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I

(Legislative acts)

DIRECTIVES

DIRECTIVE (EU) 2021/2101 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 24 November 2021****amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 50(1) 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⁾,Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) Transparency is essential for the smooth functioning of the internal market. The Commission, in its communications of 27 October 2015 entitled 'Commission Work Programme 2016 – No time for business as usual' and of 16 December 2014 entitled 'Commission Work Programme 2015 – A New Start', identified as a priority the need to respond to the call of citizens of the Union for fairness and transparency and the need for the Union to act as a global reference model. It is essential that the efforts to achieve greater transparency take into account reciprocity between competitors.
- (2) In its resolution of 26 March 2019 ⁽³⁾, the European Parliament stressed the need for ambitious public country-by-country reporting as a tool for increasing corporate transparency and enhancing public scrutiny. In parallel with the work undertaken by the Council to fight corporate income tax avoidance, it is necessary to enhance public scrutiny of corporate income taxes borne by multinational undertakings carrying out activities in the Union, in order to further foster corporate transparency and responsibility, thereby contributing to the welfare of our societies. Providing for such scrutiny is also necessary to promote a better-informed public debate regarding, in particular, the level of tax compliance of certain multinational undertakings active in the Union and the impact of tax compliance

⁽¹⁾ OJ C 487, 28.12.2016, p. 62.

⁽²⁾ Position of the European Parliament of 27 March 2019 (OJ C 108, 26.3.2021, p. 623) and position of the Council at first reading of 28 September 2021 (not yet published in the Official Journal). Position of the European Parliament of 11 November 2021 (not yet published in the Official Journal).

⁽³⁾ OJ C 108, 26.3.2021, p. 8.

on the real economy. The setting of common rules on corporate income tax transparency would also serve the general economic interest by providing for equivalent safeguards throughout the Union for the protection of investors, creditors and other third parties generally, and thus contribute to regaining the trust of citizens of the Union in the fairness of national tax systems. Such public scrutiny can be achieved by means of a report on income tax information, irrespective of where the ultimate parent undertaking of the multinational group is established.

- (3) Public country-by-country reporting is an efficient and appropriate tool for increasing transparency in relation to the activities of multinational undertakings and for enabling the public to assess the impact of those activities on the real economy. It also improves shareholders' ability to evaluate properly the risks taken by undertakings, leads to investment strategies being based on accurate information and enhances the ability of decision-makers to assess the efficiency and the impact of national legislation. Public scrutiny should be conducted without harming the investment climate in the Union or the competitiveness of Union undertakings, including small and medium-sized undertakings as provided for in Directive 2013/34/EU of the European Parliament and of the Council ⁽⁴⁾.
- (4) Public country-by-country reporting is also likely to have a positive impact on employees' rights to information and consultation as provided for in Directive 2002/14/EC of the European Parliament and of the Council ⁽⁵⁾ and, by increasing knowledge of undertakings' activities, on the quality of the dialogue that takes place within undertakings.
- (5) Following the European Council conclusions of 22 May 2013, a review clause was introduced in Directive 2013/34/EU. That review clause required the Commission to consider the possibility of introducing an obligation on large undertakings in additional industry sectors to produce a country-by-country report on an annual basis, taking into account the developments in the Organisation for Economic Cooperation and Development (OECD) and the results of related European initiatives.
- (6) The Union has already introduced public country-by-country reporting for the banking sector with Directive 2013/36/EU of the European Parliament and of the Council ⁽⁶⁾, as well as for the extractive and logging industry with Directive 2013/34/EU.
- (7) By introducing public country-by-country reporting with this Directive, the Union becomes a global leader in the promotion of financial and corporate transparency.
- (8) More transparency in financial disclosure will be advantageous for all, since civil society will become more involved, employees will be better informed and investors less risk-averse. In addition, undertakings will benefit from better relations with stakeholders, which will lead to greater stability, along with easier access to finance due to a clearer risk profile and an enhanced reputation.
- (9) In its communication of 25 October 2011 entitled 'A renewed EU strategy 2011-14 for Corporate Social Responsibility', the Commission defined corporate social responsibility as the responsibility of enterprises for their impact on society. Corporate social responsibility should be company-led. Public authorities can play a supporting role through a smart mix of voluntary policy measures and, where necessary, complementary regulation. Undertakings can go beyond compliance with the law and become socially responsible by integrating further social, environmental, ethical, consumer or human rights concerns into their business strategy and operations.

⁽⁴⁾ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).

⁽⁵⁾ Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community (OJ L 80, 23.3.2002, p. 29).

⁽⁶⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

- (10) The public should be able to scrutinise all the activities of a group of undertakings if the group has certain types of entities established within the Union. For groups which carry out activities within the Union only through subsidiary undertakings or branches, those subsidiary undertakings and branches should publish and make accessible the report of the ultimate parent undertaking. If that information or report is not available or the ultimate parent undertaking does not provide the subsidiary undertakings or branches with all the required information, the subsidiary undertakings and branches should draw up, publish and make accessible a report on income tax information containing all information in their possession, obtained or acquired, and a statement indicating that their ultimate parent undertaking did not make the necessary information available. However, for reasons of proportionality and effectiveness, the obligation to publish and make accessible the report on income tax information should be limited to medium-sized and large subsidiary undertakings established in the Union and to branches of a comparable size opened in the Union. The scope of Directive 2013/34/EU should therefore be extended accordingly to branches opened in a Member State by an undertaking which is established outside the Union and which has a legal form which is comparable with the types of undertakings listed in Annex I to Directive 2013/34/EU. Branches that have been closed as referred to in Article 37, point (k), of Directive (EU) 2017/1132 of the European Parliament and of the Council ⁽⁷⁾ should no longer be subject to the reporting obligations set out in this Directive.
- (11) Multinational groups, and where relevant, certain standalone undertakings, should provide the public with a report on income tax information where they exceed a certain size, in terms of the amount of revenue, over a period of two consecutive financial years, depending on the consolidated revenue of the group or the revenue of the standalone undertaking. By way of symmetry, such obligation should cease to apply where those revenues cease to exceed the relevant amount over a period of two consecutive financial years. In such cases, the multinational group or the standalone undertaking should remain subject to the obligation to report on the first financial year subsequent to the last financial year when its revenues exceeded the relevant amount. Such multinational group or standalone undertaking should become subject to the reporting obligation again when its revenues again exceed the relevant amount over a period of two consecutive financial years. Given the wide array of financial reporting frameworks with which financial statements may comply, for the purposes of determining the scope of application, for undertakings governed by the law of a Member State, 'revenue' should have the same meaning as 'net turnover', and should be understood in line with the national financial reporting framework of that Member State. Article 43(2), point (c), of Council Directive 86/635/EEC ⁽⁸⁾ and Article 66(2) of Council Directive 91/674/EEC ⁽⁹⁾ provide definitions for the determination of the net turnover of a credit institution or of an insurance undertaking, respectively. For other undertakings, revenue should be assessed in accordance with the financial reporting framework on the basis of which their financial statements are prepared. However, for the purposes of the content of the report on income tax information, a different definition of revenue should apply.
- (12) In order to avoid double reporting for the banking sector, ultimate parent undertakings and standalone undertakings which are subject to Directive 2013/36/EU and which include in their report prepared in accordance with Article 89 of that Directive all of their activities and, where appropriate, all the activities of their affiliated undertakings included in their consolidated financial statements, including activities not subject to the provisions of Part Three, Title I, Chapter 2, of Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽¹⁰⁾, should be exempted from the reporting requirements set out in this Directive.

⁽⁷⁾ Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).

⁽⁸⁾ Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1).

⁽⁹⁾ Council Directive 91/674/EEC of 19 December 1991 on the annual accounts and consolidated accounts of insurance undertakings (OJ L 374, 31.12.1991, p. 7).

⁽¹⁰⁾ 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).

- (13) The report on income tax information should include, where applicable, a list of all the subsidiary undertakings, in respect of the relevant financial year, established in the Union or in tax jurisdictions included in Annex I and, where applicable, in Annex II to the relevant version of the Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes. In order to avoid creating an administrative burden, the ultimate parent undertaking should be able to rely on the list of subsidiary undertakings included in the consolidated financial statements of the ultimate parent undertaking. The report on income tax information should also provide information concerning all the activities of all the affiliated undertakings of the group consolidated in the financial statements of the ultimate parent undertaking or, depending on the circumstances, concerning all the activities of the standalone undertaking. The information should be limited to what is necessary to make effective public scrutiny possible, in order to ensure that disclosure does not give rise to disproportionate risks or disadvantages for undertakings in terms of competitiveness or of misinterpretations regarding the undertakings concerned. The report on income tax information should be made accessible no later than 12 months after the balance sheet date. Any shorter periods for the publication of financial statements should not apply with regard to the report on income tax information. The provisions introduced by this Directive do not affect the provisions of Directive 2013/34/EU regarding annual financial statements and consolidated financial statements.
- (14) In order to avoid creating an administrative burden, undertakings should be entitled to present the information on the basis of the reporting instructions laid down in Section III, Parts B and C, of Annex III to Council Directive 2011/16/EU ⁽¹¹⁾ when preparing a report on income tax information in compliance with this Directive. The report on income tax information should specify which reporting framework was used. The report on income tax information might in addition include an overall narrative providing explanations in the event of there being material discrepancies at group level between the amounts of taxes accrued and the amounts of taxes paid, taking into account corresponding amounts concerning previous financial years.
- (15) It is important to ensure that data are comparable. To that end, implementing powers should be conferred on the Commission to lay down a common template and electronic reporting formats, which should be machine-readable, for the presentation of the report on income tax information pursuant to this Directive. In laying down that template and those reporting formats, the Commission should have regard to progress made in the area of digitisation and accessibility of information published by undertakings, especially as regards the development of the European single access point as proposed in its communication of 24 September 2020 entitled 'A Capital Markets Union for people and businesses – new action plan'. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽¹²⁾.
- (16) To ensure that a sufficient level of detail exists to enable citizens to better assess the contribution of multinational undertakings to the welfare of society in each Member State, the information should be broken down by Member State. Moreover, information concerning the operations of multinational undertakings should also be shown with a high level of detail as regards certain third-country tax jurisdictions which pose particular challenges. For all other third-country operations, the information should be given on an aggregate basis, unless the undertaking wishes to present more detailed information.
- (17) For certain tax jurisdictions, a high level of detail should be shown. The report on income tax information should always disclose information separately for each jurisdiction which is included in the Annexes to the Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes ⁽¹³⁾, and their subsequent updates which are specifically approved twice a year, customarily in February and October, and published in series C of the *Official Journal of the European Union*. Annex I to those Council conclusions presents the 'EU list of non-cooperative jurisdictions for tax purposes', while Annex II presents the 'State of play of the cooperation with the EU

⁽¹¹⁾ Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC (OJ L 64, 11.3.2011, p. 1).

⁽¹²⁾ 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).

⁽¹³⁾ See Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes and the Annexes thereto (OJ C 413 I, 12.10.2021, p. 1).

with respect to commitments taken by cooperative jurisdictions to implement tax good governance principles'. For Annex I, the jurisdictions that should be considered are those that were listed on 1 March of the financial year for which the report on income tax information is to be drawn up. For Annex II, the jurisdictions that should be considered are those that were mentioned in that Annex on 1 March of the financial year for which the report on income tax information is to be drawn up and on 1 March of the preceding financial year.

- (18) Immediate disclosure of the data to be included in the report on income tax information could, in certain cases, be seriously prejudicial to the commercial position of an undertaking. Therefore, Member States should have the possibility of allowing undertakings to defer the disclosure of specific items of information for a limited number of years, provided they clearly disclose the existence of the deferral, give a reasoned explanation for it in the report and document the basis for the reasoning. The information undertakings omit should be disclosed in a later report. Information pertaining to tax jurisdictions included in Annexes I and II to the Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes should never be omitted.
- (19) To strengthen corporate transparency and responsibility vis-à-vis investors, creditors, other third parties and the general public, and to ensure appropriate governance, the members of the administrative, management and supervisory bodies of the ultimate parent undertaking or standalone undertaking which is established within the Union and which has the obligation to draw up, publish and make accessible the report on income tax information should be collectively responsible for ensuring compliance with the reporting obligations under this Directive. Given that members of the administrative, management and supervisory bodies of the subsidiary undertakings which are established within the Union and which are controlled by an ultimate parent undertaking established outside the Union, or the person or persons in charge of carrying out the disclosure formalities for the branch, might have limited knowledge of the content of the report on income tax information prepared by the ultimate parent undertaking or might have a limited ability to obtain such information or such a report from the ultimate parent undertaking, the responsibility of those members or those persons should encompass ensuring, to the best of their knowledge and ability, that the report on income tax information of the ultimate parent undertaking or standalone undertaking has been drawn up and made public in a manner that is consistent with this Directive, or that the subsidiary undertaking or branch has drawn up, published and made accessible all the information in its possession, obtained or acquired, in accordance with this Directive. Where the information or report is incomplete, the responsibility of those members or those persons should extend to publishing a statement indicating that the ultimate parent undertaking or the standalone undertaking did not make the necessary information available.
- (20) To ensure that the public is aware of the scope of, and of compliance with, the reporting obligations introduced into Directive 2013/34/EU by this Directive, Member States should require that statutory auditors and audit firms state whether an undertaking was required to publish a report on income tax information, and if so, whether that report was published.
- (21) The obligations on Member States to provide for penalties and take all the measures necessary to ensure that those penalties are enforced pursuant to Directive 2013/34/EU apply to infringements of the national provisions as regards the disclosure of income tax information by certain undertakings and branches adopted pursuant to this Directive.
- (22) This Directive aims to enhance corporate transparency and the transparency and public scrutiny of corporate income tax information by adapting the existing legal framework concerning the obligations imposed on companies and firms in respect of the publication of reports, for the protection of the interests of members and others, within the meaning of Article 50(2), point (g), of the Treaty on the Functioning of the European Union (TFEU). As the Court of Justice held, in particular, in Case C-97/96 *Verband deutscher Daihatsu-Händler* ⁽¹⁴⁾, Article 50(2), point (g), TFEU refers to the need to protect the interests of 'others' generally, without distinguishing or excluding any categories falling within the ambit of that term. Thus, the term 'others' is broader than investors and

⁽¹⁴⁾ Judgement of the Court of Justice of 4 December 1997, *Verband deutscher Daihatsu-Händler*, C-97/96, ECLI:EU:C:1997:581.

creditors, and extends to other interested third parties, including competitors and the general public. Moreover, the objective of attaining freedom of establishment, which is assigned in very broad terms to the institutions by Article 50(1) TFEU, cannot be circumscribed by the provisions of Article 50(2) TFEU. Given that this Directive only concerns obligations to publish reports on income tax information, and does not concern the harmonisation of taxes, Article 50(1) TFEU constitutes the appropriate legal basis.

- (23) To ensure the full functioning of the internal market and a level playing field for Union and third-country multinational undertakings, the Commission should continue to explore possibilities for increasing fairness and tax transparency. In particular, the Commission should examine, within the framework of the review clause, whether, inter alia, full disaggregation would enhance the effectiveness of this Directive.
- (24) Since the objective of this Directive cannot be sufficiently achieved by the Member States but can rather, by reason of its effect, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (25) This Directive responds to the concerns expressed by interested parties about the need to tackle distortions in the internal market without compromising Union competitiveness. It should not cause an undue administrative burden for undertakings. Overall, within the framework of this Directive, the extent of the information to be disclosed is proportionate to the objectives of increasing corporate transparency and public scrutiny. This Directive respects therefore the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.
- (26) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified.
- (27) Directive 2013/34/EU should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Directive 2013/34/EU

Directive 2013/34/EU is amended as follows:

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

‘1a. The coordination measures prescribed by Articles 48a to 48e and Article 51 shall also apply to the laws, regulations and administrative provisions of the Member States relating to branches opened in a Member State by an undertaking which is not governed by the law of a Member State but which is of a legal form comparable with the types of undertakings listed in Annex I. Article 2 shall apply in respect of those branches to the extent that Articles 48a to 48e and Article 51 are applicable to such branches.’;

(2) after Article 48, the following Chapter is inserted:

‘CHAPTER 10a

REPORT ON INCOME TAX INFORMATION

Article 48a

Definitions relating to reporting on income tax information

1. For the purposes of this Chapter, the following definitions apply:

- (1) “ultimate parent undertaking” means an undertaking which draws up the consolidated financial statements of the largest body of undertakings;
- (2) “consolidated financial statements” means the financial statements prepared by a parent undertaking of a group, in which the assets, liabilities, equity, income and expenses are presented as those of a single economic entity;
- (3) “tax jurisdiction” means a State or non-State jurisdiction which has fiscal autonomy in respect of corporate income tax;
- (4) “standalone undertaking” means an undertaking which is not part of a group as defined in Article 2, point (11).

2. For the purposes of Article 48b of this Directive, “revenue” has the same meaning as:

- (a) “net turnover”, for undertakings governed by the law of a Member State that do not apply international accounting standards adopted on the basis of Regulation (EC) No 1606/2002; or
- (b) “revenue” as defined by or within the meaning of the financial reporting framework on the basis of which the financial statements are prepared, for other undertakings.

Article 48b

Undertakings and branches required to report on income tax information

1. Member States shall require ultimate parent undertakings governed by their national laws, where the consolidated revenue on their balance sheet date exceeded for each of the last two consecutive financial years a total of EUR 750 000 000, as reflected in their consolidated financial statements, to draw up, publish and make accessible a report on income tax information as regards the latter of those two consecutive financial years.

Member States shall provide for an ultimate parent undertaking to no longer be subject to the reporting obligations set out in the first subparagraph where the total consolidated revenue on its balance sheet date falls below EUR 750 000 000 for each of the last two consecutive financial years as reflected in its consolidated financial statements.

Member States shall require standalone undertakings governed by their national laws, where the revenue on their balance sheet date exceeded for each of the last two consecutive financial years a total of EUR 750 000 000, as reflected in their annual financial statements, to draw up, publish and make accessible a report on income tax information as regards the latter of those two consecutive financial years.

Member States shall provide for a standalone undertaking to no longer be subject to the reporting obligations set out in the third subparagraph where the total revenue on its balance sheet date falls below EUR 750 000 000 for each of the last two consecutive financial years as reflected in its financial statements.

2. Member States shall provide that the rule set out in paragraph 1 does not apply to standalone undertakings or ultimate parent undertakings and their affiliated undertakings where such undertakings, including their branches, are established, or have their fixed places of business or permanent business activity, within the territory of a single Member State and no other tax jurisdiction.

3. Member States shall provide that the rule set out in paragraph 1 of this Article does not apply to standalone undertakings and ultimate parent undertakings where such undertakings or their affiliated undertakings disclose a report, in accordance with Article 89 of Directive 2013/36/EU of the European Parliament and of the Council, (*) that encompasses information on all of their activities and, in the case of ultimate parent undertakings, on all the activities of all the affiliated undertakings included in the consolidated financial statements.

4. Member States shall require medium-sized and large subsidiary undertakings as referred to in Article 3(3) and (4) that are governed by their national laws and controlled by an ultimate parent undertaking that is not governed by the law of a Member State, where the consolidated revenue on its balance sheet date exceeded for each of the last two consecutive financial years a total of EUR 750 000 000, as reflected in its consolidated financial statements, to publish and make accessible a report on income tax information concerning that ultimate parent undertaking as regards the latter of those two consecutive financial years.

Where that information or report is not available, the subsidiary undertaking shall request its ultimate parent undertaking to provide it with all information required to enable it to meet its obligations under the first subparagraph. If the ultimate parent undertaking does not provide all the required information, the subsidiary undertaking shall draw up, publish and make accessible a report on income tax information containing all information in its possession, obtained or acquired, and a statement indicating that its ultimate parent undertaking did not make the necessary information available.

Member States shall provide for medium-sized and large subsidiary undertakings to no longer be subject to the reporting obligations set out in this paragraph where the total consolidated revenue of the ultimate parent undertaking on its balance sheet date falls below EUR 750 000 000 for each of the last two consecutive financial years as reflected in its consolidated financial statements.

5. Member States shall require branches opened in their territories by undertakings that are not governed by the law of a Member State to publish and make accessible a report on income tax information concerning the ultimate parent undertaking or the standalone undertaking referred to in the sixth subparagraph, point (a), as regards the latter of the last two consecutive financial years.

Where that information or report is not available, the person or persons designated to carry out the disclosure formalities referred to in Article 48e(2) shall request the ultimate parent undertaking or the standalone undertaking referred to in the sixth subparagraph, point (a), of this paragraph to provide them with all information necessary to enable them to meet their obligations.

In the event that not all the required information is provided, the branch shall draw up, publish and make accessible a report on income tax information, containing all information in its possession, obtained or acquired, and a statement indicating that the ultimate parent undertaking or the standalone undertaking did not make the necessary information available.

Member States shall provide for the reporting obligations set out in this paragraph to apply only to branches which have a net turnover that exceeded the threshold as transposed pursuant to Article 3(2) for each of the last two consecutive financial years.

Member States shall provide for a branch subject to the reporting obligations under this paragraph to no longer be subject to those obligations where its net turnover falls below the threshold as transposed pursuant to Article 3(2) for each of the last two consecutive financial years.

Member States shall provide that the rules set out in this paragraph apply to a branch only where the following criteria are met:

- (a) the undertaking that opened the branch is either an affiliated undertaking of a group whose ultimate parent undertaking is not governed by the law of a Member State and the consolidated revenue of which on its balance sheet date exceeded for each of the last two consecutive financial years a total of EUR 750 000 000, as reflected in its consolidated financial statements, or a standalone undertaking the revenue of which on its balance sheet date exceeded for each of the last two consecutive financial years a total of EUR 750 000 000 as reflected in its financial statements; and
- (b) the ultimate parent undertaking referred to in point (a) of this subparagraph does not have a medium-sized or large subsidiary undertaking as referred to in paragraph 4.

Member States shall provide for a branch to no longer be subject to the reporting obligations set out in this paragraph where the criterion provided for in point (a) ceases to be met for two consecutive financial years.

6. Member States shall not apply the rules set out in paragraphs 4 and 5 of this Article where a report on income tax information is drawn up by an ultimate parent undertaking or standalone undertaking that is not governed by the law of a Member State, in a manner that is consistent with Article 48c, and meets the following criteria:

- (a) it is made accessible to the public, free of charge and in an electronic reporting format which is machine-readable:
 - (i) on the website of that ultimate parent undertaking or of that standalone undertaking;
 - (ii) in at least one of the official languages of the Union;
 - (iii) no later than 12 months after the balance sheet date of the financial year for which the report is drawn up; and
- (b) it identifies the name and the registered office of a single subsidiary undertaking, or the name and the address of a single branch governed by the law of a Member State, which has published a report in accordance with Article 48d(1).

7. Member States shall require subsidiary undertakings or branches not subject to the provisions of paragraphs 4 and 5 of this Article to publish and make accessible a report on income tax information where such subsidiary undertakings or branches serve no other objective than to circumvent the reporting requirements set out in this Chapter.

Article 48c

Content of the report on income tax information

1. The report on income tax information required under Article 48b shall include information relating to all the activities of the standalone undertaking or ultimate parent undertaking, including those of all affiliated undertakings consolidated in the financial statements in respect of the relevant financial year.

2. The information referred to in paragraph 1 shall consist of:

- (a) the name of the ultimate parent undertaking or the standalone undertaking, the financial year concerned, the currency used for the presentation of the report and, where applicable, a list of all subsidiary undertakings consolidated in the financial statements of the ultimate parent undertaking, in respect of the relevant financial year, established in the Union or in tax jurisdictions included in Annexes I and II to the Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes;
- (b) a brief description of the nature of their activities;
- (c) the number of employees on a full-time equivalent basis;

- (d) revenues, which are to be calculated as:
 - (i) the sum of the net turnover, other operating income, income from participating interests, excluding dividends received from affiliated undertakings, income from other investments and loans forming part of the fixed assets, other interest receivable and similar income as listed in Annexes V and VI to this Directive; or
 - (ii) the income as defined by the financial reporting framework on the basis of which the financial statements are prepared, excluding value adjustments and dividends received from affiliated undertakings;
- (e) the amount of profit or loss before income tax;
- (f) the amount of income tax accrued during the relevant financial year, which is to be calculated as the current tax expense recognised on taxable profits or losses of the financial year by undertakings and branches in the relevant tax jurisdiction;
- (g) the amount of income tax paid on a cash basis, which is to be calculated as the amount of income tax paid during the relevant financial year by undertakings and branches in the relevant tax jurisdiction; and
- (h) the amount of accumulated earnings at the end of the relevant financial year.

For the purposes of point (d), the revenues shall include transactions with related parties.

For the purposes of point (f), the current tax expense shall relate only to the activities of an undertaking in the relevant financial year and shall not include deferred taxes or provisions for uncertain tax liabilities.

For the purposes of point (g), taxes paid shall include withholding taxes paid by other undertakings with respect to payments to undertakings and branches within a group.

For the purposes of point (h), the accumulated earnings shall mean the sum of the profits from past financial years and the relevant financial year, the distribution of which has not yet been decided upon. With regard to branches, accumulated earnings shall be those of the undertaking which opened the branch.

3. Member States shall permit the information listed in paragraph 2 of this Article to be reported on the basis of the reporting instructions referred to in Section III, Parts B and C, of Annex III to Council Directive 2011/16/EU (**).

4. The information referred to in paragraphs 2 and 3 of this Article shall be presented using a common template and electronic reporting formats which are machine-readable. The Commission shall, by means of implementing acts, lay down that common template and those electronic reporting formats. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 50(2).

5. The report on income tax information shall present the information referred to in paragraph 2 or 3 separately for each Member State. Where a Member State comprises several tax jurisdictions, the information shall be aggregated at Member State level.

The report on income tax information shall also present the information referred to in paragraph 2 or 3 of this Article separately for each tax jurisdiction which, on 1 March of the financial year for which the report is to be drawn up, is listed in Annex I to the Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes, and shall provide such information separately for each tax jurisdiction which, on 1 March of the financial year for which the report is to be drawn up and on 1 March of the preceding financial year, was mentioned in Annex II to the Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes.

The report on income tax information shall also present the information referred to in paragraph 2 or 3 on an aggregated basis for other tax jurisdictions.

The information shall be attributed to each relevant tax jurisdiction on the basis of establishment, the existence of a fixed place of business or of a permanent business activity which, given the activities of the group or standalone undertaking, can be subject to income tax in that tax jurisdiction.

Where the activities of several affiliated undertakings can be subject to income tax within a single tax jurisdiction, the information attributed to that tax jurisdiction shall represent the sum of the information relating to such activities of each affiliated undertaking and their branches in that tax jurisdiction.

Information on any particular activity shall not be attributed simultaneously to more than one tax jurisdiction.

6. Member States may allow for one or more specific items of information otherwise required to be disclosed in accordance with paragraph 2 or 3 to be temporarily omitted from the report where their disclosure would be seriously prejudicial to the commercial position of the undertakings to which the report relates. Any omission shall be clearly indicated in the report together with a duly reasoned explanation regarding the reasons therefor.

Member States shall ensure that all information omitted pursuant to the first subparagraph is made public in a later report on income tax information, within no more than five years of the date of its original omission.

Member States shall ensure that information pertaining to tax jurisdictions included in Annexes I and II to the Council conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes, as referred to in paragraph 5 of this Article, may never be omitted.

7. The report on income tax information may include, where applicable at group level, an overall narrative providing explanations for any material discrepancies between the amounts disclosed pursuant to paragraph 2, points (f) and (g), taking into account, if appropriate, corresponding amounts concerning previous financial years.

8. The currency used in the report on income tax information shall be the currency in which the consolidated financial statements of the ultimate parent undertaking or the annual financial statements of the standalone undertaking are presented. Member States shall not require this report to be published in a currency other than the currency used in the financial statements.

However, in the case mentioned in the second subparagraph of Article 48b(4), the currency used in the report on income tax information shall be the currency in which the subsidiary undertaking publishes its annual financial statements.

9. Member States that have not adopted the euro may convert the threshold of EUR 750 000 000 into their national currency. In making that conversion, those Member States shall apply the exchange rate as at 21 December 2021 published in the *Official Journal of the European Union*. Those Member States may increase or decrease the thresholds by up to 5 % in order to produce a round sum in the national currencies.

The thresholds referred to in Article 48b(4) and (5) shall be converted to an equivalent amount in the national currency of any relevant third countries by applying the exchange rate as at 21 December 2021, rounded off to the nearest thousand.

10. The report on income tax information shall specify whether it was prepared in accordance with paragraph 2 or 3 of this Article.

Article 48d

Publication and accessibility

1. The report on income tax information and the statement mentioned in Article 48b of this Directive shall be published within 12 months of the balance sheet date of the financial year for which the report is drawn up as provided for by each Member State in accordance with Articles 14 to 28 of Directive (EU) 2017/1132 of the European Parliament and of the Council (***) and, where relevant, in accordance with Article 36 of Directive (EU) 2017/1132.

2. Member States shall ensure that the report on income tax information and the statement published by the undertakings in accordance with paragraph 1 of this Article are made accessible to the public in at least one of the official languages of the Union, free of charge, no later than 12 months after the balance sheet date of the financial year for which the report is drawn up, on the website of:

- (a) the undertaking, where Article 48b(1) applies;
- (b) the subsidiary undertaking or an affiliated undertaking, where Article 48b(4) applies; or
- (c) the branch or the undertaking which opened the branch, or an affiliated undertaking, where Article 48b(5) applies.

3. Member States may exempt undertakings from applying the rules set out in paragraph 2 of this Article where the report on income tax information published in accordance with paragraph 1 of this Article is simultaneously made accessible to the public in an electronic reporting format which is machine-readable, on the website of the register referred to in Article 16 of Directive (EU) 2017/1132, and free of charge to any third party located within the Union. The website of the undertakings and branches, as referred to in paragraph 2 of this Article, shall contain information on that exemption and a reference to the website of the relevant register.

4. The report referred to in Article 48b(1), (4), (5), (6) and (7) and, where applicable, the statement referred to in paragraphs 4 and 5 of that Article, shall remain accessible on the relevant website for a minimum of five consecutive years.

Article 48e

Responsibility for drawing up, publishing and making accessible the report on income tax information

1. Member States shall provide that the members of the administrative, management and supervisory bodies of the ultimate parent undertakings or the standalone undertakings referred to in Article 48b(1), acting within the competences assigned to them under national law, have collective responsibility for ensuring that the report on income tax information is drawn up, published and made accessible in accordance with Articles 48b, 48c and 48d.

2. Member States shall provide that the members of the administrative, management and supervisory bodies of the subsidiary undertakings referred to in Article 48b(4) of this Directive and the person or persons designated to carry out the disclosure formalities provided for in Article 41 of Directive (EU) 2017/1132 for the branches referred to in Article 48b(5) of this Directive, acting within the competences assigned to them by national law, have collective responsibility for ensuring, to the best of their knowledge and ability, that the report on income tax information is drawn up in a manner that is consistent with or in accordance with, as relevant, Articles 48b and 48c, and that it is published and made accessible in accordance with Article 48d.

Article 48f

Statement by statutory auditor

Member States shall require that, where the financial statements of an undertaking governed by the law of a Member State are required to be audited by one or more statutory auditors or audit firms, the audit report shall state whether, for the financial year preceding the financial year for which the financial statements under audit were prepared, the undertaking was required under Article 48b to publish a report on income tax information and, if so, whether the report was published in accordance with Article 48d.

Article 48g

Commencement date for reporting on income tax information

Member States shall ensure that laws, regulations and administrative provisions transposing Articles 48a to 48f apply, at the latest, from the commencement date of the first financial year starting on or after 22 June 2024.

*Article 48h***Review clause**

By 22 June 2027, the Commission shall submit a report on compliance with, and the impact of, the reporting obligations set out in Articles 48a to 48f and, taking into account the situation at OECD level, the need to ensure that there is a sufficient level of transparency and the need to preserve and ensure a competitive environment for undertakings and private investment, it shall review and assess, in particular, whether it would be appropriate to extend the obligation to report on income tax information set out in Article 48b to large undertakings and large groups, as defined in Article 3(4) and (7) respectively, and to extend the content of the report on income tax information set out in Article 48c to include additional items. In that report, the Commission shall also assess the impact that presenting the tax information on an aggregated basis for third-country tax jurisdictions as provided for in Article 48c(5) and the temporary omission of information provided for in Article 48c(6) has on the effectiveness of this Directive.

The Commission shall submit the report to the European Parliament and to the Council, together, where appropriate, with a legislative proposal.

(*) Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

(**) Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC (OJ L 64, 11.3.2011, p. 1).

(***) Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).;

(3) in Article 49, the following paragraph is inserted:

‘3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making (*).

(*) OJ L 123, 12.5.2016, p. 1.’

*Article 2***Transposition**

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 22 June 2023. They shall immediately communicate the text of those provisions to the Commission.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

*Article 3***Entry into force**

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

*Article 4***Addressees**

This Directive is addressed to the Member States.

Done at Strasbourg, 24 November 2021.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. LOGAR

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2021/2102

of 28 June 2021

on the signing, on behalf of the European Union, and provisional application of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and the Republic of Armenia, of the other part

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(5) and (7) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 1 December 2016 the Council authorised the Commission to open negotiations with the Republic of Armenia for a common aviation area agreement. The negotiations were successfully concluded with the initialling of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and the Republic of Armenia, of the other part ('the Agreement') on 24 November 2017.
- (2) The signing of the Agreement on behalf of the Union and its provisional application do not affect the allocation of competences between the Union and its Member States. This Decision should not be interpreted as making use of the possibility for the Union to exercise its external competence with regard to areas covered by the Agreement falling within shared competence to the extent that such competence has not yet been exercised internally by the Union.
- (3) The Agreement should be signed and applied on a provisional basis, pending the completion of the procedures necessary for its entry into force.
- (4) It is appropriate to lay down the procedure to be followed with respect to the position to be taken on behalf of the Union as regards decisions of the Joint Committee under Article 27(7) of the Agreement concerning the inclusion of Union legislation in Annex II thereto,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and the Republic of Armenia, of the other part, is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

⁽¹⁾ See page 17 of this Official Journal.

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 in accordance with Article 30(4) and (5) thereof, pending the completion of the procedures necessary for its entry into force.

Article 4

The Commission is authorised to adopt, after consultation sufficiently in advance of the Council or its preparatory bodies, as the Council may decide, the position to be taken on behalf of the Union as regards decisions of the Joint Committee under Article 27(7) of the Agreement concerning the revision of Annex II to the Agreement, insofar as it concerns the inclusion of Union legislation in that Annex, subject to any technical adjustments needed.

Article 5

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

Done at Luxembourg, 28 June 2021.

For the Council
The President
M. do C. ANTUNES

COMMON AVIATION AREA AGREEMENT

between the European Union and its Member States, of the one part, and the Republic of Armenia, of the other part

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THE KINGDOM OF BELGIUM,
THE REPUBLIC OF BULGARIA,
THE CZECH REPUBLIC,
THE KINGDOM OF DENMARK,
THE FEDERAL REPUBLIC OF GERMANY,
THE REPUBLIC OF ESTONIA,
IRELAND,
THE HELLENIC REPUBLIC,
THE KINGDOM OF SPAIN,
THE FRENCH REPUBLIC,
THE REPUBLIC OF CROATIA,
THE ITALIAN REPUBLIC,
THE REPUBLIC OF CYPRUS,
THE REPUBLIC OF LATVIA,
THE REPUBLIC OF LITHUANIA,
THE GRAND DUCHY OF LUXEMBOURG,
HUNGARY,
THE REPUBLIC OF MALTA,
THE KINGDOM OF THE NETHERLANDS,
THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF POLAND,
THE PORTUGUESE REPUBLIC,
ROMANIA,
THE REPUBLIC OF SLOVENIA,
THE SLOVAK REPUBLIC,
THE REPUBLIC OF FINLAND,
THE KINGDOM OF SWEDEN,

being parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as "the EU Treaties", and being Member States of the European Union, hereinafter collectively referred to as "EU Member States" or individually as "EU Member State",

and the EUROPEAN UNION,

of the one part,

and the REPUBLIC OF ARMENIA, hereinafter referred to as "Armenia",

of the other part,

hereinafter jointly referred to as the "Parties",

the EU Member States and Armenia being parties to the Convention on International Civil Aviation, opened for signature at Chicago on 7 December 1944, together with the European Union;

NOTING the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Armenia, of the other part, done at Luxembourg on 22 April 1996;

DESIRING to create a common aviation area (hereinafter referred to as "CAA") based on the goal of opening access to markets of the Parties, with equal conditions of competition, non-discrimination and respect for the same rules – including in the areas of safety, security, air traffic management, competition, social aspects and the environment;

DESIRING to enhance air services and to promote an international aviation system based on non-discrimination and open and fair competition among air carriers in the marketplace;

DESIRING to promote their interests in respect of air transport;

RECOGNISING the importance of efficient air transport connectivity in promoting trade, tourism, investment, and economic and social development;

AGREEING that it is appropriate to base the CAA rules on the relevant legislation in force within the European Union, as laid down in Annex II to this Agreement;

RECOGNISING that full compliance with the CAA rules enables the Parties to reap the full advantages of the CAA, including the opening of access to markets and the maximisation of benefits for the consumers and the industries and workers of both Parties;

RECOGNISING that the creation of the CAA and implementation of its rules cannot be achieved without transitional arrangements, where necessary, and that adequate assistance is important in this regard;

DESIRING to ensure the highest degree of safety and security in air transport and affirming their grave concern with regard to acts or threats against the security of aircraft which jeopardise the safety of persons or property, adversely affect the operation of aircraft and undermine the confidence of the travelling public in the safety of civil aviation;

DETERMINED to maximise the potential benefits of regulatory cooperation and harmonisation of their respective laws and regulations applicable to civil aviation;

ACKNOWLEDGING the significant potential benefits that may arise from competitive air services and viable air transport industries;

DESIRING to foster free, fair and undistorted competition, recognising that subsidies may adversely affect competition and may jeopardise the basic objectives of this Agreement and recognising that, where there is not a competitive level playing field for air carriers with free, fair and undistorted competition, potential benefits may not be realised;

INTENDING to build upon the framework of existing agreements and arrangements between the Parties with the aim of opening access to markets and maximising benefits to consumers, shippers, air carriers and airports and their employees, communities and others benefiting indirectly;

AFFIRMING the importance of protecting the environment in developing and implementing international aviation policy;

AFFIRMING the need for urgent actions to address climate change and for continued cooperation to reduce greenhouse gas emissions in the aviation sector, in a manner consistent with multilateral arrangements on this matter and in particular relevant International Civil Aviation Organization (hereinafter referred to as "ICAO") instruments and the Paris Agreement of 12 December 2015 under the United Nations Framework Convention on Climate Change;

AFFIRMING the importance of protecting consumers, including the protections afforded by the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999, and of achieving an appropriate level of consumer protection associated with air services; and recognising the need for mutual cooperation in this area;

RECOGNISING that increased commercial opportunities are not intended to undermine their labour or labour-related standards and affirming the importance of the social dimension of international aviation and of considering the effects of opening access to markets on labour, employment and working conditions;

NOTING the importance of better access to capital for the air transport industry in order to further develop air transport;

RECOGNISING the potential benefits of providing for the accession of third countries to this Agreement;

DESIRING to conclude an agreement on air transport, supplementary to the Convention on International Civil Aviation;

HAVE AGREED AS FOLLOWS:

Article 1

Objective

The objective of this Agreement is the creation of a common aviation area between the Parties based on progressive market opening, liberalisation of air carrier ownership and control, fair and equal conditions of competition, non-discrimination and common rules, including in the areas of safety, security, air traffic management, social aspects and the environment. To this end, this Agreement sets out the rules applicable between the Parties. These rules include the provisions laid down by the legislation specified in Annex II.

Article 2

Definitions

For the purposes of this Agreement, unless otherwise stated, the following definitions apply:

- (1) "Agreement" means this Agreement, any Annexes and Appendices to it, and any amendments thereto;
- (2) "air transport" means the carriage by aircraft of passengers, baggage, cargo and mail, separately or in combination, held out to the public for remuneration or hire, including scheduled and non-scheduled air services;
- (3) "citizenship determination" means a finding that an air carrier proposing to operate air services under this Agreement satisfies the requirements set out in Article 4 regarding its ownership, effective control, and principal place of business;
- (4) "fitness determination" means a finding that an air carrier proposing to operate air services under this Agreement has satisfactory financial capability and adequate managerial expertise to operate such services and is disposed to comply with the laws, regulations, and requirements that govern the operation of such services;
- (5) "competent authority" means the government agency or State entity responsible for the administrative functions under this Agreement;
- (6) "Convention" means the Convention on International Civil Aviation, opened for signature at Chicago on 7 December 1944, and includes:
 - (a) any amendment that has come into force under Article 94(a) of the Convention and has been ratified by both Armenia and the EU Member State or EU Member States as is relevant to the issue in question; and
 - (b) any annex or any amendment thereto adopted under Article 90 of the Convention, insofar as such annex or amendment is at any given time effective for both Armenia and the EU Member State or EU Member States as is relevant to the issue in question;
- (7) "full cost" means the cost of service provided plus a reasonable charge for administrative overhead;
- (8) "international air transport" means air transport that passes through the airspace over the territory of more than one State;

- (9) "principal place of business" means the head office or registered office of an air carrier in the territory of the Party within which the principal financial functions and operational control, including continued airworthiness management, of the air carrier are exercised;
- (10) "stop for non-traffic purposes" means a landing for any purpose other than taking on board or discharging passengers, baggage, cargo or mail in air transport;
- (11) "air fares" means the prices to be paid to air carriers or their agents or other ticket sellers for the carriage of passengers on air services (including any other mode of transport in connection therewith) and any conditions under which those prices apply, including remuneration and conditions offered to agency and other auxiliary services;
- (12) "air rates" means the prices to be paid for the carriage of cargo on air services (including any other mode of transport in connection therewith) and the conditions under which those prices apply, including remuneration and conditions offered to agency and other auxiliary services;
- (13) "territory" means, for Armenia, the territory of the Republic of Armenia and, for the European Union and the EU Member States, the land territory, internal waters and territorial sea of the EU Member States to which the EU Treaties apply and under the conditions laid down in the EU Treaties, as well as the air space above them;
- (14) "user charge" means a charge imposed on air carriers for the provision of airport, airport environmental, air navigation or aviation security facilities or services, including related services and facilities;
- (15) "self-handling" means a situation in which an airport user directly provides for himself one or more categories of ground handling services and concludes no contract of any description with a third party for the provision of such services; for the purpose of this definition, among themselves airport users shall not be deemed to be third parties where:
- (a) one holds the majority in the other; or
 - (b) a single body has a majority holding in each;
- (16) "fifth freedom right" means the right or privilege granted by one State ("the Granting State") to the air carriers of another State ("the Recipient State") to provide international air transport services between the territory of the Granting State and the territory of a third State, subject to the condition that such services originate or terminate in the territory of the Recipient State;
- (17) "third country" means a country which is not an EU Member State or Armenia.

TITLE I

ECONOMIC PROVISIONS

Article 3

Grant of rights

1. The rights set out in this Article are subject to the transitional provisions contained in Annex I to this Agreement.

Traffic rights and route schedule

2. Each Party shall grant to the other Party the following rights for the conduct of international air transport by the air carriers of the other Party on a non-discriminatory basis:
 - (a) the right to fly across its territory without landing;
 - (b) the right to make stops in its territory for non-traffic purposes;

(c) the right to perform scheduled and non-scheduled passenger, combination and all-cargo international air transport between points ⁽¹⁾ on the following routes:

(i) for air carriers of the European Union:

points in the European Union – intermediate points in the territories of European Neighbourhood Policy partners ⁽²⁾, parties to the Multilateral Agreement establishing a European Common Aviation Area ⁽³⁾, or Member States of the European Free Trade Association ⁽⁴⁾ – points in Armenia – points beyond;

(ii) for air carriers of Armenia:

points in Armenia – intermediate points in the territories of European Neighbourhood Policy partners, parties to the Multilateral Agreement establishing a European Common Aviation Area or Member States of the European Free Trade Association – points in the European Union;

(d) the rights otherwise specified in this Agreement.

Operational flexibility

3. Air carriers of each Party may on any or all flights and at their option on the routes specified in paragraph 2:

- (a) operate flights in either or both directions;
- (b) combine different flight numbers within one aircraft operation;
- (c) serve intermediate and beyond points, and points in the territories of the Parties in any combination and in any order according to the provisions of paragraph 2;
- (d) omit stops at any point or points;
- (e) transfer traffic from any of their aircraft to any of their other aircraft at any point (change of gauge);
- (f) make stopovers at any points whether within or outside the territory of either Party;
- (g) carry transit traffic through the territory of the other Party;
- (h) combine traffic on the same aircraft regardless of where such traffic originates; and
- (i) serve more than one point on the same service (co-terminalisation).

