharge applied for regulated roaming calls made, regulated roaming SMS messages sent and regulated data roaming services shall not exceed the maximum wholesale charges provided for in Articles 9(2), 10(1) and 11(1), respectively;
- (b) any surcharge applied for regulated roaming calls received shall not exceed the single maximum Union-wide mobile voice termination rates set for that year in accordance with Article 75(1) of Directive (EU) 2018/1972.

With regard to point (b) of the first subparagraph of this paragraph, where the Commission decides, following its review of the delegated act adopted pursuant to Article 75(1) of Directive (EU) 2018/1972, that setting a Union-wide voice termination rate is no longer necessary and decides not to impose a maximum mobile voice termination rate, any surcharge applied for regulated roaming calls received shall not exceed the rate set by the most recent delegated act adopted pursuant to Article 75 of that Directive.

Roaming providers shall not apply any surcharge to a regulated roaming SMS message received or to a roaming voicemail message received. This shall be without prejudice to other applicable charges such as those for listening to such messages.

Roaming providers shall charge roaming calls made and received on a per second basis. Roaming providers may apply an initial minimum charging period not exceeding 30 seconds to calls made. Roaming providers shall charge their customers for the provision of regulated data roaming services on a per-kilobyte basis, except for MMS messages, which may be charged on a per-unit basis. In such a case, the retail charge which a roaming provider may levy on its roaming customer for the transmission or receipt of a roaming MMS message shall not exceed the maximum retail charge for regulated data roaming services set out in the first subparagraph.

2. Roaming providers may offer, and roaming customers may deliberately choose, a roaming tariff other than one set in accordance with Articles 4, 5, 6 and paragraph 1 of this Article, by virtue of which roaming customers benefit from a different tariff for regulated roaming services than they would have been accorded in the absence of such a choice. The roaming provider shall remind those roaming customers of the nature of the roaming advantages which would thereby be lost.

Without prejudice to the first subparagraph, roaming providers shall apply a tariff set in accordance with Articles 4 and 5, and paragraph 1 of this Article to all existing and new roaming customers automatically.

Any roaming customer may, at any time, request to switch to or from a tariff set in accordance with Articles 4, 5, 6 and paragraph 1 of this Article. When roaming customers deliberately choose to switch from or back to a tariff set in accordance with Articles 4, 5, 6 and paragraph 1 of this Article, any switch shall be made within one working day of receipt of the request, shall be free of charge and shall not entail conditions or restrictions pertaining to elements of the subscriptions other than roaming. Roaming providers may delay a switch until the previous roaming tariff has been effective for a minimum specified period not exceeding two months.

3. Without prejudice to Part III, Title III of Directive (EU) 2018/1972, roaming providers shall ensure that a retail contract which includes any type of regulated retail roaming service specifies the characteristics of that regulated retail roaming service provided, including in particular:

- (a) the specific tariff plan or tariff plans and, for each tariff plan, the types of services offered, including the volumes of communications;
- (b) any restrictions imposed on the consumption of regulated retail roaming services provided at the applicable domestic retail price level, in particular quantified information on how any fair use policy is applied by reference to the main pricing, volume or other parameters of the provided regulated retail roaming service concerned;
- (c) clear and comprehensible information on the conditions and the quality of the roaming service when roaming within the Union in accordance with the BEREC guidelines referred to in paragraph 6.

4. Roaming providers shall ensure that a retail contract which includes any type of regulated retail roaming services provides information about the types of services that may be subject to increased charges when roaming, without prejudice to Article 97 of Directive (EU) 2018/1972.

5. Roaming providers shall publish the information referred to in paragraphs 3 and 4.

In addition, roaming providers shall publish information about reasons why the roaming service is potentially offered under conditions that are less advantageous than those offered domestically. That information shall include factors that can have an impact on the quality of the roaming service to which the roaming customer subscribes, such as network generations and technologies available to the roaming customer in a visited Member State.

6. For the purpose of ensuring the consistent application of this Article, by 1 January 2023, after consulting stakeholders and in close cooperation with the Commission, BEREC shall update its retail roaming guidelines, in particular in regard to the implementation of this Article and the transparency measures referred to in Articles 13, 14 and 15.

Article 9

Wholesale charges for the making of regulated roaming calls

1. The average wholesale charge that the visited network operator may levy on the roaming provider for the provision of a regulated roaming call originating on the visited network, inclusive, inter alia, of origination, transit and termination costs, shall not exceed a safeguard limit of EUR 0,022 per minute. That maximum wholesale charge shall decrease to EUR 0,019 per minute on 1 January 2025 and shall, without prejudice to Article 21, remain at EUR 0,019 per minute until 30 June 2032.

2. The average wholesale charge referred to in paragraph 1 shall apply between any pair of operators and shall be calculated over a 12-month period or any shorter period as may remain before the end of the period of application of a maximum average wholesale charge, as provided for in paragraph 1 or before 30 June 2032.

3. The average wholesale charge referred to in paragraph 1 shall be calculated by dividing the total wholesale roaming revenue received by the total number of wholesale roaming minutes actually used for the provision of wholesale roaming calls within the Union by the relevant operator over the relevant period, aggregated on a per-second basis adjusted to take account of the possibility for the operator of the visited network to apply an initial minimum charging period not exceeding 30 seconds.

Article 10

Wholesale charges for regulated roaming SMS messages

1. The average wholesale charge that the visited network operator may levy on the roaming provider for the provision of a regulated roaming SMS message originating on the visited network shall not exceed a safeguard limit of EUR 0,004 per SMS message. That maximum wholesale charge shall decrease to EUR 0,003 per SMS message on 1 January 2025, and shall, without prejudice to Article 21, remain at EUR 0,003 until 30 June 2032.

2. The average wholesale charge referred to in paragraph 1 shall apply between any pair of operators and shall be calculated over a 12-month period or any shorter period as may remain before the end of the period of application of a maximum average wholesale charge, as provided for in paragraph 1 or before 30 June 2032.
3. The average wholesale charge referred to in paragraph 1 shall be calculated by dividing the total wholesale revenue received by the visited network operator or home network operator for the origination and transmission of regulated roaming SMS messages within the Union in the relevant period by the total number of such SMS messages originated and transmitted on behalf of the relevant roaming provider or home network operator within that period.
4. The visited network operator shall not levy any charge on a roaming customer's roaming provider or home network operator, separate from the charge referred to in paragraph 1, for the termination of a regulated roaming SMS message sent to a roaming customer while roaming on its visited network.

Article 11

Wholesale charges for regulated data roaming services

1. The average wholesale charge that the visited network operator may levy on the roaming provider for the provision of regulated data roaming services by means of the visited network shall not exceed a safeguard limit of EUR 2,00 per gigabyte of data transmitted. That maximum wholesale charge shall decrease to EUR 1,80 per gigabyte of data transmitted on 1 January 2023, to EUR 1,55 per gigabyte on 1 January 2024, to EUR 1,30 per gigabyte on 1 January 2025, to EUR 1,10 per gigabyte on 1 January 2026 and to EUR 1,00 per gigabyte by 1 January 2027, after which, without prejudice to Article 21, it shall remain at EUR 1,00 per gigabyte of data transmitted until 30 June 2032.
2. The average wholesale charge referred to in paragraph 1 shall apply between any pair of operators and shall be calculated over a 12-month period or any shorter period as may remain before the end of the period of application of a maximum average wholesale charge, as provided for in paragraph 1 or before 30 June 2032.
3. The average wholesale charge referred to in paragraph 1 shall be calculated by dividing the total wholesale revenue received by the visited network or home network operator for the provision of regulated data roaming services in the relevant period by the total number of megabytes of data actually consumed by the provision of those services within that period, aggregated on a per-kilobyte basis on behalf of the relevant roaming provider or home network operator within that period.

Article 12

Wholesale charges for emergency communications

Without prejudice to Articles 9, 10 and 11, the visited network operator shall not levy on the roaming provider any charges related to any type of emergency communications initiated by the roaming customer or to the transmission of caller location information.

Article 13

Transparency of retail conditions for roaming calls and SMS messages

1. To alert roaming customers to the fact that they will be subject to roaming charges when making or receiving a call or when sending an SMS message, each roaming provider shall, except when the customers have notified the roaming provider that they do not require this service, provide the customers, by means of an automatic message, without undue delay and free of charge, when they enter a Member State other than that of their domestic provider, with basic personalised pricing information on the roaming charges, including VAT, that apply to the making and receiving of calls and to the sending of SMS messages by that customer in the visited Member State.

That basic personalised pricing information shall be expressed in the currency of the home bill provided by the customer's domestic provider and shall include information on:

- (a) any fair use policy that the roaming customer is subject to within the Union and the surcharges which apply in excess of any limits under that fair use policy; and
- (b) any surcharge applied in accordance with Article 6.

Roaming providers shall provide roaming customers, when they enter a Member State other than that of their domestic provider, with information on the potential risk of increased charges due to the use of value-added services by means of an automatic message, without undue delay and free of charge, except where a roaming customer has notified its roaming provider that it does not require this service. Such information shall include a link to access, free of charge, a dedicated webpage providing up-to-date information about the types of services that may be subject to increased costs and, where available, information about numbering ranges for value-added services or other relevant additional information contained in the database established pursuant to Article 16, first paragraph, point (a), in accordance with Article 16, third paragraph. The webpage shall include information about charges applicable to freephone numbers while roaming, if any.

The basic personalised pricing information referred to in the first subparagraph of this paragraph shall also include the free-of-charge number referred to in paragraph 2 for obtaining more detailed information.

On the occasion of each message, customers shall have the opportunity to give notice to the roaming provider, free of charge and in an easy manner, that they do not require the automatic message. Customers who have given notice that they do not require the automatic message shall have the right at any time and free of charge to require the roaming provider to provide the service again.

Roaming providers shall provide customers with disabilities with the basic personalised pricing information referred to in the first subparagraph automatically, by voice call, free of charge, if they so request.

With the exception of the reference to any fair use policy and the surcharge applied in accordance with Article 6, the first, second, fifth and sixth subparagraphs of this paragraph shall also apply both to voice and SMS roaming services used by roaming customers when connecting to national or international non-terrestrial public mobile communications networks, and provided by a roaming provider and to voice and SMS roaming services used by roaming customers travelling outside the Union and provided by a roaming provider.

2. In addition to the information provided for in paragraph 1, customers shall have the right to request and receive, free of charge, and irrespective of their location within the Union, more detailed personalised pricing information on the roaming charges that apply in the visited network to voice calls and SMS messages, and information on the transparency measures applicable by virtue of this Regulation, by means of a mobile voice call or by SMS messages. Such a request shall be to a free-of-charge number designated for this purpose by the roaming provider. Obligations provided for in paragraph 1 shall not apply to devices which do not support SMS functionality.

3. The roaming provider shall send a notification to the roaming customer when the applicable fair use volume of regulated voice, or SMS, roaming services is fully consumed or any usage threshold applied in accordance with Article 6 is reached. That notification shall indicate the surcharge that will be applied to any additional consumption of regulated voice, or SMS, roaming services by the roaming customer. Each customer shall have the right to require the roaming provider to stop sending such notifications and shall have the right, at any time and free of charge, to require the roaming provider to provide the service again.

4. Roaming providers shall provide all customers with full information on applicable roaming charges, when subscriptions are taken out. They shall also provide their roaming customers with updates on applicable roaming charges without undue delay each time there is a change in these charges.

Roaming providers shall send a reminder at reasonable intervals thereafter to all customers who have opted for another tariff.

5. Roaming providers shall make available information to their customers on how to effectively avoid inadvertent roaming in border regions. Roaming providers shall take all reasonable steps to protect their customers from paying roaming charges for inadvertently accessed roaming services while situated in their home Member State.

6. Roaming providers shall take all reasonable steps to protect their customers from paying additional charges for voice calls and SMS messages for inadvertently connecting to non-terrestrial public mobile networks, such as enabling roaming customers to opt out of connecting to non-terrestrial networks. Where such an opt-out mechanism is offered, the roaming customer shall have the right to opt out from the use of non-terrestrial networks at any time, easily and free of charge and to request the reinstatement of the connection to such networks.

Article 14

Transparency and safeguard mechanisms for retail data roaming services

1. Roaming providers shall ensure that their roaming customers, both before and after the conclusion of a retail contract, are kept adequately informed of the charges which apply to their use of regulated data roaming services, in ways which facilitate customers' understanding of the financial consequences of such use and permit them to monitor and control their expenditure on regulated data roaming services in accordance with paragraphs 2 and 4.

Where appropriate, roaming providers shall inform their customers, before the conclusion of a retail contract and on a regular basis thereafter, of the risk of automatic and uncontrolled data roaming connection and download. Furthermore, roaming providers shall notify to their customers, free of charge and in a clear and easily understandable manner, how to switch off those automatic data roaming connections in order to avoid uncontrolled consumption of data roaming services.

2. An automatic message from the roaming provider shall inform the roaming customer that the latter is using regulated data roaming services, and provide basic personalised tariff information on the charges, in the currency of the home bill provided by the customer's domestic provider, applicable to the provision of regulated data roaming services to that roaming customer in the Member State concerned, except where the customer has notified the roaming provider that he does not require that information.

That basic personalised tariff information shall include information on:

- (a) any fair use policy that the roaming customer is subject to within the Union and the surcharges which apply in excess of any limits under that fair use policy; and
- (b) any surcharge applied in accordance with Article 6.

The information shall be delivered directly to the roaming customer's mobile device, for example by an SMS message, an email, means of a text message or a pop-up window on the mobile device, every time the roaming customer enters a Member State other than that of his domestic provider and initiates for the first time a data roaming service in that particular Member State. It shall be provided free of charge at the moment the roaming customer initiates a regulated data roaming service, by an appropriate means adapted to facilitate its receipt and easy comprehension.

A customer who has notified his roaming provider that he does not require the automatic tariff information shall have the right at any time and free of charge to require the roaming provider to provide this service again.

3. The roaming provider shall send a notification when the applicable fair use volume of regulated data roaming service is fully consumed or any usage threshold applied in accordance with Article 6 is reached. That notification shall indicate the surcharge that will be applied to any additional consumption of regulated data roaming services by the roaming customer. Each customer shall have the right to require the roaming provider to stop sending such notifications and shall have the right, at any time and free of charge, to require the roaming provider to provide the service again.

4. Each roaming provider shall grant to all their roaming customers free of charge access to a facility which provides in a timely manner information on the accumulated consumption expressed in volume or in the currency in which the roaming customer is billed for regulated data roaming services and which guarantees that, without the customer's explicit consent, the accumulated expenditure for regulated data roaming services over a specified period of use, excluding MMS messages billed on a per-unit basis, does not exceed a specified financial limit. Customers may notify the roaming provider that they do not require access to such a facility.

To that end, the roaming provider shall make available one or more maximum financial limits for specified periods of use, provided that the customer is informed in advance of the corresponding volume amounts. One of those limits (the default financial limit) shall be close to, but not exceed, EUR 50 of outstanding charges per monthly billing period, excluding VAT.

Alternatively, the roaming provider may establish limits expressed in volume, provided that the customer is informed in advance of the corresponding financial amounts. One of those limits (the default volume limit) shall have a corresponding financial amount not exceeding EUR 50 of outstanding charges per monthly billing period, excluding VAT.

In addition, the roaming provider may offer to its roaming customers other limits with different, that is, higher or lower, maximum monthly financial limits.

The default limits referred to in the second and third subparagraphs shall be applicable to all customers who have not opted for another limit.

Each roaming provider shall also ensure that an appropriate notification is sent directly to the roaming customer's mobile device, for example by an SMS message, an email, means of a text message or a pop-up window on the computer, when the data roaming services have reached 80 % of the agreed financial or volume limit. Each customer shall have the right to require the roaming provider to stop sending such notifications and shall have the right, at any time and free of charge, to require the roaming provider to provide the service again.

When the financial or volume limit would otherwise be exceeded, a notification shall be sent to the roaming customer's mobile device. Where a roaming customer subject to a default financial limit or default volume limit as referred to in the fifth subparagraph consumes more than EUR 100 in a monthly billing period, excluding VAT, an additional notification shall be sent to that roaming customer's mobile device. Those notifications shall indicate the procedure to be followed if the customer wishes to continue provision of those services and the cost associated with each additional unit to be consumed. If the roaming customer does not respond as prompted in the notification received, the roaming provider shall immediately cease to provide and to charge the roaming customer for regulated data roaming services, unless and until the roaming customer requests the continued or renewed provision of those services.

Whenever a roaming customer requests the removal or reinstatement of a financial or volume limit facility, the change shall be made within one working day of receipt of the request, shall be free of charge, and shall not entail conditions or restrictions pertaining to other elements of the subscription.

5. Paragraphs 2 and 4 shall not apply to machine-to-machine devices that use mobile data communication.
6. Roaming providers shall take all reasonable steps to protect their customers from paying roaming charges for inadvertently accessed roaming services while situated in their home Member State. This shall include informing customers on how to effectively avoid inadvertent roaming in border regions.
7. Roaming providers shall take all reasonable steps to protect their customers from paying additional charges for data services for inadvertently connecting to non-terrestrial public mobile networks, such as enabling roaming customers to opt out of connecting to non-terrestrial networks. Where such an opt-out mechanism is offered, the customer shall have the right to opt out from the use of non-terrestrial networks at any time, easily and free of charge, and to request the reinstatement of the connection to such networks.
8. With the exception of paragraph 2, second subparagraph, paragraph 3 and paragraph 6, and subject to the second and third subparagraphs of this paragraph, this Article shall also apply both to data roaming services used by roaming customers when connecting to national or international non-terrestrial public mobile networks provided by a roaming provider and to data roaming services used by roaming customers travelling outside the Union and provided by a roaming provider.

With regard to the facility referred to in paragraph 4, first subparagraph, the requirements provided in paragraph 4 shall not apply if the visited network operator in the visited country outside the Union does not allow the roaming provider to monitor its customers' usage on a real-time basis.

In such a case the customer shall be notified by an SMS message when entering such a country, without undue delay and free of charge, that information on accumulated consumption and the guarantee not to exceed a specified financial limit are not available.

Article 15

Transparency with regard to the means of access to emergency services

Roaming providers shall ensure that their roaming customers are kept adequately informed about the means of access to emergency services in the visited Member State.

The roaming provider shall inform the roaming customer, by means of an automatic message, that the latter may access emergency services free of charge by calling the single European emergency number '112'. That message shall also provide the roaming customer with a link to access, free of charge, a dedicated webpage, accessible to persons with disabilities, which provides information on alternative means of access to emergency services through emergency communications mandated in the visited Member State. The information shall be delivered to the roaming customer's mobile device by an SMS message or where necessary by an appropriate means adapted to facilitate its receipt and easy comprehension every time a roaming customer enters a Member State other than that of the roaming customer's domestic provider. The information shall be provided free of charge.

In Member States where public warning mobile applications are deployed, if a link to that application is reported by the visited Member State in the database established pursuant to Article 16, first paragraph, point (b), roaming providers shall include, in the message referred to in the second paragraph of this Article, the information indicating that public warnings may be received by a public warning mobile application. A link to the public warning mobile application and instructions for its download shall be provided in the dedicated webpage referred to in the second paragraph of this Article.

Article 16

Databases of numbering ranges for value-added services and means of access to emergency services

By 31 December 2022, BEREC shall establish, and subsequently maintain:

- (a) a single, Union-wide database of numbering ranges for value-added services in each Member State, to be made accessible to operators, national regulatory authorities and, where applicable, to other competent authorities; and
- (b) a single, Union-wide database of means of access to emergency services that are mandated in each Member State and that are technically feasible to be used by roaming customers, to be made accessible to operators and national regulatory authorities and, where applicable, to other competent authorities.

For the purposes of the establishment and maintenance of the databases referred to in the first paragraph, the national regulatory authorities or other competent authorities shall provide the necessary information and the relevant updates to BEREC by electronic means without undue delay.

Without prejudice to Article 13, the databases referred to in the first paragraph shall enable national regulatory authorities and other competent authorities, on an optional basis, to provide additional information.

Article 17

Supervision and enforcement

1. National regulatory authorities and, where applicable, other competent authorities shall monitor and supervise compliance with this Regulation within their territory.

National regulatory authorities shall strictly monitor and supervise roaming providers availing themselves of Articles 5 and 6.

Where applicable, other competent authorities shall monitor and supervise compliance by the operators with the obligations laid down in this Regulation which are relevant for the exercise of the powers conferred on them by national law transposing Directive (EU) 2018/1972.

2. National regulatory authorities and, where applicable, other competent authorities and BEREC shall make up-to-date information on the application of this Regulation, in particular Articles 4, 5, 6 and 8 to 11, publicly available in a manner that enables interested parties to have easy access to it.

3. National regulatory authorities and, where applicable, other competent authorities shall, in accordance with their respective competences, in preparation for the review provided for in Article 21, monitor developments in wholesale and retail charges for the provision to roaming customers of voice and data communications services, including SMS and MMS, including in the outermost regions referred to in Article 349 of the Treaty on the Functioning of the European Union. National regulatory authorities and, where applicable, other competent authorities shall also be alert to the particular case of inadvertent roaming in the border regions of neighbouring Member States and monitor whether traffic-steering techniques are used to the disadvantage of customers.

National regulatory authorities and, where applicable, other competent authorities shall monitor and collect information on inadvertent roaming and take appropriate measures.

4. National regulatory authorities and, where applicable, other competent authorities shall have the power to require undertakings subject to obligations under this Regulation to supply all information relevant to the implementation and enforcement of this Regulation. Those undertakings shall provide such information promptly on request and in accordance with time limits and level of detail required by the national regulatory authority and, where applicable, other competent authorities.

5. Where a national regulatory authority or other competent authorities considers information to be confidential in accordance with Union and national rules on business confidentiality, the Commission, BEREC and any other national regulatory authority or other competent authority concerned shall ensure such confidentiality. Business confidentiality shall not prevent the timely sharing of information between the national regulatory authority or other competent authorities, the Commission, BEREC and any other national regulatory authorities or other competent authorities concerned, for the purposes of reviewing, monitoring and supervising the application of this Regulation.

6. National regulatory authorities shall be empowered to intervene on their own initiative in order to ensure compliance with this Regulation. National regulatory authorities or other competent authorities in the situations referred to under Article 61(2), points (b) and (c), of Directive (EU) 2018/1972, shall, where necessary, make use of the powers under Article 61 of that Directive to ensure adequate access and interconnection in order to guarantee the end-to-end connectivity and interoperability of roaming services, for example where customers are unable to exchange regulated roaming SMS messages with customers of a terrestrial public mobile communications network in another Member State as a result of the absence of a wholesale roaming agreement enabling the delivery of those messages.

7. Where a national regulatory authority or, where applicable for the exercise of the powers conferred on them by national law transposing Directive (EU) 2018/1972, other competent authorities find that a breach of the obligations set out in this Regulation has occurred, it shall have the power to require the immediate cessation of such a breach.

Article 18

Dispute resolution

1. In the event of a dispute in connection with the obligations laid down in this Regulation between undertakings providing electronic communications networks or services in a Member State, the dispute resolution procedures laid down in Articles 26 and 27 of Directive (EU) 2018/1972 shall apply.

Disputes between visited network operators and other operators on rates applied to inputs necessary for the provision of regulated wholesale roaming services may be referred to the competent national regulatory authority or authorities pursuant to Articles 26 and 27 of the Directive (EU) 2018/1972. The competent national regulatory authority or authorities shall notify any cross-border dispute to BEREC in order to bring about a consistent resolution of the dispute. Where BEREC has been consulted, the competent national regulatory authority or authorities shall await BEREC's opinion before taking action to resolve the dispute.

2. In the event of an unresolved dispute involving a consumer or end-user and concerning an issue falling within the scope of this Regulation, the Member States shall ensure that the out-of-court dispute resolution procedures laid down in Article 25 of Directive (EU) 2018/1972 are available.

Article 19

Penalties

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures and of any subsequent amendment affecting them without delay.

Article 20

Committee procedure

1. The Commission shall be assisted by the Communications Committee established by Article 118(1) of Directive (EU) 2018/1972. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 21

Review

1. The Commission shall, after consulting BEREC, submit two reports to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal to amend this Regulation.

The first such report shall be submitted by 30 June 2025 and the second by 30 June 2029.

The reports shall include, inter alia, an assessment of:

- (a) the impact of the roll-out and implementation of next generation mobile communications networks and technologies on the roaming market;
- (b) the effectiveness of the quality of service obligations with regard to roaming customers, the availability and quality of services, including those which are an alternative to regulated retail voice, SMS and data roaming services, in particular in light of technological developments and of the access to the different network technologies and generations;
- (c) the degree of competition in both the retail and wholesale roaming markets, in particular the actual wholesale rates paid by the operators and the competitive situation of small, independent or newly started operators, and MVNOs, including the competition effects of commercial wholesale roaming agreements, of traffic traded on trading platforms and similar instruments and the degree of interconnection between operators;
- (d) the evolution of the machine-to-machine roaming, including roaming on IoT devices;

- (e) the extent to which the implementation of the measures provided for in Article 3, in particular on the basis of the information provided by the national regulatory authorities, of the procedure for prior authorisation laid down in Article 3(6), has produced results in the development of competition in the internal market for regulated roaming services;
- (f) the evolution of the retail tariff plans available;
- (g) changes in data consumption patterns for both domestic and roaming services, including changes in travel patterns of European end-users caused by circumstances such as pandemics, for example COVID-19, or natural disasters;
- (h) the ability of home network operators to sustain their domestic charging model and the extent to which exceptional retail roaming surcharges have been authorised pursuant to Article 6;
- (i) the ability of visited network operators to recover the efficiently incurred costs of providing regulated wholesale roaming services, taking into account the latest information on network deployment, as well as developments in technical capabilities, pricing models and constraints of the networks, for instance the possibility of including cost model calculations based on capacity rather than consumption;
- (j) the impact of the application of fair use policies by operators, including on consumption by end-users, in accordance with the implementing acts adopted pursuant to Article 7, including the identification of any inconsistencies in the application and implementation of such fair use policies; as well as the effectiveness and proportionality of the general application of such policies;
- (k) the extent to which roaming customers and operators face problems in relation to value-added services and the implementation of the database of numbering ranges for value-added services established pursuant to Article 16, first paragraph, point (a);
- (l) the application of the measures of this Regulation and complaints related to the use of emergency communications while roaming;
- (m) complaints related to inadvertent roaming.

2. In order to assess competitive developments in Union-wide roaming markets, BEREC shall collect data regularly from national regulatory authorities on developments in retail and wholesale charges for regulated voice, SMS and data roaming services, including wholesale charges applied for balanced and unbalanced roaming traffic respectively, on the impact of the roll-out and implementation of next generation mobile communications networks and technologies on the roaming market, on the use of trading platforms and similar instruments, on the development of machine-to-machine roaming and IoT devices, and on the extent to which wholesale roaming agreements cover quality of service and give access to different network technologies and generations. Where applicable, the national regulatory authorities may provide such data in coordination with other competent authorities.

BEREC shall also collect data regularly from national regulatory authorities on the application of fair use policies by operators, the developments of domestic-only tariffs, the application of the sustainability mechanisms and complaints on roaming and compliance with the quality of service obligations. Where appropriate, national regulatory authorities shall coordinate with and collect such data from other competent authorities. BEREC shall regularly collect and provide additional information on transparency, on the application of measures on emergency communication, on value-added services and on roaming on non-terrestrial public mobile communications networks.

BEREC shall also collect data on the wholesale roaming agreements not subject to the maximum wholesale roaming charges provided for in Article 9, 10 or 11 and on the implementation of contractual measures at wholesale level aiming to prevent permanent roaming or anomalous or abusive use of wholesale roaming access for purposes other than the provision of regulated roaming services to roaming providers' customers while the latter are periodically travelling within the Union.

The data collected by BEREC pursuant to this paragraph shall be notified to the Commission at least once a year. The Commission shall make them public.

By 30 June 2027, the Commission shall submit an interim report to the European Parliament and to the Council, based on the data collected by BEREC pursuant to this paragraph, followed, if appropriate, by a legislative proposal to amend this Regulation.

On the basis of data collected pursuant to this paragraph, BEREC shall report regularly on the evolution of pricing and consumption patterns in the Member States both for domestic and roaming services, the evolution of actual wholesale roaming rates for unbalanced traffic between providers of roaming services, and on the relationship between retail prices, wholesale charges and wholesale costs for roaming services. BEREC shall assess how closely those elements relate to each other.

Article 22

Notification requirements

Member States shall notify to the Commission the identity of the national regulatory authorities and, where relevant, of other competent authorities responsible for carrying out tasks under this Regulation.

Article 23

Repeal

Regulation (EU) No 531/2012 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.

Article 24

Entry into force and expiry

This Regulation shall enter into force on 1 July 2022.

However, the obligations of roaming providers to provide information about numbering ranges for value added services as referred to in Article 13(1), third subparagraph, and information about alternative means of access to emergency services as referred to in Article 15, second paragraph with regard to the information in the databases referred to in Article 16 shall apply from 1 June 2023.

This Regulation shall expire on 30 June 2032.

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

Done at Strasbourg, 6 April 2022.

For the European Parliament
The President
R. METSOLA

For the Council
The President
C. BEAUNE

ANNEX I

Repealed Regulation with list of the successive amendments thereto

Regulation (EU) No 531/2012 of the European Parliament and of the Council (OJ L 172, 30.6.2012, p. 10).	
Regulation (EU) 2015/2120 of the European Parliament and of the Council (OJ L 310, 26.11.2015, p. 1).	Only Article 7
Regulation (EU) 2017/920 of the European Parliament and of the Council (OJ L 147, 9.6.2017, p. 1).	

ANNEX II

Correlation table

Regulation (EU) No 531/2012	This Regulation
Article 1(1)	Article 1(1)
Article 1(2)	-
Article 1(3)	Article 1(2)
Article 1(4)	-
Article 1(5)	Article 1(3)
Article 1(6)	Article 1(4)
Article 1(7)	-
Article 2(1)	Article 2(1)
Article 2(2)(a) and (b)	Article 2(2)(a) and (b)
Article 2(2)(c)	-
Article 2(2)(d)	Article 2(2)(c)
Article 2(2)(e)	Article 2(2)(d)
Article 2(2)(f)	Article 2(2)(e)
Article 2(2)(g)	Article 2(2)(f)
Article 2(2)(h)	Article 2(2)(g)
Article 2(2)(j)	Article 2(2)(h)
Article 2(2)(k)	Article 2(2)(i)
Article 2(2)(m)	Article 2(2)(j)
Article 2(2)(o)	Article 2(2)(k)
Article 2(2)(p)	Article 2(2)(l)
Article 2(2)(q)	Article 2(2)(m)
Article 2(2)(r)	Article 2(2)(n)
Article 2(2)(s)	-
Article 3(1) to (8)	Article 3(1) to (8)
Article 3(9)	-
Article 4	-
Article 5	-
Article 6	Article 20
Article 6a	Article 4(1)
-	Article 4(2)
-	Article 4(3)
Article 6b	Article 5
Article 6c	Article 6
Article 6d(1), (2) and (3)	Article 7(1), (2) and (3)
Article 6d(4)	Article 7(1), third subparagraph

Article 6d(5)	Article 7(4)
-	Article 7(5)
Article 6e(1), first subparagraph, introductory wording	Article 8(1), first subparagraph, introductory wording
Article 6e(1)(a)	Article 8(1)(a)
Article 6e(1)(b)	-
Article 6e(1)(c)	Article 8(1)(b)
Article 6e(1), second subparagraph	Article 8(1), second and third subparagraphs
Article 6e(1), third subparagraph	Article 8(1), fourth subparagraph
Article 6e(1), fourth subparagraph	Article 8(1), second subparagraph
Article 6e(2)	-
Article 6e(3)	Article 8(2)
Article 6e(4), first subparagraph, introductory wording	Article 8(3), introductory wording
Article 6e(4), first subparagraph, (a) and (b)	Article 8(3)(a) and (b)
-	Article 8(3)(c)
-	Article 8(4)
Article 6e(4), second subparagraph	Article 8(5)
-	Article 8(6)
Article 6f	-
Article 7	Article 9
Article 9	Article 10
Article 11	-
Article 12	Article 11
-	Article 12
Article 14(1), first and second subparagraphs	Article 13(1), first and second subparagraphs
-	Article 13(1), third subparagraph
Article 14(1), third and fourth subparagraphs	Article 13(1), fourth and fifth subparagraphs
Article 14(1), third subparagraph	Article 15(2)
Article 14(1), fifth and six subparagraphs	Article 13(1), sixth and seventh subparagraphs
Article 14(2)	Article 13(2)
Article 14(2a)	Article 13(3)
Article 14(3)	Article 13(4)
-	Article 13(6)
Article 14(4)	Article 13(5)
Article 15(1) and (2)	Article 14(1) and (2)
Article 15 (2a)	Article 14(3)
Article 15(3)	Article 14(4)
Article 15(4)	Article 14(5)

Article 15(5)	Article 14(6)
-	Article 14(7)
Article 15(6)	Article 14(8)
-	Article 15
-	Article 16
Article 16(1) to (4)	Article 17(1) to (4)
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Article 19(1)	-
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-	Article 21(1), third subparagraph, (a)
Article 19(3) second subparagraph (a) and (b)	Article 21(1) third subparagraph (b) and (c)
-	Article 21(1) third subparagraph (d)
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Article 19(3)(e)	Article 21(1) third subparagraph (g)
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Article 19(3)(h)	Article 21(1) third subparagraph (j)
-	Article 21(1) third subparagraph (k)
-	Article 21(1) third subparagraph (l)
-	Article 21(1) third subparagraph (m)
Article 19(4) first subparagraph	Article 21(2) first and third subparagraphs
Article 19(4) second subparagraph	Article 21(2) fourth subparagraph
-	Article 21(2) fifth subparagraph
Article 19(4) third subparagraph	Article 21(2) sixth subparagraph
Article 19(4) fourth subparagraph	Article 21(2) second subparagraph
Article 20	Article 22
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Annex I	Annex I
Annex II	Annex II

REGULATION (EU) 2022/613 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 12 April 2022****amending Regulations (EU) No 1303/2013 and (EU) No 223/2014 as regards increased pre-financing from REACT-EU resources and the establishment of a unit cost**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 175, third paragraph, and Article 177 thereof,

Having regard to the proposal from the European Commission,

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

After consulting the European Economic and Social Committee,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽¹⁾,

Whereas:

- (1) The recent military aggression by the Russian Federation against Ukraine and the ongoing armed conflict has fundamentally changed the security situation in Europe. As a result of that military aggression, the Union, and its eastern regions in particular, is facing a substantial inflow of persons. This poses an additional challenge for public budgets at a time when Member States' economies are still recovering from the impact of the COVID-19 pandemic, and risks undermining the preparation of a green, digital and resilient recovery of the economy.
- (2) Member States are already able to finance a broad range of investments to address migratory challenges under their operational programmes with support from the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Fund for European Aid to the Most Deprived (FEAD), including from the additional resources made available as Recovery Assistance for Cohesion and the Territories of Europe (REACT-EU), to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy.
- (3) Furthermore, Regulation (EU) 2022/562 of the European Parliament and of the Council ⁽²⁾ made a number of targeted amendments to Regulations (EU) No 1303/2013 ⁽³⁾ and (EU) No 223/2014 ⁽⁴⁾ of the European Parliament and of the Council in order to make it easier for Member States to use their remaining ERDF, ESF and FEAD allocations under the 2014-2020 multiannual financial framework, as well as to use REACT-EU resources, to address the migratory challenges as effectively and as rapidly as possible.
- (4) Notwithstanding the flexibilities offered by Regulation (EU) 2022/562, Member States continue to face substantial pressure on public budgets from challenges deriving from the very high numbers of arrivals of persons fleeing Ukraine. That pressure risks undermining Member States' capacity to move towards a resilient recovery of the economy from the COVID-19 pandemic. In order to assist Member States in addressing the migratory challenges,

⁽¹⁾ Position of the European Parliament of 7 April 2022 (not yet published in the Official Journal) and decision of the Council of 12 April 2022.

⁽²⁾ Regulation (EU) 2022/562 of the European Parliament and of the Council of 6 April 2022 amending Regulations (EU) No 1303/2013 and (EU) No 223/2014 as regards Cohesion's Action for Refugees in Europe (CARE) (OJ L 109, 8.4.2022, p. 1).

⁽³⁾ 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).

⁽⁴⁾ Regulation (EU) No 223/2014 of the European Parliament and of the Council of 11 March 2014 on the Fund for European Aid to the Most Deprived (OJ L 72, 12.3.2014, p. 1).

support from the ERDF, ESF and FEAD should therefore be mobilised quickly by increasing the rate of initial pre-financing paid from REACT-EU resources for all Member States. At the same time, some Member States have been confronted with significant numbers of persons arriving from Ukraine, requiring the provision of immediate support. Those Member States should accordingly benefit from a significantly higher increase of the rate of initial pre-financing to offset the immediate budgetary costs and support their efforts in preparing the recovery of their economies.

- (5) In order to monitor the use made of that additional pre-financing, the final reports on the implementation of ERDF and ESF programmes receiving additional pre-financing should include information on the use made of the additional amounts received to address the migratory challenges faced as a result of the military aggression by the Russian Federation, and how those additional amounts contributed to the recovery of the economy.
- (6) A unit cost should be established, in order to simplify the use of the European Structural and Investment Funds and to reduce the administrative burden for beneficiaries and Member State administrations in the context of addressing migratory challenges resulting from the military aggression by the Russian Federation. The unit cost should facilitate, in all Member States, the financing of basic needs and the support of persons granted temporary protection or other adequate protection under national law in accordance with Council Implementing Decision (EU) 2022/382 ⁽⁵⁾ and Council Directive 2001/55/EC ⁽⁶⁾, for a period of 13 weeks from the person's arrival in the Union. In accordance with Regulation (EU) 2022/562 Member States could also apply a unit cost when making use of the possibility provided for in Article 98(4) of Regulation (EU) No 1303/2013 to finance operations addressing migratory challenges by either the ERDF or the ESF on the basis of the rules applicable to the other Fund, including when that involves REACT-EU resources. In making use of the unit cost, Member States should ensure that they have the necessary arrangements in place to avoid double financing of the same costs.
- (7) Since the objectives of this Regulation, namely to assist Member States in addressing the challenges created by the exceptionally high arrivals of persons fleeing the military aggression of the Russian Federation against Ukraine and to support Member States' move towards a resilient recovery of the economy from the COVID-19 pandemic, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the proposed action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary to achieve those objectives.
- (8) Regulations (EU) No 1303/2013 and (EU) No 223/2014 should therefore be amended accordingly.
- (9) In view of the urgency of providing rapid relief to public budgets with a view to preserving Member States' capacity to support the recovery of economies from the COVID-19 pandemic and to enable additional payments to operational programmes without delay, it is considered to be appropriate to invoke the exception to the 8-week period provided for in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the TEU, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.
- (10) In view of the need to provide rapid relief to public budgets with the aim of preserving Member States' capacity to sustain the economic recovery process and to enable additional payments to be made to operational programmes without delay, this Regulation should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*,

⁽⁵⁾ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection (OJ L 71, 4.3.2022, p. 1).

⁽⁶⁾ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).

HAVE ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EU) No 1303/2013

Regulation (EU) No 1303/2013 is amended as follows:

(1) the following article is inserted:

'Article 68c

Unit cost for operations addressing migratory challenges resulting from the military aggression by the Russian Federation

For the implementation of operations addressing migratory challenges resulting from the military aggression by the Russian Federation, Member States may include in the expenditure declared in payment applications a unit cost linked to the basic needs and support of persons granted temporary protection or other adequate protection under national law in accordance with Council Implementing Decision (EU) 2022/382 (*) and Council Directive 2001/55/EC (**). That unit cost shall be EUR 40 per week for each full week or partial week that the person is in the Member State concerned. The unit cost may be used for a maximum of 13 weeks in total, starting from the date of arrival of the person in the Union.

The amounts calculated on that basis shall be regarded as public support paid to beneficiaries and as eligible expenditure for the purposes of applying this Regulation.

(*) Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection (OJ L 71, 4.3.2022, p. 1).

(**) Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).';

(2) in Article 92b, paragraph 7 is amended as follows:

(a) the following subparagraphs are inserted after the first subparagraph:

'In addition to the initial pre-financing set out in the first subparagraph, the Commission shall pay 4 % of the REACT-EU resources allocated to programmes for the year 2021 as additional initial pre-financing in 2022. For programmes in Member States which have had a level of arrivals of persons from Ukraine greater than 1 % of their national population between 24 February 2022 and 23 March 2022, that percentage shall be increased to 34 %.

When submitting the final implementation report required under Article 50(1) and Article 111, Member States shall report on the use made of the additional initial pre-financing provided for in the second subparagraph of this paragraph to address the migratory challenges faced as a result of the military aggression by the Russian Federation and the contribution of that additional initial pre-financing to the recovery of the economy.;

(b) the third subparagraph is replaced by the following:

'Where the Commission decision approving the operational programme or the amendment to the operational programme allocating the REACT-EU resources for 2021 was adopted after 31 December 2021 and the related pre-financing not paid, the amount of initial pre-financing referred to in the first and second subparagraphs of this paragraph shall be paid in 2022.

The amount paid as initial pre-financing referred to in the first and second subparagraphs of this paragraph shall be totally cleared from the Commission accounts not later than when the operational programme is closed.;

(3) in Article 131, paragraph 2 is replaced by the following:

‘2. Eligible expenditure included in a payment application shall be supported by receipted invoices or accounting documents of equivalent probative value, except for the forms of support referred to in points (b) to (e) of the first subparagraph of Article 67(1), Articles 68, 68a, 68b and 68c, Article 69(1) and Article 109 of this Regulation, and in Article 14 of the ESF Regulation. For those forms of support, the amounts included in a payment application shall be the costs calculated on the applicable basis.’

Article 2

Amendment to Regulation (EU) No 223/2014

Article 6a, paragraph 4, of Regulation (EU) No 223/2014 is amended as follows:

(1) the following subparagraph is inserted after the first subparagraph:

‘In addition to the initial pre-financing set out in the first subparagraph, the Commission shall pay 4 % of the REACT-EU resources allocated to programmes for the year 2021 as additional initial pre-financing in 2022. For programmes in Member States which have had a level of arrivals of persons from Ukraine greater than 1 % of their national population between 24 February 2022 and 23 March 2022, that percentage shall be increased to 34 %.’;

(2) the second subparagraph is replaced by the following:

‘The amount paid as initial pre-financing referred to in the first and second subparagraphs shall be totally cleared from the Commission accounts not later than when the operational programme is closed.’.

Article 3

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*.

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

Done at Brussels, 12 April 2022.

For the European Parliament
The President
R. METSOLA

For the Council
The President
C. BEAUNE

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information relating to the entry into force of the Agreement between the European Union and the Democratic Republic of Timor Leste on the short-stay visa waiver

The Agreement between the European Union and the Democratic Republic of Timor Leste on the short-stay visa waiver will enter into force on 1 May 2022, the procedure provided for in Article 8(1) of the Agreement having been completed on 23 March 2022.

COUNCIL DECISION (EU) 2022/614**of 11 February 2022**

on the signing, on behalf of the Union, and provisional application of the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43 in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ⁽¹⁾ ('the Agreement') was approved on behalf of the Union by means of Council Decision 2014/146/EU ⁽²⁾ and entered into force on 28 January 2014.
- (2) The application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ⁽³⁾ ('the Protocol') started on 8 December 2017 for a period of 4 years. The Protocol expired on 7 December 2021.
- (3) On 28 September 2021 the Council authorised the Commission to open negotiations with the Republic of Mauritius for the conclusion of a new protocol implementing the Agreement.
- (4) Pending the completion of the negotiations on the renewal of the Protocol, the Commission has negotiated, on behalf of the Union, an agreement in the form of an Exchange of Letters between the Union and the Republic of Mauritius on the extension of the Protocol for a maximum period of 6 months. The negotiations on the extension of the Protocol were concluded successfully, and the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ('the Agreement in the form of an Exchange of Letters') was initialled on 6 December 2021.
- (5) The objectives of the Agreement in the form of an Exchange of Letters are to enable the Union and the Republic of Mauritius to continue working together to promote a sustainable fisheries policy and the sound exploitation of fisheries resources in Mauritius waters and to allow Union vessels to carry out their fishing activities in those waters.

⁽¹⁾ OJ L 79, 18.3.2014, p. 3.

⁽²⁾ Council Decision 2014/146/EU of 28 January 2014 on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 79, 18.3.2014, p. 2).

⁽³⁾ OJ L 279, 28.10.2017, p. 3.

- (6) The Agreement in the form of an Exchange of Letters should be signed, subject to its conclusion at a later date.
- (7) To limit the interruption of the fishing activity of Union vessels in Mauritius waters, the Agreement in the form of an Exchange of Letters should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius is hereby authorised, subject to the conclusion of the said Agreement ⁽⁴⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in the form of an Exchange of Letters on behalf of the Union.

Article 3

The Agreement in the form of an Exchange of Letters shall be applied on a provisional basis, in accordance with point (10) of the Agreement in the form of an Exchange of Letters, as from 1 January 2022 or any other subsequent date upon it being signed, pending the completion of the procedures necessary for its entry into force.

Article 4

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

Done at Brussels, 11 February 2022.

For the Council
The President
J.-Y. LE DRIAN

⁽⁴⁾ See page 45 of this Official Journal.

AGREEMENT in the form of an Exchange of Letters between the European Union and the Republic of Mauritius concerning the extension of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius

A. Letter from the European Union

Sir, Madam,

I am pleased to confirm that the European Union and the Republic of Mauritius agree to the following interim arrangements, extending the Protocol setting out the fishing opportunities and financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ('the Protocol'), which applied from 8 December 2017 until 7 December 2021, pending the completion of the negotiations on the renewal of the Protocol.

The European Union and the Republic of Mauritius have therefore agreed the following:

- (1) As from 1 January 2022, or any other subsequent date upon the signing of this Exchange of Letters, the arrangements in force during the final year of the Protocol shall be renewed under the same conditions until a new protocol is agreed to and becomes applicable, but for a maximum period of six months.
- (2) The financial contribution of the European Union for vessels to have access to Mauritius waters under this Exchange of Letters shall correspond to half of the annual amount provided for under Article 4(2), point (a), of the Protocol, thus amounting to EUR 110 000, equivalent to a reference tonnage of 2 000 tonnes. That payment shall be made in one single instalment no later than three months after the date on which this Exchange of Letters is provisionally applied. Article 4(5) and (6) of the Protocol shall apply *mutatis mutandis*.
- (3) Under this Exchange of Letters, the support for Mauritius's sectoral fisheries policy shall amount to EUR 110 000 and support for the development of maritime policy and ocean economy shall amount to EUR 67 500. The Joint Committee provided for under Article 9 of the Fisheries Partnership Agreement shall approve the programming for this amount in accordance with Article 5(1) of the Protocol no later than three months after the date of application of this Exchange of Letters. The financial contribution for the sectoral support shall be paid in one single instalment on the basis of the agreed programming.
- (4) In the event that the negotiations to renew the Protocol result in a new protocol being signed and subsequently being (provisionally) applied prior to the expiry of the six-month period provided for under point (1) above, the financial contribution referred to in points (2) and (3) above shall be reduced *pro rata temporis*. Where an amount corresponding to the reduction applicable has already been paid, that amount shall be deducted from the first financial contribution due under the new Protocol.
- (5) During the application period of this Exchange of Letters, fishing authorisations shall be issued in accordance with Chapter II of the Annex to the Protocol. The advance payment fee for purse-seine vessels and longline vessels shall correspond to half of the fees set in, and to half of the respective quantities of tuna and tuna-like species referred to in, Chapter II, point 3, subpoint 3(a) to (c), of the Annex to the Protocol for the last year of application of the Protocol. The licence fee applicable to supply vessels shall correspond to half of the fee provided for in Chapter II, point (4), of the Annex to the Protocol, and shall consequently amount to EUR 2 000.
- (6) The fishing authorisations issued under this Exchange of Letters shall be valid until the end of the extension period.
- (7) As regards catch reporting laid down in Chapter III of the Annex to the Protocol, the Union shall provide Mauritius, before the end of each trimester, with catch data for each authorised Union vessel. Mauritius shall provide, on a trimestral basis, catch data of authorised Union vessels obtained through logbooks.

- (8) For each purse seiner and surface longliner, the Union shall send a final statement of the fees owed by the vessel in respect of its fishing activities during the extension period to Mauritius and to the respective shipowner no later than three months after the end of the extension period. Where the amount in the final statement is greater than the advance payment fee referred to in point (5), the shipowner shall pay the outstanding balance, no later than three months after the receipt of the final statement. Any amount paid for the advance payment fee exceeding the final statement shall not be reimbursed. As regards the drawing-up, the procedure to be followed by Mauritius upon the receipt and the contestation of the final statement, Chapter III, point (5), shall apply *mutandis mutatis*.
- (9) As regards the embarkation of seamen, as provided for in Chapter VIII of the Annex to the Protocol, during their activities in Mauritius waters, six Mauritian qualified seamen shall embark the Union fleet.
- (10) This Exchange of Letters shall apply provisionally as from 1 January 2022, or any other subsequent date upon it being signed, pending its entry into force. It will enter into force on the date on which the Parties notify each other that they have completed the procedures necessary for that purpose.

I should be obliged if you would acknowledge receipt of this letter and confirm that the Republic of Mauritius is in agreement with its terms.

Please accept, Sir, Madam, the assurance of my highest consideration.

Съставено в Брюксел на
 Hecho en Bruselas, el
 V Bruselu dne
 Udfærdiget i Bruxelles, den
 Geschehen zu Brüssel am
 Brüssel,
 Έγινε στις Βρυξελλές, στις
 Done at Brussels,
 Fait à Bruxelles, le
 Ama dhéanamh sa Bhruiséil,
 Sastavljeno u Bruxellesu
 Fatto a Bruxelles, addì
 Brisele,
 Priimta Briuselyje,
 Kelt Brüsszelben,
 Maghmul fi Brussell,
 Gedaan te Brussel,
 Sporządzono w Brukseli, dnia
 Feito em Bruxelas,
 Întocmit la Bruxelles,
 V Bruseli
 V Bruslju,
 Tēhty Brysselissā
 Utfärdat i Bryssel den

05-04-2022

За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Thar ceann an Aontais Eorpaigh
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā -
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

pése



B. Letter from the Republic of Mauritius

Sir, Madam,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

I am pleased to confirm that the European Union and the Republic of Mauritius agree to the following interim arrangements, extending the Protocol setting out the fishing opportunities and financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ('the Protocol'), which applied from 8 December 2017 until 7 December 2021, pending the completion of the negotiations on the renewal of the Protocol.

