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I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2023/657 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 15 March 2023

laying down rules for the exercise of the Union's rights in the implementation and enforcement of 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 of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part

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 Articles 43(2), 91(1), 100(2), 173(3), 182(5), 188, 189(2) and 207(2) 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) On 30 January 2020, the Council concluded 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 ⁽³⁾ (the 'Withdrawal Agreement'). That Agreement entered into force on 1 February 2020.
- (2) On 29 April 2021, the Council concluded, on behalf of the Union, the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽⁴⁾ (the 'Trade and Cooperation Agreement'). That Agreement was applied provisionally as of 1 January 2021 and entered into force on 1 May 2021.
- (3) Both the Withdrawal Agreement and the Trade and Cooperation Agreement provide that a Party may adopt certain measures in the specific cases and subject to the conditions and procedures laid down therein. Those measures may entail the suspension of certain obligations under the Agreement concerned.

⁽¹⁾ OJ C 365, 23.9.2022, p. 66.

⁽²⁾ Position of the European Parliament of 14 February 2023 (not yet published in the Official Journal) and decision of the Council of 7 March 2023.

⁽³⁾ OJ L 29, 31.1.2020, p. 7.

⁽⁴⁾ OJ L 149, 30.4.2021, p. 10.

- (4) The Union and the United Kingdom may conclude other bilateral agreements between them that constitute supplementing agreements to the Trade and Cooperation Agreement and such supplementing agreements are an integral part of the overall bilateral relations as governed by that Agreement and form part of the overall framework. It is recalled that, in accordance with Article 774(3) of the Trade and Cooperation Agreement, that Agreement neither applies to Gibraltar nor has any effects in that territory.
- (5) Should the need arise to adopt unilateral measures as provided for in the Withdrawal Agreement, including the Protocol on Ireland/Northern Ireland, and the Trade and Cooperation Agreement, the Union should be in a position, in the light of the Union's general interest, to make appropriate use of the instruments available to it swiftly and in a proportionate, effective and flexible manner, while fully involving Member States. The Union should also be able to take appropriate measures if effective recourse to binding dispute settlement under the Withdrawal Agreement or the Trade and Cooperation Agreement is not possible because the United Kingdom does not cooperate in making such recourse possible. It is therefore necessary to lay down rules and procedures governing the adoption of such measures.
- (6) It is recalled that the procedure for adopting autonomous measures in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽⁹⁾ pursuant to this Regulation is without prejudice to the continued and permanent exercise by the Council of its policy-making, coordination and decision-making functions conferred by the Treaties insofar as the implementation of the agreements between the Union and the United Kingdom is concerned.
- (7) To give effect to the powers laid down in Article 16(1) of the Treaty on European Union (TEU) and Article 218(9) of the Treaty on the Functioning of the European Union (TFEU), the internal decision-making in relation to the implementation of the Withdrawal Agreement and of the Trade and Cooperation Agreement is reflected in Council Decisions (EU) 2020/135 ⁽⁶⁾ and (EU) 2021/689 ⁽⁷⁾. In order for the Council to be in a position to exercise fully its policy-making, coordination and decision-making functions in that regard, the Council should be kept continuously informed on a permanent and regular basis of the implementation of those Agreements, including about all difficulties that might arise, in particular possible breaches of those Agreements and other situations that may give rise to measures taken pursuant to this Regulation. In that regard, the Council should be duly informed in a timely manner of possible responses at the disposal of the Union to ensure a full and proper implementation of those Agreements, as well as of the follow-up to any measures taken.
- (8) The European Parliament should be immediately and fully informed, as provided for in Article 218(10) TFEU, allowing it to exercise fully its prerogatives in accordance with the Treaties. The Commission should inform the European Parliament in a timely manner of all difficulties that may arise, in particular possible breaches of the Withdrawal Agreement and of the Trade and Cooperation Agreement and other situations that might result in measures being taken pursuant to this Regulation.
- (9) The rules and procedures laid down in this Regulation should take precedence over any provisions of Union law adopted on the basis of the TFEU that govern the same subject matter.
- (10) In order to ensure that this Regulation remains fit for purpose, the Commission should undertake, within three years of its entry into force, a review of its scope and implementation and report its findings to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. That review should, where appropriate, be accompanied by relevant legislative proposals.

⁽⁹⁾ 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).

⁽⁶⁾ Council Decision (EU) 2020/135 of 30 January 2020 on the conclusion of 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 (OJ L 29, 31.1.2020, p. 1).

⁽⁷⁾ Council Decision (EU) 2021/689 of 29 April 2021 on the conclusion, on behalf of the Union, of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information (OJ L 149, 30.4.2021, p. 2).

- (11) In order to ensure uniform conditions for the implementation of this Regulation, and in particular in order to ensure the swift, effective and flexible exercise of the corresponding rights of the Union under the Withdrawal Agreement and the Trade and Cooperation Agreement, implementing powers should be conferred on the Commission to adopt the measures taken pursuant to this Regulation and to adopt, as appropriate, measures restricting trade or other activities. Those powers should also extend to the amendment, suspension or repeal of the adopted measures. They should be exercised in accordance with Regulation (EU) No 182/2011. Given that the envisaged measures entail the adoption of acts of general scope, and that most of the envisaged measures relate to the areas referred to in Article 2(2), point (b), of that Regulation, the examination procedure should be used for the adoption of those measures. The Commission should adopt immediately applicable implementing acts where, in duly justified cases, imperative grounds of urgency so require for the appropriate protection of the Union's interests.
- (12) When the Council decides pursuant to Article 43(3) TFEU to suspend, in whole or in part, access to Union waters under Heading Five of the Trade and Cooperation Agreement by vessels of the United Kingdom for fisheries, it should take into account the effectiveness of such suspension in inducing compliance of the United Kingdom with the relevant agreement and any specific criteria established therein. Such suspension should be implemented in relation to individual vessels of the United Kingdom in accordance with Title III of Regulation (EU) 2017/2403 of the European Parliament and of the Council ⁽⁸⁾.
- (13) Since the objectives of this Regulation, namely to lay down rules and procedures governing the exercise of the Union's rights under the Withdrawal Agreement and the Trade and Cooperation Agreement, and to empower the Commission to adopt the necessary measures including, as appropriate, restrictions in trade, investment or other activities within the scope of the Trade and Cooperation Agreement cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 TEU. Moreover, since only the Union is Party to the Withdrawal Agreement and the Trade and Cooperation Agreement, action at the level of international law in respect of those Agreements can only be taken by the 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,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation lays down rules and procedures to ensure an effective and timely exercise of the Union's rights in implementing and enforcing 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 (the 'Withdrawal Agreement'), the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (the 'Trade and Cooperation Agreement') and supplementing agreements to the Trade and Cooperation Agreement.

2. This Regulation applies to the following measures adopted by the Union:

- (a) the temporary suspension of the relevant preferential treatment of the product or products concerned as set out in Article 34 of the Trade and Cooperation Agreement;
- (b) remedial measures and the suspension of obligations as set out in Article 374 of the Trade and Cooperation Agreement;
- (c) rebalancing measures and countermeasures as set out in Article 411 of the Trade and Cooperation Agreement;

⁽⁸⁾ Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

- (d) the refusal, revocation, suspension, limitation of and the imposition of conditions on the operating authorisations or technical permissions of air carriers of the United Kingdom, as well as the refusal, revocation, suspension, limitation of and the imposition of conditions on the operation of those air carriers, as set out in Articles 434(4) and 435(12) of the Trade and Cooperation Agreement;
- (e) the suspension of acceptance obligations as set out in Article 457 of the Trade and Cooperation Agreement;
- (f) remedial measures as set out in Article 469 of the Trade and Cooperation Agreement;
- (g) compensatory measures, in particular the suspension of obligations as set out in Article 501 of the Trade and Cooperation Agreement;
- (h) remedial measures and the suspension of obligations as set out in Article 506 of the Trade and Cooperation Agreement;
- (i) the suspension or termination of the application of Protocol I to the Trade and Cooperation Agreement in relation to one or more Union programmes or activities adopted on the basis of the TFEU, or parts thereof, as set out in Articles 718 and 719 of the Trade and Cooperation Agreement;
- (j) an offer or acceptance of temporary compensation or the suspension of obligations in the context of compliance following an arbitration or panel of experts procedure under Article 749 of the Trade and Cooperation Agreement;
- (k) safeguard measures and rebalancing measures as set out in Article 773 of the Trade and Cooperation Agreement;
- (l) measures restricting trade, investment or other activities within the scope of the Trade and Cooperation Agreement, if adjudication is not possible because the United Kingdom is not taking the steps that are necessary for a dispute settlement procedure under that Agreement or the Withdrawal Agreement to function, including unduly delaying the proceedings amounting to non-cooperation in the process;
- (m) the suspension of obligations under Article 178 of the Withdrawal Agreement in the context of compliance with an arbitration panel ruling;
- (n) remedial measures as set out in Article 13 of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement;
- (o) safeguard measures and rebalancing measures as set out in Article 16 of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement.

Article 2

Exercise of the Union's rights

1. The Commission shall be empowered, by means of implementing acts,
 - (a) to adopt the measures referred to in Article 1(2) of this Regulation, with the exception of the suspension, in whole or in part, of access to Union waters under the Trade and Cooperation Agreement by vessels of the United Kingdom for fisheries; and
 - (b) where the measure consists of the suspension of an obligation under any of the Agreements referred to in Article 1(1), to impose restrictions on trade, investment or other activities within the scope of the agreement concerned which would otherwise be precluded by the suspended obligation.

Where appropriate, those implementing acts shall specify the duration of the adopted measures.

2. Measures adopted pursuant to this Regulation shall be proportionate to the objectives pursued and effective in inducing compliance of the United Kingdom with the Agreements referred to in Article 1(1). They shall comply with the specific criteria established in those Agreements.

3. The Commission shall be empowered to amend, suspend or repeal the measures referred to in Article 1(2) by means of implementing acts. Where appropriate, those implementing acts shall specify the duration of the suspension.

4. Where there is a particular concern of one or more Member States, that or those Member States may request the Commission to adopt the measures referred to in Article 1(2). If the Commission does not respond positively to such a request, it shall inform the Council in a timely manner of its reasons.
5. If, due to persisting significant divergences, the rebalancing measures referred to in Article 1(2), point (c), of this Regulation last for more than a year, one or more Member States may request the Commission to activate the review clause provided for in Article 411 of the Trade and Cooperation Agreement. The Commission shall examine that request in a timely manner and shall consider seizing as appropriate the Partnership Council of that matter, in accordance with the provisions set out in the Trade and Cooperation Agreement. If the Commission does not respond positively to such a request, it shall inform the Council in a timely manner of its reasons.
6. The implementing acts referred to in paragraphs 1 and 3 of this Article shall be adopted in accordance with the examination procedure referred to in Article 3(2).
7. On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 3(3).
8. When the Council decides pursuant to Article 43(3) TFEU to suspend, in whole or in part, access to Union waters under the Trade and Cooperation Agreement by vessels of the United Kingdom for fisheries, it shall apply the criteria set out in paragraph 2 of this Article.

Article 3

Committee procedure

1. The Commission shall be assisted by the UK Committee. That committee shall be a committee within the meaning of Article 3 of Regulation (EU) No 182/2011. In accordance with Regulation (EU) No 182/2011, the European Parliament and the Council shall be regularly and promptly informed on committee proceedings.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.
4. The European Parliament and the Council may at any time exercise their right of scrutiny in accordance with Article 11 of Regulation (EU) No 182/2011.

Article 4

Information

1. In order to give effect to the powers of the Council under the Treaties, as reflected in Decisions (EU) 2020/135 and (EU) 2021/689, the Council shall be kept continuously informed on a permanent and regular basis of the implementation of the Withdrawal Agreement and the Trade and Cooperation Agreement.
2. In order to give effect to its powers under the Treaties, the European Parliament shall be kept immediately and fully informed, in accordance with the Treaties, to allow it to exercise its institutional prerogatives.

Article 5

Relation to other provisions of Union law

This Regulation shall apply notwithstanding any provisions of Union law adopted on the basis of the TFEU that govern the same subject matter.

When the Commission submits its annual reports to the European Parliament and to the Council on the implementation and application of the Trade and Cooperation Agreement, it shall also include an overview of any complaints received regarding the Trade and Cooperation Agreement as well as the follow up to such complaints, and of measures adopted pursuant to Article 2 of this Regulation.

Article 6

Review

By 12 April 2026, the Commission shall present a report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the application of this Regulation, accompanied where appropriate by relevant legislative proposals.

Article 7

Entry into force

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 Strasbourg, 15 March 2023.

For the European Parliament
The President
R. METSOLA

For the Council
The President
J. ROSWALL

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2023/658

of 23 January 2023

on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte

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 Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union ⁽¹⁾ (the 'Agreement of 2014') was signed on 20 May 2014, in accordance with Council Decision 2014/331/EU ⁽²⁾.
- (2) The Agreement of 2014 set out, for a period of six years from the date of its provisional application, the fishing opportunities granted to Seychelles vessels in the fishing zone under the sovereignty or jurisdiction of the Union in Mayotte. The period of application of the Agreement of 2014 expired on 20 May 2020.
- (3) The Agreement of 2014, on the basis of Article 17 thereof, was tacitly renewed for an additional period of six years.
- (4) On 24 October 2019, the Council authorised the Commission to open negotiations with Seychelles in order to conclude a new agreement. Those negotiations were successfully concluded and the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte (the 'Agreement') was initialled on 10 June 2022.
- (5) The objective of the Agreement is to enable the Union and Seychelles to further strengthen their strategic partnership and to align the technical and financial conditions of the Agreement with the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Seychelles ⁽³⁾ and its Implementing Protocol signed in 2020, as well as to contribute to responsible fishing in Union waters and to develop fishery policy in Mayotte.
- (6) The Agreement should be signed on behalf of the Union, subject to its conclusion at a later date.
- (7) In order to allow, as soon as possible, the continuation of fishing activities by Seychelles vessels, the Agreement should be applied provisionally upon its signature.
- (8) This decision should enter into force upon its adoption for reasons of better administrative management of fishing authorisations.

⁽¹⁾ OJ L 167, 6.6.2014, p. 4.

⁽²⁾ Council Decision 2014/331/EU of 14 April 2014 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union (OJ L 167, 6.6.2014, p. 1).

⁽³⁾ OJ L 60, 28.2.2020, p. 5.

- (9) 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 ⁽⁴⁾ and delivered its advice on 12 December 2022,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte (the 'Agreement') is hereby authorised, subject to the conclusion of the said Agreement ⁽⁵⁾.

Article 2

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

Article 3

The Agreement shall be applied on a provisional basis as from the date of its signature ⁽⁶⁾, 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, 23 January 2023.

For the Council
The President
J. BORRELL FONTELLES

⁽⁴⁾ 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).

⁽⁵⁾ See page 9 of this Official Journal.

⁽⁶⁾ The date from which the Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte

THE EUROPEAN UNION, hereinafter referred to as the "Union",

and

THE REPUBLIC OF SEYCHELLES, hereinafter referred to as "Seychelles",

Hereinafter referred to as "the Parties",

CONSIDERING the close cooperation between the Union and Seychelles, particularly in the context of the regional cooperation within the South-West Indian Ocean and their mutual desire to intensify that relationship,

NOTING that the Union and Seychelles have enjoyed a strong relationship in fisheries following the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles adopted in 1987. That Agreement was reinforced through the conclusion of a Fisheries Partnership Agreement between the Parties in 2006, and later in 2020 by a new Sustainable Fisheries Partnership Agreement and new Implementing Protocol,

HAVING REGARD to the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS) and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995,

AWARE of the importance of the principles established by the Code of Conduct for Responsible Fisheries adopted at the Food and Agriculture Organisation (FAO) Conference in 1995 and of the FAO Port State Measures Agreement to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing, and DETERMINED to take the necessary measures to implement them,

DETERMINED to apply the resolutions taken by the Indian Ocean Tuna Commission (IOTC) and other relevant regional organisations,

DETERMINED to cooperate, in their mutual interest, in promoting the introduction of responsible fisheries to ensure the long-term conservation and sustainable exploitation of marine living resources,

CONVINCED that such cooperation must take the form of initiatives and measures which, whether taken jointly or individually, are complementary, and ensure consistent policies and synergy of efforts,

DESIROUS of establishing terms and conditions governing the fishing activities of Seychelles vessels in the waters of the Union and the Seychelles support for developing sustainable, responsible fishing in those waters,

DESIROUS of supporting fisheries management in Mayotte and the sustainable development of the local fisheries sector,

HEREBY AGREE AS FOLLOWS:

Article 1

Scope

This Agreement establishes the principles, rules and procedures governing:

- (a) economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting sustainable fishing in Union waters to guarantee the conservation and sustainable exploitation of fisheries resources, and developing Mayotte's fisheries sector;
- (b) the conditions governing access by Seychelles fishing vessels to Union waters, as defined in the Annex; and
- (c) the arrangements for the management, control and surveillance measures of fishing activities in Union waters with a view to ensuring that the above rules and conditions are complied with; that the measures for the conservation and sustainable exploitation of fish stocks and management of fishing activities are effective; and that IUU fishing is prevented.

Article 2

Definitions

For the purposes of this Agreement:

- (a) "Seychelles authorities" means the ministry responsible for fisheries;
- (b) "Seychelles vessel" means a fishing vessel registered in Seychelles and flying the Seychelles flag;
- (c) "Union authorities" means the European Commission;
- (d) "Union waters" means the waters of Mayotte under the jurisdiction of the Union;
- (e) "Joint Committee" means a committee made up of representatives of the Union and Seychelles, whose functions are described in Article 8 of this Agreement;
- (f) "sustainable fisheries" means fishing in accordance with the objectives and principles enshrined in the Code of Conduct for Responsible Fisheries adopted at the 1995 Conference of the FAO;
- (g) "fishing activity" means searching for fish, setting, towing, hauling of fishing gear, taking catch on board, processing on board, transferring, caging, fattening and landing of fish and fishery products;
- (h) "fishing vessel" means any vessel equipped for commercial exploitation of marine living resources;
- (i) "fishing authorisation" means a valid entitlement to engage in fishing activities in accordance with the terms of the said fishing authorisation provided under this Agreement;
- (j) "support vessel" means any Seychelles vessel providing assistance to fishing vessels;
- (k) "transshipment" has the same meaning as in the IOTC context.

Article 3

Principles and objectives

1. The Parties hereby undertake to promote responsible fishing in Union waters based on the principle of non-discrimination between the different fleets fishing in those waters.
2. The Parties agree that Seychelles vessels shall fish only the surplus of the allowable catch referred to in Article 62(2) and (3) of UNCLOS and established in a clear and transparent manner on the basis of available and relevant scientific advice and relevant information exchanged between the Parties concerning the total fishing effort on the relevant stocks by all fleets operating in the fishing zone, as referred to in the Annex.

3. The Parties shall comply with conservation and management measures adopted by relevant regional fisheries management organisations and in particular the IOTC, duly taking into account regional scientific assessments.
4. The Parties hereby undertake to ensure that this Agreement is implemented in accordance with the principles of the fisheries policies of both the Union and Seychelles, and of transparency, economic and social governance.
5. The Parties shall consult one another prior to adopting any decision that may affect the activities of Seychelles vessels under this Agreement.

Article 4

Statistical and Scientific cooperation on responsible fishing

During the period covered by this Agreement, the Union and Seychelles shall cooperate to monitor the evolution of the resources in Union waters and support the assessment work carried out by the IOTC.

The Parties shall also exchange relevant statistical, biological, conservation and environmental information and cooperate in the relevant scientific meetings, as may be required for the purpose of managing and conserving the living resources.

On the basis of the best available scientific advice provided by the IOTC, the Parties may consult with each other within the Joint Committee and, where necessary, agree to take measures to ensure the sustainable management of fisheries resources.

Article 5

Access by Seychelles vessels to the fisheries in Union waters

The Union hereby undertakes to allocate fishing opportunities to Seychelles vessels to access Union waters and to engage in fishing activities in accordance with this Agreement and Annex thereto.

The Union authorities shall issue fishing authorisations to Seychelles vessels exclusively under this Agreement.

Seychelles shall ensure that its vessels comply with this Agreement and the legislation governing fisheries in the Union and the relevant French legislation.

The Parties shall ensure the proper implementation of those conditions and arrangements through appropriate administrative cooperation between their respective competent authorities.

Article 6

Fishing authorisations

1. Seychelles vessels may fish in Union waters only if they are in possession of a fishing authorisation issued under this Agreement.
2. The procedure for obtaining a fishing authorisation for a vessel, the fees applicable, and the method of payment to be used by ship-owners shall be as set out in the Annex.

Article 7

Species coverage

The fishing authorisations shall be provided solely for the exercise of fishing activities targeting highly migratory species (species listed in Annex 1 of the UN Convention on the Law of the Sea, 1982), with the exclusion of the family Alopiidae, the family Sphyrnidae and the following species: *Cetorhinus maximus*, *Rhincodon typus*, *Carcharodon carcharias*, *Carcharhinus falciformis*, *Carcharhinus longimanus*.

*Article 8***Joint Committee**

A Joint Committee shall be set up to monitor the application of this Agreement. It shall perform the following functions:

- (a) monitoring the performance, interpretation and application of this Agreement;
- (b) providing the necessary liaison for matters of mutual interest relating to fisheries, including statistical analysis of data on catches;
- (c) acting as a forum for the amicable settlement of any disputes regarding the interpretation or application of this Agreement;
- (d) reassessing, where necessary, the level of fishing opportunities, based on scientific advice, and the level of ship-owners fees;
- (e) deciding, as necessary, to revise the technical provisions of this Agreement and its Annex;
- (f) any other function which the Parties may decide by mutual consent.

The Joint Committee shall exercise its functions in accordance with the objectives of this Agreement.

The Joint Committee shall meet at least once a year, alternately in the Union and in Seychelles, and shall be chaired by the Party hosting the meeting. It shall hold a special meeting at the request of either of the Parties.

The Joint Committee may take decisions based on Exchange of Letters, in case of urgency.

*Article 9***Adjustment of fishing opportunities**

As provided for in Article 8 of this Agreement, the Joint Committee may reassess the fishing opportunities referred to in the Annex, insofar as the recommendations and resolutions of the IOTC support that such an adjustment contributes towards the sustainable management of tuna and tuna-like species in the Indian Ocean.

*Article 10***Suspension of the implementation of this Agreement**

The implementation of this Agreement may be suspended at the initiative of one of the Parties, in the event of:

- (a) exceptional circumstances, other than natural phenomena, preventing fishing activities in fishing areas within Union waters;
- (b) a serious and unresolved dispute between the Parties over the interpretation and implementation of this Agreement and its Annex which cannot be settled;
- (c) non-compliance with the provisions laid out by this Agreement and its Annex;
- (d) significant changes in the policy guidelines of either one of the Parties affecting the relevant provisions of this Agreement;
- (e) a breach of essential and fundamental principles of human rights as laid out by Article 9 of the Cotonou Agreement or its successor agreement.

Suspension of the application of this Agreement shall be notified by any Party to the other Party in writing and shall take effect three months after receipt of such notification. The receipt of that notification shall open consultations between the Parties in the Joint Committee with a view to finding an amicable solution to the dispute within a reasonable period.

Once such settlement is reached, the application of this Agreement shall resume.

*Article 11***Termination**

This Agreement may be terminated by either of the Parties in the event of:

- (a) situations, other than natural phenomena, that are beyond the reasonable control of the Parties and are such as to prevent fishing in Union waters;
- (b) a depletion or degradation of the stocks concerned on the basis of best available independent and reliable scientific advice endorsed by both parties;
- (c) a significant reduction in the level of exploitation of the fishing opportunities granted to Seychelles vessels;
- (d) a serious violation of the commitments made by the Parties with regard to combating IUU fishing;
- (e) any other circumstances which amount to a violation of this Agreement by one of the Parties.

Termination of this Agreement shall be notified in writing by any Party to the other Party and shall take effect six months after receipt of notification, unless the Parties decide by mutual consent to extend that period. The Parties shall through the Joint Committee enter into consultations after such notification of termination with a view to finding an amicable settlement to their dispute within a reasonable period.

*Article 12***Applicable law**

1. The activities of Seychelles vessels in Union waters are subject to the laws and regulations of the Union, in particular Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets ⁽¹⁾, and relevant French legislation, unless otherwise provided under this Agreement and the Annex thereof, in accordance with the principles of international law.
2. The Union shall notify forthwith Seychelles of any changes in its common fisheries policy and related legislation.

*Article 13***Confidentiality**

1. The Parties undertake to ensure that all nominative data relating to fishing activities in Union waters under this Agreement, including data collected by observers, are processed in accordance with confidentiality and data protection principles under the applicable law of the respective Parties.

The Parties shall ensure that only aggregated data related to fishing activities in Union waters shall be made available to the public.

2. The data and information referred to in paragraph 1 shall be used by the competent authorities exclusively for the purpose of implementing this Agreement and for the purpose of fisheries management, monitoring, control and surveillance.

3. With regard to personal data processed by the Union, it shall be processed in an appropriate manner to ensure their protection, including against unauthorised or unlawful processing, and not be kept beyond the time necessary for the purpose for which they were exchanged. Appropriate safeguards and legal remedies may be established by the Joint Committee in accordance with the relevant Union legislation on the protection of personal data.

⁽¹⁾ Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJEU L 347, 28.12.2017, p. 81).

*Article 14***Electronic exchanges of data**

1. Seychelles and the Union shall undertake to implement the necessary systems for the electronic exchange of all information and documents related to the implementation of this Agreement and its Annex. The electronic form of a document at any point shall be considered equivalent to the original version.
2. Either Party shall immediately notify the other of any disruption of a computer system impeding such exchanges. In those circumstances, the information and documents related to the implementation of this Agreement and its Annex shall be automatically replaced by their paper version in the manner defined in the Annex.

*Article 15***Mid-term review**

The Parties may decide to conduct a mid-term review to assess the functioning and effectiveness of this Agreement.

*Article 16***Obligations on expiration or termination**

Following the expiration of this Agreement or its termination as provided by Article 11, Seychelles vessel ship-owners shall continue to be liable for any breach of the provisions of this Agreement or any laws of the Union which occurred before the expiration or termination of this Agreement, or for any authorisation fee or any outstanding dues not paid at the time of expiration or termination.

*Article 17***Period of application**

This Agreement shall apply from the date of its provisional application until 31 December 2028, unless notice of termination is given in accordance with Article 11.

*Article 18***Provisional application**

This Agreement shall apply provisionally as from the date of its signature by the Parties.

*Article 19***Repeal**

The Agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the European Union ⁽²⁾ signed on 20 May 2014 is hereby repealed.

⁽²⁾ OJEU L 167, 6.6.2014, p. 4.

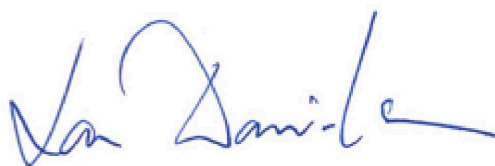
*Article 20***Entry into force**

1. This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for that purpose.
2. The notification referred to in paragraph 1 shall be sent to the Secretary-General of the Council of the European Union and to the Ministry of Foreign Affairs and Tourism of Seychelles.

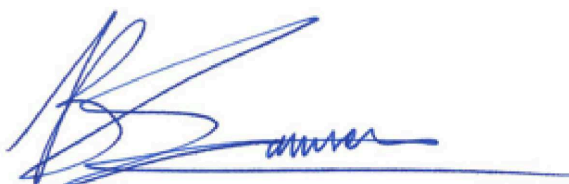
*Article 21***Languages**

This Agreement shall be drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

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
Ghall-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



За Република Сейшели
Por la República de Seychelles
Za Seychelskou republiku
For Republikken Seychellerne
Für die Republik Seychellen
Seišelli Vabariigi nimel
Για τη Δημοκρατία των Σεϋχελλών
For the Republic of Seychelles
Pour la République des Seychelles
Thar ceann Phoblacht na Séiséal
Za Republiku Sejšele
Per la Repubblica delle Seychelles
Seišelu Republikas vārdā –
Seišeliq Respublikos vardu
A Seychelle Köztársaság részéről
Ghar-Repubblika tas-Seychelles
Voor de Republiek der Seychellen
W imieniu Republiki Seszeli
Pela República das Seicheles
Pentru Republica Seychelles
Za Seychelskú republiku
Za Republiko Sejšeli
Seychellien tasavallan puolesta
För Republiken Seychellerna



ANNEX

CONDITIONS FOR THE EXERCISE OF FISHING ACTIVITIES BY SEYCHELLES VESSELS IN THE WATERS OF MAYOTTE

CHAPTER I

GENERAL PROVISIONS

General obligations

Seychelles vessels for which a fishing authorisation has been issued in accordance with this Agreement shall comply with the provisions of the Union Common Fisheries Policy concerning the conservation and control measures and other relevant provisions governing fishing in Union waters, and the provisions laid down in this Agreement.