The operational flexibility provided for in this paragraph may be exercised without directional or geographic limitation and without loss of any right to carry traffic otherwise permissible under this Agreement, provided that:

- (a) the services of air carriers of Armenia serve a point in Armenia;
- (b) the services of air carriers of the European Union serve a point in the European Union.

4. Each Party shall allow air carriers to determine the frequency and capacity of the international air transport that they offer based on commercial considerations in the marketplace. Consistent with this right, neither Party shall unilaterally limit the volume of traffic, frequency or regularity of service, routing, origin or destination of traffic, or the aircraft type or types operated by the air carriers of the other Party, except for customs, technical, operational, air traffic management safety, environmental or health protection reasons or unless otherwise provided for in this Agreement.

⁽¹⁾ The reference to points in this Article shall be understood as internationally recognised airports.

⁽²⁾ See: Council Conclusions of 16 June 2003 taken together with the Communication from the Commission on the European Neighbourhood Policy of 12 May 2004 endorsed by the Council in its Conclusions of 14 June 2004.

⁽³⁾ Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo ⁽¹⁾ on the establishment of a European Common Aviation Area (OJ L 285, 16.10.2006, p. 3) ⁽¹⁾ Pursuant to UN Security Council Resolution 1244 of 10 June 1999).

⁽⁴⁾ The Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation.

5. The air carriers of each Party may serve, including within the framework of code share arrangements, any point located in a third country that is not included on the specified routes, provided that they do not exercise fifth freedom rights.
6. Nothing in this Agreement shall be deemed to:
- (a) confer on the air carriers of Armenia the right to take on board in any EU Member State passengers, baggage, cargo, or mail carried for compensation and destined for another point in that same EU Member State;
 - (b) confer on the air carriers of the European Union the right to take on board in Armenia passengers, baggage, cargo, or mail carried for compensation and destined for another point in Armenia.
7. In exercising their respective rights and obligations under this Agreement, the Parties shall refrain from any form of discrimination between air carriers of the other Party, in particular on the grounds of nationality.
8. Notwithstanding any other provisions of this Agreement, each Party has the right to refuse the operation of international air transport to, from or through the territory of a third country with which this Party does not have diplomatic relations.

Article 4

Operating authorisation and technical permission

1. On receipt of an application for an operating authorisation from an air carrier of a Party, the other Party shall grant the appropriate operating authorisations and technical permissions with minimum procedural delay, provided that:
- (a) for an air carrier of Armenia:
 - (i) the air carrier has its principal place of business in Armenia, and holds a valid operating licence in accordance with the law of Armenia;
 - (ii) effective regulatory control of the air carrier is exercised and maintained by Armenia having issued its air operator certificate and the competent authority is clearly identified; and
 - (iii) unless otherwise determined under Article 6, the air carrier is owned, directly or through majority ownership, and is effectively controlled by Armenia, or its nationals, or both;
 - (b) for an air carrier of the European Union:
 - (i) the air carrier has its principal place of business in the territory of the European Union and holds a valid operating licence in accordance with European Union law;
 - (ii) effective regulatory control of the air carrier is exercised and maintained by the EU Member State responsible for issuing its air operator certificate and the competent authority is clearly identified; and
 - (iii) unless otherwise determined under Article 6, the air carrier is owned, directly or through majority ownership, and is effectively controlled by one or more EU Member States or Member States of the European Free Trade Association or by their nationals, or both;
 - (c) Articles 14 and 15 are complied with; and
 - (d) the air carrier meets the conditions prescribed under the laws and regulations normally applied to the operation of international air transport by the Party considering the application.
2. When granting operating authorisations and technical permissions, each Party shall treat all carriers of the other Party in a non-discriminatory manner.

3. On receipt of an application for an operating authorisation from an air carrier of a Party, the other Party shall recognise any fitness determination or citizenship determination made by the first Party with respect to that air carrier as if such determination had been made by its own competent authorities, and shall not enquire further into such matters, except as provided in the second and third subparagraphs.

If, after receipt of an application for operating authorisation from an air carrier, or after the grant of such authorisation, the competent authorities of the receiving Party have a specific concern that, despite the determination made by the other Party, any condition prescribed in paragraph 1 for the grant of appropriate operating authorisations or technical permissions has not been met, the receiving Party shall promptly advise the other Party, giving substantive reasons for its concern. In that event, either Party may request consultations, which may include representatives of the competent authorities of the Parties, or additional information relevant to the concern and the request for consultation shall be met as soon as practicable. If the matter remains unresolved, either Party may bring the matter to the Joint Committee referred to in Article 23 ("the Joint Committee").

This paragraph does not cover the recognition of determinations in relation to safety certificates or licences, security arrangements or insurance coverage.

Article 5

Refusal, revocation, suspension or limitation of operating authorisation and technical permission

1. Either Party may refuse, revoke, suspend, impose conditions on or limit the operating authorisations or technical permissions or otherwise refuse, suspend, impose conditions on or limit the operations of an air carrier of the other Party where:

(a) for an air carrier of Armenia:

- (i) the air carrier does not have its principal place of business in Armenia or does not hold a valid operating licence in accordance with the law of Armenia;
- (ii) effective regulatory control of the air carrier is not exercised or not maintained by Armenia, where Armenia is responsible for issuing its air operator certificate, or the competent authority is not clearly identified; or
- (iii) unless otherwise determined under Article 6, the air carrier is not owned, directly or through majority ownership or is not effectively controlled by Armenia, or its nationals, or both;

(b) for an air carrier of the European Union:

- (i) the air carrier does not have its principal place of business in the territory of the European Union or does not hold a valid operating licence in accordance with European Union law;
- (ii) effective regulatory control of the air carrier is not exercised or not maintained by the EU Member State responsible for issuing its air operator certificate or the competent authority is not clearly identified; or
- (iii) unless otherwise determined under Article 6, the air carrier is not owned, directly or through majority ownership, or is not effectively controlled by a Member State or Member States of the European Union or the European Free Trade Association or by nationals of such States, or both;

(c) Articles 8, 14 and 15 are not complied with; or

(d) the air carrier has failed to comply with the laws and regulations referred to in Article 7 or with the laws and regulations normally applied to the operation of international air transport by the Party considering the application.

2. Unless immediate action is essential to prevent further non-compliance with point (c) or (d) of paragraph 1, the rights established by this Article shall be exercised only after consultation with the other Party.

3. This Article does not limit the rights of either Party to refuse, revoke, suspend, impose conditions on or limit the operating authorisation or technical permission of an air carrier or air carriers of the other Party in accordance with Articles 14 or 15.

Article 6

Investment in air carriers

1. Notwithstanding Articles 4 and 5, and upon verification by the Joint Committee in accordance with Article 23(8) that, under their respective laws, each of the Parties or their nationals may acquire majority ownership or the effective control of an air carrier of the other Party, the Parties may allow majority ownership or the effective control of an air carrier of Armenia by EU Member States or their nationals, or of an air carrier of the European Union by Armenia or its nationals, in accordance with paragraph 2 of this Article.

2. In relation to paragraph 1 of this Article, investments in air carriers by the Parties or their nationals shall be individually permitted by virtue of a prior decision of the Joint Committee in accordance with Article 23(2).

That decision shall specify the conditions associated with the operation of the agreed services under this Agreement and with the services between third countries and the Parties. Article 23(11) shall not apply to that decision.

Article 7

Compliance with laws and regulations

1. While entering, within or leaving, the territory of one Party, the laws and regulations applicable within that territory relating to the admission to, operating within, or departure from its territory of aircraft engaged in international air transport shall be complied with by the air carriers of the other Party.

2. While entering, within or leaving, the territory of one Party, the laws and regulations applicable within that territory relating to the admission to, operating within, or departure from its territory of passengers, crew, baggage, cargo or mail on aircraft (including regulations relating to entry, clearance, immigration, passports, customs and quarantine, or in the case of mail, postal regulations) shall be complied with by, or on behalf of, such passengers, crew, baggage, cargo and mail of the air carriers of the other Party.

3. The Parties shall permit, in their respective territory, the air carriers of the other Party to take measures to ensure that only persons with the travel documents required for entry into or transit through the territory of the other Party are carried.

Article 8

Fair competition

1. The Parties acknowledge that it is their joint objective to have a fair and competitive environment and fair and equal opportunity for the companies involved in air transport services of both Parties to compete in operating the agreed services on the specified routes. Therefore, the Parties shall take all appropriate measures to ensure the full enforcement of this objective.

2. The Parties assert that free, fair and undistorted competition is important to promote the objectives of this Agreement and note that the existence of comprehensive competition laws and of an independent competition authority as well as the sound and effective enforcement of their respective competition laws are important for the efficient provision of air transport services. The competition laws of each Party addressing the issues covered by this Article, as amended from time to time, shall apply to the operation of the air carriers within the jurisdiction of the respective Party. The Parties share the objectives of compatibility and convergence of competition law and of its effective application. They will cooperate as appropriate and where relevant on the effective application of competition law, including by allowing the disclosure, in accordance with their respective rules and jurisprudence, by their respective companies or other nationals of information pertinent to a competition law action by the competition authorities of the other Party.

3. Nothing in this Agreement shall affect, limit or jeopardise in any way the authority and powers of the relevant competition authorities and courts of either Party (and of the European Commission), and all matters relating to the enforcement of competition law shall continue to fall under the exclusive competence of those authorities and courts. Therefore, any action taken pursuant to this Article by a Party shall be without prejudice to any possible actions taken by those authorities and courts.

4. Any action taken pursuant to this Article shall fall under the exclusive responsibility of the Parties and shall be exclusively directed towards the other Party or to companies providing air transport services to/from the Parties. Such action shall not be subject to the dispute settlement procedure foreseen in Article 24.

5. Each Party shall eliminate all forms of discrimination or unfair practices which would adversely affect the fair and equal opportunity of the companies involved in air transport services of the other Party to compete in providing air transport services.

6. Neither Party shall provide or permit public subsidies or support to any company if these subsidies or support would significantly and adversely affect the fair and equal opportunity of the companies of the other Party to compete in providing air transport services. Such public subsidies or support may include, but are not limited to: cross-subsidisation; the setting-off of operational losses; the provision of capital; grants; guarantees; loans or insurance on privileged terms; protection from bankruptcy; foregoing the recovery of amounts due; foregoing a normal return on public funds invested; tax relief or tax exemptions; compensation for financial burdens imposed by public authorities; and access on a discriminatory or non-commercial basis to air navigation or airport facilities and services, fuel, ground handling, security, computerised reservation systems, slot allocation or other related facilities and services necessary for the operation of air services.

7. If a Party provides public subsidies or support to a company, it shall ensure the transparency of such measure through any appropriate means, which may include requiring that the company identifies the subsidy or support clearly and separately in its accounts.

8. Each Party shall, at the request of the other Party, provide to the other Party within a reasonable time financial reports relating to the entities under the jurisdiction of the first Party, and any other such information that may be reasonably requested by the other Party to ensure that the provisions of this Article are being complied with. This may include detailed information relating to subsidies or support. Such information may be subject to its confidential treatment by the Party requesting access to the information.

9. Without prejudice to any action undertaken by the relevant competition authority or court for the enforcement of the rules referred to in paragraphs 5 and 6:

- (a) if one Party finds that a company is being subject to discrimination or unfair practices in the sense of paragraph 5 or 6 and that this can be substantiated, it may submit observations in writing to the other Party. After informing the other Party, a Party may also approach responsible government entities in the territory of the other Party, including entities at the central, regional, provincial or local level to discuss matters relating to this Article. Moreover, a Party may request consultations on this matter with the other Party with a view to solving the problem. Such consultations shall start within 30 days of the receipt of the request. In the meantime, the Parties shall exchange sufficient information to enable a full examination of the concern expressed by one of the Parties;
- (b) if the Parties fail to reach a resolution of the matter through consultations within 30 days of the start of consultations or consultations do not start within 30 days of the receipt of the request concerning an alleged violation of paragraph 5 or 6, the Party which requested the consultation shall have the right to suspend the exercise of the rights specified in this Agreement by the concerned companies of the other Party by refusing, revoking or suspending the operating authorisation/permit, or to impose such conditions as it may deem necessary on the exercise of such rights, or impose duties or take other actions. Any action taken pursuant to this paragraph shall be appropriate, proportionate and restricted with regard to scope and duration to what is strictly necessary.

10. Each Party shall effectively apply antitrust laws in accordance with paragraph 2, and shall prohibit companies:

- (a) in conjunction with any other company to enter into agreements, take decisions or engage in concerted practices which may affect air transport services to/from that Party and which have as their object or effect the prevention, restriction or distortion of competition. This prohibition may be declared inapplicable where such agreements, decisions or practices contribute to improving the production or distribution of services or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and do not: (i) impose on the companies concerned restrictions which are not indispensable to the attainment of these objectives; (ii) afford such companies the possibility of eliminating competition in respect of a substantial part of the services in question; and
- (b) to abuse a dominant position in a way which may affect air transport services to/from that Party.

11. Each Party shall entrust the enforcement of the antitrust rules referred to in paragraph 10 exclusively to its relevant and independent competition authority or court.

12. Without prejudice to any action undertaken by the relevant competition authority or court for the enforcement of the rules referred to in paragraph 10, if one Party finds that a company suffers from an alleged violation of paragraph 10 and that this can be substantiated, it may submit observations in writing to the other Party. After informing the other Party, a Party may also approach responsible government entities in the territory of the other Party, including entities at the central, regional, provincial or local level to discuss matters relating to this Article. Moreover, a Party may request consultations on this matter with the other Party with a view to solving the problem. Such consultations shall start within 30 days of the receipt of the request. In the meantime, the Parties shall exchange sufficient information to enable a full examination of the concern expressed by one of the Parties.

13. If the Parties fail to reach a resolution of the matter through consultations within 30 days of the start of consultations or consultations do not start within 30 days of the receipt of the request concerning an alleged violation of paragraph 10, and provided that the relevant competent competition authority or court has found an antitrust violation, the Party which requested the consultation shall have the right to suspend the exercise of the rights specified in this Agreement by the concerned companies of the other Party by refusing, revoking or suspending the operating authorisation/permit, or to impose such conditions as it may deem necessary on the exercise of such rights, or impose duties or take other actions. Any action taken pursuant to this paragraph shall be appropriate, proportionate and restricted with regard to scope and duration to what is strictly necessary.

Article 9

Commercial opportunities

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part A.

2. The Parties agree that obstacles to doing business encountered by commercial operators would hamper the benefits to be achieved by this Agreement. The Parties shall therefore engage in an effective and reciprocal process to remove obstacles to doing business encountered by commercial operators of both Parties where such obstacles may hamper commercial operations or create distortions to competition or affect equal opportunities to compete.

3. Air carriers of the two Parties shall not be required to retain a local sponsor.

4. The Joint Committee shall develop a process of cooperation in relation to doing business and commercial opportunities, shall monitor progress in effectively addressing obstacles to doing business encountered by commercial operators and shall regularly review developments, including towards legislative and regulatory changes. In accordance with Article 23, a Party may request a meeting of the Joint Committee to discuss any question related to the application of this Article.

5. The air carriers of each Party shall have the right to freely establish offices and facilities in the territory of the other Party where such offices and facilities are required for the provision of air transport and for the promotion and sale of air transport and related activities, including the right to sell and to issue any ticket or airway bill of its own or of any other air carrier.

6. The air carriers of each Party shall be entitled, in accordance with the laws and regulations of the other Party relating to entry, residence, and employment, to bring in and maintain in the territory of the other Party managerial, sales, technical, operational, and other specialist staff who are required to support the provision of air transport. Both Parties shall facilitate and expedite the granting of employment authorisations, where required, for personnel employed in the offices according to this paragraph, including those performing certain temporary duties not exceeding 90 days, subject to the relevant laws and regulations in force.

7. Without prejudice to the second subparagraph, each air carrier shall have in relation to ground handling in the territory of the other Party:

- (a) the right to perform its own ground handling (self-handling); or
- (b) the right to select among competing suppliers, including other air carriers, that provide ground handling services in whole or in part where such suppliers are allowed market access on the basis of the laws and regulations of each Party, and where such suppliers are present in the market.

The rights under points (a) and (b) of the first subparagraph shall be subject only to specific constraints of available space or capacity arising from the need to maintain the safe operation of the airport. Where such constraints limit, prevent or preclude self-handling and where there is no effective competition between suppliers that provide ground handling services, the relevant Party shall ensure that all such services are available on both an equal and an adequate basis to all air carriers; prices of such services shall be determined according to relevant, objective, transparent and non-discriminatory criteria.

8. Each supplier of ground handling services, whether an air carrier or not, shall have in relation to ground handling in the territory of the other Party the right to provide ground handling services for air carriers operating at the same airport, where authorised and consistent with applicable laws and regulations.

9. Each Party shall ensure that its regulations, guidelines and procedures for allocation of slots at the airports in its territory are applied in an independent, transparent, effective, non-discriminatory and timely manner.

10. Notification of operational plans, programmes or schedules for air services operated under this Agreement may be required by a Party for information purposes only in order to being able to verify that the rights granted under this Agreement are respected. If a Party requires such notification, it shall minimise the administrative burdens of notification requirements and procedures on air transport intermediaries and on air carriers of the other Party.

11. Any air carrier of each Party may engage in the sale of air transport and related services in the territory of the other Party directly or, at the air carrier's discretion, through its sales agents, other intermediaries appointed by the air carrier or through the internet or any other available channel. Each air carrier shall have the right to sell such transport and related services, and any person shall be free to purchase such transport and related services, in the currency of that territory or in freely convertible currencies.

12. The air carriers of each Party shall be permitted to pay for local expenses, including purchases of fuel and payment of airport charges in the territory of the other Party in local currency. At their discretion, the air carriers of each Party may pay for such expenses in the territory of the other Party in freely convertible currencies at the market rate of exchange.

13. Each air carrier shall have the right on demand to convert into freely convertible currencies and remit at any time, in any way, from the territory of the other Party to the country of its choice, local revenues. Conversion and remittance shall be permitted promptly without restrictions or taxation in respect thereof at the market rate of exchange applicable to current transactions and remittance on the date the air carrier makes the initial application for remittance and shall not be subject to any charges except those normally made by banks for carrying out such conversion and remittance.

14. In operating or holding out services under this Agreement, any air carrier of a Party may enter into cooperative marketing arrangements, such as blocked-space or code-sharing arrangements, with:

- (a) any air carrier or carriers of the Parties;

- (b) any air carrier or carriers of a third country; and
- (c) any surface (land or maritime) transport provider of any country;

provided that (i) the operating carrier holds the appropriate traffic rights; (ii) the marketing carriers hold the appropriate underlying route rights; and (iii) the arrangements meet the requirements relating to safety and competition normally applied to such arrangements.

15. In respect to the transport of passengers sold involving cooperative marketing arrangements, the purchaser shall be informed at the point of sale, or in any case at check-in, or before boarding where no check-in is required for a connecting flight, which transport providers will operate each sector of the service.

16. In relation to the transport of passengers, surface transport providers shall not be subject to laws and regulations governing air transport on the sole basis that such surface transport is held out by an air carrier under its own name.

17. Notwithstanding any other provision of this Agreement, air carriers and indirect providers of cargo transport of the Parties shall be permitted, without restriction, to employ in connection with international air transport any surface transport for cargo to or from any points in the territories of the Parties, or in third countries, including transport to and from all airports internationally recognised with customs facilities, and including, where applicable, the right to transport cargo in bond under applicable laws and regulations. Such cargo, whether moving by surface or by air, shall have access to airport customs processing and facilities. Air carriers may elect to perform their own surface transport or to provide it through arrangements with other surface transport providers, including surface transport operated by other air carriers and indirect providers of cargo air transport. Such intermodal cargo services may be offered at a single, through price for the air and surface transport combined, provided that shippers are not misled as to the facts concerning such transport.

18. The air carriers of each Party shall be entitled to enter into franchising or branding arrangements with companies, including air carriers, of either Party or third countries, provided that the air carriers hold the appropriate authority and meet the conditions prescribed under the laws and regulations normally applied by the Parties to such arrangements, particularly those requiring the disclosure of the identity of the air carrier operating the service.

19. The air carriers of each Party may enter into arrangements for the provision of aircraft with or without crew for the operation of international air transport with:

- (a) any air carrier or carriers of the Parties; and
- (b) any air carrier or carriers of a third country,

provided that all participants in such arrangements hold the appropriate authority and meet the conditions prescribed under the respective laws and regulations applied by the Parties to such arrangements. Neither Party shall require the air carrier providing the aircraft to hold traffic rights under this Agreement for the routes on which the aircraft will be operated. The Parties may require these arrangements to be approved by their competent authorities. Where a Party requires such approval, it shall minimise the administrative burdens for air carriers of the approval procedures.

Article 10

Customs duties and taxation

1. On arriving in the territory of one Party, aircraft operated in international air transport by the air carriers of the other Party, their regular equipment, fuel, lubricants, consumable technical supplies, ground equipment, spare parts (including engines), aircraft stores (including such items as food, beverages and liquor, tobacco and other products destined for sale to or use by passengers in limited quantities during flight), and other items intended for or used solely in connection with the operation or servicing of aircraft engaged in international air transport shall be exempt on the basis of reciprocity and provided that such equipment and supplies remain on board the aircraft, from all import restrictions, property taxes and capital levies, customs duties, excise duties, and similar fees and charges that are:

- (a) imposed by the national or local authorities or the European Union; and

(b) not based on the cost of service provided.

2. The following shall also be exempted, on the basis of reciprocity, from the taxes, levies, duties, fees and charges referred to in paragraph 1, with the exception of charges based on the cost of service provided:

- (a) aircraft stores introduced into or supplied in the territory of a Party and taken on board, within reasonable limits, for use on outbound aircraft of an air carrier of the other Party engaged in international air transport, including in cases where such stores are to be used on a part of the journey performed over that territory;
- (b) ground equipment and spare parts (including engines) introduced into the territory of a Party for the servicing, maintenance, or repair of aircraft of an air carrier of the other Party used in international air transport;
- (c) fuel, lubricants and consumable technical supplies introduced into or supplied in the territory of a Party for use in an aircraft of an air carrier of the other Party engaged in international air transport, including in cases where such supplies are to be used on a part of the journey performed over that territory; and
- (d) printed material, as provided for by the customs legislation of each Party, introduced into or supplied in the territory of a Party and taken on board for use on outbound aircraft of an air carrier of the other Party engaged in international air transport, including in cases where such stores are to be used on a part of the journey performed over that territory.

3. Nothing in this Agreement shall prevent a Party from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory, on a non-discriminatory basis, for use in an aircraft of an air carrier that operates between two points in its territory.

4. The regular airborne equipment, as well as the material, supplies and spare parts referred to in paragraphs 1 and 2 normally retained on board aircraft operated by an air carrier of one Party may be unloaded in the territory of the other Party only with the prior approval of the customs authorities of that Party and may be required to be kept under the supervision or control of those authorities until they are re-exported or otherwise disposed of in accordance with customs regulation.

5. The exemptions provided for by this Article shall also be available where the air carriers of a Party have contracted with another air carrier which similarly enjoys such exemptions from the other Party for the loan or transfer in the territory of the other Party of the items specified in paragraphs 1 and 2.

6. Nothing in this Agreement shall prevent either Party from imposing taxes, levies, duties, fees or charges on goods sold other than for consumption on board to passengers during a sector of an air service between two points within its territory at which embarkation or disembarkation is permitted.

7. Baggage and cargo in direct transit across the territory of a Party shall be exempt from taxes, customs duties, fees and other similar charges that are not based on the cost of service provided.

8. Equipment and supplies referred to in paragraphs 1 and 2 may be required to be kept under the supervision or control of the competent authorities.

9. The provisions of this Agreement shall not affect the field of Value Added Tax (VAT).

10. This Agreement is without prejudice to the provisions of the respective conventions between EU Member States and Armenia for the avoidance of double taxation on income and on capital.

Article 11

User charges

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part A.
2. Each Party shall ensure that user charges that may be imposed by its competent charging authorities or bodies on the air carriers of the other Party for the use of air navigation and air traffic control are cost-related and non-discriminatory. In any event, any such user charges shall be imposed on the air carriers of the other Party on terms not less favourable than the most favourable terms available to any other air carrier.
3. Each Party shall ensure that user charges that may be imposed by its competent charging authorities or bodies on the air carriers of the other Party for the use of airport, aviation security and related facilities and services, with the exception of charges levied with respect to the services described in Article 9(7), are not unjustly discriminatory, do not discriminate on grounds of nationality and are equitably apportioned among categories of users. Without prejudice to Article 16(1), such user charges shall reflect, but shall not exceed, the full cost to the competent charging authorities or bodies of providing the appropriate airport and aviation security facilities and services at that airport or those airports at which a common charging system applies. Such user charges may include a reasonable return on assets, after depreciation. Facilities and services for which user charges are imposed shall be provided on an efficient and economic basis. In any event, such user charges shall apply to the air carriers of the other Party on terms not less favourable than the most favourable terms available to any other air carrier at the time the charges are applied.
4. Each Party shall require the competent charging authorities or bodies in its territory and the air carriers using the services and facilities to undertake consultations and to exchange such information as may be necessary to permit an accurate assessment of the reasonableness of the user charges in accordance with the principles set out in paragraphs 2 and 3. Each Party shall ensure that the competent charging authorities or bodies provide users with reasonable notice of any proposal for changes in user charges in order to enable users to express their views and provide comments before any changes are made.

Article 12

Air fares and air rates

1. Each Party shall permit the air carriers of the Parties to freely establish air fares and air rates on the basis of free and fair competition.
2. Each Party may require, on a non-discriminatory basis, notification to its competent authorities of air fares and air rates offered for services originating from its territory by air carriers of both Parties on a simplified basis and for information purposes only. Such notification by the air carriers may be required to be made no earlier than the initial offering of an air fare or an air rate.
3. Discussions between the competent authorities may be held on matters such as the requirements and procedures for notification of air rates and air fares, and air fares and air rates which may be unjust, unreasonable, discriminatory or subsidised.

Article 13

Statistics

1. Each Party shall provide the other Party with available statistics related to air transport under this Agreement, as required by its laws and regulations, on a non-discriminatory basis, and as may reasonably be required.
2. The Parties shall cooperate, including within the Joint Committee, to facilitate the exchange of statistical information between them for the purpose of monitoring the development of air transport under this Agreement.

TITLE II

REGULATORY COOPERATION

Article 14

Aviation safety

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part B.
2. For the purposes of ensuring the Parties' implementation of the provisions of this Article and the regulatory requirements and standards referred to in paragraph 1, Armenia shall be involved in the work of the European Aviation Safety Agency as an observer from the date of entry into force of this Agreement.

The transition of Armenia to compliance with the regulatory requirements and standards relating to air transport specified in Annex II, Part B, shall be subject to continued monitoring and periodic assessments, to be carried out by the European Union in cooperation with Armenia.

When Armenia is satisfied that it complies with the regulatory requirements and standards relating to air transport specified in Annex II, Part B, it shall inform the European Union that an evaluation should be carried out.

When Armenia has fully complied with the regulatory requirements and standards relating to air transport specified in Annex II, Part B, the Joint Committee shall determine the precise status and conditions for the participation of Armenia in the European Aviation Safety Agency and for its observer status.

3. The Parties shall ensure that aircraft registered in one Party suspected of non-compliance with international aviation safety standards established pursuant to the Convention landing at airports open to international air traffic in the territory of the other Party are subject to ramp inspections by the competent authorities of that other Party, on board and around the aircraft, to check both the validity of the aircraft documents and those of its crew and the apparent condition of the aircraft and its equipment.
4. The competent authorities of a Party may request consultations at any time concerning the safety standards maintained by the other Party.
5. The competent authorities of a Party shall take all appropriate and immediate measures whenever they ascertain that:
 - (a) an aircraft, a product or an operation may fail to satisfy the minimum standards established pursuant to the Convention or the regulatory requirements and standards relating to air transport specified in Annex II, Part B, whichever is applicable,
 - (b) there are serious concerns that an aircraft or the operation of an aircraft does not comply with the minimum standards established pursuant to the Convention or the regulatory requirements and standards relating to air transport specified in Annex II, Part B, whichever is applicable, or
 - (c) there are serious concerns that there is a lack of effective maintenance and administration of minimum standards established pursuant to the Convention or the regulatory requirements and standards relating to air transport specified in Annex II, Part B, whichever is applicable.
6. Where one Party takes action under paragraph 5, it shall promptly inform the other Party, providing reasons for its action.
7. Any action by a Party in accordance with paragraph 5 shall be discontinued once the basis for the taking of that action ceases to exist.

*Article 15***Aviation security**

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to aviation security specified in Annex II, Part C.
2. Armenia may be subjected to a European Commission inspection in accordance with the relevant European Union aviation security legislation specified in Annex II, Part C. The Parties shall establish the necessary mechanism for the exchange of information on the results of such security inspections.
3. The assurance of safety for civil aircraft, their passengers and crew being a fundamental precondition for the operation of international air services, the Parties reaffirm their obligations to each other to provide for the security of civil aviation against acts of unlawful interference, and in particular their obligations under the Convention, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, signed at Montreal on 24 February 1988 and the Convention on the Marking of Plastic Explosives for purpose of Detection, signed at Montreal on 1 March 1991, insofar as both Parties are parties to these conventions, as well as all other conventions and protocols relating to civil aviation security of which the Parties are parties.
4. The Parties shall provide upon request all necessary assistance to each other to prevent acts of unlawful seizure of civil aircraft and other unlawful acts against the safety of such aircraft, their passengers and crew, airports and air navigation facilities, and any other threat to the security of civil aviation.
5. Where not provided for in the regulatory requirements and standards relating to aviation security specified in Annex II, Part C, the Parties shall, in their mutual relations, act in conformity with the international aviation security standards and appropriate recommended practices established by ICAO. Both Parties shall require that operators of aircraft of their registry, operators who have their principal place of business or permanent residence in their territory, and the operators of airports in their territory, act in conformity with such aviation security provisions.
6. Each Party shall ensure that effective measures are taken within its territory to protect civil aviation against acts of unlawful interference, including, but not limited to, screening of passengers and their cabin baggage, screening of hold baggage, screening and security controls for persons other than passengers, including crew, and their items carried, screening and security controls for cargo, mail, in-flight and airport supplies, and access control to airside and security restricted areas. Those measures shall be adjusted to meet increases in the threat to the security of civil aviation. Each Party agrees that their air carriers may be required to observe the aviation security provisions referred to in paragraphs 1 and 5 and other security provisions required by the other Party, for entrance into, departure from or while within the territory of that other Party.
7. With full regard and mutual respect for each other's sovereignty, a Party may adopt security measures for entry into its territory, as well as emergency measures, in order to meet a specific security threat, which should be communicated to the other Party without delay. Each Party shall give positive consideration to any request from the other Party for reasonable special security measures, and the first Party shall take into account the security measures already applied by the other Party and any views that the other Party may offer. Each Party recognises, however, that nothing in this Article limits the ability of a Party to refuse entry into its territory of any flight or flights that it deems to present a threat to its security. Except where not reasonably possible in case of emergency, each Party will inform the other Party in advance of any special security measures it intends to introduce which could have a significant financial or operational impact on the air transport services provided under this Agreement. Either Party may request a meeting of the Joint Committee to discuss such security measures, as provided for in Article 23.
8. When an incident or threat of an incident of unlawful seizure of civil aircraft or other unlawful acts against the safety of such aircraft, their passengers and crew, airports or air navigation facilities occurs, the Parties shall assist each other by facilitating communications and other appropriate measures intended to terminate rapidly and safely such incident or threat.

9. Each Party shall take all measures it finds practicable to ensure that an aircraft subjected to an act of unlawful seizure or other acts of unlawful interference which is on the ground in its territory is detained on the ground unless its departure is necessitated by the overriding duty to protect human life. Wherever practicable, such measures shall be taken on the basis of mutual consultations.

10. When a Party has reasonable grounds to believe that the other Party has departed from the aviation security provisions of this Article, that Party shall request immediate consultations with the other Party. Such consultations shall start within 30 days of receipt of such request.

11. Without prejudice to Article 5, failure to reach a satisfactory agreement within 30 days from the starting date of such consultations or such longer period as may be agreed shall constitute grounds to withhold, revoke, limit or impose conditions on the operating authorisation of one or more air carriers of such other Party.

12. When required by an immediate and extraordinary threat, a Party may take immediate interim action.

13. Any action taken in accordance with paragraph 11 shall be discontinued upon compliance by the other Party with the provisions of this Article.

Article 16

Air traffic management

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part D, and where not provided for in the EU regulatory framework at least the relevant ICAO standards and recommended practices under the conditions set out in this Article.

2. The Parties shall cooperate in the field of air traffic management with a view to extending the Single European Sky to Armenia in order to enhance current safety standards and overall efficiency of general air traffic operations in Europe, to optimise air traffic control capacities, to minimise delays and to increase environmental efficiency. To this purpose, Armenia shall be involved as observer in the Single Sky Committee and other Single European Sky related bodies from the date of entry into force of this Agreement. The Joint Committee shall be responsible for monitoring and facilitating cooperation in the field of air traffic management.

3. With a view to facilitating the application of the Single European Sky legislation in their territories:

- (a) Armenia shall take the necessary measures to adjust its air navigation services and air traffic management institutional and oversight structures so as to comply with the Single European Sky requirements;
- (b) Armenia shall in particular establish a pertinent national supervisory body at least functionally independent of the air navigation service provider(s);
- (c) the European Union shall associate Armenia with relevant operational initiatives in the fields of air navigation services, airspace and interoperability that stem from the Single European Sky, including through:
 - (i) the examination of the possibility to cooperate with or associate with an existing functional airspace block or to create a new one;
 - (ii) the participation in the network functions of the Single European Sky;
 - (iii) the alignment to the SESAR deployment plans;
 - (iv) the enhancement of interoperability; and
- (d) Armenia shall take the necessary measures to implement the European Union performance scheme with the objective of optimising overall flight efficiency, reducing costs, and enhancing the safety and capacity of the existing systems.

*Article 17***Environment**

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part E.
2. The Parties support the need to protect the environment by promoting the sustainable development of aviation. The Parties intend to work together to identify issues related to the impacts of aviation on the environment.
3. The Parties recognise the importance of working together in order to consider and minimise the effects of aviation on the environment in a manner consistent with the objectives of this Agreement.
4. The Parties recognise the importance of tackling climate change and therefore of addressing greenhouse gas emissions associated with aviation, both at domestic and international levels. They agree to step up cooperation on these matters, including through relevant multilateral arrangements, particularly the implementation of the global market-based measure that was agreed at the 39th ICAO Assembly and the use of the mechanism established by Article 6(4) of the Paris Agreement under the United Nations Framework Convention on Climate Change in the development of global market-based measures to address greenhouse gas emissions in the aviation sector and any other aspect under that Article of particular relevance for international aviation emissions.
5. The Parties undertake to exchange information and have regular direct communication and dialogue among experts to enhance cooperation on addressing aviation environmental impacts, including:
 - (a) on research and development with regard to environmentally friendly aviation technology;
 - (b) in air traffic management innovation with a view to reducing the environmental impacts of aviation;
 - (c) on research and development of sustainable alternative fuels for aviation;
 - (d) on issues dealing with the environmental effects of aviation and mitigation of climate-related emissions of aviation; and
 - (e) in noise mitigation and monitoring, with a view to reducing the environmental impacts of aviation.
6. The Parties shall also, in compliance with their multilateral environmental rights and obligations, effectively enhance cooperation, including financial and technological, in relation to measures aimed at addressing greenhouse gas emissions from international aviation.
7. The Parties recognise the need to take appropriate measures to prevent or otherwise address the environmental impacts of air transport provided that such measures are fully consistent with their rights and obligations under international law.

*Article 18***Air carrier liability**

The Parties reaffirm their obligations under the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999 (the Montreal Convention).

*Article 19***Consumer protection**

Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part F.

*Article 20***Computerised reservation systems**

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part A.
2. Computerised reservation systems (hereinafter referred to as "CRS") vendors operating in the territory of a Party shall be entitled to bring in, maintain and make freely available their CRSs to travel agencies or travel companies whose principal business is the distribution of travel-related products in the territory of the other Party, provided that each CRS complies with the relevant regulatory requirements of the other Party.
3. Each Party shall annul any existing requirement which could restrict free access by one Party's CRSs to the other Party's market or otherwise limit competition. The Parties shall refrain from adopting any such requirements.
4. Neither Party shall, in its territory, impose or permit to be imposed on the CRS vendors of the other Party requirements with respect to CRS displays different from those imposed on its own CRS vendors or any other CRS operating on its market. Neither Party shall prevent the conclusion of agreements between CRS vendors, their providers and their subscribers which are related to the exchange of travel services information and which facilitate the display of comprehensive and unbiased information to consumers, or which are related to the fulfilment of regulatory requirements on neutral displays.
5. The Parties shall ensure that owners and operators of CRSs of a Party that comply with the relevant regulatory requirements of the other Party have the same opportunity to own CRSs within the territory of the other Party as the owners and operators of any other CRS operating in the market of that Party.

*Article 21***Social aspects**

1. Subject to the transitional provisions set out in Annex I, the Parties shall ensure that their relevant legislation, rules or procedures comply with the regulatory requirements and standards relating to air transport specified in Annex II, Part G.
2. The Parties recognise the importance of considering the effects of this Agreement on labour, employment and working conditions. The Parties undertake to cooperate on labour matters within the scope of this Agreement, inter alia in relation to impacts on employment, fundamental rights at work, working conditions, social protection and social dialogue.
3. The Parties shall through their laws, regulations and practices promote high levels of protection in the labour and social domain of the civil aviation sector.
4. The Parties recognise the importance of the benefits that arise when the significant economic gains from open and competitive markets are combined with high labour standards for workers. The Parties shall implement this Agreement in a manner that contributes to high labour standards, irrespective of the ownership or nature of the air carriers concerned, and to ensure that the rights and principles contained in their respective laws and regulations are not undermined but effectively enforced.
5. The Parties commit to the promotion and effective implementation in their laws and practices of internationally recognised core labour standards as contained in the fundamental Conventions of the International Labour Organization as ratified by Armenia and EU Members States.
6. The Parties commit to promoting also other internationally agreed standards and agreements in the labour and social domain of relevance for the civil aviation sector and their effective implementation and enforcement in their domestic legislation.
7. Either Party may request a meeting of the Joint Committee to address labour issues that it identifies as significant.

TITLE III

INSTITUTIONAL AND FINAL PROVISIONS

Article 22

Interpretation and enforcement

1. The Parties shall take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of this Agreement and shall refrain from any measures which would jeopardise attainment of the objectives of this Agreement.
2. Each Party shall be responsible, in its own territory, for the proper enforcement of this Agreement.
3. Each Party shall give the other Party all necessary information and assistance subject to the applicable laws and regulations of the respective Party, in relation to investigations on possible infringements which that other Party carries out under its respective competences in accordance with this Agreement.
4. Whenever the Parties act under the powers granted to them by this Agreement on matters which are of interest to the other Party and which concern the competent authorities or undertakings of the other Party, the competent authorities of the other Party shall be fully informed and given the opportunity to comment before a final decision is taken.
5. Insofar as the provisions of this Agreement and the provisions of the acts specified in Annex II are identical in substance to corresponding rules of the EU Treaties and to acts adopted pursuant to the EU Treaties, those provisions shall, in their implementation and application, be interpreted in conformity with the relevant rulings and decisions of the Court of Justice and the European Commission.

Article 23

Joint Committee

1. A Joint Committee composed of representatives of the Parties is hereby established. It shall be responsible for overseeing the administration of this Agreement and shall ensure its proper implementation. It shall make recommendations and take decisions where expressly provided in this Agreement.
2. The Joint Committee shall operate, and take decisions, on the basis of consensus. Decisions taken by the Joint Committee shall be binding on the Parties.
3. The Joint Committee shall adopt its rules of procedure.
4. The Joint Committee shall meet as and when necessary and at least once a year. Either Party may request the convening of a meeting of the Joint Committee.
5. A Party may request a meeting of the Joint Committee to seek to resolve any question relating to the interpretation or application of this Agreement. Such a meeting shall begin at the earliest possible date, and not later than two months from the date of receipt of the request, unless otherwise agreed by the Parties.
6. For the purpose of the proper implementation of this Agreement, the Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.
7. Pursuant to the grant of rights set out in Article 3, the Joint Committee shall validate by a decision the evaluation carried out by the European Union of the implementation and application by Armenia of the provisions of EU legislation as set out in paragraph 1 of Annex I.
8. In accordance with Article 6, the Joint Committee shall examine questions relating to investments in air carriers of the Parties and to changes in the effective control of air carriers of the Parties.

9. In accordance with Article 14, the Joint Committee shall monitor the process of phasing-out during the transition phase described in Annex I of aircraft registered in Armenia and used by operators under the regulatory control of Armenia which do not have a type certificate issued in accordance with the relevant EU legislation specified in Annex II, Part B, with a view to ensuring the phasing-out of such aircraft in accordance with paragraph 7 of Annex I.

10. The Joint Committee shall also develop cooperation, in particular by:

- (a) reviewing market conditions affecting air services under this Agreement;
- (b) addressing, with the aim of effectively resolving, issues related to doing business and commercial opportunities, as referred to in Article 9, that may, inter alia, hamper market access and the smooth operation of air services under this Agreement, as a means of ensuring fair competition, regulatory convergence and the minimisation of the regulatory burden as regards the operation of air services;
- (c) exchanging information, including advising as to changes to laws, regulations and policies of the Parties which may affect air services;
- (d) considering potential areas for the further development of this Agreement, including the recommendation of amendments to this Agreement or of conditions and procedures for accession of third countries to this Agreement;
- (e) discussing general issues related to investment, ownership and control;
- (f) developing regulatory cooperation and mutual commitment to achieve reciprocal recognition and convergence of rules and measures;
- (g) fostering consultation, where appropriate, on air transport issues dealt with in international organisations, in relations with third countries and in multilateral arrangements, including consideration of whether to adopt a joint approach;
- (h) facilitating the exchange of statistical information between the Parties for the purpose of monitoring the development of air services under this Agreement; and
- (i) considering the social effects of this Agreement as it is implemented and developing appropriate responses to concerns found to be legitimate.

11. If the Joint Committee does not consider an issue which has been referred to it within six months of the date of referral, the Parties may take appropriate safeguard measures under Article 25.

12. This Agreement shall not preclude cooperation and discussions between competent authorities of the Parties outside the Joint Committee, including in the fields of security, safety, environment, air traffic management, aviation infrastructure, competition and consumer protection. The Parties shall inform the Joint Committee of the outcome of such cooperation and discussions which may have an impact on the implementation of this Agreement.

Article 24

Dispute resolution and arbitration

1. Any dispute relating to the application or interpretation of this Agreement, other than issues arising under Article 8, that is not resolved by a meeting of the Joint Committee may, at the request of either Party, be submitted to arbitration in accordance with the procedures set out in this Article.

2. The request for arbitration shall be made in writing to the other Party. The complaining Party shall identify in its request the measure at issue, and it shall clearly explain the reasons why it considers such measure to be inconsistent with this Agreement.

3. Unless the Parties otherwise agree, arbitration shall be by a tribunal of three arbitrators to be constituted as follows:

- (a) within 20 days after the receipt of a request for arbitration, each Party shall appoint one arbitrator. Within 30 days after these two arbitrators have been appointed, they shall by agreement appoint a third arbitrator, who shall act as President of the tribunal;

- (b) if either Party fails to appoint an arbitrator, or if the third arbitrator is not appointed in accordance with point (a), either Party may request the President of the ICAO Council to appoint the necessary arbitrator or arbitrators within 30 days of receipt of that request. If the President of the ICAO Council is a national of either Armenia or an EU Member State, the most senior Vice President of the ICAO Council who is not a national of neither Armenia nor an EU Member State shall make the appointment.
4. The date of establishment of the tribunal shall be the date on which the last of the three arbitrators accepts the appointment according to procedures to be established by the Joint Committee.
5. If a Party so requests, the tribunal shall, within 10 days of its establishment, give a preliminary ruling on whether it deems the case to be urgent.
6. At the request of a Party, the tribunal may order the other Party to implement interim relief measures pending the tribunal's final ruling.
7. The tribunal shall notify an interim report to the Parties setting out the findings of fact, the applicability of relevant provisions and the basic rationale behind any findings and recommendations that it makes, not later than 90 days after the date of its establishment. Where it considers that that deadline cannot be met, the President of the tribunal shall notify the Parties in writing, stating the reasons for the delay and the date on which the tribunal plans to notify its interim report. Under no circumstances shall the interim report be notified later than 120 days after the date of establishment of the tribunal.
8. A Party may submit a written request to the tribunal to review specific aspects of the interim report within 14 days of its notification.
9. In cases of urgency, the tribunal shall make every effort to notify its interim report within 45 days and, in any case, no later than 60 days after the date of its establishment. A Party may submit a written request to the tribunal to review precise aspects of the interim report, within seven days of the notification of the interim report. After considering any written comments by the Parties on the interim report, the tribunal may modify its report and make any further examination it considers appropriate. The findings of the final ruling shall include a sufficient discussion of the arguments made at the interim review stage, and shall answer clearly to the questions and observations of the Parties.
10. The tribunal shall notify its final ruling to the Parties within 120 days of the date of its establishment. Where it considers that that deadline cannot be met, the President of the tribunal shall notify the Parties in writing, stating the reasons for the delay and the date on which the tribunal plans to notify its ruling. Under no circumstances shall the ruling be notified later than 150 days after the date of establishment of the tribunal.
11. In cases of urgency, the tribunal shall make every effort to notify its ruling within 60 days of the date of its establishment. Where it considers that that deadline cannot be met, the President of the tribunal shall notify the Parties in writing, stating the reasons for the delay and the date on which the tribunal plans to notify its ruling. Under no circumstances shall the ruling be notified later than 75 days after the date of establishment of the tribunal.
12. The Parties may submit requests for clarification of the final ruling within 10 days after it is notified and any clarification given shall be issued within 15 days of such request.
13. If the tribunal determines that there has been a violation of this Agreement and the responsible Party does not comply with the tribunal's final ruling, or does not reach agreement with the other Party on a mutually satisfactory resolution within 40 days of notification of the tribunal's final ruling, the other Party may suspend the application of comparable benefits arising under this Agreement or may partially or, if necessary, fully suspend the implementation of this Agreement until such time as the responsible Party complies with the tribunal's final ruling or the Parties have reached agreement on a mutually satisfactory resolution.