The European Union and the Republic of Mauritius have therefore agreed the following:

- (1) As from 1 January 2022, or any other subsequent date upon the signing of this Exchange of Letters, the arrangements in force during the final year of the Protocol shall be renewed under the same conditions until a new protocol is agreed to and becomes applicable, but for a maximum period of six months.
- (2) The financial contribution of the European Union for vessels to have access to Mauritius waters under this Exchange of Letters shall correspond to half of the annual amount provided for under Article 4(2), point (a), of the Protocol, thus amounting to EUR 110 000, equivalent to a reference tonnage of 2 000 tonnes. That payment shall be made in one single instalment no later than three months after the date on which this Exchange of Letters is provisionally applied. Article 4(5) and (6) of the Protocol shall apply *mutatis mutandis*.
- (3) Under this Exchange of Letters, the support for Mauritius's sectoral fisheries policy shall amount to EUR 110 000 and support for the development of maritime policy and ocean economy shall amount to EUR 67 500. The Joint Committee provided for under Article 9 of the Fisheries Partnership Agreement shall approve the programming for this amount in accordance with Article 5(1) of the Protocol no later than three months after the date of application of this Exchange of Letters. The financial contribution for the sectoral support shall be paid in one single instalment on the basis of the agreed programming.
- (4) In the event that the negotiations to renew the Protocol result in a new protocol being signed and subsequently being (provisionally) applied prior to the expiry of the six-month period provided for under point (1) above, the financial contribution referred to in points (2) and (3) above shall be reduced *pro rata temporis*. Where an amount corresponding to the reduction applicable has already been paid, that amount shall be deducted from the first financial contribution due under the new Protocol.
- (5) During the application period of this Exchange of Letters, fishing authorisations shall be issued in accordance with Chapter II of the Annex to the Protocol. The advance payment fee for purse-seine vessels and longline vessels shall correspond to half of the fees set in, and to half of the respective quantities of tuna and tuna-like species referred to in, Chapter II, point 3, subpoint 3(a) to (c), of the Annex to the Protocol for the last year of application of the Protocol. The licence fee applicable to supply vessels shall correspond to half of the fee provided for in Chapter II, point (4), of the Annex to the Protocol, and shall consequently amount to EUR 2 000.
- (6) The fishing authorisations issued under this Exchange of Letters shall be valid until the end of the extension period.
- (7) As regards catch reporting laid down in Chapter III of the Annex to the Protocol, the Union shall provide Mauritius, before the end of each trimester, with catch data for each authorised Union vessel. Mauritius shall provide, on a trimestral basis, catch data of authorised Union vessels obtained through logbooks.
- (8) For each purse seiner and surface longliner, the Union shall send a final statement of the fees owed by the vessel in respect of its fishing activities during the extension period to Mauritius and to the respective shipowner no later than three months after the end of the extension period. Where the amount in the final statement is greater than the advance payment fee referred to in point (5), the shipowner shall pay the outstanding balance, no later than three months after the receipt of the final statement. Any amount paid for the advance payment fee exceeding the final statement shall not be reimbursed. As regards the drawing-up, the procedure to be followed by Mauritius upon the receipt and the contestation of the final statement, Chapter III, point (5), shall apply *mutandis mutatis*.

- (9) As regards the embarkation of seamen, as provided for in Chapter VIII of the Annex to the Protocol, during their activities in Mauritius waters, six Mauritian qualified seamen shall embark the Union fleet.
- (10) This Exchange of Letters shall apply provisionally as from 1 January 2022, or any other subsequent date upon it being signed, pending its entry into force. It will enter into force on the date on which the Parties notify each other that they have completed the procedures necessary for that purpose.

I should be obliged if you would acknowledge receipt of this letter and confirm that the Republic of Mauritius is in agreement with its terms.’.

I have the honour to confirm that the above is acceptable to the Republic of Mauritius and that your letter and this letter constitute an agreement in accordance with your proposal.

Please accept, Sir, Madam, the assurance of my highest consideration.

Done at Brussels,
Fait à Bruxelles, le
Съставено в Брюксел на
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
Arma dhéanamh sa Bhruiséil,
Sastavljeno u Bruxellesu
Fatto a Bruxelles, addì
Briselē,
Priimta Briuselyje,
Kelt Brüsszelben,
Maghmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Feito em Bruxelas,
Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den

05 -04- 2022

For the Republic of Mauritius
Pour la République de Maurice
За Република Мавриций
Por la República de Mauricio
Za Mauricijskou republiku
For Republikken Mauritius
Für die Republik Mauritius
Mauritiuse Vabariigi nimel
Για τη Δημοκρατία του Μαυριτίου
Thar ceann Phoblacht Oileán Mhuiris
Za Republiku Mauricijus
Per la Repubblica di Maurizio
Maurícijas Republikas vārdā -
Mauricijaus Republikos vardu
A Mauritiusi Köztársaság részéről
Ghar-Repubblika ta' Mauritius
Voor de Republiek Mauritius
W imieniu Republiki Mauritiusu
Pela República da Maurícia
Pentru Republica Mauritius
Za Maurícijskú republiku
Za Republiko Mauritius
Mauritiuksen tasavallan puolesta
För Republiken Mauritius

REGULATIONS

COUNCIL REGULATION (EU, Euratom) 2022/615

of 5 April 2022

amending Regulation (EU, Euratom) No 609/2014 in order to enhance predictability for Member States and to clarify procedures for dispute resolution when making available the traditional, VAT and GNI based own resources

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 322(2) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Court of Auditors ⁽¹⁾,

Whereas:

- (1) While Council Regulation (EU, Euratom) No 609/2014 ⁽²⁾ has provided a solid and stable anchor for the financing mechanics of the Union, the provisions on the making available of own resources need to be improved to enhance its predictability for Member States and to clarify procedures for dispute resolution.
- (2) Currently, only Member States manage own resources accounts opened in the name of the Commission. A reduction in the number of bank accounts used for collection of own resources would be more efficient and allow for a common approach to cash management. In order to modernise the management of own resources accounts, the Commission should be able to establish a centralised own resources account. It should be possible for Member States to choose whether to use that centralised own resources account or an account opened in the name of the Commission with their treasury or national central bank. In order to enable Member States to make an informed choice, the Commission should produce a detailed cost-benefit analysis of the use of the centralised own resources account.
- (3) Currently, Regulation (EU, Euratom) No 609/2014 does not allow Member States to make advance payments. However, in the past some Member States have paid their national contributions in advance following agreement by the Commission. In the interest of legal certainty, that Regulation should provide that Member States have the possibility to make advance payments on a case-by-case basis, provided they inform the Commission in advance. For reasons of fairness, where a Member State avails itself of that possibility, the other Member States should not bear any costs related to the advanced payment, such as negative interest.
- (4) The date of payment by the Member States of the adjustments to the VAT and GNI-based own resources of previous financial years should be moved to March of the following year to enhance predictability for the national budgetary procedures. The date of payment by the Member States of adjustments should also apply to amounts for which information has been provided by the Commission before the entry into force of this Regulation.

⁽¹⁾ OJ C 402 I, 5.10.2021, p. 1.

⁽²⁾ Council Regulation (EU, Euratom) No 609/2014 of 26 May 2014 on the methods and procedure for making available the traditional, VAT and GNI-based own resources and on the measures to meet cash requirements (OJ L 168, 7.6.2014, p. 39).

- (5) To provide a stable budget that is necessary to finance the policy objectives of the Union, the procedure for calculating interest should ensure in particular that own resources are made available in a timely manner and in full.
- (6) The current threshold below which interest amounts are waived needs to be adapted. It is therefore necessary to increase the amount for which the recovery of interest is waived to improve the cost-effectiveness of the recovery procedures.
- (7) Regulation (EU, Euratom) No 609/2014 limits the increase in interest above the base rate to 16 percentage points. However, this 'capping' at 16 percentage points only applies to cases that became known after the entry into force of Council Regulation (EU, Euratom) 2016/804 ⁽³⁾. Consequently, cases already known before the entry into force of Regulation (EU, Euratom) 2016/804, where particularly high amounts of interest are at stake, cannot benefit from that limit regardless of whether the amount of interest has already been notified to the Member States. In those cases, Member States are still required to pay amounts of interest that are disproportionate compared to the amount of the principal due. In order to ensure the proportionality of the system while maintaining the deterrent effect, the increase in interest above the base rate should be further limited to 14 percentage points. In order to clarify and simplify the relevant provisions of Regulation (EU, Euratom) No 609/2014, the limitation of the increase to 14 percentage points should be applied to any amount of interest not communicated to the Member State before the entry into force of this Regulation.
- (8) Under the current legal framework, the practice has demonstrated that it can be difficult to identify the starting date of late payment interest due to the difficulty in identifying the exact point in time at which recovery efforts can be deemed to have been insufficient. For the purposes of simplification, there should be a 'grace period' of 5 years following the date of establishment of the amount, under the condition that the amount has been established, entered in a timely manner in the separate accounts and kept in the separate accounts in accordance with Regulation (EU, Euratom) No 609/2014. Accordingly, the interest should only start running after 5 years, while the liability for the principal amount should be maintained.
- (9) In order to ensure the fair treatment of cases where amounts corresponding to established entitlements of traditional own resources prove irrecoverable, Member States should be released from the obligation to place at the disposal of the Commission the amounts corresponding to established entitlements of traditional own resources, where the Member State can prove that an error committed by the Member State after the establishment of the entitlements had no influence on the irrecoverability of the amount corresponding to those entitlements. Examples of such an error could include a belated entry in the separate accounts or shortcomings in the recovery procedure.
- (10) Regulation (EU, Euratom) No 609/2014 contains only one deadline, requiring the Commission to communicate its comments on the write off cases reported to the Commission to the Member State concerned within 6 months from the receipt of the report by that Member State. In order to conduct the follow-up of write-off reports in a timely and more flexible manner and to support a swift and fully transparent assessment of the Member State's decision not to make the irrecoverable amount of traditional own resources available, procedural deadlines for the Commission and Member States should be adjusted.
- (11) In order to allow for the interruption of the period for which interest accrues, in the case of a disagreement between the Members States and the Commission, provisions should be introduced to reflect the current practice of the payment under reservation concerning amounts of own resources due to the budget of the Union, which opens the possibility to initiate an action for unjust enrichment against the Commission in accordance with Article 268 and Article 340, second paragraph, of the Treaty on the Functioning of European Union (TFEU).

⁽³⁾ Council Regulation (EU, Euratom) 2016/804 of 17 May 2016 amending Regulation (EU, Euratom) No 609/2014 on the methods and procedure for making available the traditional, VAT and GNI-based own resources and on the measures to meet cash requirements (OJ L 132, 21.5.2016, p. 85).

- (12) In the case of a disagreement between Member States and the Commission regarding the making available of traditional own resources, a review procedure should be provided for in Regulation (EU, Euratom) No 609/2014 to improve transparency and to clarify Member States' rights of defence. At the request of the Member State concerned, the outcome of the review procedure, as well as the state of play of pending cases, should be discussed with the Commission at a yearly meeting to be organised. That meeting should be held at an appropriate level of managerial representation with a view to reconsidering the respective positions and to striving to prevent the recourse to possible infringement proceedings, in accordance with the case law of the Court of Justice.
- (13) The Commission should review the functioning of the review procedure in the framework of a possible revision of Regulation (EU, Euratom) No 609/2014 or by the end of 2026 at the latest and, in particular, assess opportunities to streamline the review procedure, which, if appropriate, may be concluded by a Commission decision.
- (14) Articles 6 and 10a of Regulation (EU, Euratom) No 609/2014 should be adapted to delete the reference to the correction granted to the United Kingdom and to include Germany as beneficiary of lump-sum corrections in line with Council Decision (EU, Euratom) 2020/2053 ⁽⁴⁾.
- (15) In line with the principles of better regulation, the parallel existence of several making available regulations should be only temporary and such legal acts should be merged into one single regulation as soon as possible.
- (16) Regulation (EU, Euratom) No 609/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU, Euratom) No 609/2014 is amended as follows:

- (1) in Article 6(3), third subparagraph, the introductory sentence is replaced by the following:

'However, the VAT-based own resource and the GNI-based own resource, taking into account the effect on those resources of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden, shall be recorded in the accounts as specified in the first subparagraph as follows:';

- (2) Article 9 is amended as follows:

- (a) paragraph 1 is replaced by the following:

'1. In accordance with the procedure laid down in Articles 10, 10a and 10b, each Member State shall credit own resources to an account voluntarily chosen among the following:

- (a) an account opened in the name of the Commission with the Member State's treasury;
- (b) an account opened in the name of the Commission with the national central bank; or
- (c) a central account opened for this purpose by the Commission in the public financial institution of its choice.

Subject to the application of negative interest as referred to in the third and fourth subparagraph, as applicable, that account may only be debited upon instruction by the Commission.

The accounts referred to in the first subparagraph, points (a) and (b), shall be kept in national currency and shall be free of any charge or interest. Where negative interest is applied to those accounts, the Member State concerned shall credit the account with an amount corresponding to the negative interest applied, at the latest on the first working day of the second month following the application of negative interest.

⁽⁴⁾ Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union and repealing Decision 2014/335/EU, Euratom (OJ L 424, 15.12.2020, p. 1).

Member States shall credit the account referred in the first subparagraph, point (c), with amounts in their national currency. Where negative interest is applied to the central account, the Member State concerned shall credit the central account with an amount corresponding to its share of own resources that is credited to this account, at the latest on the first working day of the second month following the application of negative interest.

The Commission shall carry out its operations of cash management on the accounts referred to in the first subparagraph in accordance with the Article 14(4), first subparagraph.

The Commission shall produce a detailed cost-benefit analysis of the use of the account referred to in the first subparagraph, point (c), without undue delay and shall report to the Council on implementation of the central account within 3 years of the entry into force of this Regulation.;

(b) the following paragraph is inserted:

‘2a. Each month, the Commission shall transmit by electronic means to Member States a forecast of the cash resource requirements for the following 4 months.’;

(3) Article 10a is replaced by the following:

‘Article 10a

Making available the VAT and GNI-based own resources

1. The VAT-based own resource and the GNI-based own resource, taking into account the effect on those resources of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden, shall be credited on the first working day of each month. The amounts to be credited shall be one-twelfth of the relevant totals in the budget, converted into national currencies at the rates of exchange of the last day of quotation of the calendar year preceding the budget year, as published in the *Official Journal of the European Union*, C series.

2. For the specific needs of paying the expenditure of the European Agricultural Guarantee Fund pursuant to Regulation (EU) No 1307/2013 of the European Parliament and of the Council (*) and subsequent relevant Union legislation, and depending on the Union’s cash position, the Commission may invite Member States to bring forward, by up to 2 months in the first quarter of the financial year, the entry of one-twelfth, or a fraction thereof, of the amounts in the budget for the VAT-based own resource and the GNI-based own resource, taking into account the effect on those resources of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden.

Subject to the third subparagraph, for the specific needs of paying expenditure of the European Structural and Investment Funds pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council (**) and subsequent relevant Union legislation, and depending on the Union’s cash position, the Commission may invite Member States to bring forward, in the first 6 months of the financial year, the entry of up to an additional half of one-twelfth of the amounts in the budget for the VAT-based own resource and the GNI-based own resource, taking into account the effect on those resources of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden.

The total amount that the Commission may invite Member States to bring forward in the same month under the first and second subparagraphs shall, in any event, not exceed an amount corresponding to two additional twelfths.

After the first 6 months, the monthly entry requested may not exceed one-twelfth of the VAT and GNI-based own resources, while remaining within the limit of the amounts entered in the budget for that purpose.

The Commission shall notify the Member States thereof in advance, no later than 2 weeks before an entry requested pursuant to the first and second subparagraphs.

The Commission shall inform the Member States well in advance, and no later than 6 weeks before an entry requested pursuant to the second subparagraph, of its intention to request such an entry.

Paragraph 4, concerning the amount to be entered in January each year, and paragraph 5, applicable if the budget has not been finally adopted before the beginning of the financial year, shall apply to these advance entries.

Member States may, in exceptional and duly justified cases, request an authorisation from the Commission to advance the making available of the VAT and GNI-based own resources, in particular in the context of amending budgets at year's end, taking into account the effect on these own resources of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden. Any advance payment shall be preceded by at least 7 working days' prior notice and its request should be duly justified by the Member State concerned. The Commission shall assess the request taking into account the cash position and liquidity needs of the Commission. Member State may only execute the advanced payment following authorisation by the Commission. Any additional costs linked to the making available in advance of the VAT and GNI-based own resources shall be borne by the Member State requesting it.

3. Any change in the uniform rate of the VAT-based own resource, in the rate of the GNI-based own resource, in the financing of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden shall require the final adoption of an amending budget and shall give rise to readjustments of the twelfths that have been entered since the beginning of the financial year.

These readjustments shall be carried out when the first entry is made following the final adoption of the amending budget if it is adopted before the 16th of the month. Otherwise, those readjustments shall be carried out when the second entry following final adoption is made. By way of derogation from Article 10 of the Financial Regulation, these readjustments shall be entered in the accounts in respect of the financial year of the amending budget in question.

4. Calculation of the twelfths for January of each financial year shall be based on the amounts provided for in the draft budget referred to in Article 314(2), of the Treaty on the Functioning of European Union (TFEU) and shall be converted into national currencies at the rates of exchange of the first day of quotation following 15 December of the calendar year preceding the budget year. The adjustment shall be made with the entry for the following month.

5. If the final adoption of the budget has not taken place by at the latest 2 weeks before the entry for January of the following financial year, the Member States shall enter on the first working day of each month, including January, one-twelfth of the amount of the VAT-based own resource, and the GNI-based own resource, taking into account the effect on those resources of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden, entered in the last budget finally adopted. The adjustment shall be made on the first due date following final adoption of the budget if the budget is adopted before the 16th of the month. Otherwise, the adjustment shall be made on the second due date following final adoption of the budget.

6. There shall be no subsequent revision of the financing of the gross reduction granted to Denmark, Germany, the Netherlands, Austria and Sweden in the event of modifications of the GNI data pursuant to Article 2(2) of Regulation (EU) 2019/516 of the European Parliament and of the Council (**);

(*) Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

(**) 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).

(***) Regulation (EU) 2019/516 of the European Parliament and of the Council of 19 March 2019 on the harmonisation of gross national income at market prices and repealing Council Directive 89/130/EEC, Euratom and Council Regulation (EC, Euratom) No 1287/2003 (GNI Regulation) (OJ L 91, 29.3.2019, p. 19).;

- (4) in Article 10b(5), the third subparagraph is replaced by the following:

'The Commission shall inform the Member States of the amounts resulting from this calculation before 1 February of the year following that in which the data for the adjustments was supplied. Each Member State shall enter the net amount in the account referred to in Article 9(1) on the first working day of March of the year following that in which the Commission informed the Member States of the amounts resulting from the calculation.'

The deadline for the Member States to pay the adjustments shall also apply to amounts for which information has been provided by the Commission before 3 May 2022.;

- (5) Article 12 is amended as follows:

- (a) in paragraph 1, the following subparagraphs are added:

'For the traditional own resources as referred to in Article 2(1), point (a), of Council Decision (EU, Euratom) 2020/2053 (*), interest shall be due for the period starting from the moment the amount should have been made available until the moment when the amount was actually paid into the Commission account referred to in Article 9.'

Without prejudice to Article 13(1), and on condition that the amount has been established pursuant to Article 2, entered in a timely manner in the separate account pursuant to Article 6 and kept in the separate accounts in accordance with Article 13(2), no interest shall be due for a period of 5 years from the date of establishment of the amount.

In the event of an administrative or judicial appeal, the period of 5 years shall start after the final decision has been given, notified or published. If part payments have been received, the period of 5 years shall at the latest start from the date of the last payment made, where this does not clear the debt.

(*) Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union and repealing Decision 2014/335/EU, Euratom (OJ L 424, 15.12.2020, p. 1).;

- (b) paragraph 3 is replaced by the following:

'3. The recovery of amounts of interest below EUR 1 000 shall be waived.;

- (c) in paragraph 4, the third subparagraph is replaced by the following:

'The total increase pursuant to the first and the second subparagraphs shall not exceed 14 percentage points. The limitation of the increase to 14 percentage points shall apply to any case in which the amount of interest has not been communicated to the Member State concerned before 3 May 2022. The increased rate shall be applied to the entire period of delay as referred to in paragraph 1.;

- (d) in paragraph 5, the third subparagraph is replaced by the following:

'The total increase pursuant to the first and the second subparagraphs shall not exceed 14 percentage points. The limitation of the increase to 14 percentage points shall apply to any case in which the amount of interest has not been communicated to the Member State concerned before 3 May 2022. The increased rate shall be applied to the entire period of delay as referred to in paragraph 1.;

- (6) Article 13 is amended as follows:

- (a) in paragraph 2, the following subparagraph is inserted after the first subparagraph:

'Member States shall be likewise released from the obligation to place at the disposal of the Commission the amounts corresponding to entitlements established under Article 2 where they prove that an error committed by the Member State after establishing these entitlements, such as those leading to a belated entry in the separate accounts, had no influence on the irrecoverability of the amount corresponding to entitlements under Article 2.;

- (b) in paragraph 2, the fifth subparagraph is replaced by the following:

'If part payments have been received, the period of 5 years shall at the latest start from the date of the last payment made, where this does not clear the debt.;

(c) paragraph 4 is replaced by the following:

‘4. Within 3 months from the receipt of the report provided for in paragraph 3, the Commission shall communicate its comments to the Member State concerned. The Commission may extend that time limit once by another 3 months and inform the Member State concerned accordingly.

The Commission may request additional information. In such cases, the time limit provided in the first subparagraph shall run from the date of receipt of the requested additional information. The Member State concerned shall provide the additional information within 3 months. At the request of the Member State concerned, that time limit shall be extended once by another 3 months.

Where the Member State cannot provide any additional information requested by the Commission, it may notify the Commission thereof. The Commission shall then communicate its final comments within 3 months from the date of receipt of that notification on the basis of the information available. The Commission may extend that time limit once by another 3 months and inform the Member State concerned accordingly.’;

(d) the following paragraph is added:

‘5. If the Member State and the Commission cannot agree on the reasons referred to in paragraph 2 the Member State may request the Commission to review its comments in accordance with Article 13b.’;

(7) the following Chapter is inserted:

‘CHAPTER IIIa

PAYMENT UNDER RESERVATION AND REVIEW PROCEDURE

Article 13a

Payment under reservation

1. In the case of a disagreement between a Member State and the Commission concerning amounts of traditional own resources due to the budget of the Union or concerning VAT amounts subject to the measures referred to in Article 12(2), point (c), the Member State may, when making a payment of the contested amount, express reservations as to the position of the Commission.

Member States shall provide information about those reservations, for the amounts related to traditional own resources, together with their monthly statement referred to in Article 6(4) and, for the amounts related to VAT own resource, together with their statement referred to in Article 10b(1). Member States shall notify the lifting of reservations to the Commission as soon as possible.

2. If a disagreement as referred to in paragraph 1 is resolved in favour of the Member State, that Member State shall be authorised by the Commission to deduct the amount paid from its next own resources payment or payments.

3. Entry in the account under Article 9 of the payment under reservation shall interrupt the period for which interest accrues, as referred to in Article 12.

4. By the end of September of each year, the Commission shall provide an annual information note showing the overview of the total amount paid under reservation and the total amount of reservations lifted during the preceding year.

Article 13b

Review procedure

1. In the case of a disagreement between a Member State and the Commission concerning traditional own resources amounts due to the budget of the Union, the Member State may request the Commission to review its assessment within 6 months from its receipt. Such request shall provide reasons for the review requested, and include the evidence and the supporting documents on which it is based. The request and the ensuing procedure shall not change the obligation of the Member States to make available own resources when they are due to the budget of the Union.

2. Within 3 months from the receipt of a request referred to in paragraph 1, the Commission shall notify to the Member State concerned its comments on the reasons provided in the request. In duly justified cases, the Commission may extend that time limit once by another 3 months and inform the Member State concerned accordingly.
3. Where the Commission finds it necessary to request additional information, the time limit referred to in paragraph 2 shall run from the date of receipt of the requested additional information. The Member State concerned shall provide the additional information within 3 months of receipt of the Commission's request for additional information. At the request of the Member State concerned, the Commission shall extend that time limit once by another 3 months.
4. Where the Member State cannot provide any additional information, it may notify the Commission thereof. The Commission shall then notify its comments on the basis of the information available. The time limit referred to in paragraph 2 shall in that case run from the date of receipt of that notification.
5. The review procedure shall end at the latest 2 years after the Member State sent its request for the review referred to in paragraph 1.
6. A Member State may request once per year a high level meeting with the Commission to discuss the state of play of cases that are or have been subject to the review procedure and to scrutinise them with a view to reconsidering the respective positions and to striving to reach an agreement.
7. In the framework of a possible revision of this Regulation or by the end of 2026 at the latest, the Commission shall carry out an assessment of the functioning of the review procedure referred to in this Article. This assessment shall include consultations with Member States and shall take into account their findings and positions. The Commission shall submit, if appropriate, proposals with a view to improving the functioning of the review procedure.'

Article 2

This Regulation shall enter into force on the twentieth day following the date 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 Luxembourg, 5 April 2022.

For the Council
The President
B. LE MAIRE

COMMISSION IMPLEMENTING REGULATION (EU) 2022/616**of 8 April 2022****approving non-minor amendments to the product specification for a name entered in the register of protected designations of origin and protected geographical indications ('Carne de Ávila' (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) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission examined Spain's application for the approval of amendments to the specification for the protected geographical indication 'Carne de Ávila', registered under Commission Regulation (EC) No 1107/96 ⁽²⁾, as amended by Commission Implementing Regulation (EU) No 1006/2012 ⁽³⁾.
- (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* ⁽⁴⁾ 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 product specification published in the *Official Journal of the European Union* regarding the name 'Carne de Ávila' (PGI) 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, 8 April 2022.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 (OJ L 148, 21.6.1996, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) No 1006/2012 of 25 October 2012 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Carne de Ávila (PGI)] (OJ L 302, 31.10.2012, p. 5).

⁽⁴⁾ OJ C 514, 21.12.2021, p. 17.

COMMISSION REGULATION (EU) 2022/617**of 12 April 2022****amending Regulation (EC) No 1881/2006 as regards maximum levels of mercury in fish and salt****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food ⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1881/2006 ⁽²⁾ sets maximum levels for certain contaminants, including mercury, in foodstuffs.
- (2) On 22 November 2012, the European Food Safety Authority ('the Authority') adopted an opinion on mercury and methylmercury in food ⁽³⁾. In that opinion, the Authority established a tolerable weekly intake ('TWI') for inorganic mercury of 4 µg/kg body weight ('b.w.') and for methylmercury of 1,3 µg/kg b.w. (both expressed as mercury) and concluded that the 95th percentile dietary exposure is close to or above the TWI for all age groups. High fish consumers, which might include pregnant women, may exceed the TWI by up to approximately six-fold. Unborn children constitute the most vulnerable group. The opinion concluded that exposure to methylmercury above the TWI is of concern, but advised taking into account the beneficial effects of fish consumption, if measures to reduce methylmercury exposure were considered.
- (3) On 27 June 2014, the Authority adopted an opinion on the health benefits of seafood consumption in relation to the health risks associated with exposure to methylmercury ⁽⁴⁾. In that opinion, the Authority reviewed the role of seafood in European diets and evaluated the beneficial effects of seafood consumption in relation to health outcomes, including the effects of seafood consumption during pregnancy on functional outcomes of children's neurodevelopment and the effects of seafood consumption on cardiovascular disease risk in adults. The Authority concluded that consumption of about 1 to 2 servings of seafood per week and up to 3 to 4 servings per week during pregnancy has been associated with better functional outcomes of neurodevelopment in children compared to no consumption of seafood. Such amounts have also been associated with a lower coronary heart disease mortality in adults.
- (4) On 19 December 2014, the Authority adopted a statement on the benefits of fish/seafood consumption compared to the risks of methylmercury in fish/seafood ⁽⁵⁾, where it concluded that, to achieve the benefits of fish consumption associated with 1 to 4 fish servings per week and to protect against neurodevelopmental toxicity of methylmercury, the consumption of fish/seafood species with a high content of mercury should be limited.
- (5) Taking into account the outcome of the Authority's scientific opinions and statement, the maximum levels for mercury should be reviewed, to reduce further the dietary exposure to mercury in food.

⁽¹⁾ OJ L 37, 13.2.1993, p. 1.

⁽²⁾ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

⁽³⁾ EFSA Panel on Contaminants in the Food Chain (CONTAM); Scientific Opinion on the risk for public health related to the presence of mercury and methylmercury in food. EFSA Journal 2012;10(12):2985.

⁽⁴⁾ EFSA NDA Panel (EFSA Panel on Dietetic Products, Nutrition and Allergies), 2014. Scientific Opinion on health benefits of seafood (fish and shellfish) consumption in relation to health risks associated with exposure to methylmercury. EFSA Journal 2014;12(7):3761.

⁽⁵⁾ EFSA Scientific Committee, 2015. Statement on the benefits of fish/seafood consumption compared to the risks of methylmercury in fish/seafood. EFSA Journal 2015;13(1):3982.

- (6) As recent occurrence data show that there would be a margin to lower the maximum levels for mercury in various fish species, the maximum levels for those fish species should be modified accordingly.
- (7) In view of the related health concerns, the level of mercury for shark and swordfish should be maintained at the current level, pending further data collection, scientific assessment and knowledge on the effectiveness of consumption advice in reducing the exposure.
- (8) The Codex Alimentarius sets a maximum level of 0,1 mg/kg for mercury in salt ⁽⁶⁾. It is appropriate to set the same maximum level in the Union legislation.
- (9) Regulation (EC) No 1881/2006 should therefore be amended accordingly.
- (10) Taking into account that certain foodstuffs covered by this Regulation have a long shelf life, it is appropriate to provide for a transitional period during which such foodstuffs not complying with the new maximum levels and lawfully placed on the market before the date of entry into force of this Regulation, may remain on the market.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1881/2006 is amended in accordance with the Annex to this Regulation.

Article 2

The foodstuffs listed in the Annex, lawfully placed on the market before the entry into force of this Regulation, may remain on the market until the date of minimum durability or use-by-date.

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, 12 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁶⁾ Codex General Standard for Contaminants and Toxin in Foods and Feeds – GSCTFF (CODEX STAN 193-1995).

ANNEX

The Annex to Regulation (EC) No 1881/2006 is amended as follows:

In Section 3: Metals, subsection 3.3 (Mercury) is replaced by the following:

'3.3	Mercury	
3.3.1	Fishery products ⁽²⁶⁾ and muscle meat of fish ⁽²⁴⁾ ⁽²⁵⁾ , excluding species listed in 3.3.2 and 3.3.3. The maximum level for crustaceans applies to muscle meat from appendages and abdomen ⁽⁴⁴⁾ . In case of crabs and crab-like crustaceans (<i>Brachyura</i> and <i>Anomura</i>), it applies to muscle meat from appendages.	0,50
3.3.2	Muscle meat of the following fish ⁽²⁴⁾ ⁽²⁵⁾ : <i>Axillary seabream (Pagellus acarne)</i> <i>Black scabbardfish (Aphanopus carbo)</i> <i>Blackspot seabream (Pagellus bogaraveo)</i> <i>Bonito (Sarda sarda)</i> <i>Common pandora (Pagellus erythrinus)</i> <i>Escolar (Lepidocybium flavobrunneum)</i> <i>Halibut (Hippoglossus species)</i> <i>Kingklip (Genypterus capensis)</i> <i>Marlin (Makaira species)</i> <i>Megrim (Lepidorhombus species)</i> <i>Oilfish (Ruvettus pretiosus)</i> <i>Orange roughy (Hoplostethus atlanticus)</i> <i>Pink cusk-eel (Genypterus blacodes)</i> <i>Pike (Esox species)</i> <i>Plain bonito (Orcynopsis unicolor)</i> <i>Poor cod (Tricopterus species)</i> <i>Red mullet (Mullus barbatus barbatus)</i> <i>Roundnose grenadier (Coryphaenoides rupestris)</i> <i>Sail fish (Istiophorus species)</i> <i>Silver scabbardfish (Lepidopus caudatus)</i> <i>Snake mackerel (Gempylus serpens)</i> <i>Sturgeon (Acipenser species)</i> <i>Surmullet (Mullus surmuletus)</i> <i>Tuna (Thunnus species, Euthynnus species, Katsuwonus pelamis)</i> <i>Shark (all species)</i> <i>Swordfish (Xiphias gladius)</i>	1,0
3.3.3	Cephalopods Marine gastropods Muscle meat of the following fish ⁽²⁴⁾ ⁽²⁵⁾ :	0,30

	Anchovy (<i>Engraulis species</i>) Alaska pollock (<i>Theragra chalcogrammus</i>) Atlantic cod (<i>Gadus morhua</i>) Atlantic herring (<i>Clupea harengus</i>) Basa (<i>Pangasius bocourti</i>) Carp (species belonging to the <i>Cyprinidae</i> family) Common dab (<i>Limanda limanda</i>) Mackerel (<i>Scomber species</i>) European flounder (<i>Platichthys flesus</i>) European plaice (<i>Pleuronectes platessa</i>) European sprat (<i>Sprattus sprattus</i>) Mekong giant catfish (<i>Pangasianodon gigas</i>) Pollock (<i>Pollachius pollachius</i>) Saithe (<i>Pollachius virens</i>) Salmon & Trout (<i>Salmo</i> species and <i>Oncorhynchus</i> species, except <i>Salmo trutta</i>) Sardine or Pilchard (<i>Dussumieria</i> species, <i>Sardina</i> species, <i>Sardinella</i> species and <i>Sardinops</i> species) Sole (<i>Solea solea</i>) Striped catfish (<i>Pangasianodon hypothalamus</i>) Whiting (<i>Merlangius merlangus</i>)	
3.3.4	Food supplements ⁽³⁹⁾	0,10
3.3.5	Salt	0,10'

COMMISSION IMPLEMENTING REGULATION (EU) 2022/618**of 12 April 2022****correcting the French language version of Implementing Regulation (EU) 2021/1533 imposing special conditions governing the import of feed and food originating in or dispatched from Japan following the accident at the Fukushima nuclear power station****(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 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1)(b)(ii) thereof,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽²⁾, and in particular Article 54(4), first subparagraph, point (b), and Article 90, first paragraph, points (a), (c) and (f), thereof,

Whereas:

- (1) The French language version of Commission Implementing Regulation (EU) 2021/1533 ⁽³⁾ contains an error in Article 1(2), first subparagraph, introductory sentence, that changes the scope.
- (2) The French language version of Implementing Regulation (EU) 2021/1533 should therefore be corrected accordingly. The other language versions are not affected.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

(Does not concern the English language)

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*.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 95, 7.4.2017, p. 1.

⁽³⁾ Commission Implementing Regulation (EU) 2021/1533 of 17 September 2021 imposing special conditions governing the import of feed and food originating in or dispatched from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) 2016/6 (OJ L 330, 20.9.2021, p. 72).

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

Done at Brussels, 12 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2022/619**of 12 April 2022**

terminating the ‘new exporter’ reviews of Implementing Regulation (EU) 2017/2230 imposing a definitive anti-dumping duty on imports of trichloroisocyanuric acid originating in the People’s Republic of China, for three Chinese exporting producers, imposing the duty with regard to these producers’ imports and terminating the registration of these imports

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ (‘the basic Regulation’), and in particular Article 11(4) thereof,

Whereas:

1. MEASURES IN FORCE

- (1) In October 2005, the Council imposed, by means of Regulation (EC) No 1631/2005 ⁽²⁾ a definitive anti-dumping duty (‘the original Regulation’) on imports of trichloroisocyanuric acid (‘TCCA’) originating in the People’s Republic of China (‘the PRC’) and the United States of America (‘USA’). The anti-dumping duties against imports from the PRC ranged from 7,3 % to 40,5 % for individual companies whilst the country-wide duty was set at 42,6 %.
- (2) By Implementing Regulation (EU) No 855/2010 ⁽³⁾, the Council lowered the anti-dumping duty rate for one exporting producer from 14,1 % to 3,2 %.
- (3) Following an expiry review, the Council imposed definitive anti-dumping measures consisting of individual duties ranging from 3,2 % to 40,5 % with a residual duty of 42,6 % on imports of TCCA originating in the PRC by Council Implementing Regulation (EU) No 1389/2011 ⁽⁴⁾.
- (4) By Implementing Regulation (EU) No 569/2014 ⁽⁵⁾, the Commission imposed an anti-dumping duty rate of 32,8 % for a new exporting producer. For another exporting producer, the Commission terminated the investigation by Commission Implementing Regulation (EU) 2015/392 ⁽⁶⁾.
- (5) Following a second expiry review, pursuant to Article 11(2) of the basic Regulation, the Commission imposed definitive anti-dumping measures consisting of individual duties ranging from 3,2 % to 40,5 % with a residual duty of 42,6 % on imports of TCCA originating in the PRC by Commission Implementing Regulation (EU) 2017/2230 ⁽⁷⁾.

2. CURRENT INVESTIGATION**2.1. Requests for a review**

- (6) The Commission received three requests for a ‘new exporter’ review pursuant to Article 11(4) of the basic Regulation. The requests were lodged by Hebei Xingfei Chemical Co., Ltd (Hebei Xingfei) on 13 July 2020, by Inner Mongolia Likang Bio-Tech Co., Ltd (Mongolia Likang) on 29 July 2019 and updated on 12 February 2021, and by Shandong Lantian Disinfection Technology Co., Ltd (Shandong Lantian) on 13 April 2021 (‘the applicants’) whose exports to the Union are subject to a definitive anti-dumping duty of 42,6 %.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ L 261, 7.10.2005, p. 1.

⁽³⁾ OJ L 254, 29.9.2010, p. 1.

⁽⁴⁾ OJ L 346, 30.12.2011, p. 6.

⁽⁵⁾ OJ L 157, 27.5.2014, p. 80.

⁽⁶⁾ OJ L 65, 10.3.2015, p. 18.

⁽⁷⁾ OJ L 319, 5.12.2017, p. 10.

- (7) The applicants claimed that they did not export the TCCA to the Union during the period of investigation of the original investigation, i.e. from 1 April 2003 to 31 March 2004 ('IP').
- (8) The applicants also claimed that they were not related to any of the exporting producers of TCCA, which are subject to the measures in force. Finally, the applicants claimed that they had exported TCCA to the Union after the end of the investigation period of the original investigation.

2.2. Initiation of the new exporter reviews

- (9) The Commission examined the evidence available and concluded that there was sufficient evidence to justify the initiation of 'new exporter' reviews pursuant to Article 11(4) of the basic Regulation. After the Union producers had been given an opportunity to comment, the Commission initiated, by Commission Implementing Regulation (EU) 2021/1209 ⁽⁸⁾, three reviews of Implementing Regulation (EU) 2017/2230 with regard to the applicants.

2.3. Product concerned

- (10) The product under review is trichloroisocyanuric acid and preparations thereof, also referred to as 'symclosene' under the international non-proprietary name (INN), currently falling under CN codes ex 2933 69 80 and ex 3808 94 20 (TARIC codes 2933 69 80 70 and 3808 94 20 20) and originating in the PRC ('the product concerned' or 'TCCA').
- (11) TCCA is a chemical product used as a broad-spectrum organic chlorine disinfectant and bleacher, in particular for disinfecting water in swimming pools and spas. Other uses include water treatment in septic tanks or cooling towers and cleansing of kitchen appliances. TCCA is sold in the form of powder, granules, tablets or chips. All forms of TCCA and preparations thereof share the same basic characteristics (disinfectant) and are therefore considered as a single product.

2.4. Parties concerned

- (12) The Commission officially advised the applicants, the Union industry as well as the representatives of the exporting country, of the initiation of the reviews. Interested parties were given the opportunity to make their views known in writing and to be heard.
- (13) The Commission sent questionnaires to the three applicants. The questionnaires had also been made available online on the day of initiation.
- (14) In view of the outbreak of COVID-19 and the confinement measures put in place by various Member States as well as by various third countries, the Commission could not carry out verification visits pursuant to Article 16 of the basic Regulation. The Commission instead crosschecked remotely all the information deemed necessary for its determinations in line with its Notice on the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations ⁽⁹⁾. The Commission carried out remote crosschecks ('RCC's') with the three applicants and with a company in the analogue country:

Applicants

- Hebei Xingfei Chemical Co., Ltd
- Shandong Lantian Disinfection Technology Co., Ltd
- Mongolia Likang Bio-Tech Co., Ltd

Analogue country

- Company 'A', Japan.

⁽⁸⁾ OJ L 263, 23.7.2021, p. 1

⁽⁹⁾ Notice on the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations (OJ C 86, 16.3.2020, p. 6).

2.5. Review investigation Period

- (15) The investigation covered the period from 1 January 2019 to 30 June 2021 ('review investigation period').

2.6. Disclosure

- (16) On 25 February 2022 the Commission disclosed to interested parties its intention to terminate the review investigations without determining individual dumping margins for the applicants. Interested parties were given the opportunity to comment.
- (17) Following the disclosure, the applicants claimed that their rights of defence were infringed due to an inadequate disclosure. Specifically, the applicants argued that the Commission failed to disclose information concerning the normal value, which would allow the applicants to provide further comments to the Commission's decision.
- (18) The Commission recalled that, according to Article 20(2) of the basic Regulation, the Commission should disclose the essential facts and considerations on the basis of which it intends to take a decision. Given the findings of the investigations, information concerning the normal value was not an element on which the Commission had based its findings. Accordingly, disclosure of such information was not necessary to allow the applicants to exercise their procedural rights. The claims were therefore rejected.

2.7. Hearings

- (19) Following disclosure the applicants requested and were granted a hearing with the Commission services. In addition, the applicants requested a hearing with the Hearing Officer that was held on 11 March 2022. The hearing officer found that the applicants' procedural rights had been fully respected.

3. RESULTS OF THE INVESTIGATION

3.1. 'New exporting producer' criteria

- (20) Pursuant to Article 11(4) of the basic Regulation, the criteria to be met for a new exporting producer are the following:
- (a) it did not export to the Union the product concerned during the period of investigation on which the measures are based;
 - (b) it is not related to any of the exporters or producers in the PRC which are subject to the anti-dumping measures in force; and
 - (c) it has actually exported to the Union the product concerned after the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union.
- (21) The investigation confirmed that the three applicants had not exported the product concerned during the original investigation period and that they had started to export to the Union after that period.
- (22) The investigation also confirmed that the applicants were not related to any of the Chinese exporting producers subject to the anti-dumping measures in force with regard to the product concerned.
- (23) With regard to the criterion that the applicants had started exporting to the Union after the original investigation period, given that each applicant only had one single export transaction of a limited volume during the review investigation period ('RIP'), the Commission examined whether that export transaction could be deemed sufficient to provide an accurate reflection of the applicants' current and future export behaviour. Specifically, the Commission further analysed, for each applicant: the share of the exported quantity in relation to total exports and production; the sales prices to the EU in relation to its export prices to third countries; and, the sales prices to the EU in relation to the average prices of other Chinese exporting producers who exported significant volumes to the EU during the RIP.

3.1.1. Hebei Xingfei Chemical Co., Ltd.

- (24) For Hebei Xingfei the investigation found that during the investigation period, only one sales transaction to the EU was recorded, for a volume of 9 tonnes. This transaction represented, during the same period, 0,09 % of the total company production volume and 0,63 % of its total export volume.
- (25) As to prices, the investigation demonstrated that, for the grades of TCCA exported to the EU, the export price for the only transaction was 115 % to 140 % higher than Hebei Xingfei's average export price to non-EU countries during the RIP.
- (26) The Commission also compared the export prices to the EU between Hebei Xingfei and other Chinese exporting producers supplying the specific EU market ⁽¹⁰⁾ during the RIP. It was found that the price of Hebei Xingfei's transaction at CIF level was 53 % higher than the average price of the other Chinese exports. After the addition of the applicable anti-dumping duty, the price of Hebei Xingfei's transaction was 105 % higher.
- (27) For the above reasons, the sole export sales transaction of Hebei Xingfei to the EU during the RIP did was not considered sufficiently representative to provide an accurate reflection of Hebei Xingfei's current and future export behaviour.

3.1.2. Shandong Lantian Disinfection Technology Co., Ltd.

- (28) For Shandong Lantian the investigation found that during the investigation period, only one sales transaction to the EU was recorded, for a volume of 29 tonnes. This transaction represented, during the same period, 0,07 % of the total company production volume and 0,02 % of its total export volume.
- (29) As to prices, the investigation revealed that, for the grades of TCCA sold to the EU, the export price for the only transaction was 60 % to 86 % higher than Shandong Lantian's average export price to non-EU countries during the RIP.
- (30) The Commission also compared the export prices to the EU between Shandong Lantian and other Chinese exporting producers supplying the specific EU market during the RIP. It was found that the price of Shandong Lantian's transaction at CIF level was 43 % higher than the average price of the other Chinese exports. After the addition of the applicable anti-dumping duties, the price of Shandong Lantian's transaction was 87 % higher.
- (31) For the above reasons, the sole export transaction of Shandong Lantian to the EU during the RIP, was not considered sufficiently representative to provide an accurate reflection of Shandong Lantian's current and future export behaviour.

3.1.3. Inner Mongolia Likang Bio-Tech Co., Ltd.

- (32) For Mongolia Likang the investigation found that during the investigation period, only one sales transaction to the EU was recorded, for a volume of 9 tonnes. This transaction represented, during the same period, 0,10 % of the total company productions volume and 0,71 % of its total export volume.
- (33) As to prices, the investigation showed that, for the grades of TCCA sold to the EU, the export price for the only transaction was around 50 % higher than Mongolia Likang's average export prices to non-EU countries during the RIP.
- (34) The Commission also compared the export prices to the EU between Mongolia Likang and other Chinese exporting producers supplying the specific EU market during the RIP. It found that the price of Mongolia Likang's transaction at CIF level was 11 % higher than the average price of the other Chinese exports. After the addition of the applicable anti-dumping duties, the price of Mongolia Likang's transaction was 48 % higher.

⁽¹⁰⁾ The 'specific EU market' refers to the Member State where the applicant exported the product concerned and where the customer was based. Price comparison between the applicant and other Chinese exporting producers was based on the information contained in Art. 14(6) database, concerning imports at member state level.

- (35) For the above reasons, the sole export sales transaction of Mongolia Likang to the EU during the RIP, was not considered sufficiently representative to provide an accurate reflection of Mongolia Likang's current and future export behaviour.

3.2. Conclusion

- (36) During the investigation, in response to inquiries by the Commission of why prices varied between export markets, the applicants pointed to differences in packaging, quality and a higher price premium they were able to obtain on the Union market. However, packaging and quality differences were accounted for by the product control number assigned to the products when compared to other export destinations. Moreover, comparisons with exports of other Chinese producers during the RIP demonstrated that the Union market did not attract a premium that was able to explain the observed price difference.
- (37) Following disclosure, the applicants claimed that the Commission's findings were without legal basis as they were based on an assessment of representativity of the transactions that is not provided for in Article 11(4) of the basic Regulation. Furthermore, the applicants claimed that the Commission's assessment with regard to transactions' representativeness was inconsistent with WTO case law. They referred to *DS295 Mexico – Antidumping Measures on Rice*, in which the establishment of an additional requirement for the initiation of a review, i.e. a representative volume, was found inconsistent with Article 9.5 of the ADA. The same claim was submitted by a Union importer.
- (38) The Commission considered that the WTO Appellate Body's findings in *DS295* were not strictly relevant for the case at hand. This finding concerned different circumstances, notably whether a legal provision in the Mexican domestic law limiting the possibility to initiate a new exporter review by requiring the existence of minimum representative volumes was consistent with the antidumping agreement (ADA). In the case at hand, no such criterion had been applied by the Commission in order to decide to open the current exporter reviews.
- (39) Furthermore, with regards to the investigation stage, the Commission recalled that its decision to terminate the reviews was not based on a lack of representative volumes but on an assessment of whether the applicants' export price, given the low volumes in only one sales transaction for each of the applicants, were sufficient to provide an accurate reflection of the exporters' current and future export behaviour. As recalled in recital (23), each exporter only had a single export transaction throughout the RIP, and this caused the Commission to perform an in-depth analysis concerning the appropriateness of the price of that single export transaction. This is because, in contrast to an original investigation pursuant to Article 5 of the Basic Regulation, in the context of a review investigation, and in particular in the context of a new exporter review, it is the exporter that requests the review to be initiated on the basis of transactions which it is aware will normally be used as a basis for the dumping margin calculation. Moreover, the Commission recalls that it is obliged to ensure the effectiveness of the duties in force in order to not frustrate the objective of the Basic Regulation to provide relief to the Union industry by offsetting the injurious effects of imports that had found to be dumped during the original investigation period. On that basis, the presence of only a single transaction during the RIP in the context of a review investigation requires additional assurances that such an export price is sufficient to make a reasonably accurate finding of dumping, which would avoid the risk that the existing duties being undermined. Consequently, the Commission decided to look into and examine all the relevant evidence received from the applicants, including prices to other export markets and the explanations given for the apparent deviation with regard to EU market prices of those single transactions. As a result of that examination, for reasons that have been outlined, the Commission considered that the export prices of the three exporters' respective transactions were not appropriate to make a reasonably accurate finding of dumping. Therefore, on the basis of all the evidence collected during the investigation and in order to ensure the effectiveness of the duties in force, the Commission determined that the application of the residual duty as regards the applicants was appropriate in this case. The claims were therefore rejected.
- (40) Following disclosure, the applicants further disagreed with the Commission's view that quality differences were accounted for by the so-called product control numbers, which were used in the questionnaires, and thus the applicants claimed that the price comparisons made between the applicants' export prices and other Chinese exporters' price were irrelevant.