Fishing zone

- (a) The Union authorities shall provide Seychelles with the geographic coordinates of the fishing zone in which Seychelles vessels may operate before the provisional application of this Agreement.
- (b) Seychelles vessels shall be prohibited from using any purse-seine on tuna and tuna-like schools of fish inside the areas within 24 nautical miles of the coasts of the island of Mayotte, measured from the baselines from which territorial waters are measured. The fishing zone shall also take into account the existence of a marine protected area (MPA) covering the whole exclusive economic zone (EEZ) of Mayotte, whose purpose is to contribute to the marine biodiversity of Mayotte and support the development of the local fishery sector, in line with the legislation regarding the creation of the MPA (*Décret 2010-71 du 18 janvier 2010 portant création du parc naturel marin de Mayotte*) and subsequent management measures.
- (c) Any modification to the fishing zone shall be communicated to the Seychelles authorities, before its entry into force.

Labour conditions

The employment of fishers shall be governed by the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work of 1998 (amended in 2022), and by relevant ILO conventions, including the freedom of association and the effective recognition of the right to collective bargaining, the elimination of discrimination in respect of employment and occupation, elimination of forced and child labour, safe and healthy working environment, and decent working and living conditions on-board fishing vessels.

CHAPTER II

FISHING OPPORTUNITIES

The fishing opportunities granted under Article 5 of this Agreement shall be for 8 tuna purse-seiners. Support vessels shall be authorised subject to the conditions set out in this Annex and in accordance with the relevant Indian Ocean Tuna Commission (IOTC) resolutions.

Seychelles vessels shall only engage in fishing activities in Union waters if they are in possession of a fishing authorisation issued in accordance with Article 6 of this Agreement and with the conditions established in this Annex.

CHAPTER III

FISHING AUTHORISATIONS

SECTION 1

Application and issue of fishing authorisations

A fishing authorisation is valid for one calendar year from 1 January to 31 December. However, for the initial authorisation period, the starting date shall be defined by the date of the provisional application of this Agreement.

Conditions for obtaining a fishing authorisation

For a Seychelles vessel to be eligible for a fishing authorisation under this Agreement it shall:

- be authorised by Seychelles to carry out fishing activities under this Agreement;
- be on the list of authorised fishing vessels of the IOTC;
- not be included in an IUU list of any regional fisheries management organisation;
- have complied with its obligations deriving from its previous activities in the EEZ of Mayotte and paid the applicable advance fee as foreseen in this Annex.

Application for a fishing authorisation

All Seychelles vessels applying for a fishing authorisation shall be represented by an agent resident in Mayotte or, in the absence of an agent resident in Mayotte, the agent shall be resident in Seychelles. The name and address of that agent shall be stated in the application.

The Seychelles authorities shall submit to the Union authorities a fishing authorisation application for each Seychelles vessel requesting to fish under this Agreement at least 45 days before the expected starting of the fishing activities.

Each application shall be accompanied by the following information:

- proof of payment of the advance fee for the period of validity of the fishing authorisation;
- a recent digital colour photograph of the vessel of adequate resolution showing a detailed lateral view of the vessel including the vessel's name and identification number visible on the hull; any other documents or certificates required under the specific rules applicable to the type of vessel concerned pursuant to this Agreement.

All payments related to authorisations and catches shall be paid into a bank account in the Union, the details of which shall be provided by the Union authorities before the provisional application of this Agreement. The associated costs linked to bank transfers shall be borne by ship-owners or their agents.

Fees shall include all national and local charges except for port taxes and service charges. They shall include all non-operational costs.

Issuing of the fishing authorisation

Fishing authorisations for Seychelles vessels shall be issued to the ship-owners or their agents within 30 days after all the required documents referred to in point 3 have been received by the Union authorities. The Union authorities shall adopt a decision with the list of authorised vessels and shall send a copy of the fishing authorisations to the Seychelles authorities.

An authorised Seychelles vessel shall keep on board the fishing authorisation or a copy of the decision mentioned in the first paragraph.

Transfer of the fishing authorisation

A fishing authorisation shall be issued for a specific Seychelles vessel and shall not be transferable except in the event of *force majeure*.

Where *force majeure* is proven, a Seychelles vessel's fishing authorisation may be transferred at the request of Seychelles for the remaining period of its validity, to another eligible Seychelles vessel with similar characteristics, with no further fee due.

The new fishing authorisation shall take effect on the day that it is issued by the Union authorities. The Seychelles authorities shall be notified of the change and receive a copy of the new authorisation.

SECTION 2

Support vessels

The Union authorities shall authorise Seychelles vessels which are in possession of a fishing authorisation to be assisted by support vessels. The support vessels shall fly the flag of Seychelles, and shall not be equipped for catching fish or be used for transshipments.

The reporting requirements regarding support vessels shall respect relevant IOTC obligations and other relevant national legislative provisions.

Support vessels flying the flag of Seychelles shall be subject to the same authorisation procedures governing the obtaining and the transmission of fishing authorisation applications as described in Section 1, to the extent applicable to them.

SECTION 3

Fishing authorisation conditions – fees and advance payments

The fees to be paid by ship-owners shall be calculated on the basis of EUR 135 per tonne of fish caught.

The annual advance payment to be paid by the ship-owners of Seychelles vessels at the time of application for a fishing authorisation to be issued by the Union authorities shall be as follows:

Tuna purse seine vessels

EUR 13 500, per vessel, which corresponds to 100 tonnes of tuna and tuna like species caught within Mayotte fishing zone;

Support vessels

EUR 5 000, per vessel.

Annual statement of fees

Catch data in the Mayotte fishing zone shall be provided by Seychelles to the Union authorities in accordance with the provisions of Chapter IV Section 1. On the basis of this information, the Union authorities shall draw up a statement of fees due in respect of a previous calendar year.

The statement of fees shall be sent to the Seychelles authorities before 30 April of the following year on the basis of catch declarations submitted by the Seychelles authorities. The Seychelles authorities shall transmit the corresponding statement of fees to the vessel owner for their subsequent payments, corresponding to catches above 100 tonnes per vessel. Where the final statement is less than the advance payment referred to in paragraph 2, the balance shall not be recoverable by the vessel owners.

Where discrepancies exist between data sets presented by Union and Seychelles authorities, the Seychelles shall have 60 days to contest the data received and to submit an alternative statement of the catches to the Union authorities, accompanied by supporting documents such as logbook data, inspections reports and scientific data.

The Union authorities may report any inconsistencies between data in the electronic fishing logbook provided by the Electronic Reporting System (ERS), vessels logbooks and observer data or other information. In that case, the Seychelles authorities shall conduct investigations and update data as necessary.

The Parties shall settle any disagreement within one month with the objective to establish the final statement of fees.

Payments by ship-owners shall be made accordingly within 30 days after both Parties have agreed on the final statement of fees, and a proof of payment shall be sent to the Union authorities by the Seychelles authorities.

CHAPTER IV

MONITORING

SECTION 1

Catch reporting

All Seychelles vessels authorised to fish in Union waters under this Agreement shall communicate their catches daily to the Union authorities in the following manner, if the ERS has not been implemented by both Parties:

Seychelles vessels authorised to fish in Union waters shall, on a daily basis complete a statement of catch form complying with IOTC resolutions for every set of each fishing trip they undertake in Union waters. While in Union waters, Seychelles vessels shall report every three days to the Union and Seychelles authorities, by electronic means, the information required in the format provided for in Appendix 4. Any amendment to that form shall be endorsed by the Joint Committee.

In the absence of catches, the statement of catch form shall still be filled in. The form shall be filled in legibly and signed by the master of the vessel or his representative and the accuracy of the data recorded and transmitted in the statement of catch form is the responsibility of the master.

In the event of failure to comply with the provisions relating to the reporting of catches, the Union authorities may suspend the fishing authorisation of the Seychelles vessel concerned until the missing catch report is obtained and penalise the ship-owner in accordance with the relevant provisions under the national legislation in force. If the offence is repeated, the Union authorities may refuse to renew the fishing authorisation. The Union authorities shall inform the Seychelles authorities immediately of any sanction applied in this context.

Seychelles shall provide the Union authorities, before the end of each quarter, with aggregated data for the previous quarters of the current year, indicating the quantities of catch per vessel, per month, and per species. Those data shall be considered provisional.

Once the ERS is fully operational, the Seychelles authorities shall provide the required data using a template in the xml-format, following the guidelines provided in Appendix 3. Until the implementation of the ERS, the appropriate format as provided in Appendix 4, shall be used.

SECTION 2

Electronic Reporting System (ERS)

Seychelles vessels shall use ERS for the declaration of catches, once this system is operational by both Parties, as follows:

- the master of a Seychelles vessel carrying out fishing activities under this Agreement shall keep an electronic fishing logbook integrated into ERS;
- a Seychelles vessel not equipped with ERS shall not be authorised to enter Mayotte fishing zone in order to engage in fishing activities.

The master is responsible for the accuracy of the data recorded in the electronic fishing logbook. The electronic fishing logbook shall comply with the relevant IOTC resolutions.

The master shall, on a daily basis, record the estimated live weight of each species caught and kept on board, or discarded into the sea, for each fishing operation.

If the Seychelles vessel is present in the Mayotte fishing zone but does not carry out any fishing, the position of the vessel at noon shall be recorded.

The master shall ensure that the electronic fishing logbook data is transmitted automatically and on a daily basis to the Fisheries Monitoring Centre (FMC) of Seychelles. The transmissions shall include at least the following:

- the vessel identification numbers and the name of the fishing vessel;
- the FAO 3-alpha code of each species;
- the relevant geographical area (latitude and longitude) in which the catches were taken;
- the date and the time of the catches;
- the date and time of departure from and arrival at the port;
- the type of gear, and where applicable the technical specifications and dimensions;
- the estimated quantities of fish, including the quantities of each species kept on board, in kilograms live weight or, where appropriate, the number of individual fish;
- the estimated quantities of fish, including the quantities of each species discarded, in kilograms live weight or, where appropriate, the number of individual fish.

Seychelles authorities shall ensure that the data are received and recorded in a computer database enabling the data to be stored securely for at least 36 months.

The Seychelles, Union and relevant Member State authorities shall ensure that they have the necessary IT equipment and software to automatically exchange ERS data. ERS data shall be exchanged using the electronic means of communication operated by the European Commission for exchanging fisheries data in a standardised form. Changes to standards shall be implemented within six months.

The Member State FMC having the responsibility for the monitoring activities provided for under this Agreement is the French FMC.

The Seychelles FMC shall ensure that fishing logbooks are automatically made available by ERS to the French FMC on a daily basis for the period during which the vessel is present in the fishing zone, even in the event of a zero catch.

The Seychelles FMC shall automatically and without delay forward time critical ERS messages (COE, COX, PNO) received from Seychelles vessels to the French FMC.

Daily fishing activity reports (FAR) of Seychelles vessels shall be made available automatically and without delay to the Seychelles FMC.

The transmission of ERS data shall use electronic means of communication managed by the Union authorities, identified as DEH (data exchange highway).

Union and Seychelles authorities shall each designate one ERS correspondent who shall act as the contact point. They shall communicate to each other the contact details of their respective ERS correspondent.

The arrangements for reporting catches by ERS and the procedures in the event of malfunction are set out in Appendix 3.

The Union authorities shall handle data on the fishing activities of individual Seychelles vessels in a confidential and secure manner.

In case of technical problems or malfunction of the ERS, declarations of catches shall be made pursuant to Section 1.

SECTION 3

Catch communication: entering and leaving Union waters

The duration of a trip by a Seychelles vessel shall be defined as follows:

- either the period elapsing between entering and leaving Union waters;
- or the period elapsing between entering Union waters and calling into the port of Mayotte.

Seychelles vessels shall notify the Union authorities at least six hours in advance of their intention to enter or leave Union waters.

While notifying entry or exit, Seychelles vessels shall also communicate their position (latitude and longitude), at the time of communication and the tonnage and species of catches kept on board. Those communications shall be made in the format set out in Appendix 4, by email or alternatively through ERS, to the contact details provided by the Union authorities.

It shall be an offence for a Seychelles vessel found to be fishing without prior notification to the Union authorities. Such Seychelles vessel shall be liable to sanctions referred to in Chapter VIII.

SECTION 4

Transshipment

Transshipment at sea is prohibited, and any person infringing this provision shall be liable to the enforcement measures provided for by Union legislation. Transshipments may only be carried out in the port of Mayotte.

In the case of a transshipment in the port of Mayotte, the Seychelles ship-owner or its agent shall notify the following information to the competent French authorities and, at the same time, to the port authority of Mayotte, at least 48 hours in advance:

- the transshipment port or area where the operation will occur;
- the name and the International Radio Call Sign (IRCS) of the donor vessel;
- where applicable, the name and the IRCS of the receiving vessel or reefer;
- where applicable, the storage facilities;
- the date and time of transshipment;
- where possible, the next point of destination;
- the quantity in kilogram, by species to be transhipped;
- the product form presentation.

Transshipment shall be considered as an exit from Union waters as defined in Section 3.1. Seychelles vessels shall submit their catch declarations to the Union authorities and with a copy to the port authority of Mayotte, no later than 24 hours after completion of the transshipment, or in any event, before the donor vessel leaves port, whichever occurs first.

SECTION 5

Vessel Monitoring System (VMS)

The Seychelles vessels authorised under this Agreement shall be equipped with a satellite-based vessel tracking device and/or vessel monitoring device in accordance with the laws of the Union and make use of the VMS in accordance with Appendix 5. Before the provisional application of this Agreement, the Parties may agree to transmit the VMS data via FLUX in UN/CEFACT format.

It is prohibited to move, disconnect, destroy, damage, interfere with or render inoperative the continuous tracking device using satellite-based communications and/or monitoring device placed on board the Seychelles vessels for the purposes of data transmission or to intentionally alter, divert or falsify data transmitted or recorded by such a system.

Seychelles vessels shall communicate their position automatically and continuously, at least every hour, to the Seychelles FMC, in accordance with Appendix 5.

Secure communication of position messages from Seychelles

Seychelles FMC shall automatically send the position messages of the Seychelles vessels concerned to the French FMC via a direct HTTPS connection. The French FMC and Seychelles FMC shall exchange their contact email addresses and inform each other immediately of any change to those addresses.

The French FMC shall inform Seychelles FMC of any interruption in the reception of consecutive position messages from a Seychelles vessel holding a fishing authorisation, if the vessel concerned has not notified its exit from the Mayotte fishing zone.

Malfunction of the communication system

The French FMC shall ensure the compatibility of its electronic equipment with Seychelles FMC and inform the Seychelles FMC immediately of any malfunction concerning the sending and receiving of position messages with a view to finding a technical solution as soon as possible.

If the non-receipt of the VMS data by the French FMC is as a result of the failure of the electronic systems, under the supervision of the Seychelles, France or the Union authorities, the Party concerned shall take prompt action to resolve the problem rapidly. The other Parties shall be notified once the problem has been resolved. The data not received by France shall be provided to it as soon as the problem is resolved. Until the problem is resolved, the FMC of the Seychelles shall communicate to the French FMC every 24 hours, by email, position messages received for the periods of presence of its vessels in Union waters. The Joint Committee shall deal with any dispute that may arise.

Communication failures between the Seychelles FMC and the French FMC shall not affect the normal operation of the vessels' fishing activities. In particular, a vessel shall not be considered in infraction when such failure is identified.

The master of a Seychelles vessel shall be liable if his vessel's Vessel Tracking Device (VTD) is found to have been tampered with in order to disrupt its operation or falsify its position messages. Any infringement shall be subject to the penalties provided for under the relevant legislation of the Union, France and Seychelles.

Revision of the frequency of position messages

On the basis of documentary evidence pointing to an infringement, the French FMC may ask the Seychelles FMC, with a copy to the Union and Seychelles authorities, to reduce the interval for sending position messages from a Seychelles vessel to every 30 minutes for a set period of investigation. The French FMC shall send that documentary evidence to the Seychelles FMC and to the Union and Seychelles authorities. The Seychelles FMC shall immediately send position messages to the French FMC at the new frequency.

At the end of the set investigation period, the French FMC shall inform the Seychelles FMC and the Union and Seychelles authorities, of any follow-up action required.

CHAPTER V

OBSERVERS

The Parties recognise the importance of respecting the obligations of relevant IOTC resolutions with regards to the Scientific Observer Programme and relevant Union and Seychelles laws and regulations, including electronic observation schemes. However, the modalities for the implementation of electronic observation schemes shall take into account the practical implications for the fleets and the time needed for the transition.

Designated vessels and observers

The Seychelles vessels authorised to fish in Mayotte fishing zone shall, at the request of the Union authorities, embark one observer, in the context of a national or regional observer programme under the terms set out below. The embarkation of additional observers shall also be considered subject to a case by case agreement.

The Union authorities shall draw up a list of Seychelles vessels designated to embark an observer and a list of appointed observers, while taking into account the characteristics of the vessels and possible space limitations due to security requirements. The list shall be kept up to date and forwarded to the Seychelles authorities as soon as it has been drawn up, and each time it is updated.

The Union authorities shall communicate to the ship-owner or its agent of the Seychelles vessel concerned, the name of the designated observer not later than 15 days before the observer's planned embarkation date.

Embarkation conditions

The time spent on board by observers shall be fixed by Union or Member State authorities and, as general rule, shall not exceed the time required to carry out their duties. In the context of a regional observer programme, the observer may remain on board for a mutually agreed extended period.

The Union authorities shall inform the Seychelles ship-owners or their agents thereof when notifying the name of the designated observer.

The conditions for observers' embarkation shall be agreed between the ship-owners and Union or Member State authorities after the notification of the designated observers.

Within two weeks, and upon giving ten days' notice, the ship-owners of the Seychelles vessels concerned shall make known at which port, and on what dates they intend to take observers on board.

Where observers are taken on board in a foreign port, their travel costs shall be borne by the ship-owner. Should a Seychelles vessel with an observer designated by the Union authorities on board leave Union waters, all measures shall be taken to ensure the observer safely returns to the Union as soon as possible at the expense of the ship-owner, unless the observer is continuing with the Seychelles vessel in the context of his observer duties through another Agreement or observer programme.

If the observer is not present at the time and place agreed and during the six hours following the time agreed, the Seychelles ship-owner shall be relieved of the obligation to take the observer on board.

Seychelles ship-owners shall bear the cost of providing board and accommodation for observers in the same conditions as for the officers on board the vessel.

Observers shall be treated as officers.

The salary and applicable taxes of the observers shall be borne by the competent French authorities.

Observer's duties

The observer shall observe and record the fishing activities of the vessels for scientific purposes, in particular:

- the species, quantity, size and condition of fish taken, including targeted species and by-catches, and of incidental catches of marine mammals, turtles and sea birds;
- the method by which, the areas in which, and the depth at which, fish are taken;
- the position of Seychelles vessels engaged in fishing operations and the fishing gear used;
- the catch data for Mayotte fishing zone recorded in the logbook, including the percentage of by-catches and an estimation of discards;
- where relevant, processing, transhipment, storage, or disposal of any fish.

The observer shall maintain a regular communication channel with the Union or Member State authorities, making use of the communication means available on board the Seychelles vessel.

In addition, the observer may carry out other duties such as:

- perform biological sampling in the context of a scientific programme;
- monitor the impact of the fishing activities on the resource and on the environment;
- collect information when encountering marine mammals (photographs, position of the vessel, census of the number of individuals, behaviour, etc.).

The masters of Seychelles vessels shall ensure the physical safety and welfare of observers while on board.

The observers shall be offered every facility needed to carry out their duties. The masters shall give them access to the means of communication needed for the discharge of their duties, to documents regarding the vessel's fishing activities, in particular the logbook and the navigation log, and to those parts of the vessel necessary to facilitate the performance of their tasks as observers.

Observer's obligations

While on board, the observer shall:

- take all appropriate steps to ensure that the conditions of their boarding and presence on the Seychelles vessel neither interrupt nor hamper fishing operations;
- take necessary care with regards to the material and equipment on board;
- ensure the confidentiality of all data and documents regarding the Seychelles vessel and its activities and any information collected.

At the end of the embarkation and before leaving the Seychelles vessel, the observer shall draw up an activity report to be transmitted to the Union authorities with a copy to the competent Seychelles authorities, within 15 days. The report shall be signed by the observer. A copy of the report shall be handed to the master when the observer leaves the Seychelles vessel.

CHAPTER VI

CONSERVATION TECHNICAL MEASURES

Conservation technical measures applicable to the Seychelles vessels holding a fishing authorisation for the Mayotte fishing zone, are outlined in the technical sheet contained in Appendix 2.

Seychelles vessels shall comply with all the resolutions adopted by the IOTC and the provisions under the relevant Union and French legislation unless otherwise provided by this Agreement and in accordance with the principles of international law.

Seychelles vessels shall conduct all authorised fishing activities in a manner which shall not disrupt artisanal or local-based fisheries.

In application with IOTC resolutions, the Parties agree to cooperate for the reduction of incidental catches of protected species, in particular all marine turtles and marine mammals, and of seabirds and reef fish. To that end, Seychelles vessels shall endeavour to apply technical measures in order to improve the selectivity of fishing gears and to reduce the incidental catch of non-targeted species.

To reduce the entanglement of sharks, marine turtles or any other non-targeted species, Seychelles vessels shall use non-entangling designs and materials in the construction of fish aggregating devices (FADs). In addition, to reduce the impact of FADs on the ecosystem and the amount of synthetic marine debris, Seychelles vessels shall use natural or biodegradable materials for FADs and retrieve them in the Mayotte waters when they become non-operational FADs.

For the purpose of environmental management, ship-owners shall contribute a fee of EUR 2,25 per Gross Tonnage towards measures contributing to the protection of biodiversity, and the observation and preservation of marine ecosystems in Mayotte waters. Regular reporting on the utilisation of this contribution shall be done to the Joint Committee.

CHAPTER VII

CONTROL AND INSPECTION

Controls and inspections shall be carried out in accordance with the relevant Union legislation, in particular Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾.

Inspection at sea and in port

Inspections in Mayotte waters or in the port of Mayotte on Seychelles vessels holding a fishing authorisation shall be carried out by inspectors from Union or Member State authorities who are clearly identified as being authorised to carry out fishing inspections.

Masters of Seychelles vessels engaged in fishing activities in Union waters shall cooperate with any authorised and duly identified officers carrying out inspection and control of fishing activities.

In order to facilitate safe inspection procedures, without prejudice to the provisions of Union legislation, boarding should be conducted in such a way that allows the inspection platform and the inspectors to be identified as being authorised to carry out such tasks.

The authorised inspection officers shall only stay on board the Seychelles vessel for the time necessary to carry out tasks linked to the inspection. They shall carry out the inspection in a way which minimises the impact on the vessel, its fishing activity and cargo.

Images (photos or videos) made during inspections shall be intended for the authorities responsible for fisheries control and surveillance. They shall not be made public unless the national legislation provides otherwise.

The Union or the French authorities may, on the request of the Seychelles or a body designated by it, allow Seychelles inspectors to take part in the inspection of the activities of Seychelles vessels as observers or to carry out joint inspections, including during transshipments. In the exercise of their duties, the inspectors deployed by the Parties shall abide by the provisions on the conduct of inspections laid down respectively in Union, French, and Seychelles legislation.

Once an inspection has been completed and the inspection report signed by the inspector, the report shall be made available for signature, comments and remarks, if any, by the master. The signature by the master shall not prejudice the rights of the Parties in the context of alleged infringement procedures. If the master refuses to sign the document, the master shall specify the reasons for doing so in writing and the inspector shall write "Refused to sign" on it. The authorised inspection officer shall give a copy of the inspection report to the master of the Seychelles vessel before leaving the vessel.

The Union or French authorities shall inform the Seychelles authorities of inspections carried out within 24 hours of their completion and of any infringements found, and send the inspection report as soon as possible. If applicable, a copy of the resulting infringement shall be sent to the Seychelles authorities within a maximum of seven days after the authorised inspection officer's return to port.

Where the provisions set out in this Chapter are not complied with, the Union authorities reserve the right to suspend the fishing authorisation of the offending Seychelles vessel until formalities have been completed and to apply the penalty laid down in Union and French legislation. The Seychelles authorities shall be informed thereof.

Participatory monitoring in the fight against IUU fishing

In order to strengthen the fight against IUU fishing, masters of Seychelles vessels shall report the presence of any vessels in Mayotte waters engaged in suspected activities which may constitute IUU fishing, providing as much information as possible about what has been sighted. Sighting reports shall be sent without delay to the Union authorities.

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

The Union or French authorities shall forward to the Seychelles authorities any sighting reports it has on Seychelles vessels engaged in activities which may constitute IUU fishing in Mayotte waters.

CHAPTER VIII

ENFORCEMENT

Sanctions

Failure to observe any one of the provisions of the above chapters, the management and conservation of marine living resources measures, or the Union and French legislation, Seychelles vessels shall be subject to the penalties and sanctions provided for in accordance with Union and French legislation.

The Seychelles authorities shall be immediately and fully informed of any sanctions and of all relevant facts related thereto.

Where a sanction takes the form of suspension or revocation of a fishing authorisation, during the remaining period of the validity of a fishing authorisation which has been suspended or revoked, Seychelles may request another fishing authorisation which would have otherwise been applicable, for a Seychelles vessel from another ship-owner.

Arrest and detention of fishing vessels

The Union authorities shall inform immediately the Seychelles authorities of the arrest or detention of any Seychelles vessel operating under this Agreement and shall transmit a copy of the inspection report, detailing the circumstances and reasons of the arrest or detention within 48 hours.

Information exchange procedure in the event of arrest or detention

Whilst respecting the deadlines and procedures of legal proceedings as provided for by the Union and French legislation relating to arrest or detention, a consultation meeting shall be held, upon receipt of the above information, between the Union and Seychelles authorities.

At the meeting, the Parties shall exchange any relevant documentation or information helping to clarify the circumstances of the established facts. The ship-owner or its agent shall be informed of the outcome of the meeting and of any measures resulting from the arrest or detention.

Settlement of arrest or detention

An attempt shall be made to resolve the presumed infringement amicably. Such procedure shall be completed no later than three working days after the arrest or detention, in conformity with Union and French legislation.

In the event of an amicable settlement, the settlement shall be determined in accordance with the procedures provided for in Union and French legislation. If such an amicable settlement is not possible, the legal proceeding shall take its course.

The Seychelles vessel shall be released and its master discharged once the obligations arising under the amicable settlement have been fulfilled or the legal proceedings have been completed.

The Seychelles authorities shall be kept informed of any proceedings initiated and penalties imposed.

Appendices

1. List of information required when applying for a fishing authorisation
 2. Technical sheet for Seychelles vessels conducting fishing activities in Mayotte waters
 3. Implementation of the Electronic Reporting System (ERS)
 4. Communication format reports
 5. Vessel Monitoring System (VMS)
-

Appendix 1

List of information required when applying for a fishing authorisation

I — APPLICANT

Name of the Applicant:

Name of the owner:

Address of the owner:

Name of the Producer Organisation (PO)

Name and address of the ship-owner's agent:

Tel. No of the ship-owner's agent:

Email of the ship owner's agent:

Master's Name:

Master's Nationality:

Master's Email:

II — VESSEL IDENTIFICATION DETAILS

1. Vessel's Name:

2. Flag State:

Port of registration:

IRCS:

MMSI:

IMO No.:

IOTC No.:

3. Date of current flag Registration (DD/MM/YYYY):

Previous Flag (if applicable):

4. Place of construction:

Date of construction (DD/MM/YYYY):

5. Radio Call Frequency (HF, VHF)

Vessel Satellite Phone No.:

III — VESSEL TECHNICAL DETAILS

1. **LOA (meter):**
Gross tonnage:

2. Hull material Steel ☐ Wood ☐ Polyester ☐ Other ☐

3. Engine Type

Engine Power (in kW):

Engine Manufacturer:

4. Max. Crew Members:

5. Conservation method Ice ☐ Refrigeration ☐ Mixed ☐ Frozen ☐
on board:

6. Processing capacity per day (24h) in Tonnes:

Number of Fish Holds:

Fish Holds Total capacity (m³):

7. Type of Vessel: ☐ Purse seiner ☐ Support Vessel (*)

8. VMS Manufacturer:

VMS Model:

VMS Serial No.:

VMS Software Version:

VMS Satellite Operator (MCSP):

IV — **FISHING ACTIVITY**

1. Fishing gear authorised:

2. Target species: _____

3. Fishing authorisation period requested from/to (DD/MM/YYYY):

Date:

Name and Signature of the applicant:

(*) The list of fishing vessels supported by this support vessel should be attached to this application. The list should contain the name and IOTC number.