*Article 25***Safeguard measures**

1. If either Party considers that the other Party has failed to fulfil an obligation under this Agreement, it may take appropriate safeguard measures. Safeguard measures shall be restricted with regard to their scope and duration to what is strictly necessary in order to remedy the situation or maintain the balance of this Agreement. Priority shall be given to such measures which will least disturb the functioning of this Agreement.
2. A Party which is considering taking safeguard measures shall notify the other Party through the Joint Committee and shall provide all relevant information.
3. The Parties shall immediately enter into consultations in the Joint Committee with a view to finding a commonly acceptable solution.
4. Without prejudice to Article 4(1)(c) and Article 5(1)(c), the Party concerned may not take safeguard measures until one month has elapsed after the date of notification under paragraph 2 of this Article, unless the consultation procedure under paragraph 3 of this Article has been concluded before the expiration of the said time limit.
5. The Party concerned shall, without delay, notify the measures taken to the Joint Committee and shall provide all relevant information.
6. Any action taken under the terms of this Article shall be terminated as soon as the Party at fault satisfies the provisions of this Agreement.

*Article 26***Relationship to other agreements**

1. During the period of provisional application pursuant to Article 30, the existing bilateral agreements and arrangements between Armenia and EU Member States which are in place at the time of signature of this Agreement shall be suspended, except to the extent provided in paragraph 2 of this Article.
2. Notwithstanding paragraphs 1 and 3 and provided that there is no discrimination between air carriers of the European Union on the basis of nationality:
 - (a) existing rights and more favourable provisions or treatments concerning ownership, traffic rights, capacity, frequencies, type or change of aircraft, code-sharing and pricing under the bilateral agreements or arrangements between Armenia and EU Member States which are in place at the time of signature of this Agreement and which are not covered or which are more favourable or flexible in terms of freedom for the air carriers concerned than under this Agreement can continue to be exercised;
 - (b) a dispute between Parties as to whether the provisions or treatments under the bilateral agreements or arrangements between Armenia and EU Member States are more favourable or flexible shall be settled in the framework of the dispute settlement mechanism provided for in Article 24. Disputes on how to determine the relationship between conflicting provisions or treatments shall also be settled in the framework of the dispute settlement mechanism provided for in Article 24.
3. Upon entry into force pursuant to Article 30 and subject to paragraph 2 of this Article, this Agreement shall prevail over the relevant provisions of existing bilateral agreements and arrangements between Armenia and EU Member States which are in place at the time of signature of this Agreement.
4. If the Parties become parties to a multilateral agreement, or endorse a decision adopted by the ICAO or another international organisation, that addresses matters covered by this Agreement, they shall consult in the Joint Committee pursuant to Article 23 in a timely manner to determine whether this Agreement should be revised to take into account such developments.

*Article 27***Amendments**

1. Any amendment to this Agreement may be agreed by the Parties pursuant to consultations held in accordance with Article 23. Amendments shall come into force in accordance with the terms set out in Article 30.
2. If one of the Parties wishes to amend the provisions of this Agreement, it shall notify the Joint Committee accordingly of its decision.
3. The Joint Committee may, upon the proposal of one Party and in accordance with this Article, decide by consensus to modify the Annexes to this Agreement.
4. This Agreement shall be without prejudice to the right of each Party, subject to compliance with the principle of non-discrimination and the provisions of this Agreement to unilaterally adopt new legislation or amend its existing legislation in the field of air transport or an associated area mentioned in Annex II.
5. When new legislation or an amendment to its existing legislation in the field of air transport or an associated area mentioned in Annex II is being considered by one of the Parties, it shall inform the other Party as appropriate and possible. At the request of either Party, an exchange of views may take place in the Joint Committee.
6. Each Party shall regularly and as soon as appropriate inform the other Party of newly adopted legislation or amendment to its existing legislation in the field of air transport or an associated area mentioned in Annex II. Upon the request of any Party, the Joint Committee shall within 60 days thereafter hold an exchange of views on the implications of such new legislation or amendment for the proper functioning of this Agreement.
7. Following the exchange of views referred to in paragraph 6, the Joint Committee shall:
 - (a) adopt a decision revising Annex II so as to integrate therein, if necessary on a basis of reciprocity, the new legislation or amendment in question;
 - (b) adopt a decision to the effect that the new legislation or amendment in question shall be regarded as in accordance with this Agreement; or
 - (c) recommend any other measures, to be adopted within a reasonable period of time, to safeguard the proper functioning of this Agreement.

*Article 28***Termination**

Either Party may, at any time, give notice in writing, through diplomatic channels, to the other Party of its decision to terminate this Agreement. Such notice shall be sent simultaneously to the ICAO and to the United Nations Secretariat.

This Agreement shall terminate at midnight GMT at the end of the International Air Transport Association (IATA) traffic season in effect one year following the date of written notice of termination, unless the notice is withdrawn by agreement of the Parties before the end of this period.

*Article 29***Registration**

This Agreement and any amendments thereto shall be registered with the ICAO Council, in accordance with Article 83 of the Convention, and with the United Nations Secretariat, in accordance with Article 102 of the Charter of the United Nations, following their entry into force.

*Article 30***Entry into force and provisional application**

1. This Agreement shall be subject to ratification or approval by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the Depositary, which shall notify the other Party thereof.
2. The Secretary-General of the Council of the European Union shall be the Depositary of this Agreement.
3. This Agreement shall enter into force on the first day of the second month following the notification by the Depositary to the Parties confirming the receipt of the last instrument of ratification or approval.
4. Notwithstanding paragraph 3, the Parties agree to provisionally apply this Agreement, as set out in paragraph 5, in accordance with their respective internal procedures and domestic legislation as applicable.
5. The provisional application shall be effective from the first day of the second month following the notification by the Depositary to the Parties confirming the receipt of the following:
 - (a) notification from the European Union on the completion of the procedures relevant to the European Union and its Member States and necessary for this purpose; and
 - (b) the instrument of ratification or approval deposited by Armenia as referred to in paragraph 1.

*Article 31***Authentic texts**

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, Swedish and Armenian languages, each text being equally authentic.

In the event of any divergence between language versions, the Joint Committee shall decide on the language of the text to be used.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, duly authorised to this effect, have signed this Agreement.

Съставено в Брюксел на петнадесети ноември две хиляди двадесет и първа година.

Hecho en Bruselas, el quince de noviembre de dos mil veintiuno.

V Bruselu dne patnáctého listopadu dva tisíce dvacet jedna.

Udfærdiget i Bruxelles den femtende november to tusind og enogtyve.

Geschehen zu Brüssel am fünfzehnten November zweitausendeinundzwanzig.

Kahe tuhande kahekümne esimese aasta novembrikuu viieteistkümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις δέκα πέντε Νοεμβρίου δύο χιλιάδες είκοσι ένα.

Done at Brussels on the fifteenth day of November in the year two thousand and twenty one.

Fait à Bruxelles, le quinze novembre deux mille vingt et un.

Arna dhéanamh sa Bhruiséil, an cúigiú lá déag de mhí na Samhna sa bhliain dhá mhíle fiche agus a haon.

Sastavljeno u Bruxellesu petnaestog studenoga godine dvije tisuće dvadeset prve.

Fatto a Bruxelles, addì quindici novembre duemilaventuno.

Briselē, divi tūkstoši divdesmit pirmā gada piecpadsmitajā novembrī.

Priimta du tūkstančiai dvidešimt pirmų metų lapkričio penkioliką dieną Briuselyje.

Kelt Brüsszelben, a kétezer-huszonegyedik év november havának tizenötödik napján.

Magħmul fi Brussell, fil-ħmistax-il jum ta' Novembru fis-sena elfejn u wiehed u ghoxrin.

Gedaan te Brussel, vijftien november tweeduizend eenentwintig.

Sporządzono w Brukseli dnia piętnastego listopada roku dwa tysiące dwudziestego pierwszego.

Feito em Bruxelas, em quinze de novembro de dois mil e vinte e um.

Întocmit la Bruxelles la cincisprezece noiembrie două mii douăzeci și unu.

V Bruseli pätnásteho novembra dvetisícdvadsaťjeden.

V Bruslju, dne petnajstega novembra leta dva tisoč enaindvajset.

Tehty Brysselissä viidentenätoista päivänä marraskuuta vuonna kaksituhattakaksikymmentäyksi.

Som skedde i Bryssel den femtonde november år tjugohundratjugoett.

Կատարված՝ Բրյուսելում երկու հազար քսանմեկ թվականի նոյեմբերի տասնհինգին:

Voor het Koninkrijk België
Pour le Royaume de Belgique
Für das Königreich Belgien

Deze handtekening verbindt eveneens het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.

Cette signature engage également la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Diese Unterschrift bindet zugleich die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

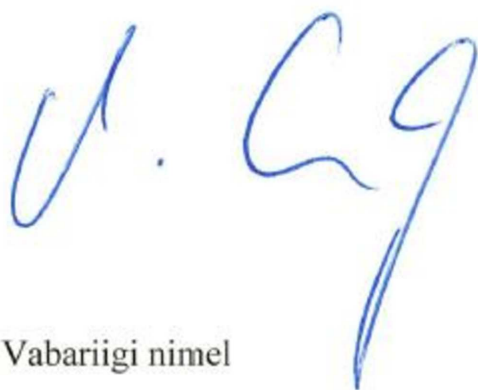
За Република България

Za Českou republiku

For Kongeriget Danmark



Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel



Thar ceann na hÉireann
For Ireland



Για την Ελληνική Δημοκρατία

A stylized handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the bottom.

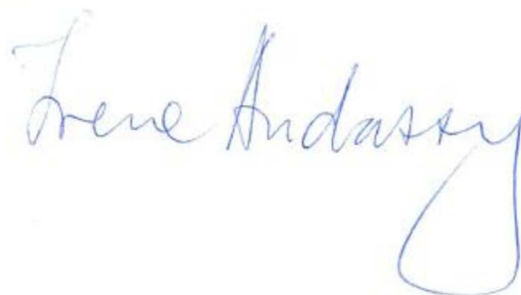
Por el Reino de España

A handwritten signature in blue ink, featuring a large 'U' shape followed by a series of loops and a long horizontal stroke.

Pour la République française

A handwritten signature in blue ink, appearing to be 'pesc' with a long horizontal stroke at the end.

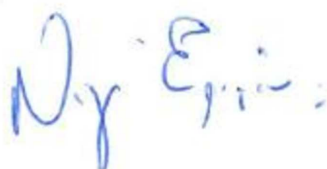
Za Republiku Hrvatsku

A handwritten signature in blue ink, reading 'Irene Andassy' in a cursive script.


Per la Repubblica italiana



Για την Κυπριακή Δημοκρατία



Latvijas Republikas vārdā –



Lietuvos Respublikos vardu



Pour le Grand-Duché de Luxembourg



Magyarország részéről



Għar-Repubblika ta' Malta



Voor het Koninkrijk der Nederlanden



Für die Republik Österreich

Nikolaus Jeneš

W imieniu Rzeczypospolitej Polskiej

Andrzej Sado

Pela República Portuguesa

Nuno Brito

Pentru România

Lothar Henrich

Za Republiko Slovenijo



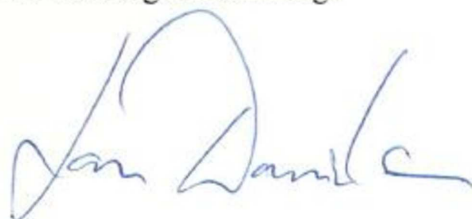
Za Slovenskú republiku



Suomen tasavallan puolesta
För Republiken Finland



För Konungariket Sverige



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

Հայաստանի Հանրապետության կողմից՝

ANNEX I

TRANSITIONAL PROVISIONS

1. Compliance by Armenia with all regulatory requirements and standards relating to air transport specified in Annex II, with the exception of the aviation security legislation specified in Annex II, Part C, shall be the subject of an evaluation under the responsibility of the European Union, which shall be validated by a decision of the Joint Committee. Such an evaluation shall be conducted two years after the entry into force of this Agreement at the latest.
2. Notwithstanding Article 3, the agreed rights and specified routes of this Agreement shall not include, until the moment of the adoption of the decision referred to in paragraph 1, the right for the air carriers of both Parties to exercise fifth freedom rights other than those already granted in accordance with bilateral agreements between Armenia and EU Member States, including for the air carriers of Armenia between points within the territory of the European Union.

Upon the adoption of the decision referred to in paragraph 1, the air carriers of both Parties shall be entitled to exercise fifth freedom rights, including for the air carriers of Armenia between points within the territory of the European Union in accordance with Article 3.

3. Compliance by Armenia with the regulatory requirements and standards relating to the aviation security legislation specified in Annex II, Part C, shall be subject to an evaluation under the responsibility of the European Union, which shall be validated by a decision of the Joint Committee. Such an evaluation shall be conducted at the latest three years after the entry into force of this Agreement. In the meantime, Armenia shall implement Document 30 of the European Civil Aviation Conference.
 4. Upon the adoption of the decision referred to in paragraph 3, the confidential part of the aviation security legislation as specified in Annex II, Part C, shall be made available to the appropriate authority of Armenia, subject to an agreement on the exchange of sensitive security information, including EU classified information.
 5. The gradual transition of Armenia to the full application of the legislation of the European Union relating to air transport specified in Annex II may be subject to regular assessments. The assessments shall be carried out by the European Commission in cooperation with Armenia.
 6. As of the date of the decision referred to in paragraph 1, Armenia will apply operating licensing rules substantially equivalent to those contained in Chapter II of Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community. The provisions of Article 4(3) with regard to the reciprocal recognition of fitness determination or citizenship determination made by the competent authorities of Armenia shall be applied by the competent authorities of the European Union upon the confirmation by the Joint Committee of the full application by Armenia of such operating licensing rules.
 7. Without prejudice to a decision within the Joint Committee or in accordance with Article 25, airworthiness of aircraft registered in the Armenian register and used by operators under the regulatory control of Armenia which do not have a type certificate issued by the European Union Aviation Safety Agency (EASA) in accordance with the relevant EU legislation in Annex II, Part B, can be managed under the responsibility of the Armenian competent authorities in accordance with the applicable national requirements of Armenia until no later than 1 January 2023 provided that the aircraft comply with international safety standards established pursuant to the Convention. Such aircraft shall not benefit from any rights granted under this Agreement and shall not operate on air routes to, from or within the European Union.
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ANNEX II

(Subject to regular update)

RULES APPLICABLE TO CIVIL AVIATION

The regulatory requirements and standards of the applicable provisions of the following acts shall be complied with in accordance with this Agreement unless otherwise specified in this Annex or in Annex I. Where necessary, specific adaptations for each individual act are set out in this Annex:

A. MARKET ACCESS AND ANCILLIARY ISSUES**No 1008/2008**

Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community

Applicable provisions: Articles 2, 23(1), 24 and Annex I, as well as Chapter II in accordance with paragraph 6 of Annex I to this Agreement.

No 785/2004

Regulation (EC) No 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance requirements for air carriers and aircraft operators, as amended by:

— Commission Regulation (EU) No 285/2010 of 6 April 2010

Applicable provisions: Articles 1 to 8.

No 2009/12

Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges

Applicable provisions: Articles 1 to 11.

No 96/67

Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports

Applicable provisions: Articles 1 to 9, 11 to 21 and the Annex; as regards the application of Article 20(2), the term "the Commission" shall read "the Joint Committee".

No 80/2009

Regulation (EC) No 80/2009 of the European Parliament and of the Council of 14 January 2009 on a Code of Conduct for computerised reservation systems and repealing Council Regulation (EEC) No 2299/89

Applicable provisions: Articles 1 to 11 and the Annexes.

B. AVIATION SAFETY*Civil aviation safety and EASA's Basic Regulation***No 216/2008**

Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC, as amended by:

— Commission Regulation (EC) No 690/2009 of 30 July 2009

— Regulation (EC) No 1108/2009

Applicable provisions: Articles 1 to 3 (only first paragraph) and the Annex

— Commission Regulation (EU) No 6/2013 of 8 January 2013

— Commission Regulation (EU) 2016/4 of 5 January 2016

Applicable provisions: Articles 1 to 68 with the exception of Article 65, the second subparagraph of Article 69(1), 69(4), Annexes I to VI.

No 319/2014

Commission Regulation (EU) No 319/2014 of 27 March 2014 on the fees and charges levied by the European Aviation Safety Agency, and repealing Regulation (EC) No 593/2007

Applicable provisions: Articles 1 to 17 and the Annex.

No 646/2012

Commission Implementing Regulation (EU) No 646/2012 of 16 July 2012 laying down detailed rules on fines and periodic penalty payments pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

Applicable provisions: Articles 1 to 25.

No 104/2004

Commission Regulation (EC) No 104/2004 of 22 January 2004 laying down rules on the organisation and composition of the Board of Appeal of the European Aviation Safety Agency

Applicable provisions: Articles 1 to 7 and the Annex.

Air operations

No 965/2012

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, as amended by:

- Commission Regulation (EU) No 800/2013 of 14 August 2013
- Commission Regulation (EU) No 71/2014 of 27 January 2014
- Commission Regulation (EU) No 83/2014 of 29 January 2014
- Commission Regulation (EU) No 379/2014 of 7 April 2014
- Commission Regulation (EU) 2015/140 of 29 January 2015
- Commission Regulation (EU) 2015/1329 of 31 July 2015
- Commission Regulation (EU) 2015/640 of 23 April 2015
- Commission Regulation (EU) 2015/2338 of 11 December 2015
- Commission Regulation (EU) 2016/1199 of 22 July 2016
- Commission Regulation (EU) 2017/363 of 1 March 2017

Applicable provisions: Articles 1 to 9a, Annexes I to VIII.

Air crew

No 1178/2011

Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, as amended by:

- Commission Regulation (EU) No 290/2012 of 30 March 2012
- Commission Regulation (EU) No 70/2014 of 27 January 2014
- Commission Regulation (EU) No 245/2014 of 13 March 2014
- Commission Regulation (EU) 2015/445 of 17 March 2015
- Commission Regulation (EU) 2016/539 of 6 April 2016

Applicable provisions: Articles 1 to 11, Annexes I to IV.

Accidents investigation

No 996/2010

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, as amended by:

— Regulation (EU) No 376/2014 of the European parliament and of the Council of 3 April 2014

Applicable provisions: Articles 1 to 23 with the exception of Articles 7(4) and of Article 19 (repealed by Regulation (EU) No 376/2014).

No 2012/780

Commission Decision 2012/780/EU of 5 December 2012 on access rights to the European Central Repository of Safety Recommendations and their responses established by Article 18(5) of Regulation (EU) No 996/2010 of the European Parliament and of the Council on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC

Applicable provisions: Articles 1 to 5.

Initial airworthiness

No 748/2012

Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations, as amended by:

— Commission Regulation (EU) No 7/2013 of 8 January 2013

— Commission Regulation (EU) No 69/2014 of 27 January 2014

— Commission Regulation (EU) 2015/1039 of 30 June 2015

— Commission Regulation (EU) 2016/5 of 5 January 2016

Applicable provisions: Articles 1 to 10, Annex I.

Continuing airworthiness

No 1321/2014

Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks, as amended by:

— Commission Regulation (EU) 2015/1088 of 3 July 2015

— Commission Regulation (EU) 2015/1536 of 16 September 2015

— Commission Regulation (EU) 2017/334 of 27 February 2017

Applicable provisions: Articles 1 to 6, Annexes I to IV.

Additional airworthiness specifications

No 2015/640

Commission Regulation (EU) 2015/640 of 23 April 2015 on additional airworthiness specification for a given type of operations and amending Regulation (EU) No 965/2012

Applicable provisions: Articles 1 to 5 and the Annexes.

Aerodromes

No 139/2014

Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

Applicable provisions: Articles 1 to 10, Annexes I to IV.

Third-country operators

No 452/2014

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

Applicable provisions: Articles 1 to 4 and Annexes 1 and 2.

Air traffic management and air navigation services

No 2015/340

Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011

Applicable provisions: Articles 1 to 10, Annexes I to IV.

No 2017/373

Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011

Applicable provisions: Articles 1 to 10 and the Annexes.

Occurrence reporting

No 376/2014

Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007

Applicable provisions: Articles 1 to 7; Articles 9(3); Article 10(2) to (4); Article 11(1) and (7); Article 13 with the exception of Article 13 (9); Articles 14 to 16; Article 21 and Annexes I to III.

No 2015/1018

Commission Implementing Regulation (EU) 2015/1018 of 29 June 2015 laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council

Applicable provisions: Article 1 and Annexes I to V.

Standardisation inspections

No 628/2013

Commission Implementing Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 736/2006

Applicable provisions: Articles 1 to 26.

EU air safety list of air carriers subject to an operating ban within the European Union

No 2111/2005

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

Applicable provisions: Articles 1 to 13, 15 to 16 and the Annex.

No 473/2006

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

Applicable provisions: Articles 1 to 6, Annexes A to C.

No 474/2006

Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing 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, as last amended by:

— Commission Implementing Regulation (EU) 2016/963 of 16 June 2016

Applicable provisions: Articles 1 and 2, Annexes I and II.

Technical requirements and administrative procedures in the field of civil aviation

No 3922/91

Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, as amended by:

— Regulation (EC) No 1899/2006 of the European Parliament and of the Council of 12 December 2006

— Regulation (EC) No 1900/2006 of the European Parliament and of the Council of 20 December 2006

— Commission Regulation (EC) No 8/2008 of 11 December 2007

— Commission Regulation (EC) No 859/2008 of 20 August 2008

Applicable provisions: Articles 1 to 10 with the exception of Article 4(1) and Article 8(2) (second sentence), Articles 12 to 13, Annexes I to III

C. AVIATION SECURITY

No 300/2008

Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002

Applicable provisions: Articles 1 to 15, 18, 21 and the Annex.

No 272/2009

Commission Regulation (EC) No 272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and of the Council, as amended by:

— Commission Regulation (EU) No 297/2010 of 9 April 2010

— Commission Regulation (EU) No 720/2011 of 22 July 2011

— Commission Regulation (EU) No 1141/2011 of 10 November 2011

— Commission Regulation (EU) No 245/2013 of 19 March 2013

Applicable provisions: Articles 1 to 2 and the Annex.

No 1254/2009

Commission Regulation (EU) No 1254/2009 of 18 December 2009 setting criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures, as amended by:

— Commission Regulation (EU) 2016/2096 of 30 November 2016

No 18/2010

Commission Regulation (EU) No 18/2010 of 8 January 2010 amending Regulation (EC) No 300/2008 of the European Parliament and of the Council as far as specifications for national quality control programmes in the field of civil aviation security are concerned

No 2015/1998

Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security, as amended by:

— Commission Implementing Regulation (EU) 2015/2426 of 18 December 2015

— Commission Implementing Regulation (EU) 2017/815 of 12 May 2017

No 2015/8005

Commission Implementing Decision C (2015) 8005 of 16 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security containing information, as referred to in point (a) of Article 18 of Regulation (EC) No 300/2008, as amended by:

— Commission Implementing Decision C (2017) 3030 of 15 May 2017

No 72/2010

Commission Regulation (EU) No 72/2010 of 26 January 2010 laying down procedures for conducting Commission inspections in the field of aviation security, as amended by:

— Commission Implementing Regulation (EU) 2016/472 of 31 March 2016

D. AIR TRAFFIC MANAGEMENT

No 549/2004

Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the Single European Sky (the Framework Regulation), as amended by:

— Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009*

Applicable provisions: Articles 1 to 4, 6, 9 to 13.

No 550/2004

Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the Single European Sky (the Service Provision Regulation), as amended by:

— Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009*

Applicable provisions: Articles 1 to 18, Annex I.

No 551/2004

Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the Single European Sky (the Airspace Regulation), as amended by:

— Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009*

Applicable provisions: Articles 1 to 9.

No 552/2004

Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the Interoperability Regulation), as amended by:

— Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009 (*)

Applicable provisions: Articles 1 to 10, Annexes I to V.

Performance and charging

No 390/2013

Commission Implementing Regulation (EU) No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions

No 391/2013

Commission Implementing Regulation (EU) No 391/2013 of 3 May 2013 laying down a common charging scheme for air navigation services

Network functions

No 677/2011

Commission Regulation (EU) No 677/2011 of 7 July 2011 laying down detailed rules for the implementation of air traffic management (ATM) network functions and amending Regulation (EU) No 691/2010, as amended by:

— Commission Implementing Regulation (EU) No 970/2014 of 12 September 2014

— Commission Implementing Regulation (EU) 2017/373 of 1 March 2017

Applicable provisions: Articles 1 to 25 and the Annexes.

No 255/2010

Commission Regulation (EU) No 255/2010 of 25 March 2010 laying down common rules on air traffic flow management, as amended by:

— Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012

— Commission Implementing Regulation (EU) 2016/1006 of 22 June 2016

Applicable provisions: Articles 1 to 15 and the Annexes.

No 2011/4130

Commission Decision C(2011) 4130 of 7 July 2011 on the nomination of the Network Manager for the air traffic management (ATM) network functions of the single European sky

Interoperability

No 1032/2006

Commission Regulation (EC) No 1032/2006 of 6 July 2006 laying down requirements for automatic systems for the exchange of flight data for the purpose of notification, coordination and transfer of flights between air traffic control units, as amended by:

— Commission Regulation (EC) No 30/2009 of 16 January 2009

Applicable provisions: Articles 1 to 9, Annexes I to V.

No 1033/2006

Commission Regulation (EC) No 1033/2006 of 4 July 2006 laying down the requirements on procedures for flight plans in the pre-flight phase for the Single European Sky, as amended by:

— Commission Regulation (EU) No 929/2010 of 18 October 2010

(*) For Regulation (EC) No 1070/2009 – applicable provisions: Articles 1 to 4, with the exception of Article 1(4)

- Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012
- Commission Implementing Regulation (EU) No 428/2013 of 8 May 2013
- Commission Implementing Regulation (EU) 2016/2120 of 2 December 2016

Applicable provisions: Articles 1 to 5 and the Annex.

No 633/2007

Commission Regulation (EC) No 633/2007 of 7 June 2007 laying down requirements for the application of a flight message transfer protocol used for the purpose of notification, coordination and transfer of flights between air traffic control units, as amended by:

- Commission Regulation (EU) No 283/2011 of 22 March 2011

Applicable provisions: Articles 1 to 6, Annexes I to IV.

No 29/2009

Commission Regulation (EC) No 29/2009 of 16 January 2009 laying down requirements on data link services for the Single European Sky, as amended by:

- Commission Implementing Regulation (EU) 2015/310 of 26 February 2015

Applicable provisions: Articles 1 to 14, Annexes I to III.

No 262/2009

Commission Regulation (EC) No 262/2009 of 30 March 2009 laying down requirements for the coordinated allocation and use of Mode S interrogator codes for the Single European Sky, as amended by:

- Commission Implementing Regulation (EU) 2016/2345 of 14 December 2016

Applicable provisions: Articles 1 to 12, Annexes I to VI.

No 73/2010

Commission Regulation (EU) No 73/2010 of 26 January 2010 laying down requirements on the quality of aeronautical data and aeronautical information for the Single European Sky, as amended by:

- Commission Implementing Regulation (EU) No 1029/2014 of 26 September 2014

Applicable provisions: Articles 1 to 13, Annexes I to X.

No 1206/2011

Commission Implementing Regulation (EU) No 1206/2011 of 22 November 2011 laying down requirements on aircraft identification for surveillance for the single European sky

Applicable provisions: Articles 1 to 11, Annexes I to VII.

No 1207/2011

Commission Implementing Regulation (EU) No 1207/2011 of 22 November 2011 laying down requirements for the performance and the interoperability of surveillance for the single European sky, as amended by:

- Commission Implementing Regulation (EU) No 1028/2014 of 26 September 2014
- Commission Implementing Regulation (EU) 2017/386 of 6 March 2017

Applicable provisions: Articles 1 to 14, Annexes I to IX.

No 1079/2012

Commission Implementing Regulation (EU) No 1079/2012 of 16 November 2012 laying down requirements for voice channels spacing for the single European sky, as amended by:

- Commission Implementing Regulation (EU) No 657/2013 of 10 July 2013
- Commission Implementing Regulation (EU) 2016/2345 of 14 December 2016

Applicable provisions: 1 to 14, Annexes I to V.

SESAR

No 219/2007

Council Regulation (EC) No 219/2007 of 27 February 2007 on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR), as amended by:

— Council Regulation (EC) No 1361/2008 of 16 December 2008

— Council Regulation (EU) No 721/2014 of 16 June 2014

Applicable provisions: Articles 1(1), (2), (5) to (7), 2, 3, 4(1) and the Annex.

No 409/2013

Commission Implementing Regulation (EU) No 409/2013 of 3 May 2013 on the definition of common projects, the establishment of governance and the identification of incentives supporting the implementation of the European Air Traffic Management Master Plan

Applicable provisions: Articles 1 to 15.

No 716/2014

Commission Implementing Regulation (EU) No 716/2014 of 27 June 2014 on the establishment of the Pilot Common Project supporting the implementation of the European Air Traffic Management Master Plan

Airspace

No 2150/2005

Commission Regulation (EC) No 2150/2005 of 23 December 2005 laying down common rules for the flexible use of airspace

Applicable provisions: Articles 1 to 9 and the Annex.

No 923/2012

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, as amended by:

— Commission Regulation (EU) 2015/340 of 20 February 2015,

— Commission Implementing Regulation (EU) 2016/1185 of 20 July 2016.

Applicable provisions: Articles 1 to 10 and the Annex, including its appendixes.

No 1332/2011

Commission Regulation (EU) No 1332/2011 of 16 December 2011 laying down common airspace usage requirements and operating procedures for airborne collision avoidance, as amended by:

— Commission Regulation (EU) 2016/583 of 15 April 2016

Applicable provisions: Articles 1 to 4 and the Annex.

E. ENVIRONMENT AND NOISE

No 2002/49

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise, as amended by:

— Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008

— Commission Directive (EU) 2015/996 of 19 May 2015

Applicable provisions: Articles 1 to 12, Annexes I to VI.

No 2003/96

Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity

Applicable provisions: Articles 14(1)(b) and 14(2).

No 2006/93

Directive 2006/93/EC of the European Parliament and of the Council of 12 December 2006 on the regulation of the operation of aeroplanes covered by Part II, Chapter 3, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988)

Applicable provisions: Articles 1 to 5, Annexes I and II.

No 598/2014

Regulation (EU) No 598/2014 of the European Parliament and of the Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC

Applicable provisions: Articles 1 to 10, Annexes I and II.

F. CONSUMER PROTECTION

No 2027/97

Council Regulation (EC) No 2027/97 of 9 October 1997 on air carrier liability in the event of accidents, as amended by:

— Regulation (EC) No 889/2002 of the European Parliament and of the Council of 13 May 2002

Applicable provisions: Articles 1 to 6 and the Annex.

No 261/2004

Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91

Applicable provisions: Articles 1 to 16.

No 1107/2006

Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the right of disabled persons and persons with reduced mobility when travelling by air

Applicable provisions: Articles 1 to 16, Annexes I and II.

G. SOCIAL ASPECTS

No 89/391

Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, as amended by:

— Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007

Applicable provisions – only as applicable to civil aviation: Articles 1 to 16.

No 2000/79

Council Directive 2000/79/EC of 27 November 2000 concerning the implementation of the European Agreement on the Organisation of Working Time of Mobile Workers in Civil Aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA)

Applicable provisions: Articles 2 and 3 and the Annex.

No 2003/88

Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time

Applicable provisions – only as applicable to civil aviation: Articles 1 to 20, 22 and 23.

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2021/2103

of 19 August 2021

laying down detailed rules on the operation of the web portal, pursuant to Article 49(6) of Regulation (EU) 2019/818 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 (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816 ⁽¹⁾, and in particular Article 49(6) thereof,

Whereas:

- (1) Regulation (EU) 2019/818, together with Regulation (EU) 2019/817 of the European Parliament and of the Council ⁽²⁾ establishes a framework to ensure interoperability between the EU information systems in the field of borders, visa, police and judicial cooperation, asylum and migration.
- (2) That framework includes a number of interoperability components which involve the processing of significant amounts of sensitive personal data. It is important that persons whose data are processed through those components can effectively exercise their rights as data subjects as required under Regulation (EU) 2016/679 ⁽³⁾, Directive (EU) 2016/680 ⁽⁴⁾ and Regulation (EU) 2018/1725 ⁽⁵⁾ of the European Parliament and of the Council.
- (3) In order to facilitate the exercise of the right to information, access to, rectification, erasure or restriction of processing of personal data a web portal is established by Regulation (EU) 2019/818.
- (4) This web portal should enable persons whose data are processed in the multi-identity detector and who have been informed of the presence of a red or white link to retrieve the information of the competent authority of the Member State responsible for the manual verification of different identities.

⁽¹⁾ OJ L 135, 22.5.2019, p. 85.

⁽²⁾ Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA (OJ L 135, 22.5.2019, p. 27).

⁽³⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁴⁾ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

⁽⁵⁾ 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) For the purpose of facilitating the communication between the portal user and the competent authority of the Member State responsible for the manual verification of different identities, the web portal should include a template email available in the languages established in this Regulation. It should also provide an option on the language(s) to be used for a reply.
- (6) In order to clarify respective responsibilities concerning the web portal, this Regulation should specify the responsibilities of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice ('eu-LISA'), the Commission and the Member States concerning the web portal.
- (7) For the purpose of secure and smooth operation of this web portal, this Regulation should establish rules concerning the security of information in the web portal. In addition, access to the web portal should be logged in order to prevent any misuse.
- (8) Given that Regulation (EU) 2019/818 builds upon the Schengen *acquis*, in accordance with Article 4 of Protocol No 22 on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark notified the implementation of Regulation (EU) 2019/818 in its national law. It is therefore bound by this Regulation.
- (9) This Regulation constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part. ⁽⁶⁾ Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.
- (10) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ⁽⁷⁾, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC ⁽⁸⁾.
- (11) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁹⁾, which fall within the area referred to in Article 1, point A of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽¹⁰⁾.
- (12) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽¹¹⁾ which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU ⁽¹²⁾.

⁽⁶⁾ This Regulation falls outside the scope of the measures provided for in Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

⁽⁷⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁸⁾ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁽⁹⁾ OJ L 53, 27.2.2008, p. 52.

⁽¹⁰⁾ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

⁽¹¹⁾ OJ L 160, 18.6.2011, p. 21.

⁽¹²⁾ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

- (13) As regards Cyprus, Bulgaria and Romania and Croatia, this Regulation constitutes an act building upon, or otherwise relating to, the Schengen *acquis* within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession.
- (14) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on 31 March 2021,

HAS ADOPTED THIS REGULATION:

Article 1

Domain and access

1. The web portal shall use the ‘europa.eu’ domain name of the European Union.
2. The description of the web portal shall be made available for indexing by major public search engines.
3. The web portal shall be publicly available, in addition to the Member States’ official languages, in at least the following languages: Russian, Arabic, Japanese, Chinese, Albanian, Bosnian, Macedonian, Hindi, and Turkish.
4. The web portal shall contain the information referred to in Articles 47 and 48 of Regulation (EU) 2019/818 and a search tool for the retrieval of the contact details of the competent authority of the Member State responsible for the creation of a red or white link following the manual verification of different identities. The web portal may also contain other necessary information facilitating the exercise of rights referred to in Articles 47 and 48 of Regulation (EU) 2019/818.
5. The web portal shall be in compliance with the rules, guidelines and information of the Europa Web Guide of European Commission, including the guidelines on accessibility.
6. The web portal shall prevent the contact information of the authorities to be made available for search engines and other automatic tools for collection of contact information.

Article 2

Stakeholders and responsibilities

1. eu-LISA shall develop the web portal and ensure its technical management, as referred to in Article 49(5) of Regulation (EU) 2019/818, including the hosting, operation and maintenance of the web portal.

2. The Commission shall provide eu-LISA with the content of the web portal referred to in Article 1(4), as well as with any necessary corrections or updates.
3. Member States shall provide in a timely manner the contact details of authorities competent to examine and reply to any request referred to in Articles 47 and 48 of Regulation (EU) 2019/818 to eu-LISA, to allow the regular upload and update of the web portal content as referred to in Article 49(4) of Regulation (EU) 2019/818.
4. Member States shall provide eu-LISA with a single point of contact responsible for review and maintenance purposes.
5. eu-LISA shall review the provided contact details requesting all Member States to review the available information in order to update possible changes or additions. The review shall be carried out at least once a year.
6. In relation to the processing of data in the web portal Member State authorities shall be controllers in accordance with Article 4, point (7) of Regulation (EU) 2016/679 or Article 3, point (8) of Directive (EU) 2016/680.
7. In relation to the processing of personal data in the web portal, eu-LISA shall be the data processor within the meaning of Article 3, point (12) of Regulation (EU) 2018/1725.

Article 3

User Interface

1. The web portal shall include a search tool to allow users to input the reference of the authority responsible for the manual verification of the different identities referred to in Article 34(d) of Regulation (EU) 2019/818, in order to retrieve the contact information of that authority.
2. Upon verification of the validity and completeness of the input data, the web portal shall retrieve the contact details of that authority in accordance with Article 49(3) of Regulation (EU) 2019/818.
3. The web portal shall enable the user to open a request for information using template email through a web form in order to facilitate communication with the authority responsible for the manual verification of different identities. The template shall include a field for the single identification number referred to in Article 34(c) of Regulation (EU) 2019/818, to allow that authority to retrieve the appropriate link details and corresponding records.
4. The template email shall contain a standardised request for further information, which shall be available in the languages referred to in Article 1(3). The template email is set out in the Annex. The template email shall also provide an option on the language(s) to be used for a reply, which shall contain at least two languages to be chosen by each Member State. The language of the template email may be chosen by the user.
5. Following the submission of the filled template email through the web form, an automated acknowledgement email shall be sent to the user, containing the contact details of the authority responsible to follow up this request and enabling the person to exercise the rights pursuant to Article 48(1) of Regulation (EU) 2019/818.

Article 4

Content management

1. The web portal shall ensure a separation between the site pages containing information to the general public and the search tool and the site pages allowing the user to retrieve the contact information of the authority responsible for the manual verification of different identities.
2. To allow the management of the content by eu-LISA, the web portal shall contain an administration interface which shall be secured. All access to this interface and the changes performed shall be logged in accordance with Article 7.

3. The administration interface shall provide rights to eu-LISA to add, modify or remove content of the web portal. In no circumstance shall this interface allow eu-LISA to access data related to the third-country nationals that are stored in the EU information systems.

4. The content management solution shall provide a staging system where all changes can be prepared, viewed and pushed to the online system for publication at a given time point. The staging shall also have tools to ease management of the content and preview the result of changes.

Article 5

Security considerations

1. The web portal shall be designed and implemented to ensure the confidentiality, integrity and availability of the services and to ensure non-repudiation of transactions, by applying at minimum the following application security principles:

- (a) defense in depth (layered security mechanisms);
- (b) positive security model (defines what is allowed and rejects everything else);
- (c) fail securely (handles errors securely);
- (d) run with least privilege;
- (e) keep security simple (avoid complex architectures when a simpler approach would be faster and simpler);
- (f) detect and prevent intrusions (logging and managing all security relevant information) by applying proactive controls on the protection of the web portal information and Member State contact details from cyber-attacks and information leakage;
- (g) do not trust infrastructure (the application needs to authenticate and authorise every action from surrounding systems);
- (h) do not trust services (all external systems shall not be trusted);
- (i) establish secure defaults (software and operating systems environments must be hardened according to best practices and industry standards).

2. The web portal shall also be designed and implemented to ensure the availability and integrity of logs recorded.

3. For security and data protection purposes, the web portal shall include a notice informing the users of the rules governing the usage of the web portal and of the consequences of providing incorrect information. The notice shall include an acceptance form of the rules governing the usage of the web portal that the user shall be required to submit before being allowed to use the web portal.

The technical and organisational implementation of the web portal shall be compliant with the security plan, the business continuity plan and a disaster recovery plan referred to in Article 42(3) of Regulation (EU) 2019/818.

Article 6

Data protection and rights of the data subject

1. The web portal shall be compliant with data protection rules of Regulation (EU) 2016/679, Regulation (EU) 2018/1725 and Directive (EU) 2016/680.

2. The web portal shall include a privacy notice. It should be accessible via a dedicated link. The notice shall also be accessible from every page of the web portal. It shall be provided for in a clear and comprehensive way.

*Article 7***Logs**

1. Without prejudice to the written records referred to in Article 48(10) of Regulation (EU) 2019/818, all access to the web portal shall be recorded in a log containing the following information:
 - (a) IP address of the system used by the requester;
 - (b) date and time of the request;
 - (c) technical information on the environment used for the request such as type of device, version of the operating system, model and version of the browser.
2. The information logged shall be used only for statistical purposes as well as to monitor the use of the web portal in order to prevent any misuse.
3. In case of access to the administration interface of the web portal, the following data shall be logged in addition to the data referred to in paragraph 1:
 - (a) identification of the user accessing the administration interface;
 - (b) actions performed on the web portal (add, modify or delete content).
4. Additional anonymous technical information may be logged during the use of the web portal in order to optimise its usage and performance as long as it does not contain personal data.
5. The information logged in accordance with paragraphs 1 and 3 shall be kept for a maximum of two years.
6. eu-LISA shall keep logs of all data processing operations in the web portal.
7. eu-LISA, the Member State authorities and Union agencies shall each define the list of staff duly authorised to access the data processing operations logs of the web portal.

*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 the Member States in accordance with the Treaties.

Done at Brussels, 19 August 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Request for information template email

The template for the email is the following:

TO: < *authority responsible for the manual verification of different identities and retrieved by the portal* >

FROM: <*user email address*>

SUBJECT: Request for information concerning multi-identity detector [*red link/white link*]: <*single identification number*>

Mail_Body:

Dear Madam, dear Sir,

I was informed in writing, via a form I received, about the existence of possible discrepancies in the personal information regarding myself.

These possible discrepancies in my identity information have led to the creation of a case file with reference < *single identification number* >.

I would like to request all further information concerning this case by < *date to be calculated by portal* > in < *language* ⁽¹⁾ > to this *email address*.

⁽¹⁾ Drop down menu with linguistic options to be decided by each Member State.

COMMISSION DELEGATED REGULATION (EU) 2021/2104**of 19 August 2021****laying down detailed rules on the operation of the web portal, pursuant to Article 49(6) of Regulation (EU) 2019/817 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 (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA ⁽¹⁾, and in particular Article 49(6) thereof,

Whereas:

- (1) Regulation (EU) 2019/817, together with Regulation (EU) 2019/818 of the European Parliament and of the Council ⁽²⁾ establishes a framework to ensure interoperability between the EU information systems in the field of borders, visa, police and judicial cooperation, asylum and migration.
- (2) That framework includes a number of interoperability components which involve the processing of significant amounts of sensitive personal data. It is important that persons whose data are processed through those components can effectively exercise their rights as data subjects as required under Regulation (EU) 2016/679 ⁽³⁾, Directive (EU) 2016/680 ⁽⁴⁾ and Regulation (EU) 2018/1725 ⁽⁵⁾ of the European Parliament and of the Council.
- (3) In order to facilitate the exercise of the right to information, access to, rectification, erasure or restriction of processing of personal data a web portal is established by Regulation (EU) 2019/817.
- (4) This web portal should enable persons whose data are processed in the multi-identity detector and who have been informed of the presence of a red or white link to retrieve the information of the competent authority of the Member State responsible for the manual verification of different identities.
- (5) For the purpose of facilitating the communication between the portal user and the competent authority of the Member State responsible for the manual verification of different identities, the web portal should include a template email available in the languages established in this Regulation. It should also provide an option on the language(s) to be used for a reply.