- (41) The Commission recalled that the product control numbers used in the case were the same that were used in the original investigation, as well as in all subsequent investigations concerning this product. The Commission noted that product control numbers classify the different types of product falling under the definition of the product concerned based on the different technical characteristics. This classification allows the comparison of like with like, since products are compared according to their similar distinctive characteristics. The applicants did not substantiate that the alleged quality differences were taken into consideration when prices were set and thereby affected price comparability. The claims were therefore rejected.
- (42) Following disclosure, the applicants claimed that the comparison of their export prices to the EU with the average price of other Chinese exporting producers did not lead to meaningful conclusions, since 1) they are the result of a mix of export strategies, 2) the exporters are subject to different duties which may affect prices and 3) the period considered is too long and price fluctuations could distort the assessment. Furthermore, the applicants presented a set of Eurostat import data with, allegedly, average import prices of the product concerned being higher than the applicant's prices, thus claiming the existence of an EU premium price.
- (43) The analysis of the import prices in the Union, however, allowed the Commission to establish a reference price level at which the product concerned was commercialised in the Union. Thus, it also allowed assessing whether the applicants export prices to the Union responded to the Union market conditions. The analysis of the import data, at TARIC level, showed that most price of other Chinese exporting producers which exported during the RIP, which may have different export strategies, nevertheless converged within a specific and limited range of prices at CIF level and even narrower after the duty being added. As mentioned above in recitals (26), (30), and (34), the prices of the applicants deviated significantly from the reference price level thus established, which were considered as commercial market prices in the Union. This deviation could not be reasonable explained. Finally, when comparing the prices in the month in which the transaction took place, the result of the analysis remained the same ⁽¹¹⁾.
- (44) Concerning the Eurostat import data provided by the applicants, the Commission noticed that these statistics were at eight-digit CN code level, and therefore, concerned a broader basket of products. In this broader basket, the product concerned represented less than 30 % in terms of volume and less than 25 % in terms of value. The assessment of the Commission was however based on data at ten-digit TARIC code level, which exclusively concerned the product concerned and therefore was a more accurate source of information. The claims were therefore rejected.
- (45) In view of above reasons, the Commission considered that the transactions submitted by the applicants did not constitute a sufficiently representative basis and did not provide a sufficiently accurate reflection of their current and future export pricing behaviour that could form the basis for determining an individual dumping margin. On this basis, the review investigations should be terminated.

4. LEVYING OF AN ANTI-DUMPING DUTY

- (46) In view of the findings outlined above, the Commission concluded that the reviews concerning imports of TCCA manufactured by the applicants and originating in the PRC should be terminated. The duty applicable to 'all other companies' pursuant to Article 1(2) of Implementing Regulation (EU) 2017/2230 should apply to products manufactured by the applicants. Consequently, the registration of the applicants' imports should cease and the country-wide duty applicable to all other companies (42,6 %), imposed by Implementing Regulation (EU) 2017/2230, should be levied on these imports from the date of initiation of these reviews. This is without prejudice to the possibilities of importers asking for a refund in accordance with Article 11(8) of the basic Regulation.

⁽¹¹⁾ Mongolia Likang's transaction at CIF level was 18 % higher than the average price of the other Chinese exports to the EU in the month in which the transaction took place. After the addition of the applicable anti-dumping duties, the price of Mongolia Likang's transaction was 58 % higher. For Shandong Lantian prices at CIF level were 70 % higher and 126 % higher after duties. For Hebei Xingfei prices at CIF level were 78 % higher and 138 % higher after duties.

- (47) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036.

HAS ADOPTED THIS REGULATION:

Article 1

1. The 'new exporter' reviews initiated by Implementing Regulation (EU) 2021/1209 are hereby terminated.
2. The anti-dumping duty applicable according to Article 1 of Implementing Regulation (EU) 2017/2230 to 'all other companies' in the People's Republic of China (TARIC additional code A999) applies to products manufactured by Hebei Xingfei Chemical Co., Ltd, Inner Mongolia Likang Bio-Tech Co., Ltd (Likang), and Shandong Lantian Disinfection Technology Co., Ltd.

Article 2

1. Article 2 of Implementing Regulation (EU) 2021/1209 is hereby repealed.
2. The anti-dumping duty applicable according to Article 1 of Implementing Regulation (EU) 2017/2230 to 'all other companies' in the People's Republic of China (TARIC additional code A999) is hereby imposed on imports identified in Article 1 of Implementing Regulation (EU) 2021/1209.
3. The anti-dumping duty referred to in paragraph 2 is hereby levied with effect from 24 July 2021 on the products which were registered pursuant to Article 3 of Implementing Regulation (EU) 2021/1209.

Article 3

1. The customs authorities are hereby directed to cease the registration of imports carried out pursuant to Article 3 of Implementing Regulation (EU) 2021/1209.
2. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 4

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

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

Done at Brussels, 12 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COUNCIL DECISION (EU) 2022/620

of 7 April 2022

appointing a member, proposed by the Federal Republic of Germany, of the Committee of the Regions

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposal of the German Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) A member's seat on the Committee of the Regions has become vacant following the resignation of Mr Mark WEINMEISTER.
- (4) The German government has proposed Mr Uwe BECKER, representative of a regional body who is politically accountable to an elected assembly, *Staatssekretär für Europaangelegenheiten, politische Verantwortung gegenüber dem Hessischen Landtag* (State Secretary for European Affairs, politically accountable to the Parliament of the Federal State of Hesse), as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

Mr Uwe BECKER, representative of a regional body who is politically accountable to an elected assembly, *Staatssekretär für Europaangelegenheiten, politische Verantwortung gegenüber dem Hessischen Landtag* (State Secretary for European Affairs, politically accountable to the Parliament of the Federal State of Hesse), is hereby appointed as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.

Article 2

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

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

Done at Luxembourg, 7 April 2022.

For the Council
The President
J. DENORMANDIE

COMMISSION IMPLEMENTING DECISION (EU) 2022/621**of 7 April 2022****amending Implementing Decision (EU) 2019/436 as regards harmonised standards for truck mixers, cranes and other machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(6) thereof,

Having regard to Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC ⁽²⁾, and in particular Article 7(3) thereof,

Whereas:

- (1) In accordance with Article 7 of Directive 2006/42/EC machinery manufactured in conformity with a harmonised standard, the reference to which has been published in the *Official Journal of the European Union*, is to be presumed to comply with the essential health and safety requirements covered by such a harmonised standard.
- (2) By letter M/396 of 19 December 2006, the Commission made a request to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec) ('the request') for the drafting, the revision and the completion of the work on harmonised standards in support of Directive 2006/42/EC to take account of changes introduced by that Directive in comparison with Directive 98/37/EC of the European Parliament and of the Council ⁽³⁾.
- (3) On the basis of the request, CEN drafted new harmonised standards EN 13852-3:2021 on light offshore cranes, EN 12385-5:2021 on stranded ropes for lifts, and EN 12609:2021 on safety requirements for truck mixers.
- (4) On the basis of the request, CEN and Cenelec also revised existing harmonised standards, the references of which are published in the C series of the *Official Journal of the European Union* by Commission Communication 2018/C 092/01 ⁽⁴⁾ to adapt them to technological progress. This resulted in the adoption of the following new harmonised standards: EN 12312-5:2021 on aircraft fuelling equipment; EN 13001-2:2021 on crane safety; EN 1501-1:2021 on rear loaded refuse collection vehicles; EN 1501-2:2021 on side loaded refuse collection vehicles; EN 1501-3:2021 on front loaded refuse collection vehicles; EN 1501-5:2021 on lifting devices for refuse collection vehicles; EN 1829-1:2021 on high pressure water jet machines; EN ISO 22868:2021 on the engineering method for noise testing portable hand-held machines with internal combustion engine; EN 303-5:2021 on heating boilers

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ OJ L 157, 9.6.2006, p. 24.

⁽³⁾ Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery (OJ L 207, 23.7.1998, p. 1).

⁽⁴⁾ Commission communication in the framework of the implementation of the Directive 2006/42/EC of the European Parliament and of the Council on machinery, and amending Directive 95/16/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 92, 9.3.2018, p. 1).

for solid fuels; EN ISO 11202:2010/A1:2021 on determining emission sound pressure levels at a work station and at other specified positions; EN ISO 19085-1:2021 on common requirements for woodworking machines; EN 1756-1:2021 on safety requirements for tail lifts; and EN IEC 62061:2021 on functional safety for safety-related control systems.

- (5) In addition, CEN and Cenelec amended harmonised standards EN 13001-3-6:2018, EN 50636-2-107:2015/A1:2018 and EN 60335-1:2012/A13:2017, the references of which have been published by Commission Implementing Decision (EU) 2019/436 ⁽⁵⁾.
- (6) The Commission together with CEN and Cenelec has assessed whether the standards drafted, revised and amended by CEN and Cenelec comply with the request.
- (7) The harmonised standards drafted, revised and amended by CEN and Cenelec on the basis of the request satisfy the safety requirements which they aim to cover and which are set out in Directive 2006/42/EC. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*, together with references of any relevant amending or correcting standards thereto.
- (8) The reference of harmonised standard EN 474-1:2006+A6:2019 was published in the *Official Journal of the European Union* with a restriction by Commission Implementing Decision (EU) 2021/1813 ⁽⁶⁾. It replaced the reference of harmonised standard EN 474-1:2006+A5:2018 without providing for a transitional period. In order to give manufacturers time to prepare for the application of the new standard, it is appropriate to exceptionally republish the reference to harmonised standard EN 474-1:2006+A5:2018 in the *Official Journal of the European Union* for a limited time period. For reasons of legal certainty, the publication of the reference to harmonised standard EN 474-1:2006+A5:2018 should cover also the period prior to the entry into force of this Decision.
- (9) The text of the restriction for harmonised standard EN 474-1:2006+A6:2019 introduced by Implementing Decision (EU) 2021/1813 is not clear, since it confuses two separate shortcomings identified with the harmonised standard.
- (10) The first shortcoming concerns the inadequate level of visibility identified with EN 474-1:2006+A6:2019 when applied in combination with EN 474-5:2006+A3:2013 requirements for hydraulic excavators. Harmonised standard EN 474-1:2006+A6:2019, similarly to harmonised standard EN 474-1:2006+A5:2018, does not ensure that the driver can operate the machinery and its tools in their foreseeable conditions of use, in complete safety for the driver and exposed persons. Therefore, the restriction provided for in harmonised standard EN 474-1:2006+A5:2018 in relation to essential health and safety requirements 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC should be maintained for harmonised standard EN 474-1:2006+A6:2019.
- (11) The second shortcoming concerns the fact that the quick couplers mechanism used to attach hydraulic excavators and backhoe loaders to earth-moving machinery does not include an active warning system or active monitoring system for the operator when incorrectly coupling the machine with the extension. As such, harmonised standard EN 474-1:2006+A6:2019 fails to meet the essential health and safety requirements for safety integration and for the prevention of risks from falling objects set out in points 1.1.2 (b), 1.1.2 (c) and 1.3.3 of Annex I to Directive 2006/42/EC. Those points should be referred to in the restriction for harmonised standard EN 474-1:2006+A6:2019.
- (12) For reasons of clarity and legal certainty, the identified shortcomings should be expressed by way of two separate restrictions for harmonised standard EN 474-1:2006+A6:2019.

⁽⁵⁾ Commission Implementing Decision (EU) 2019/436 of 18 March 2019 on the harmonised standards for machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council (OJ L 75, 19.3.2019, p. 108).

⁽⁶⁾ Commission Implementing Decision (EU) 2021/1813 of 14 October 2021 amending Implementing Decision (EU) 2019/436 as regards harmonised standards for aircraft ground support equipment, cranes, mining tools, and other machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council and repealing Commission Implementing Decision (EU) 2015/27 (OJ L 366, 15.10.2021, p. 109).

- (13) The reference of harmonised standard EN 60335-1:2012 was first published by Commission Communication 2012/C 159/1 ⁽⁷⁾. The reference of that standard included a reference to corrigendum EN 60335-1:2012/AC:2014 as of publication of that standard by Commission Communication 2016/C 14/1 ⁽⁸⁾. The reference of harmonised standard EN 60335-1:2012 was published in Implementing Decision (EU) 2019/436 only with reference to amendments EN 60335-1:2012/A11:2014 and EN 60335-1:2012/A13:2017. By error the reference to corrigendum EN 60335-1:2012/AC:2014 was omitted from the publication of the reference of harmonised standard EN 60335-1:2012 in Implementing Decision (EU) 2019/436. It is therefore appropriate to replace the reference of the harmonised standard EN 60335-1:2012 together with the references of amendments EN 60335-1:2012/A11:2014 and EN 60335-1:2012/A13:2017 and include the reference of corrigendum EN 60335-1:2012/AC:2014. For reasons of legal certainty, the reference of harmonised standard EN 60335-1:2012 as amended by this Decision should apply retroactively.
- (14) Implementing Decision (EU) 2019/436 provides in Annex I the references of harmonised standards conferring a presumption of conformity with Directive 2006/42/EC and provides in Annex II the references of harmonised standards conferring a presumption of conformity with restrictions. In order to ensure that the references of harmonised standards drafted in support of Directive 2006/42/EC are listed in one act, the references of the standards that are replaced, revised or amended by CEN and Cenelec should be included in Implementing Decision (EU) 2019/436.
- (15) Annex III to Implementing Decision (EU) 2019/436 lists the references of harmonised standards in support of Directive 2006/42/EC that are withdrawn from the C series of the *Official Journal of the European Union* as from the dates set out in that Annex.
- (16) As a result of the work by CEN and Cenelec on the basis of the request, the following harmonised standards published in the C series of the *Official Journal of the European Union* have been replaced, revised or amended: EN 12312-5:2005+A1:2009; EN 13001-2:2014; EN 1501-1:2011+A1:2015; EN 1501-2:2005+A1:2009; EN 1501-3:2008; EN 1501-5:2011; EN 1829-1:2010; EN ISO 22868:2011; EN 303-5:2012; EN ISO 11202:2010; EN ISO 19085-1:2017; EN 1756-1:2001+A1:2008; and EN 62061:2005/A2:2015. It is therefore necessary to withdraw the references of those standards from the *Official Journal of the European Union* by including those references in Annex III to Implementing Decision (EU) 2019/436.
- (17) It is also necessary to withdraw the references of harmonised standards EN 13001-3-6:2018, EN 50636-2-107:2015/A2:2020; and EN 60335-1:2012/A13:2017 published by Implementing Decision (EU) 2019/436, given that those standard have been amended. It is therefore appropriate to delete those reference from Annex I to that Implementing Decision.
- (18) In order to give manufacturers sufficient time to prepare for application of the new, revised or amended standards, it is necessary to defer the withdrawal of the references of the following harmonised standards: EN 12312-5:2005+A1:2009; EN 13001-2:2014; EN 1501-1:2011+A1:2015; EN 1501-2:2005+A1:2009; EN 1501-3:2008; EN 1501-5:2011; EN 1829-1:2010; EN ISO 22868:2011; EN 303-5:2012; EN ISO 11202:2010; EN ISO 19085-1:2017; EN 1756-1:2001+A1:2008; EN 62061:2005/A2:2015; EN 13001-3-6:2018, EN 50636-2-107:2015/A2:2020; and EN 60335-1:2012/A13:2017.
- (19) Implementing Decision (EU) 2019/436 should therefore be amended accordingly.
- (20) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

⁽⁷⁾ Commission communication in the framework of the implementation of the Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (Publication of titles and references of harmonised standards under the directive) (OJ C 159, 5.6.2012, p. 1).

⁽⁸⁾ Commission communication in the framework of the implementation of the Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 14, 15.1.2016, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2019/436 is amended as follows:

(1) in Article 1, the following paragraph is added:

'The reference of harmonised standard EN 474-1:2006+A5:2018 for Earth-moving machinery drafted in support of Directive 2006/42/EC, listed in Annex IIA to this Decision, is hereby published with restriction in the *Official Journal of the European Union*. That reference shall be deemed to have been published in the *Official Journal of the European Union* for the period set out in that Annex.';

- (2) Annex I is amended in accordance with Annex I to this Decision;
- (3) Annex II is amended in accordance with Annex II to this Decision;
- (4) Annex IIA, as set out in Annex III to this Decision, is inserted;
- (5) Annex III is amended in accordance with Annex IV to this Decision.

Article 2

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

Points (1), (4), and (6) of Annex I shall apply from 11 October 2023.

Point (3) of Annex I shall apply from 19 March 2019.

Done at Brussels, 7 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I is amended as follows:

- (1) row 12 is deleted;
- (2) the following row 12a is inserted:

'12a.	EN 13001-3-6:2018+A1:2021 Cranes – General design – Part 3-6: Limit states and proof of competence of machinery – Hydraulic cylinders	C';
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- (3) row 33 is replaced by the following:

'33.	EN 60335-1:2012 Household and similar electrical appliances – Safety – Part 1: General requirements IEC 60335-1:2010 (Modified) EN 60335-1:2012/AC:2014 EN 60335-1:2012/A11:2014 EN 60335-1:2012/A13:2017	C';
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- (4) row 33 is deleted;
- (5) the following row 33a is inserted:

'33a.	EN 60335-1:2012 Household and similar electrical appliances – Safety – Part 1: General requirements IEC 60335-1:2010 (Modified) EN 60335-1:2012/AC:2014 EN 60335-1:2012/A11:2014 EN 60335-1:2012/A13:2017 EN 60335-1:2012/A15:2021	C';
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- (6) row 90 is deleted;
- (7) the following row 90a is inserted:

'90a.	EN 50636-2-107:2015 Safety of household and similar appliances – Part 2-107: Particular requirements for robotic battery powered electrical lawnmowers IEC 60335-2-107:2012 (Modified) EN 50636-2-107:2015/A1:2018 EN 50636-2-107:2015/A2:2020 EN 50636-2-107:2015/A3:2021	C';
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- (8) the following rows are added:

'119.	EN ISO 11202:2010 Acoustics – Noise emitted by machinery and equipment – Determination of emission sound pressure levels at a work station and at other specified positions applying approximate environmental corrections (ISO 11202:2010) EN ISO 11202:2010/A1:2021	B
120.	EN 303-5:2021 Heating boilers – Part 5: Heating boilers for solid fuels, manually and automatically stoked, nominal heat output of up to 500 kW – Terminology, requirements, testing and marking	C

121.	EN 1501-1:2021 Refuse collection vehicles – General requirements and safety requirements – Part 1: Rear loaded refuse collection vehicles	C
122.	EN 1501-2:2021 Refuse collection vehicles – General requirements and safety requirements – Part 2: Side loaded refuse collection vehicles	C
123.	EN 1501-3:2021 Refuse collection vehicles – General requirements and safety requirements – Part 3: Front loaded refuse collection vehicles	C
124.	EN 1501-5:2021 Refuse collection vehicles – General requirements and safety requirements – Part 5: Lifting devices for refuse collection vehicles	C
125.	EN 1756-1:2021 Tail lifts – Platform lifts for mounting on wheeled vehicles – Safety requirements – Part 1: Tail lifts for goods	C
126.	EN 1829-1:2021 High-pressure water jet machines – Safety requirements – Part 1: Machines	C
127.	EN 12312-5:2021 Aircraft ground support equipment – Specific requirements – Part 5: Aircraft fuelling equipment	C
128.	EN 12385-5:2021 Steel wire ropes – Safety – Part 5: Stranded ropes for lifts	C
129.	EN 12609:2021 Truck mixers – Safety requirements	C
130.	EN 13001-2:2021 Crane safety – General design – Part 2: Load actions	C
131.	EN 13852-3:2021 Cranes – Offshore cranes – Part 3: Light offshore cranes	C
132.	EN ISO 19085-1:2021 Woodworking machines – Safety – Part 1: Common requirements (ISO 19085-1:2021)	C
133.	EN ISO 22868:2021 Forestry and gardening machinery – Noise test code for portable hand-held machines with internal combustion engine – Engineering method (Grade 2 accuracy) (ISO 22868:2021)	C
134.	EN IEC 62061:2021 Safety of machinery – Functional safety of safety-related control systems IEC 62061:2021	B'.

ANNEX II

In Annex II, row 1 is replaced by the following:

'1.	EN 474-1:2006+A6:2019 Earth-moving machinery – Safety – Part 1: General requirements Notice 1: This publication does not concern clause 5.8.1 Visibility – Operator's field of view of this standard, but only in relation with EN 474-5:2006+A3:2013 requirements for hydraulic excavators, the application of which does not confer a presumption of conformity to the essential health and safety requirements 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC. Notice 2: With regards to Annex B.2 – Quick couplers, the harmonised standard EN 474-1:2006+A6:2019 does not confer a presumption of conformity to the essential health and safety requirements 1.1.2 b), 1.1.2 c) and 1.3.3 of Annex I to Directive 2006/42/EC when applied in combination with EN 474-4:2006+A2:2012 requirements for backhoe loaders and EN 474-5:2006+A3:2013 requirements for hydraulic excavators.	C'.
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ANNEX III

‘ANNEX IIA

No	Reference of the standard	Type	From	To
1.	EN 474-1:2006+A5:2018 Earth-moving machinery – Safety – Part 1: General requirements Notice: This publication does not concern clause 5.8.1 Visibility – Operator’s field of view of this standard, but only in relation with EN 474-5:2006+A3:2013 requirements for hydraulic excavators, the application of which does not confer a presumption of conformity to the essential health and safety requirements 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC.	C	15 October 2021	11 October 2022.’

ANNEX IV

In Annex III, the following rows are added:

114.	EN 12312-5:2005+A1:2009 Aircraft ground support equipment – Specific requirements – Part 5: Aircraft fuelling equipment	11 October 2023	C
115.	EN 13001-2:2014 Crane safety – General design – Part 2: Load actions	11 October 2023	C
116.	EN 1501-1:2011+A1:2015 Refuse collection vehicles – General requirements and safety requirements – Part 1: Rear loaded refuse collection vehicles	11 October 2023	C
117.	EN 1501-2:2005+A1:2009 Refuse collection vehicles and associated lifting devices – General requirements and safety requirements – Part 2: Side loaded refuse collection vehicles	11 October 2023	C
118.	EN 1501-3:2008 Refuse collection vehicles and their associated lifting devices – General requirements and safety requirements – Part 3: Front loaded refuse collection vehicles	11 October 2023	C
119.	EN 1501-5:2011 Refuse collection vehicles – General requirements and safety requirements – Part 5: Lifting devices for refuse collection vehicles	11 October 2023	C
120.	EN 1756-1:2001+A1:2008 Tail lifts – Platform lifts for mounting on wheeled vehicles – Safety requirements – Part 1: Tail lifts for goods	11 October 2023	C
121.	EN 1829-1:2010 High pressure water jet machines – Safety requirements – Part 1: Machines	11 October 2023	C
122.	EN 303-5:2012 Heating boilers – Part 5: Heating boilers for solid fuels, manually and automatically stoked, nominal heat output of up to 500 kW – Terminology, requirements, testing and marking	11 October 2023	C
123.	EN 62061:2005 Safety of machinery – Functional safety of safety-related electrical, electronic and programmable electronic control systems IEC 62061:2005 EN 62061:2005/AC:2010 EN 62061:2005/A1:2013 EN 62061:2005/A2:2015	11 October 2023	B
124.	EN ISO 11202:2010 Acoustics – Noise emitted by machinery and equipment – Determination of emission sound pressure levels at a work station and at other specified positions applying approximate environmental corrections (ISO 11202:2010)	11 October 2023	B

125.	EN ISO 19085-1:2017 Woodworking machines – Safety – Part 1: Common requirements (ISO 19085-1:2017)	11 October 2023	C
126.	EN ISO 22868:2011 Forestry and gardening machinery – Noise test code for portable hand-held machines with internal combustion engine – Engineering method (Grade 2 accuracy) (ISO 22868:2011)	11 October 2023	C.

COMMISSION IMPLEMENTING DECISION (EU) 2022/622**of 7 April 2022****amending Implementing Decision (EU) 2019/1326 as regards the harmonised standards for electromagnetic compatibility of electricity metering equipment and circuit breakers for household and similar uses****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(6) thereof,

Whereas:

- (1) In accordance with Article 13 of Directive 2014/30/EU of the European Parliament and of the Council ⁽²⁾, electrical equipment which is in conformity with harmonised standards or parts thereof, the references of which have been published in the *Official Journal of the European Union*, is to be presumed to be in conformity with the essential requirements set out in Annex I to that Directive covered by those standards or parts thereof.
- (2) By Implementing Decision C(2016) 7641 ⁽³⁾, the Commission made a request to the European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (Cenelec) and the European Telecommunications Standards Institute (ETSI) for the drafting and revision of harmonised standards for electromagnetic compatibility in support of Directive 2014/30/EU.
- (3) On the basis of the request set out in Implementing Decision C(2016) 7641, CEN and Cenelec drafted the harmonised standard EN IEC 62053-24:2021 and the amendment thereto, EN IEC 62053-24:2021/A11:2021, for static meters for fundamental component reactive energy (classes 0,5S, 1S, 1, 2 and 3).
- (4) On the basis of the request set out in Implementing Decision C(2016) 7641, CEN and Cenelec revised the following harmonised standards, the references of which are published by Commission Communication (OJ C 173, 13.5.2016) ⁽⁴⁾: EN 62053-21:2003, EN 62053-22:2003, EN 62053-23:2003 and EN 61009-1:2012.
- (5) This resulted in the adoption of, respectively, the following harmonised standards and amendments thereto: EN IEC 62053-21:2021 and EN IEC 62053-21:2021/A11:2021 for static meters for AC active energy (classes 0,5, 1 and 2); EN IEC 62053-22:2021 and EN IEC 62053-22:2021/A11:2021 for static meters for AC active energy (classes 0,1S, 0,2S and 0,5S); EN IEC 62053-23:2021 and EN IEC 62053-23:2021/A11:2021 for static meters for reactive energy (classes 2 and 3); EN 61009-1:2012 and EN 61009-1:2012/A13:2021 for residual current operated circuit-breakers with integral overcurrent protection for household and similar uses.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (OJ L 96, 29.3.2014, p. 79).

⁽³⁾ Commission Implementing Decision C(2016) 7641 of 30 November 2016 on a standardisation request to the European Committee for Standardisation, to the European Committee for Electrotechnical Standardisation and to the European Telecommunications Standards Institute as regards harmonised standards in support of Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility.

⁽⁴⁾ Commission communication in the framework of the implementation of Directive 2014/30/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 246, 13.7.2018, p. 1).

- (6) The Commission, together with CEN and Cenelec, has assessed whether the harmonised standards EN IEC 62053-24:2021, as amended by EN IEC 62053-24:2021/A11:2021, EN IEC 62053-21:2021, as amended by EN IEC 62053-21:2021/A11:2021, EN IEC 62053-22:2021, as amended by EN IEC 62053-22:2021/A11:2021, EN IEC 62053-23:2021, as amended by EN IEC 62053-23:2021/A11:2021 and EN 61009-1:2012, as amended by EN 61009-1:2012/A13:2021, comply with the request set out in Implementing Decision C(2016) 7641.
- (7) The harmonised standards EN IEC 62053-24:2021, as amended by EN IEC 62053-24:2021/A11:2021, EN IEC 62053-21:2021, as amended by EN IEC 62053-21:2021/A11:2021, EN IEC 62053-22:2021, as amended by EN IEC 62053-22:2021/A11:2021, EN IEC 62053-23:2021, as amended by EN IEC 62053-23:2021/A11:2021, and EN 61009-1:2012, as amended by EN 61009-1:2012/A13:2021, satisfy the essential requirements which they aim to cover and which are set out in Directive 2014/30/EU. It is therefore appropriate to publish the references of those harmonised standards, together with the relevant amending standards thereto, in the *Official Journal of the European Union*.
- (8) Annex I to Commission Implementing Decision (EU) 2019/1326 ⁽⁹⁾ lists the references of harmonised standards conferring a presumption of conformity with Directive 2014/30/EU. In order to ensure that the references of harmonised standards drafted in support of Directive 2014/30/EU are listed in one act, the references of those standards, together with the references of the relevant amending standards thereto, should be included in that Annex.
- (9) It is therefore necessary to withdraw from the *Official Journal of the European Union* the references of the following harmonised standards published by Communication (OJ C 173, 13.5.2016): EN 62053-21:2003, EN 62053-22:2003, EN 62053-23:2003 and EN 61009-1:2012.
- (10) Annex II to Implementing Decision (EU) 2019/1326 lists the references of harmonised standards drafted in support of Directive 2014/30/EU that are withdrawn from the C series of the *Official Journal of the European Union*. It is therefore appropriate to include those references in that Annex.
- (11) In order to give manufacturers sufficient time to prepare for the application of harmonised standards EN IEC 62053-21:2021, as amended by EN IEC 62053-21:2021/A11:2021, EN IEC 62053-22:2021, as amended by EN IEC 62053-22:2021/A11:2021, EN IEC 62053-23:2021, as amended by EN IEC 62053-23:2021/A11:2021, and EN 61009-1:2012, as amended by EN 61009-1:2012/A13:2021, it is necessary to defer the withdrawal of the references of the following harmonised standards: EN 62053-21:2003, EN 62053-22:2003, EN 62053-23:2003 and EN 61009-1:2012.
- (12) Implementing Decision (EU) 2019/1326 should therefore be amended accordingly.
- (13) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the day of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2019/1326 is amended in accordance with Annex I to this Decision.

Article 2

Annex II to Implementing Decision (EU) 2019/1326 is amended in accordance with Annex II to this Decision.

⁽⁹⁾ Commission Implementing Decision (EU) 2019/1326 of 5 August 2019 on the harmonised standards for electromagnetic compatibility drafted in support of Directive 2014/30/EU of the European Parliament and of the Council (OJ L 206, 6.8.2019, p. 27).

Article 3

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

Done at Brussels, 7 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

In Annex I to Implementing Decision (EU) 2019/1326, the following entries are added:

No	Reference of the standard
16.	EN IEC 62053-21:2021 Electricity metering equipment - Particular requirements - Part 21: Static meters for AC active energy (classes 0,5, 1 and 2) EN IEC 62053-21:2021/A11:2021
17.	EN IEC 62053-22:2021 Electricity metering equipment - Particular requirements - Part 22: Static meters for AC active energy (classes 0,1S, 0,2S and 0,5S) EN IEC 62053-22:2022/A11:2021
18.	EN IEC 62053-23:2021 Electricity metering equipment - Particular requirements - Part 23: Static meters for reactive energy (classes 2 and 3) EN IEC 62053-23:2022/A11:2021
19.	EN IEC 62053-24:2021 Electricity metering equipment - Particular requirements - Part 24: Static meters for fundamental component reactive energy (classes 0,5S, 1S, 1, 2 and 3) EN IEC 62053-24:2022/A11:2021
20.	EN 61009-1:2012 Residual current operated circuit-breakers with integral overcurrent protection for household and similar uses (RCBOs) - Part 1: General rules. EN 61009-1:2012/A13:2021

ANNEX II

In Annex II to Implementing Decision (EU) 2019/1326, the following entries are added:

No	Reference of the standard	Date of withdrawal
14.	EN 62053-21:2003 Electricity metering equipment (a.c.) - Particular requirements - Part 21: Static meters for active energy (classes 1 and 2)	13 October 2023
15.	EN 62053-22:2003 Electricity metering equipment (a.c.) - Particular requirements - Part 22: Static meters for active energy (classes 0,2 S and 0,5 S)	13 October 2023
16.	EN 62053-23:2003 Electricity metering equipment (a.c.) - Particular requirements - Part 23: Static meters for reactive energy (classes 2 and 3)	13 October 2023
17.	EN 61009-1:2012 Residual current operated circuit-breakers with integral overcurrent protection for household and similar uses (RCBOs) - Part 1: General rules.	13 October 2023'

COMMISSION IMPLEMENTING DECISION (EU) 2022/623**of 11 April 2022****amending Implementing Decision (EU) 2021/641 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States***(notified under document C(2022) 2454)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Article 259(1), point (c), thereof,

Whereas:

- (1) Highly pathogenic avian influenza (HPAI) is an infectious viral disease in birds and may have a severe impact on the profitability of poultry farming causing disturbance to trade within the Union and exports to third countries. HPAI viruses can infect migratory birds, which can then spread these viruses over long distances during their autumn and spring migrations. Therefore, the presence of HPAI viruses in wild birds poses a continuous threat for the direct and indirect introduction of these viruses into holdings where poultry or captive birds are kept. In the event of an outbreak of HPAI, there is a risk that the disease agent may spread to other holdings where poultry or captive birds are kept.
- (2) Regulation (EU) 2016/429 establishes a new legislative framework for the prevention and control of diseases that are transmissible to animals or humans. HPAI falls within the definition of a listed disease in that Regulation, and it is subject to the disease prevention and control rules laid down therein. In addition, Commission Delegated Regulation (EU) 2020/687 ⁽²⁾ supplements Regulation (EU) 2016/429 as regards the rules for the prevention and control of certain listed diseases, including disease control measures for HPAI.
- (3) Commission Implementing Decision (EU) 2021/641 ⁽³⁾ has been adopted within the framework of Regulation (EU) 2016/429 and it lays down disease control measures in relation to outbreaks of HPAI.
- (4) More particularly, Implementing Decision (EU) 2021/641 provides that the protection, surveillance zones and further restricted zones established by the Member States following outbreaks of HPAI, in accordance with Delegated Regulation (EU) 2020/687, are to comprise at least the areas listed as protection, surveillance and further restricted zones in the Annex to that Implementing Decision.
- (5) The Annex to Implementing Decision (EU) 2021/641 was recently amended by Commission Implementing Decision (EU) 2022/522 ⁽⁴⁾ following outbreaks of HPAI in poultry or captive birds in Germany, Spain, France, Italy, Portugal and Romania that needed to be reflected in that Annex.
- (6) Since the date of adoption of Implementing Decision (EU) 2022/522, Germany, France, Italy and Romania have notified the Commission of further outbreaks of HPAI in establishments where poultry or captive birds were kept, located within or outside the areas listed in the Annex to that Implementing Decision.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 3.6.2020, p. 64).

⁽³⁾ Commission Implementing Decision (EU) 2021/641 of 16 April 2021 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L 134, 20.4.2021, p. 166).

⁽⁴⁾ Commission Implementing Decision (EU) 2022/522 of 29 March 2022 amending the Annex to Implementing Decision (EU) 2021/641 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L 104, 1.4.2022, p. 74).

- (7) In addition, Belgium has notified the Commission of an outbreak of HPAI of subtype H5N1 in an establishment where poultry or captive birds were kept, located in the West Flanders province of that Member State.
- (8) Moreover, Bulgaria has notified the Commission of an outbreak of HPAI of subtype H5N1 in an establishment where poultry or captive birds were kept, located in the Plovdiv province of that Member State.
- (9) Furthermore, Denmark has notified the Commission of an outbreak of HPAI of subtype H5N1 in an establishment where poultry or captive birds were kept, located in the Langeland municipality of that Member State.
- (10) The competent authorities of Belgium, Bulgaria, Denmark, Germany, France, Italy and Romania have taken the necessary disease control measures required in accordance with Delegated Regulation (EU) 2020/687, including the establishment of protection and surveillance zones around those outbreaks.
- (11) In addition, the competent authority of France decided to establish a further restricted zone in addition to the protection and surveillance zones established for certain outbreaks located in Pays de la Loire region of that Member State.
- (12) The Commission has examined the disease control measures taken by Belgium, Bulgaria, Denmark, Germany, France, Italy and Romania in collaboration with those Member States and it is satisfied that the boundaries of the protection and surveillance zones in Belgium, Bulgaria, Denmark, Germany, France, Italy and Romania, established by the competent authorities of those Member States and of the further restricted zone established by France, are at a sufficient distance from the establishments where the recent outbreaks of HPAI have been confirmed.
- (13) In the Annex to Implementing Decision (EU) 2021/641, there are currently no areas listed as protection and surveillance zones for Belgium and Denmark, and no areas listed as a protection zone for Bulgaria.
- (14) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to rapidly describe at Union level, in collaboration with Belgium, Bulgaria, Denmark, Germany, France, Italy and Romania, the protection and surveillance zones established by those Member States in accordance with Delegated Regulation (EU) 2020/687, as well as the further restricted zone established by France.
- (15) Therefore, the areas listed for Bulgaria, Germany, France, Italy and Romania in the Annex to Implementing Decision (EU) 2021/641 should be amended.
- (16) In addition, protection and surveillance zones should be listed for Belgium and Denmark and a protection zone should be listed for Bulgaria in the Annex to Implementing Decision (EU) 2021/641.
- (17) Accordingly, the Annex to Implementing Decision (EU) 2021/641 should be amended to update regionalisation at Union level to take account of the protection and surveillance zones duly established by Belgium, Bulgaria, Denmark, Germany, France, Italy and Romania and of the further restricted zone duly established by France in accordance with Delegated Regulation (EU) 2020/687, and the duration of the measures applicable therein.
- (18) In addition, Article 23 of Delegated Regulation (EU) 2020/687 provides that the competent authority may grant derogations from the measures to be applied in restricted zones, to the extent necessary and after carrying out a risk assessment. Accordingly, the competent authorities of the concerned Member States may allow movements of consignments of poultry, captive birds, hatching eggs and specific pathogen-free eggs from such zones. Such consignments may be moved to other Member States if accompanied by the relevant animal health certificate or animal health/official certificate for these commodities set out in Annex I to Commission Implementing Regulation (EU) 2021/403 ⁽⁹⁾. An attestation should therefore be added to such certificates stating that the consignments comply with Implementing Decision (EU) 2021/641.
- (19) Implementing Decision (EU) 2021/641 should therefore be amended accordingly.

⁽⁹⁾ Commission Implementing Regulation (EU) 2021/403 of 24 March 2021 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates and model animal health/official certificates, for the entry into the Union and movements between Member States of consignments of certain categories of terrestrial animals and germinal products thereof, official certification regarding such certificates and repealing Decision 2010/470/EU (OJ L 113, 31.3.2021, p. 1).

- (20) Given the urgency of the epidemiological situation in the Union as regards the spread of HPAI, it is important that the amendments to be made to Implementing Decision (EU) 2021/641 by this Decision take effect as soon as possible.
- (21) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2021/641 is amended as follows:

- (1) in Article 1, the following paragraph is added:

‘This Decision lays down rules concerning movements of consignments of poultry, captive birds, hatching eggs and specific pathogen-free eggs from the further restricted zones listed in Part C of the Annex to this Decision, where a derogation has been granted, in accordance with Article 23 of Delegated Regulation (EU) 2020/687, permitting such movements.’;

- (2) in Article 3a, the following point (c) is added:

‘(c) when after a positive outcome of a risk assessment a derogation has been granted by the competent authority of a concerned Member State, in accordance with Article 23 of Delegated Regulation (EU) 2020/687, permitting the movement of consignments of poultry, captive birds, hatching eggs and specific pathogen-free eggs from further restricted zones listed in Part C of the Annex to this Decision to other Member States, the concerned Member States shall ensure that those consignments are accompanied by the relevant animal health certificate or animal health/official certificate set out in Annex I to Commission Implementing Regulation (EU) 2021/403 (*) which must contain the following attestation:

“The consignment complies with the provisions laid down in Article 3a of Commission Implementing Decision (EU) 2021/641.”

(*) Commission Implementing Regulation (EU) 2021/403 of 24 March 2021 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates and model animal health/official certificates, for the entry into the Union and movements between Member States of consignments of certain categories of terrestrial animals and germinal products thereof, official certification regarding such certificates and repealing Decision 2010/470/EU (OJ L 113, 31.3.2021, p. 1).;

- (3) the Annex to Implementing Decision (EU) 2021/641 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, 11 April 2022.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

‘ANNEX

Part A

Protection zones in the concerned Member States* as referred to in Articles 1 and 2:

Member State: Belgium

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Province of West Flanders</i>	
Those parts of the municipalities Harelbeke, Ingelmunster, Meulebeke, Oostrozebeke and Wielsbeke contained within a circle of a radius of 3 kilometres, centered on WGS84 dec. coordinates long 3,31182, lat 50, 92488.	19.4.2022

Member State: Bulgaria

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Region of Plovdiv</i>	
The following villages in Asenovgrad municipality: Asenovgrad, Boyantzi The following village in Sadovo municipality: Mominsko	10.5.2022

Member State: Denmark

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
The part of Langeland municipality that is contained within a circle of radius 3 kilometres, centred on GPS coordinates. N 55,0910; E 10,8852	20.4.2022

Member State: Germany

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
BAYERN	
Landkreis Main-Spessart Das Gebiet umfasst Birkenfeld und Billingshausen	8.4.2022
Landkreis Würzburg — Gemeinde Greußenheim mit der Gemarkung Greußenheim — Gemeinde Remlingen mit der Gemarkung Remlingen — Gemeinde Leinach mit den Gemarkungen Oberleinach und Unterleinach	8.4.2022

Mecklenburg-Vorpommern**Landkreis Rostock**

Amt Krakow am See

- Gemeinde Lalendorf mit den Ortsteilen Lalendorf, Wattmannshagen (inkl. Hohenfelde), Niegleve, Friedrichshagen, Raden und Roggow

16.4.2022

Amt Mecklenburgische Schweiz

Gemeinde Große Roge mit dem Ortsteil Neu Rachow

NIEDERSACHSEN**Landkreis Oldenburg**

Ausgangspunkt der Schutzzone ist der Schnittpunkt der Stadt-/Kreisgrenze Delmenhorst/Landkreis Oldenburg und der Straße Annen in der Gemeinde Groß Ippener

- Der Straße Annen folgend, Ortholzer Weg bis Kreuzungspunkt Henstedter Weg
- Weiter über die Straße Ortholz und Annenstraße ostwärts zum Dünsener Bach
- Von dort dem Dünsener Bach Richtung BAB A 1 folgen bis zur Harpstedter Straße in Groß Ippener
- Harpstedter Straße, Delmenhorster Landstraße (L 776) bis zur Querverbindung, die direkt am Waldrand Staatsforst Hasbruch zur Delme führt
- Der Querverbindung folgen bis auf die Delme und der Gemeindegrenze Flecken Harpstedt und Prinzhöfte auf die Straße Stiftenhöfter Straße
- Am Windpark, Kreuzung Oldenburger Weg, gedachte Querverbindung Richtung Eschenbach zum Wunderburger Weg
- Anschließend auf die K 9 bis zur Straße Wunderburg; Straße Wunderburg folgen bis zur BAB A1
- Weiter der BAB A 1 Richtung Bremen bis zur Flachs bäke
- Entlang der Flachs bäke und dem Wirtschaftsweg unmittelbar zur Gemeindegrenze Prinzhöfte/Dötlingen
- Weiter der Gemeindegrenze Prinzhöfte/Dötlingen nördlich bis zum Uhlhorner Zuggraben; Uhlhorner Zuggraben flussabwärts bis B 213
- B 213 Richtung Delmenhorst bis Hengsterholz
- Über dem Wirtschaftsweg am Rande von Hengsterholz auf den Bassumer Heerweg
- Neustädter Straße, Heidloge, B 213/Wildeshauser Landstraße Richtung Sethe
- Auf der Trahe, Sethe, Am Segelflugplatz entlang der Grenze des Standörtungsplatzes über die Wiggersloger Straße bis zur Kreis- bzw. Stadtgrenze
- Abschließend der Stadt-/Kreisgrenze Delmenhorst/Landkreis Oldenburg im Uhrzeigersinn entlang zum Ausgangspunkt in der Gemeinde Groß Ippener

28.4.2022

Die Grenze der Schutzzone verläuft hinsichtlich der genannten Straßen jeweils in der Straßenmitte, so dass die nachfolgend genannten Schutzmaßnahmen für die Schutzzone die zentrumsseitig liegenden Betriebe innerhalb des Gebietes betreffen.

SACHSEN**Landkreis Bautzen**

Gemarkungen/Teile von Gemarkungen:

- Grünberg vollständig
- Seifersdorf vollständig
- Wachau vollständig
- Lomnitz:
Waldgebiet Hölle; Wiesen und Felder südlich der Ortslage Lomnitz, östlich begrenzt durch die Dittmannsdorfer Straße hinreichend bis zur Gemarkungsgrenze Kleindittmannsdorf
- Lotzdorf:
Silberberg mit angrenzenden Wiesen reichend bis an die nördliche Grenze der Ortslage Lotzdorf

19.4.2022

— Ottendorf: Waldgebiet Schindertanne; Straße „Am Sande“; Rohrwiesen und Oberfelder, nördlich begrenzt durch das Teichwiesenbad und die Orla	
Landeshauptstadt Dresden Ortschaft Schönborn bis: — Gemarkungsgrenze zu Liegau-Augustusbad Kreuzung An den Folgen – Kuhschwanz — Kuhschwanz – Dörnichtweg bis Verbindungsweg zur S 180 (Liegauer Straße) — 20 m westlich des Verbindungsweges Liegauer Straße zur Schönborner Straße — Schönborner Straße geradlinig über das Feld bis Roter Grabenweg — Roter Grabenweg bis Gemarkungsgrenze Grünberg	19.4.2022
SCHLESWIG- HOLSTEIN	
Kreis Dithmarschen Um den Seuchenbestand wird eine Schutzzone (früher „Sperrbezirk“) mit einem Radius von mindestens drei Kilometern festgelegt. Die Schutzzone ist in dem in der Anlage beigefügten Kartenausschnitt als rote Linie mit folgenden Grenzen dargestellt: — Gemeinde Eddelak, Gemeinde Dingen — Gemeinde St. Michaelisdonn: In Höhe Heisterbergstraße der Bahnlinie St. Michaelisdonn-Burg in südöstliche Richtung folgend bis zum Ende des Golfplatzes. Dann dem Marschweg bis zur Gemeinde Kuden folgend. — Gemeinde Kuden: Entlang des Marschweges der Hauptstraße folgend bis zur Abzweigung Saalweg, von dort in südlich Richtung bis zur Einmündung Stallhof. Von dort ostwärts um die Bebauung der Gemeinde Kuden bis zur Einmündung in die Straße Neuer Weg. Dem neuen Weg in südliche Richtung bis zur Abzweigung Lockdamm folgend. Der Straße Lockdamm in südliche Richtung bis zum Nord-Ostsee-Kanal folgend. Dem Nord-Ostsee-Kanal am nördlichen Ufer in südlicher Richtung folgend. — Gemeinde Averlak: nördlich des Nord-Ostsee-Kanals — Stadt Brunsbüttel: nördlich des Nord-Ostsee-Kanals bis zur Fähre Ostermoor. Von dort der Fritz-Staiger-Straße folgend bis zur Einmündung Volsenweg. Dem Volsenweg in westlicher Richtung folgen bis zum Helser–Fleth. Dem Helser–Fleth in nördlicher Richtung folgend. — Gemeinde Volsenhusen: Dem Helser-Fleth bis zum Diekusener Geestweg folgend. Dem Diekusener Geestweg ostwärts bis zur Einmündung in die Straße Rösthusen folgend. Der Straße Rösthusen nördlich bis Einmündung Siedenfelder Weg. — Gemeinde St. Michaelisdonn: Dem Siedenfelder Weg ostwärts zur Einmündung Engenweg folgen. Dem Engenweg in östlicher Richtung bis zur Einmündung Eddelaker Straße folgen. Der Eddelaker Straße in nördliche Richtung folgend bis Kreuzung Marner Str./Kayenweg. Dem Kayenweg östlich bis zur Bahnlinie St. Michaelisdonn-Burg folgen.	13.4.2022
Kreis Steinburg Amt Schenefeld: Die Gemeinden — Besdorf — der nordwestlich der Gemeinde Nienbüttel gelegene Teil von Bokelrehm — Bokhorst	16.4.2022

— Gribbohm — Holstenniendorf — Wacken Kreis Dithmarschen — südöstwärtiger Teil der Gemeinde Schafstedt	
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Member State: Spain

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
Those parts in the province of Valladolid of the comarca of Olmedo and, in the province of Segovia of the comarca of Cuéllar, contained within a circle of a radius of 3 kilometres, centered on UTM 30, ETRS89 coordinates long -4,5334409, lat 41,3517177 (2022/3) and long -4,5320177, lat 41,3459358 (2022/12)	6.4.2022
Those parts in the province of Sevilla of the comarca of Osuna (Campaña/Sierra Sur) and Écija (La Campiña), and in the province of Málaga of the comarca of Antequera contained within a circle of a radius of 3 kilometres, centered on UTM 30, ETRS89 coordinates long -4,9146003, lat 37,2439955 (2022/8); long -4,9364384, lat 37,2511113 (2022/11); long -5,0032525, lat 37,2584618 (2022/17); long -4,920941, lat 37,2274386 (2022/18); long -4,930773, lat 37,1518943 (2022/19); long -4,9251627, lat 37,2470687 (2022/20); long -5,0073646, lat 37,2685771 (2022/21); long -5,0010200, lat 37,3674733 (2022/22); long -4,9369199, lat 37,2232913 (2022/23); long -4,988847, lat 37,3322909 (2022/24); long -5,0065052, lat 37,3622118 (2022/25); long -4,9248099, lat 37,2235633 (2022/26); long -4,9929334, lat 37,3388061 (2022/28) and long -5,0037761, lat 37,3887229 (2022/29)	20.4.2022
Those parts in the province of Sevilla of the comarca of Marchena (Serranía sudoeste) contained within a circle of a radius of 3 kilometres, centered on UTM 30, ETRS89 coordinates long -5,41365, lat 37,31488 (2022/27); long -5,4103316, lat 37,3148891 (2022/30) and long -5,5219835, lat 37,2415319 (2022/31)	13.4.2022

Member State: France

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Les communes suivantes dans le département: Cantal (15)</i>	
MAURS QUEZAC SAINT-ETIENNE-DE-MAURS SAINT-JULIEN-DE-TOURSAC	11.4.2022
<i>Les communes suivantes dans le département: Corrèze (19)</i>	
JUGEALS-NAZARETH CHASTEAX BRIVE-LA-GAILLARDE NESPOULS NOAILLES	23.4.2022

Département: Côte d'Armor (22)	
TREFFRIN	22.4.2022
TREBIVAN	
CARNOET – sud-ouest du ruisseau Kernabat	
Département: Finistère (29)	
PLOUNEVEZEL – est D54	22.4.2022
Les communes suivantes dans le département: Gers (32)	
AUJAN-MOURNEDE	19.4.2022
BARS	
CASTELNAU-D'ANGLES	
CUELAS	
DUFFORT	
LAAS	
LAGARDE-HACHAN	
MARSEILLAN	
MONCLAR-SUR-LOSSE	
MONLAUR-BERNET	
MONTESQUIOU	
PALLANNE	
PONSAN-SOUBIRAN	
POUYLEBON	
RIGUEPEU	
SAINT CHRISTAUD	
SAINT MAUR	
SAINT-ARAILLES	
SAINT-ELIX-THEUX	
SAINT-OST	
SAMARAN	
SAUVIAC	
TILLAC	
VIOZAN	
AIGNAN	19.4.2022
CASTELNAVET	
MARGOUEY-MEYMES	
Département: Ille-et-Vilaine (35)	
ESSE	10.4.2022
JANZE	
LE THEIL-DE-BRETAGNE	
BAIN-DE-BRETAGNE	18.4.2022
GUIPRY-MESSAC	
LA NOE-BLANCHE	
PLECHATEL	
SAINT-MALO-DE-PHILLY	