Appendix 2

Technical sheet for Seychelles vessels conducting fishing activities in Mayotte waters

Fishing zone:

Beyond 24 nautical miles from the baseline

Authorised categories:

Tuna purse seine vessels: 8

Support vessels: in accordance with IOTC requirements

Fees and tonnage:

Price per tonne	EUR 135
Annual advance fee	EUR 13 500, corresponding to 100 tonnes
Fee per additional tonne caught	EUR 135
Support vessel authorisation fee	EUR 5 000 per vessel per year
Environmental management and observation of marine ecosystems contribution	EUR 2,25 per GT per year

Appendix 3

Implementation of the Electronic Reporting System (ERS)

General provisions

All Seychelles vessels must be equipped with an electronic system, hereinafter referred to as "ERS system", capable of recording and transmitting data relating to the fishing activity of the vessel, hereinafter referred to as "ERS data", where the vessel operates in the fishing zone as referred to in Chapter I, point 2. of the Annex.

A Seychelles vessel that is not equipped with an ERS system, or if the ERS system installed on board is not functional, shall not be allowed to enter in the fishing zone of the Union to conduct fishing activities.

The ERS data shall be transmitted in accordance with the present guidelines to the Seychelles FMC, which shall ensure the automatic transmission to the French FMC.

ERS communications

The Union and Seychelles authorities shall designate an ERS correspondent who will act as the point of contact for matters concerning the implementation of these provisions. The Union and Seychelles authorities shall notify each other of the contact details of their ERS correspondents and, where appropriate, update that information without delay.

ERS data shall be transmitted by the Seychelles vessels to Seychelles, which shall make them automatically available to the Union authorities.

Data shall be in UN/CEFACT format and shall be transmitted via Fisheries Language for Universal Exchange (FLUX).

Nevertheless, the Parties may agree on a transition period, during which the data are transmitted via the Data Exchange Highway (DEH) in EU-ERS (v 3.1) format.

Seychelles FMC shall transmit instant messages from the Seychelles vessel (COE, COX, PNO) automatically and without delay to the French FMC.

Other types of messages shall also be automatically transmitted once a day from the effective date of the use of the UN/CEFACT format or, until then, made available without delay to the French FMC upon requests and also to the Seychelles FMC.

As from the effective implementation of the new format, the latter delivery mode shall only concern specific requests for historical data.

The French FMC shall confirm that it has received the instant ERS data sent to it, by means of a return message acknowledging receipt and confirming the validity of the message received. No acknowledgement of receipt shall be provided for data that the Union receives in response to its request. The Union shall handle all ERS data confidentially.

Failure of the electronic transmission system

The Seychelles and French FMCs shall inform each other without delay of any event likely to affect the transmission of the ERS data of one or more Seychelles vessels and shall inform the Union authorities accordingly.

If the French FMC does not receive the data to be transmitted by a Seychelles vessel while in Mayotte waters, it shall notify this to Seychelles FMC without delay. Seychelles FMC shall promptly investigate the reasons for the non-receipt of ERS data and inform the French FMC of the outcome of those investigations.

Where a failure occurs in the transmission between the Seychelles vessel and Seychelles FMC, Seychelles FMC shall notify this without delay to the master or the operator of the Seychelles vessel. On receipt of this notification, the master of the Seychelles vessel shall transmit the missing data to the Seychelles authorities by any appropriate means of telecommunication every day, not later than 23.59 hours.

In the event of a failure of the electronic transmission system installed on board the Seychelles vessel, the master or the operator of the vessel shall ensure that the ERS is repaired or replaced within 10 days of the failure being detected. Once that deadline has passed, the Seychelles vessel shall no longer be authorised to fish in Mayotte fishing zone and shall leave or call at the Mayotte port within 24 hours. The Seychelles vessel shall not be authorised to return to the Mayotte fishing zone until Seychelles FMC has established that the ERS system is functioning correctly again.

- (a) If the non-receipt of ERS data by French authorities is caused by the failure of the electronic systems under the supervision of either the French or Seychelles authorities, the Party in question shall take prompt action to resolve the problem rapidly. The other Party shall be notified once the problem has been resolved.
- (b) Every 24 hours, Seychelles FMC shall send to the French FMC all the ERS data received by the former since the last transmission, using any electronic means of communication available. The same procedure may be applied at the request of French FMC in the event of maintenance operations lasting more than 24 hours and affecting the systems under the supervision of the Seychelles authorities. In such an event the Seychelles vessels shall not be considered to be in breach of their obligation to transmit their ERS data. Seychelles FMC shall ensure that the missing data are entered into the electronic database it keeps, referred to in Chapter IV, Section 2(6).

Alternative means of communication

The email addresses of the French FMC (cnsp-france@developpement-durable.gouv.fr and appd.dpma@agriculture.gouv.fr) shall be used in the event of a failure in the ERS/VMS communications and for:

- notifications of entry/exit and on-board catches on entry and exit;
 - notifications of transshipment and catches transhipped and remaining on board;
 - temporarily, substitute ERS and VMS communications in the event of failures.
-

Appendix 4

Communication Format Reports

Entry Report (COE) ⁽¹⁾

Content	Transmission
Destination	FRA
Action code	COE
Vessel Name	
IRCS	
Position of entry	LT/LG
Date and Time (UTC) of entry	DD/MM/YYYY – HH:MM
Quantity (Metric tons (Mt)) of fish on board per species:	
Yellowfin (YFT)	(Mt)
Bigeye Tuna (BET)	(Mt)
Skipjack (SKJ)	(Mt)
Others (Specify)	(Mt)

Exit Report (COX) ⁽²⁾

Content	Transmission
Destination	FRA
Action code	COX
Vessel Name	
IRCS	
Position of exit	LT/LG
Date and Time (UTC) of exit	DD/MM/YYYY – HH:MM
Quantity (Mt) of fish on board per species:	
Yellowfin (YFT)	(Mt)
Bigeye Tuna (BET)	(Mt)
Skipjack (SKJ)	(Mt)
Others (Specify)	(Mt)

⁽¹⁾ Sent 6 Hours before entering the Union Fishing Zone.

⁽²⁾ Sent 6 Hours before exiting the Union Fishing Zone.

Prior Notification (PNO) ⁽³⁾

Content	Transmission
Destination	FRA
Action code	PNO
Vessel Name	
IRCS	
Port code	
Date and Time (UTC) of intended arrival	DD/MM/YYYY – HH:MM
Quantity (Mt) of fish on board per species:	
Yellowfin (YFT)	(Mt)
Bigeye Tuna (BET)	(Mt)
Skipjack (SKJ)	(Mt)
Others (Specify)	(Mt)

Daily Fishing Activity Report (FAR) once inside Union Fishing Zone ⁽⁴⁾

Content	Transmission
Destination	FRA
Action code	FAR
Vessel Name	
IRCS	
Date and Time (UTC) of report	DD/MM/YYYY – HH:MM
Quantity (Mt) of fish on board per species:	
Yellowfin (YFT)	(Mt)
Bigeye Tuna (BET)	(Mt)
Skipjack (SKJ)	(Mt)
Others (Specify)	(Mt)
Number of sets made since last report	

All reports shall be transmitted to the competent authority through the following email addresses: cnsf-france@developpement-durable.gouv.fr

appd.dpma@agriculture.gouv.fr

⁽³⁾ Sent prior to arrival in port.

⁽⁴⁾ Every 3 days after entering the Union Fishing Zone.

Appendix 5

Vessel Monitoring System (VMS)

Vessel position messages

The first position of the Seychelles vessel recorded after entry into the Mayotte fishing zone shall be identified by the code "ENT". All subsequent positions shall be identified by the code "POS", with the exception of the first position recorded after departure from the Mayotte fishing zone, which shall be identified by the code "EXI".

Seychelles FMC shall ensure the automatic processing and, if necessary, the electronic transmission of the position messages of the Seychelles vessels. The position messages of the Seychelles vessels shall be recorded in a secure manner and kept for a period of three years by Seychelles FMC.

Transmission by the Seychelles vessel in the event of breakdown of the Vessel Tracking Device (VTD)

The master of the Seychelles vessel shall ensure at all times that the VTD of his vessel is fully operational and that the position messages are correctly transmitted to Seychelles FMC.

In the event of breakdown, the VTD of the Seychelles vessel shall be repaired or replaced within 30 days. If the VTD has not been repaired or replaced within 30 days, the Seychelles vessel shall no longer be authorised to fish in Mayotte fishing zone.

Seychelles vessels fishing in Mayotte fishing zone with a defective VTD shall communicate their position messages by electronic means to Seychelles FMC at least every four hours, providing all the mandatory information, including hourly positions.

Sending of VMS messages to the Union authorities

The code "ER" followed by a double slash (//) indicates the end of the message.

Data	Code	Mandatory/optional	Content
Start of record	SR	M	System detail indicating start of record
Addressee	AD	M	Message detail – Addressee Alpha-3 country code (ISO-3166)
From	FR	M	Message detail – Sender Alpha-3 country code (ISO-3166)
Flag State	FS	M	Message detail – Flag State Alpha-3 code (ISO-3166)
Type of message	TM	M	Message detail – Type of message (ENT, POS, EXI, MAN)
Radio call sign (IRCS)	RC	M	Vessel detail – Vessel international radio call sign (IRCS)
Contracting party internal reference number	IR	M	Vessel detail – Unique contracting party number Alpha-3 code (ISO-3166) followed by number
External registration number	XR	M	Vessel detail – Number on side of vessel (ISO 8859.1)
Latitude	LT	M	Vessel position detail – Position in degrees and decimal degrees N/S DD.ddd (WGS84)
Longitude	LG	M	Vessel position detail – Position in degrees and decimal degrees E/W DD.ddd (WGS84)
Course	CO	M	Vessel course 360° scale
Speed	SP	M	Vessel speed in tenths of knots

Data	Code	Mandatory/optional	Content
Date	DA	M	Vessel position detail – Date of record of UTC position (YYYYMMDD)
Time	TI	M	Vessel position detail – Time of record of UTC position (HHMM)
End of record	ER	M	System detail indicating end of record

In NAF format, each data transmission shall be structured as follows:

The characters used shall comply with ISO 8859.1. A double slash (//) and the characters "SR" shall indicate the start of a message.

Each data element shall be identified by its code and separated from the other data elements by a double slash (/).

A single slash (/) shall separate the field code and the data.

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2023/659

of 2 December 2022

amending Regulation (EU) No 452/2014 as regards the technical requirements and administrative procedures related to air operations of third country operators

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 61(1) letter d) thereof,

Whereas:

- (1) Commission Regulation (EU) No 452/2014 ⁽²⁾ lays down technical requirements and administrative procedures related to authorisations that air operators from third countries engaged in commercial air transport must obtain if they wish to operate into, within, or out of the territory to which the Treaties apply.
- (2) Pursuant to Article 61(2) letter (c) of Regulation (EU) 2018/1139, the process through which the authorisations for the operation of aircraft into, within, or out of the territory to which the Treaties apply by a third country aircraft operator must be simple, proportionate, effective and cost-efficient and must allow for demonstrations of compliance which are proportionate to the complexity of the operation and risk involved in that operation.
- (3) An assessment of Regulation (EU) No 452/2014 performed by the European Union Aviation Safety Agency ('the Agency') identified several potential improvements, covering four main areas: efficiency, enforcement, flexibility and consistency with Regulation (EC) No 2111/2005 of the European Parliament and of the Council ⁽³⁾. It is therefore necessary to amend certain provisions of Regulation (EU) No 452/2014 to incorporate the identified improvements.
- (4) In particular, it is necessary to remove the possibility for third country operators to use mitigating measures to address non-compliances with relevant International Civil Aviation Organisation (ICAO) standards. Compliance with those standards needs to be achieved before a TCO authorisation is issued and any need for flexibility is to be addressed through a procedure laid down in Article 76(4) of Regulation (EU) 2018/1139.

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽²⁾ Commission Regulation (EU) No 452/2014 of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 133, 6.5.2014, p. 12).

⁽³⁾ Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (OJ L 344, 27.12.2005, p. 15).

- (5) It is also necessary to amend the provisions allowing, within certain conditions, third country operators to carry out certain flights into, within or out of the territory subject to the provisions of the Treaties without first obtaining an authorisation, in order to increase legal certainty and improve efficiency.
- (6) It is likewise necessary to improve the efficiency of the authorisation and oversight process of third country operators and to increase legal certainty, namely by eliminating certain barriers to digitalisation of the process, by further clarifying certain aspects related to the validity of third country operator's authorisations, as well as certain procedural steps of the process undertaken by the Agency.
- (7) To foster a risk-based approach in the authorisation process of third country operators, it is necessary to consider the size, scope and complexity of the relevant operations to improve consistency. At the same time, it is also necessary to increase the oversight and enforcement means at the disposal of the Agency, specifically by allowing intensified surveillance of certain third country operators and clarifying the provisions related to the issuance of findings, as well as the suspension and revocation of third country operator authorisations.
- (8) It is similarly necessary to amend certain provisions of Regulation (EU) No 452/2014 to improve consistency with Regulation (EC) No 2111/2005 in particular by further clarifying the conditions and procedural steps to be taken by the Agency when receiving an application from a third country operator subject to an operating ban or an operational restriction pursuant to Regulation (EC) No 2111/2005.
- (9) Finally, it is necessary to make several editorial amendments to the provisions of Regulation (EU) No 452/2014, namely, to update legal references to Regulation (EU) 2018/1139. In addition, some changes to the definitions are proposed for reasons of consistency with Regulation (EU) 2018/1139.
- (10) Regulation (EU) No 452/2014 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are based on Opinion No 02/2022 ^(*) issued by the Agency in accordance with Article 75(2), points (b) and (c), and Article 76(1) of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 452/2014 is amended as follows:

- (1) Articles 1, 2 and 3 are replaced by the following:

'Article 1

Subject matter and scope

This Regulation lays down detailed rules for third country operators of aircraft referred to in Article 2(1), point (c), of Regulation (EU) 2018/1139 of the European Parliament and of the Council ^(*) who are engaged in commercial air transport operations into, within or out of the territory subject to the provisions of the Treaties, including conditions for issuing, maintaining, amending, limiting, suspending or revoking their authorisations, the privileges and responsibilities of the holders of authorisations as well as conditions under which operations shall be prohibited, limited or subject to certain conditions in the interest of safety.

^(*) EASA Opinion No 02/2022, Update of Commission Regulation (EU) No 452/2014 (Third- Country Operator (TCO) Regulation, of 25 April 2022 (<https://www.easa.europa.eu/en/document-library/opinions/opinion-no-022022>).

*Article 2***Definitions**

For the purposes of this Regulation, the following definitions apply:

- (1) 'flight' means a departure from a specified aerodrome towards a specified destination aerodrome;
- (2) 'third country operator' means any operator in respect of which the functions and duties of the State of the operator are not carried out by a Member State or the Agency.

*Article 3***Authorisations**

Third country operators shall only engage in commercial air transport operations into, within, or out of the territory subject to the provisions of the Treaties if they comply with the requirements of Annex 1 and hold an authorisation issued by the Agency in accordance with Annex 2 to this Regulation.'

(*) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).;

- (2) Annexes 1 and 2 to Regulation (EU) No 452/2014 are amended as set out in the Annex to this Regulation.

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, 2 December 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

(1) Annex 1 is amended as follows:

(a) Section I is amended as follows:

(i) point TCO.100 is replaced by the following:

‘TCO.100 Scope

This Annex (‘Part-TCO’) establishes requirements to be followed by a third country operator engaged in commercial air transport operations into, within or out of the territory subject to the provisions of the Treaties.’;

(ii) points TCO.105 and TCO.110 are deleted.

(b) Section II is amended as follows:

(i) in point TCO.200, points (a), (b), and (c) are replaced by the following:

‘(a) The third country operator shall comply with:

- (1) the applicable standards contained in the Annexes to the Convention on International Civil Aviation, in particular Annexes 1 (Personnel licensing), 2 (Rules of the Air), 6 (Operation of Aircraft), as applicable, 8 (Airworthiness of Aircraft), 18 (Dangerous Goods), and 19 (Safety Management);
- (2) the applicable safety directives issued by the Agency in accordance with Article 76(6) of Regulation (EU) 2018/1139;
- (3) the relevant requirements of Part-TCO; and
- (4) the applicable requirements of Regulation (EU) No 923/2012 (*).

(b) The third country operator shall ensure that an aircraft operated into, within or out of the territory subject to the provisions of the Treaties is operated in accordance with:

- (1) its air operator certificate (AOC) and associated operations specifications in accordance with ICAO Annex 6; and
- (2) the TCO authorisation issued in accordance with this Regulation and the scope and privileges contained therein.

(c) The third country operator shall ensure that an aircraft operated into, within or out of the territory subject to the provisions of the Treaties has a certificate of airworthiness (CofA) issued or validated in accordance with ICAO Annex 8 by:

- (1) the State of registry; or
- (2) the State of the third country operator, provided that the State of the third country operator and the State of registry have entered into an agreement under Article 83bis of the Convention on International Civil Aviation that transfers the responsibility for the issue of the CofA.

(*) Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, p. 1);

(ii) in point TCO.200, point (e) is replaced by the following:

‘(e) Without prejudice to Regulation (EU) No 996/2010 of the European Parliament and of the Council (*), the third country operator shall without undue delay report to the Agency any accident as defined in ICAO Annex 13, involving aircraft used under its AOC, including those aircraft that are not intended to be flown into, within or out of the territory subject to the provisions of the Treaties.

(*) Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (OJ L 295, 12.11.2010, p. 35).’;

- (iii) point TCO.205 is replaced by the following:

‘TCO.205 Navigation, communication and surveillance equipment

When undertaking operations within the airspace above the territory to which the Treaties apply the third country operator shall equip its aircraft with and operate such navigation, communication and surveillance equipment as required in that airspace.’;

- (iv) point TCO.215 is replaced by the following:

‘TCO.215 Production of documentation, manuals and records

Upon request by a person authorised by the Agency or the competent authority of the Member State where the aircraft operated by a third country operator has landed, the pilot-in-command of that aircraft shall, without undue delay, present any documentation, manuals or records required to be carried on board.’;

- (c) Section III is amended as follows:

- (i) point TCO.305 is replaced by the following:

‘TCO.305 One-off notification flights

- (a) By way of derogation from point TCO.300(a), the third country operator may carry out the following flights into, within or out of the territory subject to the provisions of the Treaties without first obtaining an authorisation:

- (1) flights that are performed in the public interest, to address an urgent need, such as humanitarian missions and disaster relief operations;
- (2) air ambulance flights that are performed to move sick or injured patients between healthcare facilities or deliver patient medical care.

- (b) The provisions of point (a) shall only apply if the third country operator:

- (1) notified the Agency prior to the intended date of the first flight in a form and manner established by the Agency;
- (2) is not subject to an operating ban pursuant to Regulation (EC) No 2111/2005;
- (3) is not subject to a suspension or revocation pursuant to point ART.235 of Annex 2;
- (4) has not been subject to rejection of an application for TCO authorisation pursuant to point ART.200 (e)(1) of Annex 2; and
- (5) applies for an authorisation pursuant to point TCO.300 within 14 days after the date of notification to the Agency pursuant to point (b)(1) above.

- (c) The flight(s) specified in the notification prescribed in point (a) may be performed for the period requested by the third country operator, but no longer than for a maximum of 12 consecutive weeks after the date of notification or until the Agency has taken a decision on the application in accordance with point ART.200 of Part-ART, whichever comes sooner.

- (d) A notification may be filed only once every 24 months by the third country operator.’;

- (ii) point TCO.310 is replaced by the following:

‘TCO.310 Privileges of an authorisation holder

The privileges of the third country operator shall be listed in the authorisation and not exceed the privileges granted by the State of the third country operator.’;

- (iii) point TCO.315 is replaced by the following:

‘TCO.315 Changes

- (a) Any change, other than those agreed under point ART.210(c) of Annex 2, affecting the terms of an authorisation shall require prior approval by the Agency.

- (b) The third country operator shall submit the application for prior approval by the Agency at least 30 days before the date of implementation of the intended change.

The third country operator shall provide the Agency with the information referred to in point TCO.300, restricted to the extent of the change.

After submission of an application for a change, the third country operator shall operate under the conditions prescribed by the Agency pursuant to point ART.225(b) of Annex 2.

- (c) All changes not requiring prior approval, as agreed in accordance with point ART.210(c) of Annex 2, shall be notified to the Agency before the change takes place.;
- (iv) in point TCO.320, point (a)(6) is replaced by the following:
 - ‘(6) the third country operator being able to substantiate, upon request by the Agency, its intention to continue to conduct operations under its TCO authorisation.;
- (v) in point TCO.320, point (a)(7) is added:
 - ‘(7) the third country operator operating at least one aircraft under its TCO authorisation.;
- (vi) in point TCO.320, point (b) is replaced by the following:
 - ‘(b) If the authorisation has become invalid, the third country operator shall obtain a new authorisation from the Agency, prior to recommencing operations into, within or out of the territory subject to the provisions of the Treaties. The third country operator shall apply for the new authorisation in a form and manner established by the Agency and shall provide any document necessary to determine that the reasons for the authorisation to become invalid are no longer present, and that the third country operator complies with the requirements to obtain the authorisation under Part-TCO.;

(2) Annex 2 is amended as follows:

(a) Section I is amended as follows:

- (1) point ART.105 is deleted;
- (a) in point ART.110, point (b) is replaced by the following:
 - ‘(b) The Agency shall inform the Member States about the notifications it has received in accordance with point TCO.305 of Annex 1 without any undue delay.;
- (b) in point ART.115, points (a)(5), (a)(6) and (a)(7) are replaced by the following:
 - ‘(5) enforcement measures taken, including fines requested by the Agency in accordance with Regulation (EU) 2018/1139;
 - (6) the implementation of corrective actions mandated by the Agency in accordance with Article 76(6) of Regulation (EU) 2018/1139; and
 - (7) the use of flexibility provisions in accordance with Article 71 of Regulation (EU) 2018/1139.;

(b) Section II is amended as follows:

- (i) in point ART.200, point (b) is replaced by the following:
 - ‘(b) The Agency shall complete the initial assessment within 30 days after receipt of all required documents pursuant to point TCO.300 (c) and (d) of Annex 1.

When the initial assessment requires a further assessment or an audit, the assessment period shall be extended for the duration of the further assessment or the audit, as appropriate.;
- (ii) in point ART.200, point (d) is replaced by the following:
 - ‘(d) When the third country operator does not provide the information required for the assessment in accordance with point TCO.300 (c) and (d) of Annex 1 within the timeline established by the Agency, the Agency may decide to suspend the assessment of the application until the information is provided. In this case, the Agency shall inform the third country operator of its decision.;

- (iii) in point ART.200, point (e)(1) is replaced by the following:
 - ‘(1) reject the application when the outcome of the assessment indicates that further assessment will not result in the issue of an authorisation; or’;
- (iv) in point ART.200, point (f) is added:
 - ‘(f) When an application from a third country operator was previously rejected or authorisation revoked, the Agency may decide to wait 9 months from the date of revocation or rejection before starting to process the new application.’;
- (v) in point ART.205, point (a) is replaced by the following:
 - ‘(a) Upon receiving an application for an authorisation from the third country operator subject to an operating ban or an operational restriction pursuant to Regulation (EC) No 2111/2005, the Agency shall take into account the scope of the ban in order to define the relevant assessment procedure, as described in point ART.200. When the third country operator is subject to an operating ban covering the entire scope of its operations, the assessment shall include an audit of the third country operator.’;
- (vi) in point ART.205, point (c) is replaced by the following:
 - ‘(c) The Agency shall perform an audit only if:
 - (1) the third country operator agrees to be audited;
 - (2) the outcome of the initial evaluation procedure referred to in point ART.200 indicates that there is a possibility that the audit will have a positive result; and
 - (3) the audit can be performed at the third country operator's facilities without the risk of compromising the safety and security of the Agency's personnel.’;
- (vii) in point (a) of point ART.210, the introductory wording is replaced by the following:
 - ‘(a) The Agency shall issue the authorisation, when’;
- (viii) in point ART.210, point (a)(4) is replaced by the following:
 - ‘(4) there is no evidence of major deficiencies in the ability of the State of the third country operator or the State of registry, as applicable, to certify and oversee the third country operator and/or aircraft in accordance with the applicable ICAO standards’;
- (ix) in point ART.210, point (a)(5) is replaced by the following:
 - ‘(5) the applicant is not subject to an operating ban pursuant to Regulation (EC) No 2111/2005; and’;
- (x) in point ART.210, point (a)(6) is added:
 - ‘(6) any non-compliance finding raised during the assessment has been closed.’;
- (xi) in point ART.210, points (b) and (c) are replaced by the following:
 - ‘(b) The authorisation shall be issued for an unlimited duration.

The Agency shall specify the privileges and the scope of the activities that the third country operator is authorised to conduct.
 - (c) The Agency shall agree with the third country operator the scope of changes to the third country operator obligations not requiring any prior approval taking into consideration the size, type and complexity of the operation.’;
- (xii) in point ART.215, point (a)(2) is replaced by the following:
 - ‘(2) if applicable, the implementation of corrective actions mandated by the Agency in accordance with Article 76(6) of Regulation (EU) 2018/1139.’;
- (xiii) in point ART.215, point (b)(4) is replaced by the following:
 - ‘(4) take into account decisions and investigations pursuant to Regulation (EC) No 2111/2005 or joint consultations pursuant to Regulation (EC) No 473/2006’;

(xiv) in point ART.215, point (d) is replaced by the following:

‘(d) Where, based on available information, the safety performance of the third country operator and/or the oversight capabilities of the State of the operator or the State of Registry are suspected to have decreased below the applicable standards contained in the Annexes to the Convention on International Civil Aviation, the Agency shall submit the affected third country operator to intensified surveillance. The Agency shall take any necessary measures to ensure that the third country operator’s intended operation will be conducted in compliance with the applicable requirements of Part-TCO. These measures may include:

- (1) an audit of the third country operator in accordance with point ART.205(d);
- (2) a requirement for the third country operator to submit reports or tailored technical information to the Agency at regular intervals;
- (3) a temporary limitation of the operation to the third country operator’s current fleet and/or scope of commercial air transport operations into, within or out of the territory subject to the provisions of the Treaties.’;

(xv) in point ART.220, point (e) is added:

‘(e) When determining the review interval, the Agency shall take into consideration the size, type and complexity of the operation, available information on the number of flights performed under the TCO authorisation, and the relevant elements referred to in point ART.200(c).’;

(xvi) in point ART.230, points (b), (c) and (d) are replaced by the following:

‘(b) A level 1 finding shall be issued by the Agency when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and Part-TCO, or with the terms of the authorisation that lowers safety or seriously hazards flight safety.

The level 1 findings shall include, but are not limited to:

- (1) failure to give the Agency access to the third country operator’s facilities as defined in point TCO.115(b) of Annex 1 during normal operating hours and after a written request;
- (2) implementing changes requiring prior approval without having received an approval as defined in point ART.210;
- (3) obtaining or maintaining the validity of the authorisation by falsification of documentary evidence;
- (4) evidence of malpractice or fraudulent use of the authorisation;
- (5) presence of multiple level 2 findings raised during an assessment, indicating a systemic weakness that lowers safety or seriously hazards flight safety.

(c) A level 2 finding shall be issued by the Agency when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and Part-TCO, or with the terms of the authorisation which could lower safety or hazard flight safety.

(d) When a finding is detected during monitoring, the Agency shall, without prejudice to any additional action required by Regulation (EU) 2018/1139 and its delegated and implementing acts, communicate the finding to the third country operator in writing and request corrective action to eliminate or mitigate the root cause in order to prevent recurrence of the non-compliance(s) identified.’;

(xvii) in point ART.230, point (e)(2) is replaced by the following:

‘(2) assess the corrective action and implementation plan proposed by the third country operator. If the assessment concludes that it contains root cause(s) analysis and course(s) of action to effectively eliminate or mitigate the root cause(s) to prevent recurrence of the non-compliance(s), the corrective action and implementation plan shall be accepted.

If the third country operator fails to submit an acceptable corrective action plan, as referred to in (e)(1), or to perform the corrective action within the time period accepted or extended by the Agency, the finding shall be raised to a level 1 finding and action shall be taken as laid down in point ART.235(a).;

(xviii) in point ART.235, points (b), (c), (d) and (e) are replaced by the following:

- '(b) The limitation or suspension shall be lifted when the Agency is satisfied that successful corrective action has been taken by the third country operator and/or the State of the operator or State of registry, as applicable.
- (c) In considering the lifting of a suspension, the Agency shall consider conducting an audit of the third country operator when the conditions in point ART.205(c) are met. In case the suspension is due to major deficiencies in the oversight of the applicant by the State of the operator or State of registry, as applicable, the audit may include an assessment with the aim of verifying whether these oversight deficiencies have been corrected.
- (d) The Agency may revoke the authorisation when, following a suspension, the third country operator and/or the State of the operator or State of registry, as applicable, have not taken successful corrective action within a maximum period of 12 months.
- (e) The Agency shall revoke the authorisation when the third country operator becomes subject to an operating ban pursuant to Regulation (EC) No 2111/2005.;

(xix) the following point ART.240 is added:

'ART.240 Validity of the authorisation

- (a) When the holder of a TCO authorisation no longer complies with the requirements for continued validity of point TCO.320 of Annex 1, the Agency shall inform the third country operator and the Member States that the TCO authorisation has lost its validity.
- (b) Upon receiving an application for a new authorization after the previous authorisation had become invalid, the Agency shall perform an assessment as necessary to ensure that the intended operation will be conducted in compliance with the applicable requirements of Part-TCO.;

(xx) the following point ART.245 is added:

'ART.245 One-off notification flights

Upon receiving a notification from the third country operator pursuant to point TCO.305 of Annex 1, the Agency shall, without undue delay, assess whether the conditions established in point TCO.305 of Annex 1 are met.