⁽¹⁾ OJ L 135, 22.5.2019, p. 27.

⁽²⁾ Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816 (OJ L 135, 22.5.2019, p. 85).

⁽³⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁴⁾ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

⁽⁵⁾ 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).

- (6) In order to clarify respective responsibilities concerning the web portal, this Regulation should specify the responsibilities of the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice ('eu-LISA'), the Commission and the Member States concerning the web portal.
- (7) For the purpose of secure and smooth operation of this web portal, this Regulation should establish rules concerning the security of information in the web portal. In addition, access to the web portal should be logged in order to prevent any misuse.
- (8) Given that Regulation (EU) 2019/817 builds upon the Schengen *acquis*, in accordance with Article 4 of Protocol No 22 on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark notified the implementation of Regulation (EU) 2019/817 in its national law. It is therefore bound by this Regulation.
- (9) This Regulation constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part ⁽⁶⁾. Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.
- (10) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ⁽⁷⁾, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC ⁽⁸⁾.
- (11) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁹⁾, which fall within the area referred to in Article 1, point A of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽¹⁰⁾.
- (12) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽¹¹⁾ which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU ⁽¹²⁾.

⁽⁶⁾ This Regulation falls outside the scope of the measures provided for in Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

⁽⁷⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁸⁾ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁽⁹⁾ OJ L 53, 27.2.2008, p. 52.

⁽¹⁰⁾ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

⁽¹¹⁾ OJ L 160, 18.6.2011, p. 21.

⁽¹²⁾ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

- (13) As regards Cyprus, Bulgaria and Romania and Croatia, this Regulation constitutes an act building upon, or otherwise relating to, the Schengen *acquis* within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession.
- (14) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on 31 March 2021,

HAS ADOPTED THIS REGULATION:

Article 1

Domain and access

1. The web portal shall use the ‘europa.eu’ domain name of the European Union.
2. The description of the web portal shall be made available for indexing by major public search engines.
3. The web portal shall be publicly available, in addition to the Member States’ official languages, in at least the following languages: Russian, Arabic, Japanese, Chinese, Albanian, Bosnian, Macedonian, Hindi, and Turkish.
4. The web portal shall contain the information referred to in Articles 47 and 48 of Regulation (EU) 2019/817 and a search tool for the retrieval of the contact details of the competent authority of the Member State responsible for the creation of a red or white link following the manual verification of different identities. The web portal may also contain other necessary information facilitating the exercise of rights referred to in Articles 47 and 48 of Regulation (EU) 2019/817.
5. The web portal shall be in compliance with the rules, guidelines and information of the Europa Web Guide of European Commission, including the guidelines on accessibility.
6. The web portal shall prevent the contact information of the authorities to be made available for search engines and other automatic tools for collection of contact information.

Article 2

Stakeholders and responsibilities

1. eu-LISA shall develop the web portal and ensure its technical management, as referred to in Article 49(5) of Regulation (EU) 2019/817, including the hosting, operation and maintenance of the web portal.
2. The Commission shall provide eu-LISA with the content of the web portal referred to in Article 1(4), as well as with any necessary corrections or updates.
3. Member States shall provide in a timely manner the contact details of authorities competent to examine and reply to any request referred to in Articles 47 and 48 of Regulation (EU) 2019/817 to eu-LISA, to allow the regular upload and update of the web portal content as referred to in Article 49(4) of Regulation (EU) 2019/817.
4. Member States shall provide eu-LISA with a single point of contact responsible for review and maintenance purposes.
5. eu-LISA shall review the provided contact details requesting all Member States to review the available information in order to update possible changes or additions. The review shall be carried out at least once a year.

6. In relation to the processing of data in the web portal Member State authorities shall be controllers in accordance with Article 4, point (7) of Regulation (EU) 2016/679 or Article 3, point (8) of Directive (EU) 2016/680.

7. In relation to the processing of personal data in the web portal, eu-LISA shall be the data processor within the meaning of Article 3, point (12) of Regulation (EU) 2018/1725.

Article 3

User Interface

1. The web portal shall include a search tool to allow users to input the reference of the authority responsible for the manual verification of the different identities referred to in Article 34(d) of Regulation (EU) 2019/817, in order to retrieve the contact information of that authority.

2. Upon verification of the validity and completeness of the input data, the web portal shall retrieve the contact details of that authority in accordance with Article 49(3) of Regulation (EU) 2019/817.

3. The web portal shall enable the user to open a request for information using template email through a web form in order to facilitate communication with the authority responsible for the manual verification of different identities. The template shall include a field for the single identification number referred to in Article 34(c) of Regulation (EU) 2019/817, to allow that authority to retrieve the appropriate link details and corresponding records.

4. The template email shall contain a standardised request for further information, which shall be available in the languages referred to in Article 1(3). The template email is set out in the Annex. The template email shall also provide an option on the language(s) to be used for a reply, which shall contain at least two languages to be chosen by each Member State. The language of the template email may be chosen by the user.

5. Following the submission of the filled template email through the web form, an automated acknowledgement email shall be sent to the user, containing the contact details of the authority responsible to follow up this request and enabling the person to exercise the rights pursuant to Article 48(1) of Regulation (EU) 2019/817.

Article 4

Content management

1. The web portal shall ensure a separation between the site pages containing information to the general public and the search tool and the site pages allowing the user to retrieve the contact information of the authority responsible for the manual verification of different identities.

2. To allow the management of the content by eu-LISA, the web portal shall contain an administration interface which shall be secured. All access to this interface and the changes performed shall be logged in accordance with Article 7.

3. The administration interface shall provide rights to eu-LISA to add, modify or remove content of the web portal. In no circumstance shall this interface allow eu-LISA to access data related to the third-country nationals that are stored in the EU information systems.

4. The content management solution shall provide a staging system where all changes can be prepared, viewed and pushed to the online system for publication at a given time point. The staging shall also have tools to ease management of the content and preview the result of changes.

*Article 5***Security considerations**

1. The web portal shall be designed and implemented to ensure the confidentiality, integrity and availability of the services and to ensure non-repudiation of transactions, by applying at minimum the following application security principles:

- (a) defence in depth (layered security mechanisms);
- (b) positive security model (defines what is allowed and rejects everything else);
- (c) fail securely (handles errors securely);
- (d) run with least privilege;
- (e) keep security simple (avoid complex architectures when a simpler approach would be faster and simpler);
- (f) detect and prevent intrusions (logging and managing all security relevant information) by applying proactive controls on the protection of the web portal information and Member State contact details from cyber-attacks and information leakage;
- (g) do not trust infrastructure (the application needs to authenticate and authorise every action from surrounding systems);
- (h) do not trust services (all external systems shall not be trusted);
- (i) establish secure defaults (software and operating systems environments must be hardened according to best practices and industry standards).

2. The web portal shall also be designed and implemented to ensure the availability and integrity of logs recorded.

3. For security and data protection purposes, the web portal shall include a notice informing the users of the rules governing the usage of the web portal and of the consequences of providing incorrect information. The notice shall include an acceptance form of the rules governing the usage of the web portal that the user shall be required to submit before being allowed to use the web portal.

The technical and organisational implementation of the web portal shall be compliant with the security plan, the business continuity plan and a disaster recovery plan referred to in Article 42(3) of Regulation (EU) 2019/817.

*Article 6***Data protection and rights of the data subject**

1. The web portal shall be compliant with data protection rules of Regulation (EU) 2016/679, Regulation (EU) 2018/1725 and Directive (EU) 2016/680.

2. The web portal shall include a privacy notice. It should be accessible via a dedicated link. The notice shall also be accessible from every page of the web portal. It shall be provided for in a clear and comprehensive way.

*Article 7***Logs**

1. Without prejudice to the written records referred to in Article 48(10) of Regulation (EU) 2019/817, all access to the web portal shall be recorded in a log containing the following information:

- (a) IP address of the system used by the requester;
- (b) date and time of the request;

- (c) technical information on the environment used for the request such as type of device, version of the operating system, model and version of the browser.
- 2. The information logged shall be used only for statistical purposes as well as to monitor the use of the web portal in order to prevent any misuse.
- 3. In case of access to the administration interface of the web portal, the following data shall be logged in addition to the data referred to in paragraph 1:
 - (a) identification of the user accessing the administration interface;
 - (b) actions performed on the web portal (add, modify or delete content).
- 4. Additional anonymous technical information may be logged during the use of the web portal in order to optimise its usage and performance as long as it does not contain personal data.
- 5. The information logged in accordance with paragraphs 1 and 3 shall be kept for a maximum of two years.
- 6. eu-LISA shall keep logs of all data processing operations in the web portal.
- 7. eu-LISA, the Member State authorities and Union agencies shall each define the list of staff duly authorised to access the data processing operations logs of the web portal.

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 the Member States in accordance with the Treaties.

Done at Brussels, 19 August 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Request for information template email

The template for the email is the following:

TO: < *authority responsible for the manual verification of different identities and retrieved by the portal* >

FROM: <*user email address*>

SUBJECT: Request for information concerning multi-identity detector [*red link/white link*]: <*single identification number*>

Mail_Body:

Dear Madam, dear Sir,

I was informed in writing, via a form I received, about the existence of possible discrepancies in the personal information regarding myself.

These possible discrepancies in my identity information have led to the creation of a case file with reference < *single identification number* >.

I would like to request all further information concerning this case by < *date to be calculated by portal* > in < *language* ⁽¹⁾ > to this *email address*.

⁽¹⁾ Drop-down menu with linguistic options to be decided by each Member State.

COMMISSION DELEGATED REGULATION (EU) 2021/2105

of 28 September 2021

supplementing Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility by defining a methodology for reporting social expenditure

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility ⁽¹⁾, and in particular Articles 29(4), point (b) and 33 thereof,

Whereas:

- (1) The aim of the Recovery and Resilience Facility ('the Facility') is to provide effective and significant financial support to step up the implementation of sustainable reforms and related public investments in the Member States. The Facility is a dedicated instrument designed to tackle the adverse social and economic effects and consequences of the COVID-19 crisis in the Union.
- (2) The Facility supports economic and social recovery and contributes – among others – to fighting poverty, inequalities and tackling unemployment, creation of high-quality and stable jobs, improved health care capacity, and better policies for the next generation including on education and training.
- (3) The Facility will notably support Member States in implementing measures in line with the European Pillar of Social Rights and Union initiatives in the employment, education, health and social area, in particular, the European Pillar of Social Rights Action Plan ⁽²⁾ and the Recommendation on an effective active support to employment following the COVID-19 crisis (EASE) ⁽³⁾, the Communication on Youth Employment Support ⁽⁴⁾ and the Recommendation on A Bridge to Jobs – Reinforcing the Youth Guarantee ⁽⁵⁾, the Recommendation on vocational education and training (VET) for sustainable competitiveness, social fairness and resilience ⁽⁶⁾, the Recommendation establishing the European Child Guarantee ⁽⁷⁾, the Strategy for the Rights of Persons with Disabilities 2021-30 ⁽⁸⁾, the European Skills Agenda for sustainable competitiveness, social fairness and resilience ⁽⁹⁾, the European Education Area ⁽¹⁰⁾ and the Digital Education Action Plan ⁽¹¹⁾, the EU Anti-racism Action Plan 2020-25 ⁽¹²⁾, the EU Roma strategic framework for equality, inclusion and participation ⁽¹³⁾, the Gender Equality Strategy 2020-25 ⁽¹⁴⁾, the LGBTIQ Equality Strategy 2020-25 ⁽¹⁵⁾, the Communication on Building a European Health Union ⁽¹⁶⁾, the Pharmaceutical Strategy for Europe ⁽¹⁷⁾, and Europe's Beating Cancer Plan ⁽¹⁸⁾.

⁽¹⁾ OJ L 57, 18.2.2021, p. 17.⁽²⁾ COM(2021) 102 final, 4.3.2021.⁽³⁾ Commission Recommendation (EU) 2021/402 of 4 March 2021 on an effective active support to employment following the COVID-19 crisis (OJ L 80, 8.3.2021, p. 1).⁽⁴⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Youth Employment Support, a Bridge to Jobs for the Next Generation (COM(2020) 276 final, 1.7.2020).⁽⁵⁾ Council Recommendation of 30 October 2020 on A Bridge to Jobs – Reinforcing the Youth Guarantee and replacing the Council Recommendation of 22 April 2013 on establishing a Youth Guarantee (OJ C 372, 4.11.2020, p. 1).⁽⁶⁾ Council Recommendation of 24 November 2020 on vocational education and training (VET) for sustainable competitiveness, social fairness and resilience (OJ C 417, 2.12.2020, p. 1).⁽⁷⁾ Pending adoption by the Council (COM(2021) 137 final, 24.3.2021).⁽⁸⁾ COM(2021) 101 final, 3.3.2021.⁽⁹⁾ COM(2020) 274 final, 1.7.2020.⁽¹⁰⁾ Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-30) (OJ C 66, 26.2.2021, p. 1).⁽¹¹⁾ COM(2020) 624 final, 30.9.2020.⁽¹²⁾ COM(2020) 565 final, 18.9.2020.⁽¹³⁾ COM(2020) 620 final, 7.10.2020.⁽¹⁴⁾ COM(2020) 152 final, 5.3.2020.⁽¹⁵⁾ COM(2020) 698 final, 12.11.2020.⁽¹⁶⁾ COM(2020) 724 final, 11.11.2020.⁽¹⁷⁾ COM(2020) 761 final, 25.11.2020.⁽¹⁸⁾ COM(2021) 44 final, 3.2.2021.

- (4) In this context, it is important to be able to report on the reforms and investments financed by the Facility which have a social dimension. Pursuant to Article 29(4), point (b) of Regulation (EU) 2021/241, the Commission is to define a methodology for reporting social expenditure, including on children and the youth, under the Facility.
- (5) Pursuant to Article 31(3), point (c) of Regulation (EU) 2021/241, the annual report of the Commission to the European Parliament and the Council should include information on the expenditure financed by the Facility under the six pillars referred to in its Article 3, incorporating social expenditure, including on children and the youth.
- (6) The methodology should consist of two steps: firstly, each reform and investment included in the recovery and resilience plan of a Member State with a primary social dimension should be associated by the Commission, in consultation where necessary with that Member State, to one of nine social policy areas under the four broader social categories set out in the Annex; secondly, each measure of a social nature that includes a focus on children and the youth, and also on gender equality as Regulation (EU) 2021/241 puts an emphasis on gender equality, should be flagged, allowing for a specific reporting on expenditure focused on children and the youth, and respectively on gender equality.
- (7) Given that the social expenditure methodology should be operational by 31 December 2021 and in order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.

HAS ADOPTED THIS REGULATION:

Article 1

Definition of the methodology

1. The methodology for reporting social expenditure, including on children and the youth, and on gender equality under the Facility shall be based on the estimated expenditure provided in the approved recovery and resilience plans and on the steps set out in paragraphs 2, 3 and 4.
2. Reforms and investments with a primary social dimension shall be associated to one of the nine social policy areas set out in the Annex. Each social policy area shall be linked to a broader social category. A reform or investment may only be associated to one social policy area, and therefore to one social category.
3. Each measure of a social nature that includes a focus on children and the youth shall be flagged, allowing for a subsequent specific reporting on expenditure under the Facility on children and the youth.
4. Each measure of a social nature that includes a focus on gender equality shall be flagged, allowing for a specific subsequent reporting on expenditure under the Facility on gender equality.
5. The social policy areas and social categories, and the flags to identify measures of a social nature that include a focus on children and the youth, and on gender equality as referred to in paragraphs 2, 3, and 4 shall be those set out in the Annex.
6. The Commission shall use this methodology in the annual report referred to in Article 31(3) of Regulation (EU) 2021/241 to provide information on the social expenditure, including on children and the youth, and on gender equality financed by the Facility.

Article 2

Entry into force

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

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

Done at Brussels, 28 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Methodology for reporting on social expenditure, including on children and the youth, and on gender equality

1. The Commission shall assign **each measure with a primary social dimension to exclusively one of the following nine social policy areas**:

Nine policy areas within the four main social categories	
Social category: Employment and skills	
1.	Adult learning, including continuous vocational education and training; recognition and validation of skills
2.	Employment support and job creation, including hiring and job transition incentives and support for self-employment
3.	Modernisation of labour market institutions, including infrastructure, employment services and forecasting of skills and labour inspectorates; employment protection and organisation; social dialogue and wage setting mechanisms; adaptation of workplaces
Social category: Education and childcare	
4.	Early childhood education and care: accessibility, affordability, quality and inclusiveness, including digitalisation and infrastructure
5.	General, vocational and higher education: accessibility, affordability, quality and inclusiveness, including digitalisation and infrastructure
Social category: Health and long-term care	
6.	Healthcare: resilience, sustainability, adequacy, availability, accessibility, affordability and quality, including digitalisation and infrastructure
7.	Long-term care: resilience, sustainability, adequacy, availability, accessibility, affordability and quality, including digitalisation and infrastructure
Social category: Social policies	
8.	Social housing and other social infrastructure
9.	Social protection, including social services and integration of vulnerable groups

2. For each measure of a social nature that includes a focus on **children and the youth**, the Commission shall attribute a flag allowing for the specific reporting of expenditure under the Facility on children and the youth.
3. For each measure of a social nature that includes a focus on **gender equality**, the Commission shall attribute a flag allowing for the specific reporting of expenditure under the Facility on gender equality.

COMMISSION DELEGATED REGULATION (EU) 2021/2106**of 28 September 2021****on supplementing Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility by setting out the common indicators and the detailed elements of the recovery and resilience scoreboard**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility ⁽¹⁾, and in particular Articles 29(4), point (a) and 30(2) thereof,

Whereas:

- (1) The aim of the Recovery and Resilience Facility ('the Facility') is to provide effective and significant financial support to step up the implementation of sustainable reforms and related public investments in the Member States. The Facility is a dedicated instrument designed to tackle the adverse effects and consequences of the COVID-19 crisis in the Union.
- (2) Pursuant to Article 29 of Regulation (EU) 2021/241, the implementation of the Facility is to be monitored and evaluated through common indicators. These indicators are to be used for reporting on progress and for the purpose of monitoring and evaluation of the Facility towards the achievement of the general and specific objectives referred to in Article 4 of Regulation (EU) 2021/241. Member States are to report to the Commission on the common indicators.
- (3) Pursuant to Article 30 of Regulation (EU) 2021/241, the performance reporting system of the Facility is to take the shape of a recovery and resilience scoreboard ('the Scoreboard'). The Scoreboard is to display the progress of the implementation of the recovery and resilience plans of the Member States in each of the six pillars of the scope of the Facility referred to in Article 3 of that Regulation, and in relation to the common indicators. The Scoreboard is to be made publicly available in the form of a website or internet portal and to be updated twice a year.
- (4) Articles 29 and 30 of Regulation (EU) 2021/241 are closely related, since the common indicators will form a significant part of the content of the Scoreboard, as provided by Article 30(3) of Regulation (EU) 2021/241. In order to ensure coherence between those provisions which should enter into force at the same time, to facilitate a comprehensive view of the reporting requirements for the Member States and to facilitate the application of that Regulation, it is necessary to include the provisions supplementing those Articles in a single Delegated Regulation.
- (5) The Scoreboard aims at transparently providing synthetic information on progress with the implementation of the Facility and the national recovery and resilience plans as approved by means of the respective Council implementing decisions. It is to serve as a basis for the Recovery and Resilience Dialogue with the European Parliament referred to in Article 26 of Regulation (EU) 2021/241.
- (6) Pursuant to Article 27 of Regulation (EU) 2021/241, Member States are to report twice a year in the context of the European Semester on the progress made in the achievement of their recovery and resilience plans and on the common indicators. In order for the Scoreboard to be updated with the latest available data and with the same timeline for all Member States, thereby ensuring equal treatment, such reporting should take place at the same time for all Member States, in alignment with the European Semester timeline.

⁽¹⁾ OJ L 57, 18.2.2021, p. 17.

- (7) The list of common indicators in the Annex is designed to cover all recovery and resilience plans, but the reporting by a Member State on a specific common indicator is only relevant to the extent that there are corresponding measures in its plan. The non-relevance of a common indicator to a recovery and resilience plan should be discussed between the Commission and the Member State concerned. Given that each common indicator is generally relevant for a large majority of Member States, it is expected that each Member State should report on most indicators.
- (8) The common indicators should be defined with a sufficient level of detail to ensure the data collected by Member States is comparable and can be aggregated for displaying the implementation of the Facility at Union level. If displayed at individual Member State level, common indicators should be presented in relative terms, relying as well on data from Eurostat, to avoid misleading comparisons between Member States due to the different size or nature of the recovery and resilience plans.
- (9) Pursuant to Article 28 of Regulation (EU) 2021/241, the Commission and the Member States concerned are to foster synergies and ensure effective coordination between the Facility and other Union programmes and instruments. Therefore the indicators included in the Scoreboard should be, as far as possible, coherent with those used for other Union funds.
- (10) Pursuant to Article 29 of Regulation (EU) 2021/241, the monitoring of implementation is to be targeted and proportionate to the activities carried out under the Facility. The performance reporting system of the Commission should therefore ensure that data for monitoring the implementation of the activities and results are collected efficiently, effectively and in a timely manner. To that end, proportionate reporting requirements should be imposed on recipients of Union funding.
- (11) The other elements of the Scoreboard should be compiled by the Commission through information collected during the process of monitoring the implementation of the recovery and resilience plans and of the Facility. This should ensure comparability of data.
- (12) Given that the Scoreboard should be operational by 31 December 2021 and in order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

Content of the recovery and resilience scoreboard and list of common indicators

The scoreboard shall display the progress of the implementation of the recovery and resilience plans in each of the six pillars referred to in Article 3 of Regulation (EU) 2021/241, to be measured in particular by:

- (a) the fulfilment of milestones and targets, reflecting the implementation of the reforms and investments set out in the adopted Council implementing decisions, by listing the milestones and targets that have been satisfactorily fulfilled, counting their number, and displaying the percentage over the total number of milestones and targets set out in those Council implementing decisions. In this context it can also be reported on how the fulfilment of the milestones and targets contributes to the implementation of relevant country specific recommendations;
- (b) the expenditure financed by the Facility, also under each of the pillars referred to in Article 3 of Regulation (EU) 2021/241, incorporating social expenditures based on the methodology defined in the Commission Delegated Regulation (EU) 2021/2105 ⁽²⁾, based on the break-down of the estimated expenditure provided in the approved recovery and resilience plans;

⁽²⁾ Commission Delegated Regulation (EU) 2021/2105 of 28 September 2021 supplementing Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility by defining a methodology for reporting social expenditure (see page 79 of this Official Journal).

- (c) the status of each recovery and resilience plan;
- (d) the progress with the disbursement of the financial contributions and loans;
- (e) thematic analyses of measures included in recovery and resilience plans and examples illustrating the progress of the implementation under the six pillars;
- (f) common indicators, as set out in Annex, to be used for reporting on the progress and for the purpose of monitoring and evaluation of the Facility towards the achievement of the general and specific objectives.

Article 2

Reporting

1. In order for the Scoreboard, including the common indicators, to be updated consistently and uniformly twice a year, all Member States shall report to the Commission twice a year in the context of the European Semester on the progress made in the achievement of their recovery and resilience plans, including the operational arrangements, and on the common indicators.
2. The reporting on progress made in the achievement of their recovery and resilience plans shall take place each year, as a rule, by mid April and beginning of October, and no later than by 30 April and 15 October, respectively. The reporting period shall cover the full period of implementation of the plan, from 1 February 2020 onwards, where relevant.
3. The reporting for the update of the common indicators shall take place each year by 28 February and 31 August. The reporting period shall cover the full period of implementation of the plan, from 1 February 2020 onwards, where relevant, until the respective cut-off dates of 31 December and 30 June each year.

Article 3

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

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

Done at Brussels, 28 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

List of common indicators

The common indicators will reflect the progress towards the objectives of the Facility under the reforms and investments included in the recovery and resilience plans. A measure can contribute to several of the common indicators. Should a Member State's recovery and resilience plan contain no measure contributing to some of the below indicators, it shall discuss with the Commission to decide whether to report on the indicator as 'non-applicable'.

Number	Common indicator related to RRF support	RRF pillars	Explanation	Unit
1	Savings in annual primary energy consumption	Pillar 1 Pillar 3	Total annual primary energy consumption reduction for supported entities due to support from measures under the Facility. The baseline shall refer to the annual primary energy consumption before the intervention, and the achieved value shall refer to the annual primary energy consumption for the year after the intervention. For buildings, interventions shall be sufficiently documented to be able to calculate these values, for example by using Energy Performance Certificates or other monitoring systems respecting the criteria as set in Article 10.6 of Directive 2010/31/EU of the European Parliament and of the Council ⁽¹⁾ (the Energy Performance of Buildings Directive). For processes in enterprises, the annual primary energy consumption shall be documented based on energy audits in line with Article 8 of Directive 2012/27/EU of the European Parliament and of the Council ⁽²⁾ (the Energy Efficiency Directive) or other relevant technical specifications. Public buildings shall be defined as buildings owned by public authorities and buildings owned by a non-profit organisation, provided that such bodies pursue objectives of general interest such as education, health, environment and transport. Examples include building for public administration, schools, hospitals, etc.	MWh/year
2	Additional operational capacity installed for renewable energy	Pillar 1 Pillar 3	Additional capacity installed for renewable energy due to the support from measures under the Facility, and which is operational (i.e. connected to the grid, if applicable, and fully ready to produce or already producing energy). Production capacity shall be defined as the 'net maximum electrical capacity' as defined by Eurostat ⁽³⁾ . Renewable energy shall be defined as 'energy from renewable non-fossil sources namely wind, solar (thermal and photovoltaic) and geothermal energy, ambient energy, tide, wave and other ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogas' (see Directive (EU) 2018/2001 of the European Parliament and of the Council ⁽⁴⁾). The indicator shall also capture electrolyser capacity for hydrogen production built up with support by measures under the Facility.	MW

⁽¹⁾ Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13) as amended by Directive (EU) 2018/844 (OJ L 156, 19.6.2018, p. 75).

⁽²⁾ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

⁽³⁾ 'the maximum active power that can be supplied, continuously, with all plant running, at the point of outlet (i.e. after taking the power supplies for the station auxiliaries and allowing for the losses in those transformers considered integral to the station'.

⁽⁴⁾ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

			The indicator shall be collected and reported separately between (i) capacity for renewable energy production; and (ii) electrolyser capacity for hydrogen production	
3	Alternative fuels infrastructure (refuelling/recharging points)	Pillar 1 Pillar 3	<p>Number of refuelling/recharging points (new or upgraded) for clean vehicles supported by measures under the Facility.</p> <p>A recharging point shall be defined as an interface that is capable of charging one electric vehicle at a time or exchanging a battery of one electric vehicle at a time. A refuelling point shall refer to a refuelling facility for the provision of alternative fuel through a fixed or a mobile installation.</p> <p>Alternative fuel shall be defined to include fuels or power sources which serve, at least partly, as a substitute for fossil oil sources in the energy supply to transport and which have the potential to contribute to its decarbonisation and enhance the environmental performance of the transport sector and that are in line with Directive (EU) 2018/2001 ⁽⁵⁾.</p> <p>The indicator shall be collected and reported separately between (i) recharging; and (ii) refuelling points. As part of the latter, (iii) hydrogen refuelling points shall be reported separately.</p>	Refuelling/recharging points
4	Population benefiting from protection measures against floods, wildfires, and other climate related natural disasters	Pillar 1 Pillar 4	Population living in areas where protection infrastructure (including green infrastructure and nature-based solutions for adaptation to climate change) is built or significantly upgraded due to support by measures under the Facility in order to reduce vulnerability to flood, wildfire and other climate-related natural risks (storms, droughts, heatwaves). The indicator shall cover protection measures, which are clearly localised in high risk areas and which address directly the specific risks, as opposed to more general measures implemented at national or regional level. For floods, the indicator shall count the resident population at risk.	Persons
5	Additional dwellings with internet access provided via very high capacity networks	Pillar 2 Pillar 4	Total number of dwellings with access to very high capacity networks, as defined in the BEREC Guidelines on Very High Capacity Networks (BoR (20) 165 ⁽⁶⁾) that only had access to slower connections or did not have internet access at all before the support by measures under the Facility. As	Dwellings

⁽⁵⁾ Specifically Article 29 of Directive (EU) 2018/2001 that sets out sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids and biomass fuels.

⁽⁶⁾ Article 2(2) of the European Electronic Communications Code (EECC) currently defines the term 'very high capacity network' as follows: "Very high capacity network" means either an electronic communications network which consists wholly of optical fibre elements at least up to the distribution point at the serving location, or an electronic communications network which is capable of delivering, under usual peak-time conditions, similar network performance in terms of available downlink and uplink bandwidth, resilience, error-related parameters, and latency and its variation'.

			<p>such, it shall also consider 5G network coverage and upgrades to gigabit speed. The improved internet access must be a direct consequence of the support by measures under the Facility. The indicator shall measure dwellings with the possibility to access and not the actual take up.</p> <p>A dwelling shall be defined as 'a room or a suite of rooms in a permanent building or a structurally separated part of a building which (...) is designed for habitation by one private household all year around' ⁽⁷⁾ (see Commission (Eurostat)).</p> <p>The indicator does not count collective dwellings such as hospitals, old people's homes, residential homes, prisons, military barracks, religious institutions, boarding houses, workers' hostels, etc.</p>	
6	Enterprises supported to develop or adopt digital products, services and application processes	Pillar 2 Pillar 3	<p>Number of enterprises supported to develop or adopt new or significantly upgraded services, products and processes based on digital technologies, due to support by measures under the Facility. This includes advanced digital technologies such as automation, artificial intelligence, cybersecurity, block chain, cloud and edge infrastructures and data spaces, quantum and high performance computing. Significant upgrades shall cover only new functionalities. The information shall therefore be collected separately (i) for enterprises supported to develop digital technologies and solutions; and (ii) for enterprises supported to adopt digital solutions to transform their services, products or processes. It shall also be collected by size of enterprise.</p> <p>An enterprise shall be counted once regardless of how many times it receives support to digitalise by measures under the Facility.</p> <p>An enterprise and the disaggregation by size of enterprise shall be defined as per the definition adopted for indicator 9.</p>	Enterprises
7	Users of new and upgraded public digital services, products and processes	Pillar 2 Pillar 5	<p>Number of users of the digital public services, products and processes newly developed or significantly upgraded through support by measures under the Facility. Significant upgrades shall cover only new functionalities. The indicator shall have a baseline of 0 only if the digital service, product or process is new. Users refer to the clients of the public services and products newly developed or upgraded through support by measures under the Facility, and to the staff of the public institution using the digital processes newly developed or significantly upgraded through support by measures under the Facility. If individual users cannot be identified, counting the same client using an online service several times shall not be considered as double counting.</p>	Users/year

⁽⁷⁾ <https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Dwelling>

8	Researchers working in supported research facilities	Pillar 3	<p>Number of researchers using directly, in their line of activity, the public or private research facility or the equipment for which support by measures under the Facility is awarded. The indicator shall be measured in terms of annual full time equivalents (FTEs), calculated according to the methodology provided in the OECD Frascati Manual 2015.</p> <p>The support must improve the research facility or the quality of research equipment. Replacements without quality increase shall be excluded, as is maintenance.</p> <p>The R & D vacant positions shall not be counted, neither support staff for R & D (i.e. posts not directly involved in R & D activities).</p> <p>Annual FTE of R & D personnel shall be defined as the ratio of working hours actually spent on R & D during a calendar year divided by the total number of hours conventionally worked in the same period by an individual or a group. By convention a person cannot perform more than one FTE on R & D on a biannual basis. The number of hours conventionally worked shall be determined on the basis of normative/statutory working hours. A full time person shall be identified with reference to their employment status, the type of contract (full time or part time) and their level of engagement in R & D (see OECD Frascati Manual 2015, Chapter 5.3).</p> <p>The indicator shall be disaggregated by gender ⁽⁸⁾.</p>	Annual Full Time Equivalent
9	Enterprises supported (of which small – including micro, medium, large)	Pillar 3	<p>The indicator shall count all enterprises that receive monetary or in-kind support by measures under the Facility.</p> <p>The enterprise shall be defined as the smallest combination of legal units that is an organisational unit producing goods and services, which benefits from a certain degree of autonomy in decision making, especially for the allocation of its current resources, carrying out one or more activities at one or more locations. An enterprise may be a sole legal unit. Legal units shall include legal persons whose existence is recognised by law independently of the individuals or institutions which may own them or are members of them, such as general partnerships, private limited partnerships, limited liability companies, incorporated companies etc. Legal units shall also include natural persons who are engaged in an economic activity in their own right, such as the owner and operator of a shop or a garage, a lawyer or a self-employed handicrafts-person (Commission (Eurostat), based on Council Regulation (EEC) No 696/93, Section III A of 15.3.1993).</p> <p>The indicator shall be collected and reported by size of enterprise. For the purpose of this indicator, enterprises shall be defined as profit-oriented organisations that produce goods and services to satisfy market needs.</p>	Enterprises

⁽⁸⁾ Men, women, non-binary. A number of Member States have legal provisions or practices recognising that individuals may not fall into either of these two categories or may not wish to be associated with one of them. For these Member States, these individuals shall be recorded as 'non-binary'.

			<p>Classification of enterprises:</p> <p>Small, including micro, enterprise (0-49 employees and self-employed and annual turnover ≤ EUR 10 million or balance sheet ≤ EUR 10 million);</p> <p>Medium enterprise (50-249 employees and self-employed and annual turnover >EUR 10 million – ≤ EUR 50 million or balance sheet > EUR 10 million – ≤ EUR 43 million);</p> <p>Large enterprises (> 250 employees and self-employed and turnover > EUR 50 million or balance sheet > EUR 43 million);</p> <p>If either of the 2 thresholds (employees and self-employed and annual turnover/balance sheet) is exceeded the enterprises shall be categorised in the size category above;</p> <p>(Commission (Eurostat) based on Commission Recommendation 2003/361/EC ⁽⁹⁾, Annex, Articles 2-3);</p> <p>The size of the enterprise supported shall be measured at the start of the support.</p>	
10	Number of participants in education or training	Pillar 2 Pillar 4 Pillar 6	<p>The indicator shall take into account the number of participants to education (ISCED 0-6, adult learning) and training (off-the-job/in-the-job training, continuous vocational education and training, etc.) activities supported by measures under the Facility, including participants to digital skills trainings ⁽¹⁰⁾. It shall therefore be collected and reported on by (i) participants in education or training; and of those, (ii) participants in digital skills training. It shall also be disaggregated by gender ⁽¹¹⁾ and age ⁽¹²⁾.</p> <p>Participants shall be counted upon entering the education or training activity.</p>	Persons
11	Number of people in employment or engaged in job searching activities	Pillar 3 Pillar 4	<p>Unemployed ⁽¹³⁾ or inactive ⁽¹⁴⁾ persons who have received support by measures under the RRF, and who are in employment, including self-employment, or who were inactive when receiving that support and who are newly engaged in job searching activities, immediately after receiving that support.</p>	Persons

⁽⁹⁾ OJ L 124, 20.5.2003, p. 36.

⁽¹⁰⁾ In line with Annex VII of the RRF Regulation displaying the digital tagging under the Facility, digital skills training is to be understood within the meaning of intervention field 108 (Support for the development of digital skills), which states: 'This refers to digital skills at all levels and includes: highly specialized education programmes to train digital specialists (that is technology focused programmes); training of teachers, development of digital content for education purposes and relevant organisational capabilities. This also includes measures and programmes aimed at improving basic digital skills.'

⁽¹¹⁾ Men, women, non-binary. A number of Member States have legal provisions or practices recognising that individuals may not fall into either of these two categories or may not wish to be associated with one of them. For these Member States, these individuals shall be recorded as 'non-binary'.

⁽¹²⁾ 0-17, 18-29, 30-54, 55 and over.

⁽¹³⁾ Unemployed are persons usually without work, available for work and actively seeking work. Persons considered as registered unemployed according to national definitions are always included here even if they do not fulfil all three of these criteria. Source: §18 in Directorate-General for Employment, Social Affairs and Inclusion, Labour market policy (LMP) statistics – Methodology 2018.

⁽¹⁴⁾ Inactive are persons currently not part of the labour force (in the sense that they are not employed or unemployed according to the definitions provided). Source: §20 in Directorate-General for Employment, Social Affairs and Inclusion, Labour market policy statistics – Methodology 2018.

			<p>The indicator shall be disaggregated by gender ⁽¹⁵⁾ and age ⁽¹⁶⁾.</p> <p>'Engaged in job searching' shall be defined to include persons usually without work, available for work and actively seeking work, as per the definition of 'Unemployed'.</p> <p>Persons who have newly registered with the public employment services as jobseeker shall always be counted even if they are not immediately available for work.</p>	
12	Capacity of new or modernised health care facilities	Pillar 4 Pillar 5	<p>The maximum annual number of persons that can be served by a new or modernised health care facility due to support by measures under the Facility at least once during a period of one year.</p> <p>Modernisation shall not include energy renovation or maintenance and repairs. Healthcare facilities shall include hospitals, clinics, outpatient care centres, specialised care centres etc.</p>	Persons/year
13	Classroom capacity of new or modernised childcare and education facilities	Pillar 4 Pillar 6	<p>Classroom capacity in terms of the maximum number of places in the new or modernised early childhood education and care and education facilities (ISCED 0-6) due to support by measures under the Facility. Classroom capacity shall be calculated in accordance with national legislation, but it shall not include teachers, parents, auxiliary personnel or any other persons who may also use the facilities.</p> <p>Early childhood education and care facilities such as crèches and pre-schools shall refer to those designed for children from birth to the start of primary education (ISCED 0). Education facilities shall include schools (ISCED 1-3, ISCED 4) and higher education (ISCED 5-6). The indicator shall cover childcare or education facilities that are newly built or modernised (for example, for increasing hygiene and safety standards), and modernisation shall not include energy renovation or maintenance and repairs.</p>	Persons
14	Number of young people aged 15-29 years receiving support	Pillar 6	<p>The number of participants aged 15-29 years old upon receiving monetary or in-kind support by measures under the Facility.</p> <p>The indicator shall be disaggregated by gender ⁽¹⁷⁾.</p>	Persons

⁽¹⁵⁾ Men, women, non-binary. A number of Member States have legal provisions or practices recognising that individuals may not fall into either of these two categories or may not wish to be associated with one of them. For these Member States, these individuals shall be recorded as 'non-binary'.

⁽¹⁶⁾ 0-17, 18-29, 30-54, 55 and over.

⁽¹⁷⁾ Men, women, non-binary. A number of Member States have legal provisions or practices recognising that individuals may not fall into either of these two categories or may not wish to be associated with one of them. For these Member States, these individuals shall be recorded as 'non-binary'.

COMMISSION IMPLEMENTING REGULATION (EU) 2021/2107**of 26 November 2021****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for the United Kingdom in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds****(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 230(1) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 requires that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ lays down the animal health requirements with which consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones thereof, or compartments thereof in the case of aquaculture animals, must comply with in order to enter the Union.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries, or territories, or zones or compartments thereof, from which the entry into the Union of the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V and XIV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, and of fresh meat from poultry and game birds.
- (5) On 17 November 2021, the United Kingdom notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located near Kirkham, Fylde, Lancashire in England and was confirmed on 17 November 2021 by laboratory analysis (RT-PCR).
- (6) On 19 of November 2021, the United Kingdom notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located near Willington, South Derbyshire, Derbyshire in England and was confirmed on 19 November 2021 by laboratory analysis (RT-PCR).

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

⁽³⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 1).

- (7) On 20 of November 2021, the United Kingdom notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located near Pokesdown, Bournemouth, Christchurch & Poole in England and was confirmed on 19 November 2021 by laboratory analysis (RT-PCR).
- (8) The veterinary authorities of the United Kingdom established a 10 km control zone around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.
- (9) The United Kingdom has submitted information to the Commission on the epidemiological situation on its territory and the measures it has taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat from poultry and game birds from the areas under restrictions established by the veterinary authorities of the United Kingdom due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (10) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended accordingly.
- (11) Taking into account the current epidemiological situation in the United Kingdom as regards highly pathogenic avian influenza, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 26 November 2021.

For the Commission
The President
Ursula VON DER LEYEN

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex V is amended as follows:

(a) in Part 1, in the entry for the United Kingdom, the following rows for zones GB-2.23, GB-2.24 and GB-2.25 are inserted after the row for zone GB-2.22:

‘GB United Kingdom	GB-2.23	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		17.11.2021	
		Breeding ratites and productive ratites	BPR	N, P1		17.11.2021	
		Poultry intended for slaughter other than ratites	SP	N, P1		17.11.2021	
		Ratites intended for slaughter	SR	N, P1		17.11.2021	
		Day-old chicks other than ratites	DOC	N, P1		17.11.2021	
		Day-old chicks of ratites	DOR	N, P1		17.11.2021	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		17.11.2021	
		Hatching eggs of poultry other than ratites	HEP	N, P1		17.11.2021	
		Hatching eggs of ratites	HER	N, P1		17.11.2021	
		Less than 20 heads of poultry other than ratites	HE-LT20	N, P1		17.11.2021	
	GB-2.24	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		19.11.2021	
		Breeding ratites and productive ratites	BPR	N, P1		19.11.2021	
		Poultry intended for slaughter other than ratites	SP	N, P1		19.11.2021	
		Ratites intended for slaughter	SR	N, P1		19.11.2021	
		Day-old chicks other than ratites	DOC	N, P1		19.11.2021	

		Day-old chicks of ratites	DOR	N, P1		19.11.2021	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		19.11.2021	
		Hatching eggs of poultry other than ratites	HEP	N, P1		19.11.2021	
		Hatching eggs of ratites	HER	N, P1		19.11.2021	
		Less than 20 heads of poultry other than ratites	HE-LT20	N, P1		19.11.2021	
	GB-2.25	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		19.11.2021	
		Breeding ratites and productive ratites	BPR	N, P1		19.11.2021	
		Poultry intended for slaughter other than ratites	SP	N, P1		19.11.2021	
		Ratites intended for slaughter	SR	N, P1		19.11.2021	
		Day-old chicks other than ratites	DOC	N, P1		19.11.2021	
		Day-old chicks of ratites	DOR	N, P1		19.11.2021	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		19.11.2021	
		Hatching eggs of poultry other than ratites	HEP	N, P1		19.11.2021	
		Hatching eggs of ratites	HER	N, P1		19.11.2021	
		Less than 20 heads of poultry other than ratites	HE-LT20	N, P1		19.11.2021';	

(b) in Part 2, in the entry for the United Kingdom, the following descriptions of the zones GB-2.23, GB-2.24 and GB-2.25 are inserted after the description of the zone GB-2.22:

'United Kingdom	GB-2.23	Near Kirkham, Fylde, Lancashire, England: The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates N53.79 and W2.84
	GB-2.24	Near Pokesdown, Bournemouth, Christchurch & Poole, England: The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates N50.73 and W1.82
	GB-2.25	Near Willington, South Derbyshire, Derbyshire, England: The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates N52.86 and W1.52';

(2) in Annex XIV, in Part 1, in the entry for the United Kingdom, the following rows for zones GB-2.23, GB-2.24 and GB-2.25 are inserted after the row for zone GB-2.22:

'GB United Kingdom	GB-2.23	Fresh meat of poultry other than ratites	POU	N, P1		17.11.2021	
		Fresh meat of ratites	RAT	N, P1		17.11.2021	

		Fresh meat of game birds	GBM	N, P1		17.11.2021	
	GB-2.24	Fresh meat of poultry other than ratites	POU	N, P1		19.11.2021	
		Fresh meat of ratites	RAT	N, P1		19.11.2021	
		Fresh meat of game birds	GBM	N, P1		19.11.2021	
	GB-2.25	Fresh meat of poultry other than ratites	POU	N, P1		19.11.2021	
		Fresh meat of ratites	RAT	N, P1		19.11.2021	
		Fresh meat of game birds	GBM	N, P1		19.11.2021	

COMMISSION IMPLEMENTING REGULATION (EU) 2021/2108**of 29 November 2021****amending for the 323rd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations ⁽¹⁾, and in particular Article 7(1)(a) and Article 7a(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 23 November 2021, the Sanctions Committee of the United Nations Security Council decided to add an entry to the list of persons, groups and entities to whom the freezing of funds and economic resources should apply.
- (3) Annex I to Regulation (EC) No 881/2002 should therefore be amended accordingly.
- (4) In order to ensure that the measures provided for in this Regulation are effective it should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 29 November 2021.