<i>Département: Indre (36)</i>	
FLERE-LA-RIVIERE nord du Ruban, Moulin-Renais, sud de la Piqueterie	15.4.2022
<i>Département: Indre-et-Loire (37)</i>	
SAINT FLOVIER nord-est de la Gauterie, des Grenouillères, des terres charles	15.4.2022
VERNEUIL SUR INDRE sud de la Bourdinière, sud-est de la forêt de Verneuil	
NOUANS-LES-FONTAINES	14.3.2022
<i>Département: Loir-et-Cher (41)</i>	
COUR CHEVERNY TOUR EN SOLOGNE – sud D923	18.4.2022
<i>Les communes suivantes dans le département: Loire-Atlantique (44)</i>	
ABBARETZ AIGREFEUILLE SUR MAINE ANCENIS BOUSSAY CHAUMES EN RETZ CHAUVE CLISSON CORCOUE SUR LORGNE CORDEMAIS FROSSAY GENESTON GETIGNE JOUÉ-SUR-ERDRE LA BERNERIE EN RETZ LA BOISSIERE DE DORE LA CHEVROLIERE LA LIMOUZINIERE LA MARNE LA PLAINE SUR MER LA PLANCHE LA ROCHE-BLANCHE LA REGRIPIERE LA REMAUDIERE LE LANDREAU LE TEMPLE DE BRETAGNE LEGE LES MOUTIERS EN RETZ LOIREAUXENCE MACHECOUL SAINT-MEME MAUMUSSON	23.4.2022

MONTBERT NORT-SUR-ERDRE NOZAY PANNECE PAULX PORNIC PREFAILLES REMOUILLE RIAILLE SAINT AIGNAN DE GRANDLIEU SAINT COLOMBAN SAINT ETIENNE DE MER MORTE SAINT ETIENNE DE MONTLUC SAINT HILAIRE DE CHALEONS SAINT HILAIRE DE CLISSON SAINT LUMINE DE CLISSON SAINT LUMINE DE COUTAIS SAINT MARS DE COUTAIS SAINT MICHEL CHEF CHEF SAINT PHILBERT DE GRAND LIEU SAINT VIAUD SAINTE PAZANNE TEILLE TOUVOIS TREFFIEUX VAIR-SUR-LOIRE VALLET VIELLEVIGNE VIGNEUX DE BRETAGNE VILLENEUVE EN RETZ	
<i>Département: Lot (46)</i>	
SAINT-CIRGUES – Est du ruisseau La Garinie et au nord de la route D29	11.4.2022
SAINT-HILAIRE	
BESSIONIES	
LABASTIDE-DU-HAUT-MONT	
LATRONQUIERE:: au nord de la D653 et de la D29	11.4.2022
LAURESSES au nord de la D30	
SAINT-HILAIRE: au nord de Liffernet	
CARDAILLAC	
FOURMAGNAC	11.4.2022
LABATHUDE	
SAINT-BRESSOU	

SAINTE-COLOMBE	
SOUSCEYRAC-EN-QUERCY	11.4.2022
TEYSSIEU	
ASSIER	
ISSEPTS	16.4.2022
LIVERNON: au Nord de la D802	
REYREVIGNES	
CRESENSAC	
CUZANCE	20.4.2022
GIGNAC: au sud de la D87 et à l'est de la D15	
SARRAZAC: à l'ouest de la D23	
<i>Département: Maine-et-Loire (49)</i>	
Beaupréau-en-Mauges	
Bégrolles-en-Mauges	
Bellevigne-en-Layon – Champ-sur-Layon	
Bellevigne-en-Layon – Faveraye-Mâchelles	
Bellevigne-en-Layon – Rablay-sur-Layon	
Bellevigne-en-Layon – Thouarcé	
Chalonnnes-sur-Loire	
Chanteloup-les-Bois	
Chaufefonds-sur-Layon	
Chemillé-en-Anjou	
Cholet	
Cléré-sur-Layon	
La Romagne	
La Séguinière	
La Tessouale	
Le May-sur-Evre	20.4.2022
Le Puy-Saint-Bonnet	
Les Cerqueux	
Mauges-sur-Loire – Botz-en-Mauges	
Mauges-sur-Loire – Bourgneuf en Mauges	
Mauges-sur-Loire – La Chapelle-Saint-Florent	
Mauges-sur-Loire – La Pommeraye	
Mauges-sur-Loire – Le Marillais	
Mauges-sur-Loire – Saint-Florent-le-Vieil	
Mauges-sur-Loire – Saint-Laurent-de-la-Plaine	
Maulévrier	
Mazières-en-Mauges	
Montilliers	
Montrevault-sur-Evre	
Nuaillé	
Orée d'Anjou	

Passavant-sur-Layon Saint-Augustin-des-Bois Saint-Christophe-du-Bois Saint-Georges-sur-Loire Saint-Germain-des-Prés Saint-Léger-de-Linières Saint-Léger-sous-Cholet Saint-Martin-du-Fouilloux Saint-Sigismond – Nord de l'axe virtuel Infernet – La Coulée Sèvremoine Toutlemonde Trémentines Val d'Erdre-Auxence La Cornuaille Est de l'axe virtuel La Grande Fosse – La Fourrierie – Le Hutan (Le Louroux Béconnais) Val d'Erdre-Auxence – Le Louroux Béconnais – Ouest de l'axe virtuel Le Château de Chillon – Maubusson – Le Hutan Val d'Erdre-Auxence – Villemoisan – Nord de l'axe virtuel Le Château de Chillon – Maubusson – Le Hutan Val-du-Layon Vezins Yzernay	
<i>Département: Morbihan (56)</i>	
AMBON BILLIERS DAMGAN MUZILLAC	5.4.2022
LES FOUGERETS MALANSAC PEILLAC SAINT-CONGARD SAINT-GRAVE SAINT-MARTIN-SUR-OUST	18.4.2022
<i>Les communes suivantes dans le département: Hautes-Pyrénées (65)</i>	
ANTIN AUBAREDE BERNADETS-DEBAT BOUILH-DEVANT BOUILH-PEREUILH CABANAC CAMPUZAN	19.4.2022

CASTELVIEILH	
CHELLE-DEBAT	
COLLONGUES	
COUSSAN	
FONTRAILLES	
GOUDON	
GUIZERIX	
HACHAN	
HOURE	
JACQUE	
LALANNE-TRIE	
LAMARQUE-RUSTAING	
LAMEAC	
LAPEYRE	
LARROQUE	
LOUT	
LUBRET-SAINT-LUC	
LUBY-BETMONT	
LUSTAR	
MANSAN	
MARQUERIE	
MARSEILLAN	
MAZEROLLES	
MOUMOULOUS	
MUN	
OSMETS	
PEYRIGUERE	
PEYRUN	
POUYASTRUC	
PUNTOUS	
PUYDARRIEUX	
SADOURNIN	
SAINT-SEVER-DE-RUSTAN	
SENAC	
SERE-RUSTAING	
THUY	
TOURNOUS-DARRE	
TRIE-SUR-BAISE	
TROULEY-LABARTHE	
VIDOU	
VILLEMBITS	

Département: Seine-Maritime (76)	
BLAINVILLE-CREVON BOISSAY CATENAY SAINT-AIGNAN-SUR-RY SAINT-GERMAIN-DES-ESSOURTS	25.4.2022
Les communes suivantes dans le département: DEUX-SEVRES (79)	
AIRVAULT – Nord délimitée au sud par la voie ferrée ARDIN ARGENTONNAY AVAILLES-THOUARSAIS BOUSSAIS CHANTELOUP COMBRAND COULONGES-SUR-L'AUTIZE COURLAY GENNETON GOURGE GLENAY – SUD délimité par D170 LA CHAPELLE-SAINT-ETIENNE L'ABSIE LA FORET SUR SEVRE – est de la D938 ter LAGEON LARGEASSE LE BREUIL-BERNARD LOUIN MAULEON MONCOUTANT MONTRAVERS MOUTIERS-SOUS-CHANTEMERLE NUEIL-LES-AUBIERS LA PETITE-BOISSIERE SAINT-AMAND-SUR-SEVRE SAINT-GENEROUX SAINT-JOUIN-DE-MILLY SAINT-LOUP-LAMAIRE SAINT-PAUL-EN-GATINE SAINT-PIERRE_DES-ECHAUBROGNES SAINT-POMPAIN SAINT-VARENT – Est délimitée à l'Ouest par la route de Parthenay/Riblaire puis la route de Saumur SCILLE	23.4.2022

VAL EN VIGNES
VERNOUX-EN-GATINE
VILLIERS-EN-PLAINE

Les communes suivantes dans le département: Vendée (85)

AIZENAY
ANTIGNY
APREMONT
AUBIGNY-LES-CLOUZEUX
AUCHAY-SUR-VENDEE
BAZOGES-EN-PAILLERS
BAZOGES-EN-PAREDS
BEAUFOU
BEAULIEU-SOUS-LA ROCHE
BEAUREPAIRE
BEAUVOIR-SUR-MER
BELLEVIGNY
BENET
BESSAY
BOIS-DE-CENE
BOUFFERE
BOUIN
BOURNEAU
BOURNEZEAU
BREM-SUR-MER
CEZAIS
CHALLANS
CHAMBRETAUD
CHANTONNAY
CHATEAU D'OLONNE
CHATEAUGUIBERT
CHATEAUNEUF
CHAUCHE
CHAVAGNES-EN-PAILLERS
CHAVAGNES-LES-REDOUX
CHEFFOIS
COEX
COMMEQUIERS
CORPE
CUGAND
DOIX-LES-FONTAINES
DOMPIERRE-SUR-YON
ESSARTS-EN-BOCAGE
FALLERON

22.4.2022

FONTENAY-LE-COMTE FOUGERE FROIDFOND GRAND'LANDES GROSBREUIL L'HERBERGEMENT LA BERNARDIERE LA BOISSIERE-DE-MONTAIGU LA BRUFFIERE LA CAILLERE-SAINT-HILAIRE LA CHAIZE-LE-VICOMTE LA CHAPELLE-HERMIER LA CHAPELLE-PALLUAU LA CHAPELLE-THEMER LA CHATAIGNERAIE LA COPECHAGNIERE LA FERRIERE LA GARNACHE LA GAUBRETIERE LA GENETOUZE LA GUYONNIERE LA JAUDONNIERE LA JONCHERE LA MEILLERAIE-TILLAY LA MERLATIERE LA RABATELIERE LA REORTHE LA ROCHE-SUR-YON LA TAILLEE LA TARDIERE LA VERRIE L'AIGUILLON-SUR-VIE LANDERONDE LANDEVIEILLE LE BOUPERE LE GIROUARD LE GIVRE LE LANGON LE POIRE-SUR-VIE LE TABLIER LES ACHARDS LES BROUZILS LES EPESES	
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LES HERBIERS	
LES LANDES-GENUSSON	
LES LUCS-SUR-BOULOGNE	
LES MAGNLS-REIGNIERS	
LES PINEAUX	
LES VELLUIRE-SUR-VENDEE	
L'HERMENAULT	
L'ILE D'OLONNE	
LONGEVES	
LUCON	
MACHE	
MALLIEVRE	
MAREUIL-SUR-LAY-DISSAIS	
MARSAIS-SAINTE-RADEGONDE	
MARTINET	
MERVENT	
MESNARD-LA-BAROTIERE	
MONSIREIGNE	
MONTOURNAIS	
MONTREUIL	
MONTREVERD	
MORTAGNE-SUR-SEVRE	
MOUCHAMPS	
MOUILLERON-LE-CAPTIF	
MOUILLERON-SAINT-GERMAIN	
MOUTIERS-LES-MAUXFAITS	
MOUTIERS-SUR-LE-LAY	
MOUZEUIL-SAINT-MARTIN	
NALLIERS	
NESMY	
PALLUAU	
PEAULT	
PETOSSE	
PISSOTTE	
POUILLE	
POUZAUGES	
REAUMUR	
RIVE-DE-L'YON	
ROCHESERVIERE	
ROCHETREJOUX	
ROSNAY	
SAINT-ANDRE-GOULE-D'OIE	
SAINT-AUBIN-DES-ORMEAUX	

SAINT-AUBIN-LA-PLAINE	
SAINT-AVAUGOURD-DES-LANDES	
SAINT-BENOIST-SUR-MER	
SAINT-CHRISTOPHE-DU-LIGNERON	
SAINT-CYR-DES-GATS	
SAINT-CYR-EN-TALMONDAIS	
SAINT-DENIS-LA-CHEVASSE	
SAINTE-CECILE	
SAINTE-FLAIVE-DES-LOUPS	
SAINTE-FOY	
SAINTE-GEMME-LA-PLAINE	
SAINTE-HERMINE	
SAINTE-PEXINE	
SAINT-ETIENNE-DE-BRILLOUET	
SAINT-ETIENNE-DU-BOIS	
SAINT-FULGENT	
SAINT-GEORGES-DE-MONTAIGU	
SAINT-GEORGES-DE-POINTINDOUX	
SAINT-GERMAIN-DE-PRINCAY	
SAINT-GERVAIS	
SAINT-HILAIRE-DE-LOULAY	
SAINT-HILAIRE-DES-LOGES	
SAINT-HILAIRE-LE-VOUHIS	
SAINT-JEAN-DE-BEUGNE	
SAINT-JUIRE-CHAMPGILLON	
SAINT-JULIEN-DES-LANDES	
SAINT-LAURENT-DE-LA-SALLE	
SAINT-LAURENT-SUR-SEVRE	
SAINT-MAIXENT-SUR-VIE	
SAINT-MALO-DU-BOIS	
SAINT-MARS-LA REORTHE	
SAINT-MARTIN-DE-FRAIGNEAU	
SAINT-MARTIN-DES-FONTAINES	
SAINT-MARTIN-DES-NOYERS	
SAINT-MARTIN-DES-TILLEULS	
SAINT-MARTIN-LARS-EN-SAINTE-HERMINE	
SAINT-MATHURIN	
SAINT-MAURICE-DES-NOUES	
SAINT-MAURICE-LE-GIRARD	
SAINT-MESMIN	
SAINT-PAUL-EN-PAREDS	
SAINT-PAUL-MONT-PENIT	
SAINT-PHILBERT-DE-BOUAINE	

SAINT-PIERRE-DU-CHEMIN SAINT PIERRE LE VIEUX SAINT-PROUANT SAINT-REVEREND SAINT-SULPICE-EN-PAREDS SAINT-URBAIN SAINT-VALERIEN SAINT-VINCENT-STERLANGES SAINT-VINCENT-SUR-GRAON SALLERTAINE SERIGNE SEVREMONT SIGOURNAIS SOULLANS TALLUD-SAINTE-GEMME TALMONT-SAINT-HILAIRE THIRE THORIGNY THOUARSAIS-BOUILDROUX TIFFAUGES TREIZE SEPTIERS TREIZE-VENTS VAIRE VENANSAULT VENDRENNES VIX VOUILLE-LES-MARAIS VOUVANT	
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Member State: Italy

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Region: Toscana</i>	
The area of Toscana Region within a circle of radius of three kilometers from the following outbreak ADIS: IT-HPAI(P)-2022-00023 (WGS84 dec. coordinates N43.720196 E11.161802)	14.4.2022
<i>Region: Emilia Romagna</i>	
The area of Emilia Romagna Region within a circle of radius of three kilometers from the following outbreak ADIS: IT-HPAI(P)-2022-00024 (WGS84 dec. coordinates N44.55135 E11.87884)	26.4.2022

Member State: Portugal

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
The part of Castro Marim municipality, that are contained within circle of 3 kilometers radius, centered on GPS coordinates 37.273632 N, 7.493610 W	7.4.2022

Member State: Romania

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>County: Giurgiu</i>	
Braniște Comasca Oinacu	19.4.2022

Part B

Surveillance zones in the concerned Member States* as referred to in Articles 1 and 3:

Member State: Belgium

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Province of West Flanders</i>	
Those parts of the municipalities Ardoos, Deerlijk, Deinze, Dentergem, Harelbeke, Ingelmunster, Izegem, Kortrijk, Kuurne, Ledegem, Lendeled, Meulebeke, Oostrozebeke, Pittem, Roeselare, Tielt, Waregem, Wevelgem, Wielsbeke and Zulte contained within a circle of a radius of 10 kilometres, centered on WGS84 dec. coordinates long 3,31182, lat 50, 92488.	28.4.2022
Those parts of the municipalities Harelbeke, Ingelmunster, Meulebeke, Oostrozebeke and Wielsbeke contained within a circle of a radius of 3 kilometres, centered on WGS84 dec. coordinates long 3,31182, lat 50, 92488.	20.4.2022 – 28.4.2022

Member State: Bulgaria

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Region of Ruse</i>	
Ruse municipality: — Sandrovo — Marten	28.4.2022

<i>Region of Plovdiv</i>	
The following villages in Rodopi municipality: Krumovo, Yagodovo The following villages in Sadovo municipality: Sadovo, Bolyartsi, Katunitsa, Karadzovo, Kochevo The following villages in Kuklen municipality: Kuklen, Ruen The following villages in Asenovgrad municipality: Izbeglii, Kozanovo, Stoevo, Zlatovrah, Muldava, Lyaskovo	19.5.2022
The following villages in Asenovgrad municipality: Asenovgrad, Boyantzi The following village in Sadovo municipality: Mominsko	11.5.2022 – 19.5.2022

Member State: Denmark

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
The parts of Langeland and Svendborg municipalities beyond the area described in the protection zone and within the circle of a radius of 10 kilometres, centred on GPS coordinates N 55,0910; E 10,8852	29.4.2022
The part of Langeland municipality that is contained within a circle of radius 3 kilometres, centred on GPS coordinates. N 55,0910; E 10,8852	21.4.2022 – 29.4.2022

Member State: Czechia

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Central Bohemian Region</i>	
Babice (600601); Březí u Říčan (613886); Břežany II (614955); Záluží u Čelákovic (619230); Černíky (620220); Český Brod (622737); Liblice u Českého Brodu (622826); Štölmír (622818); Dobročovice (627313); Doubek (631035); Horoušany (644803); Bylany u Českého Brodu (653985); Jevany (659312); Jirny (660922); Lstiboř (666653); Kostelec nad Černými lesy (670162); Svatbín (675237); Kounice (671142); Kozojedy u Kostelce nad Černými Lesy (671886); Krupá u Kostelce nad Černými Lesy (675229); Křenice u Prahy (675814); Kšely (782815); Květnice (747751); Louňovice (687359); Mochov (698067); Mukařov u Říčan (700321); Srbín (752967); Žernovka (700339); Nehvizdy (702404); Přehvozdí (771376); Přistoupim (736279); Nová Ves II (741434); Pacov u Říčan (717207); Říčany u Prahy (745456); Říčany-Radošovice (745511); Strašín u Říčan (756237); Sibřina (747769); Stupice (747785); Sluštice (750808); Svojetice (761176); Šestajovice u Prahy (762385); Třebohostice u Škvorce (762741); Štíhlce (631221); Tehov u Říčan (765309); Tehovec (765317); Tismice (767174); Tuchoraz (771384); Tlustovousy (771414); Chotýš (782807); Vrátkov (767182); Vykán (787558); Kozovazy (788490); Vyšehořovice (788503); Vyžlovka (789046); Zlatá (793019); Černé Voděradky (620084) – severní část KU Černé Voděradky ohraničené na jihovýchodní straně silnicí 11318; Doubřavčice (631205) – zbývající část KU Doubřavčice mimo území stanovené jako ochranné pásmo;	8.4.2022

Tuklaty (771422) – zbývající část KU Tuklaty mimo území stanovené jako ochranné pásmo; Úvaly u Prahy (775738) – zbývající část KU Úvaly u Prahy mimo území stanovené jako ochranné pásmo.	
Hradešín (736287); Masojedy (631213); Mrzky (767166); Přišimasy (736295); Rostoklaty (741442); Škvorec (762733); Limuzy (767158); Doubravčice (631205) – území jihovýchodní části KU Doubravčice vymezené hranicí s KU Mrzky, Hradešín a Masojedy a jihovýchodní hranicí tvořenou ulicí Úvalskou napojující se na ulici Českobrodskou ve směru obce Mrzky; Tuklaty (771422) – jižní část KU Tuklaty vymezené hranicí KU Úvaly u Prahy, Přišimasy, Limuzy, Rostoklaty, železniční dráha Úvaly – Český Brod; Úvaly u Prahy (775738) – území KU Úvaly u Prahy vymezené hranicí tvořenou silnicí I/12 přecházející do ulice Dobročovická a hranicí KU Dobročovice, Škvorec, Přišimasy a Tuklaty.	31.3.2022 – 8.4.2022
<i>Capital City of Prague</i>	
Klánovice (665444); Koloděje (668508); Královice (672629); Nedvězí u Říčan (702323); Újezd nad Lesy (773778).	8.4.2022

Member State: Germany

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
BAYERN	
Landkreis Bad Kissingen — Stadt Münnerstadt mit der Gemarkung Bildhausen-Nordost — Stadt Münnerstadt mit der Gemarkung Bildhausen-Südwest — Stadt Münnerstadt Gemarkung Fridritt — Stadt Münnerstadt Gemarkung Kleinwenkheim — Stadt Münnerstadt Gemarkung Großwenkheim — Stadt Münnerstadt Gemarkung Brünn — Stadt Münnerstadt Gemarkung Althausen — Stadt Münnerstadt komplettes Stadtgebiet und Gemarkung ohne Flurstück Katzenberg — Stadt Münnerstadt Gemarkung Wermerichshausen — Stadt Münnerstadt Gemarkung Seubrigshausen — Markt Maßbach Gemarkung Weichtungen — Markt Maßbach Gemarkung Poppenlauer — Markt Maßbach nördlicher Teil der Gemarkung Maßbach und bis zum südlichen Teil der Gemarkung Maßbach mit den Flurstücken Schalksberg und Ebental — Markt Maßbach Gemarkung Volkershausen nur nördlich Volkershausen mit Flurstück Heidig — Gemeinde Thundorf i.UFr. Gemarkung Theinfeld — Gemeinde Thundorf i. UFr. Gemarkung Thundorf — Gemeinde Thundorf i. UFr. Gemarkung Rothhausen	9.4.2022
Landkreis Bad Kissingen — Stadt Münnerstadt Gemarkung Großwenkheim — Stadt Münnerstadt Gemarkung Kleinwenkheim mit Maria Bildhausen außer Flurstück Büttertsholz — Stadt Münnerstadt Gemarkung Seubrigshausen nur nördlich Seubrigshausen mit Flurstück Rockenbühl und entlang Wermerichshäuser Straße bis einschließlich Tannenhof Stadt Münnerstadt Gemarkung Wermerichshausen nur Teil der Gemarkung östlich von Wermerichshausen	1.4.2022 – 9.4.2022

Landkreis Rhön-Grabfeld

— Gemarkung Burglauer
 — Gemarkung Niederlauer
 — Gemeinde Strahlungen
 — Gemeinde Salz
 — Gemarkung Bad Neustadt
 — Gemarkung Herschfeld
 — Gemarkung Mühlbach
 — Gemarkung Bad Neuhaus
 — Gemarkung Lörleth
 — Gemarkung Dürrnhof
 — Gemeinde Rödelmaier
 — Gemeinde Wülfershausen
 — Gemeinde Heustreu
 — Gemeinde Hollstadt
 — Gemeinde Saal a. d. Saale
 — Gemeinde Großeibstadt
 — Gemarkung Bad Königshofen
 — Gemarkung Merkershausen
 — Gemarkung Althausen
 — Gemeinde Sulzfeld
 — Gemeinde Sulzfelder Forst
 — Gemeinde Bundorfer Forst
 — Gemeinde Großbardorf (ausgenommen westlicher Teil, welcher in der Schutzzone liegt)
 in den amtlichen Gemarkungs- bzw. Gemeindegrenzen

9.4.2022

Landkreis Rhön-Grabfeld

Das Gebiet umfasst

Den westlichen Teil der Gemeinde Großbardorf. Die Schutzzonengrenze verläuft wie folgt:

Beginn im Norden an der Landkreisgrenze zu Bad Kissingen im Waldgebiet Unteres Holz, der Straße in Richtung süd-osten folgend bis Struthgraben, über den Sulzenhügel, die St 2282 querend, der Straße weiter folgend über den Dorfbach zur Kriegsleite. Am östlichen Waldrand der Waldgebiete Maulersteich sowie Wolfseiche entlang bis zur Landkreisgrenze zu Bad Kissingen.

1.4.2022 – 9.4.2022

Landkreis Schweinfurt

Gemarkung Oberlauringen

Gemarkung Stadtlauringen

Gemarkung Mailes

Gemarkung Wetzhausen

Gemarkung Birnfeld nordwestlich der Kreisstraße 32 sowie südlich der Kreisstraße 32 die Flurstücke der Lage Point jedoch ausgeschlossen des Ortsgebietes von Birnfeld

Gemarkung Sulzdorf

Gemarkung Altenmünster lediglich der nördliche Teil einschließlich des Ortsteils Reinhardshausen, der Flurstücke folgender Lagen: Erhardswiesen, Herbstwiesen, Mühlstadt, Furt, Reinlich, Weberberg und Kehrlach

Gemarkung Ballingshausen nordwestlich der Staatsstraße 2280 sowie nördlich der Kreisstraße 32, jedoch ausgeschlossen des Ortsgebietes von Ballingshausen

9.4.2022

Landshut Stadt:

Stadtgebiet Landshut mit den Ortsteilen Schloßberg, Siebensee, Löschenbrand, Bayerwaldsiedlung, Hascherkeller, Albinger Wehr, Lurzenhof, Schweinbach

8.4.2022 – 16.4.2022

Landkreis Landshut:

Gemeinde Ergolding, Gemarkung Ergolding, Ortsteil Stadt Ergolding

Gemeinde Kumhausen, Gemarkung Niederkam mit den Ortsteilen Kumhausen, Kumberg, Grillberg, Seitenberg, Niederkam, Eierkam, Preisenberg

Gemeinde Kumhausen, Gemarkung Götzdorf mit den Ortsteilen Eichelberg, Altenbach, Roßberg, Untergrub, Straßgrub, Obergrub, Berndorf

Gemeinde Kumhausen, Gemarkung Hoheneggelkofen mit den Ortsteilen Oberschönbach, Weihbüchl, Dettenkofen, Allmannsdorf, Stadl, Eck a.d. Straß, Gammel, Vogen

Gemeinde Tiefenbach, Gemarkung Tiefenbach mit den Ortsteilen Obergolding, Aign, Seepoint, Binsham

Landshut Stadt

gesamtes Stadtgebiet westlich und östlich der Schutzzone

Landkreis Landshut:

Gemeinde Altdorf,

Gemeinde Furth, Gemarkung Arth mit den Ortsteilen Kolmhub, Niederarth Täublmühle, Hetzenbach nach Süden an die Gemeindegrenze Altdorf

Gemeinde Ergolding

Gemeinde Hohenthann, Gemarkung Weihestephan mit dem Ortsteil Weihestephan nach Süden an die Gemeindegrenze Ergolding

Gemeinde Essenbach, Gemarkung Mirskofen, Altheim, Essenbach und Ohu, mit den Ortsteilen Gaunkofen, Ginglkofen, Artlkofen, Schinderbuckel, Holzberg, Essenbach nach Osten bis zur B15n, der A92 nach Osten folgend bis zum Kraftwerk Ohu, südlich an die Gemeindegrenze der Stadt Landshut und Niederaichbach

Gemeinde Niederaichbach, Gemarkung Wolfsbach östlich ab der Kreuzung Landshuterstraße – LA31 zur Gemarkung Oberaichbach mit den Ortsteilen Egl, Kollersöd, Furtmühle, Thannenbach, Haid, Oberaichbach, Ruhmannsdorf nach Süden an die Gemeindegrenze Adlkofen.

Gemeinde Adlkofen, Gemarkungen Wolfsbach, Oberaichbach, Frauenberg, Jenkofen, Adlkofen, Dietelskirchen mit den Ortsteilen Forst, Kampfrain, Göttlkofen, Kirmbach nach Osten an die Gemeindegrenze Kumhausen

Gemeinde Geisenhausen, Gemarkung Diemannskirchen, Bergham, Holzhausen, Geisenhausen, Salksdorf nach Osten mit den Ortsteilen Helmsau, Giglberg, Stopfen, Reit, Vorrach, Grabmühle, Rebensdorf, Johannesbergham, nach Norden mit den Ortsteilen Westerbergham, Schlott, Irlach, Geisenhausen, Riembauer, Haselbach, Oberhaselbach, Floiten an die Gemeindegrenze Altfraunhofen

Gemeinde Kumhausen südlich der genannten Schutzzone

Gemeinde Altfraunhofen, Gemarkung Altfraunhofen mit den Ortsteilen Lohbauer, Kaindlhölzel, Unterschneuberg, Oetz, Guggenberg, Speck nach Norden, nach Westen der Gemeindegrenze Altfraunhofen folgend

Gemeinde Tiefenbach südlich der genannten Schutzzone

Gemeinde Vilsheim

Gemeinde Eching

Gemeinde Bruckberg, Gemarkung Bruckbergerau, Gündlkofen, Tondorf, Altenhausen mit den Ortsteilen Bruckbergerau ohne den Ort Bruckberg, Ried, Tondorf, Beutelhausen, Langmaier, Hack zur Gemeindegrenze Furth nach Osten an die Gemeindegrenze Altdorf

Landkreis Main-Spessart

— Gemarkung Billingshausen

— Gemarkung Birkenfeld

16.4.2022

9.4.2022 – 17.4.2022

Landkreis Main-Spessart — Gemarkung Roden — Gemarkung Urspringen — Gemarkung Stadelhofen — Gemarkung Laudenschbach — Gemarkung Himmelstadt — Gemarkung Markt Retzbach — Gemarkung Retzstadt — Gemarkung Zelllingen — Gemarkung Dutenbrunn — Gemarkung Karbach — Gemarkung Marktheidenfeld — Gemarkung Lengfurt — Gemarkung Trennfeld — Gemarkung Erlenbach b. Marktheidenfeld — Gemarkung Tiefenthal — Gemarkung Homburg	17.4.2022
Landkreis Würzburg — Gemeinde Greußenheim mit der Gemarkung Greußenheim — Gemeinde Leinach mit den Gemarkungen Oberleinach und Unterleinach — Gemeinde Remlingen mit der Gemarkung Remlingen	9.4.2022 – 17.4.2022
Landkreis Würzburg — Gemeinde Eisingen mit der Gemarkung Eisingen — Gemeinde Erlabrunn mit der Gemarkung Erlabrunn — Gemeinde Güntersleben mit der Gemarkung Güntersleben — Gemeinde Helmstadt mit den Gemarkungen Helmstadt und Holzkirchen — Gemeinde Hettstadt mit der Gemarkung Hettstadt — Gemeinde Holzkirchen mit den Gemarkungen Holzkirchen und Wüstenzell — Gemeinde Kist mit der Gemarkung Irtenberger Wald — Gemeinde Margetshöchheim mit der Gemarkung Margetshöchheim — Gemeinde Thüngersheim mit der Gemarkung Thüngersheim — Gemeinde Uettingen mit der Gemarkung Uettingen — Gemeinde Veitshöchheim mit der Gemarkung Veitshöchheim — Gemeinde Waldbüttelbrunn mit den Gemarkungen Waldbüttelbrunn und Roßbrunn — Gemeinde Waldbrunn mit der Gemarkung Waldbrunn — Gemeinde Zell a. Main mit der Gemarkung Zell a. Main	17.4.2022
Mecklenburg-Vorpommern	
Amt Krakow am See — Gemeinde Lalendorf mit den Ortsteilen und Ortschaften Schlieffenberg, Krasow, Tolzin, Dreieinigkei, Neu Zierhagen, Neu Krassow, Teerofen, Nienhagen, Gremmelin, Reinshagen, Reinshagen Ausbau, Carlsdorf, Vietgest, Klaber, Vogel-sang, Rothspalk, Lalendorf Ausbau, Nienhagener Hütte, Bansow, Dersentin, Grünenhof, Mamerow, Bergfeld und Lübbsee — Gemeinde Hoppenrade mit den Ortsteilen und Ortschaften Hoppenrade, Schwiggerow, Striggow, Augustenberg (Striggow). — Gemeinde Kuchelmiß mit dem Ortsteil Hinzenhagen Amt Güstrow-Land — Gemeinde Glasewitz mit den Ortsteilen Glasewitz, Dehmen und Kusow — Gemeinde Plaaz mit den Ortsteilen und Ortschaften Plaaz (inkl. Plaazer Bauern), Zapkenhof, Mierendorf, Neu Mierendorf, Neu Wendorf und Wendorf Amt Mecklenburgische-Schweiz — Gemeinde Dalkendorf mit den Ortsteilen und Ortschaften Dalkendorf, Bartelshagen, Appelhagen und Amalienhof — Gemeinde Groß Roge mit den Ortsteilen und Ortschaften Zierstorf, Rachow, Mieckow, Klein Roge, Groß Roge und Wotrum	25.4.2022

- Gemeinde Groß Wokern mit den Ortsteilen und Ortschaften Waldschmidt, Abgegrabenfelde, Neu Wokern, Groß Wokern, Klein Wokern, Nienhagen und Uhlenhof
 - Gemeinde Hohen Demzin mit dem Ortsteil Klein Köthel
 - Gemeinde Warnkenhagen mit den Ortsteilen und Ortschaften Neu Tenze, Hesenstein, Warnkenhagen und Gottin
- Amt Laage
- Gemeinde Laage mit den Ortsteilen und Ortschaften Diekhof-Siedlung, Striesnow, Drölit, Pölitzer Bauern, Lüningsdorf, Pölitz und Knegeendorf
 - Barlachstadt Güstrow mit der Ortschaft Devwinkel (Beginn Höhe Ortsausgang Klueß in Fahrtrichtung Devwinkel)
- Stadt Teterow mit dem Ortsteil Hohes Holz

NIEDERSACHSEN

Landkreis Oldenburg

Ausgangspunkt der Schutzzone ist der Schnittpunkt der Stadt-/Kreisgrenze Delmenhorst/Landkreis Oldenburg und der Straße Annen in der Gemeinde Groß Ippener

- Der Straße Annen folgend, Ortholzer Weg bis Kreuzungspunkt Henstedter Weg
- Weiter über die Straße Ortholz und Annenstraße ostwärts zum Dünsener Bach
- Von dort dem Dünsener Bach Richtung BAB A 1 folgen bis zur Harpstedter Straße in Groß Ippener
- Harpstedter Straße, Delmenhorster Landstraße (L 776) bis zur Querverbindung, die direkt am Waldrand Staatsforst Hasbruch zur Delme führt
- Der Querverbindung folgen bis auf die Delme und der Gemeindegrenze Flecken Harpstedt und Prinzhöfte auf die Straße Stiftenhöfter Straße
- Am Windpark, Kreuzung Oldenburger Weg, gedachte Querverbindung Richtung Eschenbach zum Wunderburger Weg
- Anschließend auf die K 9 bis zur Straße Wunderburg; Straße Wunderburg folgen bis zur BAB A1
- Weiter der BAB A 1 Richtung Bremen bis zur Flachsbäke
- Entlang der Flachsbäke und dem Wirtschaftsweg unmittelbar zur Gemeindegrenze Prinzhöfte/Dötlingen
- Weiter der Gemeindegrenze Prinzhöfte/Dötlingen nördlich bis zum Uhlhorner Zuggraben; Uhlhorner Zuggraben flussabwärts bis B 213
- B 213 Richtung Delmenhorst bis Hengsterholz
- Über dem Wirtschaftsweg am Rande von Hengsterholz auf den Bassumer Heerweg
- Neustädter Straße, Heidloge, B 213/Wildeshauser Landstraße Richtung Sethe
- Auf der Trahe, Sethe, Am Segelflugplatz entlang der Grenze des Standortübungsplatzes über die Wiggersloger Straße bis zur Kreis- bzw. Stadtgrenze
- Abschließend der Stadt-/Kreisgrenze Delmenhorst/Landkreis Oldenburg im Uhrzeigersinn entlang zum Ausgangspunkt in der Gemeinde Groß Ippener

Die Grenze der Schutzzone verläuft hinsichtlich der genannten Straßen jeweils in der Straßenmitte, so dass die nachfolgend genannten Schutzmaßnahmen für die Schutzzone die zentrumsseitig liegenden Betriebe innerhalb des Gebietes betreffen.

29.4.2022 – 7.5.2022

Landkreis Oldenburg

Ausgangspunkt der Überwachungszone im Süden ist der Kreuzungsbereich L 341 und K 6 (Wildeshauser Straße) in Beckeln

- Von dort der K 6 Richtung Wildeshausen folgend durch Hackfeld nach Kellinghausen
- In Kellinghausen über die Katenbäke (flussabwärts) und die K 5 auf die K 225 in Reckum
- Weiter der K 225 Richtung Wildeshausen
- Im Reckumer Kreuzungsbereich die Verbindung zur Katenbäker Straße folgend bis zum Hubertusweg in Wildeshausen
- Weiter auf Marschweg bis Huntetor, Zwischenbrücken, entlang der Hunte flussabwärts Richtung Dötlingen über die BAB A1 bis zum Altarm der Hunte
- Von dort aus der Querverbindung zum Heideweg/In den Badbergen folgen Richtung Dötlingen

7.5.2022

- Krummer Weg, Zum Sande bis zum Kreuzungspunkt Gerichtsstätte
- Zu Aschenbeck auf die Aschenstedter Straße (K 237), Krim, An der Dackheide auf die Neerstedter Straße (K 237) nach Neerstedt
- In Neerstedt auf die Hauptstraße (L 872), Ortsdurchfahrt auf die Kirchhatter Straße bis zum Rittrumer Mühlbach
- Rittrumer Mühlbach flussaufwärts, Flusskreuz in Richtung Nuttel (Rhader Nebenzug) bis zur Straße Hinterm Feld nach Nuttel
- In Nuttel auf den Stedinger Weg Richtung Dingstede bis Einmündung Dachsweg/Straße Hinterm Felde
- Der Straße Hinterm Felde folgend bis Kreuzung Auf dem Varel/Alte Dorfstraße auf die Straße Tange
- Am Ohlande, Orthstraße, Welsestraße, der Welse über Almsloh und Elmeloh folgen bis zur Kreis-/Stadtgrenze Landkreis Oldenburg/Stadt Delmenhorst
- Von dort der Kreisgrenze im Uhrzeigersinn folgen bis zur Straße Zum Neuen Lande Richtung Beckeln
- Auf dem Wirtschaftsweg parallel zur Stromtrasse und der L 341 in Beckeln weiter bis zum Ausgangspunkt

Die Grenze der Überwachungszone verläuft hinsichtlich der genannten Straßen jeweils in der Straßenmitte, so dass die nachfolgend genannten Schutzmaßnahmen für die Überwachungszone die zentrumsseitig liegenden Betriebe innerhalb des Gebietes betreffen.

Stadt Delmenhorst

Die westliche Begrenzung verläuft ab der Stadtgrenze zum Landkreis Oldenburg entlang der Oldenburger Landstraße in östliche Richtung bis zum Schnittpunkt mit der Rudolf-Königer-Straße, entlang dieser in östliche Richtung bis zum Bismarckplatz und von diesem in südöstliche Richtung die Bismarckstraße entlang, von der Bismarckstraße weiter in die Düsternortstraße übergehend in südliche Richtung bis zur Kreuzung der Düsternortstraße mit der Straße Am Stadion, dann entlang der Straße Am Stadion bis zum Schnittpunkt mit dem Hasporter Damm, den Hasporter Damm entlang in südöstliche Richtung folgend bis zum Schnittpunkt mit der Autobahn A28, in südöstliche Richtung entlang der Autobahn A28 bis zu Stadtgrenze, weiter entlang der Stadtgrenze das gesamte südliche Stadtgebiet umfassend.

7.5.2022

Landkreis Diepholz

Die Überwachungszone umschreibt einen Teil der Gemeinden Stuhr und Bassum im nord-westlichen Kreisgebiet. Sie beginnt im Norden am Schnittpunkt der Kreisgrenze mit der Bundesstraße B 322 und verläuft von dort aus entlang der B 322 in südliche Richtung bis zur Einmündung der Bundesstraße B 439, von dort weiter südlich entlang der B 439 bis zum Schnittpunkt mit der Bundesstraße B 51. Die Grenze der Überwachungszone verläuft weiter in südliche Richtung entlang der B 51 bis zur Einmündung der Landesstraße L 340, dann weiter in westliche Richtung entlang der L 340 bis zur Kreuzung der L 340 mit dem Dünsener Bach. Von dort verläuft die Grenze der Überwachungszone weiter entlang des Dünsener Bachs in südwestliche Richtung bis zum Schnittpunkt mit der Landesstraße L 776, von dort weiter in nordwestliche Richtung bis zur Kreisgrenze. Die westliche Grenze der Überwachungszone verläuft entlang der Kreisgrenze in nördlicher, später nordöstlicher Richtung bis zum Schnittpunkt der Kreisgrenze mit der Bundesstraße B 322.

7.5.2022

SACHSEN

Landkreis Bautzen

Gemarkungen

- Arnsdorf
- Böhmisches Völkchen
- Cunnersdorf
- Friedersdorf MS
- Gräfenhain
- Groß- und Kleinerkmannsdorf
- Groß- und Kleinokrilla

28.4.2022

— Groß- und Kleinröhrsdorf — Großnaundorf — Hermsdorf — Höckendorf — Kleindittmannsdorf — Kleinwolmsdorf — Laußnitz mit Glauschwitz — Leppersdorf — Lichtenberg — Lomnitz — Lotzdorf — Medingen — Mittelbach — Moritzdorf — Niederlichtenau — Oberlichtenau — Ottendorf — Pulsnitz MS — Pulsnitz OS — Radeberg — Reichenbach MS — Seeligstadt — Thiemendorf MS — Ullersdorf — Wallroda	
Landkreis Bautzen Gemarkungen/Teile von Gemarkungen: — Grünberg vollständig — Seifersdorf vollständig — Wachau vollständig — Lomnitz: — Waldgebiet Hölle; Wiesen und Felder südlich der Ortslage Lomnitz, östlich begrenzt durch die Dittmannsdorfer Straße hinreichend bis zur Gemarkungsgrenze Kleindittmannsdorf — Lotzdorf: — Silberberg mit angrenzenden Wiesen reichend bis an die nördliche Grenze der Ortslage Lotzdorf — Ottendorf: — Waldgebiet Schindertanne; Straße „Am Sande“; Rohrwiesen und Oberfelder, nördlich begrenzt durch das Teichwiesenbad und die Orla	20.4.2022 – 28.4.2022
Landeshauptstadt Dresden Stadtbezirke/Ortschaften: — Weißig — Dresdner Heide (Loschwitz) — Langebrück — Klotzsche — Hellerberge — Weixdorf mit allen Ortsteilen — Hellerau, Rähnitz — Wilschdorf	28.4.2022
Landeshauptstadt Dresden Ortschaft Schönborn bis: — Gemarkungsgrenze zu Liegau-Augustusbad Kreuzung An den Folgen – Kuhschwanz — Kuhschwanz – Dörnichtweg bis Verbindungsweg zur S 180 (Liegauer Straße) — 20 m westlich des Verbindungsweges Liegauer Straße zur Schönborner Straße	20.4.2022 – 28.4.2022

— Schönborner Straße geradlinig über das Feld bis Roter Grabenweg — Roter Grabenweg bis Gemarkungsgrenze Grünberg	
Landkreis Meißen Stadt Radeburg — Gemarkungen: Großdittmannsdorf, Berbisdorf, Bärnsdorf und Volkersdorf Gemeinde Thiendorf — Gemarkung Würschnitz	28.4.2022
SCHLESWIG- HOLSTEIN	
Kreis Ditmarschen Die Überwachungszone umfasst die Gemeinden Barlt, Gudendorf, Windbergen, Frestedt, Großenrade, Brickeln, Quickborn, St. Michaelisdonn, Volsenhusen, Trennewurth, Helse, Marne, Diekhusen-Fahrstedt, Schmedeswurth, Ramhusen, Dingen, Kuden, Buchholz, Burg, Brunsbüttel, Averlak, Eddelak und Neufeld. Kreis Steinburg — Amt Wilstermarsch: - die Gemeinden: - Aebtissinwisch, Büttel, Ecklak, Kudensee, Landscheide, - Sankt Margarethen — Beginnend an der westlichen Kreisgrenze zum Kreis Dithmarschen am Übergang der Straße Vaalerfeld in die Straße Krugsdamm — Dem Krugsdamm in nordöstlicher Richtung entlang des Flurstückes Gemarkung Vaale, Gemarkungsnummer 2124 Flurstück 14/6 folgend — Weiter an der östlichen Grenze der Flurstücke 14/6 und 14/10 in südlicher Richtung folgend bis zur Gemeindegrenze Vaale/Vaalermoor — Der westlichen Gemeindegrenze von Vaalermoor in südöstlicher Richtung folgend bis zur Dorfstraße (L 134) — Der Dorfstraße in südlicher Richtung folgend bis zur Burger Straße. — Der Burger Straße in südöstlicher Richtung folgend — Weiter auf der Straße Krützfleth in südöstlicher, dann in südlicher Richtung folgend bis zur Straße Averfleth — Der Straße Averfleth in südlicher Richtung entlang dem Gewässer „Wilster Au“ folgend bis zur Einmündung in die Straße Schotten — Weiter entlang der Straße Schotten bis zum Gewässer „Schottener Wettern“ — Der Schottener Wettern folgend bis zur Gemeindegrenze von Sankt Margarethen Der Gemeindegrenze Sankt Margarethen bis zur Elbe folgend	22.4.2022
Kreis Dithmarschen Die Überwachungszone umfasst die Gemeinden Barlt, Gudendorf, Windbergen, Frestedt, Großenrade, Brickeln, Quickborn, St. Michaelisdonn, Volsenhusen, Trennewurth, Helse, Marne, Diekhusen-Fahrstedt, Schmedeswurth, Ramhusen, Dingen, Kuden, Buchholz, Burg, Brunsbüttel, Averlak, Eddelak und Neufeld.	14.4.2022 – 22.4.2022
Kreis Steinburg: Amt Itzehoe Land: Die Gemeinden — Drage — Hohenaspe — Huje — Oldendorf — Ottenbüttel — Kaaks — Kleve — Krummendiek	25.4.2022

- Mehlbek
- Moorhusen

Amt Schenefeld:

Die Gemeinden

- Aasbüttel
- Agethorst
- der nordöstlich der Gemeinde Nienbüttel gelegene Teil von Bokelrehm
- Christinenthal
- Hadenfeld
- Kaisborstel
- Looft
- Nienbüttel
- Nutteln
- Oldenborstel
- Pöschendorf
- Puls
- Schenefeld
- Siezbüttel
- Vaale
- Vaalermoor
- Warringholz

Amt Wilstermarsch:

Die Gemeinden

- Aebtissinwisch
- Ecklak
- Neuendorf-Sachsenbande

Kreis Ditmarschen:

Teile der Gemeinden

- Buchholz
- Krumstedt
- Wennbüttel
- Tensbüttel-Röst
- Albersdorf
- Süderhastedt
- Quickborn
- Frestedt

Die Gemeinde

- Großenrade
- Eggstedt
- Schafstedt
- Hochdonn
- Brickeln

Kreis Rendsburg-Eckernförde:

Gemeinden

Beldorf, Bendorf, Bornholt, Gokels, Hanerau-Hademarschen,

Steenfeld, Thaden

Kreis Steinburg

Beschreibung/Bennung der Überwachungszone (vorher Schutzzone)

Amt Schenefeld:

Die Gemeinden

- Besdorf
- der nordwestlich der Gemeinde Nienbüttel gelegene Teil von Bokelrehm
- Bokhorst
- Gribbohm

17.4.2022 – 25.4.2022

— Holstenniendorf — Wacken Kreis Ditmarschen: — südostwärtiger Teil der Gemeinde Schafstedt	
Landkreis Schweinfurt Gemarkung Oberlauringen Gemarkung Stadtlauringen Gemarkung Mailes Gemarkung Wetzhausen Gemarkung Birnfeld nordwestlich der Kreisstraße 32 sowie südlich der Kreisstraße 32 die Flurstücke der Lage Point jedoch ausgeschlossen des Ortsgebietes von Birnfeld Gemarkung Sulzdorf Gemarkung Altenmünster lediglich der nördliche Teil einschließlich des Ortsteils Reinhardshausen, der Flurstücke folgender Lagen: Erhardswiesen, Herbstwiesen, Mühlstadt, Furt, Reinlich, Weberberg und Kehrlach Gemarkung Ballingshausen nordwestlich der Staatsstraße 2280 sowie nördlich der Kreisstraße 32, jedoch ausgeschlossen des Ortsgebietes von Ballingshausen	9.4.2022
Landshut Stadt: Stadtgebiet Landshut mit den Ortsteilen Schloßberg, Siebensee, Löschenbrand, Bayerwaldsiedlung, Hascherkeller, Albinger Wehr, Lurzenhof, Schweinbach Landkreis Landshut: Gemeinde Ergolding, Gemarkung Ergolding, Ortsteil Stadt Ergolding Gemeinde Kumhausen, Gemarkung Niederkam mit den Ortsteilen Kumhausen, Kumberg, Grillberg, Seitenberg, Niederkam, Eierkam, Preisenberg Gemeinde Kumhausen, Gemarkung Götzdorf mit den Ortsteilen Eichelberg, Altenbach, Roßberg, Untergrub, Straßgrub, Obergrub, Berndorf Gemeinde Kumhausen, Gemarkung Hoheneggelkofen mit den Ortsteilen Oberschönbach, Weihbüchl, Dettenkofen, Allmannsdorf, Stadl, Eck a.d. Straß, Gammel, Vogen Gemeinde Tiefenbach, Gemarkung Tiefenbach mit den Ortsteilen Obergolding, Aign, Seepoint, Binsham	8.4.2022 – 16.4.2022
Landshut Stadt gesamtes Stadtgebiet westlich und östlich der Schutzzone Landkreis Landshut: Gemeinde Altdorf, Gemeinde Furth, Gemarkung Arth mit den Ortsteilen Kolmhub, Niederarth Täublmühle, Hetzenbach nach Süden an die Gemeindegrenze Altdorf Gemeinde Ergolding Gemeinde Hohenthann, Gemarkung Weihestephan mit dem Ortsteil Weihestephan nach Süden an die Gemeindegrenze Ergolding Gemeinde Essenbach, Gemarkung Mirskofen, Altheim, Essenbach und Ohu, mit den Ortsteilen Gaunkofen, Ginglkofen, Artlkofen, Schinderbuckel, Holzberg, Essenbach nach Osten bis zur B15n, der A92 nach Osten folgend bis zum Kraftwerk Ohu, südlich an die Gemeindegrenze der Stadt Landshut und Niederaichbach Gemeinde Niederaichbach, Gemarkung Wolfsbach östlich ab der Kreuzung Landshuterstraße – LA31 zur Gemarkung Obaraichbach mit den Ortsteilen Egl, Kollersöd, Furtmühle, Thannenbach, Haid, Obaraichbach, Ruhmannsdorf nach Süden an die Gemeindegrenze Adlkofen.	16.4.2022