When the Agency finds that the conditions established in point TCO.305 of Annex 1 are not met, the Agency shall inform the third country operator and the affected Member State(s) thereof.;

COMMISSION DELEGATED REGULATION (EU) 2023/660**of 2 December 2022**

laying down detailed rules for the list of air carriers banned from operating or subject to operational restrictions within the Union referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council and repealing Regulation (EC) No 473/2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier ⁽¹⁾, and repealing Article 9 of Directive 2004/36/EC, and in particular Article 8 thereof,

Whereas:

- (1) Chapter II of Regulation (EC) No 2111/2005 lays down procedures for updating the list of air carriers that are banned from operating or subject to operational restrictions within the Union ('the Union list'), as well as procedures allowing Member States, in certain circumstances, to adopt exceptional measures imposing operating bans within their territory.
- (2) It is appropriate to supplement Regulation (EC) No 2111/2005 with detailed rules in respect of these procedures.
- (3) In particular, it is appropriate to specify the information to be provided by the Member States when they request the Commission to adopt a decision under Article 4(2) of Regulation (EC) No 2111/2005 to update the Union list by imposing a new operating ban, lifting an existing ban or modifying the attached conditions.
- (4) It is necessary to lay down conditions for the exercise of the rights of defence of the carriers subject to the decisions adopted by the Commission in order to update the Union list. The procedures with regard to the right of defence of the air carriers should be clarified. Therefore, this Regulation sets down detailed rules with respect to the exercise of air carriers' right of defence when the Commission is considering whether to adopt a decision under Article 4(2) or Article 5 of Regulation (EC) No 2111/2005.
- (5) In the context of updating the Union list, Regulation (EC) No 2111/2005 requires the Commission to take due account of the need for decisions to be taken swiftly and, where appropriate, provide a procedure for urgent cases.
- (6) The Commission should receive adequate information on any operating ban imposed by the Member States as exceptional measures under Articles 6(1) and 6(2) of Regulation (EC) No 2111/2005.
- (7) In order to adapt to the current means of communication, it is necessary to allow for more flexibility in the way the information is disseminated to the relevant services of the Commission.
- (8) For purpose of clarity in the terms used, it is necessary to ensure consistency when referring to the authority that is responsible for the oversight of the air carrier concerned.

⁽¹⁾ OJ L 314, 27.12.2005, p. 15.

- (9) Regulation (EU) 2019/1243 of the European Parliament and of the Council ⁽²⁾ amended Article 8 of Regulation (EC) No 2111/2005. That Article empowers the Commission to adopt delegated acts. In order to ensure smooth functioning of the procedures for updating the Union list in the new legal framework, certain rules have to be adopted by means of such acts. Those acts should replace Commission Regulation (EC) No 473/2006 ⁽³⁾, which should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down detailed rules in respect to the following procedures referred to in Chapter II of Regulation (EC) No 2111/2005:

- (a) Establishment of the Union list;
- (b) Updating of the Union list;
- (c) Exceptional measures adopted by a Member State;
- (d) Exercise of air carriers' right of defence;
- (e) Enforcement of the Union list by Member States.

Article 2

Requests by Member States to update the Union list

1. A Member State that requests that the Commission updates the Union list in accordance with Article 4(2) of Regulation (EC) No 2111/2005 shall provide to the Commission the information set out in Annex I to this Regulation.
2. The request mentioned in paragraph 1 shall be addressed to the Secretariat-General of the Commission. In addition, the information set out in Annex I shall be communicated simultaneously to the competent services of the Directorate-General for Mobility and Transport of the Commission.
3. The Commission shall inform the other Member States of the request mentioned in paragraph 1 through their representatives in the Air Safety Committee in accordance with the procedures provided in the Committee's internal rules. The Commission shall also inform the European Union Aviation Safety Agency ('the Agency').

Article 3

Joint consultation with the authorities responsible for the oversight of the air carrier concerned

1. A Member State that is considering making a request to the Commission under Article 4(2) of Regulation (EC) No 2111/2005 shall invite the Commission, the Agency, and the other Member States to participate in any consultations with the authorities responsible for the oversight of the air carrier concerned.
2. The adoption of the decisions referred to in Article 4(2) and Article 5 of Regulation (EC) No 2111/2005 shall be preceded, when appropriate and feasible, by consultations with the authorities responsible for the oversight of the air carrier concerned. Whenever possible, consultations shall be held jointly by the Commission, the Agency, and the Member States.

⁽²⁾ Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (OJ L 198, 25.7.2019, p. 241).

⁽³⁾ Commission Regulation (EC) No 473/2006 of 22 March 2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 8).

3. In cases where urgency so requires, joint consultations may be held after the adoption of the decisions referred in Article 4(2) and Article 5. In that case, the Commission shall inform the authority concerned that a decision is about to be adopted under Article 4(2) or Article 5(1).

4. Joint consultations may be conducted through correspondence and take place during on-site visits in order to permit the collection of evidence, where appropriate.

Article 4

Exercise of air carriers' right of defence

1. Before the Commission adopts a decision under Article 4(2) or Article 5 of Regulation (EC) No 2111/2005, it shall disclose to the air carrier concerned the essential facts and considerations that form the basis for such decision. The air carrier concerned shall be given an opportunity to submit written comments to the Commission within 10 working days from the date of disclosure. When the decision concerns more than one air carrier certified in the same State, it is considered that the submission of written comments to the Commission within 10 working days has been met once the Commission has disclosed the essential facts and considerations it receives to the authorities responsible for the oversight of these air carriers.

2. The Commission shall inform the Agency and the Member States through their representatives in the Air Safety Committee in accordance with the procedures provided in the Committee's internal rules. At the request of the air carrier concerned, it shall be permitted to present its position orally in front of the Air Safety Committee before a decision under Article 4(2) or Article 5 of Regulation (EC) No 2111/2005 is adopted. During the presentation, the air carrier concerned may be assisted by the authorities responsible for its oversight if it so requests.

3. In cases of urgency, the Commission shall not be required to fulfil the disclosure obligation referred to in paragraph 1 of this Article before adopting a provisional measure in accordance with Article 5(1) of Regulation (EC) No 2111/2005.

4. When the Commission adopts a decision under Article 4(2) or Article 5 of Regulation (EC) No 2111/2005, it shall immediately inform the carrier concerned and the authorities responsible for its oversight.

Article 5

Enforcement

Member States shall inform the Commission of any measures taken to implement the decisions adopted by the Commission under Article 4(2) or Article 5 of Regulation (EC) No 2111/2005.

Article 6

Exceptional measures adopted by a Member State

1. When a Member State has subjected an air carrier to an immediate operating ban in its territory as permitted by Article 6(1) of Regulation (EC) No 2111/2005, it shall immediately inform the Commission of that fact and communicate to the Commission the information set out in Annex II.

2. When a Member State has maintained or imposed an operating ban on an air carrier in its territory as permitted by Article 6(2) of Regulation (EC) No 2111/2005 it shall immediately inform the Commission of that fact and communicate to the Commission the information set out in Annex III.

3. The information set out in Annex II and III shall be addressed to the Secretariat-General of the Commission. In addition, the information described in Annex II or III shall be communicated simultaneously to the competent services of the Directorate-General for Mobility and Transport of the Commission.

4. The Commission shall inform the Agency and the other Member States through their representatives in the Air Safety Committee in accordance with the procedures provided in the Committee's internal rules.

Article 7

Repeal of Regulation (EC) No 473/2006

Regulation (EC) No 473/2006 is repealed.

Article 8

Entry into force

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, 2 December 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Information to be provided by a Member State making a request under Article 4(2) of Regulation (EC) No 2111/2005

A Member State that requests an update of the Union list under Article 4(2) of Regulation (EC) No 2111/2005 shall provide the following information to the Commission:

1. Concerning the Member State making the request:
 - (a) name and function of official contact;
 - (b) email or telephone number of official contact.
 2. Concerning the carrier(s) and aircraft:
 - (a) identification of concerned carrier(s), including legal entity name (indicated on Air Operator Certificate ('AOC') or equivalent), trading name (if different from legal entity name), AOC number (if available), International Civil Aviation Organisation ('ICAO') airline designation number (if known) and full contact details;
 - (b) name(s) and full contact details of the authority or authorities with responsibility for regulatory oversight of the air carrier(s) concerned;
 - (c) details of the aircraft type(s), State(s) of registry, registration number(s) and, if available, construction serial numbers of the aircraft affected.
 3. Concerning the decision requested:
 - (a) type of decision requested: specify if it imposes an operating ban, removes an operating ban or modifies the conditions of an operating ban;
 - (b) scope of the requested decision: indicate specific carrier(s) or all carriers subject to a particular overseeing authority, identify specific aircraft or type(s) of aircraft.
 4. Concerning the request for the imposition of an operating ban:
 - (a) detailed description of the safety concern (e.g. inspection results) which led to the request for a total or partial ban (related in order to each of the relevant common criteria set out in the Annex to Regulation (EC) No 2111/2005);
 - (b) broad description of recommended condition(s) allowing the proposed ban to be cancelled/waived for use as the basis for preparing a corrective action plan in consultation with the authority or authorities with responsibility for regulatory oversight of the air carrier(s) concerned.
 5. Concerning the request for the lifting of an operating ban or the modification of attached conditions:
 - (a) date and details of agreed corrective action plan, if applicable;
 - (b) evidence of subsequent compliance with the agreed corrective plan, if applicable;
 - (c) explicit written endorsement by the authority or authorities with responsibility for regulatory oversight of the air carrier(s) concerned that the corrective action plan has been implemented.
 6. Concerning publicity:

information on whether the Member State has made its request public.
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ANNEX II

Communication by a Member State of exceptional measures taken under Article 6(1) of Regulation (EC) No 2111/2005 to impose an operating ban in its territory

A Member State reporting that an air carrier has been made subject to an operating ban in its territory in accordance with Article 6(1) of Regulation (EC) No 2111/2005 shall provide the following information to the Commission:

1. Concerning the Member State making the report
 - (a) Name and function of the official contact;
 - (b) Email or telephone number of the official contact.
 2. Concerning carrier(s) and aircraft
 - (a) Identification of concerned carrier(s), including legal entity name (indicated on AOC or equivalent), trading name (if different from legal entity name), AOC number (if available), ICAO airline designation number (if known) and full contact details;
 - (b) Name(s) and full contact details of the authority or authorities with responsibility for regulatory oversight of the air carrier(s) concerned;
 - (c) Details of the aircraft type(s), State(s) of registry, registration number (s) and, if available construction serial number(s) of the aircraft affected.
 3. Concerning the decision
 - (a) Date, time and duration of the decision;
 - (b) Description of the decision to refuse, suspend, revoke or impose restrictions on an operating authorisation or technical permission;
 - (c) Scope of the decision: indicate specific carrier(s) or all carriers subject to a particular overseeing authority, specific aircraft or type(s) of aircraft;
 - (d) Description of condition(s) allowing the refusal, suspension, revocation or restrictions of the operating authorisation or technical permission delivered by the Member State to be cancelled/waived.
 4. Concerning the safety concern

Detailed description of the safety concern (e.g. inspection results) that lead to total or partial ban decision (related to the order of each of the common criteria laid out in the Annex to Regulation (EC) No 2111/2005).
 5. Concerning publicity

Information on whether the Member State has made its ban public.
-

ANNEX III

Communication by a Member State of exceptional measures taken as permitted by Article 6(2) of Regulation (EC) No 2111/2005 to maintain or impose an operating ban in its territory when the Commission has decided not to include similar measures in the Union list

A Member State reporting that an operating ban on an air carrier in its territory has been maintained or imposed as permitted by Article 6(2) of Regulation (EC) No 2111/2005 shall provide the following information to the Commission:

1. Concerning the Member State making the report

- (a) Name and function of the official contact;
- (b) Email or telephone number of the official contact.

2. Concerning the carrier(s) and aircraft

Identification of concerned carrier(s), including legal entity name (indicated on AOC or equivalent), trading name (if different from legal entity name), AOC number (if available), ICAO airline designation number (if known).

3. Concerning the reference to the Commission decision

- (a) Date of and reference to any relevant Commission documents;
 - (b) Date of Commission or Air Safety Committee decision.
-

COMMISSION DELEGATED REGULATION (EU) 2023/661**of 2 December 2022****amending Regulation (EC) No 2111/2005 of the European Parliament and of the Council on the common criteria to consider the implementation or lifting of an operating ban at Union level**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC ⁽¹⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) Regulation (EC) No 2111/2005 provides for the establishment of a Union list of air carriers that are subject to an operating ban in the territories to which the Treaties apply.
- (2) The establishment of the Union list of air carriers is based on common criteria for imposing an operating ban on an air carrier drawn up at Union level. These common criteria are set out in the Annex to Regulation (EC) No 2111/2005.
- (3) An assessment of Regulation (EC) No 2111/2005 performed by the Commission identified several areas where the implementation of that Regulation could be improved in order to take account of scientific and technical developments. In the last years, the management of air safety has been supported by new technical advancements that enabled the measurement of verifiable evidence as it pertains to the assessment of third country operators' capabilities and information stemming from ramp inspections to meet the relevant safety standards. Also, the collection of scientific knowledge, through the research activities of the European Union Aviation Safety Agency, enhances its ability to evaluate a safety management system of an operator. It is therefore necessary to amend the Annex to Regulation (EC) No 2111/2005 to take account of those developments.
- (4) The common criteria set out in the Annex to Regulation (EC) No 2111/2005 list the elements to take into account when considering the imposition of a ban (or of operational restrictions). In line with Article 4(1)(b) of Regulation (EC) No 2111/2005, the Union list is to be updated to remove an air carrier from it when the safety deficiencies have been remedied and there is no other reason, on the basis of the common criteria, to maintain the air carrier on such list. For reasons of transparency, it is necessary to list the necessary elements for the assessment if the common criteria, the non-respect of which led to the identification of the aforementioned deficiencies, are no longer met.
- (5) A number of improvements can be achieved by amending the Annex to Regulation (EC) No 2111/2005 on common criteria used to consider for imposing [or lifting of] an operating ban at Union level,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2111/2005 is replaced by the Annex to this Regulation.

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 344, 27.12.2005, p. 15.

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

Done at Brussels, 2 December 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

‘ANNEX

Common criteria to consider for imposing an operating ban at Union level

Decisions on action at Union level shall be taken according to the merits of each individual case. Depending upon the merits of each case, a carrier or all the carriers certified in the same State might be eligible for action at Union level.

A. In considering whether an air carrier or all the carriers certified in the same state should be totally or partially banned, it shall be assessed whether the air carrier is meeting the relevant safety standards taking into account the following:

1. Verified evidence of serious safety deficiencies on the part of an air carrier:
 - (a) reports showing serious safety deficiencies, or persistent failure by the carrier to address deficiencies identified by ramp inspections performed under the EU Ramp Inspection programme ⁽¹⁾ previously communicated to the carrier;
 - (b) shortcomings identified within the framework of the provisions for the gathering of information in Subpart RAMP of Annex II to Commission Regulation (EU) No 965/2012 ⁽²⁾;
 - (c) operating ban imposed on a carrier by a third country because of substantiated deficiencies related to relevant safety standards;
 - (d) substantiated accident-related or serious incident-related information indicating latent systemic safety deficiencies;
 - (e) information gathered through the Third Country Operators Authorisation process, whether initial or continuous monitoring performed by the European Union Aviation Safety Agency (‘the Agency’), and notably as regards actions taken by the Agency with regards to the rejection of an application under point ART.200(e)(1) of Annex II to Commission Regulation (EU) No 452/2014 ⁽³⁾ or the suspension or revocation of an authorisation under point ART.235, for safety reasons.
2. Lack of ability and/or willingness of an air carrier to address safety deficiencies as demonstrated by:
 - (a) lack of transparency or adequate and timely communication on the part of a carrier in response to an enquiry by the civil aviation authority of a Member State or by the Commission or the Agency regarding the safety aspect of its operation;
 - (b) inappropriate or insufficient corrective action plan prepared in response to an identified serious safety deficiency.
3. Lack of ability and/or willingness of the authorities with responsibility for regulatory oversight of an air carrier to address safety deficiencies as demonstrated by:
 - (a) lack of cooperation with the civil aviation authority of a Member State, the Commission, or the Agency by the competent authorities of another State, when concerns about the safety of the operation of a carrier licensed or certified in that State have been raised;
 - (b) insufficient ability of the competent authorities with regulatory oversight of the carrier to implement and enforce the relevant safety standards. Particular account should be taken of the following:
 - (i) audits and related corrective action plans established under the International Civil Aviation Organisation’s Universal Safety Oversight Audit Programme or under any applicable Union law;

⁽¹⁾ European Programme regarding the performance of ramp inspections on aircraft used by third country operators (SAFA) or used by operators under the regulatory oversight of another EU Member State (SACA).

⁽²⁾ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

⁽³⁾ Commission Regulation (EU) No 452/2014 of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 133, 6.5.2014, p. 12).

- (ii) whether the operating authorisation or technical permission of any carrier under the oversight of that State has previously been refused or revoked by another State;
 - (iii) the air operator's certificate has not been issued by the competent authority of the State where the carrier has its principal place of business;
 - (c) insufficient ability of the competent authorities of the State in which the aircraft used by the air carrier is registered to oversee the aircraft used by the carrier in accordance with its obligations under the Chicago Convention.
- B. In line with article 4(1)(b) of this Regulation, in considering whether the Union list is to be updated to remove an air carrier from the list because the safety deficiencies have been remedied and there is no other reason, on the basis of common criteria listed in section A, to maintain the air carrier on the Union list, the following elements may be considered as providing evidence thereof:
1. verifiable evidence that identified deficiencies have been rectified in a sustainable manner, indicating that the air carrier fully complies with and implements the relevant safety standards;
 2. recertification of the air carriers conducted by the authorities responsible for regulatory oversight of the air carriers in accordance with the ICAO process, with evidence that all activities have been duly documented;
 3. verifiable evidence of compliance with and effective implementation of relevant safety standards by the authorities responsible for regulatory oversight of the air carrier;
 4. verifiable capability of the authorities responsible for regulatory oversight of the air carrier to enforce a sound regulatory system;
 5. verifiable evidence that effective surveillance is conducted by the authorities responsible for regulatory oversight of the air carrier, which allows for the adequate enforcement and respect of the relevant safety standards;
 6. information gathered through the TCO process, whether initial or continuous monitoring performed by the Agency;
 7. information gathered through the ramp inspections.'
-

COMMISSION DELEGATED REGULATION (EU) 2023/662**of 20 January 2023****amending Delegated Regulation (EU) 2015/63 as regards the methodology for the calculation of liabilities arising from derivatives**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012 of the European Parliament and of the Council ⁽¹⁾, and in particular Article 103(7) thereof,

Whereas:

- (1) Under Article 5(3) of Commission Delegated Regulation (EU) 2015/63 ⁽²⁾, liabilities arising from derivative contracts are one of the components of the calculation of the annual contributions to be paid by institutions to resolution financing arrangements. In particular, the yearly average amount, calculated on a quarterly basis, of the liabilities referred to in paragraph 1 of that Article, arising from derivative contracts, is to be valued in accordance with Articles 429, 429a and 429b of Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽³⁾.
- (2) Prior to the entry into force of Regulation (EU) 2019/876 of the European Parliament and of the Council ⁽⁴⁾, Article 429, 429a and 429b of Regulation (EU) No 575/2013, obliged institutions to calculate the exposure value of their derivatives using a mark-to-market method – the Current Exposure Method ('CEM') – by virtue of a reference to Article 274 of that Regulation, related to the calculation of the Leverage Ratio Exposure.
- (3) Regulation (EU) 2019/876 amended Regulation (EU) No 575/2013. In particular, Articles 429, 429a and 429b were replaced by the new Articles 429 to 429g. That amendment included, inter alia, the introduction in Article 429c of Regulation (EU) No 575/2013 of the obligation for institutions to calculate the exposure value of derivative contracts in accordance with the mark-to-market method known as the Standardised Approach – Counterparty Credit Risk (SA-CCR), which replaced the Current Exposure Method or 'CEM' with effects on the *ex-ante* contribution periods as of 2023.
- (4) The Standardised Approach – Counterparty Credit Risk method is impossible to apply for the valuation of liabilities arising from derivative contracts when such valuation needs to be applied for the purposes of Delegated Regulation (EU) 2015/63. The application of that method would, in fact, distort the calculation of liabilities arising from derivative contracts, which would affect some institutions more than others. That is due, first, to the presence of a zero floor in certain formulas to be applied, which would affect institutions differently depending on whether they

⁽¹⁾ OJ L 173, 12.6.2014, p. 190.

⁽²⁾ Commission Delegated Regulation (EU) 2015/63 of 21 October 2014 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to ex ante contributions to resolution financing arrangements (OJ L 11, 17.1.2015, p. 44).

⁽³⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

⁽⁴⁾ Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (OJ L 150, 7.6.2019, p. 1).

use IFRS (International Financial Reporting Standards), and, second, to technical difficulties and uncertainties in the application of formulas calculating the Potential Future Exposure. It is therefore necessary to enable institutions to use the Current Exposure Method for the valuation of liabilities arising from derivative contracts and to introduce that method, previously laid down in Regulation (EU) No 575/2013, in Delegated Regulation (EU) 2015/63.

- (5) Delegated Regulation (EU) 2015/63 should therefore be amended accordingly.
- (6) It is necessary to provide resolution authorities with more time to adopt and notify their decisions on contributions to resolution financing arrangements in line with the amended requirements. It is therefore necessary to provide for a transitional arrangement for the year 2023 extending the deadlines for such notification.
- (7) Since the resolution authorities need to apply the amended requirements in order to calculate and raise the contributions for year 2023 as soon as possible, it is necessary to provide for the entry into force of this Regulation the day following its publication.
- (8) Under Article 14(4) of Delegated Regulation (EU) 2015/63, institutions are to provide resolution authorities with the information that is relevant for the calculation of the contributions by 31 January each year. It is necessary to give institutions one more month to provide that information in 2023, by means of a transitional arrangement.
- (9) It is also necessary to enable resolution authorities to issue instructions to institutions for the provision of that information, consistently with the introduced amendments, well in advance of the established deadline for 2023, to avoid the creation of legal uncertainty about the method to be applied in 2023 for the valuation of liabilities arising from derivative contracts. To ensure continuity of the calculation method throughout contribution periods and to enable resolution authorities to issue, from 1 October 2022, instructions on the provision of such information in conformity with this Regulation, this Regulation should apply retroactively from that date,

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2015/63 is amended as follows:

- (1) in Article 3, the following point (30) is added:

‘(30) ‘liabilities arising from derivative contracts’ means either individual liabilities arising from a derivative contract or, where applicable, liabilities arising from a netting set of derivative contracts as listed in Annex II to Regulation (EU) No 575/2013.’;

- (2) in Article 5, paragraph 3 is replaced by the following:

‘3. For the purpose of this Section, the yearly average amount, calculated on a quarterly basis, of the liabilities referred to in paragraph 1, arising from derivative contracts as listed in Annex II to Regulation (EU) No 575/2013, including those that are off-balance sheet, shall be valued in accordance with Articles 5a to 5e of this Regulation.

However, the value assigned to liabilities arising from derivative contracts may not be less than 75 % of the value of the same liabilities resulting from the application of the accounting provisions applicable to the institution concerned for the purposes of financial reporting.

Where, under national accounting standards applying to an institution there is no accounting measure of exposure for certain derivative instruments because those derivative instruments are held off-balance sheet, the institution shall report to the resolution authority the sum of the fair values of those derivatives, where the sum is negative, as the replacement cost and add those derivatives to its on-balance sheet accounting values.’;

(3) the following Articles 5a to 5e are inserted:

Article 5a

Exposure value of derivatives

1. Institutions shall determine the exposure value of the derivative contracts listed in Annex II to Regulation (EU) No 575/2013, including those that are off-balance sheet, in accordance with the Mark-to-Market Method set out in Article 5b.

When determining the exposure value, institutions may take into account the effects of contracts for novation and other netting agreements in accordance with Article 5d. Cross-product netting shall not apply. However, institutions may net within any single product category included in Annex II to Regulation (EU) No 575/2013 when they are subject to a contractual cross-product netting agreement.

2. Where the provision of collateral related to derivative contracts reduces the amount of liabilities under the applicable accounting framework, institutions shall reverse that reduction.

3. For the purposes of paragraph 1, institutions may deduct from the current replacement cost portion of the exposure value the variation margin paid in cash to the counterparty in so far as under the applicable accounting framework the variation margin has not already been recognised as a reduction of the exposure value and provided that all of the following conditions are met:

- (a) for trades not cleared through a qualifying central counterparty as defined in Article 4(1), point (88), of Regulation (EU) No 575/2013, the cash given to the recipient counterparty is not segregated;
- (b) the variation margin is calculated and exchanged on a daily basis, based on a mark-to-market valuation of derivative positions;
- (c) the variation margin given in cash is in the same currency as the currency of settlement of the derivative contract;
- (d) the variation margin exchanged is the full amount that would be necessary to fully extinguish the mark-to-market exposure of the derivative subject to the threshold and minimum transfer amounts applicable to the institution;
- (e) the derivative contract and the variation margin between the institution and the counterparty to that contract are covered by a single netting agreement that the institution may treat as risk-reducing in accordance with Article 5d.

For the purposes of point (c) of the first subparagraph, where the derivative contract is subject to a qualifying master netting agreement, the currency of settlement means any currency of settlement specified in the derivative contract or the governing qualifying master netting agreement.

Where under the applicable accounting framework an institution recognises the variation margin received in cash from the counterparty as a payable liability, it may exclude that liability from the exposure measure provided that the conditions set out in the first subparagraph, points (a) to (e), are met.

4. For the purposes of paragraph 3, the following shall apply:

- (a) the deduction of variation margin paid shall be limited to the negative current replacement cost portion of the exposure value;
- (b) an institution shall not use variation margin paid in cash to reduce the potential future credit exposure amount, including for the purposes of Article 5e(1), point (b)(ii).

5. By way of derogation from paragraph 1, institutions may use the Simplified Exposure Method set out in Article 5c to determine the exposure value of derivative contracts listed in points 1 and 2 of Annex II to Regulation (EU) No 575/2013, provided that the size of the on- and off-balance-sheet derivative business of those institutions meets the conditions set out in Article 273a(2) of that Regulation.

Institutions that apply that Simplified Exposure Method shall not reduce the exposure measure by the amount of variation margin received in cash.

Article 5b

Mark-to-Market Method

1. The current replacement cost of liabilities arising from derivative contracts at netting set level shall be the absolute value of the net market value of those contracts within the netting, gross of any collateral held or posted where positive and negative market values are netted in computing the net market value. For that purpose, institutions shall treat an individual derivative transaction as its own netting set.
2. In order to determine the potential future credit exposure, institutions shall multiply the notional amounts or underlying values, as applicable, by the percentages set out in Table 1 and in accordance with the following:
 - (a) derivative contracts which do not fall within one of the five categories set out in Table 1 shall be treated as contracts concerning commodities other than precious metals;
 - (b) for derivative contracts with multiple exchanges of principal, the percentages shall be multiplied by the number of remaining payments still to be made in accordance with the contract;
 - (c) for derivative contracts that are structured to settle outstanding exposure following specified payment dates and where the terms are reset so that the market value of the derivative contract is zero on those specified dates, the residual maturity shall be equal to the time until the next reset date; in the case of interest-rate contracts that meet those criteria and have a remaining maturity of over one year, the percentage shall be no lower than 0,5 %.

Table 1

Residual maturity	Interest-rate contracts	Contracts concerning foreign-exchange rates and gold	Contracts concerning equities	Contracts concerning precious metals other than gold	Contracts concerning commodities other than precious metals
1 year or less	0 %	1 %	6 %	7 %	10 %
Over 1 year, not exceeding 5 years	0,5 %	5 %	8 %	7 %	12 %
Over 5 years	1,5 %	7,5 %	10 %	8 %	15 %

3. The exposure value shall be the sum of current replacement cost and potential future credit exposure.

Article 5c

Simplified Exposure Method

1. Under the Simplified Exposure Method, institutions shall determine the exposure value by multiplying the notional amount of each instrument by the percentages set out in Table 2.