For the Commission
On behalf of the President
Director-General
Directorate-General for Financial Stability, Financial
Services and Capital Markets Union

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

In Annex I to Regulation (EC) No 881/2002 the following entry is added under the heading 'Natural persons':

1. 'Emraan Ali (low quality alias: Abu Jihad TNT). Date of birth: (a) 4.7.1967. Place of birth: (a) Rio Claro, Trinidad and Tobago. Nationality: (a) Trinidad and Tobago; (b) United States of America. Passport No (a) TB162181 (Trinidad and Tobago passport issued on 27.1.2015 and expired on 26.1.2020); (b) 420985453 (United States of America passport expired on 6.2.2017). National identification No 19670704052 (Trinidad and Tobago identification number). Address: (a) United States of America (in detention, Federal Detention Center - Miami, Register Number: 10423-509); (b) #12 Rio Claro Mayaro Road, Rio Claro, Trinidad (previous location 2008-March 2015); (c) #7 Guayaguayare Road, Rio Claro, Trinidad (previous location circa 2003); (d) United States of America (previous location January 1991-2008). Other information: (a) Senior member of Islamic State in Iraq and the Levant (ISIL), listed as Al-Qaeda in Iraq. Recruited for ISIL and instructed individuals to perpetrate terrorist acts via online video. (b) Physical description: height: 176 cm; weight: 73 kg; build: medium; eye colour: brown; hair colour: black/bald; complexion: brown; (c) Speaks English. Date of designation referred to in Article 7d(2)(i): 23.11.2021.'
-

COMMISSION IMPLEMENTING REGULATION (EU) 2021/2109**of 30 November 2021****amending Implementing Regulation (EU) 2020/704 to make administrative changes to the Union authorisation of the biocidal product family 'INSECTICIDES FOR HOME USE'****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the first subparagraph of Article 44(5) and Article 50(2) thereof,

Whereas:

- (1) On 26 May 2020, Commission Implementing Regulation (EU) 2020/704 ⁽²⁾ granted a Union authorisation with authorisation number EU-0021035-0000 to Agrobioters Laboratoire for the making available on the market and use of the biocidal product family 'INSECTICIDES FOR HOME USE'.
- (2) On 8 September 2020, Agrobioters Laboratoire submitted a notification to the European Chemicals Agency ('the Agency'), in accordance with Article 11(1) of Commission Implementing Regulation (EU) No 354/2013 ⁽³⁾, regarding the administrative changes to the Union authorisation for the biocidal product family 'INSECTICIDES FOR HOME USE' referred to in Section 1 of Title 1 of the Annex to that Regulation.
- (3) Agrobioters Laboratoire proposed the addition of trade names in the third information level: individual products in the meta SPC 1, of the summary of the product characteristics for the biocidal product family 'INSECTICIDES FOR HOME USE' as set out in Annex II to Implementing Regulation (EU) 2020/704. The notification was recorded under the case number BC-DR061688-14 in the Register for Biocidal Products.
- (4) On 12 October 2020, the Agency submitted an opinion ⁽⁴⁾ on the proposed changes to the Commission, in accordance with Article 11(3) of Implementing Regulation (EU) No 354/2013. The opinion concludes that the amendments to the existing authorisation sought by the authorisation holder fall under Article 50(3)(a) of Regulation (EU) No 528/2012, and that after the implementation of the changes the conditions of Article 19 of that Regulation are still met. On the same date, the Agency transmitted to the Commission the revised summary of the biocidal product characteristics in all the official languages of the Union in accordance with Article 11(6) of Implementing Regulation (EU) No 354/2013.
- (5) The Commission concurs with the opinion of the Agency and therefore considers it appropriate to amend the Union authorisation of the biocidal product family 'INSECTICIDES FOR HOME USE'.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2020/704 of 26 May 2020 granting a Union authorisation for the biocidal product family 'INSECTICIDES FOR HOME USE' (OJ L 164, 27.5.2020, p. 19).

⁽³⁾ Commission Implementing Regulation (EU) No 354/2013 of 18 April 2013 on changes of biocidal products authorised in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 109, 19.4.2013, p. 4).

⁽⁴⁾ ECHA opinion of 9 October 2020 on the administrative change of the Union authorisation of the biocidal product family 'INSECTICIDES FOR HOME USE', https://echa.europa.eu/documents/10162/22836226/opinion_for_ua-admin_change_bc-dr061688-14_en.pdf/90bc7c1f-ed8e-a127-982c-4f08b3af513f

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Implementing Regulation (EU) 2020/704 is replaced by the text 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, 30 November 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

ANNEX II

Summary of product characteristics for a biocidal product family

INSECTICIDES FOR HOME USE

Product type 18 – Insecticides, acaricides and products to control other arthropods (Pest control)

Authorisation number: EU-0021035-0000

R4BP asset number: EU-0021035-0000

PART I

FIRST INFORMATION LEVEL**1. ADMINISTRATIVE INFORMATION****1.1. Family name**

Name	INSECTICIDES FOR HOME USE
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1.2. Product type(s)

Product type(s)	PT18 – Insecticides, acaricides and products to control other arthropods (Pest control)
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1.3. Authorisation holder

Name and address of the authorisation holder	Name	Agrobiothers Laboratoire
	Address	ZI Route des Platières, 71290 CUISERY, France
Authorisation number	EU-0021035-0000	
R4BP asset number	EU-0021035-0000	
Date of the authorisation	16 June 2020	
Expiry date of the authorisation	31 May 2030	

1.4. Manufacturer(s) of the biocidal products

Name of manufacturer	Agrobiothers Laboratoire
Address of manufacturer	ZI Route des Platières, 71290 CUISERY France
Location of manufacturing sites	AF3 16 rue de l'Oberwald, 68360 Soultz France

1.5. **Manufacturer(s) of the active substance(s)**

Active substance	Permethrin
Name of manufacturer	Tagros Chemicals India Ltd. (Art.95 List: LIMARU NV (Acting for Tagros Chemicals India Private Limited)
Address of manufacturer	Jhaver Centre, Rajah Annamalai Bldg., IV floor 72 Marshal's road Egmore, 600008 Chennai India
Location of manufacturing sites	A-4/1&2, Sipcot Industrial Complex, Pachayankuppam Cuddalore, 607 005 Tamilnadu India
Active substance	S-Methoprene
Name of manufacturer	Babolna bio Ltd.
Address of manufacturer	Szallas u.6 H-, 1107 Budapest Hungary
Location of manufacturing sites	Szallas u.6 H-, 1107 Budapest Hungary

2. **PRODUCT FAMILY COMPOSITION AND FORMULATION**2.1. **Qualitative and quantitative information on the composition of the family**

Common name	IUPAC name	Function	CAS number	EC number	Content (%)	
					Min	Max
Permethrin		Active Substance	52645-53-1	258-067-9	0,177	0,177
S-Methoprene		Active Substance	65733-16-6		0,00225	0,00225
Propan-2-ol	Propan-2-ol	Non-active substance	67-63-0	200-661-7	3,33475	3,33475
n-butane	n-butane	Non-active substance	106-97-8	203-448-7	63,458	63,458
propane	propane	Non-active substance	74-98-6	200-827-9	16,271	16,271
isobutane	isobutane	Non-active substance	75-28-5	200-857-2	4,068	4,068

2.2. **Type(s) of formulation**

Formulation(s)	AE – Aerosol dispenser
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PART II

SECOND INFORMATION LEVEL – META SPC(S)

Meta SPC 11. **META SPC 1 ADMINISTRATIVE INFORMATION**1.1. **Meta SPC 1 identifier**

Identifier	Meta-SPC1: INSECTICIDE HOUSEHOLD SPRAY
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1.2. Suffix to the authorisation number

Number	1-1
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1.3. Product type(s)

Product type(s)	PT18 – Insecticides, acaricides and products to control other arthropods (Pest control)
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2. META SPC 1 COMPOSITION

2.1. Qualitative and quantitative information on the composition of the meta SPC 1

Common name	IUPAC name	Function	CAS number	EC number	Content (%)	
					Min	Max
Permethrin		Active Substance	52645-53-1	258-067-9	0,177	0,177
S-Methoprene		Active Substance	65733-16-6		0,00225	0,00225
Propan-2-ol	Propan-2-ol	Non-active substance	67-63-0	200-661-7	3,33475	3,33475
n-butane	n-butane	Non-active substance	106-97-8	203-448-7	63,458	63,458
propane	propane	Non-active substance	74-98-6	200-827-9	16,271	16,271
isobutane	isobutane	Non-active substance	75-28-5	200-857-2	4,068	4,068

2.2. Type(s) of formulation of the meta SPC 1

Formulation(s)	AE – Aerosol dispenser
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3. HAZARD AND PRECAUTIONARY STATEMENTS OF THE META SPC 1

Hazard statements	Extremely flammable aerosol. Pressurised container: May burst if heated May be fatal if swallowed and enters airways. Causes serious eye irritation. Very toxic to aquatic life with long lasting effects. Contains PERMETHRIN. May produce an allergic reaction.
Precautionary statements	If medical advice is needed, have product container or label at hand. Keep out of reach of children. Read carefully and follow all instructions. Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. – No smoking. Do not spray on an open flame or other ignition source. Do not pierce or burn, even after use. Wash hands thoroughly after handling.

	<p>IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing.</p> <p>If eye irritation persists: Get medical advice.</p> <p>Protect from sunlight. Do not expose at temperatures exceeding 50 °C/122 °F.</p> <p>Store at temperatures not exceeding 40 °C/104 °F.</p> <p>Avoid release to the environment.</p> <p>Collect spillage.</p> <p>Dispose of contents/container in accordance with local regulation</p>
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4. AUTHORISED USE(S) OF THE META SPC 1

4.1. Use description

Table 1. Use # 1 – Insecticide household spray

Product type	PT18 – Insecticides, acaricides and products to control other arthropods (Pest control)
Where relevant, an exact description of the authorised use	-
Target organism(s) (including development stage)	<p>Fleas (larvae and adults): e.g. <i>Ctenocephalides felis</i></p> <p>Ticks: <i>Ixodes ricinus</i> <i>Rhipicephalus sanguineus</i></p>
Field(s) of use	<p>Indoor</p> <p>Targeted treatment of non-washable furniture and home textile such as carpets, mats, arm chairs</p>
Application method(s)	<p>Spraying</p> <p>After vacuuming the surface to be treated, the product is sprayed at a distance of 30 cm.</p>
Application rate(s) and frequency	<p>1, 3 second spray treat for approximately 1 m² (2,1 g/m²)</p> <p>The minimum time interval between two treatments is 6 months.</p>
Category(ies) of users	General public (non-professional)
Pack sizes and packaging material	<p>Tin plate aerosol can with internal coating made of epoxy phenolic protective lacquer (250mL or 500mL)</p> <p>Tin plate aerosol can without internal coating (300 mL)</p>

4.1.1. Use-specific instructions for use

See general directions for use

4.1.2. Use-specific risk mitigation measures

See general directions for use

- 4.1.3. *Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment*

See general directions for use

- 4.1.4. *Where specific to the use, the instructions for safe disposal of the product and its packaging*

See general direction for use

- 4.1.5. *Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage*

See general directions for use

5. **GENERAL DIRECTIONS FOR USE ⁽¹⁾ OF THE META SPC 1**

5.1. **Instructions for use**

- The product is to be used for targeted treatment of non-washable furniture and home textile as carpets, mats, arm chairs.
- Always read the label or leaflet before use and respect all the instructions provided.
- Respect the recommended application doses.
- Residual efficacy until up to 6 months that can be lowered in case of normal cleaning (e.g. vacuum on carpets) or extensive use of the surfaces (e.g., walking, friction).
- In case of continuous infestation, use alternate products containing active substances with a different mode of action in order to avoid the occurrence of resistance. This is to remove the resistant individuals from the population.
- If the infestation persists despite following the instructions of the label/leaflet, contact a pest control professional.
- Do not use on cats and other animals or pet baskets for cats.
- Inform the authorisation holder if the treatment is ineffective.

5.2. **Risk mitigation measures**

- Do not use on wet washable surfaces and textile.
- Do not wash furniture with wet wiping clothes and do not wet clean carpets or mats to avoid discharges into the sewer system.
- Remove all food, feed and drinks prior treatment.
- Do not use on surfaces and facilities in the vicinity or likely to be in contact with food, feed and drinks.
- Avoid contact with eyes.
- After spraying, leave the room and let act for 1 hour before airing.
- Remove or cover terrariums, aquariums and animal cages before application.
- Turn off aquarium air-filter while spraying.
- Keep cats away from treated surfaces. Due to their particular sensitivity to permethrin, the product can cause severe adverse reactions in cats.
- Keep children and pets away during treatment.

5.3. **Particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment**

- Inhalation: Remove victim to fresh air and keep at rest in a half-sitting position. Seek medical advice immediately if symptoms occur and/or large quantities have been inhaled.
- Eye contact: Immediately flush with plenty of water, occasionally lifting the upper and lower eyelids. Check for and remove any contact lenses if easy to do. Continue to rinse with tepid water for at least 10 minutes. Get medical attention if irritation or vision impairment occurs.

⁽¹⁾ Instructions for use, risk mitigation measures and other directions for use under this section are valid for any authorised uses within the meta SPC 1.

- Skin contact: Remove contaminated clothing and shoes. Wash contaminated skin with water. Contact poison treatment specialist if symptoms occur.
- Mouth contact: Wash out mouth with water. Contact poison treatment specialist immediately if symptoms occur and/or in case of mouth contact with large quantities.
- Do not give fluids or induce vomiting in case of impaired consciousness; place in recovery position and seek medical advice immediately.
- Keep the container or label available.
- Permethrin may be dangerous for cats. If signs of poisoning occur, seek veterinary advice immediately and show the package to a veterinarian.
- Pyrethroids may cause paresthesia (burning and prickling of the skin without irritation). If symptoms persist: Get medical advice.

5.4. Instructions for safe disposal of the product and its packaging

- Do not discharge unused product on the ground, into water courses, into pipes (sink, toilets...) nor down the drains.
- Dispose of unused product, its packaging and all other waste, in accordance with local regulations.

5.5. Conditions of storage and shelf-life of the product under normal conditions of storage

- Shelf-life: 24 months
- Do not store at a temperature higher than 40 °C
- Do not expose to direct sunlight
- Protect from frost

6. OTHER INFORMATION

7. THIRD INFORMATION LEVEL: INDIVIDUAL PRODUCTS IN THE META SPC 1

7.1. Trade name(s), authorisation number and specific composition of each individual product

Trade name(s)	<p>FRONTLINE PET CARE SPRAY INSECTICIDE ET ACARICIDE POUR L'HABITAT SPRAY ANTIPARASITAIRE POUR L'HABITAT 300 ML FRISKIES INSECTICIDE HABITAT/HOME VETOCANIS FRONTLINE HOMEGARD SPRAY INSECTICIDE ET ACARICIDE POUR L'HABITAT INSECTICIDE HABITAT/HOME VITALVETO SPRAY INSECTICIDE POUR L'HABITAT VITALVETO/INSECTICIDE HOUSEHOLD SPRAY VITALVETO SPRAY INSECTICIDE POUR L'HABITAT VETOCANIS/INSECTICIDE HOUSEHOLD SPRAY VETOCANIS FRONTLINE HOMEGARD Husholdningsspray med insekticid og acaricid FRONTLINE HOMEGARD Insecticide and acaricide household spray FRONTLINE HOMEGARD Hyönteisten ja punkkien torjuntasuihke kotitalouksille FRONTLINE HOMEGARD insektizides und akarizides Haushaltsspray FRONTLINE HOMEGARD Spray εντομοκτόνο και ακαρεοκτόνο σπρέι οικιακής χρήσης FRONTLINE HOMEGARD Spray insetticida e acaricida per l'ambiente domestico FRONTLINE HOMEGARD Insecticide en acaricidespray voor huishoudelijk gebruik FRONTLINE HOMEGARD Husholdningsspray med insekticid og acaricid FRONTLINE HOMEGARD INSETICIDA E ACARICIDA EM SPRAY PARA USO DOMÉSTICO</p>
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	FRONTLINE HOMEGARD Hushållspray med insekticid och akaricid				
Authorisation number	EU-0021035-0001 1-1				
Common name	IUPAC name	Function	CAS number	EC number	Content (%)
Permethrin		Active Substance	52645-53-1	258-067-9	0,177
S-Methoprene		Active Substance	65733-16-6		0,00225
Propan-2-ol	Propan-2-ol	Non-active substance	67-63-0	200-661-7	3,33475
n-butane	n-butane	Non-active substance	106-97-8	203-448-7	63,458
propane	propane	Non-active substance	74-98-6	200-827-9	16,271
isobutane	isobutane	Non-active substance	75-28-5	200-857-2	4,068'

COMMISSION IMPLEMENTING REGULATION (EU) 2021/2110**of 30 November 2021****amending Annex I to Implementing Regulation (EU) 2021/605 laying down special control measures for African swine fever****(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 71(3) thereof,

Whereas:

- (1) African swine fever is an infectious viral disease affecting kept and wild porcine animals and can have a severe impact on the concerned animal population and the profitability of farming causing disturbance to movements of consignments of those animals and products thereof within the Union and exports to third countries.
- (2) Commission Implementing Regulation (EU) 2021/605 ⁽²⁾ was adopted within the framework of Regulation (EU) 2016/429, and it lays down special disease control measures regarding African swine fever to be applied for a limited period of time by the Member States listed in Annex I thereto (the Member States concerned), in restricted zones I, II and III listed in that Annex.
- (3) The areas listed as restricted zones I, II and III in Annex I to Implementing Regulation (EU) 2021/605 are based on the epidemiological situation of African swine fever in the Union. Annex I to Implementing Regulation (EU) 2021/605 was last amended by Commission Implementing Regulation (EU) 2021/2024 ⁽³⁾ following changes in the epidemiological situation as regards that disease in Latvia, Poland and Slovakia.
- (4) Any amendments to restricted zones I, II and III in Annex I to Implementing Regulation (EU) 2021/605 should be based on the epidemiological situation as regards African swine fever in the areas affected by that disease and the overall epidemiological situation of African swine fever in the Member State concerned, the level of risk for the further spread of that disease, as well as scientifically based principles and criteria for geographically defining zoning due to African swine fever and the Union's guidelines agreed with the Member States at the Standing Committee on Plants, Animals, Food and Feed and publicly available on Commission's website ⁽⁴⁾. Such amendments should also take account of international standards, such as the Terrestrial Animal Health Code ⁽⁵⁾ of the World Organisation for Animal Health and justifications for zoning provided by the competent authorities of the Member States concerned.
- (5) Since the date of adoption of Implementing Regulation (EU) 2021/2024, there has been a new outbreak of African swine fever in kept porcine animals in Poland, as well as a new outbreak in wild porcine animals in Germany.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2021/605 of 7 April 2021 laying down special control measures for African swine fever (OJ L 129, 15.4.2021, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2021/2024 of 18 November 2021 amending Annex I to Implementing Regulation (EU) 2021/605 laying down special control measures for African swine fever (OJ L 411, 19.11.2021, p. 3).

⁽⁴⁾ Working Document SANTE/7112/2015/Rev. 3 'Principles and criteria for geographically defining ASF regionalisation'. https://ec.europa.eu/food/animals/animal-diseases/control-measures/asf_en

⁽⁵⁾ OIE Terrestrial Animal Health Code, 28th Edition, 2019. ISBN of volume I: 978-92-95108-85-1; ISBN of volume II: 978-92-95108-86-8. <https://www.oie.int/standard-setting/terrestrial-code/access-online/>

- (6) In November 2021, one outbreak of African swine fever in kept porcine animals was observed in the Świętokrzyskie region in Poland in an area currently not listed as a restricted zone in Annex I to Implementing Regulation (EU) 2021/605. This new outbreak of African swine fever in kept porcine animals constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Poland currently not listed as a restricted zone in that Annex, affected by this recent outbreak of African swine fever, should now be listed as restricted zone III in that Annex and a new restricted zone I also needs to be defined to take account of this recent outbreak.
- (7) In addition in November 2021, one outbreak of African swine fever in a wild porcine animal was observed in the state of Mecklenburg-Western Pomerania in Germany in an area currently not listed as a restricted zone in Annex I to Implementing Regulation (EU) 2021/605. This new outbreak of African swine fever in a wild porcine animal constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Germany currently not listed as a restricted zone in that Annex, affected by this recent outbreak of African swine fever, should now be listed as restricted zone II in that Annex and a new restricted zone I also needs to be defined to take account of this recent outbreak.
- (8) Following this recent outbreak of African swine fever in kept porcine animals in Poland, as well as the outbreak in a wild porcine animal in Germany and taking into account the current epidemiological situation as regards African swine fever in the Union, zoning in those Member States has been reassessed and updated. In addition, the risk management measures in place have also been reassessed and updated. These changes should be reflected in Annex I to Implementing Regulation (EU) 2021/605.
- (9) In order to take account of the recent developments in the epidemiological situation of African swine fever in the Union, and in order to combat the risks associated with the spread of that disease in a proactive manner, new restricted zones of a sufficient size should be demarcated for Germany and Poland and duly listed as restricted zones I, II and III in Annex I to Implementing Regulation (EU) 2021/605. As the situation as regards African swine fever is very dynamic in the Union, when demarcating those new restricted zones, account has been taken of the situation in the surrounding areas.
- (10) Given the urgency of the epidemiological situation in the Union as regards the spread of African swine fever, it is important that the amendments to be made to Annex I to Implementing Regulation (EU) 2021/605 by this Implementing Regulation take effect as soon as possible.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Implementing Regulation (EU) 2021/605 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 30 November 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annex I to Implementing Regulation (EU) 2021/605 is replaced by the following:

'ANNEX I

RESTRICTED ZONES

PART I

1. Germany

The following restricted zones I in Germany:

Bundesland Brandenburg:

— Landkreis Dahme-Spreewald:

— Gemeinde Alt Zauche-Wußwerk,

— Gemeinde Byhleguhre-Byhlen,

— Gemeinde Märkische Heide, mit den Gemarkungen Alt Schadow, Neu Schadow, Pretschen, Plattkow, Wittmannsdorf, Schuhlen-Wiese, Bückchen, Kuschkow, Gröditsch, Groß Leuthen, Leibchel, Glietz, Groß Leine, Dollgen, Krugau, Dürrenhofe, Biebersdorf und Klein Leine,

— Gemeinde Neu Zauche,

— Gemeinde Schwielochsee mit den Gemarkungen Groß Liebitz, Gühlen, Mochow und Siegadel,

— Gemeinde Spreewaldheide,

— Gemeinde Straupitz,

— Landkreis Märkisch-Oderland:

— Gemeinde Müncheberg mit den Gemarkungen Müncheberg, Eggersdorf bei Müncheberg und Hoppegarten bei Müncheberg,

— Gemeinde Bliesdorf mit den Gemarkungen Kunersdorf - westlich der B167 und Bliesdorf - westlich der B167

— Gemeinde Märkische Höhe mit den Gemarkungen Reichenberg und Batzlow,

— Gemeinde Wriezen mit den Gemarkungen Haselberg, Frankenfelde, Schulzendorf, Lüdersdorf Biesdorf, Rathsdorf - westlich der B 167 und Wriezen - westlich der B167

— Gemeinde Buckow (Märkische Schweiz),

— Gemeinde Strausberg mit den Gemarkungen Hohenstein und Ruhlsdorf,

— Gemeine Garzau-Garzin,

— Gemeinde Waldsiefersdorf,

— Gemeinde Rehfelde mit der Gemarkung Werder,

— Gemeinde Reichenow-Mögelin,

— Gemeinde Prötzel mit den Gemarkungen Harnekop, Sternebeck und Prötzel östlich der B 168 und der L35,

— Gemeinde Oberbarnim,

— Gemeinde Bad Freienwalde mit der Gemarkung Sonnenburg,

— Gemeinde Falkenberg mit den Gemarkungen Dannenberg, Falkenberg westlich der L 35, Gersdorf und Krüge,

— Gemeinde Höhenland mit den Gemarkungen Steinbeck, Wollenberg und Wölsickendorf,

— Landkreis Barnim:

— Gemeinde Joachimsthal östlich der L220 (Eberswalder Straße), östlich der L23 (Töpferstraße und Templiner Straße), östlich der L239 (Glambecker Straße) und Schorfheide (JO) östlich der L238,

- Gemeinde Friedrichswalde mit der Gemarkung Glambeck östlich der L 239,
- Gemeinde Althüttendorf,
- Gemeinde Ziethen mit den Gemarkungen Groß Ziethen und Klein Ziethen westlich der B198,
- Gemeinde Chorin mit den Gemarkungen Golzow, Senftenhütte, Buchholz, Schorfheide (Ch), Chorin westlich der L200 und Sandkrug nördlich der L200,
- Gemeinde Britz,
- Gemeinde Schorfheide mit den Gemarkungen Altenhof, Werbellin, Lichterfelde und Finowfurt,
- Gemeinde (Stadt) Eberswalde mit der Gemarkungen Finow und Spechthausen und der Gemarkung Eberswalde südlich der B167 und westlich der L200,
- Gemeinde Breydin,
- Gemeinde Melchow,
- Gemeinde Sydower Fließ mit der Gemarkung Grüntal nördlich der K6006 (Landstraße nach Tuchen), östlich der Schönholzer Straße und östlich Am Postweg,
- Hohenfinow südlich der B167,
- Landkreis Uckermark:
 - Gemeinde Pinnow nördlich der B2,
 - Gemeinde Passow mit den Gemarkungen Briest, Passow und Schönow,
 - Gemeinde Mark Landin mit den Gemarkungen Landin nördlich der B2, Grünow und Schönermark,
 - Gemeinde Angermünde mit den Gemarkungen Frauenhagen, Mürow, Angermünde nördlich und nordwestlich der B2, Dobberzin nördlich der B2, Kerkow, Welsow, Bruchhagen, Greiffenberg, Günterberg, Biesenbrow, Görlsdorf, Wolletz und Altkünkendorf,
 - Gemeinde Zichow,
 - Gemeinde Casekow mit den Gemarkungen Blumberg, Wartin, Luckow-Petershagen und den Gemarkungen Biesendahlshof und Casekow westlich der L272 und nördlich der L27,
 - Gemeinde Hohenselchow-Groß Pinnow mit der Gemarkung Hohenselchow nördlich der L27,
 - Gemeinde Tantow,
 - Gemeinde Mescherin
 - Gemeinde Gartz (Oder) mit der Gemarkung Geesow sowie den Gemarkungen Gartz und Hohenreinkendorf nördlich der L27 und B2 bis Gartenstraße,
 - Gemeinde Pinnow nördlich und westlich der B2,
- Landkreis Oder-Spree:
 - Gemeinde Storkow (Mark),
 - Gemeinde Spreenhagen mit den Gemarkungen Braunsdorf, Markgrafpieske, Lebbin und Spreenhagen,
 - Gemeinde Grünheide (Mark) mit den Gemarkungen Kagel, Kienbaum und Hangelsberg,
 - Gemeinde Fürstenwalde westlich der B 168 und nördlich der L 36,
 - Gemeinde Rauen,
 - Gemeinde Wendisch Rietz bis zur östlichen Uferzone des Scharmützelsees und von der südlichen Spitze des Scharmützelsees südlich der B246,
 - Gemeinde Reichenwalde,

- Gemeinde Bad Saarow mit der Gemarkung Petersdorf und der Gemarkung Bad Saarow-Pieskow westlich der östlichen Uferzone des Scharmützelsees und ab nördlicher Spitze westlich der L35,
 - Gemeinde Tauche mit der Gemarkung Werder,
 - Gemeinde Steinhöfel mit den Gemarkungen Jänickendorf, Schönfelde, Beerfelde, Gölsdorf, Buchholz, Tempelberg und den Gemarkungen Steinhöfel, Hasenfelde und Heinersdorf westlich der L36 und der Gemarkung Neuendorf im Sande nördlich der L36,
 - Landkreis Spree-Neiße:
 - Gemeinde Peitz,
 - Gemeinde Turnow-Preilack,
 - Gemeinde Drachhausen,
 - Gemeinde Schmogrow-Fehrow,
 - Gemeinde Drehnow,
 - Gemeinde Teichland mit den Gemarkungen Maust und Neuendorf,
 - Gemeinde Dissen-Striesow,
 - Gemeinde Briesen,
 - Gemeinde Spremberg mit den Gemarkungen, Sellessen, Spremberg, Bühlow, Laubsdorf, Bagenz und den Gemarkungen Groß Buckow, Klein Buckow östlich des Tagebaues Welzow-Süd,
 - Gemeinde Neuhausen/Spree mit den Gemarkungen Kathlow, Haasow, Roggosen, Koppatz, Neuhausen, Frauendorf, Groß Oßnig, Groß Döbern und Klein Döbern,
 - Landkreis Oberspreewald-Lausitz:
 - Gemeinde Grünewald,
 - Gemeinde Hermsdorf,
 - Gemeinde Kroppen,
 - Gemeinde Ortrand,
 - Gemeinde Großkmehlen,
 - Gemeinde Lindenau.
 - Landkreis Elbe-Elster:
 - Gemeinde Großthiemig,
 - Landkreis Prignitz:
 - Gemeinde Groß Pankow mit den Gemarkungen Baek, Tangendorf und Tacken,
 - Gemeinde Karstadt mit den Gemarkungen Groß Warnow, Klein Warnow, Reckenzin, Streesow, Garlin, Dallmin, Postlin, Kribbe, Neuhof, Strehlen und Blüthen,
 - Gemeinde Pirow mit der Gemarkung Bresch,
 - Gemeinde Gülitz-Reetz,
 - Gemeinde Putlitz mit den Gemarkungen Lockstädt, Mansfeld, Laaske, Weitgendorf und Telschow,
 - Gemeinde Triglitz,
 - Gemeinde Marienfließ mit den Gemarkungen Stepenitz, Frehne und Krependorf,
 - Gemeinde Küssernitztal mit den Gemarkungen Bückow und Grabow,
- Bundesland Sachsen:
- Landkreis Bautzen
 - Gemeinde Arnsdorf,

- Gemeinde Burkau,
- Gemeinde Crostwitz,
- Gemeinde Cunewalde,
- Gemeinde Demitz-Thumitz,
- Gemeinde Doberschau-Gaußig,
- Gemeinde Elsterheide,
- Gemeinde Frankenthal,
- Gemeinde Göda,
- Gemeinde Großharthau,
- Gemeinde Großnaundorf,
- Gemeinde Großpostwitz/O.L.,
- Gemeinde Haselbachtal,
- Gemeinde Hochkirch, sofern nicht bereits der Sperrzone II,
- Gemeinde Königswartha, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Kubschütz, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Lichtenberg,
- Gemeinde Lohsa, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Nebelschütz,
- Gemeinde Neschwitz, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Neukirch,
- Gemeinde Neukirch/Lausitz,
- Gemeinde Obergurig,
- Gemeinde Ohorn,
- Gemeinde Oßling,
- Gemeinde Panschwitz-Kuckau,
- Gemeinde Puschwitz,
- Gemeinde Räckelwitz,
- Gemeinde Radibor, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Ralbitz-Rosenthal,
- Gemeinde Rammenau,
- Gemeinde Schmölln-Putzkau,
- Gemeinde Schwepnitz,
- Gemeinde Sohland a. d. Spree,
- Gemeinde Spreetal, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Stadt Bautzen, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Stadt Bernsdorf,
- Gemeinde Stadt Bischofswerda,
- Gemeinde Stadt Elstra,
- Gemeinde Stadt Großröhrsdorf,
- Gemeinde Stadt Hoyerswerda, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Stadt Kamenz,
- Gemeinde Stadt Lauta,

- Gemeinde Stadt Pulsnitz,
- Gemeinde Stadt Radeberg,
- Gemeinde Stadt Schirgiswalde-Kirschau,
- Gemeinde Stadt Wilthen,
- Gemeinde Stadt Wittichenau, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Steina,
- Gemeinde Steinigtwolmsdorf,
- Gemeinde Wachau,
- Stadt Dresden:
 - Stadtgebiet, sofern nicht bereits Teil der Sperrzone II,
- Landkreis Görlitz:
 - Gemeinde Beiersdorf,
 - Gemeinde Bertsdorf-Hörnitz,
 - Gemeinde Dürrhennersdorf,
 - Gemeinde Großschönau,
 - Gemeinde Großschweidnitz,
 - Gemeinde Hainewalde,
 - Gemeinde Kurort Jonsdorf,
 - Gemeinde Kottmar,
 - Gemeinde Lawalde,
 - Gemeinde Leutersdorf,
 - Gemeinde Mittelherwigsdorf,
 - Gemeinde Oderwitz,
 - Gemeinde Olbersdorf,
 - Gemeinde Oppach,
 - Gemeinde Oybin,
 - Gemeinde Rosenbach, sofern nicht bereits Teil der Sperrzone II,
 - Gemeinde Schönau-Berzdorf a. d. Eigen, sofern nicht bereits Teil der Sperrzone II,
 - Gemeinde Schönbach,
 - Gemeinde Stadt Bernstadt a. d. Eigen, sofern nicht bereits Teil der Sperrzone II,
 - Gemeinde Stadt Ebersbach-Neugersdorf,
 - Gemeinde Stadt Herrnhut,
 - Gemeinde Stadt Löbau, sofern nicht bereits Teil der Sperrzone II,
 - Gemeinde Stadt Neusalza-Spremberg,
 - Gemeinde Stadt Ostritz, sofern nicht bereits Teil der Sperrzone II,
 - Gemeinde Stadt Seifhennersdorf,
 - Gemeinde Stadt Zittau,
- Landkreis Meißen:
 - Gemeinde Diera-Zehren östlich der Elbe,
 - Gemeinde Klipphausen östlich der S 177,
 - Gemeinde Lampertswalde, sofern nicht bereits Teil der Sperrzone II,
 - Gemeinde Niederau,
 - Gemeinde Priestewitz,

- Gemeinde Stadt Coswig, sofern nicht bereits Teil der Sperrzone II,
- Gemeinde Stadt Großenhain,
- Gemeinde Stadt Meißen im Norden östlich der Elbe bis zur Bahnlinie, im Süden östlich der S 177,
- Gemeinde Stadt Radebeul,
- Gemeinde Weinböhla, sofern nicht bereits Teil der Sperrzone II,

Bundesland Mecklenburg-Vorpommern:

- Landkreis Vorpommern Greifswald
 - Gemeinde Penkun südlich der Autobahn A11,
 - Gemeinde Nadrense südlich der Autobahn A11,
- Landkreis Ludwigslust-Parchim:
 - Gemeinde Ganzlin mit den Ortsteilen und Ortslagen: Retzow, Klein Damerow, Hof Retzow, Barackendorf, Wangelin,
 - Gemeinde Gehlsbach mit den Ortsteilen und der Ortslage: Vietlütbe, Karbow, Hof Karbow, Karbow Ausbau, Darß, Wahlstorf, Quaßlin, Ausbau Darß, Quaßlin Hof, Quaßliner Mühle,
 - Gemeinde Kritzow mit den Ortsteilen und der Ortslage: Schlemmin, Kritzow, Benzin,
 - Gemeinde Lübz mit den Ortsteilen und der Ortslage: Broock, Wessentin, Wessentin Ausbau, Bobzin, Lübz, Broock Ausbau, Riederfelde, Ruthen, Lutheran, Gischow, Burow, Hof Gischow, Ausbau Lutheran, Meyerberg,
 - Gemeinde Granzin mit den Ortsteilen und der Ortslage: Lindenbeck, Greven, Beckendorf, Bahlenrade, Granzin Ausbau, Granzin,
 - Gemeinde Rom mit den Ortsteilen und der Ortslage: Lancken, Stralendorf, Rom, Darze, Klein Niendorf, Paarsch,
 - Gemeinde Parchim mit den Ortsteilen und der Ortslage: Dargelütz, Neuhof, Kiekindemark, Neu Klockow, Möderitz, Malchow, Damm, Parchim, Voigtsdorf, Neu Matzlow,
 - Gemeinde Domsühl mit den Ortsteilen und der Ortslage: Severin, Bergrade Hof, Bergrade Dorf, Zieslütbe, Alt Dammerow, Schlieven, Domsühl, Domsühl-Ausbau, Neu Schlieven,
 - Gemeinde Lewitzrand mit den Ortsteilen und der Ortslage: Matzlow, Garwitz,
 - Gemeinde Spornitz mit den Ortsteilen und der Ortslage: Dütschow, Primark, Steinbeck, Spornitz,
 - Gemeinde Brenz mit den Ortsteilen und der Ortslage: Neu Brenz, Alt Brenz,
 - Gemeinde Neustadt-Glewe mit den Ortsteilen und der Ortslage: Flugplatz, Wabel,
 - Gemeinde Blievenstorf mit den Ortsteilen und der Ortslage: Blievenstorf,
 - Gemeinde Muchow mit den Ortsteilen und der Ortslage: Muchow,
 - Gemeinde Prislich mit den Ortsteilen und der Ortslage: Neese, Werle, Prislich, Marienhof,
 - Gemeinde Zierzow mit den Ortsteilen und der Ortslage: Kolbow, Zierzow,
 - Gemeinde Balow mit den Ortsteilen und der Ortslage: Balow,
 - Gemeinde Stolpe mit den Ortsteilen und der Ortslage: Granzin, Barkow, Stolpe Ausbau, Stolpe,
 - Gemeinde Kreien mit den Ortsteilen und der Ortslage: Kolonie Kreien, Hof Kreien, Kreien Ausbau, Kreien, Wilson.

2. Estonia

The following restricted zones I in Estonia:

- Hiiu maakond.

3. Greece

The following restricted zones I in Greece:

- in the regional unit of Drama:
 - the community departments of Sidironero and Skaloti and the municipal departments of Livadero and Ksiropotamo (in Drama municipality),
 - the municipal department of Paranesti (in Paranesti municipality),
 - the municipal departments of Kokkinogeia, Mikropoli, Panorama, Pyrgoi (in Prosotsani municipality),
 - the municipal departments of Kato Nevrokopi, Chrysokefalo, Achladea, Vathytopos, Volakas, Granitis, Dasotos, Eksohi, Katafyto, Lefkogeia, Mikrokleisoura, Mikromilea, Ochyro, Pagoneri, Perithorio, Kato Vrontou and Potamoi (in Kato Nevrokopi municipality),
- in the regional unit of Xanthi:
 - the municipal departments of Kimmerion, Stavroupoli, Gerakas, Dafnonas, Komnina, Kariofyto and Neochori (in Xanthi municipality),
 - the community departments of Satres, Thermes, Kotyli, and the municipal departments of Myki, Echinis and Oraio and (in Myki municipality),
 - the community department of Selero and the municipal department of Sounio (in Avdira municipality),
- in the regional unit of Rodopi:
 - the municipal departments of Komotini, Anthochorio, Gratini, Thrylorio, Kalhas, Karydia, Kikidio, Kosmio, Pandrosos, Aigeiros, Kallisti, Meleti, Neo Sidirochori and Mega Doukato (in Komotini municipality),
 - the municipal departments of Ipio, Arriana, Darmeni, Archontika, Fillyra, Ano Drosini, Aratos and the Community Departments Kehros and Organi (in Arriana municipality),
 - the municipal departments of Iasmos, Sostis, Asomatoi, Polyanthos and Amvrosia and the community department of Amaxades (in Iasmos municipality),
 - the municipal department of Amaranta (in Maroneia Sapon municipality),
- in the regional unit of Evros:
 - the municipal departments of Kyriaki, Mandra, Mavroklisi, Mikro Dereio, Protokklisi, Roussa, Goniko, Geriko, Sidirochori, Megalo Derio, Sidiro, Giannouli, Agriani and Petrolofos (in Soufli municipality),
 - the municipal departments of Dikaia, Arzos, Elaia, Therapio, Komara, Marasia, Ormenio, Pentalofoi, Petroti, Plati, Ptelea, Kyprinos, Zoni, Fulakio, Spilaio, Nea Vyssa, Kavili, Kastanies, Rizia, Sterna, Ampelakia, Valtos, Megali Doxipara, Neochori and Chandras (in Orestiada municipality),
 - the municipal departments of Asvestades, Ellinochori, Karoti, Koufovouno, Kiani, Mani, Sitochori, Alepochori, Asproneri, Metaxades, Vrysika, Doksa, Elafoxori, Ladi, Paliouri and Poimeniko (in Didymoteicho municipality),
- in the regional unit of Serres:
 - the municipal departments of Kerkini, Livadia, Makrynitsa, Neochori, Platanakia, Petrissi, Akritochori, Vyroneia, Gonimo, Mandraki, Megalochori, Rodopoli, Ano Poroia, Katw Poroia, Sidirokastro, Vamvakophyto, Promahonas, Kamaroto, Strymonochori, Charopo, Kastanousi and Chorero and the community departments of Achladochori, Agkistro and Kapnophyto (in Sintiki municipality),

- the municipal departments of Serres, Elaionas and Oinoussa and the community departments of Orini and Ano Vrontou (in Serres municipality),
- the municipal departments of Dasochoriou, Irakleia, Valtero, Karperi, Koimisi, Lithotopos, Limnochori, Podismeno and Chrysochorafa (in Irakleia municipality).

4. Latvia

The following restricted zones I in Latvia:

- Dienvidkurzemes novada Vērgales, Medzes, Grobiņas, Gaviezes, Rucavas, Nīcas, Otaņķu pagasts, Grobiņas pilsēta,
- Ropažu novada Stopiņu pagasta daļa, kas atrodas uz rietumiem no autoceļa V36, P4 un P5, Acones ielas, Daugulupes ielas un Daugulupītes.

5. Lithuania

The following restricted zones I in Lithuania:

- Klaipėdos rajono savivaldybė: Agluonėnų, Dovilų, Gargždų, Priekulės, Vėžaičių, Kretingalės ir Dauparų-Kvietinių seniūnijos,
- Palangos miesto savivaldybė.

6. Hungary

The following restricted zones I in Hungary:

- Békés megye 950950, 950960, 950970, 951950, 952050, 952750, 952850, 952950, 953050, 953150, 953650, 953660, 953750, 953850, 953960, 954250, 954260, 954350, 954450, 954550, 954650, 954750, 954850, 954860, 954950, 955050, 955150, 955250, 955260, 955270, 955350, 955450, 955510, 955650, 955750, 955760, 955850, 955950, 956050, 956060, 956150 és 956160 kódszámú vadgazdálkodási egységeinek teljes területe,
- Bács-Kiskun megye 600150, 600850, 601550, 601650, 601660, 601750, 601850, 601950, 602050, 603250, 603750 és 603850 kódszámú vadgazdálkodási egységeinek teljes területe,
- Budapest 1 kódszámú, vadgazdálkodási tevékenységre nem alkalmas területe,
- Csongrád-Csanád megye 800150, 800160, 800250, 802220, 802260, 802310 és 802450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Fejér megye 400150, 400250, 400351, 400352, 400450, 400550, 401150, 401250, 401350, 402050, 402350, 402360, 402850, 402950, 403050, 403450, 403550, 403650, 403750, 403950, 403960, 403970, 404650, 404750, 404850, 404950, 404960, 405050, 405750, 405850, 405950,
- 406050, 406150, 406550, 406650 és 406750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Győr-Moson-Sopron megye 100550, 100650, 100950, 101050, 101350, 101450, 101550, 101560 és 102150 kódszámú vadgazdálkodási egységeinek teljes területe,
- Jász-Nagykun-Szolnok megye 750150, 750160, 750260, 750350, 750450, 750460, 754450, 754550, 754560, 754570, 754650, 754750, 754950, 755050, 755150, 755250, 755350 és 755450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Komárom-Esztergom megye 250150, 250250, 250450, 250460, 250550, 250650, 250750, 251050, 251150, 251250, 251350, 251360, 251650, 251750, 251850, 252250, kódszámú vadgazdálkodási egységeinek teljes területe,
- Pest megye 571550, 572150, 572250, 572350, 572550, 572650, 572750, 572850, 572950, 573150, 573250, 573260, 573350, 573360, 573450, 573850, 573950, 573960, 574050, 574150, 574350, 574360, 574550, 574650, 574750, 574850, 574860, 574950, 575050, 575150, 575250, 575350, 575550, 575650, 575750, 575850, 575950, 576050, 576150, 576250, 576350, 576450, 576650, 576750, 576850, 576950, 577050, 577150, 577350, 577450, 577650, 577850, 577950, 578050, 578150, 578250, 578350, 578360, 578450, 578550, 578560, 578650, 578850, 578950, 579050, 579150, 579250, 579350, 579450, 579460, 579550, 579650, 579750, 580250 és 580450 kódszámú vadgazdálkodási egységeinek teljes területe.