Gemeinde Adlkofen, Gemarkungen Wolfsbach, Oberaichbach, Frauenberg, Jenkofen, Adlkofen, Dietelskirchen mit den Ortsteilen Forst, Kampfrain, Göttlkofen, Kirmbach nach Osten an die Gemeindegrenze Kumhausen Gemeinde Geisenhausen, Gemarkung Diemannskirchen, Bergham, Holzhausen, Geisenhausen, Salksdorf nach Osten mit den Ortsteilen Helmsau, Giglberg, Stopfen, Reit, Vorrach, Grabmühle, Rebensdorf, Johannesbergham, nach Norden mit den Ortsteilen Westerbergham, Schlott, Irlach, Geisenhausen, Riembauer, Haselbach, Oberhaselbach, Floiten an die Gemeindegrenze Altfraunhofen Gemeinde Kumhausen südlich der genannten Schutzzone Gemeinde Altfraunhofen, Gemarkung Altfraunhofen mit den Ortsteilen Lohbauer, Kaindhölzel, Unterschneuberg, Oetz, Guggenberg, Speck nach Norden, nach Westen der Gemeindegrenze Altfraunhofen folgend Gemeinde Tiefenbach südlich der genannten Schutzzone Gemeinde Vilsheim Gemeinde Eching Gemeinde Bruckberg, Gemarkung Bruckbergerau, Gündlkofen, Tondorf, Altenhausen mit den Ortsteilen Bruckbergerau ohne den Ort Bruckberg, Ried, Tondorf, Beutelhausen, Langmaier, Hack zur Gemeindegrenze Furth nach Osten an die Gemeindegrenze Altdorf	
Landkreis Main-Spessart — Gemarkung Billingshausen — Gemarkung Birkenfeld	9.4.2022 – 17.4.2022
Landkreis Main-Spessart — Gemarkung Roden — Gemarkung Urspringen — Gemarkung Stadelhofen — Gemarkung Laudенbach — Gemarkung Himmelstadt — Gemarkung Markt Retzbach — Gemarkung Retzstadt — Gemarkung Zellingen — Gemarkung Duttonbrunn — Gemarkung Karbach — Gemarkung Marktheidenfeld — Gemarkung Lengfurt — Gemarkung Trennfeld — Gemarkung Erlenbach b. Marktheidenfeld — Gemarkung Tiefenthal — Gemarkung Homburg	17.4.2022
Landkreis Würzburg — Gemeinde Greußenheim mit der Gemarkung Greußenheim — Gemeinde Leinach mit den Gemarkungen Oberleinach und Unterleinach — Gemeinde Remlingen mit der Gemarkung Remlingen	9.4.2022 – 17.4.2022
Landkreis Würzburg — Gemeinde Eisingen mit der Gemarkung Eisingen — Gemeinde Erlabrunn mit der Gemarkung Erlabrunn — Gemeinde Güntersleben mit der Gemarkung Güntersleben — Gemeinde Helmstadt mit den Gemarkungen Helmstadt und Holzkirchenhausen — Gemeinde Hettstadt mit der Gemarkung Hettstadt — Gemeinde Holzkirchen mit den Gemarkungen Holzkirchen und Wüstenzell — Gemeinde Kist mit der Gemarkung Irtenberger Wald — Gemeinde Margetshöchheim mit der Gemarkung Margetshöchheim — Gemeinde Thüngersheim mit der Gemarkung Thüngersheim — Gemeinde Uettingen mit der Gemarkung Uettingen	17.4.2022

— Gemeinde Veitshöchheim mit der Gemarkung Veitshöchheim — Gemeinde Waldbüttelbrunn mit den Gemarkungen Waldbüttelbrunn und Roßbrunn — Gemeinde Waldbrunn mit der Gemarkung Waldbrunn — Gemeinde Zell a. Main mit der Gemarkung Zell a. Main	
NIEDERSACHSEN	
Landkreis Ammerland Ausgangspunkt ist die Kreisgrenze Overlaher Straße (K 353). Der Overlaher Straße (K 353) in nördlicher Richtung folgend bis Hansaweg. Dem Hansaweg folgend bis zur Breslauer Straße. Der Breslauer Straße in nördlicher Richtung dem Küstenkanal überquerend, übergehend in den Bachmannsweg (K 321), folgend. Den Bachmannsweg (K 321) folgend bis Setjeweg. Diesem folgend bis Erikaweg. Dem Erikaweg folgend bis Tetjeweg. Dem Tetjeweg folgend bis Jenseits der Vehne. Jenseits der Vehne in östlicher Richtung folgend bis Kiebitzweg. Dem Kiebitzweg folgend bis Feldweg. Dem Feldweg folgend bis Wischenstraße. Der Wischenstraße (K 142) in nördlicher Richtung folgend bis zur Straße Rüsseldorf. Dieser folgend bis Scharreler Damm (K 141). Dem Scharreler Damm (K 141) in südlicher Richtung folgend bis zur Küstenkanalstraße (B 401). Die Küstenkanalstraße (B 401) überquerend bis zur Kreisgrenze. Entlang der Kreisgrenze zurück zum Ausgangspunkt Kreisgrenze Overlaher Straße (K 353).	30.3.2022
Landkreis Cloppenburg In der Gemeinde Emstek von der Kreisgrenze zum Landkreis Oldenburg der Bundesstraße 213 westlich folgend bis Kellerhöher Straße, entlang dieser bis Bether Tannen, dieser in westliche Richtung bis Kanalweg folgend, entlang diesem in nördliche Richtung bis Heidegrund, entlang diesem bis Heideweg, diesem südlich folgend bis zum Verbindungsweg zum Roggenkamp, diesem und Roggenkamp westlich folgend bis Garreler Weg, diesem südlich folgend bis Käseweg und entlang diesem in nordwestliche Richtung bis zur Waldgrenze. Dieser südwestlich in direkter Linie zur Friesoyther Straße folgend, entlang dieser in nordwestliche Richtung bis zur Gemeindegrenze Cloppenburg/Garrel, dieser westlich folgend und über die Gemeindegrenze Garrel/Molbergen bis Varrelbuscher Straße, dieser westlich folgend bis Resthauser Graben, dem Wasserverlauf westlich folgend bis Hüttekamp und diesem nordöstlich und an der Gabelung westlich folgend bis Petersfelder Weg. Entlang diesem in nördliche Richtung bis Neumühlen, dieser entlang der Waldgrenze westlich folgend, die Ferienhaussiedlung nördlich passierend, bis Große Tredde, dieser südlich folgend bis Neumühler Weg, diesem westlich folgend bis Kleine Tredde und dieser westlich folgend bis Wöstenweg. Entlang diesem in nördliche Richtung und an der Gabelung weiter in nordöstliche und sodann parallel zum Wöstenschloot nördliche Richtung bis zur Gemeindegrenze Friesoythe/Molbergen. Dieser in westliche Richtung folgend bis Dwergrter Straße, entlang dieser in nördliche Richtung bis Bernhardsweg, entlang diesem bis Thülsfelder Straße, dieser westlich folgend bis Dorfstraße, dieser nördlich folgend und im weiteren Am Augustendorfer Weg bis Markhauser Weg, entlang diesem in westliche Richtung bis Igelriede, dem Wasserverlauf nördlich folgend und entlang dem Waldrand in westliche Richtung bis Morgenlandstraße, entlang dieser bis Markhauser Moorgraben, dem Wasserverlauf nördlich folgend, entlang der Waldgrenze und sodann dieser nordöstlich und nordwestlich folgend bis Vorderthüler Straße. Dieser nordöstlich durch den Wald folgend und im weiteren über Am Horstberg bis Bundesstraße 72, dieser nördlich folgend bis Ziegeldamm, entlang diesem bis Ziegelmoor, entlang dieser bis Friesoyther Straße, dieser in westlicher Richtung bis Hinter Schlingshöhe folgend, dieser nordwestlich und im Weiteren Cavens – an der Gabelung östlich – bis zum Verbindungsweg zum Kündelweg folgend, diesem und im Weiteren Kündelweg bis zum Waldrand folgend, diesem erst östlich, dann südlich und dann wieder östlich bis Am Kündelsberg und dem parallel verlaufenden Kündemoorgraben folgend, diesem beziehungsweise dem Wasserverlauf erst nördlich und dann nordwestlich bis Kündelweg folgend, diesem und im Weiteren zu den Jücken erst nordöstlich und dann nordwestlich bis Riege Wolfstange folgend, dieser in östlicher Richtung bis zur Gemeindegrenze Stadt Friesoythe/Gemeinde Bösel folgend, dieser in westlicher	30.3.2022

Richtung bis Vehnemoor Graben folgend, dem Wasserverlauf in östlicher bis Overlahe Graben folgend, dem Wasserverlauf in nördlicher und dann in östlicher Richtung bis zur Kreisgrenze zum Landkreis Ammerland folgend, dieser östlich folgend und über die Kreisgrenze zum Landkreis Oldenburg bis zum Ausgangspunkt.

Landkreis Cloppenburg

In der Gemeinde Garrel von der Kreisgrenze zum Landkreis Oldenburg der Oldenburger Straße südwestlich folgend bis Beverbrucher Damm, entlang diesem bis Schuldamm, entlang diesem bis Weißdornweg, diesem nördlich folgend bis Letherfeldstraße, dieser westlich folgend bis Hinterm Esch und diesem nördlich folgend bis Hinterm Forde. Entlang dieser über Lindenweg und Grüner Weg bis Hauptstraße, Dieser östlich folgend bis Birkenmoor, entlang dieser in nördliche Richtung bis Korsorsstraße, dieser nordöstlich folgend bis Hülsberger Straße, dieser südlich entlang des Waldrandes folgend, sodann dem Waldrand – die Hülsberger Straße abknickend verlassend – südöstlich folgend und sodann in gerader Linie nordöstlich dem Waldrand bis zum Wirtschaftsweg folgend. Entlang diesem in nördliche Richtung bis Korsorsstraße, dieser nordöstlich folgend bis Lutzweg, diesem südöstlich folgend, das Restmoor Dreesberg passierend, bis zum Verbindungsweg zu An der Vehne, diesem nordöstlich folgend bis An der Vehne, dieser südlich folgend bis Wasserzug von Kartzfehn, dem Wasserverlauf östlich folgend bis Vehne, dem Wasserverlauf nördlich folgend bis zum Höhe Renkenweg östlich abgehenden Wassergraben, diesem östlich folgend bis zur Kreisgrenze zum Landkreis Oldenburg und dieser südlich folgend bis zum Ausgangspunkt.

22.3.2022 – 30.3.2022

Landkreis Friesland

Die Überwachungszone beginnt bei Schillighafen entlang der Schafhauser Leide Richtung Schillighörn, dann in südlicher Richtung der Jadestraße (K325) bis Horumersiel. In Horumersiel über die Goldstraße Richtung Wiardergroden über St. Joostergroden in den Feineburger Weg bis Altebrücke. Von dort in südlicher Richtung auf die L 810, vor Hooksiel auf die L 812 über Waddewarden bis Jever, dort auf die B 210. Die B210 in westlicher Richtung folgend bis zur Kreisgrenze Friesland/Wittmund. Der B 210 bis Wittmund folgend auf die B 461, anschließend auf die L10 Richtung Burhufe. Vor Stedesdorf über die Hauptstraße (K6) nach Thunum, weiter entlang der K6 auf Margens (L 6), in nördlicher Richtung bis Neuharlingersiel (Addenhausen) entlang dem Badestrand mündend in die Nordsee.

2.4.2022

Landkreis Friesland

Die Schutzzone befindet sich in der Gemeinde Wangerland und beginnt am nördlichen Küstenstreifen bei Elisabethgroden, in südlicher Richtung entlang der Tengshauser Leide durch Friederikensiel. Der Küstenstraße folgend über Mederns entlang der K87 Richtung Hohenkirchen, in Hohenkirchen über die Bahnhofstraße (L 809) bis Altgarmssiel, Richtung Oesterdeich. Entlang Oesterdeich über Groß und Klein Münchhausen bis zur Kreisgrenze des Landkreises Wittmund.

25.3.2022 – 2.4.2022

Landkreis Oldenburg

- Ausgangspunkt ist der Schnittpunkt Kreisgrenze Landkreis Oldenburg/Landkreis Ammerland und die K 141 (Ammerländer Straße) am Küstenkanal in der Gemeinde Wardenburg
- Von dort der K 141 durch Achternmeer & Westerholt nach Oberlethe folgen
- In Oberlethe über Tungeler Damm – übergehend in Böseler Straße – bis Abbiegung Wassermühlenweg
- Den Wassermühlenweg folgend über die Lethe auf Litteler Straße (L 847)
- L 847 Richtung Littell bis Einmündung Fladderstraße
- Weiter über Fladderstraße/Grüner Weg/Oldenburger Straße (L 870)/Wikinger Straße (K 242) auf Autobahn A 29 – Anschlussstelle Wardenburg
- Der A 29 Richtung Ahlhorn bis Lammerweg folgen
- Von Dort über Lammerweg/Am Schmeel/Petersburg/Voßbergweg/Zum Döhler Wehe bis Einmündung Straße Schmeel in Döhlen

22.3.2022

— Anschließend weiter über Schmehl/Krumlander Straße/Hasselbusch auf die Straße „Im Dorf“ (L 871) — Der L 871 Richtung Großenkneten folgend zur Bahntrasse — Weiter der Bahntrasse Richtung Osnabrück bis Sager Esch/Hauptstraße (L 871) in Großenkneten — Von dort der L 871 nach Sage; Sager Straße/Oldenburg Straße (L 870) folgend bis Abbiegung Feldmühlenweg in Ahlhorn — Weiter über Feldmühlenweg/Lether Schulweg auf Cloppenburg Straße — Anschließend der Cloppenburg Straße westlich folgen zur Kreisgrenze Landkreis Oldenburg/Landkreis Cloppenburg — Abschließend der Kreisgrenze Landkreis Oldenburg/Landkreis Cloppenburg im Uhrzeigersinn zum Ausgangspunkt am Küstenkanal in der Gemeinde Wardenburg	
Landkreis Oldenburg — Ausgangspunkt ist der Schnittpunkt der Kreis- bzw. Stadtgrenze Landkreis Oldenburg/Stadt Oldenburg und der Gemeindegrenze Wardenburg/Hatten in Klein Bümmerstede — Von dort der Gemeindegrenze Wardenburg/Hatten südlich bis zur Autobahn A 29 (ca. Höhe Anschlussstelle Sandkrug) folgen — Der A 29 Richtung Ahlhorn bis Lammerweg folgen — Von dort über Lammerweg/Am Schmeel/Petersburg/Voßbergweg/Zum Döhler Wehe bis Einmündung Straße Schmehl in Döhlen — Anschließend weiter über Schmehl auf die Krumlander Straße — Die Krumlander Straße Richtung Haschenbrok bis zum Kreuzungsbereich der Sager Straße (L 870) folgen — Von dort der L 870 durch Sage und Regente folgend bis Abbiegung Feldmühlenweg in Ahlhorn — Weiter über Feldmühlenweg/Lether Schulweg auf Cloppenburg Straße — Anschließend der Cloppenburg Straße westlich folgen zur Kreisgrenze Landkreis Oldenburg/Landkreis Cloppenburg — Abschließend der Kreisgrenze Landkreis Oldenburg/Landkreis Cloppenburg mit Übergang zur Kreisgrenze Landkreis Oldenburg/Landkreis Ammerland und der Kreis- bzw. Stadtgrenze Landkreis Oldenburg/Stadt Oldenburg im Uhrzeigersinn entlang zum Ausgangspunkt in Klein Bümmerstede	30.3.2022
Landkreis Wittmund Die Überwachungszone beginnt ab Kreisgrenze Friesland/Wittmund kommend von der B 210 bis Wittmund folgend auf die B 461, anschließend auf die L10 Richtung Burhade. Vor Stedesdorf über die Hauptstraße (K6) nach Thunum, weiter entlang der K6 auf Margens (L 6), in nördlicher Richtung bis Neuharlingersiel (Addenhausen) entlang dem Badestrand mündend in die Nordsee.	2.4.2022
Landkreis Wittmund Die Schutzzone verläuft im südlichen Bereich kommend aus der Gemeinde Wangerland (Landkreis Friesland) vom Berdumer Altendeich in nördliche Richtung bis Enno-Ludwigsgroden. Westlich bis zur B 461, dann in nördliche Richtung, entlang an Neufunnixsiel Richtung Carolinensiel. Vor Carolinensiel im Kreisverkehr der Umgehungsstraße Richtung Harlesiel in dessen Verlauf weiter bis zur Nordsee.	25.3.2022 – 2.4.2022
SACHSEN	
Landkreis Bautzen Gemarkungen — Arnsdorf — Böhmisches Völkchen — Cunnersdorf — Friedersdorf MS — Gräfenhain — Groß- und Kleinerkmannsdorf — Groß- und Kleinokrilla — Groß- und Kleinröhrsdorf	28.4.2022

— Großnaundorf — Hermsdorf — Höckendorf — Kleindittmannsdorf — Kleinwolmsdorf — Laußnitz mit Glauschwitz — Leppersdorf — Lichtenberg — Lomnitz — Lotzdorf — Medingen — Mittelbach — Moritzdorf — Niederlichtenau — Oberlichtenau — Ottendorf — Pulsnitz MS — Pulsnitz OS — Radeberg — Reichenbach MS — Seeligstadt — Thiemendorf MS — Ullersdorf — Wallroda	
Landkreis Bautzen Gemarkungen/Teile von Gemarkungen: — Grünberg vollständig — Seifersdorf vollständig — Wachau vollständig — Lomnitz: — Waldgebiet Hölle; Wiesen und Felder südlich der Ortslage Lomnitz, östlich begrenzt durch die Dittmannsdorfer Straße hinreichend bis zur Gemarkungsgrenze Kleindittmannsdorf — Lotzdorf: — Silberberg mit angrenzenden Wiesen reichend bis an die nördliche Grenze der Ortslage Lotzdorf — Ottendorf: — Waldgebiet Schindertanne; Straße „Am Sande“; Rohrwiesen und Oberfelder, nördlich begrenzt durch das Teichwiesenbad und die Orla	20.4.2022 – 28.4.2022
Landeshauptstadt Dresden Stadtbezirke/Ortschaften: — Weißig — Dresdner Heide (Loschwitz) — Langebrück — Klotzsche — Hellerberge — Weixdorf mit allen Ortsteilen — Hellerau, Rähnitz — Wilschdorf	28.4.2022
Landeshauptstadt Dresden Ortschaft Schönborn bis: — Gemarkungsgrenze zu Liegau-Augustusbad Kreuzung An den Folgen – Kuhschwanz — Kuhschwanz – Dörnicktweg bis Verbindungsweg zur S 180 (Liegauer Straße) — 20 m westlich des Verbindungsweges Liegauer Straße zur Schönborner Straße — Schönborner Straße geradlinig über das Feld bis Roter Grabenweg — Roter Grabenweg bis Gemarkungsgrenze Grünberg	20.4.2022 – 28.4.2022

Landkreis Meißen Stadt Radeburg — Gemarkungen: Großdittmannsdorf, Berbisdorf, Bärnsdorf und Volkersdorf Gemeinde Thiendorf — Gemarkung Würschnitz	28.4.2022
SACHSEN – ANHALT	
— Salzlandkreis — Stadtgebiet Staßfurt mit Ortsteilen Lößnitz (Bode), Hohenerxleben, Neundorf, Rathmannsdorf — Ortsteil der Stadt Nienburg: Neugattersleben — Stadtgebiet Bernburg (ohne Stadtteile Dröbel und Friedenshall) mit Ortsteilen Aderstedt und Gröna — Ortschaft Hecklingen mit Gaensefurth — Giersleben mit Strummendorf — Ilberstedt mit Cölbigk und Bullenstedt — Plötzkau mit Großwirschleben und Bründel — Stadtgebiet Aschersleben mit Ortsteilen Schackstedt, Schackenthal, Drohndorf, Mehringen, Groß Schierstedt, Klein Schierstedt — Ortsteile der Gemeinde Könnern: Kustrena und Poplitz	28.3.2022
Stadtgebiet Güsten mit den Ortsteilen Amesdorf, Osmarsleben und Warmsdorf	20.3.2022 – 28.3.2022

Member State: Spain

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Those parts in the province of Valladolid of the comarcas of Olmedo and Valladolid and, in the province of Segovia of the comarcas of Santa María la Real de Nieva and Cuéllar, beyond the area described in the protection zone and contained within a circle of a radius of 10 kilometres, centered on UTM 30, ETRS89 coordinates long -4,5334409, lat 41,3517177 (2022/3) and long -4,5320177, lat 41,3459358 (2022/12)	15.4.2022
Those parts in the province of Valladolid of the comarca of Olmedo and, in the province of Segovia of the comarca of Cuéllar, contained within a circle of a radius of 3 kilometres, centered on UTM 30, ETRS89 coordinates long -4,5334409, lat 41,3517177 (2022/3) and long -4,5320177, lat 41,3459358 (2022/12)	7.4.2022 – 15.4.2022
Those parts in the province of Sevilla of the comarca of Osuna (Campaña/Sierra Sur) and Écija (La Campiña), and in the province of Málaga of the comarca of Antequera beyond the area described in the protection zone and contained within a circle of a radius of 10 kilometres, centered on UTM 30, ETRS89 coordinates long -4,9146003, lat 37,2439955 (2022/8); long -4,9364384, lat 37,2511113 (2022/11); long -5,0032525, lat 37,2584618 (2022/17); long -4,920941, lat 37,2274386 (2022/18); long -4,930773, lat 37,1518943 (2022/19); long -4,9251627, lat 37,2470687 (2022/20); long -5,0073646, lat 37,2685771 (2022/21); long -5,0010200, lat 37,3674733 (2022/22); long -4,9369199, lat 37,2232913 (2022/23); long -4,988847, lat 37,3322909 (2022/24); long -5,0065052, lat 37,3622118 (2022/25); long -4,9248099, lat 37,2235633 (2022/26); long -4,9929334, lat 37,3388061 (2022/28) and long -5,0037761, lat 37,3887229 (2022/29)	1.5.2022
Those parts in the province of Sevilla of the comarca of Osuna (Campaña/Sierra Sur) and Écija (La Campiña), and in the province of Málaga of the comarca of Antequera contained within a circle of a radius of 3 kilometres, centered on UTM 30, ETRS89 coordinates long -4,9146003, lat 37,2439955 (2022/8); long -4,9364384, lat 37,2511113 (2022/11); long -5,0032525, lat 37,2584618 (2022/17); long	21.4.2022 -1.5.2022

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
-4,920941, lat 37,2274386 (2022/18); long -4,930773, lat 37,1518943 (2022/19); long -4,9251627, lat 37,2470687 (2022/20); long -5,0073646, lat 37,2685771 (2022/21); long -5,0010200, lat 37,3674733 (2022/22); long -4,9369199, lat 37,2232913 (2022/23); long -4,988847, lat 37,3322909 (2022/24); long -5,0065052, lat 37,3622118 (2022/25); long -4,9248099, lat 37,2235633 (2022/26); long -4,9929334, lat 37,3388061 (2022/28) and long -5,0037761, lat 37,3887229 (2022/29)	
Those parts in the province of Huelva of the comarca of Almonte (entorno de Doñana) beyond the area described in the protection zone and contained within a circle of a radius of 10 kilometres, centered on UTM 30, ETRS89 coordinates long -7.493610, lat 37.273632 (Outbreak in Portugal)	16.4.2022
Those parts in the province of Sevilla of the comarcas of Marchena (Serranía sudoeste) and Carmona (Los Arcores) beyond the area described in the protection zone and contained within a circle of a radius of 10 kilometres, centered on UTM 30, ETRS89 coordinates long -5,41365, lat 37,31488 (2022/27); long -5,4103316, lat 37,3148891(2022/30) and long -5,5219835, lat 37,2415319 (2022/31)	22.4.2022
Those parts in the province of Sevilla of the comarca of Marchena (Serranía sudoeste) contained within a circle of a radius of 3 kilometres, centered on UTM 30, ETRS89 coordinates long -5,41365, lat 37,31488 (2022/27); long -5,4103316, lat 37,3148891(2022/30) and long -5,5219835, lat 37,2415319 (2022/31)	14.4.2022 – 22.4.2022

Member State: France

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Département: Cantal (15)</i>	
BOISSET CAYROLS GLENAT – coupé d'ouest en est entre St Saury et Roumegoux en suivant D220, D32, D33 LEYNHAC PARLAN ROUMEGOUX ROUZIER SAINT-CONSTANT-FOURNOULES SAINT-SANTIN-DE-MAURS SAINT-SAURY LE TRILOULOU	20.4.2022
SIRAN	23.4.2022
MAURS QUEZAC SAINT-ETIENNE-DE-MAURS SAINT-JULIEN-DE-TOURSAC	12.4.2022 – 20.4.2022

<i>Les communes suivantes dans le département: Charente (16)</i>	
LES ADJOTS BERNAC LA CHEVRERIE LA FORET-DE-TESSÉ LONDIGNY MONTJEAN RUFFEC SAINT-MARTIN-DU-CLOCHER TAIZE-AIZIE VILLIERS-LE-ROUX	11.4.2022
<i>Département: Charente Maritime (17)</i>	
Courçon La Greve sur Mignon La Ronde Taugon Marans Saint-Jean-de-Liversay Saint-Cyr-du-Doret	1.5.2022
<i>Les communes suivantes dans le département: Corrèze (19)</i>	
MERCOEUR CAMPS-SAINT-MATHURIN-LEOBAZEL SAINT-JULIEN-LE-PELERIN ALTILLAC	23.4.2022
SAINT-PANTALEON-DE-LARCHE COSNAC LIGNEYRAC CHARTRIER-FERRIERE NOAILHAC LARCHE DAMPNIAT ESTIVALS MALEMORT SAINT-CERNIN-DE-LARCHE SAILLAC USSAC COLLONGES-LA-ROUGE VARETZ TURENNE LANTEUIL LISSAC-SUR-COUZE	2.5.2022

SAINT-VIANCE LA CHAPELLE-AUX-BROCS	
JUGEALS-NAZARETH CHASTEAX BRIVE-LA-GAILLARDE NESPOULS NOAILLES	24.4.2022 – 2.5.2022
<i>Département: Côte d'Armor (22)</i>	
LE MOUSTOIR PLEVIN – nord ruisseau Sterlenn (route de Motreff) puis nord route Motreff et Paule PAULE – nord route Plévin puis ouest ruisseau Paule MAEL-CARHAIX LOCARN DUAULT PLUSQUELLEC PLOURACH CARNOET – nord est ruisseau Kernabat	1.5.2022
TREFFRIN TREBIVAN CARNOET – sud-ouest du ruisseau Kernabat	23.4.2022 – 1.5.2022
<i>Département: Finistère (29)</i>	
CARHAIX-POUGUER KERGLOFF – est rivière Aulne, jusqu'au croisement D48 (Restaulern) MOTREFF – nord ruisseau Sterlenn PLOUNEVEZEL – ouest D54 POULLAOUEN – est rivière Aulne	1.5.2022
PLOUNEVEZEL – est D54	23.4.2022 – 1.5.2022
<i>Les communes suivantes dans le département: Gers (32)</i>	
ARBLADE-LE-BAS ARBLADE-LE-HAUT AURENSAN BARCELONNE-DU-GERS BERNEDE BOUZON-GELLENAVE CAHUZAC-SUR-ADOUR CAUMONT CAUPENNE-D'ARMAGNAC CORNEILLAN FUSTEROUAU GEE-RIVIERE	26.4.2022

GOUX LE HOUGA IZOTGES LABARTHETE LANNEMAIGNAN LANNE-SOUBIRAN LANNUX LAUJUZAN LELIN-LAPUJOLLE LUPPE-VIOLLES MAGNAN MAULEON-D'ARMAGNAC MAULICHERES MAUMUSSON LAGUIAN MONCLAR MONLEZUN-D'ARMAGNAC MORMES NOGARO PERCHEDE POUYDRAGUIN PROJAN RISCLE SAINT-GERME SAINT-GRIEDE SAINT-MARTIN-D'ARMAGNAC SAINT-MONT SARRAGACHIES SEGOS SORBETS TARSAC TASQUE TERMES-D'ARMAGNAC TOUJOUSE URGOSSE VERGOIGNAN VERLUS VIELLA CASTEX-D'ARMAGNAC MONGUILHEM	
AYZIEU BEAUMONT BEZOLLES	11.4.2022

CAZAUBON COURRENSAN ESTANG FOURCES GALIAX GONDRIN JU-BELLOC JUSTIAN LADEVEZE-RIVIERE LADEVEZE-VILLE LAGARDERE LANNEPAX LAREE LARRESSINGLE LARROQUE-SUR-L'OSSE LAURAET LIAS-D'ARMAGNAC MARAMBAT MARGUESTAU MAUPAS MOUCHAN MOUREDE NOULENS PANJAS PLAISANCE PRECHAC-SUR-ADOUR RAMOUZENS ROQUES ROZES SAINT-AUNIX-LENGROS SAINT-JEAN-POUTGE SAINT-PAUL-DE-BAISE TIESTE-URAGNOUX	
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BOURROUILLAN BRETAGNE-D'ARMAGNAC CAMPAGNE-D'ARMAGNAC CASTELNAU D'AUZAN LABARRERE CAZENEUVE EAUZE LAGRAULET-DU-GERS MANCIET MONTREAL	11.4.2022
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PRENERON	
REANS	
SAINTE-CHRISTIE-D'ARMAGNAC	
SALLES-D'ARMAGNAC	
VIC-FEZENSAC	
ARMOUS-ET-CAU	
ARROUEDE	
AUSSOS	
AUX AUSSAT	
AVERON-BERGELLE	
BARCUGNAN	
BARRAN	
BASCOUS	
BASSOUES	
BAZIAN	
BAZUGUES	
BEAUMARCHES	
BELLEGARDE	
BELLOC-SAINT-CLAMENS	
BELMONT	
BERDOUES	
BETOUS	
BETPLAN	
BEZUES-BAJON	28.4.2022
BIRAN	
BOUZON-GELLENAVE	
CABAS-LOUMASSES	
CAILLAVET	
CALLIAN	
CASTEX	
CASTILLON-DEBATS	
CAZAUX-D'ANGLES	
CHELAN	
CLERMONT-POUYGUILLES	
COULOUME-MONDEBAT	
CRAVENCERES	
DEMU	
ESCLASSAN-LABASTIDE	
ESPAS	
ESTAMPES	
ESTIPOUY	
FUSTEROUAU	

GAZAX-ET-BACCARISSE HAGET IDRAC-RESPAILLES L'ISLE-DE-NOE LAGUIAN-MAZOUS LAMAZERE LASSERADE LAVERAET LE BROUILH-MONBERT LOUBEDAT LOURTIES-MONBRUN LOUSLITGES LOUSSOUS-DEBAT LUPAC MANAS-BASTANOUS MANENT-MONTANE MASCARAS MASSEUBE MIELAN MIRAMONT-D'ASTARAC MIRANDE MIRANNES MONCASSIN MONLEZUN MONPARDIAC MONT-D'ASTARAC MONT-DE-MARRAST MONTAUT MONTEGUT-ARROS MOUCHES PANASSAC PEYRUSSE-GRANDE PEYRUSSE-VIEILLE PONSAMPERE POUYDRAGUIN RICOURT ROQUEBRUNE SABAZAN SADEILLAN SAINT-ARROMAN SAINT-MARTIN SAINT-MEDARD	
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SAINT-MICHEL

SAINT-PIERRE-D'AUBEZIES

SAINTE-AURENCE-CAZAUX

SAINTE-DODE

SARRAGUZAN

SCIEURAC-ET-FLOURES

SEAILLES

SERE

SION

SORBETS

TASQUE

TERMES-D'ARMAGNAC

TRONCENS

TUDELLE

VILLECOMTAL-SUR-ARROS

AIGNAN

CASTELNAVET

MARGOUE-MEYMES

AUJAN-MOURNEDE

BARS

CASTELNAU-D'ANGLES

CUELAS

DUFFORT

LAAS

LAGARDE-HACHAN

MARSEILLAN

MONCLAR-SUR-LOSSE

MONLAUR-BERNET

MONTESQUIOU

20.4.2022 – 28.4.2022

PALLANNE

PONSAN-SOUBIRAN

POUYLEBON

RIGUEPEU

SAINT CHRISTAUD

SAINT MAUR

SAINT-ARAILLES

SAINT-ELIX-THEUX

SAINT-OST

SAMARAN

SAUVIAC

TILLAC

VIOZAN

<i>Département: Ille-et-Vilaine (35)</i>	
AMANLIS BOISTRUDAN LA BOSSE-DE-BRETAGNE BRIE CHANTELOUP CHATEAUGIRON COESMES CORPS-NUDS LA COUYERE LALLEU MARCILLE-ROBERT MOULINS NOUVOITOU LE PETIT-FOUGERAY PIRE-SUR-SEICHE RETIERS SAINT-ARMEL SAINTE-COLOMBE SAULNIERES LE SEL-DE-BRETAGNE THOURIE TRESBOEUF	19.4.2022
ESSE JANZE LE THEIL-DE-BRETAGNE	11.4.2022 – 19.4.2022
BAINS-SUR-OUST BOURG-DES-COMPTES LA DOMINELAIS GRAND-FOUGERAY GUICHEN GUIGNEN LANGON LIEURON LOHEAC PANCE PIPRIAC POLIGNE SAINTE-ANNE-SUR-VILAINE SAINT-GANTON SAINT-SENOUX SAINT SULPICE DES LANDES	27.4.2022

ERCEE EN LAMEE TEILLAY	
BAIN-DE-BRETAGNE GUIPRY-MESSAC LA NOE-BLANCHE PLECHATEL SAINT-MALO-DE-PHILY	19.4.2022 – 27.4.2022
<i>Département: Indre (36)</i>	
CHATILLON SUR INDRE – ouest du bras est de la rivière Indre CLERE-DU-BOIS FLERE-LA-RIVIERE – hors ZP OBTERRE – nord de l'Aigronne SAINT-CYRAN-DU-JAMBOT	24.4.2022
FLERE-LA-RIVIERE – nord du Ruban, Moulin-Renais, sud de la Piqueterie	16.4.2022 – 24.4.2022
<i>Département: Indre-et-Loire (37)</i>	
BETZ LE CHÂTEAU BRIDORE PERRUSSON – sud rue des Glycines et D943 SAINT FLOVIER – hors ZP SAINT HIPPOLYTE SAINT JEAN SAINT GERMAIN – sud de l'Indre et sud D943 SAINT SENOCH – sud D12 VERNEUIL SUR INDRE – hors ZP	24.4.2022
SAINT FLOVIER – nord-est de la Gauterie, des Grenouillères, des terres charles VERNEUIL SUR INDRE – sud de la Bourdinière, sud-est de la forêt de Verneuil	16.4.2022 – 24.4.2022
<i>Les communes suivantes dans le département: Landes (40)</i>	
Aire-sur-l'Adour Amou Arboucave Argelos Arsague Artassenx Arthez-d'Armagnac Aubagnan Audignon Audon Aurice Bahus-Soubiran Baigts Banos	26.4.2022

Bascons	
Bas-Mauco	
Bassercles	
Bastennes	
Bats	
Bégaar	
Benquet	
Bergouey	
Betbezer-d'Armagnac	
Beylongue	
Beyries	
Bonnegarde	
Bordères-et-Lamensans	
Bougue	
Bourdalat	
Brassempouy	
Bretagne-de-Marsan	
Buanes	
Campagne	
Campet-et-Lamolère	
Carcarès-Sainte-Croix	
Carcen-Ponson	
Cassen	
Castaignos-Souslens	
Castandet	
Castelnau-Chalosse	
Castelnau-Tursan	
Castelner	
Castel-Sarrazin	
Cauna	
Caupenne	
Cazalis	
Cazères-sur-l'Adour	
Classun	
Clèdes	
Clermont	
Coudures	
Doazit	
Donzacq	
Duhort-Bachen	
Dumes	
Estibeaux	

Eugénie-les-Bains	
Eyres-Moncube	
Fargues	
Le Frêche	
Gamarde-les-Bains	
Garrey	
Gaujacq	
Geaune	
Gibret	
Goos	
Gousse	
Gouts	
Grenade-sur-l'Adour	
Habas	
Hagetmau	
Hauriet	
Haut-Mauco	
Hinx	
Hontanx	
Horsarrieu	
Labastide-Chalosse	
Labastide-d'Armagnac	
Labatut	
Lacajunte	
Lacquy	
Lacrabe	
Laglorieuse	
Lahosse	
Lamothe	
Larbey	
Larrivière-Saint-Savin	
Latrille	
Laurède	
Lauret	
Le Leuy	
Louer	
Lourquen	
Lussagnet	
Mant	
Marpaps	
Mauries	
Maurrin	

Mauvezin-d'Armagnac	
Maylis	
Meilhan	
Mimbaste	
Miramont-Sensacq	
Misson	
Momuy	
Monget	
Monségur	
Montaut	
Montégut	
Montfort-en-Chalosse	
Montgaillard	
Montsoué	
Morganx	
Mouscardès	
Mugron	
Nassiet	
Nerbis	
Nousse	
Onard	
Ossages	
Ousse-Suzan	
Ozourt	
Payros-Cazautets	
Pécorade	
Perquie	
Peyre	
Philondenx	
Pimbo	
Pomarez	
Poudenx	
Pouillon	
Poyanne	
Poyartin	
Préchacq-les-Bains	
Pujo-le-Plan	
Puyol-Cazalet	
Renung	
Saint-Agnet	
Saint-Aubin	
Sainte-Colombe	

Saint-Cricq-Chalosse
 Saint-Cricq-du-Gave
 Saint-Cricq-Villeneuve
 Saint-Gein
 Saint-Geours-d'Auribat
 Saint-Jean-de-Lier
 Saint-Justin
 Saint-Loubouer
 Saint-Martin-d'Oney
 Saint-Maurice-sur-Adour
 Saint-Perdon
 Saint-Sever
 Saint-Yaguen
 Samadet
 Sarraziet
 Sarron
 Serres-Gaston
 Serreslous-et-Arribans
 Sorbets
 Sort-en-Chalosse
 Souprosse
 Tartas
 Tilh
 Toulouze
 Urgons
 Vicq-d'Auribat
 Vielle-Tursan
 Le Vignau
 Villeneuve-de-Marsan

Département: Loir-et-Cher (41)

BAUZY
 BRACIEUX
 CELLETES – est de l'allée Seur
 CHAMBORD – sud D33
 CHEVERNY
 CHITENAY
 CONTRES – nord D122 et D7
 CORMERAY
 COURMENIN – ouest D63 jusqu'à Courmenin et route de Courmenin à Vaulien
 FEINGS – nord est de la route de Fresnes à Favras et nord de la commune limitée par D52 et route du Peu

27.4.2022

FONTAINES-EN-SOLOGNE FRESNES – nord est de la D7 jusqu'à Fresnes et route entre Fresnes et Favras HUISSEAU-SUR-COSSON – sud de la D33 MONT-PRES-CHAMBORD MUR-DE-SOLOGNE – nord ouest de la commune entre D122 et D63 NEUVY SAINT-GERVAIS-LA-FORET – est de l'allée de Seur et de la D956 SOINGS EN SOLOGNE – nord de la D122 VINEUIL – est de la D956 et au sud de la D33	
COUR CHEVERNY TOUR EN SOLOGNE – sud D923	19.4.2022 – 27.4.2022
<i>Les communes suivantes dans le département: Loire-Atlantique (44)</i>	
BASSE GOULAIN BESNE BLAIN BOUAYE BOUEE BOUGUENAI BOUVRON BRAINS CAMPBON CARQUEFOU CASSON CHATEAU THEBAUD CHEIX EN RETZ CONQUEREUIL CORSEPT COUERON COUFFE DERVAL DIVATTE SUR LOIRE DONGES ERBRAY FAY DE BRETAGNE GORGES GRAND AUVERNE GRAND CHAMPS DES FONTAINES GUEMENE PENFAO HAUTE GOULAIN HERIC INDRE	2.5.2022

ISSE JANS LA CHAPELLE HEULIN LA CHAPELLE-GLAIN LA CHAPELLE-LAUNAY LA CHAPELLE SUR ERDRE CHATEAUBRIAND LA CHEVALERAIS LA GRIGONNAIS LA HAIE FOUASSIERE LA MEILLERAYE-DE-BRETAGNE MOISDON-LA-RIVIERE LA MONTAGNE LAVAU-SUR-LOIRE LE BIGNON LE CELLIER LE GAVRE LE LOROUX BOTTEREAU LE PELLERIN LE PIN LES SORINIERES LES TOUCHES LIGNE LOUISFERT LUSANGER MAISDON SUR SEVRE MALVILLE MARSAC-SUR-DON MAUVES-SUR-LOIRE MESANGER MONNIERES MONTOR-DE-BRETAGNE MONTRELAIS MOUAIS MOUZEIL MOUZILLON NANTES NOTRE DAME DES LANDES ORVAULT OUDON PAIMBOEUF PALLET	
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PETIT-AUVERNE	
PETIT MARS	
PIERRIC	
PONT SAINT MARTIN	
PORT SAINT PERE	
POUILLE-LES-COTEAUX	
PRINQUIAU	
PUCEUL	
REZE	
ROUANS	
ROUGE	
RUFFIGNE	
SAFFRE	
SAINT AUBIN LES CHATEAUX	
SAINT BREVIN LES PINS	
SAINT FIACRE SUR MAINE	
SAINT JEAN DE BOISEAU	
SAINT JULIEN DE CONCELLES	
SAINT-JULIEN-DE-VOUVANTES	
SAINT LEGER LES VIGNES	
SAINT SEBASTIEN SUR LOIRE	
SAINT-GEREON	
SAINT-HERBLAIN	
SAINT-MARS-DU-DESERT	
SAINT-NAZAIRE	
SAINT PERE EN RETZ	
SAINT-VINCENT-DES-LANDES	
SAINTE-LUCE-SUR-LOIRE	
SAUTRON	
SAVENAY	
SION LES MINES	
SUCE-SUR-ERDRE	
THOUARE-SUR-LOIRE	
TRANS-SUR-ERDRE	
TRELLIERES	
TRIGNAC	
VALLONS DE L'ERDRE	
VAY	
VERTOU	
VUE	

ABBARETZ AIGREFEUILLE SUR MAINE ANCENIS BOUSSAY CHAUMES EN RETZ CHAUVE CLISSON CORCOUE SUR LORGNE CORDEMAIS FROSSAY GENESTON GETIGNE JOUÉ-SUR-ERDRE LA BERNERIE EN RETZ LA BOISSIERE DE DORE LA CHEVROLIERE LA LIMOUZINIERE LA MARNE LA PLAINE SUR MER LA PLANCHE LA ROCHE-BLANCHE LA REGRIPIERE LA REMAUDIERE LE LANDREAU LE TEMPLE DE BRETAGNE LEGE LES MOUTIERS EN RETZ LOIREAUXENCE MACHECOUL SAINT-MEME MAUMUSSON MONTBERT NORT-SUR-ERDRE NOZAY PANNECE PAULX PORNIC PREFAILLES REMOUILLE RIAILLE SAINT AIGNAN DE GRANDLIEU SAINT COLOMBAN SAINT ETIENNE DE MER MORTE	
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24.4.2022 – 2.5.2022

SAINT ETIENNE DE MONTLUC SAINT HILAIRE DE CHALEONS SAINT HILAIRE DE CLISSON SAINT LUMINE DE CLISSON SAINT LUMINE DE COUTAIS SAINT MARS DE COUTAIS SAINT MICHEL CHEF CHEF SAINT PHILBERT DE GRAND LIEU SAINT VIAUD SAINTE PAZANNE TEILLE TOUVOIS TREFFIEUX VAIR-SUR-LOIRE VALLET VIEILLEVIGNE VIGNEUX DE BRETAGNE VILLENEUVE EN RETZ	
<i>Département: Lot (46)</i>	
BAGNAC-SUR-CELE – Nord de la N122	20.4.2022
PRENDEIGNES	
SAINT-CIRGUES – Est du ruisseau La Garinie et au nord de la route D29	12.4.2022 – 20.4.2022
SAINT-HILAIRE	
LAURESSES:sud de la D30	
LINAC	
MONTET-ET-BOUXAL	
SABADEL-LATRONQUIERE	20.4.2022
SAINT-CIRGUES – hors zp	
SAINT-HILAIRE: au sud de Liffernet	
SAINT-MEDARD-NICOURBY	
SENAILLAC-LATRONQUIERE	
BESSONIES	
LAURESSES au nord de la D30	12.4.2022 – 20.4.2022
SAINT-HILAIRE: au nord de Liffernet	
ESPEYROUX	
FIGEAC	
FONS	20.4.2022
MOLIERES	
PLANIOLES	
PRENDEIGNES	

SAINT-PERDOUX TERROU VIAZAC	
CARDAILLAC FOURMAGNAC LABATHUDE SAINT-BRESSOU SAINTE-COLOMBE	12.4.2022 – 20.4.2022
BELMONT-BRETENOUX BIARS SUR CERE CAHUS CORNAC ESTAL FRAYSSINHES GAGNAC SUR CERE GLANES GORSSES LABASTIDE-DU-HAUT-MONT LADIRAT LATOUILLE-LENTILLAC LATRONQUIERE LAVAL-DE-CERE SAINT-CERE SAINT-LAURENT-LES-TOURS SAINT-PAUL-DE-VERN SAINT-VINCENT-DU-PENDIT SENAILLAC-LATRONQUIERE	23.4.2022
SOUSCEYRAC-EN-QUERCY TEYSSIEU	15.4.2022 – 23.4.2022
ANGLARS BOUSSAC BRENGUES CAMBES CAMBOULIT CAMBURAT CARDAILLAC CORN DURBANS ESPAGNAC-SAINTE-EULALIE ESPEDAILLAC FLAUJAC-GARE	25.4.2022

FONS GREZES LACAPELLE-MARIVAL LE BOURG LE BOUYSSOU LISSAC-ET-MOURET LIVERNON: au sud de la D802 RUDELLE RUEYRES SAINT-MAURICE-EN-QUERCY SAINT-SIMON SONAC THEMINES THEMINETTES	
ASSIER ISSEPTS LIVERNON: au Nord de la D802 REYREVIGNES	17.4.2022 – 25.4.2022
BALADOU CAVAGNAC CAZILLAC GIGNAC: au nord de la D87 et à l'ouest de la D15 LACHAPELLE-AUZAC MARTEL LES QUATRE-ROUTES-DU-LOT SARRAZAC: à l'est de la D23 SOUILLAC STRENQUELS MAYRAC	29.4.2022
CRESENSAC CUZANCE GIGNAC: au sud de la D87 et à l'est de la D15 SARRAZAC: à l'ouest de la D23	21.4.2022 – 29.4.2022
<i>Les communes suivantes dans le département: Lot-et-Garonne (47)</i>	
SAINTE-MAURE-DE-PEYRAC SAINT-PE-SAINT-SIMON	11.4.2022
MEZIN POUDENAS SOS	11.4.2022

Département: Maine-et-Loire (49)

Angers	
Angrie	
Aubigné-sur-Layon	
Avrillé	
Beaucouzé	
Beaulieu-sur-Layon	
Bécon-les-Granits	
Béhuard	
Bellevigne-en-Layon – hors zp	
Bouchemaine	
Brissac-Loire-Aubance – Brissac-Quincé	
Brissac-Loire-Aubance – Charcé-Saint-Ellier-sur-Aubance	
Brissac Loire Aubance – Chemellier	
Brissac-Loire-Aubance – Les Alleuds	
Brissac-Loire-Aubance – Luigné	
Brissac-Loire-Aubance – Saint-Saturnin-sur-Loire	
Brissac-Loire-Aubance – Saulgé-l'Hôpital	
Brissac-Loire-Aubance – Vauchrétien	
Candé	
Cantenay-Épinard	
Cernusson	29.4.2022
Challain-la-Potherie	
Champtocé-sur-Loire	
Chazé-sur-Argos	
Coron	
Denée	
Doué-en-Anjou – Concourson-sur-Layon	
Doué-en-Anjou – Doué-la-Fontaine	
Doué-en-Anjou – Les Verchers-sur-Layon	
Doué-en-Anjou – Saint-Georges-sur-Layon	
Erdre-en-Anjou	
Feneu	
Gennes-Val-de-Loire – Grézillé	
Grez-Neuville	
Ingrandes-Le Fresne sur Loire	
La Plaine	
La Possonnière	
La Séguinière	
Le Lion-d'Angers	
Le Puy-Notre-Dame	
Les Garennes sur Loire	

Les Ponts-de-Cé
 Loiré
 Longuenée-en-Anjou – La Meignanne
 Louresse-Rochemenier
 Lys-Haut-Layon
 Mauges-sur-Loire – hors zp
 Montreuil-Juigné
 Mozé-sur-Louet
 Mûrs-Erigné
 Ombrée d'Anjou – Le Tremblay
 Rochefort-sur-Loire
 Saint-Barthélémy-d'Anjou
 Saint-Christophe-du-Bois
 Saint-Clément-de-la-Place
 Saint-Jean-de-la-Croix
 Saint-Lambert-la-Potherie
 Saint-Macaire-du-Bois
 Saint-Mélaine-sur-Aubance
 Saint-Paul-du-Bois
 Saint-Sigismond – hors zp
 Sainte-Gemmes-sur-Loire
 Savennières
 Sceaux-d'Anjou
 Segré-en-Anjou Bleu – La Chapelle-sur-Oudon
 Segré-en-Anjou Bleu – Le Bourg d'Iré
 Segré-en-Anjou Bleu – Marans
 Segré-en-Anjou Bleu – Sainte-Gemmes-d'Andigné
 Somloire
 Soulaines-sur-Aubance
 Terranjou
 Trélazé
 Tuffalun
 Val d'Erdre-Auxence – hors zp
 Vaudelnay

Beaupréau-en-Mauges
 Bégrolles-en-Mauges
 Bellevigne-en-Layon – Champ-sur-Layon
 Bellevigne-en-Layon – Faveraye-Mâchelles
 Bellevigne-en-Layon – Rablay-sur-Layon
 Bellevigne-en-Layon – Thouarcé
 Chalonnes-sur-Loire