Table 2

Original maturity	Interest-rate contracts	Contracts concerning foreign-exchange rates and gold
1 year or less	0,5 %	2 %
Over 1 year, not exceeding 2 years	1 %	5 %
Additional allowance for each additional year	1 %	3 %

2. Institutions may, when calculating the exposure value of interest-rate contracts, use either the original or residual maturity.

Article 5d

Recognition of contractual netting as risk-reducing

Institutions may treat as risk reducing in accordance with Article 5e only the following types of contractual netting agreements where such netting agreement has been recognised by competent authorities in accordance with Article 296 of Regulation (EU) No 575/2013 and where the institution meets the requirements set out in Article 297 of that Regulation:

- (a) bilateral contracts for novation between an institution and its counterparty under which mutual claims and obligations are automatically amalgamated in such a way that the novation fixes one single net amount each time it applies so as to create a single new contract that is binding on the parties and replaces all former contracts and all obligations between parties pursuant to those contracts;
- (b) other bilateral agreements between an institution and its counterparty.

Article 5e

Effects of recognition of netting as risk-reducing

1. Institutions shall treat contractual netting agreements as follows:

- (a) in the case of contracts for novation, institutions may weigh the single net amounts fixed by such contracts rather than the gross amounts involved;

In the application of Article 5b, institutions may take the contract for novation into account when determining:

- the current replacement cost referred to in Article 5b(1);
- the notional principal amounts or underlying values referred to in Article 5b(2).

In the application of the Simplified Exposure Method, in determining the notional amount referred to in Article 5c(1), institutions may take into account the contract for novation for the purposes of calculating the notional principal amount. In such cases, institutions shall apply the percentages of Table 2.

- (b) in the case of other netting agreements, institutions shall apply Article 5b as follows:
 - (i) the current replacement cost referred to in Article 5b(1) for the contracts included in a netting agreement shall be obtained by taking account of the actual hypothetical net replacement cost which results from the agreement; in the case where netting leads to a net receivable for the institution calculating the net replacement cost, the current replacement cost shall be calculated as '0';
 - (ii) the figure for potential future credit exposure referred to in Article 5b(2) for all contracts included in a netting agreement shall be reduced in accordance with the following formula:

$$PCE_{\text{red}} = 0,4 \cdot PCE_{\text{gross}} + 0,6 \cdot NGR \cdot PCE_{\text{gross}}$$

where:

PCE_{red} = the reduced figure for potential future credit exposure for all contracts with a given counterparty included in a legally valid bilateral netting agreement;

PCE_{gross} = the sum of the figures for potential future credit exposure for all contracts with a given counterparty which are included in a legally valid bilateral netting agreement and are calculated by multiplying their notional principal amounts by the percentages set out in Table 1;

NGR = the net-to-gross ratio calculated as the quotient of the net replacement cost for all contracts included in a legally valid bilateral netting agreement with a given counterparty (numerator) and the gross replacement cost for all contracts included in a legally valid bilateral netting agreement with that counterparty (denominator).

2. When calculating the potential future credit exposure in accordance with the formula set out in paragraph 1, point (b)(ii), institutions may treat perfectly matching derivative contracts included in the netting agreement as if those contracts were a single contract with a notional principal equivalent to the net receipts.

When applying Article 5c(1), institutions may treat perfectly matching derivative contracts included in the netting agreement as if those contracts were a single contract with a notional principal equivalent to the net receipts, and the notional principal amounts shall be multiplied by the percentages laid down in Article 5c, Table 2.

For the purposes of this paragraph, perfectly matching derivative contracts mean forward foreign-exchange contracts or similar contracts in which a notional principal is equivalent to cash flows if the cash flows fall due on the same value date and are fully in the same currency.

3. For all other derivative contracts included in a netting agreement, institutions may reduce the percentages applicable as indicated in Table 3.

Table 3

Original maturity	Interest-rate contracts	Foreign-exchange contracts
1 year or less	0,35 %	1,50 %
More than 1 year but not more than 2 years	0,75 %	3,75 %
Additional allowance for each additional year	0,75 %	2,25 %

4. In the case of interest-rate contracts, institutions may choose either original or residual maturity.;

(4) in Article 20 the following paragraphs 6 and 7 are added:

‘6. By way of derogation from Article 13(1), in the 2023 contribution period the resolution authorities shall notify each institution referred to in Article 2 of their decisions determining the annual contribution due by each institution by 31 May 2023.

7. By way of derogation from Article 14(4), and with regard to the information to be provided to the resolution authority in 2023, the information referred to in that paragraph shall be provided at the latest by 28 February 2023’.

Article 2

Entry into force and application

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

It shall apply from 1 October 2022.

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

Done at Brussels, 20 January 2023.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COUNCIL DECISION (EU) 2023/663

of 20 March 2023

establishing the position to be taken on behalf of the European Union within the WTO Committee on Government Procurement on the accession of the Republic of North Macedonia to the WTO Revised Agreement on Government Procurement

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 17 March 2017, the Republic of North Macedonia ('North Macedonia') applied for accession to the World Trade Organization ('WTO') Revised Agreement on Government Procurement ('Revised GPA'), which entered into force on 6 April 2014.
- (2) The commitments of North Macedonia on coverage are laid down in its final offer, as submitted to the Parties to the Revised GPA ('the Parties') on 13 September 2022 and corrected on 27 September 2022.
- (3) The final offer of North Macedonia is satisfactory and does not require the introduction of specific reservations with respect to North Macedonia. The terms of the accession of North Macedonia to the Revised GPA, as reflected in the Annex to this Decision, will be taken on board in the decision to be adopted by the Committee on Government Procurement of the WTO ('GPA Committee') on the accession of North Macedonia.
- (4) Article XXII:2 of the Revised GPA provides that any Member of the WTO may accede to the Revised GPA on terms to be agreed between that Member and the Parties, with such terms stated in a decision of the GPA Committee.
- (5) The accession of North Macedonia to the Revised GPA is expected to make a positive contribution to further the international opening of public procurement markets.
- (6) It is appropriate to establish the position to be taken on the Union's behalf in the GPA Committee in relation to the accession of North Macedonia to the Revised GPA,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Committee on Government Procurement of the World Trade Organization ('WTO') shall be to approve the accession of the Republic of North Macedonia ('North Macedonia') to the WTO Revised Agreement on Government Procurement ('Revised GPA'), subject to the modifications to the European Union's schedule following the accession of North Macedonia to the Revised GPA as set out in the Annex to this Decision.

Article 2

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

Done at Brussels, 20 March 2023.

For the Council
The President
P. KULLGREN

ANNEX

MODIFICATIONS TO THE EU SCHEDULE FOLLOWING THE ACCESSION OF THE REPUBLIC OF NORTH MACEDONIA TO THE WTO REVISED AGREEMENT ON GOVERNMENT PROCUREMENT

Upon the accession of the Republic of North Macedonia ('North Macedonia') to the Revised Agreement on Government Procurement ('Revised GPA'), point 1 of Section 2 ("The Central Government contracting authorities of EU Member States") of Annex 1 to Appendix I to the Revised GPA for the European Union shall read as follows:

- '1. For the goods, services, suppliers and service providers of Liechtenstein, Switzerland, Iceland, Norway, the Netherlands with respect to Aruba, the United Kingdom and North Macedonia, procurement by all central government contracting authorities of EU member States. The list below is indicative.'

Upon the accession of North Macedonia to the Revised GPA, Section 2 of Annex 6 to Appendix I for the European Union shall read as follows:

- '2. Works concessions contracts, when awarded by Annex 1 and 2 entities, are included under the national treatment regime for the construction service providers of Iceland, Liechtenstein, Norway, the Netherlands on behalf of Aruba, Switzerland, Montenegro, the United Kingdom and North Macedonia, provided their value equals or exceeds 5 000 000 SDR and for the construction service providers of Korea; provided their value equals or exceeds 15 000 000 SDR.'
-

COUNCIL IMPLEMENTING DECISION (EU) 2023/664**of 21 March 2023****authorising the Italian Republic to apply a special measure derogating from Article 285 of Directive 2006/112/EC on the common system of value added tax and repealing Implementing Decision (EU) 2020/647**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 395(1), first subparagraph, thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By Council Implementing Decision (EU) 2020/647 ⁽²⁾, Italy is authorised to apply a special measure derogating from Article 285 of Directive 2006/112/EC to exempt from VAT taxable persons whose annual turnover is no higher than EUR 65 000 until 31 December 2024.
- (2) By letter registered with the Commission on 29 November 2022, Italy requested an authorisation to apply a measure from 1 January 2023 until 31 December 2024, derogating from Article 285 of Directive 2006/112/EC in order to exempt taxable persons whose annual turnover is no higher than EUR 85 000 from VAT (the 'special measure').
- (3) Pursuant to Article 395(2), second subparagraph, of Directive 2006/112/EC, the Commission transmitted the request made by Italy to the other Member States, by letter dated 8 December 2022. By letter dated 9 December 2022, the Commission notified Italy that it had all the information it considered necessary for the appraisal of the request.
- (4) The special measure is in line with Council Directive (EU) 2020/285 ⁽³⁾, which seeks to reduce the compliance burden of small enterprises and avoid distortions of competition in the internal market.
- (5) The special measure will remain optional for taxable persons. Taxable persons may still opt for the regular VAT arrangements in accordance with Article 290 of Directive 2006/112/EC.
- (6) According to the information provided by Italy, the special measure will only have a negligible effect on the overall amount of tax revenue Italy collects at the stage of final consumption.
- (7) Following the entry into force of Council Regulation (EU, Euratom) 2021/769 ⁽⁴⁾, there is to be no compensation calculation carried out by Italy with regard to the VAT-based own resource statement for the financial year 2021 onwards.
- (8) Given that the special measure has had a positive impact on the simplification of VAT-related obligations, as it has reduced the administrative burden and compliance costs for both small enterprises and the tax authorities and allowed Italy to allocate more resources to the fight against VAT fraud by focusing its control activities towards larger taxable persons, and given that it has a negligible impact on the total VAT revenue generated, Italy should be authorised to apply the special measure.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Council Implementing Decision (EU) 2020/647 of 11 May 2020 authorising the Italian Republic to apply a special measure derogating from Article 285 of Directive 2006/112/EC on the common system of value added tax (OJ L 151, 14.5.2020, p. 7).

⁽³⁾ Council Directive (EU) 2020/285 of 18 February 2020 amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises and Regulation (EU) No 904/2010 as regards the administrative cooperation and exchange of information for the purpose of monitoring the correct application of the special scheme for small enterprises (OJ L 62, 2.3.2020, p. 13).

⁽⁴⁾ Council Regulation (EU, Euratom) 2021/769 of 30 April 2021 amending Regulation (EEC, Euratom) No 1553/89 on the definitive uniform arrangements for the collection of own resources accruing from value added tax (OJ L 165, 11.5.2021, p. 9).

- (9) In order to ensure the integrity of Italy's one-year tax period that starts on 1 January and to avoid imposing an excessive administrative burden on taxable persons and tax authorities, it is appropriate to grant authorisation to apply the special measure from 1 January 2023. By providing for the application of the special measure from a date that is prior to that of taking effect, legitimate expectations of eligible taxable persons are respected, as the special measure does not encroach upon their rights and obligations.
- (10) The application of the special measure should be limited in time. The time limit should be sufficient to allow the Commission to evaluate the effectiveness and appropriateness of the current threshold. Moreover, pursuant to Article 3(1) of Directive (EU) 2020/285, Member States are to adopt and publish, by 31 December 2024, the laws, regulations and administrative provisions necessary to comply with Article 1(12) of that Directive, and are to apply those provisions from 1 January 2025. It is therefore appropriate to authorise Italy to apply the special measure until 31 December 2024.
- (11) Implementing Decision (EU) 2020/647 should therefore be repealed,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 285 of Directive 2006/112/EC, Italy is authorised to exempt from VAT taxable persons whose annual turnover is no higher than EUR 85 000.

Article 2

Implementing Decision (EU) 2020/647 is repealed.

Article 3

This Decision shall take effect on the date of its notification.

It shall apply from 1 January 2023 until 31 December 2024.

Article 4

This Decision is addressed to the Italian Republic.

Done at Brussels, 21 March 2023.

For the Council
The President
J. ROSWALL

COMMISSION IMPLEMENTING DECISION (EU) 2023/665**of 14 March 2023****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***(notified under document C(2023) 1818)***(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 establishments 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 establishments 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⁾ was adopted within the framework of Regulation (EU) 2016/429 and it lays down emergency measures at Union level in relation to outbreaks of HPAI.
- (4) More particularly, Implementing Decision (EU) 2021/641 provides that the protection, surveillance 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.

⁽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).

- (5) The Annex to Implementing Decision (EU) 2021/641 was recently amended by Commission Implementing Decision (EU) 2023/497 ⁽⁴⁾ following outbreaks of HPAI in poultry or captive birds in Belgium, Czechia, Germany, France, Hungary, the Netherlands, Poland and Slovenia that needed to be reflected in that Annex.
- (6) Since the date of adoption of Implementing Decision (EU) 2023/497, Czechia, France, and Hungary have notified the Commission of new outbreaks of HPAI in establishments where poultry or captive birds were kept, located in Pardubice Region in Czechia, in Bretagne and Normandie administrative regions in France, in Bács-Kiskun and in Békés counties in Hungary.
- (7) In addition, Estonia and Italy have notified the Commission of outbreaks of HPAI in establishments where poultry were kept, located in Rapla County in Estonia and in Veneto region in Italy.
- (8) The competent authorities of Czechia, Estonia, France, Italy and Hungary 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.
- (9) The Commission has examined the disease control measures taken by Czechia, Estonia, France, Italy and Hungary in collaboration with those Member States, and it is satisfied that the boundaries of the protection and surveillance zones in Czechia, Estonia, France, Italy and Hungary established by the competent authority of those Member States are at a sufficient distance from the establishments where the outbreaks of HPAI have been confirmed.
- (10) In the Annex to Implementing Decision (EU) 2021/641 there are currently no areas listed as protection and surveillance zones for Estonia and Italy.
- (11) 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 Czechia, Estonia, France, Italy and Hungary, the protection and surveillance zones duly established by those Member States in accordance with Delegated Regulation (EU) 2020/687.
- (12) Therefore, the areas listed as protection and surveillance zones for Czechia, France, and Hungary, in the Annex to Implementing Decision (EU) 2021/641 should be amended.
- (13) In addition, protection and surveillance zones should be listed for Italy and Estonia in the Annex to Implementing Decision (EU) 2021/641.
- (14) 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 Czechia, Estonia, France, Italy and Hungary in accordance with Delegated Regulation (EU) 2020/687, and the duration of the measures applicable therein.
- (15) Implementing Decision (EU) 2021/641 should therefore be amended accordingly.
- (16) 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.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽⁴⁾ Commission Implementing Decision (EU) 2023/497 of 3 March 2023 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 69, 7.3.2023, p. 14).

HAS ADOPTED THIS DECISION:

Article 1

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, 14 March 2023.

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

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
BE-HPAI(P)-2023-00004	Those parts of the municipalities Aalst, Asse, Lebbeke, Merchtem and Opwijk contained within a circle of a radius of 3 kilometres, centered on WGS84 dec. coordinates long 4, 14828, lat 50, 9485.	16.3.2023

Member State: Czechia

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Central Bohemian Region</i>		
CZ-HPAI(P)-2023-00018	Hředle (648949); Krupá (675253); Krušovice (675415); Lišany u Rakovníka (684929).	21.3.2023
CZ-HPAI(P)-2023-00017	Čestlice (623440); Kuří u Říčan (677647); Nupaky (623458).	13.3.2023
<i>Prague</i>		
CZ-HPAI(P)-2023-00017	Benice (602582); Kolovraty (668591); Královice (672629); Křeslice (676071); Lipany (668605); Nedvězí u Říčan (702323); Pitkovice (773417); Uhřetěves (773425).	13.3.2023
<i>Vysočina Region</i>		
CZ-HPAI(P)-2023-00015 CZ-HPAI(P)-2023-00016	Mozolov u Krásné Hory (673498); Babice u Okrouhlice (709620), Chlístov u Okrouhlice (709638); Okrouhlice (709654); Olešnice u Okrouhlice (709662); Vadín (709671); Veselý Žďár (780961).	10.3.2023
<i>Pardubice Region</i>		
CZ-HPAI(P)-2023-00019	Kunčina (677141); Radišov (754471); Staré Město u Moravské Třebové (754480).	24.3.2023

Member State: Germany

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
BAYERN		
DE-HPAI(NON-P)-2023-00279	Landkreis Landshut Betroffen sind Teile der Gemeinde Rottenburg a.d. Laaber	15.3.2023
NIEDERSACHSEN		
DE-HPAI(P)-2023-00010	Landkreis Cuxhaven 3 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 8.550178/53.668897. Betroffen sind Teile der Gemeinden Wurster Nordseeküste und Geestland.	14.3.2023
DE-HPAI(P)-2023-00016	Landkreis Emsland 3 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 7.512968/52.701149. Betroffen sind Teile der Gemeinden Haselünne und Lähden.	18.3.2023
NORDRHEIN-WESTFALEN		
DE-HPAI(P)-2023-00009	Kreis Paderborn 3 km Radius um den Ausbruchsbetrieb (GPS-Koordinaten 8.454131 51.772199) Betroffen sind Teile: — des Kreises Gütersloh mit der Stadt Rietberg — des Kreises Paderborn mit der Stadt Delbrück	13.3.2023
SCHLESWIG-HOLSTEIN		
DE-HPAI(P)-2023-00011	Ostholstein 3 km Radius um den Ausbruchsbetrieb GPS-Koordinaten 10.709607/54.287553 Teile der Gemeinde Wangels	16.3.2023
	Plön 3 km Radius um den Ausbruchsbetrieb GPS-Koordinaten 10.709607/54.287553 Teile der Gemeinde Blekendorf	16.3.2023

Member State: Estonia

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
EE-HPAI(P)-2023-00001	The parts of Harju and Rapla county, that are contained within a circle of radius 3 kilometer, centered on GPS coordinates N 59.190840; E 24.792034	29.3.2023

Member State: France

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Département: Côtes-d'Armor (22)</i>		
FR-HPAI(P)-2023-00035 FR-HPAI(P)-2023-00037 FR-HPAI(P)-2023-00038 FR-HPAI(P)-2023-00039 FR-HPAI(P)-2023-00040 FR-HPAI(P)-2023-00045 FR-HPAI(P)-2023-00046 FR-HPAI(P)-2023-00047 FR-HPAI(P)-2023-00048 FR-HPAI(P)-2023-00049 FR-HPAI(P)-2023-00050 FR-HPAI(P)-2023-00051 FR-HPAI(P)-2023-00053 FR-HPAI(P)-2023-00054 FR-HPAI(P)-2023-00055 FR-HPAI(P)-2023-00056 FR-HPAI(P)-2023-00057 FR-HPAI(P)-2023-00058 FR-HPAI(P)-2023-00061	SAINT CONNAN KERPERT PLÉSIDY SAINT-GILLES-PLIGEAUX SEVEN-LÉHART BOQUEHO LANDRODEC LA HARMOYE LANFAINS LE FOEIL LE VIEUX BOURG SAINT ADRIEN SAINT BIHY SAINT FIACRE SAINT GILDAS SAINT GILLES PLIGEAUX SAINT PEVER CANIHUEL	20.3.2023
<i>Département: Eure (27)</i>		
FR-HPAI(P)-2023-00063	BEUZEVILLE BOULLEVILLE FORT-MOVILLE MANNEVILLE-LA-RAOULT SAINT-MACLOU LE TORPT	28.3.2023
<i>Département: Gers (32)</i>		
FR-HPAI(P)-2023-00052 FR-HPAI(P)-2023-00059	FLAMARENS PEYRECAVE SAINT-ANTOINE	18.3.2023
<i>Département: Loire – Atlantique (44)</i>		
FR-HPAI(P)-2022-01466 FR-HPAI(P)-2022-01591 FR-HPAI(P)-2022-01592 FR-HPAI(P)-2022-01609 FR-HPAI(P)-2022-01616 FR-HPAI(P)-2023-00001 FR-HPAI(P)-2023-00015 FR-HPAI(P)-2023-00009 FR-HPAI(P)-2023-00028 FR-HPAI(P)-2022-01498 FR-HPAI(P)-2022-01554 FR-HPAI(P)-2022-01504 FR-HPAI(P)-2023-00010 FR-HPAI(P)-2023-00021	VIEILLEVIGNE CORCOUE SUR LORGNE LEGE PAULX TOUVOIS	1.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Département: Manche (50)</i>		
FR-HPAI(NON-P)-2023-00095	HAMELIN SAINT-AUBIN-DE-TERREGATTE SAINT-LAURENT-DE-TERREGATTE	10.3.2023
<i>Département: Deux – Sèvres (79)</i>		
FR-HPAI(P)-2022-01411 FR-HPAI(P)-2022-01415 FR-HPAI(P)-2022-01414 FR-HPAI(P)-2022-01417 FR-HPAI(P)-2022-01430 FR-HPAI(P)-2022-01436 FR-HPAI(P)-2022-01428 FR-HPAI(P)-2022-01447 FR-HPAI(P)-2022-01448 FR-HPAI(P)-2022-01449 FR-HPAI(P)-2022-01477 FR-HPAI(P)-2022-01450 FR-HPAI(P)-2022-01475 FR-HPAI(P)-2022-01474 FR-HPAI(P)-2022-01482 FR-HPAI(P)-2022-01484 FR-HPAI(P)-2022-01473 FR-HPAI(P)-2022-01502 FR-HPAI(P)-2022-01504 FR-HPAI(P)-2022-01515 FR-HPAI(P)-2022-01499 FR-HPAI(P)-2022-01521 FR-HPAI(P)-2022-01522 FR-HPAI(P)-2022-01532 FR-HPAI(P)-2022-01541 FR-HPAI(P)-2022-01534 FR-HPAI(P)-2022-01538 FR-HPAI(P)-2022-01544 FR-HPAI(P)-2022-01532 FR-HPAI(P)-2022-01544 FR-HPAI(P)-2022-01541 FR-HPAI(P)-2022-01538 FR-HPAI(P)-2022-01534 FR-HPAI(P)-2022-01569 FR-HPAI(P)-2022-01587 FR-HPAI(P)-2022-01588	BRETIGNOLLES CERIZAY CIRIERES COMBRAND MAULEON MONTRAVERS NUEIL-LES-AUBIERS LA PETITE-BOISSIERE LE PIN SAINT-AMAND-SUR-SEVRE SAINT-ANDRE-SUR-SEVRE SAINT PIERRE DES ECHAUBROGNES	10.3.2023
FR-HPAI(P)-2023-00019	BOUGON PAMPROUX SALLES SOUDAN	10.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Département: Tarn-et-Garonne (82)</i>		
FR-HPAI(P)-2023-00052 FR-HPAI(P)-2023-00060	AUVILLAR BARDIGUES CASTERA BOUZET LACHAPELLE MANSONVILLE MARSAC POUPAS SAINT JEAN DU BOUZET	17.3.2023
<i>Département: Vaucluse (84)</i>		
FR-HPAI(P)-2022-01620	ALTHEN-DES-PALUDS BEDARRIDES ENTRAIGUES-SUR-LA-SORGUE MONTEUX SORGUES	10.3.2023
<i>Département: Vendée (85)</i>		
FR-HPAI(P)-2022-01523	GROSBREUIL CHÂTEAU D'OLONNE SAINTE FOY LE GIROUARD GROSBREUIL TALMONT SAINT HILAIRE LES ACHARDS SAINT MATHURIN SAINTE FLAIVE DES LOUPS	10.3.2023
FR-HPAI(P)-2022-01526	AUIGNY LES CLOUZEUX BEAULIEU SOUS LA ROCHE LANDERONDE LA ROCHE SUR YON VENANSULT	10.3.2023
FR-HPAI(P)-2022-01465 FR-HPAI(P)-2022-01468 FR-HPAI(P)-2022-01439 FR-HPAI(P)-2022-01453	CHALLANS LE PERRIER SALLERTAINE SOULLANS APPREMONT COMMEQUIERS LA CHAPELLE PALLAU SAINT PAUL MONT PENIT SAINT CHRISTOPHE DU LIGNERON	10.3.2023
FR-HPAI(P)-2022-01536	LES LUCS SUR BOULOGNE MONTREVERD ROCHESERVIERE SAINT PHILBERT DE BOUAINE	10.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
FR-HPAI(P)-2022-01424 FR-HPAI(P)-2022-01426 FR-HPAI(P)-2022-01438 FR-HPAI(P)-2022-01440 FR-HPAI(P)-2022-01441 FR-HPAI(P)-2022-01442 FR-HPAI(P)-2022-01446 FR-HPAI(P)-2022-01451 FR-HPAI(P)-2022-01454 FR-HPAI(P)-2022-01455 FR-HPAI(P)-2022-01456 FR-HPAI(P)-2022-01459 FR-HPAI(P)-2022-01460 FR-HPAI(P)-2022-01461 FR-HPAI(P)-2022-01462 FR-HPAI(P)-2022-01463 FR-HPAI(P)-2022-01464 FR-HPAI(P)-2022-01469 FR-HPAI(P)-2022-01470 FR-HPAI(P)-2022-01478 FR-HPAI(P)-2022-01479 FR-HPAI(P)-2022-01488 FR-HPAI(P)-2022-01490 FR-HPAI(P)-2022-01491 FR-HPAI(P)-2022-01493 FR-HPAI(P)-2022-01494 FR-HPAI(P)-2022-01495 FR-HPAI(P)-2022-01500 FR-HPAI(P)-2022-01503 FR-HPAI(P)-2022-01507 FR-HPAI(P)-2022-01508 FR-HPAI(P)-2022-01509 FR-HPAI(P)-2022-01510 FR-HPAI(P)-2022-01513 FR-HPAI(P)-2022-01514 FR-HPAI(P)-2022-01520 FR-HPAI(P)-2022-01525 FR-HPAI(P)-2022-01527 FR-HPAI(P)-2022-01528 FR-HPAI(P)-2022-01529 FR-HPAI(P)-2022-01530 FR-HPAI(P)-2022-01531 FR-HPAI(P)-2022-01533 FR-HPAI(P)-2022-01537 FR-HPAI(P)-2022-01539 FR-HPAI(P)-2022-01540 FR-HPAI(P)-2022-01542 FR-HPAI(P)-2022-01543 FR-HPAI(P)-2022-01546 FR-HPAI(P)-2022-01551 FR-HPAI(P)-2022-01552 FR-HPAI(P)-2022-01553 FR-HPAI(P)-2022-01555 FR-HPAI(P)-2022-01556	ANTIGNY BAZOGES EN PAILLERS BAZOGES EN PAREDS BEAUREPAIRE BOUFFERE BOURNEZEAU CHANTONNAY CHANVERRIE CHAVAGNES EN PAILLERS CHAVAGNES LES REDOUX CHEFFOIS FOUGERE LA BOISSIERE DE MONT TAIGU LA BRUFFIERE LA CAILLIERE SAINT HILAIRE LA CHATAIGNERAIE LA GUYONNIERE LA JAUDONNIERE LA MEILLERAIE TILLAY LA TARDIERE LE BOUPERE LES EPESES LES HERBIERS LES LANDES GENUSSON MENOMBLET MONSIREIGNE MONTAIGU MONTOURNAIS MORTAGNE SUR SEVRE MOUCHAMPS MOUILLERON SAINT GERMAIN POUZAUGES REAUUMUR ROCHETREJOUX SAINT AUBIN DES ORMEAUX SAINT CYR DES GATS SAINT GEORGES DE MONTAIGU SAINT GERMAIN DE PRINCAY SAINT HILAIRE DE LOULAY SAINT HILAIRE LE VOUHIS SAINT LAURENT SUR SEVRE SAINT MALO DU BOIS SAINT MARS LA REORTHE SAINT MARTIN DES NOYERS SAINT MARTINS DES TILLEULS SAINT LMAURICE LE GIRARD SAINT MESMIN SAINT PAUL EN PÄREDS SAINT PIERRE DU CHEMIN SAINT PROUANT SAINT SULPICE EN PAREDS SAINT VINCENT STERLANGES SAINTE CECILE SEVREMONT	10.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
FR-HPAI(P)-2022-01557 FR-HPAI(P)-2022-01560 FR-HPAI(P)-2022-01561 FR-HPAI(P)-2022-01562 FR-HPAI(P)-2022-01563 FR-HPAI(P)-2022-01565 FR-HPAI(P)-2022-01566 FR-HPAI(P)-2022-01567 FR-HPAI(P)-2022-01568 FR-HPAI(P)-2022-01570 FR-HPAI(P)-2022-01572 FR-HPAI(P)-2022-01574 FR-HPAI(P)-2022-01575 FR-HPAI(P)-2022-01576 FR-HPAI(P)-2022-01577 FR-HPAI(P)-2022-01583 FR-HPAI(P)-2022-01585 FR-HPAI(P)-2022-01589 FR-HPAI(P)-2022-01590 FR-HPAI(P)-2022-01593 FR-HPAI(P)-2022-01595 FR-HPAI(P)-2022-01596 FR-HPAI(P)-2022-01599 FR-HPAI(P)-2022-01600 FR-HPAI(P)-2022-01601 FR-HPAI(P)-2022-01602 FR-HPAI(P)-2022-01604 FR-HPAI(P)-2022-01607 FR-HPAI(P)-2022-01608 FR-HPAI(P)-2022-01610 FR-HPAI(P)-2022-01611 FR-HPAI(P)-2022-01613 FR-HPAI(P)-2022-01614 FR-HPAI(P)-2022-01615 FR-HPAI(P)-2022-01618 FR-HPAI(P)-2022-01620 FR-HPAI(P)-2023-00002 FR-HPAI(P)-2023-00003 FR-HPAI(P)-2023-00004 FR-HPAI(P)-2023-00005 FR-HPAI(P)-2023-00006 FR-HPAI(P)-2023-00020	SIGOURNAIS TALLUD SAINTE GEMME THOUARSAIS BOUILDROUX TIFFAUGES VENDRENNES	
FR-HPAI(P)-2022-01602 FR-HPAI(P)-2022-01618 FR-HPAI(P)-2023-00011	L'HERMENAULT MARSAIS-SAINTE-RADEGONDE SAINT CYR DES GATS SAINT MARTIN DES FONTAINES SAINT VALERIEN est de la D52, D14 puis D99 POUILLE SAINT ETIENNE DE BRILLOUET THIRE	10.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
FR-HPAI(P)-2022-01604 FR-HPAI(P)-2022-01611 FR-HPAI(P)-2023-00003 FR-HPAI(P)-2023-00004	LA GARNACHE FROIDFOND FALLERON GRAND'LANDES	10.3.2023