7. Poland

The following restricted zones I in Poland:

w województwie kujawsko - pomorskim:

- powiat rypiński,

- powiat brodnicki,
 - powiat grudziądzki,
 - powiat miejski Grudziądz,
 - powiat wąbrzeski,
- w województwie warmińsko-mazurskim:
- gminy Wielbark i Rozogi w powiecie szczycieńskim,
- w województwie podlaskim:
- gminy Wysokie Mazowieckie z miastem Wysokie Mazowieckie, Czyżew i część gminy Kulesze Kościelne położona na południe od linii wyznaczonej przez linię kolejową w powiecie wysokomazowieckim,
 - gminy Miastkowo, Nowogród, Śniadowo i Zbójna w powiecie łomżyńskim,
 - gminy Szumowo, Zambrów z miastem Zambrów i część gminy Kołaki Kościelne położona na południe od linii wyznaczonej przez linię kolejową w powiecie zambrowskim,
 - gminy Grabowo, Kolno i miasto Kolno, Turośl w powiecie kolneńskim,
- w województwie mazowieckim:
- powiat ostrołęcki,
 - powiat miejski Ostrołęka,
 - gminy Bielsk, Brudzeń Duży, Bulkowo, Drobin, Gąbin, Łąck, Nowy Duninów, Radzanowo, Słupno, Starożreby i Stara Biała w powiecie płońskim,
 - powiat miejski Płock,
 - powiat ciechanowski,
 - gminy Baboszewo, Dzierżanin, Joniec, Nowe Miasto, Płońsk i miasto Płońsk, Raciąż i miasto Raciąż, Sochocin w powiecie płońskim,
 - powiat sierpecki,
 - gmina Siemiatkowo w powiecie żuromińskim,
 - część powiatu ostrowskiego niewymieniona w części II załącznika I,
 - gminy Radzanów, Strzegowo, Stupsk w powiecie mławskim,
 - powiat przasnyski,
 - powiat makowski,
 - powiat pułtuski,
 - część powiatu wyszkowskiego niewymieniona w części II załącznika I,
 - część powiatu węgrowskiego niewymieniona w części II załącznika I,
 - gminy Dąbrówka, Jadów, Klembów, Poświętne, Radzymin, Strachówka Wołomin i Tłuszcz w powiecie wołomińskim,
 - gminy Mokobody i Suchożebry w powiecie siedleckim,
 - gminy Dobrze, Jakubów, Kałuszyn, Stanisławów w powiecie mińskim,
 - gminy Bielany i gmina wiejska Sokołów Podlaski w powiecie sokołowskim,
 - gminy Kowala, Wierzbica, część gminy Wołanów położona na południe od linii wyznaczonej przez drogę nr 12 w powiecie radomskim,
 - powiat miejski Radom,
 - gminy Jastrząb, Mirów, Orońsko w powiecie szydłowieckim,
 - powiat gostyniński,
- w województwie podkarpackim:
- powiat jasielski,
 - powiat strzyżowski,

- część powiatu ropczycko – sędziszowskiego niewymieniona w części II załącznika I,
 - gminy Pruchnik, Rokietnica, Roźwienica, w powiecie jarosławskim,
 - gminy Fredropol, Krasiczyn, Krzywczyna, Medyka, Orły, Żurawica, Przemyśl w powiecie przemyskim,
 - powiat miejski Przemyśl,
 - gminy Gać, Jawornik Polski, Kańczuga, część gminy Zarzecze położona na południe od linii wyznaczonej przez rzekę Mlecza w powiecie przeworskim,
 - powiat łańcucki,
 - gminy Trzebownisko, Głogów Małopolski, część gminy Świlcza położona na północ od linii wyznaczonej przez drogę nr 94 i część gminy Sokołów Małopolski położona na południe od linii wyznaczonej przez drogę nr 875 w powiecie rzeszowskim,
 - gminy Dzikowiec, Kolbuszowa i Raniżów w powiecie kolbuszowskim,
 - gminy Brzostek, Jodłowa, miasto Dębica, część gminy wiejskiej Dębica położona na południe od linii wyznaczonej przez drogę nr A4 w powiecie dębickim,
- w województwie świętokrzyskim:
- gminy Nowy Korczyn, Solec-Zdrój, Wiślica, część gminy Busko Zdrój położona na południe od linii wyznaczonej przez drogę łączącą miejscowości Siedlawy-Szaniec-Podgaje-Kołaczkowice w powiecie buskim,
 - powiat kazimierski,
 - część powiatu opatowskiego niewymieniona w części II załącznika I,
 - powiat sandomierski,
 - gminy Bogoria, Osiek, Staszów i część gminy Rytwiany położona na wschód od linii wyznaczonej przez drogę nr 764, część gminy Szydłów położona na wschód od linii wyznaczonej przez drogę nr 756 w powiecie staszowskim,
 - powiat skarżyski,
 - gminy Pawłów, Wąchock, część gminy Brody położona na zachód od linii wyznaczonej przez drogę nr 9 oraz na południowy - zachód od linii wyznaczonej przez drogi: nr 0618T biegnącą od północnej granicy gminy do skrzyżowania w miejscowości Lipie, drogę biegnącą od miejscowości Lipie do wschodniej granicy gminy i część gminy Mirzec położona na zachód od linii wyznaczonej przez drogę nr 744 biegnącą od południowej granicy gminy do miejscowości Tychów Stary a następnie przez drogę nr 0566T biegnącą od miejscowości Tychów Stary w kierunku północno - wschodnim do granicy gminy w powiecie starachowickim,
 - powiat ostrowiecki,
 - gminy Fałków, Ruda Maleniecka, Radoszyce, Smyków, część gminy Końskie położona na zachód od linii kolejowej, część gminy Stąporków położona na południe od linii kolejowej w powiecie koneckim,
 - gminy Bodzentyn, Bieliny, Górno, Łągow, Masłów, Miedziana Góra, Mniów, Nowa Słupia, Piekoszów, Sitkówka-Nowiny, Strawczyn, Zagnańsk, część gminy Morawica położona na północ od linii wyznaczonej przez rzekę Czarna Nida, część gminy Daleszyce położona na północ od linii wyznaczonej przez drogę nr 764, część gminy Raków położona na wschód od linii wyznaczonej przez drogi nr 756 i 764, w powiecie kieleckim,
 - gminy Działoszyce, Michałów, Pińczów, Złota w powiecie pińczowskim,
 - gminy Imielno, Jędrzejów, Nagłowice, Sędziszów, Słupia, Wodzisław w powiecie jędrzejowskim,
 - gminy Moskorzew, Radków, Secemin w powiecie włoszczowskim,
 - gmina Słupia Konecka w powiecie koneckim,
 - powiat miejski Kielce,

w województwie łódzkim:

- gminy Łyszkowice, Kocierzew Południowy, Kiernoza, Chąsno, Nieborów, część gminy wiejskiej Łowicz położona na północ od linii wyznaczonej przez drogę nr 92 biegnącej od granicy miasta Łowicz do zachodniej granicy gminy oraz część gminy wiejskiej Łowicz położona na wschód od granicy miasta Łowicz i na północ od granicy gminy Nieborów w powiecie łowickim,
- gminy Cieladz, Rawa Mazowiecka z miastem Rawa Mazowiecka w powiecie rawskim,
- gminy Bolimów, Głuchów, Godzianów, Lipce Reymontowskie, Maków, Nowy Kawęczyn, Skierniewice, Słupia w powiecie skierniewickim,
- powiat miejski Skierniewice,
- gminy Mniszków, Paradyż, Sławno i Żarnów w powiecie opoczyńskim,
- powiat tomaszowski,
- powiat brzeziński,
- powiat łaski,
- powiat miejski Łódź,
- powiat łódzki wschodni,
- powiat pabianicki,
- gmina Wieruszów, część gminy Sokolniki położona na zachód od linii wyznaczonej przez drogę nr 4715E, część gminy Galewice położona na zachód od linii wyznaczonej przez drogę łączącą miejscowości Przybyłów – Ostrówek – Dąbrówka – Zmysłona w powiecie wieruszowskim,
- gminy Aleksandrów Łódzki, Stryków, miasto Zgierz w powiecie zgierskim,
- gminy Bełchatów z miastem Bełchatów, Drużbice, Kluki, Rusiec, Szczerców, Żelów w powiecie bełchatowskim,
- gminy Osjaków, Konopnica, Pątnów, Wierzchnas, część gminy Mokrsko położona na wschód od linii wyznaczonej przez drogę łączącą miejscowości Krzyworezka – Mokrsko - Zmysłona – Komorniki – Orzechowiec – Poręby, część gminy Wieluń położona na wschód od zachodniej granicy miejscowości Wieluń oraz na południe od linii wyznaczonej przez drogę łączącą miejscowości Wieluń – Turów – Chotów biegnącą do zachodniej granicy gminy, część gminy Ostrówek położona na wschód od linii wyznaczonej przez rzekę Pyszną w powiecie wieluńskim,
- część powiatu sieradzkiego niewymieniona w części III załącznika I,
- powiat zduńskowski,
- gminy Aleksandrów, Czarnocin, Grabica, Moszczenica, Ręczno, Sulejów, Wola Krzysztoporska, Wolbórz w powiecie piotrkowskim,
- powiat miejski Piotrków Trybunalski,
- gminy Masłowie, Przedbórz, Wielgomłyny i Żytno w powiecie radomszczańskim,

w województwie śląskim:

- gmina Koniecpol w powiecie częstochowskim,

w województwie pomorskim:

- gminy Ostaszewo, miasto Krynica Morska oraz część gminy Nowy Dwór Gdański położona na południowy - zachód od linii wyznaczonej przez drogę nr 55 biegnącą od południowej granicy gminy do skrzyżowania z drogą nr 7, następnie przez drogę nr 7 i S7 biegnącą do zachodniej granicy gminy w powiecie nowodworskim,
- gminy Lichnowy, Miłoradz, Nowy Staw, Malbork z miastem Malbork w powiecie malborskim,
- gminy Mikołajki Pomorskie, Stary Targ i Sztum w powiecie sztumskim,
- powiat gdański,
- Miasto Gdańsk,
- powiat tczewski,
- powiat kwidzyński,

w województwie lubuskim:

- gmina Lubiszyn w powiecie gorzowskim,
- gmina Dobiegniew w powiecie strzelecko – drezdeneckim,

w województwie dolnośląskim:

- powiat oleśnicki,
- gminy Jordanów Śląski, Kąty Wrocławskie, Kobierzyce, Mietków, Sobótka, część gminy Długołęka położona na północ od linii wyznaczonej przez drogę nr S8, część gminy Żórawina położona na zachód od linii wyznaczonej przez autostradę A4 w powiecie wrocławskim,
- część gminy Domaniów położona na południowy zachód od linii wyznaczonej przez autostradę A4 w powiecie oławskim,
- część powiatu miejskiego Wrocław położona na północny zachód od linii wyznaczonej przez autostradę nr A8,
- gmina Wiązów w powiecie strzelińskim,
- powiat średzki,
- miasto Świeradów Zdrój w powiecie lubańskim,
- część powiatu wołowskiego niewymieniona w części III załącznika I,
- powiat miejski Legnica,
- gminy Krotoszyce, Kunice, Legnickie Pole, Miłkowice, Prochowice, Ruja w powiecie legnickim,
- gminy Pielgrzymka, Świerzawa, Złotoryja z miastem Złotoryja, miasto Wojcieszków w powiecie złotoryjskim,
- powiat lwówecki,
- gminy Ścinawa i Lubin z miastem Lubin w powiecie lubińskim,
- część powiatu trzebnickiego niewymieniona w części III załącznika I,
- gmina Wądroże Wielkie w powiecie jaworskim,
- gminy Cieszków, Krośnice, część gminy Milicz położona na wschód od linii wyznaczonej przez drogę nr 15 biegnącej od północnej granicy gminy do południowej granicy gminy w miejscowości Lasowice w powiecie milickim,

w województwie wielkopolskim:

- powiat krotoszyński,
- gminy Borek Wielkopolski, Gostyń, Pępowo, Piaski, Pogorzela, w powiecie gostyńskim,
- gmina Osieczna, część gminy Lipno położona na wschód od linii wyznaczonej przez drogę nr S5, część gminy Święciechowa położona na południe od linii wyznaczonej przez drogę nr 12 oraz na wschód od linii wyznaczonej przez drogę nr S5 w powiecie leszczyńskim,
- powiat miejski Leszno,
- gminy Granowo, Grodzisk Wielkopolski i część gminy Kamieniec położona na wschód od linii wyznaczonej przez drogę nr 308 w powiecie grodziskim,
- gminy Czempin, Kościan i miasto Kościan, Krzywiń, część gminy Śmigiel położona na wschód od linii wyznaczonej przez drogę nr S5 w powiecie kościańskim,
- powiat miejski Poznań,
- gminy Buk, Dopiewo, Komorniki, Tarnowo Podgórne, Stęszew, Swarzędz, Pobiedziska, Czerwonak, Mosina, miasto Luboń, miasto Puszczykowo i część gminy Kórnik położona na zachód od linii wyznaczonych przez drogi: nr S11 biegnącą od północnej granicy gminy do skrzyżowania z drogą nr 434 i drogę nr 434 biegnącą od tego skrzyżowania do południowej granicy gminy, część gminy Rokietnica położona na południowy zachód od linii kolejowej biegnącej od północnej granicy gminy w miejscowości Krzyszkowo do południowej granicy gminy w miejscowości Kiekrz oraz część gminy wiejskiej Murowana Goślina położona na południe od linii kolejowej biegnącej od północnej granicy miasta Murowana Goślina do północno-wschodniej granicy gminy w powiecie poznańskim,

- gmina Kiskowo i część gminy Klecko położona na zachód od rzeki Mała Węlna w powiecie gnieźnieńskim,
 - powiat czarnkowsko-trzcianecki,
 - gmina Kaźmierz część gminy Duszniki położona na południowy – wschód od linii wyznaczonej przez drogę nr 306 biegnącą od północnej granicy gminy do miejscowości Duszniki, a następnie na południe od linii wyznaczonej przez ul. Niewierską oraz drogę biegnącą przez miejscowość Niewierz do zachodniej granicy gminy, część gminy Ostroróg położona na wschód od linii wyznaczonej przez drogę nr 186 i 184 biegnące od granicy gminy do miejscowości Ostroróg, a następnie od miejscowości Ostroróg przez miejscowości Piaskowo – Rudki do południowej granicy gminy, część gminy Wronki położona na północ od linii wyznaczonej przez rzekę Wartę biegnącą od zachodniej granicy gminy do przecięcia z drogą nr 182, a następnie na wschód od linii wyznaczonej przez drogi nr 182 oraz 184 biegnącą od skrzyżowania z drogą nr 182 do południowej granicy gminy, miasto Szamotuły i część gminy Szamotuły położona na wschód od linii wyznaczonej przez drogę nr 306 i drogę łączącą miejscowości Lipnica - Ostroróg do linii wyznaczonej przez wschodnią granicę miasta Szamotuły i na południe od linii kolejowej biegnącej od południowej granicy miasta Szamotuły, do południowo-wschodniej granicy gminy oraz część gminy Obrzycko położona na zachód od drogi nr 185 łączącej miejscowości Gaj Mały, Słapanowo i Obrzycko do północnej granicy miasta Obrzycko, a następnie na zachód od drogi przebiegającej przez miejscowość Chraplewo w powiecie szamotulskim,
 - gmina Budzyń w powiecie chodzieskim,
 - gminy Mieścisko, Skoki i Wągrowiec z miastem Wągrowiec w powiecie wągrowieckim,
 - powiat pleszewski,
 - gmina Zagórów w powiecie śłupeckim,
 - gmina Pyzdry w powiecie wrzesińskim,
 - gminy Kotlin, Żerków i część gminy Jarocin położona na wschód od linii wyznaczonej przez drogi nr S11 i 15 w powiecie jarocińskim,
 - powiat ostrowski,
 - powiat miejski Kalisz,
 - gminy Blizanów, Brzeziny, Żelazków, Godziesze Wielkie, Koźminek, Lisków, Opatówek, Szczytniki, część gminy Stawiszyn położona na zachód od linii wyznaczonej przez drogę nr 25 biegnącą od północnej granicy gminy do miejscowości Zbiersk, a następnie na zachód od linii wyznaczonej przez drogę łączącą miejscowości Zbiersk – Łyczyn – Petryki biegnącą od skrzyżowania z drogą nr 25 do południowej granicy gminy, część gminy Ceków-Kolonia położona na południe od linii wyznaczonej przez drogę łączącą miejscowości Młynisko – Morawin - Janków w powiecie kaliskim,
 - gminy Brudzew, Dobra, Kawęczyn, Przykona, Władysławów, Turek z miastem Turek część gminy Tuliszków położona na północ od linii wyznaczonej przez drogę nr 72 biegnącej od wschodniej granicy gminy do miasta Turek a następnie na północ od linii wyznaczonej przez drogę nr 443 biegnącej od skrzyżowania z drogą nr 72 w mieście Turek do zachodniej granicy gminy w powiecie tureckim,
 - gminy Rzgów, Grodziec, Krzymów, Stare Miasto, część gminy Rychwał położona na zachód od linii wyznaczonej przez drogę nr 25 biegnącą od południowej granicy gminy do miejscowości Rychwał, a następnie na północ od linii wyznaczonej przez drogę nr 443 biegnącą od skrzyżowania z drogą nr 25 w miejscowości Rychwał do wschodniej granicy gminy w powiecie konińskim,
 - część gminy Kępno położona na północ od linii wyznaczonej przez drogę nr S8 w powiecie kępińskim,
 - powiat ostrzeszowski,
- w województwie opolskim:
- gminy Domaszowice, Wilków i część gminy Namysłów położona na zachód od linii wyznaczonej przez rzekę Głucha w powiecie namysłowskim,

- gminy Wołczyn, Kluczbork, część gminy Byczyna położona na zachód od linii wyznaczonej przez drogę nr 11 w powiecie kluczborskim,
- gmina Praszka, część gminy Gorzów Śląski położona na południe od północnej granicy miasta Gorzów Śląski oraz na południe od linii wyznaczonej przez drogę nr 45, część gminy Rudniki położona na północ od linii wyznaczonej przez drogę nr 42 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 43 i na zachód od linii wyznaczonej przez drogę nr 43 biegnącą od północnej granicy gminy do skrzyżowania z drogą nr 42 w powiecie oleskim,
- gminy Grodków, Lubsza, Olszanka, Skarbimierz i miasto Brzeg w powiecie brzeskim,

w województwie zachodniopomorskim:

- gminy Nowogródek Pomorski, Barlinek, Myślibórz, część gminy Dębno położona na wschód od linii wyznaczonej przez drogę nr 126 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 23 w miejscowości Dębno, następnie na wschód od linii wyznaczonej przez drogę nr 23 do skrzyżowania z ul. Jana Pawła II w miejscowości Cychry, następnie na północ od ul. Jana Pawła II do skrzyżowania z ul. Ogrodową i dalej na północ od linii wyznaczonej przez ul. Ogrodową, której przedłużenie biegnie do wschodniej granicy gminy w powiecie myśliborskim,
- gminy Banie i Widuchowa, w powiecie gryfińskim,
- gmina Kozielice w powiecie pyrzyckim,
- gminy Bierzwnik, Krzęcin, Pełczyce w powiecie choszczeńskim,

w województwie małopolskim:

- powiat brzeski,
- powiat gorlicki,
- powiat proszowicki,
- powiat nowosądecki,
- powiat miejski Nowy Sącz,
- część powiatu dąbrowskiego niewymieniona w części III załącznika I,
- część powiatu tarnowskiego niewymieniona w części III załącznika I.

8. Slovakia

The following restricted zones I in Slovakia:

- the whole district of Medzilaborce,
- the whole district of Stropkov, except municipalities included in part II,
- the whole district of Svidník, except municipalities included in part II,
- in the district of Veľký Krtíš, the municipalities of Ipel'ské Predmostie, Veľká nad Ipľom, Hrušov, Kleňany, Sečianky,
- in the district of Levice, the municipalities of Ipel'ské Úľany, Plášťovce, Dolné Túrovce, Stredné Túrovce, Šahy, Tešmak,
- the whole district of Krupina, except municipalities included in part II,
- the whole district of Banská Bystrica, except municipalities included in part II,
- in the district of Liptovský Mikuláš – municipalities of Pribylina, Jamník, Svätý Štefan, Kanská, Jakubovany, Liptovský Ondrej, Beňadiková, Vavrišovo, Liptovská Kokava, Liptovský Peter, Dovalovo, Hybe, Liptovský Hrádok, Liptovský Ján, Uhorská Ves, Podtureň, Závažná Poruba, Liptovský Mikuláš, Pavčina Lehota, Demänovská Dolina, Gôtovany, Galovany, Svätý Kríž, Lazisko, Dúbrava, Malatíny, Liptovské Vlchy, Liptovské Kľačany, Partizánska Ľupča, Kráľovská Ľubeľa, Zemianska Ľubeľa, Východná – a part of municipality north from the highway D1,
- in the district of Ružomberok, the municipalities of Liptovská Lužná, Liptovská Osada, Podsúchá, Ludrová, Štiavnička, Liptovská Štiavnica, Nižný Sliač, Liptovské Sliače,
- the whole district of Banská Štiavnica,
- the whole district of Žiar nad Hronom.

PART II

1. Bulgaria

The following restricted zones II in Bulgaria:

- the whole region of Haskovo,
- the whole region of Yambol,
- the whole region of Stara Zagora,
- the whole region of Pernik,
- the whole region of Kyustendil,
- the whole region of Plovdiv, excluding the areas in Part III,
- the whole region of Pazardzhik, excluding the areas in Part III,
- the whole region of Smolyan,
- the whole region of Dobrich,
- the whole region of Sofia city,
- the whole region of Sofia Province,
- the whole region of Blagoevgrad,
- the whole region of Razgrad,
- the whole region of Kardzhali,
- the whole region of Burgas excluding the areas in Part III,
- the whole region of Varna excluding the areas in Part III,
- the whole region of Silistra, excluding the areas in Part III,
- the whole region of Ruse, excluding the areas in Part III,
- the whole region of Veliko Tarnovo, excluding the areas in Part III,
- the whole region of Pleven, excluding the areas in Part III,
- the whole region of Targovishte, excluding the areas in Part III,
- the whole region of Shumen, excluding the areas in Part III,
- the whole region of Sliven, excluding the areas in Part III,
- the whole region of Vidin, excluding the areas in Part III.

2. Germany

The following restricted zones II in Germany:

Bundesland Brandenburg:

- Landkreis Oder-Spree:
 - Gemeinde Grunow-Dammendorf,
 - Gemeinde Mixdorf
 - Gemeinde Schlaubetal,
 - Gemeinde Neuzelle,
 - Gemeinde Neißemünde,
 - Gemeinde Lawitz,
 - Gemeinde Eisenhüttenstadt,
 - Gemeinde Vogelsang,
 - Gemeinde Ziltendorf,
 - Gemeinde Wiesenau,
 - Gemeinde Friedland,
 - Gemeinde Siehdichum,
 - Gemeinde Müllrose,

- Gemeinde Briesen,
- Gemeinde Jacobsdorf
- Gemeinde Groß Lindow,
- Gemeinde Brieskow-Finkenheerd,
- Gemeinde Ragow-Merz,
- Gemeinde Beeskow,
- Gemeinde Rietz-Neuendorf,
- Gemeinde Tauche mit den Gemarkungen Stremmen, Ranzig, Trebatsch, Sabrodt, Sawall, Mitweide, Lindenberg, Falkenberg (T), Görsdorf (B), Wulfersdorf, Giesensdorf, Briescht, Kossenblatt und Tauche,
- Gemeinde Langewahl,
- Gemeinde Berkenbrück,
- Gemeinde Steinhöfel mit den Gemarkungen Arensdorf und Demitz und den Gemarkungen Steinhöfel, Hasenfelde und Heinersdorf östlich der L 36 und der Gemarkung Neuendorf im Sande südlich der L36,
- Gemeinde Fürstenwalde östlich der B 168 und südlich der L36,
- Gemeinde Diensdorf-Radlow,
- Gemeinde Wendisch Rietz östlich des Scharmützelsees und nördlich der B 246,
- Gemeinde Bad Saarow mit der Gemarkung Neu Golm und der Gemarkung Bad Saarow-Pieskow östlich des Scharmützelsees und ab nördlicher Spitze östlich der L35,
- Landkreis Dahme-Spreewald:
 - Gemeinde Jamlitz,
 - Gemeinde Lieberose,
 - Gemeinde Schwielochsee mit den Gemarkungen Goyatz, Jessern, Lamsfeld, Ressen, Speichrow und Zaue,
- Landkreis Spree-Neiße:
 - Gemeinde Schenkendöbern,
 - Gemeinde Guben,
 - Gemeinde Jänschwalde,
 - Gemeinde Tauer,
 - Gemeinde Teichland mit der Gemarkung Bärenbrück,
 - Gemeinde Heinersbrück,
 - Gemeinde Forst,
 - Gemeinde Groß Schacksdorf-Simmersdorf,
 - Gemeinde Neiße-Malxetal,
 - Gemeinde Jämlitz-Klein Düben,
 - Gemeinde Tschernitz,
 - Gemeinde Döbern,
 - Gemeinde Felixsee,
 - Gemeinde Wiesengrund,
 - Gemeinde Spremberg mit den Gemarkungen Groß Luja, Türkendorf, Graustein, Waldesdorf, Hornow, Schönheide und Liskau,
 - Gemeinde Neuhausen/Spree mit den Gemarkungen Kahsel, Drieschnitz, Gablenz, Komptendorf und Sergen,
- Landkreis Märkisch-Oderland:
 - Gemeinde Bleyen-Genschmar,
 - Gemeinde Neuhardenberg,

- Gemeinde Golzow,
- Gemeinde Küstriner Vorland,
- Gemeinde Alt Tucheband,
- Gemeinde Reitwein,
- Gemeinde Podelzig,
- Gemeinde Gusow-Platkow,
- Gemeinde Seelow,
- Gemeinde Vierlinden,
- Gemeinde Lindendorf,
- Gemeinde Fichtenhöhe,
- Gemeinde Lietzen,
- Gemeinde Falkenhagen (Mark),
- Gemeinde Zeschdorf,
- Gemeinde Treplin,
- Gemeinde Lebus,
- Gemeinde Müncheberg mit den Gemarkungen Jahnsfelde, Trebnitz, Obersdorf, Münchehofe und Hermersdorf,
- Gemeinde Märkische Höhe mit der Gemarkung Ringenwalde,
- Gemeinde Bliesdorf mit der Gemarkung Metzdorf und Gemeinde Bliesdorf – östlich der B167 bis östlicher Teil, begrenzt aus Richtung Gemarkungsgrenze Neutrebbin südlich der Bahnlinie bis Straße „Sophienhof“ dieser westlich folgend bis „Rueterchegraben“ weiter entlang Feldweg an den Windrädern Richtung „Herrnhof“, weiter entlang „Letschiner Hauptgraben“ nord-östlich bis Gemarkungsgrenze Alttrebbin und Kunersdorf – östlich der B167,
- Gemeinde Bad Freienwalde mit den Gemarkungen Altglietzen, Altranft, Bad Freienwalde, Bralitz, Hohenwutzen, Schiffmühle, Hohensaaten und Neuenhagen,
- Gemeinde Falkenberg mit der Gemarkung Falkenberg östlich der L35,
- Gemeinde Oderaue,
- Gemeinde Wriezen mit den Gemarkungen Altwriezen, Jäckelsbruch, Neugaul, Beauregard, Eichwerder, Rathsdorf – östlich der B167 und Wriezen – östlich der B167,
- Gemeinde Neulewin,
- Gemeinde Neutrebbin,
- Gemeinde Letschin,
- Gemeinde Zechin,
- Landkreis Barnim:
 - Gemeinde Lunow-Stolzenhagen,
 - Gemeinde Parsteinsee,
 - Gemeinde Oderberg,
 - Gemeinde Liepe,
 - Gemeinde Hohenfinow (nördlich der B167),
 - Gemeinde Niederfinow,
 - Gemeinde (Stadt) Eberswalde mit den Gemarkungen Eberswalde nördlich der B167 und östlich der L200, Sommerfelde und Tornow nördlich der B167,
 - Gemeinde Chorin mit den Gemarkungen Brodowin, Chorin östlich der L200, Serwest, Neuehütte, Sandkrug östlich der L200,
 - Gemeinde Ziethen mit der Gemarkung Klein Ziethen östlich der Serwester Dorfstraße und östlich der B198,

- Landkreis Uckermark:
 - Gemeinde Angermünde mit den Gemarkungen Crussow, Stolpe, Gellmersdorf, Neukünkendorf, Bölkendorf, Herzsprung, Schmargendorf und den Gemarkungen Angermünde südlich und südöstlich der B2 und Dobberzin südlich der B2,
 - Gemeinde Schwedt mit den Gemarkungen Criewen, Zützen, Schwedt, Stendell, Kummerow, Kunow, Vierraden, Blumenhagen, Oderbruchwiesen, Enkelsee, Gatow und Hohenfelde,
 - Gemeinde Schöneberg mit den Gemarkungen Schöneberg, Flemsdorf und der Gemarkung Felchow östlich der B2,
 - Gemeinde Pinnow südlich und östlich der B2,
 - Gemeinde Berkholz-Meyenburg,
 - Gemeinde Landin mit der Gemarkung Landin südlich der B2,
 - Gemeinde Casekow mit der Gemarkung Woltersdorf und den Gemarkungen Biesendahlshof und Casekow östlich der L272 und südlich der L27,
 - Gemeinde Hohenselchow-Groß Pinnow mit der Gemarkung Groß Pinnow und der Gemarkung Hohenselchow südlich der L27,
 - Gemeinde Gartz (Oder) mit der Gemarkung Friedrichsthal und den Gemarkungen Gartz und Hohenreinkendorf südlich der L27 und B2 bis Gartenstraße,
 - Gemeinde Passow mit der Gemarkung Jamikow,
 - Kreisfreie Stadt Frankfurt (Oder),
 - Landkreis Prignitz:
 - Gemeinde Berge,
 - Gemeinde Pirow,
 - Gemeinde Putlitz mit den Gemarkungen Sagast, Nettelbeck, Porep, Lütkenhof und Putlitz,
 - Gemeinde Marienfließ mit der Gemarkung Jännersdorf,
- Bundesland Sachsen:
- Landkreis Bautzen:
 - Gemeinde Großdubrau,
 - Gemeinde Hochkirch nördlich der B6,
 - Gemeinde Königswartha östlich der B96,
 - Gemeinde Kubschütz nördlich der B6,
 - Gemeinde Laußnitz,
 - Gemeinde Lohsa östlich der B96,
 - Gemeinde Malschwitz,
 - Gemeinde Neschwitz östlich der B96,
 - Gemeinde Ottendorf-Okrilla,
 - Gemeinde Radibor östlich der B96,
 - Gemeinde Spreetal östlich der B97,
 - Gemeinde Stadt Bautzen östlich des Verlaufs der B96 bis Abzweig S 156 und nördlich des Verlaufs S 156 bis Abzweig B6 und nördlich des Verlaufs der B 6 bis zur östlichen Gemeindegrenze,
 - Gemeinde Stadt Hoyerswerda südlich des Verlaufs der B97 bis Abzweig B96 und östlich des Verlaufs der B96 bis zur südlichen Gemeindegrenze,
 - Gemeinde Stadt Königsbrück mit dem Ortsteil Röhrsdorf,
 - Gemeinde Stadt Weißenberg,
 - Gemeinde Stadt Wittichenau östlich der B96,

- Stadt Dresden:
 - Stadtteile Gohlitz, Lausa/Friedersdorf, Marsdorf, Weixdorf,
- Landkreis Görlitz:
 - Gemeinde Boxberg/O.L.,
 - Gemeinde Gablenz,
 - Gemeinde Groß Düben,
 - Gemeinde Hähnichen,
 - Gemeinde Hohendubrau,
 - Gemeinde Horka,
 - Gemeinde Kodersdorf,
 - Gemeinde Königshain,
 - Gemeinde Krauschwitz i.d. O.L.,
 - Gemeinde Kreba-Neudorf,
 - Gemeinde Markersdorf,
 - Gemeinde Mücka,
 - Gemeinde Neißeau,
 - Gemeinde Quitzdorf am See,
 - Gemeinde Rietschen,
 - Gemeinde Rosenbach nördlich der S129,
 - Gemeinde Schleife,
 - Gemeinde Schönau-Berzdorf a. d. Eigen nördlich der S129,
 - Gemeinde Schöpstal,
 - Gemeinde Stadt Bad Muskau,
 - Gemeinde Stadt Bernstadt a. d. Eigen nördlich der S129,
 - Gemeinde Stadt Görlitz,
 - Gemeinde Stadt Löbau nördlich der B 6 von der Kreisgrenze Bautzen bis zum Abzweig der S 129, auf der S129 bis Gemeindegrenze,
 - Gemeinde Stadt Niesky,
 - Gemeinde Stadt Ostritz nördlich der S129 und K8616,
 - Gemeinde Stadt Reichenbach/O.L.,
 - Gemeinde Stadt Rothenburg/O.L.,
 - Gemeinde Stadt Weißwasser/O.L.,
 - Gemeinde Trebendorf,
 - Gemeinde Vierkirchen,
 - Gemeinde Waldhufen,
 - Gemeinde Weißkeißel,
- Landkreis Meißen:
 - Gemeinde Ebersbach,
 - Gemeinde Lampertswalde mit den Ortsteilen Lampertswalde, Mühlbach, Quersa, Schönborn,
 - Gemeinde Moritzburg,
 - Gemeinde Schönfeld,
 - Gemeinde Stadt Coswig nördlich der S80 und östlich der S81,
 - Gemeinde Stadt Radeburg,

- Gemeinde Thiendorf,
- Gemeinde Weinböhla östlich der S81.

Bundesland Mecklenburg-Vorpommern:

- Landkreis Ludwigslust-Parchim:
 - Gemeinde Parchim mit den Ortsteilen und der Ortslage: Slate,
 - Gemeinde Siggelkow mit den Ortsteilen und der Ortslage: Neuburg, Groß Pankow, Klein Pankow, Redlin, Siggelkow,
 - Gemeinde Ruhner Berge mit den Ortsteilen und der Ortslage: Marnitz, Jarchow, Leppin, Mooster, Drenkow, Malow, Tessenow, Polnitz, Poitendorf, Zachow, Dorf Polnitz, Suckow, Mentin, Griebow, Griebow-Mühle, Mentin Ausbau, Malower Mühle, Hof Polnitz,
 - Gemeinde Karrenzin mit den Ortsteilen und den Ortslagen: Neu Herzfeld, Wulfsahl, Herzfeld, Repzin, Neu Herzfeld, Karrenzin, Karrenzin Ausbau,
 - Gemeinde Ziegendorf mit den Ortsteilen und Ortslagen: Stresendorf, Meierstorf (teilweise), Drefahl, Pampin, Platschow, Ziegendorf,
 - Gemeinde Brunow mit den Ortsteilen und Ortslagen: Bauerkuhl, Klüß, Löcknitz, Brunow,
 - Gemeinde Groß Godems mit den Ortsteilen und Ortslagen: Groß Godems und Klein Godems,
 - Gemeinde Möllenbeck mit den Ortsteilen und den Ortslagen: Möllenbeck, Horst, Carlshof und Menzendorf,
 - Gemeinde Dambeck mit den Ortsteilen und den Ortslagen: Dambeck,
 - Gemeinde Ziegendorf mit Ortsteilen und Ortslage: Neu Drefahl und Meierstorf (teilweise).

3. Estonia

The following restricted zones II in Estonia:

- Eesti Vabariik (välja arvatud Hiiu maakond).

4. Latvia

The following restricted zones II in Latvia:

- Aizkraukles novads,
- Alūksnes novads,
- Augšdaugavas novads,
- Ādažu novads,
- Balvu novads,
- Bauskas novads,
- Cēsu novads,
- Dienvidkurzemes novada Aizputes, Cīravas, Lažas, Kalvenes, Kazdangas, Durbes, Dunalkas, Tadaļķu, Vecpils, Bārtas, Sakas, Bunkas, Priekules, Gramzdas, Kalētu, Virgas, Dunikas, Embūtes, Vaiņodes pagasts, Aizputes, Durbes, Pāvilostas, Priekules pilsēta,
- Dobeles novads,
- Gulbenes novads,
- Jelgavas novads,
- Jēkabpils novads,
- Krāslavas novads,
- Kuldīgas novads,
- Ķekavas novads,

- Limbažu novads,
- Līvānu novads,
- Ludzas novada Ķirmas, Pūreņu, Ņukšu, Pildas, Rundēnu, Istras, Pasienes, Zvirgzdenes, Blontu, Pušmucovas, Mērdzenes, Mežvidu, Salnavas, Malnavas, Goliševas pagasts, Līdumnieku pagasta daļa uz ziemeļiem no autoceļa V508 un upes Kurjanka no autoceļa V510 līdz Krievijas Federācijas robežai, Ciblas pagasta daļa uz ziemeļiem no autoceļa V508, V511, Isnaudas pagasta daļa uz ziemeļrietumiem no autoceļa V511, V506, Lauderu pagasta daļa uz dienvidrietumiem no autoceļa V544, V514, V539, Zaļesjes pagasta daļa uz dienvidiem no autoceļa V539, V513, P52 un A12, Kārsavas, Ludzas pilsēta,
- Madonas novads,
- Mārupes novads,
- Ogres novads,
- Olaines novads,
- Preiļu novads,
- Rēzeknes novads,
- Ropažu novada Garkalnes, Ropažu pagasts, Stopiņu pagasta daļa, kas atrodas uz austrumiem no autoceļa V36, P4 un P5, Acones ielas, Dauguļupes ielas un Dauguļupītes, Vangažu pilsēta,
- Salaspils novads,
- Saldus novads,
- Saulkrastu novads,
- Siguldas novads,
- Smiltenes novads,
- Talsu novads,
- Tukuma novads,
- Valkas novads,
- Valmieras novads,
- Varakļānu novads,
- Ventspils novads,
- Daugavpils valstspilsētas pašvaldība,
- Jelgavas valstspilsētas pašvaldība,
- Jūrmalas valstspilsētas pašvaldība,
- Rēzeknes valstspilsētas pašvaldība.

5. Lithuania

The following restricted zones II in Lithuania:

- Alytaus miesto savivaldybė,
- Alytaus rajono savivaldybė,
- Anykščių rajono savivaldybė,
- Akmenės rajono savivaldybė,
- Birštono savivaldybė,
- Biržų miesto savivaldybė,
- Biržų rajono savivaldybė,
- Druskininkų savivaldybė,
- Elektrėnų savivaldybė,
- Ignalinos rajono savivaldybė,

- Jonavos rajono savivaldybė,
- Joniškio rajono savivaldybė,
- Jurbarko rajono savivaldybė,
- Kaišiadorių rajono savivaldybė,
- Kalvarijos savivaldybė,
- Kauno miesto savivaldybė,
- Kauno rajono savivaldybė,
- Kazlų rūdos savivaldybė,
- Kelmės rajono savivaldybė,
- Kėdainių rajono savivaldybė,
- Klaipėdos rajono savivaldybė: Judrėnų, Endriejavo ir Veiviržėnų seniūnijos,
- Kupiškio rajono savivaldybė,
- Kretingos rajono savivaldybė,
- Lazdijų rajono savivaldybė,
- Marijampolės savivaldybė,
- Mažeikių rajono savivaldybė,
- Molėtų rajono savivaldybė,
- Pagėgių savivaldybė,
- Pakruojo rajono savivaldybė,
- Panevėžio rajono savivaldybė,
- Panevėžio miesto savivaldybė,
- Pasvalio rajono savivaldybė,
- Radviliškio rajono savivaldybė,
- Rietavo savivaldybė,
- Prienų rajono savivaldybė,
- Plungės rajono savivaldybė,
- Raseinių rajono savivaldybė,
- Rokiškio rajono savivaldybė,
- Skuodo rajono savivaldybė,
- Šakių rajono savivaldybė,
- Šalčininkų rajono savivaldybė,
- Šiaulių miesto savivaldybė,
- Šiaulių rajono savivaldybė,
- Šilutės rajono savivaldybė,
- Širvintų rajono savivaldybė,
- Šilalės rajono savivaldybė,
- Švenčionių rajono savivaldybė,
- Tauragės rajono savivaldybė,
- Telšių rajono savivaldybė,
- Trakų rajono savivaldybė,
- Ukmergės rajono savivaldybė,
- Utenos rajono savivaldybė,
- Varėnos rajono savivaldybė,

- Vilniaus miesto savivaldybė,
- Vilniaus rajono savivaldybė,
- Vilkaviškio rajono savivaldybė,
- Visagino savivaldybė,
- Zarasų rajono savivaldybė.

6. Hungary

The following restricted zones II in Hungary:

- Békés megye 950150, 950250, 950350, 950450, 950550, 950650, 950660, 950750, 950850, 950860, 951050, 951150, 951250, 951260, 951350, 951450, 951460, 951550, 951650, 951750, 952150, 952250, 952350, 952450, 952550, 952650, 953250, 953260, 953270, 953350, 953450, 953550, 953560, 953950, 954050, 954060, 954150, 956250, 956350, 956450, 956550, 956650 és 956750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Borsod-Abaúj-Zemplén megye valamennyi vadgazdálkodási egységének teljes területe,
- Fejér megye 403150, 403160, 403250, 403260, 403350, 404250, 404550, 404560, 404570, 405450, 405550, 405650, 406450 és 407050 kódszámú vadgazdálkodási egységeinek teljes területe,
- Hajdú-Bihar megye valamennyi vadgazdálkodási egységének teljes területe,
- Heves megye valamennyi vadgazdálkodási egységének teljes területe,
- Jász-Nagykun-Szolnok megye 750250, 750550, 750650, 750750, 750850, 750970, 750980, 751050, 751150, 751160, 751250, 751260, 751350, 751360, 751450, 751460, 751470, 751550, 751650, 751750, 751850, 751950, 752150, 752250, 752350, 752450, 752460, 752550, 752560, 752650, 752750, 752850, 752950, 753060, 753070, 753150, 753250, 753310, 753450, 753550, 753650, 753660, 753750, 753850, 753950, 753960, 754050, 754150, 754250, 754360, 754370, 754850, 755550, 755650 és 755750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Komárom-Esztergom megye: 250350, 250850, 250950, 251450, 251550, 251950, 252050, 252150, 252350, 252450, 252460, 252550, 252650, 252750, 252850, 252860, 252950, 252960, 253050, 253150, 253250, 253350, 253450 és 253550 kódszámú vadgazdálkodási egységeinek teljes területe,
- Nógrád megye valamennyi vadgazdálkodási egységeinek teljes területe,
- Pest megye 570150, 570250, 570350, 570450, 570550, 570650, 570750, 570850, 570950, 571050, 571150, 571250, 571350, 571650, 571750, 571760, 571850, 571950, 572050, 573550, 573650, 574250, 577250, 580050 és 580150 kódszámú vadgazdálkodási egységeinek teljes területe,
- Szabolcs-Szatmár-Bereg megye valamennyi vadgazdálkodási egységének teljes területe.