21.4.2022 – 29.4.2022

Chanteloup-les-Bois Chaufonds-sur-Layon Chemillé-en-Anjou Cholet Cléré-sur-Layon La Romagne La Séguinière La Tessouale Le May-sur-Evre Le Puy-Saint-Bonnet Les Cerqueux Mauges-sur-Loire – Botz-en-Mauges Mauges-sur-Loire – Bourgneuf en Mauges Mauges-sur-Loire – La Chapelle-Saint-Florent Mauges-sur-Loire – La Pommeraye Mauges-sur-Loire – Le Marillais Mauges-sur-Loire – Saint-Florent-le-Vieil Mauges-sur-Loire – Saint-Laurent-de-la-Plaine Maulévrier Mazières-en-Mauges Montilliers Montrevault-sur-Evre Nuillé Orée d'Anjou Passavant-sur-Layon Saint-Augustin-des-Bois Saint-Christophe-du-Bois Saint-Georges-sur-Loire Saint-Germain-des-Prés Saint-Léger-de-Linières Saint-Léger-sous-Cholet Saint-Martin-du-Fouilloux Saint-Sigismond – Nord de l'axe virtuel Infernet – La Coulée Sèvremoine Toutlemonde Trémentines Val d'Erdre-Auxence – La Cornuaille – Est de l'axe virtuel La Grande Fosse – La Fourrierie – Le Hutan (Le Louroux Béconnais) Val d'Erdre-Auxence – Le Louroux Béconnais – Ouest de l'axe virtuel Le Château de Chillon – Maubusson – Le Hutan Val d'Erdre-Auxence – Villemoisan – Nord de l'axe virtuel Le Château de Chillon – Maubusson – Le Hutan	
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Val-du-Layon Vezins Yzernay	
<i>Département: Morbihan (56)</i>	
ARZAL BERRIC CAMOEL LA TRINITE-SURZUR LAUZACH LE GUERNO LE TOUR-DU-PARC MARZAN NOYAL-MUZILLAC PENESTIN SULNIAC SURZUR THEIX-NOYALO	14.4.2022
AMBON BILLIERS DAMGAN MUZILLAC	6.4.2022 – 14.4.2022
ALLAIRE CADEN CARENTOIR COURNON LA GACILLY LIMERZEL PLEUCADEUC PLUHERLIN ROCHEFORT-EN-TERRE RUFFIAC SAINT-GORGON SAINT-JACUT-LES-PINS SAINT-LAURENT-SUR-OUST SAINT-NICOLAS-DU-TERTRE SAINT-PERREUX SAINT-VINCENT-SUR-OUST TREAL	27.4.2022
LES FOUGERETS MALANSAC PEILLAC	19.4.2022 – 27.4.2022

SAINT-CONGARD SAINT-GRAVE SAINT-MARTIN-SUR-OUST	
<i>Les communes suivantes dans le département: Pyrénées-Atlantiques (64)</i>	
ARGET ARZACQ-ARRAZIGUET BAIGTS-DE-BEARN BALIRACQ-MAUMUSSON BONNUT BOUEILH-BOUEILHO-LASQUE CABIDOS CASTEIDE-CANDAU CASTETPUGON COUBLUCQ DIUSSE GARLIN HAGETAUBIN LABEYRIE LACADÉE LAHONTAN MALAUSSANNE MONCLA MONTAGUT MORLANNE ORTHEZ PIETS-PLASENCE-MOUSTROU PORTET POURSIUGUES-BOUCOUE PUYOO RAMOUS RIBARROUY SAINT-BOES SAINT-GIRONS-EN-BEARN SAINT-MEDARD SALLESPISE SAULT-DE-NAVAILLES TARON-SADIRAC-VIELLENAVE	26.4.2022
ANDREIN ARAUJUZON ARAUX AUDAUX	8.4.2022

BARRAUTE-CAMU BASTANES BUGNEIN CASTETNAU-CAMBLONG ESPIUTE GESTAS JASSES LAAS LAGOR MERITEIN MONTFORT NABAS NARP NAVARREX ORION ORRIULE OSSENX RIVEHAUTE SAINT-GLADIE-ARRIVE-MUNEIN SAUVELADE SUS SUSMIOU TABAILLE-USQUAIN VIELLENAVE-DE-NAVARREX VIELLESEGURE	
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ABITAIN AICIRITS-CAMOU-SUHAST ANOS ARBOUET-SUSSAUTE ARGELOS ASTIS ATHOS-ASPIS AUGA AURIAC AUTEVIELLE-SAINT-MARTIN-BIDEREN BARINQUE BERNADETS BURGARONNE CARRERE CARRESSE-CASSABER CASTAGNEDE	
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22.4.2022

CLARACQ COSLEDAA-LUBE-BOAST DOUMY ESCOS GABASTON GABAT GUINARTHE-PARENTIES HIGUERES-SOUYE ILHARRE LABASTIDE-VILLEFRANCHE LABETS-BISCAY LALONQUETTE LANNECAUBE LASCLAVERIES LEME MIOSENS-LANUSSE MOUHOUS NAVAILLES-ANGOS ORAAS OSSERAIN-RIVAREYTE RIUPEYROUS SAINT-ARMOU SAINT-CASTIN SAINT-JAMMES SAINT-LAURENT-BRETAGNE SALIES-DE-BEARN SAUVETERRE-DE-BEARN SEBY SEVIGNACQ THEZE VIVEN	
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ABERE ABIDOS AMENDEUIX-ONEIX ANDOINS ANGAIS ANGOUS ANOYE ARANCOU ARBERATS-SILLEGUE AREN	11.4.2022
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ARESSY ARGAGNON ARRAST-LARREBIEU ARRAUTE-CHARRITTE ARRICAU-BORDES ARRIEN ARROS-DE-NAY ARTHEZ-D'ASSON ARTIGUELOUTAN ASSAT ASSON AUBIN AUTERRIVE BALEIX BALIROS BARZUN BAUDREIX BEDEILLE BEGUIOS BEHASQUE-LAPISTE BELLOCQ BENEJACQ BERENX BERGOUHEY-VIELLENAVE BERROGAIN-LARUNS BEUSTE BEYRIE-SUR-JOYEUSE BIRON BIZANOS BOEIL-BEZING BORDERES BORDES BOSDARROS BOURDETTES BOURNOS BRUGES-CAPBIS-MIFAGET BUROS BUROSSE-MENDOUSSE CADILLON CAME CASTETBON	
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CASTETNER	
CASTILLON (CANTON DE LEMBEYE)	
CAUBIOS-LOOS	
CHARRE	
CHERAUTE	
COARRAZE	
CONCHEZ-DE-BEARN	
DOGNEN	
DOMEZAIN-BERRAUTE	
ESCOUBES	
ESLOURENTIES-DABAN	
ESPECHEDE	
ESPOEY	
ETCHARRY	
FICHOUS-RIUMAYOU	
GAN	
GARLEDE-MONDEBAT	
GAROS	
GARRIS	
GAYON	
GELOS	
GER	
GERDEREST	
GEUS-D'OLORON	
GOMER	
GURS	
HAUT-DE-BOSDARROS	
HOURS	
IDRON	
IGON	
L'HOPITAL-D'ORION	
L'HOPITAL-SAINT-BLAISE	
LAA-MONDRANS	
LABATMALE	
LAGOS	
LAHOURCADE	
LALONGUE	
LANNEPLAA	
LARREULE	
LAY-LAMIDOU	
LEE	

LEREN	
LESCAR	
LESPIELLE	
LESPOURCY	
LESTELLE-BETHARRAM	
LICHOS	
LIMENDOUS	
LIVRON	
LOMBIA	
LONCON	
LONS	
LOUBIENG	
LOURENTIES	
LOUVIE-JUZON	
LOUVIGNY	
LUCGARIER	
LUSSAGNET-LUSSON	
LUXE-SUMBERRAUTE	
LYS	
MASCARAAS-HARON	
MASLACQ	
MASPARRAUTE	
MASPIE-LALONQUERE-JUILLACQ	
MAUCOR	
MAZERES-LEZONS	
MAZEROLLES	
MÉHARIN	
MEILLON	
MERACQ	
MIALOS	
MIREPEIX	
MOMAS	
MOMY	
MONASSUT-AUDIRACQ	
MONCAYOLLE-LARRORY-MENDIBIEU	
MONT	
MONTARDON	
MONTAUT	
MORLAAS	
MOURENX	
NARCASTET	

NAY	
NOUSTY	
OS-MARSILLON	
OUILLO	
OUSSE	
OZENX-MONTESTRUCQ	
PARDIES-PIETAT	
PAU	
PONTACQ	
POULIACQ	
PRECHACQ-JOSBAIG	
PRECHACQ-NAVARREX	
REBENACQ	
RONTIGNON	
SAINT-ABIT	
SAINT-DOS	
SAINT-GOIN	
SAINT-JEAN-POUDGE	
SAINT-PALAIS	
SAINT-PE-DE-LEREN	
SAINT-VINCENT	
SAINTE-COLOME	
SALLES-MONGISCARD	
SARPOUREX	
SAUBOLE	
SAUCEDE	
SAUVAGNON	
SEDZE-MAUBECQ	
SEDZERE	
SENDETS	
SERRES-CASTET	
SERRES-MORLAAS	
SEVIGNACQ-MEYRACQ	
SIMACOURBE	
SOUMOULOU	
TADOUSSE-USSAU	
UROST	
UZEIN	
UZOS	
VIALER	
VIGNES	

<i>Les communes suivantes dans le département: Hautes-Pyrénées (65)</i>	
CASTELNAU-RIVIERE-BASSE	26.4.2022
SAINT-LANNE	
ANGOS	28.4.2022
ARIES-ESPENAN	
AUREILHAN	
AURENSAN	
BARBAZAN-DEBAT	
BARTHE	
BAZET	
BAZILLAC	
BERNADETS-DESSUS	
BETBEZE	
BETPOUY	
BONNEFONT	
BORDERES-SUR-L'ECHEZ	
BORDES	
BOULIN	
BOURS	
BUGARD	
BURG	
CALAVANTE	
CASTELNAU-MAGNOAC	
CASTERA-LOU	
CASTERETS	
CAUBOUS	
CHIS	
CIZOS	
CLARAC	
DEVEZE	
DOURS	
ESCONDEAUX	
ESTAMPURES	
FRECHEDE	
GALAN	
GAUSSAN	
GONEZ	
LACASSAGNE	
LANSAC	
LARAN	
LASLADES	

LESCURRY	
LESPOUEY	
LHEZ	
LIBAROS	
LIZOS	
MASCARAS	
MINGOT	
MONLEON-MAGNOAC	
MONTASTRUC	
MONTIGNAC	
MOULEDOUS	
OLEAC-DEBAT	
ORGAN	
ORIEUX	
ORLEIX	
PEYRAUBE	
PEYRET-SAINT-ANDRE	
RABASTENS-DE-BIGORRE	
RECURT	
SABALOS	
SABARROS	
SARIAC-MAGNOAC	
SARNIGUET	
SARRIAC-BIGORRE	
SARROUILLES	
SEGALAS	
SEMEAC	
SENTOUS	
SINZOS	
SOREAC	
SOUYEAUX	
TARBES	
THERMES-MAGNOAC	
TOSTAT	
TOURNAY	
TOURNOUS-DEVANT	
UGNOUAS	
VIEUZOS	
VILLEMUR	
GARDERES	
LUQUET	

11.4.2022

ANTIN
AUBAREDE
BERNADETS-DEBAT
BOUILH-DEVANT
BOUILH-PEREUILH
CABANAC
CAMPUZAN
CASTELVIEILH
CHELLE-DEBAT
COLLONGUES
COUSSAN
FONTRAILLES
GOUDON
GUIZERIX
HACHAN
HOURC
JACQUE
LALANNE-TRIE
LAMARQUE-RUSTAING
LAMEAC
LAPEYRE
LARROQUE
LOUIT
LUBRET-SAINT-LUC
LUBY-BETMONT
LUSTAR
MANSAN
MARQUERIE
MARSEILLAN
MAZEROLLES
MOUMOULOUS
MUN
OSMETS
PEYRIGUERE
PEYRUN
POUYASTRUC
PUNTOUS
PUYDARRIEUX
SADOURNIN
SAINT-SEVER-DE-RUSTAN
SENAC

20.4.2022 – 28.4.2022

SERE-RUSTAING THUY TOURNOUS-DARRE TRIE-SUR-BAISE TROULEY-LABARTHE VIDOU VILLEMBITS	
<i>Département: Seine-Maritime (76) + Eure (27)</i>	
LETTEGUIVES PERRUEL VASCŒUIL	4.5.2022
AUZOUVILLE-SUR-RY BIERVILLE BOIS-D'ENNEBOURG BOIS-GUILLEBERT BOIS-HÉROULT BOIS-L'ÉVÊQUE BUCHY CAILLY LA CHAPELLE-SAINT-OUEN CROISY-SUR-ANDELLE ELBEUF-SUR-ANDELLE ERNEMONT-SUR-BUCHY GRAINVILLE-SUR-RY LE HÉRON HÉRONCHELLES LONGUERUE MARTAINVILLE-ÉPREVILLE MORGNY-LA-POMMERAYE MORVILLE-SUR-ANDELLE PIERREVAL PRÉAUX QUINCAMPOIX REBETS LA RUE-SAINT-PIERRE RY SAINT-ANDRÉ-SUR-CAILLY SAINTE-CROIX-SUR-BUCHY SAINT-DENIS-LE-THIBOULT SAINT-GEORGES-SUR-FONTAINE SAINT-GERMAIN-SOUS-CAILLY	4.5.2022

SAINT-LUCIEN SERVAVILLE-SALMONVILLE VIEUX-MANOIR LA VIEUX-RUE YQUEBEUF	
BLAINVILLE-CREVON BOISSAY CATENAY SAINT-AIGNAN-SUR-RY SAINT-GERMAIN-DES-ESSOURTS	26.4.2022 – 4.5.2022
<i>Les communes suivantes dans le département: DEUX-SEVRES (79)</i>	
CAUNAY LA CHAPELLE-POUILLOUX LORIGNE MAIRE-LEVESCAULT PLIBOUX SAUZE-VAUSSAIS VANZAY	11.4.2022
LIMALONGES MONTALEMBERT	29.3.2022 – 11.4.2022
ALLONE ADILLY AIFFRES AIRVAULT – Sud AMAILLOUX AMURE ARCAIS ARGENTON-L'EGLISE ASSAIS-LES-JUMEAUX AUBIGNY AUGE AZAY-LE-BRULE AZAY-SUR-THOUET BEAULIEU-SOUS-PARTHENAY BECLEUF BESSINES BOISME LA BOISSIERE-EN-GATINE BOUILLE-LORETZ BRESSUIRE BRETIGNOLLES	2.5.2022

BRIE BRION-PRES-THOUE CERIZAY CHAMPDENIERS-SAINT-DENIS CHANTECORPS CHATILLON-SUR-THOUE CHAURAY CHERVEUX CHICHE CIRIERES CLAVE CLESSE COULON COULONGES-THOUARSAIS COURS ECHIRE EPANNES EXIREUIL FAYE-L'ABBESSE FAYE-SUR-ARDIN FENERY FENIOUX FORS FRANCOIS FRONTENAY-ROHAN-ROHAN GEAY GERMOND-ROUVRE GLENAY – Nord délimité par sud D170 IRAIS LA CHAPELLE-BATON LA CHAPELLE-BERTRAND LA CHAPELLE-SAINT-LAURENT LA CHAPELLE-THIREUIL LA CRECHE LA FERRIERE-EN-PARTHENAY LA FORET-SUR-SEVRE – ouest de la D938 ter LES GROSEILLERS LA PEYRATTE LE CHILLOU LHOUMOIS LE BEUGNON LE BOURDET	
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LE BUSSEAU	
LE PIN	
LE TALLUD	
LE RETAIL	
LE VANNEAU-IRLEAU	
LOUZY	
LUCHE-THOUARSAIS	
LUZAY	
MAGNE	
MAISONTIERS	
MARNES	
MAUZE-THOUARSAIS	
MAZIERES-EN-GATINE	
MISSE	
OIRON	
OROUX	
PAS-DE-JEU	
SAINT-AMAND-SUR-SEVRE	
NEUVY-BOUIN	
NIORT	
PAMPLIE	
PARTHENAY	
PIERREFITTE	
POMPAIRE	
POUGNE-HERISSON	
PRESSIGNY	
PRIN-DEYRANCON	
PUGNY	
PUIHARDY	
REFFANNES	
SAINT-ANDRE-SUR-SEVRE	
SAINT-AUBIN-DU-PLAIN	
SAINT-AUBIN-LE-CLOUD	
SAINT-CHRISTOPHE-SUR-ROC	
SAINT-CYR-LA-LANDE	
SAINT-GELAIS	
SAINT-GEORGES-DE-NOISNE	
SAINT-GEORGES-DE-REX	
SAINT-GERMAIN-DE-LONGUE-CHAUME	
SAINT-HILAIRE-LA-PALUD	
SAINT-JACQUES-DE-THOUARS	
SAINT-JEAN-DE-THOUARS	

SAINT-JOUIN-DE-MARNES	
SAINT-LAURS	
SAINT-LEGER-DE-MONTBRUN	
SAINT-LIN	
SAINT-MARC-LA-LANDE	
SAINT-MAURICE-ETUSSON	
SAINT-MAIXENT-DE-BEUGNE	
SAINT-MAIXENT-L'ECOLE	
SAINT-MARTIN-DE-MACON	
SAINT-MARTIN-DE-SANZAY	
SAINT-MARTIN-DU-FOUILLOUX	
SAINT-MAXIRE	
SAINT-PARDOUX	
SAINT-REMY	
SAINT-SYMPHORIEN	
SAINT-VARENT – ouest	
SAINTE-GEMME	
SAINTE-OUENNE	
SAINTE-RADEGONDE	
SAINTE-VERGE	
SAIVRES	
SANSAIS	
SAURAI	
SCIECQ	
SECONDIGNY	
SOUTIERS	
SURIN	
TAIZE-MAULAIS	
TESSONNIERE	
THENEZAY	
THOUARS	
TOURTENAY	
TRAYES	
VALLANS	
VAUSSEROUX	
VAUTEBIS	
VERRUYES	
VIENNAY	
VOUHE	
VOUILLE	
VOULMENTIN	
XAINTRAY	

AIRVAULT – Nord délimitée au sud par la voie ferrée

ARDIN

ARGENTONNAY

AVAILLES-THOUARSAIS

BOUSSAIS

CHANTELOUP

COMBRAND

COULONGES-SUR-L'AUTIZE

COURLAY

GENNETON

GOURGE

GLENAY – SUD délimité par D170

LA CHAPELLE-SAINT-ETIENNE

L'ABSIE

LA FORET SUR SEVRE – est de la D938 ter

LAGEON

LARGEASSE

LE BREUIL-BERNARD

LOUIN

MAULEON

MONCOUTANT

MONTRAVERS

MOUTIERS-SOUS-CHANTEMERLE

NUEIL-LES-AUBIERS

LA PETITE-BOISSIERE

SAINT-AMAND-SUR-SEVRE

SAINT-GENEROUX

SAINT-JOUIN-DE-MILLY

SAINT-LOUP-LAMAIRE

SAINT-PAUL-EN-GATINE

SAINT-PIERRE_DES-ECHAUBROGNES

SAINT-POMPAIN

SAINT-VARENT – Est délimitée à l'Ouest par la route de Parthenay/Riblaire puis la route de Saumur

SCILLE

VAL EN VIGNES

VERNOUX-EN-GATINE

VILLIERS-EN-PLAINE

24.4.2022 – 2.5.2022

Les communes suivantes dans le département: Vendée (85)

All towns in Vendée which are not in ZP

1.5.2022

AIZENAY	23.4.2022 – 1.5.2022
ANTIGNY	
APREMONT	
AUBIGNY-LES-CLOUZEUX	
AUCHAY-SUR-VENDEE	
BAZOGES-EN-PAILLERS	
BAZOGES-EN-PAREDS	
BEAUFOU	
BEAULIEU-SOUS-LA ROCHE	
BEAUREPAIRE	
BEAUVOIR-SUR-MER	
BELLEVIGNY	
BENET	
BESSAY	
BOIS-DE-CENE	
BOUFFERE	
BOUIN	
BOURNEAU	
BOURNEZEAU	
BREM-SUR-MER	
CEZAIS	
CHALLANS	
CHAMBRETAUD	
CHANTONNAY	
CHATEAU D'OLONNE	
CHATEAUGUIBERT	
CHATEAUNEUF	
CHAUCHE	
CHAVAGNES-EN-PAILLERS	
CHAVAGNES-LES-REDOUX	
CHEFFOIS	
COEX	
COMMEQUIERS	
CORPE	
CUGAND	
DOIX-LES-FONTAINES	
DOMPIERRE-SUR-YON	
ESSARTS-EN-BOCAGE	
FALLERON	
FONTENAY-LE-COMTE	
FOUGERE	

FROIDFOND GRAND'LANDES GROSBREUIL L'HERBERGEMENT LA BERNARDIERE LA BOISSIERE-DE-MONTAIGU LA BRUFFIERE LA CAILLERE-SAINT-HILAIRE LA CHAIZE-LE-VICOMTE LA CHAPELLE-HERMIER LA CHAPELLE-PALLUAU LA CHAPELLE-THEMER LA CHATAIGNERAIE LA COPECHAGNIERE LA FERRIERE LA GARNACHE LA GAUBRETIERE LA GENETOUZE LA GUYONNIERE LA JAUDONNIERE LA JONCHERE LA MEILLERAIE-TILLAY LA MERLATIERE LA RABATELIERE LA REORTHE LA ROCHE-SUR-YON LA TAILLEE LA TARDIERE LA VERRIE L'AIGUILLON-SUR-VIE LANDERONDE LANDEVIEILLE LE BOUPERE LE GIROUARD LE GIVRE LE LANGON LE POIRE-SUR-VIE LE TABLIER LES ACHARDS LES BROUZILS LES EPESES LES HERBIERS	
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LES LANDES-GENUSSON	
LES LUCS-SUR-BOULOGNE	
LES MAGNILS-REIGNIERS	
LES PINEAUX	
LES VELLUIRE-SUR-VENDEE	
L'HERMENAUT	
L'ILE D'OLONNE	
LONGEVES	
LUCON	
MACHE	
MALLIEVRE	
MAREUIL-SUR-LAY-DISSAIS	
MARSAIS-SAINTE-RADEGONDE	
MARTINET	
MERVENT	
MESNARD-LA-BAROTIERE	
MONSIREIGNE	
MONTOURNAIS	
MONTREUIL	
MONTREVERD	
MORTAGNE-SUR-SEVRE	
MOUCHAMPS	
MOUILLERON-LE-CAPTIF	
MOUILLERON-SAINT-GERMAIN	
MOUTIERS-LES-MAUXFAITS	
MOUTIERS-SUR-LE-LAY	
MOUZEUIL-SAINT-MARTIN	
NALLIERS	
NESMY	
PALLUAU	
PEAULT	
PETOSSE	
PISSOTTE	
POUILLE	
POUZAUGES	
REAUMUR	
RIVE-DE-L'YON	
ROCHESERVIERE	
ROCHETREJOUX	
ROSNAY	
SAINT-ANDRE-GOULE-D'OIE	
SAINT-AUBIN-DES-ORMEAUX	

SAINT-AUBIN-LA-PLAINE SAINT-AVAUGOURD-DES-LANDES SAINT-BENOIST-SUR-MER SAINT-CHRISTOPHE-DU-LIGNERON SAINT-CYR-DES-GATS SAINT-CYR-EN-TALMONDAIS SAINT-DENIS-LA-CHEVASSE SAINTE-CECILE SAINTE-FLAIVE-DES-LOUPS SAINTE-FOY SAINTE-GEMME-LA-PLAINE SAINTE-HERMINE SAINTE-PEXINE SAINT-ETIENNE-DE-BRILLOUET SAINT-ETIENNE-DU-BOIS SAINT-FULGENT SAINT-GEORGES-DE-MONTAIGU SAINT-GEORGES-DE-POINTINDOUX SAINT-GERMAIN-DE-PRINCAY SAINT-GERVAIS SAINT-HILAIRE-DE-LOULAY SAINT-HILAIRE-DES-LOGES SAINT-HILAIRE-LE-VOUHIS SAINT-JEAN-DE-BEUGNE SAINT-JUIRE-CHAMPGILLON SAINT-JULIEN-DES-LANDES SAINT-LAURENT-DE-LA-SALLE SAINT-LAURENT-SUR-SEVRE SAINT-MAIXENT-SUR-VIE SAINT-MALO-DU-BOIS SAINT-MARS-LA REORTHE SAINT-MARTIN-DE-FRAIGNEAU SAINT-MARTIN-DES-FONTAINES SAINT-MARTIN-DES-NOYERS SAINT-MARTIN-DES-TILLEULS SAINT-MARTIN-LARS-EN-SAINTE-HERMINE SAINT-MATHURIN SAINT-MAURICE-DES-NOUES SAINT-MAURICE-LE-GIRARD SAINT-MESMIN SAINT-PAUL-EN-PAREDS SAINT-PAUL-MONT-PENIT	
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SAINT-PHILBERT-DE-BOUAINE
 SAINT-PIERRE-DU-CHEMIN
 SAINT PIERRE LE VIEUX
 SAINT-PROUANT
 SAINT-REVEREND
 SAINT-SULPICE-EN-PAREDS
 SAINT-URBAIN
 SAINT-VALERIEN
 SAINT-VINCENT-STERLANGES
 SAINT-VINCENT-SUR-GRAON
 SALLERTAINE
 SERIGNE
 SEVREMONT
 SIGOURNAIS
 SOULLANS
 TALLUD-SAINTE-GEMME
 TALMONT-SAINT-HILAIRE
 THIRE
 THORIGNY
 THOUARSAIS-BOUILDROUX
 TIFFAUGES
 TREIZE SEPTIERS
 TREIZE-VENTS
 VAIRE
 VENANSAULT
 VENDRENNES
 VIX
 VOUILLE-LES-MARAIS
 VOUVANT

Les communes suivantes dans le département: Vienne (86)

LINAZAY
 SAINT-MACOUX
 SAINT-SAVIOL

29.3.2022 – 11.4.2022

CHAUNAY
 SAINT-PIERRE-D'EXIDEUIL
 SAVIGNE
 LIZANT
 VOULEME
 SAINT-GAUDENT
 BLANZAY
 BRUX

11.4.2022

CHAMPAGNE-LE-SEC	
GENOUILLE	
CIVRAY	
ANGLIERS	
ARCAY	
AULNAY	
BERRIE	
CHALAIS	
CRAON	
CURCAY-SUR-DIVE	
GLENOUZE	
LA CHAUSSEE	
LA GRIMAUDIERE	
MARTAIZE	
MASSOGNES	28.4.2022
MAZEUIL	
MONCONTOUR	
MOUTERRE-SILLY	
RANTON	
SAINT-CLAIR	
SAINT-JEAN-DE-SAUVES	
SAINT-LAON	
TERNAY	
CHALANDRAY	
CHERVES	
MAISONNEUVE	

Member State: Italy

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Region: Toscana</i>	
The area of Toscana Region extending beyond the area described in the protection zone and within the circle of a radius of ten kilometers from the following outbreak ADIS: IT-HPAI(P)-2022-00023 (WGS84 dec. coordinates N43.720196 E11.161802)	23.4.2022
The area of Toscana Region within a circle of radius of three kilometers from the following outbreak ADIS: IT-HPAI(P)-2022-00023 (WGS84 dec. coordinates N43.720196 E11.161802)	15.4.2022 -23.4.2022
<i>Region: Emilia Romagna</i>	
The area of Toscana Region extending beyond the area described in the protection zone and within the circle of a radius of ten kilometers from the following outbreak ADIS: IT-HPAI(P)-2022-00024 (WGS84 dec. coordinates N44.55135 E11.87884)	5.5.2022

The area of Emilia Romagna Region within a circle of radius of three kilometers from the following outbreak ADIS: IT-HPAI(P)-2022-00024 (WGS84 dec. coordinates N44.55135 E11.87884)

27.4.2022 – 5.5.2022

Member State: the Netherlands

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Municipality Hekendorp, province Utrecht</i>	
1. Vanaf de kruising van de N207 en de N11, de N11 volgend in oostzuidelijke richting tot aan de spoorlaan. 2. De spoorlaan volgend in oostelijke richting tot aan de Rijksstraatweg. 3. De Rijksstraatweg volgend in zuidelijke richting tot aan de Kerklaan. 4. De Kerklaan volgend in oostelijke richting overgaand in de Verloostraat tot aan Buitendijk. 5. De Buitendijk volgen in zuidelijke richting tot aan Kerkweg. 6. De Kerkweg volgend in oostelijke richting overgaand in Meije tot aan Hazekade. 7. De Hazekade volgend in zuidelijke richting tot aan Hoofdweg 8. Hoofdweg volgen in zuidelijke richting tot aan de 's-Gravensloot. 9. De 's-Gravensloot volgend in oostelijke richting tot aan Oudelandseweg. 10. De Oudelandseweg volgend in noordelijke richting tot aan de Geestdorp. 11. De Geestdorp volgend in oostelijke richting tot aan de N198. 12. De N198 volgend in oostelijke richting overgaand in zuidelijke richting overgaand in oostelijke richting overgaand in zuidelijke richting tot aan de Strijkviertel. 13. De Strijkviertel volgend in zuidelijke richting tot aan de A12. 14. De A12 volgend in oostelijke richting tot aan de A2. 15. De A2 volgend in zuidelijke richting tot aan de N210. 16. De N210 volgend in zuidelijke richting overgaand in westelijke richting overgaand in zuidelijke richting tot aan de S.L. van Alterenstraat. 17. S.L. van Alterenstraat volgend in zuidelijke richting tot aan de rivier de Lek. 18. De rivier de Lek volgend in westelijke richting tot aan de Bonevlietweg. 19. De Bonevlietweg volgend in zuidelijke richting tot aan de Melkweg. 20. De Melkweg volgend in zuidelijke richting overgaand in de Peppelweg tot aan de Essenweg. 21. De Essenweg volgend in noordelijke richting overgaand in de Graafland tot aan de Irenestraat. 22. Irenestraat volgend in westelijke richting tot aan de Beatrixstraat.	7.4.2022

23. De Beatrixstraat volgend in noordelijke richting tot aan de Voorstraat. 24. De Voorstraat volgend in westelijke richting overgaand in Sluis, overgaand in de Opperstok overgaand, in de Bergstoep tot aan de veerpont Bergambacht-Groot Ammers. 25. De Veerpont volgend in noordelijke richting tot aan de Veerweg. 26. De Veerweg volgend in noordelijke richting tot aan de N210. 27. De N210 volgend in westelijke richting tot aan de Zuidbroekse Opweg. 28. De Zuidbroekse Opweg volgend in noordelijke richting tot aan de Oosteinde. 29. De Oosteinde volgend in westelijke richting tot aan de Kerkweg. 30. De Kerkweg volgend in westelijke richting tot aan de Graafkade. 31. De Graafkade volgend in oostelijke richting tot aan de Wellepoort. 32. De Wellepoort volgend in noordwestelijke richting overgaand in de Schaapjeshaven tot aan de Kattendijk. 33. De Kattendijk volgend in oostelijke richting tot aan de veerpont over de Hollandsche IJssel. 34. De veerpont volgend in noordelijke richting tot aan de Veerpad. 35. Het Veerpad volgend in noordelijke richting overgaand in de Kerklaan overgaand in de Middeweg tot aan de N456 36. De N456 volgend in noordelijke richting tot aan de N207. 37. De N207 volgend in noordelijke richting tot aan de N11.	
Those parts of the municipality Oudewater contained within a circle of a radius of 3 kilometres, centered on WGS84 dec. coordinates long 4.81873 lat 52.01719	29.3.2022 – 7.4.2022
<i>Municipality Lunteren, province Gelderland</i>	
1. Vanaf de kruising N226/Scherpenzeelseweg, Scherpenzeelseweg volgen in noordelijke richting A12 overstekend overgaand in Griftdijk tot aan Maarsbergseweg. 2. Maarsbergseweg volgen in noordelijke richting overgaand in Geeresteinlaan overgaand in Arnhemseweg tot aan Leusbroekerweg. 3. Leusbroekerweg volgen in oostelijke richting tot aan Valleikanaal. 4. Valleikanaal volgen in noordelijke richting tot aan Hessenweg. 5. Hessenweg volgen in noordelijke richting overgaand in Emelaarsweg tot aan Barneveldsche Beek. 6. Barneveldschebeek volgen in oostelijke richting tot aan Stoutenburgweg. 7. Stoutenburgweg volgen in noordelijke richting tot aan Hoevelakenseweg. 8. Hoevelakenseweg volgen in oostelijke richting tot aan Leemweg. 9. Leemweg volgen in noordelijke richting tot aan Westerveldseweg. 10. Westerveldseweg volgen in oostelijke richting tot aan Rijksweg. 11. Rijksweg volgen in oostelijke richting tot aan De Voortse Ring. 12. De Voortse Ring volgen in zuidelijke richting overgaand in Baron van Nagelstraat tot aan A1.	11.4.2022

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| <ol style="list-style-type: none">13. A1 volgen in oostelijke richting tot aan Garderbroekerweg.14. Garderbroekerweg volgen in zuidelijke richting tot aan Drienhuizerweg.15. Drienhuizerweg volgen in zuidelijke richting tot aan Veluweweg.16. Veluweweg volgen in westelijke richting tot aan Essenerweg.17. Essenerweg volgen in zuidelijke richting tot aan Dwarsgraafweg.18. Dwarsgraafweg volgen in westelijke richting tot aan Westerhuisweg.19. Westerhuisweg volgen in zuidelijke richting tot aan Westenengseweg.20. Westenengseweg volgen in westelijke richting tot aan Schiphorsterbeek.21. Schiphorsterbeek volgen in westelijke richting tot aan N801.22. N801 volgen in zuidelijke richting tot aan Laar of Werfbeek.23. Laar of Werfbeek volgen in oostelijke richting tot aan Willinkhuizersteeg.24. Willinkhuizersteeg volgen in westelijke richting tot aan Lage Valkseweg.25. Lage Valkseweg volgen in zuidelijke richting tot aan Edeseweg.26. Edeseweg volgen in westelijke richting tot aan Beek en Bultpad.27. Beek en Bultpad volgen in zuidelijke richting tot aan Wekeromseweg.28. Wekeromseweg volgen in westelijke richting tot aan Roekelseweg.29. Roekelseweg volgen in zuidelijke richting tot aan Apeldoornseweg.30. Apeldoornseweg volgen in zuidelijke richting tot aan Planken Wambuisweg.31. Planken Wambuisweg volgen in zuidelijke richting tot aan Kreelseweg.32. Kreelseweg volgen in westelijke richting tot aan Hessenweg.33. Hessenweg volgen in zuidelijke richting tot aan Verlengde Arnhemseweg.34. Verlengde Arnhemseweg volgen in westelijke richting tot aan Nieuwe Kazernelaan.35. Nieuwe Kazernelaan volgen in zuidelijke richting tot aan Klinkenbergerweg.36. Klinkenbergerweg volgen in zuidelijke richting overgaand in Edeseweg tot aan A12.37. A12 volgen in westelijke richting tot aan N781.38. N781 volgen in zuidelijke richting tot aan Krommesteeg.39. Krommesteeg volgen in westelijke richting tot aan Dijkgraaf.40. Dijkgraaf volgen in zuidelijke richting tot aan Dickenseweg.41. Dickenseweg volgen in westelijke richting tot aan Harsloweg.42. Harsloweg volgen in zuidelijke richting tot aan Weerdjesweg.43. Weerdjesweg volgen in westelijke richting tot aan Slagsteeg.44. Slagsteeg volgen in noordelijke richting tot aan Heuvelweg. | |
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45. Heuvelweg volgen in westelijke richting tot aan Veensteeg. 46. Veensteeg volgen in noordelijke richting tot aan Werftweg. 47. Werftweg volgen in westelijke richting overgaand in Zuidelijke Meentsweg tot aan Cuneraweg. 48. Cuneraweg volgen in noordelijke richting tot aan Veenendaalsestraatweg. 49. Veenendaalsestraatweg volgen in zuidelijke richting tot aan Rijksweg (N225) 50. N225 volgen in westelijke richting overgaand in N226 tot aan Scherpenzeelseweg.	
Those parts of the municipality Oudewater contained within a circle of a radius of 3 kilometres, centered on WGS84 dec. coordinates long 4.81873 lat 52.01719	3.4.2022 – 11.4.2022

Member State: Poland

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Województwo wielkopolskie:	
1) w powiecie grodziskim , w gminie Rakoniewice, miejscowości: Błońsko, Komorówko, Kuźnica Zbąska, Głodno, Rostarzewo, Stodolsko, Cegielsko; 2) w powiecie nowotomyskim , a) w gminie Zbąszyń, miejscowości: Perzyny, Zakrzewko, Stefanowo, Stefanowice; 3) w powiecie wolsztyńskim , a) w gminie Wolsztyn, miejscowości: Wola Dąbrowiecka, Barłożnia Wolsztyńska, Barłożnia Gościeszyńska, Nowy Młyn, Nowe Tłoki, Wolsztyn, Adamowo, Karpicko, Berzyna, Niałek Wielki, Komorowo, Tłoki, Stary Widzim, Obra; b) w powiecie wolsztyńskim, w gminie Siedlec, miejscowości: Nowa Tuchorza, Boruja, Kielkowo, Żodyń, Nieborza, Wojciechowo, Karna, Godziszewo, Zakrzewo, Belęcin, Mariankowo, Jażyniec, Jaromierz, Chobienice, Grójec Mały.	13.4.2022
1 w powiecie wolsztyńskim , a) w gminie Wolsztyn, miejscowości: Chorzemin, Powodowo; b) w powiecie wolsztyńskim, w gminie Siedlec, miejscowości: Tuchorza, Stara Tuchorza, Reklin, Reclinek, Kielpiny, Siedlec.	5.4.2022 – 13.4.2022

Member State: Portugal

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
The parts of Castro Marim, Tavira and Vila Real de Santo António municipalities, that are beyond the areas described in the protection zone, and are contained within circle of 10 kilometers radius, centered on GPS coordinates 37.273632 N, 7.493610 W	16.4.2022
The part of Castro Marim municipality, that are contained within circle of 3 kilometers radius, centered on GPS coordinates 37.273632 N, 7.493610 W	8.4.2022 – 16.4.2022

Member State: Romania

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>County: Giurgiu</i>	
Braniştea Comasca Oinacu	20.4.2022 – 28.4.2022
Băneasa Frasinu Ploşoru Daita Bălănoaia Sfântu Gheorghe Daia Frăţeşti Cetatea Remuş Giurgiu Gostinu	28.4.2022

Part C

Further restricted zones in the concerned Member States* as referred to in Articles 1 and 3a:

Member State: Italy

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
<i>Region: Lombardia</i>	
— Municipality of Acquafredda (BS) — Municipality of Alfianello (BS) East of A21 — Municipality of Bassano Bresciano (BS) East of A21 — Municipality of Calvisano (BS) — Municipality of Carpenedolo (BS) — Municipality of Cigole (BS) — Municipality of Desenzano del Garda (BS) South of A4 — Municipality of Fiesse (BS) — Municipality of Gambara (BS) — Municipality of Ghedi (BS) — Municipality of Gottolengo (BS) — Municipality of Isorella (BS) — Municipality of Leno (BS) East of A21 — Municipality of Lonato del Garda (BS) South of A4 — Municipality of Manerbio (BS) East of A21 — Municipality of Milzano (BS) — Municipality of Montichiari (BS) — Municipality of Pavone del Mella (BS)	30.4.2022

— Municipality of Pontevico (BS) East of A21 — Municipality of Pozzolengo (BS) South of A4 — Municipality of Pralboino (BS) — Municipality of Remedello (BS) — Municipality of San Gervasio Bresciano (BS) East of A21 — Municipality of Seniga (BS) — Municipality of Visano (BS) — Municipality of Acquanegra sul Chiese (MN) — Municipality of Asola (MN) — Municipality of Canneto sull'Oglio (MN) — Municipality of Casalmoro (MN) — Municipality of Casaloldo (MN) — Municipality of Casalromano (MN) — Municipality of Castel Goffredo (MN) — Municipality of Castelforte (MN) — Municipality of Castellucchio (MN) North of SP64 ex SS10 — Municipality of Castiglione delle Stiviere (MN) — Municipality of Cavriana (MN) — Municipality of Ceresara (MN) — Municipality of Curtatone (MN) North of SP64 ex SS10 — Municipality of Gazoldo degli Ippoliti (MN) — Municipality of Goito (MN) — Municipality of Guidizzolo (MN) — Municipality of Mantova (MN) North of SP64 ex SS10 — Municipality of Marcaria (MN) North of SP64 ex SS10 — Municipality of Mariana Mantovana (MN) — Municipality of Marmirolo (MN) — Municipality of Medole (MN) — Municipality of Monzambano (MN) — Municipality of Piubega (MN) — Municipality of Ponti sul Mincio (MN) — Municipality of Porto Mantovano (MN) — Municipality of Redondesco (MN) — Municipality of Rodigo (MN) — Municipality of Roverbella (MN) — Municipality of San Giorgio Bigarello (MN) North of SP64 ex SS10 — Municipality of Solferino (MN) — Municipality of Volta Mantovana (MN)	
<i>Region: Veneto</i>	
— Municipality of Arquá Petrarca (PD) — Municipality of Baone (PD) — Municipality of Barbona (PD) — Municipality of Borgo Veneto (PD) — Municipality of Carceri (PD) — Municipality of Casale di Scodosia (PD) — Municipality of Castelbaldo (PD) — Municipality of Cervarese Santa Croce (PD) — Municipality of Cinto Euganeo (PD) — Municipality of Este (PD) — Municipality of Galzignano Terme (PD) — Municipality of Granze (PD) — Municipality of Lozzo Atestino (PD) — Municipality of Masi (PD) — Municipality of Megliadino San Vitale (PD) — Municipality of Merlara (PD) — Municipality of Mestrino (PD) South of A4 — Municipality of Monselice (PD) West of A13 — Municipality of Montagnana (PD) — Municipality of Ospedaletto Euganeo (PD) — Municipality of Piacenza d'Adige (PD) — Municipality of Ponso (PD)	30.4.2022

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| <ul style="list-style-type: none">— Municipality of Pozzonovo (PD) West of A13— Municipality of Rovolon (PD)— Municipality of Rubano (PD) South of A4— Municipality of Saccolongo (PD)— Municipality of Sant'Elena (PD)— Municipality of Sant'Urbano (PD)— Municipality of Solesino (PD) West of A13— Municipality of Stanghella (PD) West of A13— Municipality of Teolo (PD)— Municipality of Torreglia (PD)— Municipality of Urbana (PD)— Municipality of Veggiano (PD)— Municipality of Vescovana (PD) West of A13— Municipality of Vighizzolo d'Este (PD)— Municipality of Villa Estense (PD)— Municipality of Villafranca Padovana (PD) South of A4— Municipality of Vo' (PD)— Municipality of Albaredo d'Adige (VR)— Municipality of Angiari (VR)— Municipality of Arcole (VR)— Municipality of Belfiore (VR)— Municipality of Bevilacqua (VR)— Municipality of Bonavigo (VR)— Municipality of Boschi Sant'Anna (VR)— Municipality of Bovolone (VR)— Municipality of Buttapietra (VR)— Municipality of Caldiero (VR) South of A4— Municipality of Casaleone (VR)— Municipality of Castagnaro (VR)— Municipality of Castel d'Azzano (VR)— Municipality of Castelnuovo del Garda (VR) South of A4— Municipality of Cerea (VR)— Municipality of Cologna Veneta (VR)— Municipality of Colognola ai Colli (VR) South of A4— Municipality of Concamarise (VR)— Municipality of Erbe' (VR)— Municipality of Gazzo Veronese (VR)— Municipality of Isola della Scala (VR)— Municipality of Isola Rizza (VR)— Municipality of Lavagno (VR) South of A4— Municipality of Legnago (VR)— Municipality of Minerbe (VR)— Municipality of Monteforte d'Alpone (VR) South of A4— Municipality of Mozzecane (VR)— Municipality of Nogara (VR)— Municipality of Nogarole Rocca (VR)— Municipality of Oppeano (VR)— Municipality of Palù (VR)— Municipality of Peschiera del Garda (VR) South of A4— Municipality of Povegliano Veronese (VR)— Municipality of Pressana (VR)— Municipality of Ronco all'Adige (VR)— Municipality of Roverchiara (VR)— Municipality of Roveredo di Guà (VR)— Municipality of Salizzole (VR)— Municipality of San Bonifacio (VR) South of A4— Municipality of San Giovanni Lupatoto (VR) South of A4— Municipality of San Martino Buon Albergo (VR) South of A4— Municipality of San Pietro di Morubio (VR)— Municipality of Sanguinetto (VR)— Municipality of Soave (VR) South of A4 | |
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— Municipality of Sommacampagna (VR) South of A4 — Municipality of Sona (VR) South of A4 — Municipality of Sorgá (VR) — Municipality of Terrazzo (VR) — Municipality of Trevenzuolo (VR) — Municipality of Valeggio sul Mincio (VR) — Municipality of Verona (VR) South of A4 — Municipality of Veronella (VR) — Municipality of Vigasio (VR) — Municipality of Villa Bartolomea (VR) — Municipality of Villafranca di Verona (VR) — Municipality of Zevio (VR) — Municipality of Zimella (VR) — Municipality of Agugliaro (VI) — Municipality of Albettonne (VI) — Municipality of Alonte (VI) — Municipality of Altavilla Vicentina (VI) South of A4 — Municipality of Arcugnano (VI) South of A4 — Municipality of Asigliano Veneto (VI) — Municipality of Barbarano Mossano (VI) — Municipality of Brendola (VI) East of A4 — Municipality of Campiglia dei Berici (VI) — Municipality of Castegnero (VI) — Municipality of Gambellara (VI) South of A4 — Municipality of Grisignano di Zocco (VI) South of A4 — Municipality of Grumolo delle Abbadesse (VI) South of A4 — Municipality of Longare (VI) — Municipality of Lonigo (VI) — Municipality of Montebello Vicentino (VI) East of A4 — Municipality of Montecchio Maggiore (VI) East of A4 — Municipality of Montegalda (VI) — Municipality of Montegaldella (VI) — Municipality of Nanto (VI) — Municipality of Noventa Vicentina (VI) — Municipality of Orgiano (VI) — Municipality of Pojana Maggiore (VI) — Municipality of Sarego (VI) — Municipality of Sossano (VI) — Municipality of Torri di Quartesolo (VI) South of A4 — Municipality of Val Liona (VI) — Municipality of Vicenza (VI) South of A4 — Municipality of Villaga (VI) — Municipality of Zovencedo (VI)	
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Member State: France

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
<i>Les communes suivantes dans le département: Gers (32)</i>	
BECCAS BETCAVE-AGUIN BLOUSSON-SERIAN CAZAUX-VILLECOMTAL DURBAN FAGET-ABBATIAL	5.4.2022

LABARTHE LABEJAN LAMAGUERE LOUBERSAN MALABAT MEILHAN MONCORNEIL-GRAZAN MONFERRAN-PLAVES MONTIES ORBESSAN ORNEZAN POUY-LOUBRIN SAINT-JEAN-LE-COMTAL SAINT-JUSTIN SANSAN SEISSAN SEMBOUES TACHOIRES TRAVERSERES	
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Les communes suivantes dans le département: Loire-Atlantique (44)

ASSERAC AVESSAC BATZ-SUR-MER LA CHAPELLE-DES-MARAIS CROSSAC DREFFEAC LA BAULE-ESCOUBLAC FEGREAC FERCE GUENROUET GUERANDE HERBIGNAC JUIGNE-DES-MOUTIERS MASSERAC MESQUER MISSILLAC NOYAL-SUR-BRUTZ PIRIAC-SUR-MER PLESSE PONTCHATEAU PORNICHET LE POULIGUEN	10.4.2022
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QUILLY SAINT-ANDRE-DES-EAUX SAINTE-ANNE-SUR-BRIVET SAINT-GILDAS-DES-BOIS SAINT-JOACHIM SAINT-LYPHARD SAINT-MALO-DE-GUERSAC SAINT-MOLF SAINT-NICOLAS-DE-REDON SAINTE-REINE-DE-BRETAGNE SEVERAC SOUDAN SOULVACHE LE TEMPLE-DE-BRETAGNE LA TURBALLE VILLEPOT	
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Département: Maine-et-Loire (49)

TUFFALUN ARMAILLE BLAISON-SAINT-SULPICE BOUILLE-MENARD BOURG-L'EVEQUE BRIOLLAY BRISSAC LOIRE AUBANCE CANTENAY-EPINARD CARBAY CHAMBELLAY CHENILLE-CHAMPTEUSSE LES HAUTS-D'ANJOU CHEFFES CORZE ECOURLANT ECUILLE FENEU LA JAILLE-YVON JUVARDEIL MONTREUIL-SUR-MAINE LE PLESSIS-GRAMMOIRE LES PONTS-DE-CE OMBREE D'ANJOU GENNES-VAL-DE-LOIRE ROU-MARSON	
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10.4.2022

LOIRE-AUTHION VERRIERES-EN-ANJOU SARRIGNE SCEAUX-D'ANJOU SEGRE-EN-ANJOU BLEU SOULAIRE-ET-BOURG THORIGNE-D'ANJOU TIERCE VERRIE RIVES-DU-LOIR-EN-ANJOU	
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- * In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to Member State include the United Kingdom in respect of Northern Ireland.'

COMMISSION IMPLEMENTING DECISION (EU) 2022/624**of 12 April 2022****terminating the partial interim review of anti-dumping measures applicable to imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Russia**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾, and in particular Article 9(1) thereof,

Whereas:

1. PROCEDURE**1.1. Measures in force**

- (1) By Implementing Regulation (EU) 2017/1795 ⁽²⁾ ('the original Regulation') the European Commission ('the Commission') imposed, a definitive anti-dumping duty on imports of certain flat-rolled products of iron, non-alloy steel or other alloy steel, whether or not in coils (including 'cut-to-length' and 'narrow strip' products), not further worked than hot-rolled, not clad, plated or coated ('HRF') originating in, inter alia, Russia ('the product under review').