Member State: Italy

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Regions: Veneto and Lombardia</i>		
IT-HPAI(P)-2023-00001	The area of the parts of Veneto and Lombardia Regions contained within a circle of radius of three kilometres, centred on WGS84 dec. coordinates N 45.189848901, E11.01251936	30.3.2023

Member State: Hungary

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Bács-Kiskun vármegye</i>		
HU-HPAI(P)-2023-00005 – HU-HPAI(P)-2023-00008 HU-HPAI(P)-2023-00011 – HU-HPAI(P)-2023-00013 HU-HPAI(P)-2023-00018 HU-HPAI(P)-2023 – HU-HPAI(P)-2023-00025	Kiskunmajsa, Jászentlászló, Móricgát és Szank települések közigazgatási területének a 46.567675 és a 19.643564, a 46.560250 és a 19.653790, a 46.475730 és a 19.743580, a 46.551046 és a 19.790439, a 46.561767 és a 19.663297, a 46.569793 és a 19.692088, a 46.570880 és a 19.682400, valamint a 46.550029 és a 19.723605 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	30.3.2023
HU-HPAI(P)-2023-00009 – HU-HPAI(P)-2023-00010 HU-HPAI(P)-2023-00015 – HU-HPAI(P)-2023-00017 HU-HPAI(P)-2023-00019 – HU-HPAI(P)-2023-00021 HU-HPAI(P)-2023-00024 HU-HPAI(P)-2023-00029	Bócsa, Bugac, Bugacpusztaháza, Kaskantyú, Soltvadkert, Szank és Tázlár települések közigazgatási területének a 46.572330 és a 19.486939, a 46.556370 és a 19.521271, a 46.641252 és a 19.532421, a 46.607374 és a 19.538858, a 46.616224 és a 19.444349, a 46.635031 és a 19.545341, a 46.609697 és a 19.530675, a 46.598273 és a 19.462954, a 46.631954 és a 19.533666, valamint a 46.614164 és a 19.439083 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	31.3.2023
HU-HPAI(P)-2023-00014	Kiskunfélegyháza település közigazgatási területének a 46.765936 és 19.858434 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	18.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
HU-HPAI(P)-2023-00022 HU-HPAI(P)-2023-00023	Bugac, Bugacpusztaháza, Jakabszállás és Móricgát települések közigazgatási területének a 46.698392 és a 19.650317, valamint a 46.675382 és a 19.663231 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	30.3.2023
Csongrád-Csanád vármegye		
HU-HPAI(P)-2023-00008	Csegele település közigazgatási területének a 46.551046 és a 19.790439 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	30.3.2023
Békés vármegye		
HU-HPAI(P)-2023-00026 HU-HPAI(P)-2023-00028	Békés, Békéscsaba és Murony települések közigazgatási területének a 46.717690 és a 21.046991, valamint a 46.686160 és a 21.069071 790439 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	29.3.2023
HU-HPAI(P)-2023-00027	Békéscsaba, Szabadkígyós és Újkígyós települések közigazgatási területének a 46.595656 és a 21.028554 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	28.3.2023

Member State: Poland

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2023-00041 PL-HPAI(P)-2023-00056 PL-HPAI(P)-2023-00057 PL-HPAI(P)-2023-00060	W województwie lubuskim część gminy Lubiszyn w powiecie gorzowskim. W województwie zachodniopomorskim część gminy Nowogródek Pomorski w powiecie mysliborskim zawierająca się w promieniu 3 km od współrzędnych GPS: Zawierająca się w promieniu 3 km od współrzędnych GPS: 52.78399/14.95960, 52.78589/14.94661, 52.81904/15.03863, 52.81641/15.00399	10.3.2023
PL-HPAI(P)-2023-00054 PL-HPAI(P)-2023-00065	W województwie łódzkim: 1. Część gminy Maków, część gminy Lipce Reymontowskie w powiecie skierniewickim. 1. Część gminy Łyszkowice w powiecie łowickim. zawierające się w promieniu 3 km od współrzędnych GPS: 51.96132/19.96614	20.3.2023
PL-HPAI(P)-2023-00059	W województwie zachodniopomorskim: 1. Część gminy Gryfino: Borzym, Dołgie, Sobiemyśl, Skrzynice, Sobieradz, Chwarstnica, Osuch, Mielenko Gryfińskie, Pniewa, 2. Część gminy Banie: Różnowo w powiecie gryfińskim.	10.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2023-00062	W województwie zachodniopomorskim: 1. W gminie Gryfino: Borzym, Dołgie, Sobiemyśl, Skrzynice, Sobieradz, Chwarstnica, Osuch, Mielenko Gryfińskie, Pniewa; 2. W gminie: Banie w powiecie gryfińskim – miejscowość: Różnowo. w powiecie gryfińskim.	17.3.2023
PL-HPAI(P)-2023-00063	W województwie lubuskim: 1. W gminie Krosno Odrzańskie: Czetowice, Bielów, Osiecznica, Łochowice; 2. W gminie Bytnica: Struga i Budachów, 3. W gminie Maszewo: Skórzyn w powiecie krośnieńskim zawierające się w promieniu 3 km od współrzędnych GPS: 52.10042/15.07150	13.3.2023
PL-HPAI(P)-2023-00064	W województwie śląskim: 1. Miasto na prawach powiatu Katowice na zachód od ulicy Owsianej przechodzącej w ulicę Panewnicką w kierunku zachodnim w dzielnicy Ligota-Panewniki; 2. Miasto na prawach powiatu Ruda Śląska na południe od drogi wojewódzkiej nr 902; 3. Miasto Mikołów na północ od drogi krajowej nr 81 przebiegającej od wschodniej granicy miasta Mikołów do skrzyżowania z ulicą Wojska Polskiego oraz na północ od drogi wojewódzkiej nr 927 łączącej się z drogą wojewódzką nr 925 w kierunku zachodnio południowym w powiecie mikołowskim.	15.3.2023

Member State: Slovenia

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
SI-HPAI(P)-2023-00001	Municipality Cerklje na Gorenjskem: settlements Apno, Cerkljanska Dobrava, Cerklje na Gorenjskem, Glinje, Lahovče, Poženik, Pšata, Pšenična Polica, Spodnji Brnik, Šenturška Gora, Šmartno, Vašca, Viševca, Vopovlje, Zalog pri Cerkljah in Zgornji Brnik; Municipality Komenda: settlements Breg pri Komendi, Klanec, Komendska Dobrava, Nasovče, Podboršt pri Komendi in Potok pri Komendi.	19.3.2023

Part B

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

Member State: Belgium

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
BE-HPAI(P)-2023-00004	Those parts of the municipalities Aalst, Affligem, Asse, Buggenhout, Denderleeuw, Dendermonde, Dikbeek, Erpe-Mere, Haaltert, Hamme, Lebbeke, Lede, Liedekerke, Londerzeel, Meise, Merchtem, Opwijk and Ternat, extending beyond the area described in the protection zone and contained within a circle of a radius of 10 kilometres, centered on WGS84 dec. coordinates long 4, 14828, lat 50, 9485.	25.3.2023
	Those parts of the municipalities Aalst, Asse, Lebbeke, Merchtem and Opwijk contained within a circle of a radius of 3 kilometres, centered on WGS84 dec. coordinates long 4, 14828, lat 50, 9485.	17.3.2023 – 25.3.2023

Member State: Czechia

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Central Bohemian Region</i>		
CZ-HPAI(P)-2023-00018	Bdín (601225); Chrástany u Rakovníka (654027); Janov (656879); Kalivody (662275); Kněževes u Rakovníka (666866); Kounov u Rakovníka (671151); Kozojedy (671894); Kroučová (675067); Lužná u Rakovníka (689378); Milostín (695122); Milý (695246); Mšec (700231); Mšecké Žehrovice (700240); Lhota pod Džbánem (700410); Mutějovice (700428); Nesuchyně (703826); Nové Strašecí (706744); Nový Dům (707279); Olešná u Rakovníka (710202); Chlum u Rakovníka (651443); Pochvalov (724955); Přerubenice (735051); Přílepy (736040); Rakovník (739081); Ruda u Nového Strašecí (743178); Řevničov (745383); Senomaty (747521); Smilovice (751022); Srbeč (752894); Svojetín (761184); Veclov u Svojetína (761192); Třeboc (770159); Třtice u Nového Strašecí (771171).	30.3.2023
	Hředle (648949); Krupá (675253); Krušovice (675415); Lišany u Rakovníka (684929).	22.3.2023 – 30.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
CZ-HPAI(P)-2023-00017	Babice (600601); Březí u Říčan (613886); Čenětice (676543); Dobročovice (627313); Dobřejovice (627640); Dolní Jirčany (736414); Doubek (631035); Herink (627666); Hodkovice u Zlatníků (793213); Hole u Průhonic (733962); Horní Jirčany (658600); Chomutovice u Dobřejovic (627674); Jažlovice (745537); Jesenice u Prahy (658618); Klokočná (666467); Křenice u Prahy (675814); Křížkový Újezdec (676551); Kunice u Říčan (677230); Květnice (747751); Modletice u Dobřejovic (627682); Mukařov u Říčan (700321); Olešky (737470); Osnice (713279); Otice u Svojšovic (761460); Pacov u Říčan (717207); Petříkov u Velkých Popovic (720411); Popovičky (627704); Průhonic (733971); Předboř u Prahy (734225); Radějovice (737488); Radimovice u Velkých Popovic (720429); Říčany u Prahy (745456); Říčany-Radošovice (745511); Sibřina (747769); Sluštice (750808); Strančice (756067); Strašín u Říčan (756237); Stupice (747785); Sulice (759431); Světlava u Říčan (760391); Svojšovice (761478); Škvorec (762733); Tehov u Říčan (765309); Tehovec (765317); Třebohostice u Škvorce (762741); Úvaly u Prahy (775738); Velké Popovice (779342); Vestec u Prahy (781029); Voděrádky (745529); Všechromy (787094); Všestary u Říčan (787396); Zdiměřice u Prahy (713287); Zlatá (793019).	22.3.2023
	Čestlice (623440); Kuří u Říčan (677647); Nupaky (623458).	14.3.2023 – 22.3.2023
<i>Pardubice Region</i>		
CZ-HPAI(P)-2023-00019	Anenská Studánka (600377); Helvíkov (600385); Borušov (608041); Prklišov (608050); Svojanov u Borušova (608068); Damníkov (624683); Dětrichov u Svitav (626031); Dětrichov u Moravské Třebové (626074); Dlouhá Loučka (626431); Gruna (636231); Žipotín (636258); Česká Kamenná Horka (662798); Moravská Kamenná Horka (662801); Koclířov (667595); Koruna (669636); Krasíkov (673200); Linhartice (683868); Květná u Lukové (689017); Luková (689025); Malíkov (690945); Pacov u Moravské Třebové (717274); Stará Trnávka (693367); Mladějov na Moravě (696927); Boršov u Moravské Třebové (607991); Moravská Třebová (698806); Nová Ves u Moravské Třebové (705641); Opatov v Čechách (711454); Radkov u Moravské Třebové (737976); Rozstání u Moravské Třebové (742473); Rychnov na Moravě (744093); Petrušov (754463); Tatenice (765180); Trpík (624691); Třebořov (769355); Útěchov u Moravské Třebové (775541); Žichlínek (796913).	2.4.2023
	Kunčina (677141); Radišov (754471); Staré Město u Moravské Třebové (754480).	25.3.2023 – 2.4.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Prague</i>		
CZ-HPAI(P)-2023-00017	Běchovice (601527); Dolní Měcholupy (732541); Dolní Počernice (629952); Dubeč (633330); Háje (728233); Hájek u Uhříněvsi (773395); Horní Měcholupy (732583); Hostavice (731722); Hostivař (732052); Chodov (728225); Klánovice (665444); Koloděje (668508); Kunratice (728314); Kyje (731226); Malešice (732451); Petrovice (732613); Písnice (720984); Strašnice (731943); Šeberov (762130); Štěrboholy (732516); Újezd nad Lesy (773778); Újezd u Průhonic (773999); Záběhlice (732117).	22.3.2023
	Benice (602582); Kolovraty (668591); Královice (672629); Křeslice (676071); Lipany (668605); Nedvězí u Říčan (702323); Pitkovice (773417); Uhříněves (773425).	14.3.2023 – 22.3.2023
<i>Ústí nad Labem Region</i>		
CZ-HPAI(P)-2023-00018	Dolní Ročov (740241); Domoušice (631019); Horní Ročov (740250); Konětopy u Pnětluk (722758); Pnětluky (722766); Solopysky (752436); Úlovice (740268).	30.3.2023
<i>Vysočina Region</i>		
CZ-HPAI(P)-2023-00015 CZ-HPAI(P)-2023-00016	Břevnice (613843); Dolní Krupá u Havlíčkova Brodu (629405); Dolní Město (629740); Březinka u Havlíčkova Brodu (723410); Havlíčkův Brod (637823); Klanečná (723452); Perknov (637955); Poděbaby (723479); Šmolovy u Havlíčkova Brodu (693987); Veselice u Havlíčkova Brodu (723487); Zbožice (667234); Horní Krupá u Havlíčkova Brodu (643157); Hurtova Lhota (723444); Kejžlice (664731); Český Dvůr (667196); Knyk (667200); Bezděkov u Krásné Hory (603554); Bratroňov (673447); Broumova Lhota (612839); Čekánov (673455); Kojkovice (673463); Kojkovičky (673471); Krásná Hora (673480); Volichov (673501); Kvasetice u Květinova (678252); Květinov (678261); Radňov u Květinova (738166); Petrkov (683914); Lipnice nad Sázavou (684198); Lučice (688282); Malčín (690431); Michalovice u Havlíčkova Brodu (693979); Nová Ves u Světlé nad Sázavou (705985); Olešná u Havlíčkova Brodu (710296); Pohled (736236); Příseka u Světlé nad Sázavou (736244); Radostín u Havlíčkova Brodu (738361); Skuhrov u Havlíčkova Brodu (749036); Služátky (736252); Horní Bohušovice (760480); Lipnička (684228); Radostovice u Lipničky (684228); Světlá nad Sázavou (760510); Závadkovice (760536); Tis u Habrů (767051); Jedouchov (658111); Věž (781321).	19.3.2023
	Mozolov u Krásné Hory (673498); Babice u Okrouhlice (709620); Chlístov u Okrouhlice (709638); Okrouhlice (709654); Olešnice u Okrouhlice (709662); Vadín (709671); Veselý Žďár (780961).	11.3.2023 – 19.3.2023

Member State: Germany

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
BAYERN		
DE-HPAI(NON-P)-2023-00202	Landkreis Kelheim Flächen südlich der Ortsteile Eck und Prügl im Gemeindebereich Herrngiersdorf	16.3.2023
DE-HPAI(NON-P)-2023-00279	Landkreis Kelheim Betroffen sind Gemeinden oder Teile der Gemeinden Elsendorf, Gemarkung Mitterstetten, Gemeinde Wildenberg, Gemeinde Kirchdorf, Gemeinde Rohr in Niederbayern, Gemeinde Langquaid, Gemarkung Adlhausen und Langquaid, Gemeinde Herrngiersdorf, Gemeinde Siegenburg, Gemarkung Tollbach, Gemeinde Hausen, Gemarkung Herrnwahlthann, Ortsteil Naffenhofen	24.3.2023
DE-HPAI(NON-P)-2023-00202	Landkreis Landshut Betroffen sind Gemeinden oder Teile der Gemeinden Ergoldsbach, Hohenthann, Neufahrn in Niederbayern, Bayerbach bei Ergoldsbach, Postau, Essenbach, Ergolding, Rottenburg a.d. Laaber	16.3.2023
DE-HPAI(NON-P)-2023-00279	Landkreis Landshut Betroffen sind Teile der Gemeinde Rottenburg a.d. Laaber	16.3.2023- 24.3.2023
	Landkreis Landshut betroffen sind Gemeinden oder Teile der Gemeinden Hohenthann, Neufahrn in Niederbayern, Rottenburg a.d. Laaber, Pfeffenhausen, Weihmichl	24.3.2023
DE-HPAI(NON-P)-2023-00202	Landkreis Straubing-Bogen Marktgemeinde Mallersdorf-Pfaffenberg Ortsteile: Berghausen bei Pfaffenberg, Breitenhart, Galling bei Oberhaselbach, Hagenauer Hof, Hainkirchen, Hirschenkreuth, bei Schöföbach, Klause bei Neufahrn in Niederbayern, Kumpfmühle bei Oberhaselbach, Markt-Mühle, Mitterhaselbach, Neuburg bei Neufahrn in Niederbayern, Niederlindhart, Oberellenbach bei Neufahrn in Niederbayern, Oberhaselbach bei Mallersdorf-Pfaffenberg, Oberhausen bei Oberhaselbach, Oberlindhart, Pfaffenberg (Mallersdorf-Pfaffenberg), Pisat, Roith bei Neufahrn in Niederbayern, Schierlmühle, Schöföbach bei Neufahrn in Niederbayern, Steinrain bei Mallersdorf-Pfaffenberg, Unterellenbach bei Neufahrn in Niederbayern, Unterhaselbach bei Mallersdorf-Pfaffenberg, Unterhausen bei Mallersdorf-Pfaffenberg, Wagensohn, Waldhof bei Neufahrn in Niederbayern, Wasch-Mühle, Weilnberg, Weinberg bei Mallersdorf-Pfaffenberg, Westen bei Pfaffenberg, Winkl bei Oberellenbach, Winklmühle bei Neufahrn in Niederbayern, Winklroh	16.3.2023
DE-HPAI(NON-P)-2023-00279	Landkreis Straubing-Bogen Betroffen ist der Ortsteil Oberhausen bei Oberhaselbach der Marktgemeinde Mallersdorf-Pfaffenberg	24.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
BREMEN		
DE-HPAI(P)-2023-00010	Bremerhaven 10 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 8.550178/53.668897. Betroffen sind Leherheide-West, Königsheide, Fehrmoor inklusive der Enklave Fehrmoor, Weddewarden sowie im nördlichen Teil der stadtbremischen Überseehäfen.	23.3.2023
NIEDERSACHSEN		
DE-HPAI(P)-2023-00016	Landkreis Cloppenburg 10 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 7.512968/52.701149. Betroffen sind Teile der Gemeinde Lönningen.	27.3.2023
DE-HPAI(P)-2023-00010	Landkreis Cuxhaven 10 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 8.550178/53.668897. Betroffen sind Teile der Gemeinden Wurster Nordseeküste und Geestland.	23.3.2023
	Landkreis Cuxhaven 3 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 8.550178/53.668897. Betroffen sind Teile der Gemeinden Wurster Nordseeküste und Geestland.	15.3.2023 – 23.3.2023
DE-HPAI(P)-2023-00016	Landkreis Emsland 10 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 7.512968/52.701149. Betroffen sind Teile der Gemeinden Dohren, Geeste, Gersten, Groß Berßen, Haselünne, Herzlake, Hüven, Klein Berßen, Lähden, Stavern und der Stadt Meppen.	27.3.2023
	Landkreis Emsland 3 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 7.512968/52.701149. Betroffen sind Teile der Gemeinden Haselünne und Lähden.	19.3.2023-27.3.2023
DE-HPAI(NON-P)-2023-00120	Landkreis Harburg 10 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 9.904805/53.439255. Betroffen sind Teile der Gemeinden Rosengarten und Seevetal.	14.3.2023
	Landkreis Harburg 3 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 9.904805/53.439255. Betroffen sind Teile der Gemeinden Appel, Buchholz in der Nordheide, Neu-Wulmstorf, Rosengarten und Seevetal.	6.3.2023-14.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	Landkreis Stade 10 km Radius um den Ausbruchsbetrieb mit den GPS-Koordinaten 9.904805/53.439255. Betroffen sind Teile der Stadt Buxtehude	14.3.2023
NORDRHEIN-WESTFALEN		
DE-HPAI(P)-2023-00009	Kreis Paderborn 3 km Radius um den Ausbruchsbetrieb (GPS-Koordinaten 8.454131 51.772199) Betroffen sind Teile: — des Kreises Gütersloh mit der Stadt Rietberg des Kreises Paderborn mit der Stadt Delbrück	14.3.2023– 22.3.2023
	Kreis Paderborn 10 km Radius um den Ausbruchsbetrieb (GPS-Koordinaten 8.454131 51.772199) Betroffen sind Teile: — des Kreises Gütersloh mit den Städten Rietberg, Rheda-Wiedenbrück und Verl und der Gemeinde Langenberg — des Kreises Paderborn mit den Städten Delbrück und Salzkotten und der Gemeinde Hövelhof des Kreises Soest mit den Städten Lippstadt und Geseke	22.3.2023
SCHLESWIG-HOLSTEIN		
DE-HPAI(P)-2023-00011	Ostholstein 10 km Radius um den Ausbruchsbetrieb GPS-Koordinaten 10.709607/54.287553 Teile der Gemeinden Harmsdorf, Kasseedorf, Lensahn, Malente, Oldenburg in Holstein, Schönwalde am Bungsberg	25.3.2023
	Ostholstein 3 km Radius um den Ausbruchsbetrieb GPS-Koordinaten 10.709607/54.287553 Teile der Gemeinde Wangels die nicht zur Schutzzone gehören	17.3.2023 25.3.2023
	Plön 10 km Radius um den Ausbruchsbetrieb GPS-Koordinaten 10.709607/54.287553 Gesamtfläche der Gemeinden Högsdorf, Howacht, Kletkamp Teile der Gemeinden Behrendorf, Dannau, Helmsdorf, Kirchnüchel, Klamp, Lütjenburg, Panker	25.3.2023
	Plön 3 km Radius um den Ausbruchsbetrieb GPS-Koordinaten 10.709607/54.287553 Teile der Gemeinde Blekendorf die nicht zur Schutzzone gehören	17.3.2023 25.3.2023

Member State: Estonia

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
EE-HPAI(P)-2023-00001	The parts of Harju and Rapla county, beyond the area described in the protection zone and within the circle of radius 10 kilometres, centred on GPS coordinates coordinates N 59.190840; E 24.792034	7.4.2023
	The parts of Harju and Rapla county, that are contained within a circle of radius 3 kilometer, centered on GPS coordinates N 59.190840; E 24.792034	30.3.2023 – 7.4.2023

Member State: Spain

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
ES-HPAI(P)-2023-00001	Those parts in the province of Lérida of the comarca of Garrigues 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 0,9239914, lat 41,5618374	10.3.2023
	Those parts in the province of Lérida of the comarca of Garrigues contained within a circle of a radius of 3 kilometres, centered on UTM 30, ETRS89 coordinates long 0,9239914, lat 41,5618374	2.3.2023-10.3.2023