7. Poland

The following restricted zones II in Poland:

w województwie warmińsko-mazurskim:

- gminy Kalinowo, Stare Juchy, Prostki oraz gmina wiejska Elk w powiecie elckim,
- powiat elbląski,
- powiat miejski Elbląg,
- powiat gołdapski,
- powiat piski,
- powiat bartoszycki,
- powiat olecki,
- powiat giżycki,
- powiat braniewski,
- powiat kętrzyński,
- powiat lidzbarski,
- gminy Jedwabno, Szczytno i miasto Szczytno i Świętajno w powiecie szczycieńskim,

- powiat mrągowski,
 - powiat węgorzewski,
 - gminy Dobre Miasto, Dywity, Świątki, Jonkowo, Gietrzwałd, Olsztynek, Stawiguda, Jeziorany, Kolno, część gminy Biskupiec położona na wschód od linii wyznaczonej przez drogę nr 57 w powiecie olsztyńskim,
 - powiat miejski Olsztyn,
 - powiat nidzicki,
 - gminy Kisielice, Susz, Zalewo w powiecie iławskim,
 - część powiatu ostródzkiego niewymieniona w części III załącznika I,
- w województwie podlaskim:
- powiat bielski,
 - powiat grajewski,
 - powiat moniecki,
 - powiat sejneński,
 - gminy Łomża, Piątnica, Jedwabne, Przytuły i Wizna w powiecie łomżyńskim,
 - powiat miejski Łomża,
 - powiat siemiatycki,
 - powiat hajnowski,
 - gminy Ciechanowiec, Klukowo, Szepietowo, Kobylin-Borzymy, Nowe Piekuty, Sokoły i część gminy Kulesze Kościelne położona na północ od linii wyznaczonej przez linię kolejową w powiecie wysokomazowieckim,
 - gmina Rutki i część gminy Kołaki Kościelne położona na północ od linii wyznaczonej przez linię kolejową w powiecie zambrowskim,
 - gminy Mały Płock i Stawiski w powiecie kolneńskim,
 - powiat białostocki,
 - powiat suwalski,
 - powiat miejski Suwałki,
 - powiat augustowski,
 - powiat sokółski,
 - powiat miejski Białystok,
- w województwie mazowieckim:
- gminy Domanice, Korczew, Kotuń, Mordy, Paprotnia, Przesmyki, Siedlce, Skórzec, Wiśniew, Wodnyń, Zbuczyn w powiecie siedleckim,
 - powiat miejski Siedlce,
 - gminy Cerańów, Jabłonna Lacka, Kosów Lacki, Repki, Sabnie, Sterdyń w powiecie sokołowskim,
 - powiat łosicki,
 - powiat sochaczewski,
 - powiat zwolenński,
 - powiat kozienicki,
 - powiat lipski,
 - gminy Gózd, Iłża, Jastrzębia, Jedlnia Letnisko, Pionki z miastem Pionki, Skaryszew, Jedlińsk, Przytyk, Zakrzew w powiecie radomskim,
 - gminy Bodzanów, Słubice, Wyszogród i Mała Wieś w powiecie płockim,
 - powiat nowodworski,

- gminy Czerwińsk nad Wisłą, Naruszewo, Załuski w powiecie płońskim,
 - gminy: miasto Kobylka, miasto Marki, miasto Ząbki, miasto Zielonka w powiecie wołomińskim,
 - powiat garwoliński,
 - gminy Boguty – Pianki, Brok, Zaręby Kościelne, Nur, Małkinia Górna, część gminy wiejskiej Ostrów Mazowiecka położona na południe od miasta Ostrów Mazowiecka i na południowy - wschód od linii wyznaczonej przez drogę S8 biegnącą od południowej granicy miasta Ostrów Mazowiecka w powiecie ostrowskim,
 - część gminy Sadowne położona na północny- zachód od linii wyznaczonej przez linię kolejową, część gminy Łochów położona na północny – zachód od linii wyznaczonej przez linię kolejową w powiecie węgrowskim,
 - część gminy Brańszczyk położona na południowy – wschód od linii wyznaczonej przez drogę nr S8 w powiecie wyszkowskim,
 - gminy Chlewiska i Szydłowiec w powiecie szydłowieckim,
 - gminy Cegłów, Dębe Wielkie, Halinów, Latowicz, Mińsk Mazowiecki i miasto Mińsk Mazowiecki, Mrozy, Siennica, miasto Sulejówkę w powiecie mińskim,
 - powiat otwocki,
 - powiat warszawski zachodni,
 - powiat legionowski,
 - powiat piaseczyński,
 - powiat pruszkowski,
 - powiat grójecki,
 - powiat grodziski,
 - powiat żyrardowski,
 - powiat białobrzegi,
 - powiat przysuski,
 - powiat miejski Warszawa,
- w województwie lubelskim:
- powiat bialski,
 - powiat miejski Biała Podlaska,
 - gminy Batorz, Godziszów, Janów Lubelski, Modliborzyce w powiecie janowskim,
 - powiat puławski,
 - powiat rycki,
 - powiat łukowski,
 - powiat lubelski,
 - powiat miejski Lublin,
 - powiat lubartowski,
 - powiat łęczyński,
 - powiat świdnicki,
 - gminy Aleksandrów, Biszczka, Józefów, Księżpól, Łukowa, Obsza, Potok Górny, Tarnogród w powiecie biłgorajskim,
 - gminy Dołhobyczów, Mircze, Trzeszczany, Uchanie i Werbkowice w powiecie hrubieszowskim,
 - powiat krasnostawski,
 - powiat chełmski,
 - powiat miejski Chełm,

- powiat tomaszowski,
- część powiatu kraśnickiego niewymieniona w części III załącznika I,
- powiat opolski,
- powiat parczewski,
- powiat włodawski,
- powiat radzyński,
- powiat miejski Zamość,
- gminy Adamów, Grabowiec, Komarów – Osada, Krasnobród, Łabunie, Miączyn, Nielisz, Sitno, Skierbieszów, Stary Zamość, Zamość w powiecie zamojskim,

w województwie podkarpackim:

- część powiatu stalowowolskiego niewymieniona w części III załącznika I,
- gminy Cieszanów, Horyniec - Zdrój, Narol, Stary Dzików, Oleszyce, Lubaczów z miastem Lubaczów w powiecie lubaczowskim,
- gmina Stubno w powiecie przemyskim,
- gminy Chłopice, Jarosław z miastem Jarosław, Pawłosiów i Wiązownice w powiecie jarosławskim,
- gmina Kamień w powiecie rzeszowskim,
- gminy Cmolas, Majdan Królewski i Niwiska powiecie kolbuszowskim,
- powiat leżajski,
- powiat niżański,
- powiat tarnobrzeski,
- gminy Adamówka, Sieniawa, Tryńcza, Przeworsk z miastem Przeworsk, Zarzecze powiecie przeworskim,

w województwie pomorskim:

- gminy Dzierżoń i Stary Dzierżoń w powiecie sztumskim,
- gmina Stare Pole w powiecie malborskim,
- gminy Stegny, Sztutowo i część gminy Nowy Dwór Gdański położona na północny - wschód od linii wyznaczonej przez drogę nr 55 biegnącą od południowej granicy gminy do skrzyżowania z drogą nr 7, następnie przez drogę nr 7 i S7 biegnącą do zachodniej granicy gminy w powiecie nowodworskim,

w województwie świętokrzyskim:

- gmina Tarłów i część gminy Ożarów położona na północ od linii wyznaczonej przez drogę nr 74 w powiecie opatowskim,
- część gminy Brody położona wschód od linii wyznaczonej przez drogę nr 9 i na północny - wschód od linii wyznaczonej przez drogę nr 0618T biegnącą od północnej granicy gminy do skrzyżowania w miejscowości Lipie oraz przez drogę biegnącą od miejscowości Lipie do wschodniej granicy gminy i część gminy Mirzec położona na wschód od linii wyznaczonej przez drogę nr 744 biegnącą od południowej granicy gminy do miejscowości Tychów Stary a następnie przez drogę nr 0566T biegnącą od miejscowości Tychów Stary w kierunku północno - wschodnim do granicy gminy w powiecie starachowickim,
- gmina Gowarczów, część gminy Końskie położona na wschód od linii kolejowej, część gminy Stąporków położona na północ od linii kolejowej w powiecie koneckim,

w województwie lubuskim:

- gminy Bogdaniec, Deszczno, Kłodawa, Kostrzyn nad Odrą, Santok, Witnica w powiecie gorzowskim,
- powiat miejski Gorzów Wielkopolski,
- gminy Drezdenko, Strzelce Krajeńskie, Stare Kurowo, Zwierzyn w powiecie strzelecko - drezdeneckim,

- powiat żarski,
 - gmina Cybinka w powiecie słubickim,
 - gminy Gozdnicza i Wymiarki w powiecie żagańskim,
 - gminy Bobrowice, Bytnica, Gubin z miastem Gubin, Maszewo, Krosno Odrzańskie w powiecie krośnieńskim,
- w województwie dolnośląskim:
- powiat zgorzelecki,
 - gminy Grębocice i Polkowice w powiecie polkowickim,
 - gmina Rudna w powiecie lubińskim,
 - gminy Leśna, Lubań i miasto Lubań, Olszyna, Platerówka, Skierczyn w powiecie lubańskim,
 - część powiatu miejskiego Wrocław położona na południowy wschód od linii wyznaczonej przez autostradę A8,
 - gminy Czernica, Siechnice, część gminy Długołęka położona na południe od linii wyznaczonej przez drogę nr S8, część gminy Żórawina położona na wschód od linii wyznaczonej przez autostradę A4 w powiecie wrocławskim,
 - gminy Jelcz-Laskowice, Oława z miastem Oława i część gminy Domaniów położona na północny wschód od linii wyznaczonej przez autostradę A4 w powiecie oławskim,
- w województwie wielkopolskim:
- powiat wolsztyński,
 - gmina Wielichowo, Rakoniewice część gminy Kamieniec położona na zachód od linii wyznaczonej przez drogę nr 308 w powiecie grodziskim,
 - gminy Wijewo, Włoszakowice, część gminy Lipno położona na zachód od linii wyznaczonej przez drogę nr S5 i część gminy Świąciechowa położona na północ od linii wyznaczonej przez drogę nr 12 oraz na zachód od linii wyznaczonej przez drogę nr S5 w powiecie leszczyńskim,
 - część gminy Śmigiel położona na zachód od linii wyznaczonej przez drogę nr S5 w powiecie kościańskim,
 - powiat obornicki,
 - część gminy Połajewo na południe od drogi łączącej miejscowości Chraplewo, Tarnówko-Boruszyn, Krosin, Jakubowo, Połajewo - ul. Ryczywolska do północno-wschodniej granicy gminy w powiecie czarnkowsko-trzcianeckim,
 - gmina Suchy Las, część gminy wiejskiej Murowana Goślina położona na północ od linii kolejowej biegnącej od północnej granicy miasta Murowana Goślina do północno-wschodniej granicy gminy oraz część gminy Rokietnica położona na północ i na wschód od linii kolejowej biegnącej od północnej granicy gminy w miejscowości Krzyszkowo do południowej granicy gminy w miejscowości Kiekrz w powiecie poznańskim,
 - część gminy Szamotuły położona na wschód od wschodniej granicy miasta Szamotuły i na północ od linii kolejowej biegnącej od południowej granicy miasta Szamotuły do południowo-wschodniej granicy gminy oraz część gminy Obrzycko położona na wschód od drogi nr 185 łączącej miejscowości Gaj Mały, Słapanowo i Obrzycko do północnej granicy miasta Obrzycko, a następnie na wschód od drogi przebiegającej przez miejscowość Chraplewo w powiecie szamotulskim,
 - gmina Malanów, część gminy Tuliszków położona na południe od linii wyznaczonej przez drogę nr 72 biegnącej od wschodniej granicy gminy do miasta Turek, a następnie na południe od linii wyznaczonej przez drogę nr 443 biegnącą od skrzyżowania z drogą nr 72 w mieście Turek do zachodniej granicy gminy w powiecie tureckim,
 - część gminy Rychwał położona na wschód od linii wyznaczonej przez drogę nr 25 biegnącą od południowej granicy gminy do miejscowości Rychwał, a następnie na południe od linii wyznaczonej przez drogę nr 443 biegnącą od skrzyżowania z drogą nr 25 w miejscowości Rychwał do wschodniej granicy gminy w powiecie konińskim,

- gmina Mycielin, część gminy Stawiszyn położona na wschód od linii wyznaczonej przez drogę nr 25 biegnącą od północnej granicy gminy do miejscowości Zbiersk, a następnie na wschód od linii wyznaczonej przez drogę łączącą miejscowości Zbiersk – Łyczyn – Petryki biegnącą od skrzyżowania z drogą nr 25 do południowej granicy gminy, część gminy Ceków- Kolonia położona na północ od linii wyznaczonej przez drogę łączącą miejscowości Młynisko – Morawin - Janków w powiecie kaliskim,

w województwie łódzkim:

- gminy Białaczów, Drzewica, Opoczno i Poświętne w powiecie opoczyńskim,
- gminy Biała Rawska, Regnów i Sadkowiec w powiecie rawskim,
- gmina Kowiesy w powiecie skierniewickim,

w województwie zachodniopomorskim:

- gmina Boleszkowice i część gminy Dębno położona na zachód od linii wyznaczonej przez drogę nr 126 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 23 w miejscowości Dębno, następnie na zachód od linii wyznaczonej przez drogę nr 23 do skrzyżowania z ul. Jana Pawła II w miejscowości Cychry, następnie na południe od ul. Jana Pawła II do skrzyżowania z ul. Ogrodową i dalej na południe od linii wyznaczonej przez ul. Ogrodową, której przedłużenie biegnie do wschodniej granicy gminy w powiecie myśliborskim,
- gminy Cedynia, Chojna, Mieszkowice, Moryń, Trzcińsko – Zdrój w powiecie gryfińskim.

8. Slovakia

The following restricted zones II in Slovakia:

- the whole district of Gelnica,
- the whole district of Poprad
- the whole district of Spišská Nová Ves,
- the whole district of Levoča,
- the whole district of Kežmarok
- in the whole district of Michalovce except municipalities included in zone III,
- the whole district of Košice-okolie,
- the whole district of Rožnava,
- the whole city of Košice,
- the whole district of Sobrance,
- the whole district of Vranov nad Topľou,
- the whole district of Humenné except municipalities included in zone III,
- the whole district of Snina,
- the whole district of Prešov,
- in the whole district of Sabinov,
- in the district of Stropkov, the whole municipalities of Bžany, Lomné, Kručov, Nižná Olšava, Miňovce, Turany nad Ondavou, Vyšný Hrabovec, Tokajík, Mrázovce, Breznica, Brusnica, Krišľovce, Jakušovce, Kolbovce,
- in the district of Svidník, the whole municipalities of Dukovce, Želmanovce, Kuková, Kalnište, Lužany pri Ondave, Lúčka, Giraltovec, Kračúnovce, Železník, Kobylnice, Mičakovce, Fijaš,
- the whole district of Bardejov,
- the whole district of Stará Ľubovňa,
- the whole district of Revúca,
- the whole district of Rimavská Sobota,
- in the district of Veľký Krtíš, the whole municipalities not included in part I,
- the whole district of Lučenec,

- the whole district of Poltár
- the whole district of Zvolen,
- the whole district of Detva,
- in the district of Krupina the whole municipalities of Senohrad, Horné Mladonice, Dolné Mladonice, Čekovce, Lackov, Zemiansky Vrbovok, Kozí Vrbovok, Čabradský Vrbovok, Cerovo, Trpín, Litava,
- In the district of Banská Bystrica, the whole municipalities of Kremnička, Malachov, Badín, Vlkanová, Hronsek, Horná Mičiná, Dolná Mičiná, Mólča Oravce, Čáčín, Čerín, Bečov, Sebedín, Dúbravica, Hrochoť, Poniky, Strelníky, Povrazník, Ľubietová, Brusno, Banská Bystrica,
- the whole district of Brezno,
- in the district of Liptovský Mikuláš, the municipalities of Vážec, Malužiná, Kráľova Lehota, Liptovská Porúbka, Nižná Boca, Vyšná Boca a Východná – a part of municipality south of the highway D1.

PART III

1. Bulgaria

The following restricted zones III in Bulgaria:

- the whole region of Gabrovo,
- the whole region of Lovech,
- the whole region of Montana,
- the Pazardzhik region:
 - the whole municipality of Pazardzhik,
 - the whole municipality of Panagyurishte,
 - the whole municipality of Lesichevo,
 - the whole municipality of Septemvri,
 - the whole municipality of Strelcha,
- the Pleven region:
 - the whole municipality of Belene,
 - the whole municipality of Gulyantzi,
 - the whole municipality of Dolna Mitropolia,
 - the whole municipality of Dolni Dabnik,
 - the whole municipality of Iskar,
 - the whole municipality of Knezha,
 - the whole municipality of Nikopol,
 - the whole municipality of Pordim,
 - the whole municipality of Cherven bryag,
- the Plovdiv region
 - the whole municipality of Hisar,
 - the whole municipality of Suedinenie,
 - the whole municipality of Maritsa
 - the whole municipality of Rodopi,
 - the whole municipality of Plovdiv,
- the Ruse region:
 - the whole municipality of Dve mogili,

- the Shumen region:
 - the whole municipality of Veliki Preslav,
 - the whole municipality of Venetz,
 - the whole municipality of Varbitza,
 - the whole municipality of Kaolinovo,
 - the whole municipality of Novi pazar,
 - the whole municipality of Smyadovo,
 - the whole municipality of Hitrino,
- the Silistra region:
 - the whole municipality of Alfatar,
 - the whole municipality of Glavinitsa,
 - the whole municipality of Dulovo
 - the whole municipality of Kaynardzha,
 - the whole municipality of Tutrakan,
- the Sliven region:
 - the whole municipality of Kotel,
 - the whole municipality of Nova Zagora,
 - the whole municipality of Tvarditza,
- the Targovishte region:
 - the whole municipality of Antonovo,
 - the whole municipality of Omurtag,
 - the whole municipality of Opaka,
- the Vidin region,
 - the whole municipality of Belogradchik,
 - the whole municipality of Boynitza,
 - the whole municipality of Bregovo,
 - the whole municipality of Gramada,
 - the whole municipality of Dimovo,
 - the whole municipality of Kula,
 - the whole municipality of Makresh,
 - the whole municipality of Novo selo,
 - the whole municipality of Ruzhintzi,
 - the whole municipality of Chuprene,
- the Veliko Tarnovo region:
 - the whole municipality of Veliko Tarnovo,
 - the whole municipality of Gorna Oryahovitza,
 - the whole municipality of Elena,
 - the whole municipality of Zlataritza,
 - the whole municipality of Lyaskovetz,
 - the whole municipality of Pavlikeni,
 - the whole municipality of Polski Trambesh,
 - the whole municipality of Strazhitza,
 - the whole municipality of Suhindol,

- the whole region of Vratza,
- in Varna region:
 - the whole municipality of Avren,
 - the whole municipality of Beloslav,
 - the whole municipality of Byala,
 - the whole municipality of Dolni Chiflik,
 - the whole municipality of Devnya,
 - the whole municipality of Dalgopol,
 - the whole municipality of Provadia,
 - the whole municipality of Suvorovo,
 - the whole municipality of Varna,
 - the whole municipality of Vetrino,
- in Burgas region:
 - the whole municipality of Burgas,
 - the whole municipality of Kameno,
 - the whole municipality of Malko Tarnovo,
 - the whole municipality of Primorsko,
 - the whole municipality of Sozopol,
 - the whole municipality of Sredets,
 - the whole municipality of Tsarevo,
 - the whole municipality of Sungurlare,
 - the whole municipality of Ruen,
 - the whole municipality of Aytos.

2. Italy

The following restricted zones III in Italy:

- tutto il territorio della Sardegna.

3. Latvia

The following restricted zones III in Latvia:

- Ludzas novada Brīgu, Nirzas pagasts, Līdumnieku pagasta daļa uz dienvidiem no autoceļa V508 un upes Kurjanka posmā no autoceļa V510 līdz Krievijas Federācijas robežai, Ciblas pagasta daļa uz dienvidiem no autoceļa V508, V511, Isnaudas pagasta daļa uz dienvidaustrumiem no autoceļa V511, V506, Lauderu pagasta daļa uz ziemeļaustrumiem no autoceļa V544, V514, V539, Zaļesjes pagasta daļa uz ziemeļiem no autoceļa V539, V513, P52 un A12, Zilupes pilsēta.

4. Poland

The following restricted zones III in Poland:

w województwie warmińsko-mazurskim:

- powiat działdowski,
- część powiatu iławskiego niewymieniona w części II załącznika I,
- powiat nowomiejski,
- gminy Dąbrówno, Grunwald i Ostróda z miastem Ostróda w powiecie ostródzkim,
- część powiatu olsztyńskiego niewymieniona w części II załącznika I,

— gminy Barczewo, Purda, część gminy Biskupiec położona na zachód od linii wyznaczonej przez drogę nr w powiecie olsztyńskim,

— gminy Dźwierzuty, Pasym w powiecie szczycieńskim,

w województwie mazowieckim:

— część powiatu żuromińskiego niewymieniona w części I załącznika I,

— część powiatu mławskiego niewymieniona w części I załącznika I,

w województwie lubelskim:

— gminy Radecznica, Sułów, Szczepieszyn, Zwierzyniec w powiecie zamojskim,

— gminy Biłgoraj z miastem Biłgoraj, Goraj, Frampol, Terespol i Turobin w powiecie biłgorajskim,

— gminy Horodło, Hrubieszów z miastem Hrubieszów w powiecie hrubieszowskim,

— gminy Dzwola, Chrzanów i Potok Wielki w powiecie janowskim,

— gminy Gościeradów i Trzydnik Duży w powiecie kraśnickim,

w województwie podkarpackim:

— powiat mielecki,

— gminy Radomyśl nad Sanem i Zaklików w powiecie stalowowolskim,

— część gminy Ostrów położona na północ od drogi linii wyznaczonej przez drogę nr A4 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 986, a następnie na zachód od linii wyznaczonej przez drogę nr 986 biegnącą od tego skrzyżowania do miejscowości Osieka i dalej na zachód od linii wyznaczonej przez drogę łączącą miejscowości Osieka – Blizna w powiecie ropczycko – sędziszowskim,

— gminy Czarna, Pilzno, Żyraków i część gminy wiejskiej Dębica położona na północ od linii wyznaczonej przez drogę nr A4 w powiecie dębickim,

— gmina Wielkie Oczy w powiecie lubaczowskim,

— gminy Laszki, Radymno z miastem Radymno, w powiecie jarosławskim,

w województwie lubuskim:

— gminy Górzycza, Ośno Lubuskie, Rzepin, Słubice w powiecie słubickim,

— gmina Dąbie w powiecie krośnieńskim,

— gminy Brzeźnica, Iłowa, Małomice, Niegosławice, Szprotawa, Żagań z miastem Żagań w powiecie żagańskim,

— powiat sułeciński,

— powiat międzyrzecki,

— powiat nowosolski,

— powiat wschowski,

— powiat świebodziński,

— powiat zielonogórski

— powiat miejski Zielona Góra,

w województwie wielkopolskim:

— gminy Krzemieniewo, Rydzyna w powiecie leszczyńskim,

— gminy Krobia i Poniec w powiecie gostyńskim,

— powiat rawicki,

— powiat nowotomyski,

— powiat międzychodzki,

- gmina Pniewy, część gminy Duszniki położona na północny – zachód od linii wyznaczonej przez drogę nr 306 biegnącą od północnej granicy gminy do miejscowości Duszniki, a następnie na północ od linii wyznaczonej przez ul. Niewierską oraz drogę biegnącą przez miejscowość Niewierz do zachodniej granicy gminy, część gminy Ostroróg położona na zachód od linii wyznaczonej przez drogę nr 186 i 184 biegnące od granicy gminy do miejscowości Ostroróg, a następnie od miejscowości Ostroróg przez miejscowości Piaskowo – Rudki do południowej granicy gminy, część gminy Wronki położona na południe od linii wyznaczonej przez rzekę Wartę biegnącą od zachodniej granicy gminy do przecięcia z drogą nr 182, a następnie na zachód od linii wyznaczonej przez drogi nr 182 oraz 184 biegnącą od skrzyżowania z drogą nr 182 do południowej granicy gminy, część gminy Szamotuły położona na zachód od linii wyznaczonej przez drogę nr 306 i drogę łączącą miejscowości Lipnica - Ostroróg w powiecie szamotulskim,
- gminy Baranów, Bralin, Perzów, Łęka Opatowska, Rychtal, Trzcinica, część gminy Kępno położona na południe od linii wyznaczonej przez drogę nr S8 w powiecie kępińskim,

w województwie dolnośląskim:

- powiat górowski,
- gminy Prusice i Żmigród w powiecie trzebnickim,
- powiat głogowski,
- powiat bolesławiecki,
- gminy Chocianów, Gaworzyce, Radwanice i Przemków w powiecie polkowickim,
- gmina Chojnów i miasto Chojnów w powiecie legnickim,
- gmina Zagrodno w powiecie złotoryjskim,
- część gminy Wołów położona na północ od linii wyznaczonej przez drogę nr 339 biegnącą od wschodniej granicy gminy do miejscowości Pełczyn, a następnie na północny - wschód od linii wyznaczonej przez drogę biegnącą od skrzyżowania z drogą nr 339 i łączącą miejscowości Pełczyn – Smogorzówek, część gminy Wińsko położona na wschód od linii wyznaczonej przez drogę nr 36 biegnącą od północnej granicy gminy do miejscowości Wińsko, a następnie na wschód od linii wyznaczonej przez drogę biegnącą od skrzyżowania z drogą nr 36 w miejscowości Wińsko i łączącą miejscowości Wińsko – Smogorzów Wielki – Smogorzówek w powiecie wołowskim,
- część gminy Milicz położona na zachód od linii wyznaczonej przez drogę nr 15 biegnącej od północnej granicy gminy do południowej granicy gminy w miejscowości Lasowice w powiecie milickim,

w województwie świętokrzyskim:

- gminy Gnojno, Pacanów, Stopnica, Tuczępy, część gminy Busko Zdrój położona na północ od linii wyznaczonej przez drogę łączącą miejscowości Siedlawy-Szaniec- Podgaje-Kończakowice w powiecie buskim,
- gminy Łubnice, Oleśnica, Połaniec, część gminy Rytwiany położona na zachód od linii wyznaczonej przez drogę nr 764, część gminy Szydłów położona na zachód od linii wyznaczonej przez drogę nr 756 w powiecie staszowskim,
- gminy Chęciny, Chmielnik, Łopuszno, Pierzchnica, część gminy Morawica położona na południe od linii wyznaczonej przez rzekę Czarna Nida, część gminy Daleszyce położona na południe od linii wyznaczonej przez drogę nr 764, część gminy Raków położona na zachód od linii wyznaczonej przez drogi nr 756 i 764 w powiecie kieleckim,
- gminy Kluczewsko, Krasocin, Włoszczowa w powiecie włoszczowskim,
- gmina w powiecie pińczowskim,
- gminy Małogoszcz, Oksa, Sobków w powiecie jędrzejowskim,

w województwie łódzkim:

- gminy Bolesławiec, Czastary, Lututów, Łubnice, część gminy Sokolniki położona na wschód od linii wyznaczonej przez drogę nr 4715E, część gminy Galewice położona na wschód od linii wyznaczonej przez drogę łączącą miejscowości Przybyłów – Ostrówek – Dąbrówka – Zmysłona w powiecie wieruszowskim,

- gminy Biała, Czarnożyły, Skomlin, część gminy Mokrsko położona na zachód od linii wyznaczonej przez drogę łączącą miejscowości Krzyworzeka – Mokrsko – Zmysłona – Komorniki – Orzechowiec – Poręby, część gminy Wieluń położona na zachód od miejscowości Wieluń oraz na północ od linii wyznaczonej przez drogę łączącą miejscowości Wieluń – Turów – Chotów biegnącą do zachodniej granicy gminy, część gminy Ostrówek położona na zachód od linii wyznaczonej przez rzekę Pyszna w powiecie wieluńskim,
- część gminy Złoczew położona na południe od linii wyznaczonej przez drogę nr 482 biegnącą od zachodniej granicy gminy w miejscowości Uników do miejscowości Złoczew, a następnie na zachód od linii wyznaczonej przez drogę nr 477 biegnącą od miejscowości Złoczew do południowej granicy gminy, część gminy Klonowa położona na południe od linii wyznaczonej przez drogę biegnącą od wschodniej granicy gminy, łączącą miejscowości Owieczki - Klonowa – Górka Klonowska - Przybyłów w powiecie sieradzkim,

w województwie opolskim:

- część gminy Gorzów Śląski położona na północ od miasta Gorzów Śląski oraz na północ od linii wyznaczonej przez drogę nr 471 5E w powiecie oleskim,
- część gminy Byczyna położona na wschód od linii wyznaczonej przez drogę nr 11 w powiecie kluczborskim,
- część gminy Namysłów położona na wschód od linii wyznaczonej przez rzekę Głucha w powiecie namysłowskim,

w województwie małopolskim:

- gminy Dąbrowa Tarnowska, Radgoszcz, Szczucin w powiecie dąbrowskim,
- gminy Lisia Góra, Pleśna, Ryglice, Skrzyszów, Tarnów, Tuchów w powiecie tarnowskim,
- powiat miejski Tarnów.

5. Romania

The following restricted zones III in Romania:

- Zona oraşului Bucureşti,
- Judeţul Constanţa,
- Judeţul Satu Mare,
- Judeţul Tulcea,
- Judeţul Bacău,
- Judeţul Bihor,
- Judeţul Bistriţa Năsăud,
- Judeţul Brăila,
- Judeţul Buzău,
- Judeţul Călăraşi,
- Judeţul Dâmboviţa,
- Judeţul Galaţi,
- Judeţul Giurgiu,
- Judeţul Ialomiţa,
- Judeţul Ilfov,
- Judeţul Prahova,
- Judeţul Sălaj,
- Judeţul Suceava
- Judeţul Vaslui,
- Judeţul Vrancea,
- Judeţul Teleorman,

- Județul Mehedinți,
- Județul Gorj,
- Județul Argeș,
- Județul Olt,
- Județul Dolj,
- Județul Arad,
- Județul Timiș,
- Județul Covasna,
- Județul Brașov,
- Județul Botoșani,
- Județul Vâlcea,
- Județul Iași,
- Județul Hunedoara,
- Județul Alba,
- Județul Sibiu,
- Județul Caraș-Severin,
- Județul Neamț,
- Județul Harghita,
- Județul Mureș,
- Județul Cluj,
- Județul Maramureș.

6. Slovakia

The following restricted zones III in Slovakia:

- In the district of Lučenec: Lučenec a jeho časti, Panické Dravce, Mikušovce, Pinciná, Holiša, Vidiná, Boľkovce, Trebeľovce, Halič, Stará Halič, Tomášovce, Trenč, Veľká nad Ipľom, Buzitka (without settlement Dóra), Prša, Nitra nad Ipľom, Mašková, Lehôtka, Kalonda, Jelšovec, Ľuboreč, Filákovské Kováče, Lipovany, Mučín, Rapovce, Lupoč, Gregorova Vieska, Praha,
 - In the district of Poltár: Kalinovo, Veľká Ves,
 - the whole district of Trebišov',
 - The whole district of Vranov and Topľou,
 - In the district of Veľký Krtíš: Malé Zlievce, Glabušovce, Olováry, Zombor, Čeláre, Bušince, Kováčovce, Vrbovka, Kiarov, Záhorce, Želovce, Sklabiná, Nová Ves, Obeckov, Dolné Plachtince, Stredné Plachtince, Horné Plachtince, Malý Krtíš, Veľký Krtíš, Modrý kameň, Veľké Straciny, Malé Straciny, Dolné Strháre, Horné Strháre, Pôtor, Horná Strehová, Slovenské Kračany, Chrfány, Závada, Vieska, Dolná strehová, Ľuboriečka, Veľké Zlievce, Muľa, Opatovská Nová ves, Bátorová, Nenince, Pribelce,
 - In the district of Brezno: Brezno, Čierny Balog, Drábsko, Sihla, Pohronská Polhora, Michalová, Bacúch, Beňuš, Braváčovo, Jarabá, Bystrá, Horná Lehota, Mýto pod d'umbierom, Podbrezová, Osrbie, Hronec, Valaská,
 - In the district of Humenné: Lieskovec, Myslina, Humenné, Jasenov, Brekov, Závadka, Topoľovka, Hudcovce, Ptičie, Chlmec, Porúbka, Brestov, Gruzovce, Ohradzany, Slovenská Volová, Karná, Lackovce, Kochanovce, Hažín nad Cirochou,
 - In the district of Michalovce: Strážske, Staré, Oreské, Zbudza, Voľa, Nacina Ves, Pusté Čemerné, Lesné, Rakovec nad Ondavou, Petříkovce, Oborín, Veľké Raškovce, Beša.'
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DECISIONS

COUNCIL DECISION (EU) 2021/2111

of 25 November 2021

on the position to be taken on behalf of the European Union, under 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, as regards the establishment of a Working Group on Fisheries and the adoption of its rules of procedure

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(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 29 April 2021 the Council adopted Decision (EU) 2021/689 ⁽¹⁾ on the conclusion 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 ⁽²⁾ (the 'Trade and Cooperation Agreement'). The Trade and Cooperation Agreement entered into force on 1 May 2021.
- (2) Article 8(1), point (q), of the Trade and Cooperation Agreement establishes the Specialised Committee on Fisheries. Its powers are set out in Article 8(4) of the Trade and Cooperation Agreement. The tasks and areas of competence of the Specialised Committee on Fisheries are listed, in a non-exhaustive manner, in Article 508 of the Trade and Cooperation Agreement.
- (3) Article 8(4), point (f), of the Trade and Cooperation Agreement empowers the Specialised Committee on Fisheries to establish, supervise, coordinate and dissolve Working Groups. Pursuant to Article 9(2) of the Trade and Cooperation Agreement, any established Working Group shall, under the supervision of a Committee, assist that Committee in the performance of its tasks and, in particular, prepare the work of that Committee and carry out any task assigned to the Working Group by that Committee. Article 9(4) of the Trade and Cooperation Agreement provides that any established Working Group shall set its own rules of procedure, meeting schedule and agenda by mutual consent.
- (4) On 5 October 2021, the Council adopted Decision (EU) 2021/1765 ⁽³⁾, on the position to be adopted on behalf of the Union, for the period 2021–2026, within the Specialised Committee on Fisheries. That decision covers the supervision and coordination of Working Groups of that Committee, but it does not cover their establishment and dissolution.

⁽¹⁾ 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).

⁽²⁾ 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 (OJ L 149, 30.4.2021, p. 10).

⁽³⁾ Council Decision (EU) 2021/1765 of 5 October 2021 on the position to be adopted on behalf of the European Union, for the period 2021–2026, within the Specialised Committee on Fisheries established by 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 (OJ L 355, 7.10.2021, p. 135).

- (5) It is appropriate that the Specialised Committee on Fisheries establishes, pursuant to Article 8(4), point (f), of the Trade and Cooperation Agreement, a Working Group on Fisheries, to operate under its supervision. The Working Group on Fisheries should set its rules of procedure and should report regularly on its activities to the Specialised Committee on Fisheries.
- (6) The Working Group on Fisheries should serve as a forum for the exchange of information, technical discussions and mutual consultation. With the exception of the adoption of its rules of procedure, the Working Group on Fisheries is not intended to adopt acts or measures having legal effects. Since it cannot be excluded that the Working Group on Fisheries prepares or exceptionally adopts acts having legal effects when carrying out the tasks assigned to it by the Specialised Committee on Fisheries, it is appropriate to establish the position to be taken on behalf of the Union in the meetings of the Working Group on Fisheries in relation to such cases.
- (7) The position to be taken on behalf of the Union within the Specialised Committee on Fisheries with regard to the establishment of a Working Group on Fisheries, as well as the positions to be taken on behalf of the Union within the Working Group on Fisheries with regard to the adoption of its rules of procedure and to other acts having legal effects and the specification of those positions, should be established by the Council in accordance with the relevant provisions of the Treaties, Decision (EU) 2021/689 and this Decision.
- (8) The meetings of the Working Group on Fisheries should be prepared with the close cooperation and involvement of the Council and its preparatory bodies.
- (9) The European Parliament is to be immediately and fully informed pursuant to Article 218(10) of the Treaty on the Functioning of the European Union,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union within the Specialised Committee on Fisheries with regard to the establishment of a Working Group on Fisheries is set out in Annex I to this Decision.
2. The position to be taken on behalf of the Union within the Working Group on Fisheries with regard to the adoption of the rules of procedure of the Working Group on Fisheries and its specification is set out in Annex II to this Decision.
3. The Union position within the Working Group on Fisheries when that Working Group is called upon to prepare or adopt acts having legal effects shall be further specified in accordance with Annex III to this Decision.

Article 2

This Decision shall be assessed as necessary and, where appropriate, revised by the Council upon a proposal from the Commission. A review shall in any event take place by 31 December 2022.

Article 3

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

Done at Brussels, 25 November 2021.

For the Council
The President
Z. POČIVALŠEK

*ANNEX I***POSITION OF THE UNION WITHIN THE SPECIALISED COMMITTEE ON FISHERIES WITH
REGARD TO THE ESTABLISHMENT OF A WORKING GROUP ON FISHERIES**

The Union shall seek to ensure that a Working Group on Fisheries is established under the supervision of the Specialised Committee on Fisheries as a forum for the exchange of information, technical discussions and mutual consultation. The Working Group on Fisheries shall, under the supervision of the Specialised Committee on Fisheries, assist that Committee in the performance of its tasks and, in particular, prepare the work of the Specialised Committee on Fisheries and carry out any task assigned to that Working Group by that Committee.

ANNEX II

**POSITION OF THE UNION WITHIN THE WORKING GROUP ON FISHERIES WITH REGARD TO
THE ADOPTION OF THE RULES OF PROCEDURE OF THE WORKING GROUP ON FISHERIES**

The Union shall seek to ensure that the rules of procedure of the Working Group on Fisheries are based on the Rules of Procedure of the Partnership Council and the Committees set out in Annex 1 to the Trade and Cooperation Agreement, while providing for adaptations to be endorsed by the Council on the basis of position papers to be submitted by the Commission. The rules of procedure of the Working Group on Fisheries may also allow for different thematic configurations.

Before the Working Group on Fisheries adopts its rules of procedure, the Commission shall transmit to the Council sufficiently in advance of the meeting of that Working Group or of the written procedure in that Working Group, and in any case not later than eight working days prior to that meeting or usage of written procedure, a written document setting out the particulars of the proposed specification of the Union's position for discussion and the endorsement of the details of the position to be expressed on the Union's behalf.

*ANNEX III***SPECIFICATION OF THE UNION'S POSITION IN THE MEETINGS OF THE WORKING GROUP ON FISHERIES**

When the Working Group on Fisheries prepares or adopts acts having legal effects, all necessary steps shall be taken so that the position to be expressed on the Union's behalf takes account of the latest scientific and other relevant information transmitted to the Commission and is in accordance with Annexes I and II to Decision (EU) 2021/1765.

To this effect, and based on that information, the Commission shall transmit to the Council sufficiently in advance of the meeting of the Working Group on Fisheries or of the written procedure in that Working Group, including when it prepares and adopts its rules of procedure, and in any case not later than eight working days prior to that meeting or usage of written procedure, a written document setting out the particulars of the proposed specification of the Union's position for discussion and the endorsement of the details of the position to be expressed on the Union's behalf.

The principles set out in this Annex shall guide the work of the Commission during the meetings of the Working Group on Fisheries.

If, in the course of a meeting of the Working Group on Fisheries, it is impossible to reach an agreement, in order for the Union's position to take account of new elements the matter shall be referred to the Council in line with the procedure set out in this Annex.

COUNCIL DECISION (EU) 2021/2112**of 25 November 2021****appointing an alternate member, proposed by the Federal Republic of Germany, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Having regard to the proposal of the German Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) An alternate member's seat on the Committee of the Regions has become vacant following the resignation of Ms Sabine SÜTTERLIN-WAACK.
- (4) The German Government has proposed Mr Claus Christian CLAUSSEN, representative of a regional or local body who holds a regional authority electoral mandate, *Minister für Justiz, Europa und Verbraucherschutz des Landes Schleswig-Holstein* (Minister of Justice, European Affairs and Consumer Protection of the Federal State of Schleswig-Holstein), as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

Mr Claus Christian CLAUSSEN, representative of a regional body or local body who holds an electoral mandate, *Minister für Justiz, Europa und Verbraucherschutz des Landes Schleswig-Holstein* (Minister of Justice, European Affairs and Consumer Protection of the Federal State of Schleswig-Holstein) is hereby appointed as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.

Article 2

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

Done at Brussels, 25 November 2021.

For the Council
The President
Z. POČIVALŠEK

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

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

COMMISSION IMPLEMENTING DECISION (EU) 2021/2113**of 30 November 2021****establishing the equivalence, for the purpose of facilitating the right of free movement within the Union, of COVID-19 certificates issued by the Republic of El Salvador to the certificates issued in accordance with Regulation (EU) 2021/953 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic ⁽¹⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) Regulation (EU) 2021/953 lays down a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates ('EU Digital COVID Certificate') for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic. It is also to contribute to facilitating the gradual lifting of restrictions to free movement put in place by Member States, in accordance with Union law, to limit the spread of SARS-CoV-2, in a coordinated manner.
- (2) Regulation (EU) 2021/953 allows for the acceptance of COVID-19 certificates issued by third countries to Union citizens and their family members where the Commission finds that those COVID-19 certificates are issued in accordance with standards that are to be considered as equivalent to those established pursuant to that Regulation. Furthermore, in accordance with Regulation (EU) 2021/954 of the European Parliament and of the Council ⁽²⁾, Member States are to apply the rules laid down in Regulation (EU) 2021/953 to third-country nationals who do not fall within the scope of that Regulation, but who are legally staying or residing in their territory and who are entitled to travel to other Member States in accordance with Union law. Therefore, any equivalence findings laid down in this Decision should apply to COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador to Union citizens and their family members. Similarly, on the basis of Regulation (EU) 2021/954, such equivalence findings should also apply to COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador to third-country nationals legally staying or residing in the territory of the Member States under the conditions laid down in that Regulation.
- (3) On 29 August 2021, the Republic of El Salvador provided the Commission with detailed information on the issuance of interoperable COVID-19 vaccination, test and recovery certificates under the system entitled 'Comprobante electrónico de vacunación'. The Republic of El Salvador informed the Commission that it considered that its COVID-19 certificates are being issued in accordance with a standard and a technological system, that are interoperable with the trust framework established by Regulation (EU) 2021/953 and that allow for the verification of the authenticity, validity and integrity of the certificates. In this regard, the Republic of El Salvador informed the Commission that COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador in accordance with the 'Comprobante electrónico de vacunación' system contain the data set out in the Annex to Regulation (EU) 2021/953.

⁽¹⁾ OJ L 211, 15.6.2021, p. 1.

⁽²⁾ Regulation (EU) 2021/954 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) with regard to third country nationals legally staying or residing in the territories of Member States during the COVID-19 pandemic (OJ L 211, 15.6.2021, p. 24).

- (4) The Republic of El Salvador also informed the Commission that it accepts vaccination, test and recovery certificates issued by the Member States and EEA countries in accordance with Regulation (EU) 2021/953.
- (5) On 4 November 2021, following a request by the Republic of El Salvador, the Commission carried out technical tests that demonstrated that the COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador are in accordance with a system, the 'Comprobante electrónico de vacunación' that is interoperable with the trust framework established by Regulation (EU) 2021/953, and allows for the verification of the authenticity, validity and integrity of the certificates. The Commission also confirmed that the COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador in accordance with the 'Comprobante electrónico de vacunación' system contain the necessary data.
- (6) In addition, the Republic of El Salvador informed the Commission that it issues interoperable vaccination certificates for COVID-19 vaccines. Those vaccines currently include Comirnaty, Spikevax and CoronaVac.
- (7) The Republic of El Salvador also informed the Commission that it will issue interoperable test certificates for nucleic acid amplification tests but not rapid antigen tests.
- (8) Furthermore, the Republic of El Salvador informed the Commission that it will issue interoperable certificates of recovery. Those certificates are valid for not more than 180 days after the date of the first positive test.
- (9) In addition, the Republic of El Salvador informed the Commission that when verifiers in El Salvador verify certificates, the personal data included in them will be processed only to verify and confirm the holder's vaccination, test result or recovery status and will not be retained afterwards.
- (10) The necessary elements for establishing that COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador in accordance with the 'Comprobante electrónico de vacunación' system are to be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953 are thus fulfilled.
- (11) Therefore, COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador in accordance with the 'Comprobante electrónico de vacunación' system should be accepted under the conditions referred to in Article 5(5), Article 6(5) and Article 7(8) of Regulation (EU) 2021/953.
- (12) In order for this Decision to be operational, the Republic of El Salvador should be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.
- (13) In order to protect the Union's interests, in particular in the area of public health, the Commission may use its powers to suspend application of this Decision or repeal it, if the conditions of Article 8(2) of Regulation (EU) 2021/953 are no longer met.
- (14) In order to connect the Republic of El Salvador to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953 as rapidly as possible, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (15) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 14 of Regulation (EU) 2021/953,

HAS ADOPTED THIS DECISION:

Article 1

COVID-19 vaccination, test and recovery certificates issued by the Republic of El Salvador in accordance with the 'Comprobante electrónico de vacunación' system shall, for the purpose of facilitating the right of free movement within the Union, be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953.

Article 2

The Republic of El Salvador shall be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.

Article 3

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

Done at Brussels, 30 November 2021.