1.2. Request for a review

- (2) The Commission received a request for a partial interim review pursuant to Article 11(3) of Regulation (EU) 2016/1036 ('the basic Regulation'). The request for review was lodged by Eurofer ('the applicant'), on behalf of Union producers and was limited in scope to the examination of dumping as far as one Russian exporting producer, PAO Severstal ('Severstal'), is concerned.
- (3) The duty imposed by the original Regulation is a fixed duty ranging between 17,6 EUR/tonne and 96,5 EUR/tonne on imports from individually named exporting producers in Russia, with a residual duty rate of 96,5 EUR/tonne on imports from all other companies in Russia. The definitive anti-dumping duty imposed on imports from Severstal, is 17,6 EUR/tonne.

1.3. Initiation of a partial interim review

- (4) The Commission decided to initiate a partial interim review in accordance with Article 11(3) of the basic Regulation, limited in scope to the examination of dumping as far as Severstal is concerned. The Commission published, on 18 January 2021, a notice in the *Official Journal of the European Union* ⁽³⁾ ('Notice of Initiation').
- (5) The review investigation period was from 1 January to 31 December 2020.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Commission Implementing Regulation (EU) 2017/1795 of 5 October 2017 imposing a definitive anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Brazil, Iran, Russia and Ukraine and terminating the investigation on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Serbia (OJ L 258, 6.10.2017, p. 24).

⁽³⁾ OJ C 18, 18.1.2021, p. 36.

1.4. Interested parties

- (6) In the Notice of Initiation, the Commission invited Severstal and its related companies to submit a Questionnaire response within a specified deadline. It specifically informed the applicant and the authorities of the exporting country of the initiation of the investigation and invited them to participate. The Commission also invited other parties to make themselves known and to make their views known provided that there is an objective link between their activities and the product under review.

2. WITHDRAWAL OF THE REQUEST AND TERMINATION OF THE PROCEEDING

- (7) On 18 March 2022, the applicant informed the Commission of its withdrawal of the request for a partial interim review.
- (8) In accordance with Article 9(1) of the basic Regulation, proceedings may be terminated where the request is withdrawn, unless such termination would not be in the Union interest.
- (9) The investigation had not brought to light any considerations showing that a termination of the review investigation would not be in the Union interest.
- (10) The Commission concluded that the partial interim review limited in scope to the examination of dumping as far as Severstal is concerned should be terminated without amending the measures in force.

3. DISCLOSURE

- (11) The Commission informed interested parties of its intention terminate the investigation due to the withdrawal of the request and invited interested parties to comment. No interested party objected to the termination.
- (12) This Decision is in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation,

HAS ADOPTED THIS DECISION:

Article 1

The partial interim review of the dumping duty applicable to imports of certain flat-rolled products of iron, non-alloy steel or other alloy steel, whether or not in coils (including 'cut-to-length' and 'narrow strip' products), not further worked than hot-rolled, not clad, plated or coated currently falling under CN codes 7208 10 00, 7208 25 00, 7208 26 00, 7208 27 00, 7208 36 00, 7208 37 00, 7208 38 00, 7208 39 00, 7208 40 00, 7208 52 10, 7208 52 99, 7208 53 10, 7208 53 90, 7208 54 00, 7211 13 00, 7211 14 00, 7211 19 00, ex 7225 19 10 (TARIC code 7225 19 10 90), 7225 30 90, ex 7225 40 60 (TARIC code 7225 40 60 90), 7225 40 90, ex 7226 19 10 (TARIC codes 7226 19 10 91 and 7226 19 10 95), 7226 91 91 and 7226 91 99, originating in Russia, is terminated.

Article 2

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

Done at Brussels, 12 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

CORRIGENDA

Corrigendum to Commission Delegated Regulation (EU) 2021/2268 of 6 September 2021 amending the regulatory technical standards laid down in Commission Delegated Regulation (EU) 2017/653 as regards the underpinning methodology and presentation of performance scenarios, the presentation of costs and the methodology for the calculation of summary cost indicators, the presentation and content of information on past performance and the presentation of costs by packaged retail and insurance-based investment products (PRIIPs) offering a range of options for investment and alignment of the transitional arrangement for PRIIP manufacturers offering units of funds referred to in Article 32 of Regulation (EU) No 1286/2014 of the European Parliament and of the Council as underlying investment options with the prolonged transitional arrangement laid down in that Article

(Official Journal of the European Union L 455 I of 20 December 2021)

On page 1, the text of Delegated Regulation (EU) 2021/2268 is replaced as follows:

**COMMISSION DELEGATED REGULATION (EU) 2021/...
of 6 September 2021**

amending the regulatory technical standards laid down in Commission Delegated Regulation (EU) 2017/653 as regards the underpinning methodology and presentation of performance scenarios, the presentation of costs and the methodology for the calculation of summary cost indicators, the presentation and content of information on past performance and the presentation of costs by packaged retail and insurance-based investment products (PRIIPs) offering a range of options for investment and alignment of the transitional arrangement for PRIIP manufacturers offering units of funds referred to in Article 32 of Regulation (EU) No 1286/2014 of the European Parliament and of the Council as underlying investment options with the prolonged transitional arrangement laid down in that Article

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs) ⁽¹⁾, and in particular Article 8(5) and Article 10(2) thereof,

Whereas:

- (1) Experience gained during the first years of application of Commission Delegated Regulation (EU) 2017/653 ⁽²⁾ has shown that certain elements of presentation and content of key information documents need to be revised. Such revision is necessary to ensure that retail investors continue to be provided with appropriate information across the range of different types of packaged retail and insurance-based investment products ('PRIIPs'), irrespective of the particular market circumstances, in particular when there has been a sustained period of positive market performance.
- (2) To provide retail investors with information that is understandable, not misleading, and relevant for different types of PRIIPs, performance scenarios shown in the key information documents should not provide an overly positive outlook for potential future returns. The performance of underlying investments and the performance of non-structured investment funds and other similar PRIIPs are directly linked. The underpinning methodology for the

⁽¹⁾ OJ L 352, 9.12.2014, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2017/653 of 8 March 2017 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council on key information documents for packaged retail and insurance-based investment products (PRIIPs) by laying down regulatory technical standards with regard to the presentation, content, review and revision of key information documents and the conditions for fulfilling the requirement to provide such documents (OJ L 100, 12.4.2017, p. 1).

presentation of performance scenarios should therefore be adapted to avoid relying on a statistical method which produces performance scenarios that could amplify observed returns. The underpinning methodology for the presentation of performance scenarios should also be adapted to ensure that those scenarios are based on a longer period of observed returns, capturing both periods of positive and negative growth, thus providing more stable performance scenarios over time and minimising pro-cyclical outcomes. The ability of the methodology for the presentation of performance scenarios to provide appropriate forward-looking estimates has been demonstrated through back-testing which compared the outcomes of that methodology with actual observed performance of PRIIPs.

- (3) To avoid that performance scenarios are considered as best estimate forecasts, it is necessary to impose more prominent warnings about those scenarios. The disclosure, in simple terms, of additional details on the assumptions on which those scenarios are based should also reduce the risk of inappropriate expectations on possible future returns.
- (4) Information on costs is important for retail investors when comparing different PRIIPs. To enable retail investors to better understand the different types of cost structures of different PRIIPs and the relevance of those structures to their individual circumstances, information in the key information documents on costs should include a description of the main cost elements. Furthermore, to facilitate advising on and selling PRIIPs, the indicators for individual cost elements should be aligned with information disclosed under sectoral Union legislation, in particular Directive 2014/65/EU of the European Parliament and of the Council ⁽³⁾ and Directive (EU) 2016/97 of the European Parliament and of the Council ⁽⁴⁾. At the same time, it is necessary to ensure comparability across all types of PRIIPs with regard to total costs. The meaning of summary cost indicators in key information documents should be clarified, so that retail investors are able to better understand such summary cost indicators.
- (5) To better take into account economic features of certain asset classes and those PRIIPs that do not generate enough transactions to eliminate market movements with enough statistical certainty, the revised methodology for the calculation of transaction costs should use a more differentiated and proportionate approach. That methodology should also eliminate the potential occurrence of negative transaction costs to avoid the risk of confusing retail investors.
- (6) For PRIIPs offering a range of options for investment, an adjusted presentation of information on costs should be laid down to improve the understanding by retail investors of the cost implications of those different investment options.
- (7) To allow retail investors to observe, understand and compare the occurrence of volatility in the returns of linear PRIIPs and linear underlying investment options as well as previous performance in given market circumstances, it is necessary to lay down certain requirements on the standardised content and presentation of past performance in Delegated Regulation (EU) 2017/653, by incorporating and adapting certain rules laid down in Commission Regulation (EU) No 583/2010 ⁽⁵⁾. The standardised content and presentation of past performance should complement the information provided by performance scenarios. The key information documents for those linear PRIIPs and linear underlying investment options should contain in the section titled 'Other relevant information' cross-references to separate documents or websites with past performance information.

⁽³⁾ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).

⁽⁴⁾ Directive (EU) 2016/97 of the European Parliament and of the Council of 20 January 2016 on insurance distribution (OJ L 26, 2.2.2016, p. 19).

⁽⁵⁾ Commission Regulation (EU) No 583/2010 of 1 July 2010 implementing Directive 2009/65/EC of the European Parliament and of the Council as regards key investor information and conditions to be met when providing key investor information or the prospectus in a durable medium other than paper or by means of a website (OJ L 176, 10.7.2010, p. 1).

- (8) Pursuant to Article 32(1) of Regulation (EU) No 1286/2014, management companies, investment companies and persons advising on, or selling, units of UCITS are exempt from the obligations under that Regulation until 31 December 2021. When a Member State applies rules on the format and content of the key information document, as laid down in Articles 78 to 81 of Directive 2009/65/EC of the European Parliament and of the Council ⁽⁶⁾, to non-UCITS funds offered to retail investors, the exemption laid down in Article 32(1) of Regulation (EU) No 1286/2014 applies to management companies, investment companies and persons advising on, or selling, units of such funds to retail investors. To provide those funds with a consistent transitional legal regime, Article 14(2) of Delegated Regulation 2017/653 which, in accordance with Article 18 of that Delegated Regulation applies until 31 December 2021, allows manufacturers of packaged retail and insurance-based investment products ('PRIIP manufacturers') to continue using such documents drawn up in accordance with Articles 78 to 81 of Directive 2009/65/EC, where at least one of the underlying investment options is a UCITS or non-UCITS fund. The Commission proposal for a Regulation of the European Parliament and the Council ⁽⁷⁾ amending Regulation (EU) No 1286/2014 proposes to extend the transitional arrangements referred to in Article 32 thereof until 30 June 2022. It is necessary to enable PRIIP manufacturers to continue using documents drawn up in accordance with Articles 78 to 81 of Directive 2009/65/EC for as long as those transitional arrangements are in place.
- (9) Delegated Regulation (EU) 2017/653 should therefore be amended accordingly.
- (10) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the European Banking Authority, the European Insurance and Occupational Pensions Authority, and the European Securities and Markets Authority (the 'European Supervisory Authorities').
- (11) The European Supervisory Authorities have conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits, and requested the advice of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽⁸⁾, the Insurance and Reinsurance Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1094/2010 of the European Parliament and of the Council ⁽⁹⁾, and the Securities and Markets Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽¹⁰⁾.
- (12) Given the fact that the regulatory technical standards are closely related and in order to ensure that the requirements introduced by them are fully consistent, it is appropriate to adopt a single legal act amending the regulatory technical standards laid down in Delegated Regulation (EU) 2017/653.
- (13) To give PRIIP manufacturers, and persons advising on, or selling, PRIIPs sufficient time to prepare for the obligation to draw up a KID in accordance with the new requirements this Regulation should apply from 1 July 2022,

⁽⁶⁾ Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ L 302, 17.11.2009, p. 32).

⁽⁷⁾ COM(2021)397.

⁽⁸⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

⁽⁹⁾ Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48).

⁽¹⁰⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2017/653 is amended as follows:

(1) Article 1 is amended as follows:

(a) in the first paragraph, the following points (f) to (i) are added:

- “(f) where applicable, in cases where the PRIIP manufacturer forms part of a group of companies for legal, administrative or marketing purposes, the name of that group;
- (g) where the PRIIP takes the form of an undertaking for collective investment in transferable securities (UCITS) or an alternative investment fund (AIF), the identification of the UCITS or AIF including the share class or investment compartment thereof, stated prominently;
- (h) authorisation details, where applicable;
- (i) where the PRIIP takes the form of a UCITS or AIF and in cases where a UCITS is managed by a management company as defined in Article 2(1), point (b), of Directive 2009/65/EC or where it is an investment company as referred to in Article 27 of that Directive (collectively ‘UCITS management company’) which is exercising in respect of that UCITS rights under Article 16 of that Directive, or in cases where an AIF is managed by an alternative investment fund manager (AIFM) which is exercising in respect of that AIF rights under Articles 31, 32 and 33 of Directive 2011/61/EU of the European Parliament and of the Council (*), an additional statement in respect of that fact shall be included.

(*) Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ L 174, 1.7.2011, p. 1).”;

(b) the following paragraph is added:

“For the purposes of the first paragraph, point (g), in the case of an investment compartment or share class, the name of the UCITS or AIF shall follow the compartment or share class name. Where a code number identifying the UCITS or AIF, investment compartment or share class exists, it shall form part of the identification of the UCITS or AIF.”;

(2) Article 2 is amended as follows:

(a) the following paragraphs 2a, 2b and 2c are inserted:

“2a. Where the PRIIP takes the form of a UCITS or an AIF, the information in the section entitled ‘What is this product?’ of the key information document shall cover those essential features of a UCITS or AIF about which a retail investor shall be informed, even where those features do not form part of the description of objectives and investment policy in the prospectus of a UCITS as referred to in Article 68 of Directive 2009/65/EC or the description of the investment strategy and objectives of the AIF referred to in Article 23(1), point (a), of Directive 2011/61/EU, including:

- (a) the main categories of eligible financial instruments that are the object of investment;
- (b) the possibility that the retail investor may redeem units of UCITS or AIF on demand, qualifying that statement with an indication as to the frequency of dealing in units, or where applicable a statement that there is no possibility to redeem units on demand;
- (c) whether the UCITS or AIF has a particular target in relation to any industrial, geographic or other market sectors or specific classes of assets;

- (d) whether the UCITS or AIF allows for discretionary choices in regards to the particular investments that are to be made, and whether this approach includes or implies a reference to a benchmark and if so, which one;
- (e) whether dividend income is distributed or reinvested.

For the purposes of the first subparagraph, point (d), where a reference to a benchmark is implied, the degree of freedom available in relation to that benchmark shall be indicated, and where the UCITS or AIF has an index tracking objective, this shall be stated.

2b. The information referred to in paragraph 2a shall include the following, where relevant:

- (a) where the UCITS or AIF invests in debt securities, an indication of whether those debt securities are issued by corporate bodies, governments or other entities, and, where applicable, any minimum rating requirements;
- (b) where the UCITS or AIF is a structured investment fund, an explanation in simple terms of all elements necessary for a correct understanding of the pay-off and the factors that are expected to determine performance, including references, where necessary, to the details on the algorithm and its workings which appear in the prospectus of the UCITS or the description of the investment strategy and objectives of the AIF;
- (c) where the choice of assets is guided by specific criteria, an explanation of those criteria, such as 'growth', 'value' or 'high dividends';
- (d) where specific asset management techniques are used, which may include hedging, arbitrage or leverage, an explanation in simple terms of the factors that are expected to determine the performance of the UCITS or AIF.

2c. The information referred to in paragraphs 2a and 2b shall distinguish between the broad categories of investments as specified in paragraph 2a, points (a) and (c), and paragraph 2b, point (a), and the approach to those investments to be adopted by a UCITS management company or an AIFM as specified in paragraph 2a, point (d) and paragraph 2b, points (b), (c) and (d).

The section entitled 'What is this product?' of the key information document may contain other elements than those listed in paragraphs 2a and 2b, including the description of the UCITS or AIF's investment strategy, where those elements are necessary to adequately describe the objectives and investment policy of the UCITS or AIF.;

- (b) the following paragraphs 6 and 7 are added:

“6. Where the PRIIP takes the form of a UCITS or an AIF, the identification and explanation of risks referred to in Annexes II and III to this Regulation shall be consistent with the internal process for identifying, measuring, managing and monitoring risk adopted by the UCITS' management company in accordance with Directive 2009/65/EC or by AIFMs in accordance with Directive 2011/61/EU. Where a management company manages more than one UCITS or where an AIFM manages more than one AIF, the risks shall be identified and explained in a consistent manner.

7. Where the PRIIP takes the form of a UCITS or an AIF, the section entitled 'What is this product?' of the key information document shall contain the following information for every Member State in which the UCITS or AIF is marketed:

- (a) the name of the depositary;
- (b) where and how to obtain further information about the UCITS or AIF, copies of the UCITS' prospectus or copies of the description of the investment strategy and objectives of the AIF, the latest annual report and any subsequent half-yearly report of the UCITS as referred to in Article 68(1), points (b) and (c), of Directive 2009/65/EC, or the latest annual report of the AIF as referred to in Article 22 of Directive 2011/61/EU, stating in which language or languages those documents are available, and that they may be obtained free of charge;
- (c) where and how to obtain other practical information, including where to find the latest prices of units.”;

(3) Article 5 is amended as follows:

(a) in paragraph 2, the following subparagraph is added:

“A prominent warning shall be added, where applicable, regarding the additional costs that may be charged by persons advising on, or selling, the PRIIP.”;

(b) paragraph 3 is replaced by the following:

“3. In the ‘Composition of costs’ table in the section titled ‘What are the costs?’ of the key information document, PRIIP manufacturers shall specify summary indicators of the following types of costs:

(a) any one-off costs, such as entry and exit costs;

(b) any recurring costs, separating portfolio transaction costs and other recurring costs;

(c) any incidental costs, such as performance fees or carried interest.”;

(c) paragraph 4 is replaced by the following:

“4. PRIIP manufacturers shall describe each of the different costs included in the ‘Composition of costs’ table in the section titled ‘What are the costs?’ of the key information document, in accordance with Annex VII, and shall specify where and how those costs may differ from the actual costs the retail investor may incur, and where and how such costs may depend on whether the retail investor does or does not exercise certain options.”;

(4) in Article 8, the following paragraph 3 is added:

“3. For UCITS as defined in point 1(a) of Annex VIII, AIFs as defined in point 1(b) of that Annex, or unit-linked insurance-based investment products as defined in point 1(c) of that Annex, the section titled “Other relevant information” of the key information document shall include:

(a) a link to the website, or a reference to a document, where the information about past performance published by the PRIIP manufacturer in accordance with Annex VIII is made available;

(b) the number of years for which past performance data is presented.

For PRIIPs referred to in Annex II, Part 1, point 5, that are open-ended funds, or other PRIIPs open to subscription, previous performance scenario calculations shall be published on a monthly basis and the section titled “Other relevant information” shall state where those calculations can be found.”;

(5) the title of Chapter II is replaced by the following:

“CHAPTER II

SPECIFIC PROVISIONS ON THE KEY INFORMATION DOCUMENTS BY PRIIPs OFFERING A RANGE OF OPTIONS FOR INVESTMENT”;

(6) in Article 10, points (a) and (b) are replaced by the following:

“(a) a key information document for each underlying investment option within the PRIIP, in accordance with Chapter I, including information about the PRIIP as a whole, with each key information document reflecting the case that the retail investor invests in one investment option only;

(b) a generic key information document describing the PRIIP in accordance with Chapter I, unless otherwise specified in Articles 11 to 14, including a description of where the specific information on each underlying investment option can be found.”;

(7) in Article 11, point (c) is deleted;

(8) Article 12 is amended as follows:

(a) in paragraph 1, point (d) is deleted;

(b) paragraph 2 is deleted;

(9) Articles 13 and 14 are replaced by the following:

“Article 13

‘What are the costs?’ section in the generic key information document

In the section titled ‘What are the costs?’, by way of derogation from Article 5(1), point (b), PRIIP manufacturers shall specify the following:

- (a) where the costs of the PRIIP other than the costs for the underlying investment option cannot be provided in a single figure, including where those costs vary depending on the underlying investment option selected:
 - (i) the range of costs for the PRIIP in the ‘Costs over time’ and ‘Composition of costs’ tables set out in Annex VII;
 - (ii) a statement indicating that the costs to the retail investor vary on the basis of the underlying investment options;
- (b) where the costs of the PRIIP other than the costs for the underlying investment options can be provided in a single figure:
 - (i) those costs shown separately from the range of costs for the underlying investment options offered by the PRIIP in the ‘Costs over time’ and ‘Composition of costs’ tables set out in Annex VII;
 - (ii) a statement indicating that the total costs to the retail investor consist of a combination of the costs for the underlying investment options chosen and other costs of the PRIIP and vary on the basis of the underlying investment options.

Article 14

Specific information on each underlying investment option

The specific information on each underlying investment option, referred to in Article 10, point (b), shall be provided in a specific information document supplementing the generic key information document. PRIIP manufacturers shall include for each underlying investment option all of the following:

- (a) a comprehension alert, where relevant;
- (b) the investment objectives, the means for achieving them, and the intended target market as referred to in Article 2(2) and (3);
- (c) a summary risk indicator and narrative, and performance scenarios, as referred to in Article 3;
- (d) a presentation of the costs, in accordance with Article 5, including a statement on whether or not those costs include all of the costs of the PRIIP in the case that the retail investor invests in that specific investment option only;
- (e) for underlying investment options that are UCITS as defined in point 1(a) of Annex VIII, AIFs as defined in point 1(b) of that Annex, or unit-linked insurance-based investment products as defined in point 1(c) of that Annex, information about past performance as required by Article 8(3).

The information referred to in points (a) to (e) of this paragraph shall follow the structure of the relevant parts of the template laid down in Annex I.”;

(10) the following Chapter IIa is inserted:

“CHAPTER IIa

SPECIFIC PROVISIONS ON THE KEY INFORMATION DOCUMENTS BY CERTAIN UCITS AND AIFs

Article 14a

Investment compartments of UCITS or AIFs

1. Where a UCITS or AIF consists of two or more investment compartments, a separate key information document shall be produced for each individual compartment.
2. Each key information document referred to in paragraph 1 shall contain, in the section entitled ‘What is this product?’, the following information:
 - (a) a statement that the key information document describes a compartment of a UCITS or AIF, and, where applicable, that the prospectus of the UCITS or the description of the investment strategy and objectives of the AIF and periodic reports are prepared for the entire UCITS or AIF named at the beginning of the key information document;
 - (b) whether or not the assets and liabilities of each compartment are segregated by law and how this might affect the investor;
 - (c) whether or not the retail investor has the right to exchange his investment in units in one compartment for units in another compartment, and if so, where to obtain information about how to exercise that right.
3. Where the UCITS management company or the AIFM sets a charge for the retail investor to exchange his investment in accordance with paragraph 2, point (c), and that charge differs from the standard charge for buying or selling units, that charge shall be stated separately in the section entitled ‘What are the costs?’ of the key information document.

Article 14b

Share classes of UCITS or AIFs

1. Where a UCITS or AIF consists of more than one class of units or shares, the key information document shall be prepared for each class of units or shares.
2. The key information document pertinent to two or more classes of the same UCITS or AIF may be combined into a single key information document, provided that the resulting document fully complies with all requirements on length, language and presentation of the key information document.
3. The UCITS management company or AIFM may select a class to represent one or more other classes of the UCITS or AIF, provided the choice is fair, clear and not misleading to potential retail investors in those other classes. In such cases, the section entitled ‘What are the risks and what could I get in return?’ of the key information document shall contain the explanation of material risk applicable to any of the other classes being represented. A key information document based on the representative class may be provided to retail investors in the other classes.
4. Different classes shall not be combined into a composite representative class as referred to in paragraph 3.
5. The UCITS management company or AIFM shall keep a record of which other classes are represented by the representative class referred to in paragraph 3 and the grounds justifying that choice.
6. Where applicable, the section entitled ‘What is this product?’ of the key information document shall be supplemented by an indication of which class has been selected as representative, using the term by which it is designated in the UCITS’ prospectus or in the description of the investment strategy and objectives of the AIF.
7. That section shall also indicate where retail investors can obtain information about the other classes of the UCITS or AIF that are marketed in their own Member State.

*Article 14c***UCITS or AIFs as fund of funds**

1. Where the UCITS invests a substantial proportion of its assets in other UCITS or other collective investment undertakings as referred to in Article 50(1), point (e), of Directive 2009/65/EC, the description of the objectives and investment policy of that UCITS in the key information document shall include a brief explanation of how the other collective undertakings are to be selected on an ongoing basis. Where a UCITS is a fund of hedge funds the key information document shall include information about the purchase of non-EU AIFs that are not under supervision.
2. Where the AIF invests a substantial proportion of its assets in other UCITS or AIFs, paragraphs 1 and 2 shall apply *mutatis mutandis*.

*Article 14d***Feeder UCITS**

1. For feeder UCITS, as defined in Article 58 of Directive 2009/65/EC, the key information document shall contain, in the section entitled 'What is this product?' the following information specific to the feeder UCITS:
 - (a) a statement that the master UCITS' prospectus, key information document, and periodic reports and accounts are available to retail investors of the feeder UCITS upon request, how they may be obtained, and in which language(s);
 - (b) whether the items listed in point (a) of this paragraph are available in paper copies only or in other durable media, and whether any fee is payable for items not subject to free delivery in accordance with Article 63(5) of Directive 2009/65/EC;
 - (c) where the master UCITS is established in a different Member State to the feeder UCITS, and where this may affect the feeder UCITS's tax treatment, a statement to this effect;
 - (d) information about the proportion of the feeder UCITS' assets which is invested in the master UCITS;
 - (e) a description of the master UCITS' objectives and investment policy, supplemented, as appropriate, by either of the following:
 - (i) an indication that the feeder UCITS' investment returns will be very similar to those of the master UCITS; or
 - (ii) an explanation of how and why the investment returns of the feeder and master UCITS may differ.
2. Where the risk and reward profile of the feeder UCITS differs in any material respect from that of the master UCITS, that fact and the reason for it shall be explained in the section entitled 'What are the risks and what could I get in return?' of the key information document.
3. Any liquidity risk and the relationship between purchase and redemption arrangements for the master and feeder UCITS shall be explained in the section entitled 'What are the risks and what could I get in return?' of the key information document.

*Article 14e***Structured UCITS or AIF**

Structured investment funds are UCITS or AIFs which provide retail investors, at certain predetermined dates, with algorithm-based payoffs that are linked to the performance, or to the realisation of price changes or other conditions, of financial assets, indices or reference portfolios or UCITS or AIFs with similar features.”;

- (11) in Article 15, paragraph 2, the following point (d) is added:

“(d) where the performance scenarios are based on appropriate benchmarks or proxies, the consistency of the benchmark or proxy with the objectives of the PRIIP.”;

(12) the following Chapter IVa is inserted:

“CHAPTER IVa

CROSS-REFERENCES

Article 17a

Use of cross-references to other sources of information

Without prejudice to Article 6 of Regulation (EU) No 1286/2014, cross-references to other sources of information, including the prospectus and annual or half-yearly reports, may be included in the key information document, provided that all information fundamental for the retail investors’ understanding of the essential elements of the investment is included in the key information document.

Cross-references shall be permitted to the website of the PRIIP or the PRIIP manufacturer, including a part of any such website containing the prospectus and the periodic reports.

Cross-references referred to in the first subparagraph shall direct the retail investor to the specific section of the relevant source of information. Several different cross-references may be used within the key information document but they shall be kept to a minimum.”;

(13) in Article 18, the third paragraph is replaced by the following: “Article 14(2) shall apply until 30 June 2022.”;

(14) Annex I is replaced by the text in Annex I to this Regulation;

(15) Annex II is amended in accordance with Annex II to this Regulation;

(16) Annex III is amended in accordance with Annex III to this Regulation;

(17) Annex IV is replaced by the text in Annex IV to this Regulation;

(18) Annex V is replaced by the text in Annex V to this Regulation;

(19) Annex VI is amended in accordance with Annex VI to this Regulation;

(20) Annex VII is replaced by the text in Annex VII to this Regulation;

(21) the text set out in Annex VIII of this Regulation is added as Annex VIII.

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*.

It shall apply from 1 July 2022. However, Article 1, point 13 shall apply from 1 January 2022.

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

Done at Brussels, 6 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

“ANNEX I

TEMPLATE FOR THE KEY INFORMATION DOCUMENT

PRIIP manufacturers shall comply with the section order and titles set out in the template, which however does not fix parameters regarding the length of individual sections and the placing of page breaks, and is subject to an overall maximum of three sides of A4-sized paper when printed.

Key Information Document							
Purpose	This document provides you with key information about this investment product. It is not marketing material. The information is required by law to help you understand the nature, risks, costs, potential gains and losses of this product and to help you compare it with other products.						
Product	[Name of Product] [Name of PRIIP manufacturer] (where applicable) [ISIN or UPI] [website for PRIIP manufacturer] [Call [telephone number] for more information] [[Name of Competent Authority] is responsible for supervising [Name of PRIIP Manufacturer] in relation to this Key Information Document] (where applicable) [This PRIIP is authorised in [name of Member State]] (where applicable) [[Name of UCITS management company] is authorised in [name of Member State] and regulated by [identity of competent authority] (where applicable) [Name of AIFM] is authorised in [name of Member State] and regulated by [identity of competent authority] [date of production of the KID]						
[Alert (where applicable) You are about to purchase a product that is not simple and may be difficult to understand]							
What is this product?	Type Term Objectives Intended retail investor [Insurance benefits and costs]						
What are the risks and what could I get in return?	<table border="0"> <tr> <td>Risk</td> <td>Description of the risk-reward profile</td> </tr> <tr> <td>Indicator</td> <td> Summary Risk Indicator SRI template and narratives as set out in Annex III, including on possible maximum loss: can I lose all invested capital? Do I bear the risk of incurring additional financial commitments or obligations? Is there capital protection against market risk? </td> </tr> <tr> <td>Performance</td> <td>Performance Scenario templates and narratives as set out in Annex V</td> </tr> </table>	Risk	Description of the risk-reward profile	Indicator	Summary Risk Indicator SRI template and narratives as set out in Annex III, including on possible maximum loss: can I lose all invested capital? Do I bear the risk of incurring additional financial commitments or obligations? Is there capital protection against market risk?	Performance	Performance Scenario templates and narratives as set out in Annex V
Risk	Description of the risk-reward profile						
Indicator	Summary Risk Indicator SRI template and narratives as set out in Annex III, including on possible maximum loss: can I lose all invested capital? Do I bear the risk of incurring additional financial commitments or obligations? Is there capital protection against market risk?						
Performance	Performance Scenario templates and narratives as set out in Annex V						

Scenarios	Scenarios including where applicable information on conditions for returns to retail investors or built-in performance caps, and statement that the tax legislation of the retail investor's home Member State may have an impact on actual payout
What happens if [PRIIP manufacturer] is unable to pay out?	Information on whether there is a guarantee scheme, the name of the guarantor or investor compensation scheme operator, including the risks covered and those not covered.
What are the costs?	Narratives on information to be included on other distribution costs
Costs over Time	Template and narratives according to Annex VII
Composition of Costs	Template and narratives according to Annex VI
How long should I hold it and can I take money out early?	
Recommended [required minimum] holding period: [x]	
	Information on whether one can disinvest before maturity, the conditions for this, and applicable fees and penalties if any. Information on the consequences of cashing-in before the end of the term or before the end of the recommended holding period.
How can I complain?	
Other relevant information	Where applicable a short description of the information published on past performance"

ANNEX II

Annex II to Delegated Regulation (EU) 2017/653 is amended as follows:

(1) Part 1 is amended as follows:

(a) point 2 is replaced by the following:

“2. The PRIIP shall be assigned a MRM class in accordance with the following table:

MRM class	VaR-equivalent volatility (VEV)
1	< 0,5 %
2	≥ 0,5 % and < 5,0 %
3	≥ 5,0 % and < 12 %
4	≥ 12 % and < 20 %
5	≥ 20 % and < 30 %
6	≥ 30 % and < 80 %
7	≥ 80 %”

(b) point 13 is replaced by the following:

“13. The VEV is given by:

$$VEV = \{\sqrt{(3,842 - 2 * (VaR_{RETURN SPACE}))} - 1,96\} / \sqrt{T}$$

where T is the length of the recommended holding period in years.”;

(c) point 17 is replaced by the following:

“17. The VEV is given by:

$$VEV = \{\sqrt{(3,842 - 2 * \ln(VaR_{PRICE SPACE}))} - 1,96\} / \sqrt{T}$$

where T is the length of the recommended holding period in years. Only in cases where the product is called or cancelled before the end of the recommended holding period according to the simulation, the period in years until the call or cancellation is used in the calculation.”;

(d) in point 23, point (a)(ix) is replaced by the following:

“(ix) projecting the returns onto the three principal eigenvectors calculated in the previous step by multiplying the $N \times M$ matrix of returns obtained in point (v) by the $M \times 3$ matrix of eigenvectors obtained in point (viii);”;

(2) in Part 3, the following point 52a is inserted:

“52a. Where the PRIIP manufacturer considers that the summary risk indicator number assigned following the aggregation of market and credit risk in accordance with point 52 does not adequately reflect the risks of the PRIIP, that PRIIP manufacturer may decide to increase that number. The decision making process for such an increase shall be documented.”.

ANNEX III

Annex III to Delegated Regulation (EU) 2017/653 is amended as follows:

(1) point 1 is replaced by the following:

- “1. PRIIP manufacturers shall use the format below for the presentation of the SRI in the key information document. The relevant number shall be highlighted as shown depending on the SRI for the PRIIP.



(2) point 3 is replaced by the following:

- “3. Immediately below the SRI, the time frame of the recommended holding period shall be indicated. In addition, a warning shall be included directly below the SRI as set out in the above template in the following cases:
- (a) where the risk of the PRIIP is considered to be significantly higher if the holding period is different;
 - (b) where a PRIIP is considered to have a materially relevant liquidity risk, whether this is contractual in nature or not;
 - (c) where a PRIIP is considered to be illiquid whether this is contractual in nature or not.”;

(3) the following point 6a is inserted:

- “6a. For Category 1 PRIIPs as defined in point 4(b) of Annex II, the terminology used for the narratives explanations accompanying the SRI shall be adjusted, where appropriate, to reflect the specific features of the PRIIP, such as the absence of an initial investment amount.”

ANNEX IV

"ANNEX IV

PERFORMANCE SCENARIOS*Number of scenarios*

1. The performance scenarios under this Regulation which shall show a range of possible returns, shall be the following:
 - (a) a favourable scenario;
 - (b) a moderate scenario;
 - (c) an unfavourable scenario;
 - (d) a stress scenario.
2. The stress scenario shall set out significant unfavourable impacts of the PRIIP not covered in the unfavourable scenario referred to in point 1(c) of this Annex. The stress scenario shall show intermediate periods where those periods are shown for the performance scenarios under point 1(a) to (c) of this Annex.
3. An additional scenario for insurance-based investment products shall be based on the moderate scenario referred to in point 1(b) of this Annex, where the performance is relevant in respect of the return of the investment.
4. The minimum investment return shall also be shown not taking into account the situation where the PRIIP manufacturer or party bound to make, directly or indirectly, relevant payments to the retail investor, is not able to pay.

*Calculation of unfavourable, moderate and favourable scenario values for the recommended holding period for Category 2 PRIIPs***Case 1: PRIIPs referred to in point 1 of Annex VIII with sufficient historical data**

5. The following rules shall apply to PRIIPs referred to in point 1 of Annex VIII, where, at the time the calculation is made, the following criteria are satisfied in relation to the length of yearly consecutive historical values for the PRIIP:
 - (a) it is greater than 10;
 - (b) it is five years longer than the length of the PRIIP's recommended holding period.
6. Where the recommended holding period is five years or less, the unfavourable, moderate and favourable scenarios shall be calculated over the last 10 years from when the calculation is made. Where the recommended holding period is more than five years, the unfavourable, moderate and favourable scenarios shall be calculated over a time period which is equal to the recommended holding period plus five years from when the calculation is made.
7. The calculation of the unfavourable, moderate, and favourable scenarios shall include the following steps:
 - (a) within the time period specified in point 6 of this Annex, identification of all overlapping sub intervals individually equal in length to the duration of the recommended holding period, and which start or end in each of the months, or at each of the valuation dates for PRIIPs with a monthly valuation frequency, which are contained within that period;
 - (b) for PRIIPs with a recommended holding period of more than one year, identification of all overlapping sub intervals individually equal or shorter in length to the duration of the recommended holding period, but equal to or longer than one year, and which end at the end of the time period identified in point 6 of this Annex;

- (c) for each sub interval referred to in points (a) and (b), calculation of the performance of the PRIIP in accordance with the following:
 - (i) based on the performance of the PRIIP during the exact duration of each sub interval;
 - (ii) net of all applicable costs;
 - (iii) on the basis that any distributable income of the PRIIP has been reinvested;
 - (iv) by using a linear transformation to obtain the performance in sub intervals shorter than the recommended holding period, in order to render all sub- intervals of comparable length;
 - (d) rank the sub intervals identified in accordance with point (a) according to the performance calculated in accordance with point (c), to identify from within those sub intervals the median and best sub intervals in terms of performance;
 - (e) rank together the sub intervals identified in accordance with points (a) and (b) according to the performance calculated in accordance with point (c), to identify from within those sub intervals the worst sub interval in terms of performance.
8. The unfavourable scenario shall represent the worst evolution of the PRIIP's value in accordance with i point 7(e) of this Annex.
9. The moderate scenario shall represent the median evolution of the PRIIP's in accordance with point 7(d) of this Annex.
10. The favourable scenario shall represent the best evolution of the PRIIP's value in accordance with point 7(d) of this Annex.
11. The scenarios shall be calculated at least on a monthly basis.

Case 2: PRIIPs referred to in point 1 of Annex VIII without sufficient historical data and with the possibility to use a benchmark

12. For PRIIPs referred to in point 1 of Annex VIII, the unfavourable, moderate and favourable scenarios shall be calculated as specified in points 6 to 11 of this Annex, using data of a benchmark to supplement the values for the PRIIP less all applicable costs, where:
- (a) the length of PRIIP values do not meet the criteria set out in point 5 of this Annex;
 - (b) the benchmark is appropriate to estimate performance scenarios in accordance with the criteria specified in point 16 of this Annex; and
 - (c) there is historical data for the benchmark that meets the criteria set out in point 5 of this Annex.

If the information on the objectives of the PRIIP makes reference to a benchmark, that benchmark shall be used, provided the conditions in the first subparagraph are met.

Case 3: PRIIPs referred to in point 1 of Annex VIII without sufficient historical data and with no benchmark, or with a benchmark without sufficient historical data, or any other Category 2 PRIIP

13. For PRIIPs referred to in point 1 of Annex VIII that are not covered by case 1 or case 2 above or any other Category 2 PRIIP, the unfavourable, moderate and favourable scenarios shall be calculated as specified in points 6 to 11 of this Annex using benchmarks regulated by Regulation (EU) 2016/1011 of the European Parliament and of the Council ⁽¹⁾. Those benchmarks represent the asset classes in which the PRIIP invests or the underlying investments to which the PRIIP is exposed, to supplement the values for the PRIIP or the benchmark referred to in point 12 of this Annex. All asset classes in which the PRIIP could invest more than 25 % of its assets or underlying investments that represent more than 25 % of the exposure shall be considered. Where such a benchmark does not exist, an appropriate proxy shall be used.

⁽¹⁾ Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).

14. If the PRIIP invests in different asset types or offers exposure to different types of underlying investments and more than one benchmark as referred to in point 13 of this Annex has been identified, the scenarios shall be calculated using a “composite benchmark”, considering the weights of the estimated investment in each type of assets or underlying investments.
15. For Category 2 PRIIPs for which there is not an appropriate benchmark or proxy with sufficient historical data which meets the criteria set out in point 5 of this Annex for the PRIIP, performance scenarios shall be calculated in accordance with points 21 to 27 of this Annex using 15 years of historical returns of the PRIIP or an appropriate benchmark or proxy.

Cases 2 and 3: Use of appropriate benchmarks or proxies

16. In order to assess whether the use of a particular benchmark or proxy is appropriate to estimate the performance scenarios, PRIIP manufacturers shall use the following criteria, provided that such criteria are consistent with the objectives of the PRIIP and the type of assets in which the PRIIP invests or the underlying investments to which the PRIIP offers exposure and are relevant for the PRIIP:
 - (a) risk-return profile where the benchmark or proxy and the PRIIP fall into the same category of SRI or volatility and expected return or both;
 - (b) expected return;
 - (c) asset allocation composition (where the asset composition of the PRIIP reflects a composite index, the reference benchmark or proxy for the purpose of the calculation of performance scenarios shall consistently reflect the weights of the composite index);
 - (d) potential assets in which the PRIIP invests, consistent with the investment policy;
 - (e) exposure to underlying asset classes;
 - (f) geographical exposures;
 - (g) sector exposures;
 - (h) income distribution of the PRIIP;
 - (i) liquidity measures (e.g.: daily trading volumes, bid-ask spreads etc.);
 - (j) duration;
 - (k) credit rating category;
 - (l) volatility or historical volatility or both.

PRIIP manufacturers may use criteria additional to those listed in the first subparagraph provided they demonstrate that those additional criteria are relevant in terms of the objectives of the PRIIP and the type of assets in which the PRIIP invests or the type of underlying investments to which the PRIIP offers exposure.

17. PRIIP manufacturers shall be able to demonstrate the consistency of the benchmarks with the objectives of the PRIIP and shall document their decision, including a clear justification of the benchmark used.

Calculation of the stress scenario for Category 2 PRIIPs

18. For Category 2 PRIIPs, the calculation of the stress scenario shall have the following steps:
 - (a) identify a sub interval of length w which corresponds to the following intervals:

	1 year	> 1 year
Daily prices	21	63
Weekly prices	8	16
Monthly prices	6	12

- (b) identify for each sub interval of length w the historical lognormal returns r_t , where $t = t_1, t_2, \dots, t_w$;
- (c) measure the volatility based on the following formula starting from $t_i = t_1$ rolling until $t_i = t_{H-w+1}$ where H is the number of historical observations in the period:

$$w_{ti}\sigma_S = \sqrt{\frac{\sum_{t_i}^{t_{i+w-1}} (r_{ti} - {}_{t_i}^{t_{i+w-1}}M_1)^2}{M_w}}$$

Where M_w is the count of number of observations in the sub interval and ${}_{t_i}^{t_{i+w-1}}M_1$ is the mean of all the historical lognormal returns in the corresponding sub interval.

- (d) infer the value that corresponds to the 99th percentile for one year and the 95th percentile for the other holding periods; that value shall be the stressed volatility w_{σ_S} .

19. For Category 2 PRIIPs, the expected values at the end of the recommended holding period for the stress scenario shall be:

$$Scenario_{stress} = e^{\left[w_{\sigma_S} * \sqrt{N} * \left(z_{\alpha} + \left[\frac{(z_{\alpha}^2 - 1)}{6} \right] * \frac{\mu_1}{\sqrt{N}} + \left[\frac{(z_{\alpha}^3 - 3z_{\alpha})}{24} \right] * \frac{\mu_2}{N} - \left[\frac{(2z_{\alpha}^3 - 5z_{\alpha})}{36} \right] * \frac{\mu_1^2}{N} \right) - 0.5 w_{\sigma_S}^2 N \right]}$$

Where:

- (a) N is the number of trading periods in the recommended holding period, and where the other terms are defined in point 12 of Annex II;
- (b) z_{α} is a proper selected value of the PRIIP at the extreme percentile that corresponds to 1 % for one year and to 5 % for the other holding periods.

20. The stress scenario value shown shall not be better than the value of the unfavourable scenario.

Calculation of scenario values for the recommended holding period for certain Category 1 PRIIPs, Category 3 PRIIPs and Category 4 PRIIPs

- 21. The favourable scenario shall be the value of the PRIIP at the 90th percentile of an estimated distribution of outcomes over the recommended holding period less all applicable costs.
- 22. The moderate scenario shall be the value of the PRIIP at the 50th percentile of an estimated distribution of outcomes over the recommended holding period less all applicable costs.
- 23. The unfavourable scenario shall be the value of the PRIIP value at the 10th percentile of an estimated distribution of outcomes over the recommended holding period less all applicable costs.
- 24. Where the PRIIP manufacturer considers that there is a material risk that these scenarios may provide retail investors with inappropriate expectations about the possible returns they may receive, they may use lower percentiles than those specified in points 21, 22 and 23 of this Annex.
- 25. For Category 3 PRIIPs, the method to derive the estimated distribution of the PRIIP's outcomes over the recommended holding period shall be identical to the method specified in points 19 to 23 of Annex II. However, the expected return of each asset shall be the return observed over the period calculated without discounting the expected performance using the expected risk-free discount factor.

26. For Category 3 PRIIPs, the following adjustments shall be made for the calculation of the stress scenario compared to the calculation for Category 2 PRIIPs:

- (a) infer the stress volatility $^W\sigma_S$ based on the methodology defined in points 18(a), (b) and (c) of this Annex;
- (b) rescale historical returns r_t , based on the following formula:

$$r_t^{adj} = r_t * \frac{^W\sigma_S}{\sigma}$$

- (c) conduct bootstrapping on r_t^{adj} as described in point 22 of Annex II;
- (d) calculate the return for each contract by summing returns from selected periods and correcting those returns to ensure that the expected return measured from the simulated return's distribution is as follows:

$$E * [r_{bootstrapped}] = -0.5^W\sigma_S^2 N$$

where $E*[r_{bootstrapped}]$ is the new simulated mean.

27. For Category 3 PRIIPs, the stress scenario shall be the value of the PRIIP at the extreme z_α percentile as defined in point 19 of this Annex of the simulated distribution as set out in point 26 of this Annex.
28. For Category 4 PRIIPs, the method set out in point 27 of Annex II shall be used in respect of those factors that are not observed in the market, combined as necessary with the method for Category 3 PRIIPs. The relevant methods for Category 2 PRIIPs set out in points 5 to 20 of this Annex and the relevant methods for Category 3 PRIIPs set out in points 21 to 27 of this Annex shall be used for the relevant components of the PRIIP where the PRIIP combines different components. The performance scenarios shall be a weighted average of the relevant components. Product features and capital guarantees shall be taken into consideration in the performance calculations.
29. For Category 1 PRIIPs as defined in point 4(a) of Annex II, and Category 1 PRIIPs as defined in point 4(b) of Annex II that are not traded on a regulated market or on a third- country market considered to be equivalent to a regulated market in accordance with Article 28 of Regulation (EU) No 600/2014, performance scenarios shall be calculated in accordance with points 21 to 27 of this Annex.

Calculation of scenario values for the recommended holding period for other types of Category 1 PRIIPs

30. For Category 1 PRIIPs that are futures, call options and put options traded on a regulated market or on a third-country market considered to be equivalent to a regulated market in accordance with Article 28 of Regulation (EU) No 600/2014, performance scenarios shall be shown in the form of pay-off structure graphs. A graph shall be included to show performance for all scenarios for the different levels of the underlying value. The horizontal axis of the graph shall show the various possible prices of the underlying value and the vertical axis shall show the profit or loss at the different prices of the underlying value. For every price of the underlying value, the graph shall show the resulting profit or loss and at which price of the underlying value the profit or loss shall be zero.
31. For Category 1 PRIIPs as defined in point 4(c) of Annex II a reasonable and conservative best estimate of the expected values for the performance scenarios set out in points 1(a),(b) and (c) of this Annex at the end of the recommended holding period shall be provided.

The scenarios selected and shown shall be consistent with and complement the other information contained in the key information document, including the overall risk profile for the PRIIP. The PRIIP manufacturer shall ensure the consistency of the scenarios with internal product governance conclusions, including amongst others, any stress-testing undertaken by the PRIIP manufacturer for the PRIIP, and data and analysis used for the purposes of producing the other information contained with the key information document.

The scenarios shall be selected to give a balanced presentation of the possible outcomes of the PRIIP in both favourable and unfavourable conditions, but only scenarios that can be reasonably expected shall be shown. The scenarios shall not be selected so as give undue prominence to favourable outcomes at the expense of unfavourable ones.

Calculation of scenario values for intermediate holding periods

32. For PRIIPs with a recommended holding period between one and 10 years, performance shall be shown at two different holding periods: at the end of the first year and at the end of the recommended holding period.
33. For PRIIPs with a recommended holding period of 10 years or more, performance shall be shown at three holding periods: at the end of the first year, after half of the recommended holding period rounded up to the end of the nearest year, and at the end of the recommended holding period.
34. For PRIIPs with a recommended holding period of one year or less, no performance scenarios for intermediate holding periods shall be shown.
35. For Category 2 PRIIPs, the values to be shown for the intermediate periods for the unfavourable, moderate and favourable scenarios shall be calculated in accordance with points 5 to 14 of this Annex, using the time period specified in point 6, but based on the outcomes achieved over the intermediate holding period.
36. For Category 2 PRIIPs, the values to be shown for the intermediate periods for the stress scenario shall be calculated using the formulas in points 18 and 19 of this Annex with the N defined to be the number of trading periods from the start date to the end date of the intermediate period. Point 20 of this Annex shall also apply to the intermediate periods.
37. For PRIIPs as referred to in points 15 and 29 of this Annex, Category 3 PRIIPs and Category 4 PRIIPs, unless point 38 of this Annex applies, the scenario values to be shown for the intermediate holding period shall be estimated by the PRIIP manufacturer in a manner consistent with the estimation at the end of the recommended holding period.
38. For Category 1 PRIIPs that are futures, call options and put options traded on a regulated market or on a third-country market considered to be equivalent to a regulated market in accordance with Article 28 of Regulation (EU) No 600/2014, or for PRIIPs referred to in point 90(d) of Annex VI, performance scenarios may be shown at the end of the recommended holding period only.

General requirements

39. The performance scenarios of the PRIIP shall be calculated as net of all applicable costs in accordance with Annex VI for the scenario and holding period being presented.
40. Performance scenarios shall be calculated using amounts consistent with those used for the calculation of costs as specified in points 90 and 91 of Annex VI.
41. For those PRIIPs that are forward contracts, future contracts, contracts for difference or swaps, performance scenarios shall be calculated assuming that the amount specified in point 40 is the notional amount.
42. Performance scenarios shall be presented in monetary units. Figures shall by default be rounded to the nearest 10 EUR or relevant currency, unless there are specific payout conditions, such that it could be misleading to round the figures to the nearest 10 EUR in which case the PRIIP manufacturer may present figures to the nearest Euro. Without prejudice to point 7 of this Annex, the monetary figures shall show the sum of the amounts that would be received by the retail investor (net of costs) during the holding period, comprising:
 - (a) the payments due at the end of the holding period, including the capital reimbursed;
 - (b) the coupons or other amounts received before the end of the holding period, without assuming reinvestment of those amounts.