Member State: France

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Département: Côtes-d'Armor (22)</i>		
FR-HPAI(P)-2023-00035 FR-HPAI(P)-2023-00037 FR-HPAI(P)-2023-00038 FR-HPAI(P)-2023-00039 FR-HPAI(P)-2023-00040 FR-HPAI(P)-2023-00045 FR-HPAI(P)-2023-00046 FR-HPAI(P)-2023-00047 FR-HPAI(P)-2023-00048 FR-HPAI(P)-2023-00049 FR-HPAI(P)-2023-00050 FR-HPAI(P)-2023-00051	BOQUEHO BOURBRIAC CANIHUEL KERIEN KERPERT MAGOAR LA HARMOYE LANRIVAIN LANRODEC LE HAUT-CORLAY LE LESLAY LE VIEUX-BOURG	29.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
FR-HPAI(P)-2023-00053 FR-HPAI(P)-2023-00054 FR-HPAI(P)-2023-00055 FR-HPAI(P)-2023-00056 FR-HPAI(P)-2023-00057 FR-HPAI(P)-2023-00058 FR-HPAI(P)-2023-00061	SAINT-ADRIEN SAINT-GILLES-PLIGEAUX CORLAY PLUSSULIEN SAINT-IGEAUX SAINT-MAYEUX BON REPOS SUR BLAVET PLOUNEVEZ-QUINTIN SAINT-MARTIN-DES-PRES SAINT-GILLES-VIEUX-MARCHE SAINT-NICOLAS-DU-PÉLEM ALLINEUC CAUREL COADOUT MERLEAC LANFAINS LE BODEO PLAINE HAUTE QUINTIN SAINT AGATHON SAINT BRANDAN SAINT DONAN SAINTE TREPHINE COHINIAC LE FOEIL CHATELAUDREN PLOUAGAT PLOEUC L'HERMITAGE PLOUMAGOAR PLOUVARA SAINT JEAN Kerdaniel CAUREL	
	SAINT CONNAN KERPERT PLÉSIDY SAINT-GILLES-PLIGEAUX SEVEN-LÉHART BOQUEHO LANDRODEC LA HARMOYE LANFAINS LE FOEIL LE VIEUX BOURG SAINT ADRIEN SAINT BIHY SAINT FIACRE SAINT GILDAS SAINT GILLES PLIGEAUX SAINT PEVER	21.3.2023 – 29.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Département: Eure (27)</i>		
FR-HPAI(P)-2023-00063	BERVILLE-SUR-MER LE BOIS-HELLAIN LA CHAPELLE-BAYVEL CONTEVILLE EPAIGNES FATOUVILLE-GRESTAIN FIQUEFLEUR-EQUAINVILLE FOULBEC LA LANDE-SAINT-LEGER MARTAINVILLE LES PREAUX SAINT-PIERRE-DU-VAL SAINT-SAMSON-DE-LA-ROQUE SAINT-SULPICE-DE-GRIMBOUVILLE SAINT-SYMPHORIEN SELLES TOUTAINVILLE TRIQUEVILLE VANNECROCQ	6.4.2023
	BEUZEVILLE BOULLEVILLE FORT-MOVILLE MANNEVILLE-LA-RAOULT SAINT-MACLOU LE TORPT	29.3.2023 – 6.4.2023
<i>Département: Gers (32)</i>		
FR-HPAI(P)-2023-00052 FR-HPAI(P)-2023-00059	CASTERON CASTET-ARROUY GIMBREDE MAUROUX PLIEUX SAINT-CREAC L'ISLE BOUZON LECTOURE SAINT CLAR SAINTE MERE	27.3.2023
	FLAMARENS PEYRECAVE SAINT-ANTOINE	19.3.2023 – 27.3.2023
<i>Département: Loire-Atlantique (44)</i>		
FR-HPAI(P)-2022-01466 FR-HPAI(P)-2022-01591 FR-HPAI(P)-2022-01592 FR-HPAI(P)-2022-01609 FR-HPAI(P)-2022-01616 FR-HPAI(P)-2023-00001 FR-HPAI(P)-2023-00015 FR-HPAI(P)-2023-00009 FR-HPAI(P)-2023-00028	AIGREFEUILLE SUR MAINE ANCENIS SANIT GEREON LE BIGNON LA BOISSIERE DU DORE BOUAYE BOUGUENNAIS BOUSSAY CELLIER CHÂTEAU THEBAUD	10.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
FR-HPAI(P)-2022-01498 FR-HPAI(P)-2022-01554 FR-HPAI(P)-2022-01504 FR-HPAI(P)-2023-00010 FR-HPAI(P)-2023-00021	LA CHEVROLIERE CLISSON DIVATTE SUR LOIRE GENESTON GETIGNE GORGES LANDREAU LA LIMOUZINIERE LOROUX BOTTEREAU LOIREAUXENCE MACHECOUL SAINT MEME MAISDON SUR SEVRE LA MARNE MONNIERES MONTBERT MOUZILLON OUDON PAULX LA PLANCHE PONT SAINT MARTIN LA REGRIPIERE REZE LA REMAUDIERE REMOUILLE SAINT AIGNAN DE GRANDLIEU SAINT COLOMBIAN SAINT ETIENNE DE MER MORTE SAINT HILAIRE DE CLISSON SAINT JULIEN DE CONCELLES SAINT LUMINE DE CLISSON SAINT LUMINE DE COUTAIS SAINT PHILBERT DE GRAND LIEU LES SORINIERES VAIR SUR LOIRE VALLET VALLONS DE L'ERDRE	
	VIEILLEVIGNE CORCOUE SUR LORGNE LEGE PAULX TOUVOIS	2.3.2023 – 10.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Departement: Maine-et-Loire (49)</i>		
FR-HPAI(P)-2022-01457 FR-HPAI(P)-2022-01487 FR-HPAI(P)-2022-01511 FR-HPAI(P)-2022-01512 FR-HPAI(P)-2022-01516 FR-HPAI(P)-2022-01519 FR-HPAI(P)-2022-01524 FR-HPAI(P)-2022-01535 FR-HPAI(P)-2022-01547 FR-HPAI(P)-2022-01548 FR-HPAI(P)-2022-01564 FR-HPAI(P)-2022-01571 FR-HPAI(P)-2022-01594	Chanteloup-les-Bois Cholet Cléré-sur-Layon La Plaine La Séguinière La Tessouale La Romagne Le Puy-Saint-Bonnet Les Cerqueux-sous-Passavant Nueil-sur-Layon Maulévrier Mazieres en mauges Nuillé Passavant-sur-Layon Saint-Christophe-du-Bois Sèvremoine Somloire Toutlemonde Yzernay	20.3.2023
	Andrezé Beaupréau Gesté Jallais La Chapelle-du-Genêt La Jubaudière La Poitevine Le Pin-en-Mauges Saint-Philbert-en-Mauges Villedieu-la-Blouère La Romagne Le Fief-Sauvin La Renaudière Montfaucon-Montigné Roussay Saint-André-de-la-Marche Saint-Macaire-en-Mauges Torfou LES CERQUEUX YZERNAY	11.3.2023 – 20.3.2023
<i>Departement: Manche (50)</i>		
FR-HPAI(NON-P)- 2023-00095	DUCEY-LES CHERIS ISIGNY-LE-BUAT JUILLEY MONTJOIE-SAINT-MARTIN POILLEY SAINT-BRICE-DE-LANDELLES SAINT-HILAIRE-DU-HARCOUET SAINT-JAMES SAINT-SENIER-DE-BEUVRON	19.3.2023
	HAMELIN SAINT-AUBIN-DE-TERREGATTE SAINT-LAURENT-DE-TERREGATTE	11.3.2023 – 19.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Département: Deux-Sèvres (79)</i>		
FR-HPAI(P)-2022-01411 FR-HPAI(P)-2022-01415 FR-HPAI(P)-2022-01414 FR-HPAI(P)-2022-01417 FR-HPAI(P)-2022-01430 FR-HPAI(P)-2022-01436 FR-HPAI(P)-2022-01428 FR-HPAI(P)-2022-01447 FR-HPAI(P)-2022-01448 FR-HPAI(P)-2022-01477 FR-HPAI(P)-2022-01450 FR-HPAI(P)-2022-01475 FR-HPAI(P)-2022-01474 FR-HPAI(P)-2022-01482 FR-HPAI(P)-2022-01484 FR-HPAI(P)-2022-01473 FR-HPAI(P)-2022-01502 FR-HPAI(P)-2022-01504	ARGENTONNAY BRESSUIRE BRETIGNOLLES CERIZAY CIRIERES COMBRAND GENNETON MAULEON MONTRAVERS NUEIL-LES-AUBIERS LA PETITE-BOISSIERE LE PIN SAINT-AMAND-SUR-SEVRE SAINT-ANDRE-SUR-SEVRE SAINT-AUBIN-DU-PLAIN SAINT PIERRE DES ECHAUBROGNES VAL-EN-VIGNES	11.3.2023 – 19.3.2023
FR-HPAI(P)-2022-01515 FR-HPAI(P)-2022-01499 FR-HPAI(P)-2022-01521 FR-HPAI(P)-2022-01522 FR-HPAI(P)-2022-01532 FR-HPAI(P)-2022-01541 FR-HPAI(P)-2022-01534 FR-HPAI(P)-2022-01538 FR-HPAI(P)-2022-01544 FR-HPAI(P)-2022-01569 FR-HPAI(P)-2022-01587 FR-HPAI(P)-2022-01588	ARGENTON-L'EGLISE BOUILLE-LORETZ LA CHAPELLE-THIREUIL CHATILLON-SUR-THOUET COULONGES-THOUARSAIS FAYE-L'ABESSE LA FORÊT-SUR-SÈVRE GEAY LUCHE-THOUARSAIS MAUZE-THOUARSAIS MOUTIERS-SOUS-CHANTEMERLE SAINT-MAURICE-ETUSSON SAINT-PAUL-EN-GATINE VOULMENTIN	19.3.2023
FR-HPAI(P)-2023-00019	AVON CHANTECORPS CHENAY CHEY LA COUARDE COUTIERES EXIREUIL EXOUDUN FOMPERRON MENIGOUE LA MOTTE-SAINT-HERAY NANTEUIL SAINTE-EANNE SAINT-GERMIER SAINT-MAIXENT-L'ECOLE SAINT-MARTIN-DE-SAINT-MAIXENT SEPVRET SOUVIGNE	19.3.2023
	BOUGON PAMPROUX SALLES SOUDAN	11.3.2023- 19.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Département: Tarn-et-Garonne (82)</i>		
FR-HPAI(NON-P)-2023-00052 FR-HPAI(NON-P)-2023-00060	ASQUES BALIGNAC CAUMONT DONZAC DUNES ESPALAIS GOLFECH GOUDOURVILLE GRAMONT LAVIT MALAUSE MERLES MONTGAILLARD LE PIN POMMEVIC PUYGAILLARD DE LOMAGNE SAINT ARROUMEX SAINT CIRICE SAINT LOUP SAINT MICHEL SAINT NICOLAS DE LA GRAVE SISTELS VALENCE	26.3.2023
	AUVILLAR BARDIGUES CASTERA BOUZET LACHAPELLE MANSONVILLE MARSAC POUPAS SAINT JEAN DU BOUZET	18.3.2023 – 26.3.2023
<i>Département: Vaucluse (84)</i>		
FR-HPAI(P)-2022-01620	ALTHEN-DES-PALUDS AUBIGNAN AVIGNON BEAUMES-DE-VENISE BEDARRIDES CARPENTRAS CHATEAUNEUF-DE-GADAGNE CHATEAUNEUF-DU-PAPE COURTHEZON ENTRAIGUES-SUR-LA-SORGUE JONQUERETTES JONQUIERES LORIOLE-DU-COMTAT MONTEUX MORIERES-LES-AVIGNON ORANGE PERNES-LES-FONTAINES LE PONTET SAINT-SATURNIN-LES-AVIGNON SARRIANS	19.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	SORGUES LE THOR VEDENE VELLERON	
	ALTHEN-DES-PALUDS BEDARRIDES ENTRAIGUES-SUR-LA-SORGUE MONTEUX SORGUES	11.3.2023 – 19.3.2023

Département: Vendée (85)

FR-HPAI(P)-2022-01424	SAINT HILAIRE DES LOGES au sud de la D745	19.3.2023
FR-HPAI(P)-2022-01426	FOUSSAIS PAYRE a l'ouest de la D49	
FR-HPAI(P)-2022-01438	FAYMOREAU	
FR-HPAI(P)-2022-01440	MARILLET	
FR-HPAI(P)-2022-01441	ANTIGNY	
FR-HPAI(P)-2022-01442	BOURNEAU	
FR-HPAI(P)-2022-01446	CEZAIS	
FR-HPAI(P)-2022-01451	FONTENAY-LE-COMTE	
FR-HPAI(P)-2022-01454	L'ORBRIE	
FR-HPAI(P)-2022-01455	LA CHATAIGNERAIE	
FR-HPAI(P)-2022-01456	LA TARDIERE	
FR-HPAI(P)-2022-01459	LOGE-FOUGEREUSE	
FR-HPAI(P)-2022-01460	MARSAIS-SAINTE-RADEGONDE	
FR-HPAI(P)-2022-01461	SAINT-MARTIN-DE-FRAIGNEAU	
FR-HPAI(P)-2022-01462	SAINT-MAURICE-DES-NOUES	
FR-HPAI(P)-2022-01463	SAINT-PIERRE-DU-CHEMIN	
FR-HPAI(P)-2022-01464	SERIGNE	
FR-HPAI(P)-2022-01469	PISSOTTE	
FR-HPAI(P)-2022-01470	MARVENT	
FR-HPAI(P)-2022-01478	NIEUL-SUR-L'AUTISTE	
FR-HPAI(P)-2022-01479	PUY-DE-SERRE	
FR-HPAI(P)-2022-01488	SAINT-HILAIRE-DE-VOUST	
FR-HPAI(P)-2022-01490	VOUVANT	
FR-HPAI(P)-2022-01491	SAINT-MICHEL-LE-CLOUCQ	
FR-HPAI(P)-2022-01493	XANTON-CHASSENON	
FR-HPAI(P)-2022-01494	SAINT HILAIRE DES LOGES au nord de la D745	
FR-HPAI(P)-2022-01495	FOUSSAIS PAYRE à l'est de la D49	
FR-HPAI(P)-2022-01500	BREUIL-BARRET	
FR-HPAI(P)-2022-01503	LA CHAPELLE-AUX-LYS	
FR-HPAI(P)-2022-01507	LOGE-FOUGEREUSE	
FR-HPAI(P)-2022-01508	SAINT-HILAIRE-DE-VOUST	
FR-HPAI(P)-2022-01509	BAZOGES-EN-PAILLERS	
FR-HPAI(P)-2022-01510	BEAUREPAIRE	
FR-HPAI(P)-2022-01513	BESSAY	
FR-HPAI(P)-2022-01514	BOURNEZEAU au nord de la D948 et de la D949B	
FR-HPAI(P)-2022-01520	CHAILLE-LES-MARAIS	
FR-HPAI(P)-2022-01525	CHAMPAGNE-LES-MARAIS	
FR-HPAI(P)-2022-01527	CHANTONNAY à l'ouest de la D137	
FR-HPAI(P)-2022-01528	CHÂTEAU-GUIBERT à l'est de la D746	
FR-HPAI(P)-2022-01529	CHAUCHE à l'ouest de l'A83	
FR-HPAI(P)-2022-01530	CHAVAGNES-EN-PAILLERS au nord de la D6	
FR-HPAI(P)-2022-01531	CORPE	
FR-HPAI(P)-2022-01533	DOMPIERRE-SUR-YON	
FR-HPAI(P)-2022-01537	ESSARTS EN BOCAGE	

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
FR-HPAI(P)-2022-01539 FR-HPAI(P)-2022-01540 FR-HPAI(P)-2022-01542 FR-HPAI(P)-2022-01543 FR-HPAI(P)-2022-01546 FR-HPAI(P)-2022-01551 FR-HPAI(P)-2022-01552 FR-HPAI(P)-2022-01553 FR-HPAI(P)-2022-01555 FR-HPAI(P)-2022-01556 FR-HPAI(P)-2022-01557 FR-HPAI(P)-2022-01583 FR-HPAI(P)-2022-01585 FR-HPAI(P)-2022-01589 FR-HPAI(P)-2022-01590 FR-HPAI(P)-2022-01593 FR-HPAI(P)-2022-01595 FR-HPAI(P)-2022-01596 FR-HPAI(P)-2022-01599 FR-HPAI(P)-2022-01600 FR-HPAI(P)-2022-01601 FR-HPAI(P)-2022-01602 FR-HPAI(P)-2022-01604 FR-HPAI(P)-2022-01607 FR-HPAI(P)-2022-01608 FR-HPAI(P)-2022-01610 FR-HPAI(P)-2022-01611 FR-HPAI(P)-2022-01613 FR-HPAI(P)-2022-01614 FR-HPAI(P)-2022-01615 FR-HPAI(P)-2022-01618 FR-HPAI(P)-2022-01620 FR-HPAI(P)-2023-00002 FR-HPAI(P)-2023-00003 FR-HPAI(P)-2023-00004 FR-HPAI(P)-2023-00005 FR-HPAI(P)-2023-00006 FR-HPAI(P)-2023-00007 FR-HPAI(P)-2023-00011 FR-HPAI(P)-2023-00017 FR-HPAI(P)-2023-00018 FR-HPAI(P)-2023-00020 FR-HPAI(P)-2023-00030	FOUGERE LA BOISSIERE-DE-MONTAIGU au sud de la D23 et D72 LA CHAIZE-LE-VICOMTE au sud de la D948 LA COPECHAGNIERE LA FERRIERE LA MERLATIERE LA RABATELIERE LA REORTHE LA ROCHE-SUR-YON à l'est de la D746 et D763 LES BROUZILS LES HERBIERS au nord de la D160 et à l'ouest de la D23 LES LANDES-GENUSSON au sud de la D72 et D755 MAREUIL-SUR-LAY-DISSAIS à l'est de la D746 MESNARD-LA-BAROTIERE MOUTIERS-SUR-LE-LAY au sud de la D19 RIVES-DE-L'YON à l'est de la D746 SAINT-ANDRE-GOULE-D'OIE au sud de l'A87 SAINTE-CECILE SAINTE-HERMINE SAINTE-PEXINE au sud de la D19 SAINT-FULGENT à l'est de l'A87 SAINT-GEORGES-DE-MONTAIGU SAINT-HILAIRE-LE-VOUHIS SAINT-JEAN-DE-BEUGNE SAINT-JUIRE-CHAMPGILLON SAINT-MARTIN-DES-NOYERS à l'est de la D7 THORIGNY LES MAGNILS-REIGNIERS LUCON MOUZEUIL-SAINT-MARTIN NALLIERS PUYRAVAULT SAINT-AUBIN-LA-PLAINE SAINTE-GEMME-LA-PLAINE SAINTE-RADEGONDE-DES6NOYERS SAINTE-ETIENNE-DE6BRILLOUET TRIAIZE VENDRENNES BOURNEZEAU au sud de la D498 et de la D949B LES PINEAUX MOUTIERS-SUR-LE-LAY SAINTE-PEXINE au nord de la D19 SAINT-MARTIN-DES-NOYERS à l'ouest de la D7 LA CHAIZE-LE-VICOME au nord de la D948 LA FERRIERE au sud de la D160 CHAUCHE à l'est de l'A83 CHAVAGNES-EN-PAILLERS au sud de la D6 SAINT-ANDRE-GOULE-D'OIE au nord de l'A87 SAINT-FULGENT à l'ouest de l'A87 BREM-SUR-MER BRETIGNOLLES-SUR-MER COEX GIVRAND LA CHAIZE-GIRAUD LA CHAPELLE-HERMIER L'AIUGUILLON-SUR-VIE	

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	LES ACHARDS L'ILE-D'OLONNE MARTINET OLONNE-SUR-MER SAINTE-FOY SAINT-GEORGES-DES-POINTINDOUX SAINT-JULIEN-DES-LANDES SAINT-MATHURIN SAINT-REVEREND BREM-SUR-MER LANDEVIEILLE SAINT-JULIEN-DES-LANDES VAIRE	
<i>Département: Vienne (86)</i>		
FR-HPAI(P)-2023-00019	CURZAY SUR VONNE JAZENEUIL ROUILLE SAINT SAUVANT SANXAY	10.3.2023

Member State: Italy

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Regions: Veneto and Lombardia</i>		
IT-HPAI(P)-2023-00001	The area of the parts of Veneto and Lombardia Regions extending beyond the area described in the protection zone and within the circle of a radius of ten kilometres, centred on WGS84 dec. coordinates N 45.189848901, E11.01251936	8.4.2023
	The area of the parts of Veneto and Lombardia Regions contained within a circle of radius of three kilometres, centred on WGS84 dec. coordinates N 45.189848901, E11.01251936	31.3.2023 – 8.4.2023

Member State: Hungary

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Hajdú-Bihar vármegye		
HU-HPAI(P)-2023-00004	Balmazújváros, Bocskai kert, Debrecen, Hajdúböszörmény és Hajdúhadház települések közigazgatási területének a 47.622860 és a 21.558780 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül és védőközvetlen kívül eső területe.	12.3.2023
Bács-Kiskun és Csongrád-Csanád vármegye		
HU-HPAI(P)-2023-00005 – HU-HPAI(P)-2023-00013 HU-HPAI(P)-2023-00015 – HU-HPAI(P)-2023-00025 HU-HPAI(P)-2023-00029	Bócsa, Bugac, Bugapusztaháza, Csölyospálos, Fülöpjakab, Harkakötöny, Jakabszállás, Jászszentlászló, Kaskantyú, Kiskunmajsa, Kömpöc, Kunszállás, Mórícgát, Pálmonostora, Petőfiszállás, Pirtó, Soltvadkert, Szank, Tázlár, Zsana, Csengele és Kistelek települések védőközvetlen kívül eső teljes közigazgatási területe. Kecskemét település közigazgatási területének a 46.698392 és a 19.650317 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe. Kiskőrös település közigazgatási területének a 46.572330 és a 19.486939, a 46.616224 és a 19.444349, a 46.598273 és a 19.462954, valamint a 46.614164 és a 19.439083 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe. Kiskunfélegyháza település közigazgatási területének a 46.551046 és a 19.790439, a 46.561767 és a 19.663297, a 46.569793 és a 19.692088, a 46.570880 és a 19.682400, a 46.550029 és a 19.723605, a 46.698392 és a 19.650317, a 46.675382 és a 19.663231, valamint a 46.537062 és a 19.727489 koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe. Kiskunhalas település közigazgatási területének a 46.572330 és a 19.486939, a 46.556370 és a 19.521271, valamint a 46.598273 és a 19.462954 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe. Nyárlőrinc, Tiszaalpár és Városföld települések közigazgatási területének a 46.765936 és a 19.858434 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe. Orgovány település közigazgatási területének a 46.641252 és a 19.532421, a 46.607374 és a 19.538858, a 46.635031 és a 19.545341, a 46.609697 és a 19.530675, valamint a 46.631954 és a 19.533666 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe. Páhi település közigazgatási területének a 46.641252 és a 19.532421, 46.616224 és a 19.444349, a 46.631954 és a 19.533666, valamint a 46.614164 és a 19.439083 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe. Tabdi település közigazgatási területének a 46.616224 és a 19.444349, valamint a 46.614164 és a 19.439083 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül eső területe.	9.4.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
HU-HPAI(P)-2023-00014	Kiskunfélegyháza település közigazgatási területének a 46.765936 és a 19.858434 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül és védőkörzeten kívül eső területe, valamint a 46.551046 és a 19.790439, a 46.561767 és a 19.663297, a 46.569793 és a 19.692088, a 46.570880 és a 19.682400, a 46.550029 és a 19.723605, a 46.698392 és a 19.650317, a 46.675382 és a 19.663231, a 46.537062 és a 19.727489 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön kívül eső teljes közigazgatási területe.	27.3.2023
HU-HPAI(P)-2023-00005 – HU-HPAI(P)-2023-00008 HU-HPAI(P)-2023-00011 – HU-HPAI(P)-2023-00013 HU-HPAI(P)-2023-00018 HU-HPAI(P)-2023-00025	Kiskunmajsza, Jászszentlászló, Móricgát és Szank települések közigazgatási területének a 46.567675 és a 19.643564, a 46.560250 és a 19.653790, a 46.475730 és a 19.743580, a 46.551046 és a 19.790439, a 46.561767 és a 19.663297, a 46.569793 és a 19.692088, a 46.570880 és a 19.682400, valamint a 46.550029 és a 19.723605 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	31.3.2023 – 9.4.2023
HU-HPAI(P)-2023-00009 – HU-HPAI(P)-2023-00010 HU-HPAI(P)-2023-00015 – HU-HPAI(P)-2023-00017 HU-HPAI(P)-2023-00019 – HU-HPAI(P)-2023-00021 HU-HPAI(P)-2023-00024 HU-HPAI(P)-2023-00029	Bócsa, Bugac, Bugacpusztaháza, Kaskantyú, Soltvadkert, Szank és Tázlár települések közigazgatási területének a 46.572330 és a 19.486939, a 46.556370 és a 19.521271, a 46.641252 és a 19.532421, a 46.607374 és a 19.538858, a 46.616224 és a 19.444349, a 46.635031 és a 19.545341, a 46.609697 és a 19.530675, a 46.598273 és a 19.462954, a 46.631954 és a 19.533666, valamint a 46.614164 és a 19.439083 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	1.4.2023 – 9.4.2023
HU-HPAI(P)-2023-00014	Kiskunfélegyháza település közigazgatási területének a 46.765936 és 19.858434 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	19.3.2023 – 9.4.2023
HU-HPAI(P)-2023-00022 HU-HPAI(P)-2023-00023	Bugac, Bugacpusztaháza, Jakabszállás és Móricgát települések közigazgatási területének a 46.698392 és a 19.650317, valamint a 46.675382 és a 19.663231 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	31.3.2023 – 9.4.2023
HU-HPAI(P)-2023-00008	Csengele település közigazgatási területének a 46.551046 és a 19.790439 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	31.3.2023 – 9.4.2023
Békés vármegye		
HU-HPAI(P)-2023-00026 – HU-HPAI(P)-2023-00028	Békés, Békéscsaba, Csabaszabadi, Csanádapáca, Gerendás, Gyula, Kamut, Kétegyháza, Kétsoprony, Medgyesbodzás, Medgyesegyháza, Mezőberény, Murony, Pusztatottlaka, Szabadkígyós, Telekgerendás és Újkígyós települések közigazgatási területének a 46.717690 és a 21.046991, a 46.595656 és a 21.028554, valamint a 46.686160 és a 21.069071 790439 GPS-koordináták által meghatározott pont körüli 10 km sugarú körön belül és védőkörzeten kívül eső területe.	7.4.2023
HU-HPAI(P)-2023-00026 HU-HPAI(P)-2023-00028	Békés, Békéscsaba és Murony települések közigazgatási területének a 46.717690 és a 21.046991, valamint a 46.686160 és a 21.069071 790439 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	30.3.2023 – 7.4.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
HU-HPAI(P)-2023-00027	Békéscsaba, Szabadkígyós és Újkígyós települések közigazgatási területének a 46.595656 és a 21.028554 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területe.	29.3.2023 – 7.4.2023

Member State: the Netherlands

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Municipality Rotterdam province Zuid Holland</i>		
NL-HPAI(NON-P)-2023-00055	1. via Zeeweg naar Boulevard 2. via Boulevard naar Noordweg 3. via Noordweg naar Kleidijk 4. via Kleidijk naar Brielse Maasdam 5. via Brielse Maasdam naar Stenen Baakplein 6. via Stenen Baakplein naar Rijksweg A15 7. via Rijksweg A15 naar Havens 6200-7000 9 8. via Havens 6200-7000 9 naar Markweg 9. via Markweg Callandkanaal overstekend naar Noordzeeweg 10. via Noordzeeweg Nieuwe Waterweg naar Slachthuisweg 11. via Slachthuisweg naar Haakweg 12. via Haakweg naar Nieuwe Laan 13. via Nieuwe Laan naar Maasdijk 14. via Maasdijk naar Woutersweg 15. via Woutersweg naar Naaldwijkseweg 16. via Naaldwijkseweg naar Dijckerwaal 17. via Dijckerwaal naar Grote Vos 18. via Grote Vos naar Icarusblauwtje 19. via Icarusblauwtje naar Poelkade 20. via Poelkade naar Boomgaardspad 21. via Boomgaardspad naar Dotterbloem 22. via Dotterbloem naar Pijpkruid 23. via Pijpkruid naar Hoefblad 24. via Hoefblad naar Bereklauw 25. via Bereklauw naar Secretaris Verhoeffweg 26. via Secretaris Verhoeffweg naar van der Hoevenstraat 27. via van der Hoevenstraat naar Verspycklaan 28. via Verspycklaan naar Dijkweg 29. via Dijkweg naar Burgemeester Elsenweg 30. via Burgemeester Elsenweg naar Strijplaan 31. via Strijplaan naar Middel Broekweg 32. via Middel Broekweg naar Molenbroeklaan 33. via Molenbroeklaan naar Broekpolderlaan 34. via Broekpolderlaan naar Zwethlaan 35. via Zwethlaan naar Overtoomsepad 36. via Overtoomsepad naar Groeneveld 37. via Groeneveld naar Hofzichtlaan	15.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	38. via Hofzichtlaan naar Pastoor Verburghlaan 39. via Pastoor Verburghlaan naar Groeneveldseweg 40. via Groeneveldseweg naar Noord-Lierweg 41. via Noord-Lierweg naar Noordlierweg 42. via Noordlierweg naar Groeneveld 43. via Groeneveld naar Woudseweg 44. via Woudseweg naar Klaas Engelbrechtsweg 45. via Klaas Engelbrechtsweg naar Den Hoorn 13 46. via Den Hoorn 13 naar Rijksweg a4 47. via Rijksweg A4 naar Kethelplein 48. via Kethelplein naar Nieuwe Damlaan 49. via Nieuwe Damlaan naar Nieuwlandplein 50. via Nieuwlandplein naar Burgemeester van Haarenlaan 51. via Burgemeester van Haarenlaan naar Vlaardingerdijk 52. via Vlaardingerdijk naar Karel Doormanweg 53. via Karel Doormanweg naar Beneluxpad 54. via Beneluxpad naar Rijksweg A4 55. via Rijksweg A4 naar Beneluxweg 56. via Beneluxweg naar Bakkersoordseweg 57. via Bakkersoordseweg naar Rijksweg A4 58. via Rijksweg A4 naar Beneluxplein 59. via Beneluxplein naar Vondelingenweg 60. via Vondelingenweg naar Gaderingviaduct 61. via Gaderingviaduct naar Hoefsmidstraat 62. via Hoefsmidstraat naar Nieuwe Langeweg 63. via Nieuwe Langeweg naar Toscaweg 64. via Toscaweg naar Lokkertsemolenweg 65. via Lokkertsemolenweg naar Groene Kruisweg 66. via Groene Kruisweg naar Kouwenaardseweg 67. via Kouwenaardseweg naar Endenhout 68. via Endenhout naar Overwolde 69. via Overwolde naar Lengweg 70. via Lengweg naar Horsweg 71. via Horsweg naar Kruisnetlaan 72. via Kruisnetlaan naar Spoorbaan 73. via Spoorbaan naar Biesboschstraat 74. via Biesboschstraat naar Amerstraat 75. via Amerstraat naar Donaulaan 76. via Donaulaan naar Rijnlaan 77. via Rijnlaan naar Schenkelweg 78. via Schenkelweg naar Heemraadlaan 79. via Heemraadlaan naar Ploegvoorde 80. via Ploegvoorde naar Akkersvoorde 81. via Akkersvoorde naar Akkersweg 82. via Akkersweg naar Westdijk 83. via Westdijk naar D. de Langepad 84. via D. de Langepad naar Lageweg 85. via Lageweg naar Ring 86. via Ring naar Garsdijk 87. via Garsdijk naar Molendijk 88. via Molendijk naar Biertsedijk 89. via Biertsedijk naar Nieuwe Veerdam 90. via Nieuwe Veerdam naar Hoofd	