43. For PRIIPs that are forward contracts, future contracts, contracts for difference or swaps, performance scenarios in monetary units shall show the profit or loss obtained in the holding period.

44. Performance scenarios shall also be presented in percentage terms, as the average annual return of the investment. That figure shall be calculated considering the scenario value as numerator and the initial investment amount or the price paid as denominator in accordance with the following formula:

$$(\text{scenario value}/\text{initial investment})^{(1/T)} - 1, \text{ if } T > 1. \text{ Where } T \text{ is the length of the holding period in years}$$

45. For recommended holding periods shorter than one year, performance scenarios in percentage terms shall reflect the projected return over that period, non-annualised.

46. For PRIIPs that are forward contracts, future contracts, contracts for difference, or swaps, the percentage return shall be calculated considering the notional amount of the contract and a footnote shall be added to explain that calculation. The formula for the calculation shall be the following:

$$(\text{Net profit or loss}/\text{Notional Amount})^{(1/T)} - 1, \text{ if } T > 1.$$

The footnote shall indicate that the potential return is calculated as a percentage over the notional amount.

47. For insurance based investment products, the following shall apply in addition to the methods referred above including under point 28 of this Annex when calculating the performance scenarios in respect of the investment:

- (a) future profit participation shall be taken into account;
 - (b) assumptions on future profit participation shall be consistent with the assumption on the annual rates of return of the underlying assets;
 - (c) assumptions on how future profits are shared between the PRIIP manufacturer and the retail investor and other assumptions on future profit sharing shall be realistic and in line with the current business practice and business strategy of the PRIIP manufacturer. Where there is sufficient evidence that the undertaking will change its practices or strategy, the assumptions on future profit sharing shall be consistent with the changed practices or strategy. For life insurers within the scope of Directive 2009/138/EC, those assumptions shall be consistent with the assumptions on future management actions used for the valuation of technical provisions in the Solvency II-balance-sheet;
 - (d) where a component of the performance relates to profit participation that is payable on a discretionary basis, that component shall only be assumed in the favourable performance scenarios;
 - (e) the performance scenarios shall be calculated on the basis of the investment amounts set out in point 40 of this Annex.”;
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ANNEX V

"ANNEX V

METHODOLOGY FOR THE PRESENTATION OF PERFORMANCE SCENARIOS

PART 1

General presentation specifications

1. The performance scenarios shall be presented in a way that is accurate, fair, clear and not misleading, and that is likely to be understood by the average retail investor.
2. In all cases, the following narrative explanations from Part 2 of this Annex shall be included:
 - (a) element A;
 - (b) element B, which shall appear prominently above the performance scenario table or graph.
3. For all PRIIPs except Category 1 PRIIPs referred to in point 30 of Annex IV:
 - (a) element C in Part 2 of this Annex shall appear prominently above the performance scenario table;
 - (b) information on the minimum investment return shall be stated within the performance scenario table and where appropriate element G in Part 2 of this Annex shall be included. Where a minimum return is guaranteed that minimum return shall be stated in monetary amounts for the holding periods for which the guarantee applies. Where no minimum return is guaranteed, or where the guarantee is only applicable for some but not all holding periods, a narrative shall be included for the relevant holding periods stating that retail investors may lose some or all of the amount invested, or, where applicable, that retail investors may lose more than they invested as set out in Part 3 of this Annex.
4. Where a stress scenario is shown, narrative element D in Part 2 of this Annex shall be included.
5. For Category 2 PRIIPs, except those referred to in point 15 of Annex IV, narrative explanations shall be included for the unfavourable, moderate and favourable scenarios using element E in Part 2 of this Annex.
6. For Category 1 PRIIPs except those referred to in point 30 of Annex IV, Category 2 PRIIPs referred to in point 15 of Annex IV, Category 3 PRIIPs and Category 4 PRIIPs, a brief explanation of the scenarios shown shall be included with a maximum of 300 characters in plain language.
7. Elements H, I, J and K in Part 2 of this Annex shall also be included in the case of Category 1 PRIIPs referred to in point 30 of Annex IV.
8. Intermediate holding periods shall be shown in accordance with points 32, 33 and 34 of Annex IV. The interim periods may differ depending on the length of the recommended holding period.
9. For PRIIPs that do not show performance scenarios at intermediate holding periods narrative element F in Part 2 of this Annex shall be included where relevant.
10. Unless otherwise specified, for all PRIIPs except for Category 1 PRIIPs referred to in point 30 of Annex IV, PRIIP manufacturers shall use the templates set out in Part 3 of this Annex to present the performance scenarios, depending on whether it is a single investment or premium PRIIP, a regular payment or premium PRIIP, or a PRIIP as referred to in point 76c of Annex VI.
11. The term "exit" shall be used in the performance scenario table to represent the end of the investment, unless this term may be misleading for specific types of PRIIPs, in which case an alternative term may be used, such as "terminate" or "surrender".

12. For Category 1 PRIIPs as defined in point 4(b) of Annex II, the terminology used shall be adjusted where appropriate to reflect the specific features of the PRIIP, such as to refer to the notional amount of the PRIIP.
13. For insurance-based investment products, additional rows are included in respect of the biometric risk premium and a scenario for the insurance benefits, as illustrated in templates A and B in Part 3 of this Annex. Returns for that scenario shall only be shown in monetary terms.
14. For PRIIPs that involve regular payments or premiums, the templates shall also include information on the accumulated investment amount and where applicable the accumulated biometric risk premium, as illustrated in template B in Part 3 of this Annex.
15. For PRIIPs which are intended to be held for life, the recommended holding period stated in the performance scenarios may indicate that the PRIIP is intended to be held for life and state the number of years that have been used as an example for the calculation.
16. For PRIIPs that are immediate annuities or other PRIIPs that are only intended to pay- out upon the occurrence of the insured event, the performance scenario table shall reflect the following, as appropriate:
 - (a) the survival scenarios at the recommended holding period shall reflect the accumulated amount of payments made to the retail investor;
 - (b) where intermediate survival scenarios are included, those shall reflect the surrender values and accumulated amount of payments made to the retail investor at that time;
 - (c) the insurance event scenarios, such as upon death, shall show the lump sum payment received by the beneficiaries at that time.
17. Where the PRIIP is called or cancelled before the end of the recommended holding period according to the simulation, the presentation of the performance scenarios shall be adjusted accordingly, as illustrated in template C in Part 3 of this Annex, and explanatory notes shall be added, in a way that it is clear whether a certain scenario includes an early call or cancellation and that no reinvestment assumption has been applied. In scenarios where the PRIIP is automatically called or cancelled the figures shall be shown in the column "If you exit at call or maturity" of template C in Part 3 of this Annex. The time periods shown for the intermediate holding periods shall be the same for the different performance scenarios and shall be based on the recommended holding period if the PRIIP is not called, which is expected to be aligned with its maturity. Figures for intermediate holding periods shall only be shown for scenarios where the PRIIP has not yet been called or cancelled before or at the end of that intermediate holding period and shall include any exit costs that apply at that time. If the PRIIP would have been called before or at the end of that intermediate holding period based on the simulation no figures shall be shown at that time period.

PART 2

Prescribed narrative elements

[Element A] The figures shown include all the costs of the product itself, *(where applicable)* [but may not include all the costs that you pay to your advisor or distributor/and includes the costs of your advisor or distributor]. The figures do not take into account your personal tax situation, which may also affect how much you get back.

[Element B] What you will get from this product depends on future market performance. Market developments in the future are uncertain and cannot be accurately predicted.

[Element C] [The unfavourable, moderate, and favourable scenarios shown are illustrations using the worst, average, and best performance of [the product/a suitable benchmark] over the last [x] years.] *(for Category 2 PRIIPs except those referred to in point 15 of Annex IV)* [The scenarios shown are illustrations based on results from the past and on certain assumptions] *(for other types of PRIIPs)*. Markets could develop very differently in the future.

[Element D] The stress scenario shows what you might get back in extreme market circumstances.

[Element E] This type of scenario occurred for an investment [add reference to benchmark where applicable] between [add dates in years].

[Element F] This product cannot be [easily] cashed in. If you exit the investment earlier than the recommended holding period [you do not have a guarantee] *(where there is a guarantee only at the recommended holding period)* [and] [you [will/may] have to pay extra costs] *(where there are exit costs)*.

[Element G] The return is only guaranteed if you *[describe relevant conditions or refer to where these conditions are described in the key information document, such as the narrative explanations provided in accordance with Annex III]*.

[Element H] This graph illustrates how your investment could perform. You can compare it with the pay-off graphs of other derivatives.

[Element I] The graph presented gives a range of possible outcomes and is not an exact indication of what you might get back. What you get will vary depending on how the underlying will develop. For each value of the underlying, the graph shows what the profit or loss of the product would be. The horizontal axis shows the various possible prices of the underlying value on the expiry date and the vertical axis shows the profit or loss.

[Element J] Buying this product holds that you think the underlying price will [increase/decrease].

[Element K] Your maximum loss would be that you will lose all your investment (premium paid).

PART 3

Templates

Template A: Single investment or single premium paid

Recommended holding period:	[]		
Example Investment:	[EUR 10 000]		
<i>(Where applicable)</i> Insurance premium:	[monetary amount]		
	If you [exit] after 1 year	If you [exit] after []	If you [exit] after
	<i>(where applicable)</i>	<i>(where applicable)</i>	<i>[recommended holding period]</i>

[Survival] Scenarios

Minimum	[Monetary amount] or [There is no minimum guaranteed return [if you [exit] before [...years/months/days]] <i>(where applicable)</i> . You could lose some or all of your investment [or have to make further payments to cover losses] <i>(where applicable)</i>			
Stress	What you might get back after costs	[] EUR	[] EUR	[] EUR
	Average return each year	[] %	[] %	[] %
Unfavourable	What you might get back after costs	[] EUR	[] EUR	[] EUR
	Average return each year	[] %	[] %	[] %
Moderate	What you might get back after costs	[] EUR	[] EUR	[] EUR
	Average return each year	[] %	[] %	[] %
Favourable	What you might get back after costs	[] EUR	[] EUR	[] EUR
	Average return each year	[] %	[] %	[] %

(Where applicable) **[Death] Scenario**

[Insured event]	What your beneficiaries might get back after costs	[] EUR	[] EUR	[] EUR
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Template B: Regular investments or premiums paid

Recommended holding period:	[]		
Example Investment:	[EUR 1 000] per year		
(Where applicable) Insurance premium:	[monetary amount] per year		
	If you [exit] after 1 year	If you [exit] after []	If you [exit] after
	(where applicable)	(where applicable)	[recommended holding period]

[Survival] Scenarios

Minimum	[Monetary amount] or [There is no minimum guaranteed return [if you [exit] before [...years/ months/days]] (where applicable). You could lose some or all of your investment [or have to make further payments to cover losses] (where applicable)]		
Stress	What you might get back after costs	[] EUR	[] EUR
	Average return each year	[] %	[] %
Unfavourable	What you might get back after costs	[] EUR	[] EUR
	Average return each year	[] %	[] %
Moderate	What you might get back after costs	[] EUR	[] EUR
	Average return each year	[] %	[] %
Favourable	What you might get back after costs	[] EUR	[] EUR
	Average return each year	[] %	[] %
Amount invested over time	[] EUR	[] EUR	[] EUR

(Where applicable) [Death] Scenario

[Insured event]	What your beneficiaries might get back after costs	[] EUR	[] EUR
Insurance premium taken over time	[] EUR	[] EUR	[] EUR

Template C: PRIIPs referred to in point 76c of Annex VI (Autocallables)

Recommended holding period:	Until the product is called or matures This may be different in each scenario and is indicated in the table		
Example Investment:	[EUR 10 000]		
	If you [exit] after 1 year (where applicable)	If you [exit] after [] (where applicable)	If you [exit] at call or maturity

Scenarios

Minimum	[Monetary amount] or [There is no minimum guaranteed return [if you [exit] before [...years/months/days]] (where applicable). You could lose some or all of your investment [or have to make further payments to cover losses] (where applicable)]			
Stress	What you might get back after costs	EUR	EUR	EUR
(product ends after [])	Average return each year	%	%	%
Unfavourable	What you might get back after costs	EUR	EUR	EUR
(product ends after [])	Average return each year	%	%	%
Moderate	What you might get back after costs	EUR	EUR	EUR
(product ends after [])	Average return each year	%	%	%
Favourable	What you might get back after costs	EUR	EUR	EUR
(product ends after [])	Average return each year	%	%	%"

ANNEX VI

Annex VI to Delegated Regulation (EU) 2017/653 is amended as follows:

(1) in point 3, point (a) is replaced by the following:

“(a) distribution fee, to the extent that the amount is known to the UCITS management company or AIFM; if the actual amount is not known to the UCITS management company or AIFM, the maximum of the possible known distribution costs for the specific PRIIP shall be shown;”;

(2) point 5 is amended as follows:

(a) in point (a), point (i) is replaced by the following:

“(i) the UCITS management company or AIFM;”;

(b) point (g) is replaced by the following:

“(g) any costs of distribution or marketing, to the extent that the amount is known to the UCITS management company or AIFM; if the actual amount is not known to the UCITS management company or AIFM, the maximum of the possible known distribution costs for the specific PRIIP shall be shown;”;

(c) points (j) and (k) are replaced by the following:

“(j) payments to third parties to meet costs necessarily incurred in connection with the acquisition or disposal of any asset in the fund's portfolio (including transaction costs as referred to in points 7 to 23c of this Annex);

“(k) the value of goods or services received by the UCITS management company or AIFM or any connected person in exchange for placing of dealing orders;”;

(d) in point (l), point (i) is replaced by the following:

“(i) where the underlying is a UCITS or AIF, its most recently available summary cost indicator figure shall be used, where necessary adjusted to show the actual distribution fee incurred; that figure shall be based either on the figure published by the UCITS or AIF or its operator or the UCITS management company or AIFM, or a figure calculated by a reliable third-party source if more up-to-date than the published figure;”;

(e) in point (m), point (i) is replaced by the following:

“(i) the most recently available summary cost indicator of the underlying PRIIP shall be included in the calculation, and, where necessary, adjusted to show the actual entry fee incurred;”;

(f) point (q) is replaced by the following:

“(q) implicit costs incurred by structured investment funds as referred to in Section II of this Annex, and in particular points 36 to 46 of this Annex;”;

(3) in point 6, point (a) is replaced by the following:

“(a) a performance-related fee payable to the UCITS management company or the AIFM or any investment adviser, including performance fees as referred to in point 24 of this Annex;”;

(4) points 7 and 8 are replaced by the following:

“7. Transaction costs shall be calculated on an annualised basis, based on an average of the transaction costs incurred by the PRIIP over the previous three years where the average is calculated from all transactions. Where the PRIIP has been operating for less than three years, transaction costs shall be calculated using the methodology set out in points 21, 22 and 23 of this Annex.

8. The aggregate transaction costs for a PRIIP shall be calculated as the sum of the transaction costs as calculated in accordance with points 8a to 23a of this Annex in the base currency of the PRIIP for all individual transactions undertaken by the PRIIP in the specified period. This sum shall be converted into a percentage by dividing by the average net assets of the PRIIP over the same period.”;

- (5) the following point 8a is inserted:

“8a. A minimum of explicit transaction costs, as referred to in point 11a of this Annex, shall be disclosed.”;

- (6) point 10 is replaced by the following:

“10. Estimates of transaction costs using the methodology described below in points 19 and 20 of this Annex shall be used for investments in other instruments or assets. Transaction costs associated with non-financial assets shall be calculated in accordance with point 20a of this Annex.”;

- (7) in point 11, the following point (c) is added:

“(c) the anti-dilution benefit shall only be taken into account to the extent that the benefit does not take the total transaction costs below explicit transaction costs.”;

- (8) the following points 11a and 11b are inserted:

“11a. Explicit costs include costs and charges incurred by the PRIIP, and paid out of retail investors’ financial investment in the PRIIP, in order to acquire or dispose of the underlying assets of the PRIIP, such as but not limited to commissions paid to brokers or other intermediaries, stamp duty or market taxes, contract fees and execution fees for OTC derivatives, where relevant.

11b. Aggregate explicit costs shall be calculated as the sum of such costs incurred from all transactions undertaken by the PRIIP over the previous three years. That sum shall be converted into a percentage by dividing by the average net assets of the PRIIP over the same period. The minimum explicit costs to be disclosed shall be calculated on an annualised basis based on an average of explicit costs incurred by the PRIIP over the previous three years, with the average calculated from all transactions.”;

- (9) points 14 and 15 are replaced by the following:

“14. The arrival price shall be determined as the mid-market price of the investment at the time when the order to transact is transmitted to another person. For orders that are transacted on a day that is not the day that the order was originally transmitted to another person, the arrival price shall be determined as the opening price of the investment on the day of the transaction or, where the opening price is not available, the previous closing price. Where a price is not available at the time when the order to transact is transmitted to another person, the arrival price shall be determined as the most recently available price or, where a recent price is not available, a justifiable independent price or, where a justifiable independent price is not available, the opening price on the day of the transaction or, where the opening price is not available, the previous closing price. Where an order is executed without being transmitted to another person, the arrival price shall be determined as the mid-market price of the investment at the time when the transaction was executed.

15. Where information about the time when the order to transact is transmitted to another person is not available (or not available to a sufficient level of accuracy), or where information about the price at that time is not available, a justifiable independent price may be used as the arrival price or, where a justifiable independent price is not available, the opening price of the investment on the day of the transaction or, where the opening price is not available, the previous closing price.”;

- (10) point 18 is replaced by the following:

“18. When calculating the costs associated with orders that are initially entered into an auction, the arrival price shall be calculated as the mid-price immediately prior to the auction. In calculating the costs associated with orders that are executed at a pre-determined time, the arrival price shall be calculated at that pre-determined time, even if the order has been transmitted for execution before that time.”;

- (11) after point 18, the following heading and point 18a are inserted:

“Transactions executed on an over-the-counter basis

18a. By way of derogation from points 12 to 16 of this Annex for transactions executed on an over-the-counter basis, the actual transaction costs shall be calculated in the following way:

- (a) where a transaction is executed after bid prices and offer prices have been obtained from more than one potential counterparty, the arrival price shall be determined as:
 - (i) the mid-point between the best bid price and best offer price, where the best bid price is below the best offer price;
 - (ii) the best bid price in the case of a sale or the best offer price in the case of a purchase, where the best bid price is higher than the best offer price;
- (b) where a transaction is executed without both bid prices and offer prices having been obtained, the transaction cost shall be calculated by multiplying the number of units transacted by half the value of the spread between the bid price and the offer price of the instrument, whereas the value of that spread shall be calculated on the following basis:
 - (i) from a composite of live market bid/offer quotes, where available;
 - (ii) where live market bid/offer quotes are not available they shall be obtained by reference to spreads from either:
 - previous transactions in assets bearing similar characteristics (duration, maturity, coupon, call-/put-ability) and liquidity, using transactions previously executed by the PRIIP manufacturer; or
 - data verified by an independent third-party or an asset valuation from an independent third party.”;

(12) the following point 20a is inserted:

“20a. When calculating the costs associated with non-financial assets, the transaction costs shall be calculated as the aggregate of the actual costs directly associated with that transaction including all charges, commissions, taxes and other payments (such as anti-dilution levies), where those assets are made from the assets of the PRIIP. In the case of cost depreciation over a period specified in the PRIIP’s accounting policies, actual costs shall be equal to the cost amounts depreciated over the last three years.”;

(13) after point 23, the following heading and point 23a are inserted:

“Low number of transactions and other similar cases

23a. By way of derogation from points 12 to 18a of this Annex, transaction costs may be calculated using the methodology set out in point 21(b) of this Annex where one or more of the following conditions is met:

- (a) a PRIIP undertook a very low number of transactions over the previous three years;
- (b) the total value for all transactions undertaken over the previous three years accounts for a very low percentage of the net asset value of the PRIIP;
- (c) the estimate of total transaction costs is not significant as compared to the estimate of the total costs.”;

(14) after point 23a, the following heading and points 23b and 23c are inserted:

“Use of data prior to 31 December 2024

23b. Until 31 December 2024, transaction costs may be calculated using the methodology laid down in point 21 of this Annex for PRIIPs that are UCITS or AIFs for which a Member State applied by 31 December 2021 rules on the format and content of the key information document, as laid down in Articles 78 to 81 of Directive 2009/65/EC.

23c. Until 31 December 2024, where an insurance-based investment product invests in a UCITS or AIF as referred to in point 23b of this Annex, the transaction costs for those investments may be calculated using the methodology laid down in point 21 of this Annex.”;

(15) heading I of Part 2 is replaced by the following:

“I. AGGREGATED COST FIGURES TO BE INCLUDED IN TABLE 1 “COSTS OVER TIME””;

(16) points 61 and 62 are replaced by the following:

“61. The total costs shall be all the costs known by the PRIIP manufacturer, including exit costs where applicable, for the relevant holding period and shall be calculated as follows:

- (a) for investment funds the sum of the costs as referred to in points 1 and 2 of this Annex plus the sum of the costs as referred to in points 4 and 6 of this Annex;
- (b) for PRIIPs other than investment funds, except PRIIPs referred in point 30 of Annex IV, the sum of the costs as referred to in points 27 and 28 of this Annex plus the sum of the costs as referred to in points 31 and 32 of this Annex;
- (c) for PRIIPs referred to in point 30 of Annex IV, the sum of the costs as referred to in points 34 and 35 of this Annex;
- (d) for insurance-based investment products, the sum of the costs as referred to in points 47 and 48 plus the sum of the costs as referred to in points 50 and 51 of this Annex.

62. The table ‘Costs over time’ shall also include aggregated summary cost indicators of the PRIIP calculated as the reduction of the yield due to total costs calculated in accordance with points 70, 71 and 72 of this Annex.”;

(17) heading after point 62 is deleted;

(18) point 63 is replaced by the following:

“63. When an assumption on the performance of the PRIIP is needed for the calculation of the cost figures (for figures in monetary or percentage terms), the performance of the PRIIP used in the calculation shall be determined in accordance with point 71 of this Annex.”;

(19) after point 63, the following heading II of Part 2 and subheading are inserted:

“II. SUMMARY COST INDICATORS PER TYPE OF COST TO BE INCLUDED IN TABLE 2 “COMPOSITION OF COSTS”

One-off costs and one-off costs indicators”;

(20) point 64 is replaced by the following:

“64. For the calculation of the entry and exit costs indicators the costs to be considered shall be those identified as entry or exit costs in accordance with Part 1 of this Annex. For insurance-based investment products, the entry and exit costs indicators of the PRIIP shall be the reduction of the annual yield due to entry and exit costs considering the PRIIP is held until the recommended holding period, calculated in accordance with points 70, 71 and 72 of this Annex. For PRIIPs, the entry and exit costs indicators shall be the costs in monetary units if the product is held for one year (or for the recommended holding period if shorter), calculated assuming a net performance of 0 %.”;

(21) heading after point 64 and points 65, 66 and 67 are replaced by the following:

“Recurring costs indicators: Transaction costs and other recurring costs

65. The recurring costs indicators of the PRIIP shall be calculated as follows:

- (a) for insurance based investment products, as the reduction of the annual yield due to those costs considering the PRIIP is held until the recommended holding period calculated in accordance with points 70, 71 and 72 of this Annex;
- (b) for PRIIPs, as the amount of ongoing costs in monetary units if the product is held for one year (or for the recommended holding period if shorter), calculated assuming a net performance of 0 %.

66. For the calculation of the transaction costs indicator, the following costs shall be considered:

- (a) for investment funds, the transaction costs referred to in points 7 to 23c of this Annex;
- (b) for PRIIPs other than investment funds, except PRIIPs referred in point 30 of Annex IV, the costs referred to in point 29(c) of this Annex;
- (c) for insurance-based investment products, the costs referred to in point 52(h) of this Annex.

67. For the calculation of the other recurring costs indicator (referred to in Annex VII as “management fees and other administrative or operating costs”), the costs to be considered are the difference between the total costs pursuant to point 61 of this Annex and the sum of the one-off costs indicator, pursuant to point 64 of this Annex, plus the transaction costs indicator, pursuant to point 66 of this Annex, plus the incidental costs indicators, pursuant to points 68 and 69 of this Annex.”;

(22) heading after point 67 and points 68 and 69 are replaced by the following:

“Incidental costs and incidental costs indicators (performance fees and carried interests)”

68. The incidental costs indicator of the PRIIP shall be calculated as follows:

- (a) for insurance-based investment products, as the reduction of the annual yield due to performance fees or carried interest or both considering the PRIIP is held until the recommended holding period calculated in accordance with points 70, 71 and 72 of this Annex;
- (b) for PRIIPs, as those costs in monetary units if the PRIIP is held for one year (or for the recommended holding period if shorter), calculated assuming a net performance of 0 %.

69. For the calculation of the performance fees the costs pursuant to point 6(a) of this Annex shall be considered for investment funds. For the calculation of the carried interests, the costs pursuant to point 6(b) of this Annex shall be considered for investment funds.”;

(23) after point 69 the following heading is inserted:

“III. CALCULATION OF THE COST FIGURES”;

(24) points 70 and 71 are replaced by the following:

“70. The reduction in yield mentioned in parts I and II of this Annex shall be calculated using amounts consistent with those specified in points 90 and 91 of this Annex. It shall be calculated as the difference between two percentages i and r where r is the annual internal rate of return in relation to gross payments by the retail investor and estimated benefit payments to the retail investor for the relevant holding period, and i is the annual internal rate of return for the respective cost free scenario.

71. The estimation of future benefit payments for the calculation of costs pursuant to point 70 of this Annex shall be based on the following assumptions:

- (a) for PRIIPs as referred to in point 30 of Annex IV, and for all PRIIPs for the cost indicators showing the case that the PRIIP is held for one year or less, a standardised net performance of 0 % shall be assumed;
- (b) except where point (a) applies, the performance of the PRIIP shall be calculated applying the methodology and the underlying hypothesis used for the estimation of the moderate scenario from the performance scenarios section of the key information document;
- (c) the benefit payments shall be estimated under the assumption that all costs included in the total costs pursuant to point 61 of this Annex are deducted.”;

(25) after point 75, the following heading is inserted:

“Specific requirements for PRIIPs with a recommended holding period of less than one year”;

(26) after point 76, heading ‘**Calculation of ratios**’ is deleted;

(27) the following point 76a is inserted:

“76a. The cost indicators in percentage terms shall be calculated considering the aggregated cost in the period divided by the investment amount and a footnote shall be added to explain that calculation and warn about the lack of comparability with annual cost indicators in percentage terms shown for other PRIIPs.”;

(28) after point 76a, the following heading and point 76b are inserted:

“Specific requirements for PRIIPs that are forward contracts, future contracts, contracts for difference, or swaps

76b. The cost indicators in percentage terms shall be calculated considering the notional amount of the contract and a footnote shall be added to explain that calculation.”;

(29) after point 76b, the following heading and point 76c are inserted:

“Specific requirements for PRIIPs that may be called or cancelled automatically before the end of the recommended holding period if certain predefined conditions are met

76c. Cost figures shall be shown assuming two different scenarios:

(a) the PRIIP is called at the first possible date;

(b) the PRIIP reaches maturity.

The cost figures shall be calculated assuming a performance coherent with each scenario.”;

(30) points 78, 79 and 80 are replaced by the following:

“78. The cost figures in monetary amounts shall be rounded to the nearest euro. The cost indicators in percentage terms shall be expressed to one decimal place.

79. The cost figures shall be calculated at least once a year.

80. The cost figures shall be based on the most recent cost calculations determined by the PRIIP manufacturer. Without prejudice to point 77 of this Annex, the costs shall be assessed on an ‘all taxes included’ basis.

For investment funds, the following shall apply:

(a) a separate calculation performed for each share class, but if the units of two or more classes rank pari passu, a single calculation may be performed for them;

(b) in the case of a fund which is an umbrella, each constituent compartment or sub-fund shall be treated separately for the purpose of this Annex, but any charges attributable to the fund as a whole apportioned among all of the sub-funds on a basis that is fair to all investors.”;

(31) point 82 is replaced by the following:

“82. The *ex-post* figures shall be based on recent cost calculations which the PRIIP manufacturer has determined on reasonable grounds to be appropriate for that purpose. The figures may be based on the costs set out in the PRIIP’s statement of operations published in its latest annual or half-yearly report, if that statement is sufficiently recent. If it is not sufficiently recent, a comparable calculation based on the costs charged during a more recent 12-month period shall be used instead.”;

(32) point 84 is replaced by the following:

“84. Where the costs attributable to an underlying UCITS or AIF are to be taken into account the following shall apply:

(a) the cost indicator of each underlying UCITS or AIF shall be pro-rated according to the proportion of the PRIIP’s net asset value which that UCITS or AIF represents at the relevant date, this being the date at which the PRIIP’s figures are taken;

(b) all the pro-rated figures shall be added to the total cost figure of the investing PRIIP itself, thus presenting a single total.”;

(33) heading II of Part 2 is deleted;

(34) point 90 is replaced by the following:

“90. The tables referred to in Article 5 shall contain an indication of the costs known by the PRIIP manufacturer in monetary and percentage terms for the case that the retail investor invests, respectively 10 000 EUR in the PRIIP (for all PRIIPs except those that are regular premium or regular payment products), or 1 000 EUR yearly (for regular premium or payment PRIIPs). The cost figures shall be shown for different holding periods, including the recommended holding period, as follows:

- (a) for PRIIPs with a recommended holding period of one year or less, only costs in case of exit at the end of the recommended holding period shall be shown;
- (b) for PRIIPs with a recommended holding period longer than one year and shorter than 10 years, costs shall be shown considering exit at the end of the first year and at the end of the recommended holding period;
- (c) for PRIIPs with a recommended holding period of 10 years or more an additional holding period shall be shown, disclosing cost figures in case of exit at half the recommended holding period rounded to the end of the nearest year;
- (d) where a PRIIP does not allow exit before the recommended holding period, or where a PRIIP is considered not to have an alternative liquidity facility promoted by the PRIIP manufacturer or a third party, or where there is an absence of liquidity arrangements, or for those PRIIPs as referred to in point 30 of Annex IV, costs may be shown at the end of the recommended holding period only.”;

(35) points 92, 93 and 94 are deleted.;

ANNEX VII

“ANNEX VII

PRESENTATION OF COSTS

Immediately under the heading of the section entitled “What are the costs?”, the following warning shall be included, unless the PRIIP manufacturer knows that no additional costs will be charged by the person advising on, or selling, the PRIIP:

“The person advising on or selling you this product may charge you other costs. If so, this person will provide you with information about these costs and how they affect your investment.”

In the cost tables set out below, the term “exit” shall be used to represent the end of the investment. Where that term might be misleading for specific types of PRIIPs, an alternative term may be used, such as “terminate” or “surrender”.

Table 1 for all PRIIPs except those referred to in Article 13, point (b) and in point 76c of Annex VI (autocallables)

The PRIIP manufacturer shall include the following headings, narratives and the table 1 showing the aggregated cost figures in monetary and percentage terms specified in points 61 and 62 of Annex VI with the holding periods referred to in point 90 of that Annex:

“Costs over time

The tables show the amounts that are taken from your investment to cover different types of costs. These amounts depend on how much you invest, how long you hold the product [and how well the product does (*where applicable*)]. The amounts shown here are illustrations based on an example investment amount and different possible investment periods.

We have assumed:

- [In the first year] you would get back the amount that you invested (0 % annual return). [For the other holding periods we have assumed the product performs as shown in the moderate scenario]
- [EUR 10 000/1 000 per year] is invested”

	If you [exit] after 1 year (where applicable)	If you [exit] after [1/2 recommended holding period] (where applicable)	If you [exit] after [recommended holding period]
Total costs	[] EUR	[] EUR	[] EUR
Annual cost impact (*)	[] %	[] % each year	[] % each year

(*) “This illustrates how costs reduce your return each year over the holding period. For example it shows that if you exit at the recommended holding period your average return per year is projected to be [] % before costs and [] % after costs.”

(Where applicable): “We may share part of the costs with the person selling you the product to cover the services they provide to you. (Where applicable) [They will inform you of the amount].”

(Where applicable): “These figures include the maximum distribution fee that the person selling you the product may charge ([] % of amount invested/[] EUR). This person will inform you of the actual distribution fee.”;

Table 1 for PRIIPs referred to in point (b) of Article 13

The PRIIP manufacturer shall include the following headings, narratives and the table 1 showing the aggregated cost figures in monetary and percentage terms specified in points 61 and 62 of Annex VI with the holding periods referred to in point 90 of that Annex and providing a split between the costs of the PRIIP other than the costs of the underlying investment options (“insurance contract”) and the range of costs of the underlying investment options (“investment options”):

“Costs over time

The tables show the amounts that are taken from your investment to cover different types of costs. These amounts depend on how much you invest, how long you hold the product [and how well the product does (*where applicable*)]. The amounts shown here are illustrations based on an example investment amount and different possible investment periods.

We have assumed:

- In the first year you would get back the amount that you invested (0 % annual return). For the other holding periods we have assumed the product performs as shown in the moderate scenario
- [EUR 10 000/1 000 per year] is invested

[Statement indicating that the total costs to the retail investor consist of a combination of the costs of the PRIIP other than the costs of the underlying investment options and the investment option costs and vary on the basis of the underlying investment options]

	If you [exit] after 1 year (where applicable)	If you [exit] after [1/2 recommended holding period] (where applicable)	If you [exit] after [recommended holding period]
Total costs			
— Insurance contract	□ EUR	□ EUR	□ EUR
— Investment options	□ – □ EUR	□ – □ EUR	□ – □ EUR
Annual cost impact (*)			
— Insurance contract	□ %	□ % each year	□ % each year
— investment options	□ – □ %	□ – □ % each year	□ – □ % each year

(*) “This illustrates how costs reduce your return each year over the holding period. For example it shows that if you exit at the recommended holding period your average return per year is projected to be □ % before costs and □ % after costs.”

(Where applicable): “We may share part of the costs with the person selling you the product to cover the services they provide to you. (Where applicable) [They will inform you of the amount.]”

(Where applicable): “These figures include the maximum distribution fee that the person selling you the product may charge (□ % of amount invested/□ EUR). This person will inform you of the actual distribution fee.”

Table 1 for PRIIPs referred to in point 76c of Annex VI (Autocallables)

For PRIIPs referred to in point 76c of Annex VI, the heading, narrative and table 1 “Costs over Time” shall be the following:

“Costs over time

The tables show the amounts that are taken from your investment to cover different types of costs. These amounts depend on how much you invest, how long you hold the product [and how well the product does (*where applicable*)]. The amounts shown here are illustrations based on an example investment amount and different investment periods.

The duration of this product is uncertain as it may terminate at different times depending on how the market evolves. The amounts shown here consider two different scenarios (early call and maturity). In case you decide to exit before the product ends, exit costs may apply in addition to the amounts shown here.

We have assumed:

- [EUR 10 000/1 000 per year] is invested
- a performance of the product that is consistent with each holding period shown.”

	If the product is called at the first possible date []	If the product reaches maturity
Total costs	[] EUR	[] EUR
Annual cost impact (*)	[] %	[] % each year

(*) “This illustrates how costs reduce your return each year over the holding period. For example, it shows that if you exit at maturity your average return per year is projected to be [] % before costs and [] % after costs.”

(Where applicable): “We may share part of the costs with the person selling you the product to cover the services they provide to you. (Where applicable) [They will inform you of the amount.]”

(Where applicable): “These figures include the maximum distribution fee that the person selling you the product may charge ([] % of amount invested/[] EUR). This person will inform you of the actual distribution fee.”

Table 2 for all PRIIPs except those referred to in point (b) of Article 13

The PRIIP manufacturer shall include a breakdown of costs according to the classification referred to in points 64 to 69 of Annex VI, using the headings and table 2 below.

A very brief description of the nature of each type of the costs shall be included. This shall include a numeric indicator (monetary amount or percentage) and the basis used for the calculation where this can be presented in simple terms that are likely to be understood by the type of retail investor to whom the PRIIP is intended to be marketed. The description shall be based on one or more of the examples included in the table below, unless these are not applicable.

“Composition of Costs

One-off costs upon entry or exit		(PRIPs): If you [exit] after [1 year/recommended holding period (if less than 1 year)] (Insurance based investment products): Annual cost impact if you [exit] after [recommended holding period]
Entry costs	[Describe nature in no more than 300 characters. Examples: — “[] % of the amount you pay in when entering this investment” — “[] % of the first [] premiums you pay” — “These costs are already included in the [price/premiums] you pay” — “This includes distribution costs of [] % of amount invested/[] EUR. [This is the most you will be charged]. [The person selling you the product will inform you of the actual charge]” — “We do not charge an entry fee”]	[Up to] [] EUR (PRIPs) or [] % (IBIPs)
Exit costs	[Describe nature in no more than 300 characters. Examples: — “[] % of your investment before it is paid out to you” — “We do not charge an exit fee for this product, [but the person selling you the product may do so]” (Where exit costs only apply in specific circumstances) – “These costs only apply if (explain circumstances or an example in maximum 200 characters)” For insurance-based investment products where exit costs only apply before exit at the recommended holding period, the column to the right shall state “N/A” and the following statement shall be included in this column in addition to the descriptions above: “Exit costs are stated as “N/A” in the next column as they do not apply if you keep the product until the recommended holding period”	[] EUR (PRIPs) or [] % (IBIPs)
Ongoing costs [taken each year]		
Management fees and other administrative or operating costs	[Describe basis in no more than 150 characters. Example: “[] % of the value of your investment per year”]. This is an estimate based on actual costs over the last year.	[] EUR (PRIPs) or [] % (IBIPs)
Transaction costs	[] % of the value of your investment per year. This is an estimate of the costs incurred when we buy and sell the underlying investments for the product. The actual amount will vary depending on how much we buy and sell.	[] EUR (PRIP) or [] % (IBIPs)

Incidental costs taken under specific conditions		
Performance fees [and carried interest]	[[Describe in no more than 300 characters]. The actual amount will vary depending on how well your investment performs. The aggregated cost estimation above includes the average over the last 5 years.] or [There is no performance fee for this product].	☐ EUR (PRIIP) or ☐ % (IBIPs)

(Where applicable): “Different costs apply depending on the investment amount [explain circumstances or use an example in maximum 150 characters]”

For PRIIPs offering a range of options for investment, PRIIP manufacturers shall use the tables 1 and 2 of this Annex applying to all PRIIPs except those referred to in Article 13, point (b) and point 76c of Annex VI for the presentation of the costs, showing for the figures in each table, as relevant, the range of the costs.

For PRIIPs with a recommended holding period of less than one year, instead of “Annual cost impact”, the label of the cost ratio in percentage terms in tables 1 and 2 shall be “Cost impact” and the footnote under the table 1 shall state the following “This illustrates the effect of costs over a holding period of less than one year. This percentage cannot be directly compared to the cost impact figures provided for other PRIIPs”.

For PRIIPs where cost ratios in percentage are calculated using the notional value the following footnote shall be added below the table: “This illustrates costs in relation to the notional value of the PRIIP”. ”

Table 2 for PRIIPs referred to in point (b) of Article 13

The PRIIP manufacturer shall include a breakdown of costs according to the classification referred to in points 64 to 69 of Annex VI, using the headings and table 2 below. Where applicable for the type of cost, a split of costs shall be shown between the costs of the PRIIP other than the costs of the underlying investment options (“insurance contract”) and the range of costs of the investment options (“investment options”).

A very brief description of the nature of each type of the costs shall be included. This shall include a numeric indicator (fixed amount or percentage) and the basis used for the calculation where this can be presented in simple terms that are likely to be understood by the type of retail investor to whom the PRIIP is intended to be marketed. The description shall be based on one or more of the examples included in the table below, unless these are not applicable.

“Composition of Costs

One-off costs upon entry or exit		Annual cost impact if you [exit] after [recommended holding period]
Entry costs	[Describe nature in no more than 300 characters. Examples: — “[input type="checkbox"/> % of the amount you pay in when entering this investment” — “[input type="checkbox"/> % of the first [input type="checkbox"/> premiums you pay” — “These costs are already included in the [price/premiums] you pay” — “This includes distribution costs of [input type="checkbox"/> % of amount invested/[input type="checkbox"/> EUR]. [This is the most you will be charged]. [The person selling you the product will inform you of the actual charge]” — “We do not charge an entry fee”]	“[input type="checkbox"/> %” or “Insurance contract [input type="checkbox"/> % Investment option [input type="checkbox"/> – [input type="checkbox"/> %”

Exit costs	<i>[Describe nature in no more than 300 characters. Examples:</i> — “[] % of your investment before it is paid out to you”. — “We do not charge an exit fee for this product, [but the person selling you the product may do so]”. <i>(Where exit costs only apply in specific circumstances) – “These costs only apply if (explain circumstances or an example in maximum 200 characters)”</i> <i>For insurance-based investment products where exit costs only apply before exit at the recommended holding period, the column to the right shall state “N/A” and the following statement shall be included in this column in addition to the descriptions above: “Exit costs are stated as “N/A” in the next column as they do not apply if you keep the product until the recommended holding period.”</i>	“[] %” or “Insurance contract [] % Investment option [] – [] %”
Ongoing costs taken each year		
Management fees and other administrative or operating costs	<i>[Describe basis in no more than 150 characters. Example:</i> <i>“[] % of the value of your investment per year”].</i> <i>This is an estimate based on actual costs over the last year.</i>	“[] %” or “Insurance contract [] % Investment option [] – [] %”
Transaction costs	[] % of the value of your investment per year. This is an estimate of the costs incurred when we buy and sell the underlying investments for the product. The actual amount will vary depending on how much we buy and sell.	“[] %” or “Insurance contract [] % Investment option [] – [] %”
Incidental costs taken under specific conditions		
Performance fees [and carried interest]	<i>[[Describe in no more than 300 characters]. The actual amount will vary depending on how well your investment performs. The aggregated cost estimation above includes the average over the last 5 years.] or [There is no performance fee for this product].</i>	“[] %” or “Insurance contract [] % Investment option [] – [] %”

(Where applicable): “Different costs apply depending on the investment amount [explain circumstances or use an example in maximum 150 characters] ” ”

ANNEX VIII

"ANNEX VIII

CONTENT AND PRESENTATION OF PAST PERFORMANCE INFORMATION*Definitions*

1. For the purpose of presenting information on past performance the following definitions shall apply:
 - (a) 'UCITS' means a UCITS authorised in accordance with Article 5 of Directive 2009/65/EC which:
 - (i) is a Category 2 PRIIP as set out in point 5 of Annex II; and
 - (ii) does not provide retail investors, at certain predetermined dates, with algorithm-based payoffs that are linked to the performance, or to the realisation of price changes or other conditions, of financial assets, indices or reference portfolios or have similar features;
 - (b) 'AIF' means an AIF as defined in Article 4(1), point (a) of Directive 2011/61/EU which:
 - (i) is a Category 2 PRIIP as set out in point 5 of Annex II;
 - (ii) is an open-ended AIF as referred to in Article 1(2) of Commission Delegated Regulation (EU) No 694/2014 ⁽¹²⁾; and
 - (iii) does not provide retail investors, at certain predetermined dates, with algorithm-based payoffs that are linked to the performance, or to the realisation of price changes or other conditions, of financial assets, indices or reference portfolios or have similar features;
 - (c) 'unit-linked insurance-based investment product' means a unit-linked insurance-based investment product which:
 - (i) is a Category 2 PRIIP as set out in point 5 of Annex II;
 - (ii) has potential early exit or redemption possibilities prior to the recommended holding period, which are not subject to significant limiting conditions;
 - (iii) provides benefits that are directly linked to the value of assets which are divided into units; and
 - (iv) does not provide retail investors, at certain predetermined dates, with algorithm-based payoffs that are linked to the performance, or to the realisation of price changes or other conditions, of financial assets, indices or reference portfolios or have similar features.

Past performance calculation for UCITS or AIFs

2. The calculation of past performance figures shall be based on the net asset value of the UCITS or AIFs, and they shall be calculated on the basis that any distributable income of the fund has been reinvested.

Use of 'simulated' data for past performance for UCITS or AIFs

3. A simulated performance record for the period before data was available shall only be permitted in the following cases, provided that its use is fair, clear and not misleading:
 - (a) a new share class of an existing UCITS or AIF or investment compartment may simulate its performance by taking the performance of another class, provided the two classes do not differ materially in the extent of their participation in the assets of the UCITS or the AIF;

⁽¹²⁾ Commission Delegated Regulation (EU) No 694/2014 of 17 December 2013 supplementing Directive 2011/61/EU of the European Parliament and of the Council with regard to regulatory technical standards determining types of alternative investment fund managers (OJ L 183, 24.6.2014, p. 18).

- (b) a feeder UCITS or AIF may simulate its performance by taking the performance of its master UCITS or AIF, provided that one of the following conditions is met;
 - (i) the feeder UCITS or AIF's strategy and objectives do not allow it to hold assets other than units of the master UCITS or AIF and ancillary liquid assets;
 - (ii) the feeder UCITS or AIF's characteristics do not differ materially from those of the master UCITS or AIF.

Past performance calculation for unit-linked insurance-based investment products

- 4. The calculation of past performance as described in point 2 of this Annex shall apply *mutatis mutandis* to unit-linked insurance-based investment products. The calculation shall be consistent either with the explanation of the impact of the biometric risk premium or the cost part of the biometric risk premium on the investment return as referred to in Article 2(4).

Presentation of past performance for UCITS or AIFs

- 5. The information about the past performance of the UCITS or the AIF shall be presented in a bar chart covering the performance of the UCITS or the AIF for the last 10 years. The size of the bar chart shall allow for legibility.
- 6. UCITS or AIFs with performance of less than five complete calendar years shall use a presentation covering the last five years only.
- 7. Any year for which data is not available shall be shown as blank with no annotation other than the date.
- 8. For UCITS or AIFs which do not yet have performance data for one complete calendar year, a statement shall be included explaining that there is insufficient data to provide a useful indication of past performance to retail investors.
- 9. The bar chart layout shall be supplemented by the following statements, which shall appear prominently:
 - (a) a warning about the limited value of past performance as a guide to future performance, using the following statement in bold letters:

"Past performance is not a reliable indicator of future performance. Markets could develop very differently in the future.

It can help you to assess how the fund has been managed in the past";
 - (b) a narrative explaining what is shown which shall be included above the bar chart and shall state in bold letters:

"This chart shows the fund's performance as the percentage loss or gain per year over the last [x] years.";
 - (c) if applicable, a product specific warning about the lack of representativeness of the past in accordance with point 15 of this Annex or if relevant other reasons with a maximum of 150 characters in plain language;
 - (d) a brief explanation of which charges and fees have been included or excluded from the calculation of past performance where relevant. This shall not apply to UCITS or AIFs which do not have entry or exit charges. [An example narrative:

"Performance is shown after deduction of ongoing charges. Any entry and exit charges are excluded from the calculation.";
 - (e) an indication of the year in which the fund, compartment or share class came into existence;
 - (f) if relevant an indication of the currency in which past performance has been calculated.
- 10. The information shall not contain any record of past performance for any part of the current calendar year.

Use of a benchmark alongside the past performance

11. Where the section entitled “What is this product?” of the key information document makes reference to a benchmark, a bar showing the performance of that benchmark shall be included in the chart alongside each bar showing past performance of the UCITS or the AIFs. This applies for UCITS or AIFs tracking a benchmark as well as for those managed in reference to a benchmark. A UCITS or AIF is deemed to be managed in reference to a benchmark, where the benchmark index plays a role in the management of the UCITS or AIF, such as for portfolio composition and/or performance measures.
12. For UCITS or AIFs which do not have past performance data over the required five or 10 years, the benchmark shall not be shown for years in which the UCITS or AIF did not exist.
13. If the UCITS or AIF is managed in reference to a benchmark as referred to in point 11 of this Annex, the narratives in point 9 of this Annex shall be supplemented as follows in bold letters:

“This chart shows the fund’s performance as the percentage loss or gain per year over the last [] years against its benchmark.”

“It can help you to assess how the fund has been managed in the past and compare it to its benchmark.”

Presentation of the bar chart

14. The bar chart presenting past performance shall comply with the following criteria:
 - (a) the scale of the Y-axis of the bar chart shall be linear, not logarithmic;
 - (b) the scale shall be adapted to the span of the bars shown and shall not compress the bars so as to make fluctuations in returns harder to distinguish;
 - (c) the X-axis shall be set at the level of 0 % performance;
 - (d) a label shall be added to each bar indicating the return in percentage that was achieved;
 - (e) past performance figures shall be rounded to one decimal place.

Impact and treatment of material changes

15. Where a material change occurs in the UCITS’ or AIF’s objectives and investment policy during the period displayed in the bar chart referred to in points 5 to 10 of this Annex, the UCITS’ or AIF’s past performance prior to that material change shall continue to be shown.
16. The period prior to the material change referred to in point 15 of this Annex shall be indicated on the bar chart and labelled with a clear warning that the performance was achieved under circumstances that no longer apply.

Use of ‘simulated’ data for past performance

17. In all cases where performance has been simulated in accordance with point 3 of this Annex, there shall be prominent disclosure on the bar chart that the performance has been simulated.
18. A UCITS or AIF changing its legal status but remaining established in the same Member State shall retain its performance record only where the competent authority of that Member State reasonably assesses that the change of status would not impact the UCITS’ or AIF’s performance.
19. In the case of mergers referred to in Article 2(1), points (p)(i) and (iii), of Directive 2009/65/EC, only the past performance of the receiving UCITS shall be maintained.
20. Point 19 of this Annex shall apply *mutatis mutandis* in the case of mergers of AIFs.

Presentation of past performance of feeder UCITS or AIFs

21. The past performance presentation of feeder UCITS or AIF shall be specific to the feeder UCITS or AIF, and shall not reproduce the performance record of the master UCITS or AIF.
22. Point 21 of this Annex shall not apply where:
 - (a) the feeder UCITS or AIF shows the past performance of its master UCITS or AIF as a benchmark; or
 - (b) the feeder was launched as a feeder UCITS or AIF at a later date than the master UCITS or AIF, and where the conditions of point 3 of this Annex are satisfied, and where a simulated performance is shown for the years before the feeder existed, based on the past performance of the master UCITS or AIF; or
 - (c) the feeder UCITS has a past performance record from before the date on which it began to operate as a feeder, its own record being retained in the bar chart for the relevant years, with the material change labelled as required by point 16 of this Annex.

Presentation of past performance of unit-linked insurance-based investment products

23. Points 5 to 16 of this Annex shall apply *mutatis mutandis* to unit-linked insurance-based investment products. The presentation shall be consistent either with the description of the impact of the biometric risk premium or the cost part of the biometric risk premium on the investment return referred to in Article 2(4)."
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