Member State: Poland

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2023-00040 PL-HPAI(P)-2023-00051 PL-HPAI(P)-2023-00052 PL-HPAI(P)-2023-00055 PL-HPAI(P)-2023-00061	W województwie warmińsko – mazurskim: 1. W gminie Lidzbark: Jeleń, Koty, Lidzbark, Podcibórz, Słup, Wąpiersk, Wlewsz, Zalesie, obszar administracyjny miejscowości Cibórz na północ od linii poprowadzonej przez miejscowości Turza Wielka i Klonowo, obszar administracyjny miejscowości Ciechanówko na południe od linii poprowadzonej przez miejscowości Kowaliki i Wąpiersk, obszar administracyjny miejscowości Klonowo na północ od linii poprowadzonej przez miejscowości Janówko i Bełk; 2. W gminie Rybno: Dębień, Grabacz, Hartowiec, Jeglia, Kopaniarze, Koszelewki, Rumian, Rybno, Truszczyny, Tuczki, Wery, obszar administracyjny miejscowości Gronowo na północ od linii poprowadzonej przez miejscowości Wery i Ostaszewo, obszar administracyjny miejscowości Koszelewki na zachód od linii poprowadzonej przez miejscowości Prusy i Murawki; 3. W gminie Płońsk: obszar administracyjny miejscowości Murawki na zachód od linii poprowadzonej przez miejscowości Koszelewki i Bełk, obszar administracyjny miejscowości Płońsk na zachód od linii poprowadzonej przez miejscowości Koszelewki i Bełk, obszar administracyjny miejscowości Turza Mała na zachód od linii poprowadzonej przez miejscowości Koszelewki i Bełk; w powiecie działowskim. 1. W gminie Grodziczno: Boleszyn, Grodziczno, Kowaliki, Kuligi, Linowiec, Lorki, Montowo, Zajęczkowo, Zwiniarz, obszar administracyjny miejscowości Nowe Grodziczno na północ od linii poprowadzonej przez miejscowości Mroczo i Dębień, obszar administracyjny miejscowości Ostaszewo na północ od linii poprowadzonej przez miejscowości Mroczenko i Gronowo, obszar administracyjny miejscowości Świniarz na południe od linii poprowadzonej przez miejscowości Rumian i Zajęczkowo; 2. W gminie Kurzętnik: Brzozie Lubawskie, Marzęcice, Mikołajki, Otręba, Szafarnia, Wawrowice, obszar administracyjny miejscowości Tereszewo na zachód od linii poprowadzonej przez miejscowości Otręba i Szafarnia, obszar administracyjny miejscowości Wielkie Bałówki na północ od linii poprowadzonej przez miejscowości Ciche i Nawra; 3. W gminie Nowe Miasto Lubawskie: Bratian, Nawra, Skarlin, Tylice, obszar administracyjny miejscowości Chrośle na południe od linii poprowadzonej przez miejscowości Wawrowice i Łązek, obszar administracyjny miejscowości Lekarty na południe od linii poprowadzonej przez miejscowości Chrośle i Sędzice, obszar administracyjny miejscowości Nowy Dwór na południe od linii poprowadzonej przez miejscowości Lekarty i Mortęgi, obszar administracyjny miejscowości Pacółtowo na północ od linii poprowadzonej przez miejscowości Kąciaki i Tylice; 4. W gminie Biskupiec obszar administracyjny miejscowości Krotoszyń na południe od linii poprowadzonej przez miejscowości Bagno i Łąkorz, obszar administracyjny miejscowości Łąkorz na wschód od linii poprowadzonej przez miejscowości Wonna i Zgniłobłoty;	17.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	5. Miasto Nowe Miasto Lubawskie w powiecie nowomiejskim. 1. w gminie Lubawa: obszar administracyjny miejscowości Mortęgi na południe od linii poprowadzonej przez miejscowości Rakowice i Świniarc, obszar administracyjny miejscowości Rakowice na południe od linii poprowadzonej przez miejscowości Łążyn i Chrośle, obszar administracyjny miejscowości Tuszewo na południe od linii poprowadzonej przez miejscowości Ludwichowo i Dębień w powiecie iławskim. W województwie kujawsko – pomorskim: 1. W gminie Zbiczno: Zastawie, Lipowiec, Szramowo, Pokrzydowo, Ciche, Koń, w granicach administracyjnych miejscowości Zbiczno na północ od linii biegnącej ulicą Świętego Jakuba od skraju lasu do ulicy Szosa Brodnicka, ulicą Szosa Brodnicka do skrzyżowania z ulicą Pod Sosno, ulicą Pod Sosno w kierunku miejscowości Sumowo, Strzemiuszczek, Gaj Grzmiąca, w granicach administracyjnych miejscowości Czyste Błota na zachód od drogi biegnącej z miejscowości Szafarnia przez miejscowość Tęgowiec do miejscowości Równica, Równica, Zastawie, Lipowiec, Szramowo, Pokrzydowo, w granicach administracyjnych miejscowości Żmijewko na wschód od drogi powiatowej nr 1805C; 2. W gminie Brzozie: Jajkowo, Mały Głęboć, Wielki Głęboć, Brzozie, Janówko, Zembrze, Sugajno, Wielkie Leżno, Małe Leżno, Trepki. 3. W gminie Brodnica: w granicach administracyjnych miejscowości Karbowo na wschód od linii biegnącej granicą Brodnickiego Parku Krajobrazowego do drogi krajowej Nr 15, na północ od drogi krajowej Nr 15 w kierunku miejscowości Jajkowo w powiecie brodnickim.	
	W województwie warmińsko -mazurskim: 1. W gminie Lidzbark: Kiełpiny, Tarczyny, obszar administracyjny miejscowości Ciechanówko na północ od linii poprowadzonej przez miejscowości Kowaliki i Wąpiersk; 2. W gminie Rybno: Grądy, obszar administracyjny miejscowości Gronowo na południe od linii poprowadzonej przez miejscowości Wery i Ostaszewo; w powiecie działdowskim. 1. W gminie Grodziczno: Mroczenko, Mroczno, Rynek, Trzcin, obszar administracyjny miejscowości Nowe Grodziczno na południe od linii poprowadzonej przez miejscowości Mroczno i Dębień, obszar administracyjny miejscowości Ostaszewo na południe od linii poprowadzonej przez miejscowości Mroczenko i Gronowo; 2. W gminie Kurzętnik: Bratuszewo, Kamionka, Kąciaki, Krzemieniewo, Kurzętnik, Lipowiec, Małe Bałówki, Nielbark, Sugajenko, Tomaszewo, obszar administracyjny miejscowości Tereszewo na wschód od linii poprowadzonej przez miejscowości Otręba i Szafarnia, obszar administracyjny miejscowości Wielkie Bałówki na południe od linii poprowadzonej przez miejscowości Ciche i Nawra; 3. W gminie Nowe Miasto Lubawskie: Gwiżdżyny, obszar administracyjny miejscowości Pacółtowo na południe od linii poprowadzonej przez miejscowości Kąciaki i Tylice w powiecie nowomiejskim	9.3.2023 – 17.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	W województwie kujawsko-pomorskim: 1. W gminie Zbiczno: w granicach administracyjnych miejscowości Czyste Błota na wschód od drogi biegnącej z miejscowości Szafarnia przez miejscowość Tęgowiec do miejscowości Równica w powiecie brodnickim.	
PL-HPAI(P)-2023-00041 PL-HPAI(P)-2023-00056 PL-HPAI(P)-2023-00057 PL-HPAI(P)-2023-00060	W województwie lubuskim: 1. Część gmin: Lubiszyn, Witnica, Bogdaniec, Kłodawa w powiecie gorzowskim W województwie zachodniopomorskim: 1. Część gmin: Dębno, Nowogródek Pomorski, Myślibórz w powiecie myśliborskim W województwie zachodniopomorskim: 1. Część gmin: Dębno, Nowogródek Pomorski, Myślibórz w powiecie myśliborskim zawierająca się w promieniu 3 km od współrzędnych GPS: Zawierająca się w promieniu 10 km od współrzędnych GPS: 52.78399/14.95960, 52.78589/14.94661, 52.81904/15.03863, 52.81641/15.00399	19.3.2023
	W województwie lubuskim część gminy Lubiszyn w powiecie gorzowskim. W województwie zachodniopomorskim część gminy Nowogródek Pomorski w powiecie myśliborskim zawierająca się w promieniu 3 km od współrzędnych GPS: Zawierająca się w promieniu 3 km od współrzędnych GPS: 52.78399/14.95960, 52.78589/14.94661, 52.81904/15.03863, 52.81641/15.00399	11.3.2023 -19.3.2023
PL-HPAI(P)-2023-00053	W województwie lubuskim: 1. Część miasta Gorzów Wielkopolski 2. W gminie Deszczno: Brzozowiec, Borek, Ciecierzycy, Niwica, Ulim, Prądocin, Płonica, Kielpin, Krasowiec, Dzierżów, Koszęcin, Karnin, Łagódzin, Bolemin, Glinik, Deszczno, Osiedle Poznańskie 3. W gminie Santok: Górki, Janczewo, Wawrów, Santok, Stare Polichno 4. W gminie Bogdaniec: Jeże, Wieprzyce, Jeżyki, Jasiniec, Chwałowice w powiecie gorzowskim. 1. W gminie Lubniewice: Rogi 2. W gminie Krzeszyce: Rudnica, Łaków, Kołczyn w powiecie sulcińskim. 1. W gminie Bledzew: Pniewo, Stary Dworek, 2. W gminie Skwierzyna: Trzebiszewo, Murzynowo, Gościńowo w powiecie międzyrzeckim.	16.3.2023
	W województwie lubuskim w powiecie gorzowskim w gminie Deszczno: Maszewo, Białobłocie, Dziersławice, Karnin, Łagódzin, Bolemin, Orzelec, Glinik, Deszczno, Osiedle Poznańskie.	8.3.2023 -16.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2023-00054 PL-HPAI(P)-2023-00065	W województwie łódzkim: 1. Część gmin: Maków, Lipce Reymontowskie, Godzianów, Słupia, Skierniewice, m. Skierniewice w powiecie skierniewickim. 1. Część gmin: Nieborów, Łyszkowice, Domaniewice, Łowicz w powiecie łowickim. 1. Część gmin: Dmosin, Rogów w powiecie brzezińskim. 1. Część gminy Głowno w powiecie zgierskim zawierające się w promieniu 10 km od współrzędnych GPS: 51.96132/19.96614	21.3.2023 -29.3.2023
	W województwie łódzkim: 1. Część gminy Maków, część gminy Lipce Reymontowskie w powiecie skierniewickim. 1. Część gminy Łyszkowice w powiecie łowickim. zawierające się w promieniu 3 km od współrzędnych GPS: 51.96132/19.96614	6.3.2023 -14.3.2023
PL-HPAI(P)-2023-00058	W województwie lubuskim w powiecie krośnieńskim: 1. W gminie Krosno Odrzańskie: Sarbia, Strumienno, Marcinowice, Stary Raduszec, Nowy Raduszec, Miasto Krosno Odrzańskie, Kamień Morsko, Chyże, Połupin, Gostchorze, Osiecznica, Czarnowo, Łochowice (część miejscowości nie wymieniona w obszarze zapowietrzonym), Nowy Zagór, Dąbie, Szczawno, Radnica, 2. W gminie Bytnica: Drzewica, Struga (część miejscowości nie wymieniona w obszarze zapowietrzonym), Budachów (część miejscowości nie wymieniona w obszarze zapowietrzonym), Grabin, Bytnica, Dobrosułów 3. W gminie Maszewo: Radomicko, Lubogoszcz, Skórzyn (część miejscowości nie wymieniona w obszarze zapowietrzonym), Siedlisko, Trzebiechów, Korczyców), Skarbona, Granice, Maszewo.	16.3.2023
	W województwie lubuskim w powiecie krośnieńskim: 1. W gminie Krosno Odrzańskie: Czetowice, Bielów, Osiecznica, Łochowice od granicy administracyjnej miejscowości Bielów w kierunku północno-wschodnim przecinając ul. Widokową, następnie wzdłuż ul. Polnej i dalej ul. Płazową w kierunku północnym do granicy administracyjnej miejscowości Struga. 2. W gminie Bytnica: Struga (zachodnia część miejscowości na południowy zachód od cieku wodnego przechodzącego przez tę miejscowość), Budachów. 3. W gminie Maszewo: Skórzyn (na południe od drogi gminnej łączącej miejscowości Skórzyn i Budachów).	8.3.2023 -16.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2023-00059	W województwie zachodniopomorskim: 1. W gminie Gryfino: Parsówek, Drzenin, Gardno, Wysoka Gryfińska, Raczki, Stare Brynki (południowa część obrębu Stare Brynki od wysokości miejscowości Raczki wzdłuż Strumienia Wełtyńskiego do jeziora Krzywienko), Wełtyń, Wirów, Wirówek, Szczawno, Bartkowo, Żórawie, Żórawki, Pniewo, obręb ewidencyjny 5 miasta Gryfino, Gajki, Ciosna, Śremsko, Nowe Czarnowo, Krajnik, Pastuszka, Krzypnica, Steklno, Steklino, Stary Młyn, Włodkowice, Zaborze; 2. W gminie Banie: Baniewice, Banie, Tywica, Górny Młyn, Lubanowo, Babinek, Sosnowo, Kunowo, Parnica; 3. W gminie Widuchowa: Marwice, Pacholęta, Czarnówko, Tarnogórki, Lubicz, Żarczyn, Wilcze 4. W gminie Stare Czarnowo: Kartno, Żelislawiec; w powiecie gryfińskim. 1. W gminie Bielice: Swochowo, Linie, Bielice, Nowe Linie, Chabowo, Parsów, Babin, Babinek; 2. W gminie Kozielice: Czarnowo. w powiecie pyrzyckim.	19.3.2023
	W województwie zachodniopomorskim: 1. Część gminy Gryfino: Borzym, Dołgie, Sobiemyśl, Skrzynice, Sobieradz, Chwarstnica, Osuch, Mielenko Gryfińskie, Pniewa, 2. Część gminy Banie: Różnowo w powiecie gryfińskim.	10.3.2023 -19.3.2023
PL-HPAI(P)-2023-00062	W województwie zachodniopomorskim: 1. W gminie Gryfino: Parsówek, Drzenin, Gardno, Wysoka Gryfińska, Raczki, Stare Brynki (południowa część obrębu Stare Brynki od wysokości miejscowości Raczki wzdłuż Strumienia Wełtyńskiego do jeziora Krzywienko), Wełtyń, Wirów, Wirówek, Szczawno, Bartkowo, Żórawie, Żórawki, Pniewo, obręb ewidencyjny 4 oraz 5 miasta Gryfino, Gajki, Ciosna, Śremsko, Nowe Czarnowo, Krajnik, Pastuszka, Krzypnica, Steklno, Steklino, Stary Młyn, Włodkowice, Zaborze; 2. W gminie Banie: Baniewice, Banie, Tywica, Górny Młyn, Lubanowo, Babinek, Sosnowo, Kunowo, Parnica; 3. W gminie Widuchowa: Marwice, Pacholęta, Czarnówko, Tarnogórki, Lubicz, Żarczyn, Wilcze; 4. W gminie Stare Czarnowo: Kartno, Żelislawiec; w powiecie gryfińskim. 1. W gminie Bielice: Swochowo, Linie, Bielice, Nowe Linie, Chabowo, Parsów, Babin, Babinek; 2. W gminie Kozielice: Czarnowo. w powiecie pyrzyckim.	26.3.2023
	W województwie zachodniopomorskim: 3. W gminie Gryfino: Borzym, Dołgie, Sobiemyśl, Skrzynice, Sobieradz, Chwarstnica, Osuch, Mielenko Gryfińskie, Pniewa; 4. W gminie: Banie w powiecie gryfińskim – miejscowość: Różnowo. w powiecie gryfińskim.	18.3.2023 -26.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2023-00063	W województwie lubuskim: 1. W gminie Krosno Odrzańskie: Sarbia, Strumiennie, Marcinowice, Stary Raduszek, Nowy Raduszek, Miasto Krosno Odrzańskie, Kamień Morsko, Chyże, Połupin, Gostchorze, Osiecznica, Czarnowo, Łochowice (część miejscowości nie wymieniona w obszarze zapowietrzonym), Nowy Zagór, Dąbie, Szczawno, Radnica, 2. W gminie Bytnica: Drzewica, Struga (część miejscowości nie wymieniona w obszarze zapowietrzonym), Budachów (część miejscowości nie wymieniona w obszarze zapowietrzonym), Grabin, Bytnica, Dobrosułów 3. W gminie Maszewo: Radomicko, Lubogoszcz, Skórzyn (część miejscowości nie wymieniona w obszarze zapowietrzonym), Siedlisko, Trzebiechów, Korczyców), Skarbona, Granice, Maszewo. w powiecie krośnieńskim zawierające się w promieniu 10 km od współrzędnych GPS: 52.10042/15.07150	22.3.2023
	W województwie lubuskim: 4. W gminie Krosno Odrzańskie: Czetowice, Bielów, Osiecznica, Łochowice; 5. W gminie Bytnica: Struga i Budachów, 6. W gminie Maszewo: Skórzyn w powiecie krośnieńskim zawierające się w promieniu 3 km od współrzędnych GPS: 52.10042/15.07150	14.3.2023 -22.3.2023
PL-HPAI(P)-2023-00064	W województwie śląskim: 1. Miasta na prawach powiatu: Chorzów, Świętochłowice; 2. Miasto na prawach powiatu Gliwice na wschód od autostrady A1 (dzielnica Sośnica); 3. Miasto na prawach powiatu Katowice na wschód od ulicy Owsianej przechodzącej w ulicę Panewnicką w kierunku zachodnim w dzielnicy Ligota-Panewniki; 4. Miasto na prawach powiatu Ruda Śląska na północ od drogi wojewódzkiej nr 902; 5. Miasto na prawach powiatu Zabrze na południe od drogi krajowej nr 88; 6. Gmina Gierałtowice w powiecie gliwickim; W województwie śląskim w powiecie miłkowskim: 1. Miasto Mikołów na południe od drogi krajowej nr 81 przebiegającej od wschodniej granicy miasta Mikołów do skrzyżowania z ulicą Wojska Polskiego oraz na południe od drogi wojewódzkiej nr 927 łączącej się z drogą wojewódzką nr 925 w kierunku zachodnio południowym; 2. Gminy: Ornontowice, Orzesze, Wiry na północ od linii kolejowej nr 169; 3. Miasto Łaziska Górne na północ od linii kolejowej nr 169.	24.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	W województwie śląskim: 1. Miasto na prawach powiatu Katowice na zachód od ulicy Owsianej przechodzącej w ulicę Panewnicką w kierunku zachodnim w dzielnicy Ligota-Panewniki; 2. Miasto na prawach powiatu Ruda Śląska na południe od drogi wojewódzkiej nr 902; 3. Miasto Mikołów na północ od drogi krajowej nr 81 przebiegającej od wschodniej granicy miasta Mikołów do skrzyżowania z ulicą Wojska Polskiego oraz na północ od drogi wojewódzkiej nr 927 łączącej się z drogą wojewódzką nr 925 w kierunku zachodnio południowym.	16.3.2023 -24.3.2023

Member State: Slovenia

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
SI-HPAI(P)-2023-00001	Municipality Cerklje na Gorenjskem: settlements Adergas, Ambrož pod Krvavcem, Česnjevek, Dvorje, Grad, Praprotna Polica, Ravne, Sidraž, Stiška vas, Sveti Lenart, Štefanja Gora, Trata pri Velesovem, Velesovo, Vrhovje Municipality Domžale: settlements Homec, Hudo, Kolovec, Nožice, Presejre pri Radomljah, Radomlje, Zgornje Jarše Municipality Kamnik: settlements Bistričica, Brezje nad Kamnikom, Briše, Črna pri Kamniku, Godič, Jeranovo, Kamnik, Kamniška Bistrica, Klemenčevo, Košiče, Kregarjevo, Kršič, Laniše, Mekinje, Nevlje, Okroglo, Oševke, Podgorje, Podjelše, Potok v Črni, Rudnik pri Radomljah, Spodnje Stranje, Stahovica, Stolnik, Šmarca, Tučna, Tunjice, Tunjiška Mlaka, Vodice nad Kamnikom, Volčji Potok, Vrhpolje pri Kamniku, Zagorica nad Kamnikom, Zakal, Zduša, Zgornje Stranje, Županje Njive Municipality Komenda: settlements Gmajnica, Gora pri Komendi, Komenda, Križ, Mlaka, Moste, Poslovna cona Žeje pri Komendi, Suhadole, Žeje pri Komendi Municipality Kranj: settlements Britof, Hrastje, Jama, Mavčiče, Praše Municipality Medvode: settlements Dragočajna, Hraše, Moše, Smlednik, Valburga Municipality Mengeš: settlements Dobeno, Loka pri Mengšu, Mengeš, Topole Municipality Preddvor: settlements Kokra, Možjanca, Potoče, Tupaliče Municipality Šenčur: settlements Hotemaže, Luže, Milje, Olševke, Prebačevo, Srednja vas pri Šenčurju, Šenčur, Trboje, Visoko, Voglje, Voklo, Žerjavka Municipality Vodice: settlements Bukovica pri Vodica, Dobruša, Dornice, Koseze, Polje pri Vodica, Repnje, Selo pri Vodica, Skaručna, Šinkov Turn, Torovo, Utik, Vesca, Vodice, Vojsko, Zapoge	28.3.2023

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	Municipality Cerklje na Gorenjskem: settlements Apno, Cerkljanska Dobrava, Cerklje na Gorenjskem, Glinje, Lahovče, Poženik, Pšata, Pšenična Polica, Spodnji Brnik, Šenturška Gora, Šmartno, Vašca, Viševca, Vopovlje, Zalog pri Cerkljah in Zgornji Brnik; Municipality Komenda: settlements Breg pri Komendi, Klanec, Komendska Dobrava, Nasovče, Podboršt pri Komendi in Potok pri Komendi.	20.3.2023 – 28.3.2023

Part C

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

Member State: France

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
<i>Les communes suivantes dans le département: Ain (01)</i>	
GENOUILLY GRACAY SAINT-OUTRILLE	10.3.2023
<i>Les communes suivantes dans le département: Eure (27)</i>	
AIZIER ASNIERES BAILLEUL-LA-VALLEE BOUQUELON BOURNEVILLE-SAINTE-CROIX CAMPIGNY COLLETOT COLLETOT CONDE-SUR-RISLE CORMEILLES CORNEVILLE-SUR-RISLE EPREVILLE-EN-LIEUVIN LE PERREY FRESNE-CAUVERVILLE HEUDREVILLE-EN-LIEUVIN LIEUREY MANNEVILLE-SUR-RISLE MARAIS-VERNIER MORAINVILLE-JOUEAUX NOARDS LA NOE-POULAIN PIENCOURT PONT-AUDEMER LA POTERIE-MATHIEU QUILLEBEUF-SUR-SEINE SAINT-AUBIN-DE-SCELLON SAINT-AUBIN-SUR-QUILLEBEUF SAINT-CHRISTOPHE-SUR-CONDE SAINT-ETIENNE-L'ALLIER LE MESNIL-SAINT-JEAN	6.4.2023

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
SERRE-LES-SAPINS SAINT-MARDS-DE-BLACARVILLE SAINT-MARTIN-SAINT-FIRMIN SAINTE-OPPORTUNE-LA-MARE SAINT-PIERRE-DE-CORMEILLES SAINT-PIERRE-DES-IFS SAINT-SIMEON SAINT-SYLVESTRE-DE-CORMEILLES TOCQUEVILLE TOURVILLE-SUR-PONT-AUDEMER TROUVILLE-LA-HAULE VALLETOT VIEUX-PORT	
<i>Les communes suivantes dans le département: Gers (32)</i>	
AVENSAC AVEZAN BIVES BRUGNENS CADEILHAN CASTELNAU-D'ARBIEU CASTERA-LECTOUROIS ESTRAMIAC GAUDONVILLE LECTOURE MAGNAS PESSOULENS SAINT-AVIT-FRANDAT SAINT-LEONARD SEMPESSERRE TOURNECOUPE URDENS BAJONETTE BERRAC CERAN FLEURANCE GOUTZ HOMPS LAGARDE LARROQUE ENGALIN PAULHAC PERGAIN TAILLAC SAINT MARTIN DE GOYNE SAINT MEZARD	27.3.2023
<i>Les communes suivantes dans le département: Loire-Atlantique (44)</i>	
LA CHAPELLE HEULIN LOIREAUXENCE MONTRELAIS PALLET	10.3.2023

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
<i>Les communes suivantes dans le département: Manche (50)</i>	
AUCEY-LA-PLAINE AVRANCHES BRECEY BUAIS-LES-MONTS CEAUX LA CHAPELLE-UREE COURTILS LES CRESNAYS CROLLON LA GODEFROY LA GOHANNIERE LE GRAND-CELLAND HUISNES-SUR-MER JUVIGNY LES VALLEES LAPENTY LES LOGES-MARCHIS MARCEY-LES-GREVES MARCILLY LE MESNILLARD LE MESNIL-OZENNE MOULINES GRANDPARIGNY LE PETIT-CELLAND PONTAUBAULT PONTORSON PONTS PRECEY REFFUVEILLE ROMAGNY FONTENAY SACEY SAINT-BRICE SAINT-LOUP SAINT-MARTIN-DES-CHAMPS SAINT-OVIN SAINT-QUENTIN-SUR-LE-HOMME SAINT-SENIER-SOUS-AVRANCHES SAVIGNY-LE-VIEUX SERVON TANIS TIREPIED VAINS LE VAL-SAINT-PERE VERNIX	19.3.2023
<i>Les communes suivantes dans le département: Tarn-et-Garonne (82)</i>	
ANGEVILLE AUTERIVE BEAUMONT DE LOMAGNE BELBEZE EN LOMAGNE BOUDOU BRASSAC CASTELFERRUS CASTELMAYRAN CASTELSAGRAT CASTELSARRASIN COUTURES CUMONT ESPARSAC	26.3.2023

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
FAJOLLES GARGANIVILLAR GASQUES GENSAC GIMAT GLATENS LABOURGADE LAFFITE LAMAGISTERE LAMOTHE CUMONT LARRAZET MARIGNAC MAUMUSSON MOISSAC MONTESQUIEU MONTJOI PERVILLE SAINT AIGNAN SAINT CLAIR SAINT NAZAIRE DE VALENTANE SAINT PAUL D'ESPIS SAINT VINCENT LESPINASSE SERIGNAC VIGUERON	

Les communes suivantes dans le département: Vaucluse (84)

ALTHEN-DES-PALUDS AUBIGNAN AVIGNON LE BARROUX LE BEUCET BEAUMES-DE-VENISE BEDARRIDES BEDOIN BLAUVAC CABRIERES-D'AVIGNON CADEROUSSE CAIRANNE CAMARET-SUR-AIGUES CAROMB CARPENTRAS CAUMONT-SUR-DURANCE CAVAILLON CHATEAUNEUF-DE-GADAGNE CHATEAUNEUF-DU-PAPE COURTHEZON CRILLON-LE-BRAVE ENTRAIGUES-SUR-LA-SORGUE GIGONDAS GORDES L'ISLE-SUR-LA-SORGUE JONQUERETTES JONQUIERES LAFARE LAGNES LORIOLE-DU-COMTAT MALEMORT-DU-COMTAT MAZAN	19.3.2023
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Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
METHAMIS MODENE MONTEUX MORIERES-LES-AVIGNON MORMOIRON ORANGE PERNES-LES-FONTAINES PIOLENC LE PONTET RASTEAU ROBION LA ROQUE-ALRIC LA ROQUE-SUR-PERNES SABLET SAINT-DIDIER SAINT-HIPPOLYTE-LE-GRAVEYRON SAINT-PIERRE-DE-VASSOLS SAINT-SATURNIN-LES-AVIGNON SARRIANS SAUMANE-DE-VAUCLUSE SEGURET	
<i>Les communes suivantes dans le département: Vendée (85)</i>	
AUCHAY SUR VENDEE BESSAY BOURNEZEAU CHÂTEAU GUIBERT CORPE FONTENAY LE COMTE FOUGERE L'HERMANAULT LA COUTURE LE LANGON LE TABLIER LES MAGNILS REIGNIERS LES VELLUIRE SUR VENDEE LONGEVES LUCON MAREUIL SUR LAY DISSAIS MOUZEUIL SAINT MARTIN NALLIERS PEAULT PETOSSE POUILLE RIVE DE L'YON ROSNAY SAINT AUBIN LA PLAINE SAINT ETIENNE DE BRILLOUET SAINT JEAN DE BEUGNE SAINTE GEMME LA PLAINE SAINTE PEXINE SERIGNE THIRE	19.3.2023

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a
<i>Les communes suivantes dans le département: Vienne (86)</i>	
BENASSAY CELLE LEVESCAULT CHATILLON CLOUE COUHE COULOMBIERS LA CHAPELLE MONTREUIL LAVAUSSÉAU LUSIGNAN PAYRE	10.3.2023

Member State: Poland

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
W województwie śląskim: 1. Miasta na prawach powiatu: Bytom, Piekary Śląskie, Siemianowice Śląskie, Tychy; 2. Miasto na prawach powiatu Gliwice na zachód od autostrady A1; 3. Miasto na prawach powiatu Zabrze na północ od drogi krajowej nr 88; 4. Gminy: Knurów, Pilchowice w powiecie gliwickim; 5. Gmina Czerwionka-Leszczyny w powiecie rybnickim; 6. Gminy: Orzesze, Wry na południe od linii kolejowej nr 169 w powiecie mikołowskim; 7. Miasto Łaziska Górne na południe od linii kolejowej nr 169 w powiecie mikołowskim.	24.3.2023

* 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.'

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