For the Commission
The President
Ursula VON DER LEYEN

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

**DECISION No 1/2021 OF THE SPECIALISED COMMITTEE ESTABLISHED BY ARTICLE 8(1)(P) 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,**

of 29 October 2021

**as regards the amendment of the Annexes to the Protocol on Social Security Coordination [2021/
2114]**

THE SPECIALISED COMMITTEE,

Having regard to 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 ⁽¹⁾ (the 'Trade and Cooperation Agreement'), and in particular Article SSC.68 of its Protocol on Social Security Coordination,

Whereas:

- (1) Pursuant to Article SSC.68 of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement, the Specialised Committee on Social Security Coordination may amend the Annexes and Appendices to that Protocol.
- (2) Annexes SSC-1, SSC-3, SSC-4, SSC-5 and SSC-6 to the Protocol on Social Security Coordination, insofar as they reflect the national legislation of the Member States and the United Kingdom, should be amended, in particular to take into account recent changes to national legislation. The title of Annex SSC-1 should be corrected so as not to refer only to benefits 'in cash'. Appendix SSCI-1 to Annex SSC-7 should be amended to reflect the decision of one of the Parties to an arrangement listed therein.
- (3) Article SSC.11(6) of the Protocol on Social Security Coordination requires the Parties to publish an updated Annex SSC-8 as soon as possible after a period of one month from the entry into force of the Trade and Cooperation Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The entries of the Member States and the United Kingdom in Annexes SSC-1, SSC-3, SSC-4, SSC-5 and SSC-6 as well as the entries in Appendix SSCI-1 to Annex SSC-7 to the Protocol on Social Security Coordination are updated as provided for in Annex I to this Decision.

Annex SSC-8 to the Protocol on Social Security Coordination is updated as provided for in Annex II to this Decision.

Article 2

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

⁽¹⁾ OJ L 149, 30.4.2021, p 10.

Done at Brussels and London, 29 October 2021.

*For the Specialised Committee on Social Security
Coordination*

The Co-chairs

Jordi CURELL GOTOR

Ronan O'CONNOR

ANNEX I

'ANNEX SSC-1

CERTAIN BENEFITS TO WHICH THIS PROTOCOL SHALL NOT APPLY

PART 1

SPECIAL NON-CONTRIBUTORY CASH BENEFITS

(Point (a) of Article SSC.3(4) of this Protocol)

(i) UNITED KINGDOM

- (a) State Pension Credit (State Pension Credit Act 2002 and State Pension Credit Act (Northern Ireland) 2002)
- (b) Income-based allowances for jobseekers (Jobseekers Act 1995 and Jobseekers (Northern Ireland) Order 1995)
- (c) Disability Living Allowance, mobility component (Social Security Contributions and Benefits Act 1992 and Social Security Contributions and Benefits (Northern Ireland) Act 1992)
- (d) Personal Independence Payment, mobility component (Welfare Reform Act 2012 (Part 4) and Welfare Reform (Northern Ireland) Order 2015 (Part 5))
- (e) Employment and Support Allowance Income-related (Welfare Reform Act 2007 and Welfare Reform Act (Northern Ireland) 2007)
- (f) Best Start Foods payment (Welfare Foods (Best Start Foods) (Scotland) Regulations 2019 (SSI 2019/193))
- (g) Best Start Grants (pregnancy and baby grant, early learning grant, school-age grant) (The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018 (SSI 2018/370))
- (h) Funeral Support Payment (Funeral Expense Assistance (Scotland) Regulations 2019 (SSI 2019/292))
- (i) Scottish Child Payment (The Scottish Child Payment Regulations 2020 (SSI 2020/351))

(ii) MEMBER STATES

AUSTRIA

Compensatory supplement (Federal Act of 9 September 1955 on General Social Insurance — ASVG, Federal Act of 11 October 1978 on Social insurance for persons engaged in trade and commerce — GSVG and Federal Act of 11 October 1978 on Social insurance for farmers — BSVG).

BELGIUM

- (a) Income replacement allowance (Law of 27 February 1987) (Inkomensvervangende tegemoetkoming/Allocation de remplacement de revenus);
- (b) Guaranteed income for elderly persons (Law of 22 March 2001) (Inkomensgarantie voor ouderen/ Revenu garanti aux personnes âgées).

BULGARIA

Social Pension for old age (Article 89a of the Social Insurance Code).

CYPRUS

- (a) Social Pension (Social Pension Law of 1995 (Law 25(I)/95), as amended);
- (b) Severe motor disability allowance (Council of Ministers' Decisions Nos 38210 of 16 October 1992, 41370 of 1 August 1994, 46183 of 11 June 1997 and 53675 of 16 May 2001);
- (c) Special grant to blind persons (Special Grants Law of 1996 (Law 77(I)/96), as amended).

DENMARK

Accommodation expenses for pensioners (Law on individual accommodation assistance, consolidated by Law No 204 of 29 March 1995).

ESTONIA

State unemployment allowance (Labour Market Services and Support Act of 29 September 2005).

FINLAND

- (a) Housing allowance for pensioners (Act concerning the Housing Allowance for pensioners, 571/2007);
- (b) Labour market support (Act on Unemployment Benefits 1290/2002).

FRANCE

- (a) Supplementary allowances of:
 - (i) the Special Invalidity Fund; and
 - (ii) the Old Age Solidarity Fund in respect of acquired rights;
(Law of 30 June 1956, codified in Book VIII of the Social Security Code);
- (b) Disabled adults' allowance (Law of 30 June 1975, codified in Book VIII of the Social Security Code);
- (c) Special allowance (Law of 10 July 1952, codified in Book VIII of the Social Security Code) in respect of acquired rights;
- (d) Old-age solidarity allowance (ordinance of 24 June 2004, codified in Book VIII of the Social Security Code) as of 1 January 2006.

GERMANY

- (a) Basic subsistence income for the elderly and for persons with reduced earning capacity under Chapter 4 of Book XII of the Social Code (Leistungen der Grundsicherung im Alter und bei Erwerbsminderung nach dem Vierten Kapitel des Zwölften Buches Sozialgesetzbuch);
- (b) Benefits to cover subsistence costs under the basic provision for jobseekers in accordance with Book II of the Social Code (Leistungen zur Sicherung des Lebensunterhalts in der Grundsicherung für Arbeitssuchende nach dem Zweiten Buch Sozialgesetzbuch).

GREECE

Special benefits for the elderly (Law 1296/82).

HUNGARY

- (a) Invalidity annuity (Decree No 83/1987 (XII 27) of the Council of Ministers on Invalidity Annuity);
- (b) Old age allowance (Act III of 1993 on Social Administration and Social Benefits).

IRELAND

- (a) Jobseekers' allowance (Social Welfare Consolidation Act 2005, Part 3, Chapter 2);
- (b) State pension (non-contributory) (Social Welfare Consolidation Act 2005, Part 3, Chapter 4);
- (c) Widow's, widower's, or surviving civil partners (non-contributory) pension (Social Welfare Consolidation Act 2005, Part 3, Chapter 6);
- (d) Disability allowance (Social Welfare Consolidation Act 2005, Part 3, Chapter 10);
- (e) Mobility allowance (Health Act 1970 (as amended), Section 61);
- (f) Blind pension (Social Welfare Consolidation Act 2005, Part 3, Chapter 5).

ITALY

- (a) Social pensions for persons without means (Law No 153 of 30 April 1969);
- (b) Pensions and allowances for the civilian disabled or invalids (Laws No 118 of 30 March 1971, No 18 of 11 February 1980 and No 508 of 23 November 1988);
- (c) Pensions and allowances for the deaf and dumb (Laws No 381 of 26 May 1970 and No 508 of 23 November 1988);
- (d) Pensions and allowances for the civilian blind (Laws No 382 of 27 May 1970 and No 508 of 23 November 1988);
- (e) Benefits supplementing the minimum pensions (Laws No 218 of 4 April 1952, No 638 of 11 November 1983 and No 407 of 29 December 1990);
- (f) Benefits supplementing disability allowances (Law No 222 of 12 June 1984);
- (g) Social allowance (Law No 335 of 8 August 1995);
- (h) Social increase (Article 1(1) and (12) of Law No 544 of 29 December 1988 and successive amendments).

LATVIA

- (a) State Social Security Benefit (Law on State Social Benefits of 1 January 2003);
- (b) Allowance for the compensation of transportation expenses for disabled persons with restricted mobility (Law on State Social Benefits of 1 January 2003).

LITHUANIA

- (a) Social assistance disability and old age pensions (Law of 1994 on Social Assistance Pensions No I-675, Article 5 and 6, as amended);
- (b) Relief compensation (Law of 1994 on Social Assistance Pensions No I-675, Article 12, as amended);
- (c) Transport compensation for the disabled who have mobility problems (Law of 2000 on Transport Compensation, Article 7 and 7¹, as amended).

LUXEMBOURG

Income for the seriously disabled (Article 1(2), Law of 12 September 2003), with the exception of persons recognised as being disabled workers and employed on the mainstream labour market or in a sheltered environment.

MALTA

- (a) Supplementary allowance (Section 73 of the Social Security Act (Cap. 318) 1987);
- (b) Age pension (Social Security Act (Cap. 318) 1987).

NETHERLANDS

- (a) Work and Employment Support for Disabled Young Persons Act of 24 April 1997 (Wet Wajong);
- (b) Supplementary Benefits Act of 6 November 1986 (TW).

POLAND

- (a) Social pension (Renta socjalna) Act of 27 June 2003 on social pensions (Ustawa o rencie socjalnej);
- (b) Supplementary parental benefit (Rodzicielskie świadczenie uzupełniające Mama 4+) Act of 31 January 2019 on supplementary parental benefit (Ustawa o rodzicielskim świadczeniu uzupełniającym);
- (c) Supplementary benefit for persons unable to live independently (Świadczenie uzupełniające dla osób niezdolnych do samodzielnej egzystencji) Act of 31 July on supplementary benefit for persons unable to live independently (Ustawa o świadczeniu uzupełniającym dla osób niezdolnych do samodzielnej egzystencji).

PORTUGAL

- (a) Non-contributory State old-age pension (Decree-Law No 464/80 of 13 October 1980, amended);
- (b) Non-contributory widowhood pension (Regulatory Decree No 52/81 of 11 November 1981);
- (c) Solidarity supplement for the elderly (Decree – Law No 232/2005 of 29 December 2005, amended).

SLOVAKIA

- (a) Adjustment awarded before 1 January 2004 to pensions constituting the sole source of income;
- (b) Social pension which has been awarded before 1 January 2004.

SPAIN

- (a) Minimum income guarantee (Law No 13/82 of 7 April 1982);
- (b) Cash benefits to assist the elderly and invalids unable to work (Royal Decree No 2620/81 of 24 July 1981):
 - (i) Non-contributory invalidity and retirement pensions as provided for in Chapter II of Title VI of the Consolidated Text of the General Law on Social Security, approved by Royal Legislative Decree No 8/2015 of 30 October 2015; and
 - (ii) the benefits which supplement the above pensions, as provided for in the legislation of the Comunidades Autónomas, where such supplements guarantee a minimum subsistence income having regard to the economic and social situation in the Comunidades Autónomas concerned;
- (c) Allowances to promote mobility and to compensate for transport costs (Law No 13/1982 of 7 April 1982).

SWEDEN

- (a) Housing supplement (Chapters 100-103 of the Social Insurance Code [2010:110]);
- (b) Financial support for the elderly (Chapter 74 of the Social Insurance Code [2010:110]).

PART 2

LONG-TERM CARE BENEFITS

(Point (d) of Article SSC.3(4) of this Protocol)

(i) UNITED KINGDOM

- (a) Attendance Allowance (Social Security Contributions and Benefits Act 1992, Social Security (Attendance Allowance) Regulations 1991, Social Security Contributions and Benefits (Northern Ireland) Act 1992 and Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992)
- (b) Carer's Allowance (Social Security Contributions and Benefits Act 1992, The Social Security (Invalid Care Allowance) Regulations 1976, Social Security Contributions and Benefits (Northern Ireland) Act 1992 and The Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976)
- (c) Disability Living Allowance, care component (Social Security Contributions and Benefits Act 1992, Social Security (Disability Living Allowance) Regulations 1991, Social Security Contributions and Benefits (Northern Ireland) Act 1992 and Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992)

- (d) Personal Independence Payment, daily living component (Welfare Reform Act 2012 (Part 4), Social Security (Personal Independence Payment) Regulations 2013, The Personal Independence Payment (Transitional Provisions) Regulations 2013, Personal Independence Payment (Transitional Provisions) (Amendment) Regulations 2019, Welfare Reform (Northern Ireland) Order 2015 (Part 5), The Personal Independence Payment Regulations (Northern Ireland) 2016, The Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016 and Personal Independence Payment (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 2019)
- (e) Carer's Allowance Supplement (The Social Security (Scotland) Act 2018)
- (f) Young Carer's Grant (The Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2020 (as amended))
- (g) Child Winter Heating Assistance (The Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020 (SSI 2020/352))

(ii) MEMBER STATES

AUSTRIA

Federal Long-term care allowance Act (Bundespflegegeldgesetz, BPGG), original version BGBl. no. 110/1993, as amended: Pflegegeld (§1), Pflegekarenzgeld (§21c).

BELGIUM

- (a) Article 93 paragraph 8 and Chapter Vbis of the Health Care and Sickness Benefit Compulsory Insurance Act (Loi relative à l'assurance obligatoire soins de santé et indemnités/Wet betreffende de verplichte verzekering voor geneeskundige verzorging en uitkeringen), coordinated on 14 July 1994.
- (b) Act of 27 February 1987 on allowances for persons with disabilities (Loi relative aux allocations aux personnes handicapées/Wet betreffende de tegemoetkomingen aan gehandicapten).
- (c) Flemish social protection (Vlaamse sociale bescherming): Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection (Decreet houdende Vlaamse sociale bescherming/) and Orders of the Flemish government of 30 November 2018;
 - Title II Benefits in cash, Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection (Decreet houdende Vlaamse sociale bescherming):
 - art. 4, 1° and 77 – 83, Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection (Decreet van 18 mei 2018 houdende Vlaamse sociale bescherming) Care budget for severely dependent people;
 - art. 4, 2° and 84 – 90 Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection (Decreet van 18 mei 2018 houdende Vlaamse sociale bescherming) Care budget for elderly people with a care need;
 - art.4, 3° and 91 – 94 Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection (Decreet van 18 mei 2018 houdende Vlaamse sociale bescherming, Basic support budget;
- (d) Decree of 13 December 2018 on offers to elderly or dependent persons as well as on palliative care (Dekret über die Angebote für Senioren und Personen mit Unterstützungsbedarf sowie über die Palliativpflege).
- (e) Decree of 4th June 2007 on psychiatric nursing homes (Dekret über die psychiatrischen Pflegewohnheime).
- (f) Government Decree of 20 June 2017 on mobility aids (Erlass über die Mobilitätshilfen).
- (g) Decree of 13 December 2016 on the establishment of a German Community Office for self-determined life (Dekret zur Schaffung einer Dienststelle der Deutschsprachigen Gemeinschaft für selbstbestimmtes Leben).
- (h) Royal Decree of 5th March 1990 on the allowance for assistance to the elderly (Königliches Dekret vom 5. März 1990 über die Beihilfe für ältere Menschen).

- (i) Order of 21 December 2018 on Brussels health insurance bodies in the field of health care and assistance to people (Ordonnantie van 21 december 2018 betreffende de Brusselse verzekeringsinstellingen in het domein van de gezondheidszorg en de hulp aan personen/Ordonnance du 21 décembre 2018 relative aux organismes assureurs bruxellois dans le domaine des soins de santé et de l'aide aux personnes).
- (j) Article 215 bis Royal Decree of 3 July 1996 implementing the law on compulsory insurance for health care and benefits, coordinated on 14 July 1994 (Artikel 215 bis Koninklijk Besluit van 3 juli 1996 tot uitvoering van de wet betreffende de verplichte verzekering voor geneeskundige verzorging en uitkeringen, gecoördineerd op 14 juli 1994/ Article 215 bis Arrêté royal du 3 juillet 1996 portant application de la loi sur l'assurance obligatoire des soins de santé et des prestations, coordonné le 14 juillet 1994).
- (k) Article 12 Royal Decree of 20 July 1971 concerning the implementation of a benefit insurance and maternity insurance for the benefit of the self-employed and the assisting spouses (Artikel 12 Koninklijk Besluit van 20 juli 1971 betreffende de uitvoering houdende instelling van een uitkeringsverzekering en een moederschapsverzekering ten voordele van de zelfstandigen en van de meewerkende echtgenoten/ Article 12 Arrêté royal du 20 juillet 1971 relatif à la mise en place de l'assurance de prévoyance et de l'assurance maternité au profit des indépendants et des conjoints aidants).
- (l) Art. 43/32 - 43/46 of the Walloon Code of Social Action and Health: Allowance for Assistance to the Elderly.
- (m) Art. 799 of the Walloon Regulatory Code for Social Action and Health: Personal Assistance Budget.
- (n) Decree of 8 February 2018 on the administration and payment of family benefits.
- (o) Law of 19 December 1939 on family allowances (LGAF): Family allowance.
- (p) Order of 10 December 2020 on the allowance for assistance to the elderly (Ordonnantie van 10 december betreffende de tegemoetkoming voor hulp aan bejaarden/Ordonnance du 10 décembre 2020 relative à l'allocation pour l'aide aux personnes âgées).
- (q) Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection (Decreet van 18 mei 2018 houdende Vlaamse sociale bescherming) and Orders of the Flemish government of 30 November 2018:
 - art. 4, 4° and 140 - 153 of the Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection: financing residential care centers;
 - art 4, 5° of the Decree of the Flemish Parliament of 18 May 2018 on the organisation of Flemish social protection and article 54 - 72 of the Decree of 6 July 2018 regarding the takeover of the sectors of psychiatric care homes, sheltered housing initiatives, rehabilitation agreements, rehabilitation hospitals and multidisciplinary palliative care counseling teams with regard to the financing of psychiatric care homes and sheltered living initiatives (Decreet van 6 juli 2018 betreffende de overname van de sectoren psychiatrische verzorgingstehuizen, initiatieven van beschut wonen, revalidatieovereenkomsten, revalidatieziekenhuizen en multidisciplinaire begeleidingsequipes voor palliatieve verzorging voor wat betreft de financiering van de psychiatrische verzorgingstehuizen en de initiatieven van beschut wonen);
 - art. 4, 9° and 105 - 135 of the Decree of the Flemish Parliament of 18 May 2018 concerning the mobility aids;
- (r) Decree of 13 December 2018 on offers for the elderly and people in need of support and on palliative care (Dekret vom 13. Dezember 2018 über die Angebote für Senioren und Personen mit Unterstützungsbedarf sowie über die Palliativpflege).
- (s) Decree 4 June 2007 on Psychiatric Nursing Homes (Dekret über die psychiatrischen Pflegewohnheime).
- (t) Government decree of 20 June 2017 relating to mobility aids (Erlass über die Mobilitätshilfen).
- (u) Decree of 13 December 2016 establishing an Office of the German-speaking Community for a self-determined life (Dekret zur Schaffung einer Dienststelle der Deutschsprachigen Gemeinschaft für selbstbestimmtes Leben).

- (v) Royal Decree of 5 March 1990 relating to the allowance for assistance to the elderly (Königliches Dekret vom 5. März 1990 über die Beihilfe für ältere Menschen).
- (w) Government decree of 19 December 2019 relating to the transitional regulation of the procedure for obtaining a prior authorization or consent to cover the costs or share the costs of long-term rehabilitation abroad (Erlass der Regierung zur übergangsweisen Regelung des Verfahrens zur Erlangung einer Vorabgenehmigung oder Zustimmung zwecks Kostenübernahme oder Kostenbeteiligung für eine Langzeitrehabilitation im Ausland).
- (x) Order of 21 December 2018 on Brussels health insurance bodies in the field of health care and assistance to people (Ordonnantie van 21 december 2018 betreffende de Brusselse verzekeringsinstellingen in het domein van de gezondheidszorg en de hulp aan personen/Ordonnance du 21 décembre 2018 relative aux organismes assureurs bruxellois dans le domaine des soins de santé et de l'aide aux personnes).
- (y) Coordinated Law on Hospitals and Other Care Institutions of 10 July 2008:
 - Benefits provided by Psychiatric Care Homes (MSP) and care in rest homes (MR) and day care centres (CS): Article 170;
 - Services provided by Protected Housing Initiatives (IHP): Article 6;
- (z) Law on Compulsory Health Care and Indemnity Insurance, coordinated on 14 July 1994:
 - Benefits provided by Psychiatric Care Homes (MSP): Article 34, 11e: benefits provided by MSP;
 - Care in rest homes (MR) and day care centres (CS): Articles 26, 34, 11 and 12, 37, §12 and 69, §4;
 - Smoking cessation: article 34, paragraph 1, 24°, (provides that health benefits include assistance and assistance with medication for smoking cessation);
- (aa) Royal Decree of 18 July 2001 laying down the rules according to which the budget of financial means, the quota of days of stay and the price per day of stay are determined for protected housing initiatives: Services provided by Protected Housing Initiatives (IHP).
- (bb) Royal Decree of 31 August 2009 relating to the intervention of health care and compensation insurance for assistance with smoking cessation.
- (cc) Walloon Code of Social Action and Health:
 - Benefits provided by Psychiatric Care Homes (MSP) and services provided by Protected Housing Initiatives (IHP): art. 43/7. [6°];
 - Care in rest homes (MR) and day care centres (CS): Article 43/7 [4°];
 - Functional re-education centres: art. 43/7, 3°: care necessitated by long-term revalidation care referred to in the revalidation agreements concluded with a functional re-education establishment provided for in article 43/2, paragraph 1, 11 of the Walloon Code of Social Action and Health;
 - Establishments for the reception and accommodation of the elderly: art. 334 to 410;
 - Care establishments: art. 411 to 418;
 - Integrated health associations: art. 419 to 433;
 - Mental health: art. 539 to 624;
 - Support for families and the elderly: Art. 219-260;
 - Smoking cessation: Art. 43/7 [9°];
 - Mobility aids: Article 43/7. [1°]; Order of the Walloon Government of 11 April 2019 establishing the nomenclature of benefits and interventions referred to in Article 43/7, 1° of the Code of Social Action and Health and Article 10/8 of the Walloon Regulatory Code of Social Action and Health;
 - Palliative care: Art. 491/4 and s;

- (dd) Walloon Regulatory Code for Social Action and Health: Art. 726:
- Short Stay Services, Adult Residential Services (SRA), Adult Residential Night Services (SRNA), Supported Accommodation Services (SLS): art. 1192 to 1314;
 - Support Services for Activities of Daily Living: Art. 726;
 - Services organising respite care for family carers and people with disabilities: Art. 831/1;
 - Services providing support in family-type care: Art. 477;
 - Support services for adults: Art. 552 §2;
 - Early support services: Art. 552 §1;
 - Integration support services: Art. 630;
 - Services providing sign language interpretation: Art. 831/77;
 - Individual integration assistance: Art. 784;
 - Functional rehabilitation of persons with disabilities: Art. 832;
 - Specialised reception services for young people, Youth Residential Services (SRJ): Art. 1314/97 to 1314/187;
 - Day care services for adults (SAJA): Art. 1314/1 to 1314/96;
- (ee) Decree of 9 March 2017 relating to the price of accommodation and the financing of certain equipment for heavy medical-technical services in hospitals: Medico-social infrastructures.
- (ff) Order of the Walloon Government of 15 May 2008: Medico-social infrastructures.
- (gg) Royal Decree of 14 May 2003: Integrated home care services.
- (hh) Cooperation agreement of 31 December 2018 between the Flemish Community, the Walloon Region, the French Community Commission, the Joint Community Commission and the German-speaking Community concerning mobility aids (Samenwerkingsakkoord van 31 december 2018 tussen de Vlaamse Gemeenschap, de Franse Gemeenschapscommissie en de Gemeenschappelijke Gemeenschapscommissie betreffende de mobiliteitshulpmiddelen/Accord de collaboration du 31 décembre 2018 entre la Communauté flamande, la Commission communautaire française et la Commission communautaire commune sur les aides à la mobilité).
- (ii) (Cooperation agreement of 31 December 2018 between the Flemish Community, the French Community Commission and the Joint Community Commission concerning the single point of contact for mobility aids in the bilingual Brussels-Capital region (Samenwerkingsakkoord van 31 december 2018 tussen de Vlaamse Gemeenschap, de Franse Gemeenschapscommissie en de Gemeenschappelijke Gemeenschapscommissie betreffende het uniek loket voor de mobiliteitshulpmiddelen in het tweetalige gebied Brussel-Hoofdstad/Accord de coopération du 31 décembre 2018 entre la Communauté flamande, la Commission communautaire française et la Commission communautaire commune relatif au guichet unique pour les aides à la mobilité dans la région bilingue de Bruxelles-Capitale).

BULGARIA

- (a) Article 103 of the Social Insurance Code (член 103 от Кодекса за социално осигуряване), 1999 title amended 2003.
- (b) Law on Social Assistance (Закон за социално подпомагане), 1998.
- (c) Regulation on the Implementation of the Law on Social Assistance (Правилник за прилагане на Закона за социално подпомагане), 1998.
- (d) Persons with Disabilities Act (Закон за хората с увреждания), 2019.
- (e) Personal Assistance Act (Закон за личната помощ), 2019.
- (f) Regulation on the Implementation of the Persons with Disabilities Act (Правилник за прилагане на Закона за интеграция на хората с увреждания), 2019.
- (g) Ordinance on the medical expertise (Наредба за медицинската експертиза), 2017.

CROATIA

- (a) The Social Welfare Act (Zakon o socijalnoj skrbi, OG 157/13, 152/14, 99/15, 52/16, 16/17, 130/17, 98/19, 64/20 and 138/20):
- Guaranteed minimum benefit (zajamčena minimalna naknada);
 - Housing benefit (naknada za troškove stanovanja);
 - Right to fuel costs (pravo na troškove ogrjeva);
 - Assistance for vulnerable energy consumers (naknada za ugroženog kupca energenata);
 - One-off assistance payment;
 - Personal needs allowance for the beneficiary of accommodation (naknada za osobne potrebe korisnika smještaja);
 - Compensation regarding education (naknada u vezi s obrazovanjem);
 - Personal disability allowance (osobna invalidnina);
 - Allowance for assistance and care (doplatak za pomoć i njegu);
 - Allowance for the status of parent-caregiver or a caregiver (naknada za status roditelja njegovatelja ili njegovateljica);
 - Jobseeker's allowances (naknada do zaposlenja);
- (b) The Foster Care Act (Zakon o udomiteljstvu OG 115/18):
- Fostering allowance (opskrbnina);
 - Foster care allowance (naknada za rad udomitelja).

CYPRUS

- (a) Social Welfare Services (Υπηρεσίες Κοινωνικής Ευημερίας).
- (b) The Guaranteed Minimum Income and in General the Social Benefits (Emergency Needs and Care Needs) Regulations and Decrees as they are amended or superseded. Homes for the Elderly and Disabled Persons Laws (Οι περί Στεγών για Ηλικιωμένους και Αναπήρους Νόμοι) of 1991 - 2011. [L. 222/91 and L. 65(I)/2011].
- (c) Adult Day-Care Centres Laws (Οι περί Κέντρων Ενηλίκων Νόμοι) (L. 38(I)/1997 and L.64(I)/2011).
- (d) State Aid Scheme, under the Regulation 360/2012 for the provision of services of general economic interest (*De minimis*) [Σχέδιο Κρατικών Ενισχύσεων Ήσσονος Σημασίας, βάση του Κανονισμού 360/2012 για την παροχή υπηρεσιών γενικού οικονομικού συμφέροντος].
- (e) Welfare Benefits Administration Service (Υπηρεσία Διαχείρισης Επιδομάτων Πρόνοιας).
- (f) The Guaranteed Minimum Income and generally for Welfare Benefits Law of 2014 as it is amended or superseded.
- (g) The Guaranteed Minimum Income and generally for Welfare Benefits Regulations and Decrees as they are amended or superseded.

CZECHIA

Care Allowance according to the Act. No. 108/2006 on social services (Zákon o sociálních službách).

DENMARK

- (a) Consolidation Act on Social Service (Lov om social service):
- Allowance for taking care of close relatives who wish to die in their own home (Vederlag til pasning af nærtstående, der ønsker at dø i eget hjem);
 - Assistance to cover lost earnings for persons caring for a child under 18 at home with significant and permanent impairment of physical or mental functioning or invasive chronic or long-term illness (Hjælp til dækning af tabt arbejdsfortjeneste til personer, som passer et barn under 18 med betydelig og varigt nedsat fysisk eller psykisk funktionsevne eller indgribende kronisk eller langvarig lidelse i hjemmet);

- Coverage of additional expenses for children and young people with significant and permanent impairment of physical or mental functioning or intervening chronic or long-term illness (Dækning af merudgifter til børn og unge med betydelig og varigt nedsat fysisk eller psykisk funktionsevne eller indgribende kronisk eller langvarig lidelse);
 - Personal help and care, "care wills" and contact person for adults with physical or mental disabilities or with special social problems (Personlig hjælp og pleje, "plejetestamenter" og kontaktperson for voksne med nedsat fysisk eller psykisk funktionsevne eller med særlige sociale problemer);
 - Aids, help with interior design for housing for people with permanent physical or mental disabilities (Hjælpe midler, hjælp til indretning af bolig for personer med varigt nedsat fysisk eller psykisk funktionsevne);
 - Caring for close relative with disabilities or serious, including incurable, illness in the home (Pasning af nærtstående med handicap eller alvorlig, herunder uhelbredelig, lidelse i hjemmet);
- (b) Consolidation Act on Housing Subsidy (Lov om individuel boligstøtte):
- Subsidy to costs of a dwelling in private housing cooperatives suitable for severely physically disabled persons (Støtte til udgifter til bolig i private andelsboligforeninger, der er egnet for stærkt bevægelseshæmmede);
- (c) Consolidation Act on Social Housing (Lov om almene boliger):
- Access for disabled persons to different types of housing governed by the Act (Adgang for handicappede til boligtyper omfattet af loven).

ESTONIA

- (a) Social Welfare Act (Sotsiaalhoolekande seadus) 2016.
- (b) Social Benefits for Disabled Persons Act (Puuetega inimeste sotsiaaltoetuste seadus) 1999.

FRANCE

- (a) Supplement for a third party (majoration pour tierce personne, MTP): Articles L. 341-4 and L. 355-1 of the Social Security Code (Code de la sécurité sociale).
- (b) Supplementary benefit for recourse to a third party (prestation complémentaire pour recours à tierce personne): Article L. 434-2 of the Social Security Code.
- (c) Special education supplement for a disabled child (complément d'allocation d'éducation de l'enfant handicapé): Article L. 541-1 of the Social Security Code.
- (d) Disability compensation allowance (prestation de compensation du handicap, PCH): Articles L. 245-1 to L. 245-14 of the Social action and Family Code (Code de l'action sociale et des familles).
- (e) Allowance for loss of autonomy (allocation personnalisée d'autonomie, APA): Articles L. 232-1 to L. 232-28 of the Social action and Family Code (Code de l'action sociale et des familles).

GERMANY

Long term care benefits under Chapter 4 of Book XI of the Social Code (Leistungen der Pflegeversicherung nach Kapitel 4 des Elften Buches Sozialgesetzbuch).

GREECE

- (a) Law No. 1140/1981, as amended.
- (b) Legislative Decree No. 162/73 and Joint Ministerial Decision No. Π4β/5814/1997.
- (c) Ministerial Decision No. Π1γ/ΑΓΠ/οικ.14963 of 9 October 2001.
- (d) Law No. 4025/2011.
- (e) Law No. 4109/2013.
- (f) Law No. 4199/2013 art. 127.

- (g) Law No. 4368/2016 art. 334.
- (h) Law No. 4483/2017 art. 153.
- (i) Law No. 498/1-11-2018, art. 28, 30 and 31, for the "Unified Health Benefits Regulation" of the National Service Provider Organization Health (EOPYY).

HUNGARY

Long-term care benefits for persons providing personal care (Act III of 1993 on Social Administration and Social Assistance supplemented by Government and Ministerial decrees).

IRELAND

- (a) Nursing Homes Support Scheme Act 2009 (No. 15 of 2009).
- (b) Domiciliary Care Allowance (Social Welfare Consolidation Act 2005, Part 3, Chapter 8A).

ITALY

- (a) Law No. 118 of 30 March 1971 on civilian invalidity benefits (Legge 30 Marzo 1971, n. 118 - Conversione in Legge del D.L. 30 gennaio 1971, n. 5 e nuove norme in favore dei mutilati ed invalidi civili).
- (b) Law No. 18 of 11 February 1980 on Constant attendance allowance (Legge 11 Febbraio 1980, n. 18 - Indennità di accompagnamento agli invalidi civili totalmente inabili).
- (c) Law No. 104 of 5 February 1992, Article 33 (Framework law on disability) (Legge 5 Febbraio 1992, n. 104 - Legge-quadro per l'assistenza, l'integrazione sociale e i diritti delle persone handicappate).
- (d) Legislative Decree No. 112 of 31 March 1998 on the transfer of legislative tasks and administrative competences from the State to the Regions and local entities (Decreto Legislativo 31 Marzo 1998, n. 112 - Conferimento di funzioni e compiti amministrativi dello Stato alle regioni ed agli enti locali, in attuazione del capo I della Legge 15 Marzo 1997, n. 59).
- (e) Law No. 183 of 4 November 2010, Article 24, modifying the rules regarding the permits for the assistance to disabled persons in difficult situations (Legge n. 183 del 4 Novembre 2010, art. 24 - Modifiche alla disciplina in materia di permessi per l'assistenza a portatori di handicap in situazione di gravità).
- (f) Law No. 147 of 27 December 2013 containing provisions for drawing up the annual and pluri-annual budget of the State – Stability Law 2014 (Disposizioni per la formazione del bilancio annuale e pluriennale dello Stato - Legge di stabilità 2014).

LATVIA

- (a) Law on Social Services and Social Assistance (Sociālo pakalpojumu un sociālās palīdzības likums) 31/10/2002.
- (b) Medical Treatment Law (Ārstniecības likums) 12/06/1997.
- (c) Law on Patient Rights (Pacientu tiesību likums) 30/12/2009.
- (d) Regulations of the Cabinet of Ministers No. 555 on Health care organisation and payment procedure (Ministru kabineta 2018. gada 28.augusta noteikumi Nr.555 "Veselības aprūpes pakalpojumu organizēšanas un samaksas kārtība") 28/08/2018.
- (e) Regulations of the Cabinet of Ministers No. 275 on Procedures for Payment of Social Care and Social Rehabilitation Services and the Procedures for Covering Service Costs from a Local Government Budget (Ministru kabineta 2003. gada 27.maija noteikumi Nr.275 "Sociālās aprūpes un sociālās rehabilitācijas pakalpojumu samaksas kārtība un kārtība, kādā pakalpojuma izmaksas tiek segtas no pašvaldības budžeta") 27/05/2003.
- (f) Regulations of the Cabinet of Ministers No.138 on Receiving of Social Services and Social Assistance (Ministru kabineta 2019.gada 2.aprīļa noteikumi Nr 138 "Noteiku mi par sociālo pakalpojumu un sociālās palīdzības saņemšanu") 02/04/2019.
- (g) Law on State Social Benefits - allowance for a disabled person for whom care is necessary (Valsts sociālo pabalstu likums) 01/01/2003.

LITHUANIA

- (a) Law of the Republic of Lithuania of 29 June 2016 on Target Compensations No XII-2507 (Lietuvos Respublikos tikslinių kompensacijų įstatymas).
- (b) Law of the Republic of Lithuania of 21 May 1996 on Health Insurance No I-1343 (Lietuvos Respublikos sveikatos draudimo įstatymas).
- (c) Law of the Republic of Lithuania of 19 July 1994 on the Health System No I-552 (Lietuvos Respublikos sveikatos sistemos įstatymas).
- (d) Law of the Republic of Lithuania of 6 June 1996 on Health Care Institutions No I-1367 (Lietuvos Respublikos sveikatos priežiūros įstaigų įstatymas).

LUXEMBOURG

Benefits subject to long-term care insurance under the Social Security Code, Book V - Long-term care insurance, namely:

- Care and support to perform activities of daily living;
- Activities to support independence and autonomy;
- Activities for individual supervision, group supervision and night-time supervision;
- Activities of caregiver training;
- Activities of assistance with household chores;
- Support activities in long-term care facility;
- Lump-sum allowance for incontinence products;
- Assistive technology and assistive technology training;
- Home adaptations;
- Lump-sum cash benefit in replacing benefits in kind for activities of daily living and for activities of assistance with household chores provided by the caregiver in accordance with the summary of care and assistance;
- Coverage of caregiver's pension contributions;
- Lump sum cash benefits for certain disease.

MALTA

- (a) Social Security Act (Att dwar is-Sigurta' Socjali) (Cap. 318).
- (b) Subsidiary Legislation 318.19: State-Owned Institutions and Hostels Rates Regulations (Regolamenti dwar it-Trasferiment ta' Fondi għal Hostels Statali Indikati).
- (c) Subsidiary Legislation 318.17: Transfer of Funds (Government Financed Beds) Regulations (Regolamenti dwar it-Trasferiment ta' Fondi għal Sodod Iffinanzjati mill-Gvern).
- (d) Subsidiary Legislation 318.13: State Financed Residential Services Rates Regulations (Regolamenti dwar Rati għal Servizzi Residenzjali Finanzjali mill-Istat).
- (e) Carer's Allowance – Social Security Act Article 68(1)a.
- (f) Increased Carer's Allowance – Social Security Act Article 68(1)b.

THE NETHERLANDS

Long term care act (Wet langdurige zorg (WLZ)), Law of 3 December 2014.

POLAND

- (a) Medical Care Allowance (zasilek pielęgnacyjny), Special Attendance Allowance (specjalny zasiłek opiekuńczy), Nursing Benefit (świadczenie pielęgnacyjne) Act of 28 November 2003 on Family Benefits (Ustawa o świadczeniach rodzinnych).
- (b) Allowance for Caregiver (zasiłek dla opiekuna) Act of 4 April 2014 on Determination and Payments of the Allowances for Caregivers (Ustawa o ustalaniu i wypłacaniu zasiłków dla opiekunów).

PORTUGAL

Social insurance and guaranteeing sufficient resources:

- (a) Dependency Supplement: Decree-Law No 265/99 of 14 July 1999, amended (complemento por dependência).
- (b) Dependency Supplement under the special protection system in case of disability: Act No 90/2009 of 31 August 2009, re-published in consolidated version by Decree-Law No 246/2015 of 20 October 2015, amended (regime especial de proteção na invalidez).

Social security system and National Health Service:

- (c) National network for integrated continuous care: Decree-Law No 101/06 of 6 June 2006, re-published in a consolidated version by Decree-Law No 136/2015 of 28 July 2015 (rede de cuidados continuados integrados).
- (d) Integrated continuous care in mental health: Decree-Law No 8/2010 of 28 January 2010, amended and republished by Decree-Law No 22/2011 of 10 February 2011 on the creation of units and teams for integrated continuous care in mental health (unidades e equipas de cuidados continuados integrados de saúde mental).
- (e) Pediatric Care (National Network for Integrated Continuous Care): Decree order No 343/2015 of 12 October 2015 on standards governing hospital and ambulatory paediatric care within the framework of the national network for integrated continuous care (condições de instalação e funcionamento das unidades de internamento de cuidados integrados e de ambulatório pediátricas da Rede Nacional de Cuidados Continuados Integrados).
- (f) Informal Carer (allowance): Act No 100/2019 of 6 September on the status of informal carer (Estatuto do cuidador informal).

ROMANIA

- (a) Law no. 448/2006 from 6 December 2006 on the Protection and Promotion of the Rights of Persons with Disabilities, with subsequent amendments and completions:
 - Indemnities granted to persons with disability, namely the monthly complementary personal budget for adults and children with disabilities and the monthly indemnity for adults with disability, provided by article 58 paragraph (4) from Law no.448/2006 on the protection and promotion of the rights of persons with disabilities, with subsequent amendments and completions;
 - Companion indemnity provided by article 42 paragraph (4) and article 43 from Law no.448/2006 on the protection and promotion of the rights of persons with disabilities, with subsequent amendments and completions;
 - Companion indemnity for the adult with severe visual disability, provided by article 42 paragraph (1) and article 58 paragraph (3) from Law no.448/2006 on the protection and promotion of the rights of persons with disabilities, with subsequent amendments and completions; Monthly food allowance granted to children with HIV/AIDS disability, provided by article 58 paragraph (2) from Law no.448/2006 on the protection and promotion of the rights of persons with disabilities, with subsequent amendments and completions;
- (b) Law no. 584/2002 on measures to prevent the spread of malady AIDS in Romania and to protect the persons infected with HIV or AIDS, with subsequent amendments and completions:
 - Monthly food indemnity granted based on the Law no. 584/2002 on measures to prevent the spread of malady AIDS in Romania and to protect the persons infected with HIV or AIDS.

SLOVENIA

No specific law related to long-term care.

Long-term care benefits are included in the following acts:

- (a) Pension and Disability Insurance Act (Zakon o pokojninskem in invalidskem zavarovanju) (Official Gazette of the Republic of Slovenia, no. 96/2012, and subsequent amendments).

- (b) Financial Social Assistance Act (Zakon o socialno varstvenih prejemkih) (Official Gazette of the Republic of Slovenia, no. 61/2010, and subsequent amendments).
- (c) Exercise of Rights to Public Funds Act (Zakon o uveljavljanju pravic iz javnih sredstev) (Official Gazette of the Republic of Slovenia, no. 62/2010, and subsequent amendments).
- (d) Social Protection Act (Zakon o socialnem varstvu) (Official Gazette of the Republic of Slovenia, no. 3/2004 – official consolidated text, and subsequent amendments).
- (e) Parental Care and Family Benefits Act (Zakon o starševskem varstvu in družinskih prejemkih) (Official Gazette of the Republic of Slovenia, no. 110/2006 – official consolidated text, and subsequent amendments).
- (f) Mentally and Physically Handicapped Persons Act (Zakon o družbenem varstvu duševno in telesno prizadetih oseb) (Official Gazette of the Republic of Slovenia, no. 41/83, and subsequent amendments).
- (g) Health Care and Health Insurance Act (Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju) (Official Gazette of the Republic of Slovenia, no. 72/2006 – official consolidated text, and subsequent amendments).
- (h) War Veterans Act (Zakon o vojnih veteranih) (Official Gazette of the Republic of Slovenia, no. 59/06 official consolidated text, and subsequent amendments).
- (i) War Disability Act (Zakon o vojnih invalidih) (Official Gazette of the Republic of Slovenia, no. 63/59 official consolidated text, and subsequent amendments).
- (j) Fiscal Balance Act (Zakon za uravnoteženje javnih finance (ZUJF)) (Official Gazette of the Republic of Slovenia, no. 40/2012, and subsequent amendments).
- (k) Act Regulating Adjustments of Transfers to Individuals and Households in the Republic of Slovenia (Zakon o usklajevanju transferjev posameznikom in gospodinjstvom v Republiki Sloveniji) (Official Gazette of the Republic of Slovenia, no. 114/2006 – official consolidated text, and subsequent amendments).

SPAIN

- (a) Law No. 39/2006 on the Promotion of Personal Autonomy and Assistance to persons in situations of dependence of 14 December 2006, as amended.
- (b) Ministerial Order of 15 April 1969.
- (c) Royal Decree No. 1300/95 of 21 July 1995, as amended.
- (d) Royal Decree No. 1647/97 of 31 October 1997, as amended.

SWEDEN

- (a) Care allowance (Chapter 22 of the Social Insurance Code [2010:110]).
- (b) Extra cost allowance (Chapter 50 of the Social Insurance Code [2010:110]).
- (c) Assistance allowance (Chapter 51 of the Social Insurance Code [2010:110]).
- (d) Car allowance (Chapter 52 of the Social Insurance Code [2010:110]).

PART 3

PAYMENTS WHICH ARE CONNECTED TO A BRANCH OF SOCIAL SECURITY LISTED IN ARTICLE SSC.3(1) OF THIS PROTOCOL AND WHICH ARE PAID TO MEET EXPENSES FOR HEATING IN COLD WEATHER

(Point (f) of Article SSC.3(4) of this Protocol)

(i) UNITED KINGDOM

Winter Fuel Payment (Social Security Contributions and Benefits Act 1992, Social Fund Winter Fuel Payment Regulations 2000, Social Security Contributions and Benefits (Northern Ireland) Act 1992 and Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2000).

(ii) MEMBER STATES

DENMARK

(a) Act on Social and state pensions, LBK no. 983 of 23/09/2019.

(b) Regulations on social and state pensions, BEK no. 1602 of 27/12/2019.

ANNEX SSC-3

MORE RIGHTS FOR PENSIONERS RETURNING TO THE COMPETENT STATE

(Article SSC.25(2) of this Protocol)

AUSTRIA
BELGIUM
BULGARIA
CYPRUS
CZECHIA
FRANCE
GERMANY
GREECE
HUNGARY
LATVIA
LITHUANIA
LUXEMBOURG
THE NETHERLANDS
POLAND
PORTUGAL
ROMANIA
SLOVENIA
SPAIN
SWEDEN

ANNEX SSC-4

CASES IN WHICH THE PRO RATA CALCULATION SHALL BE WAIVED OR SHALL NOT APPLY

(Article SSC.47(4) and (5) of this Protocol)

PART 1

CASES IN WHICH THE PRO RATA CALCULATION SHALL BE WAIVED PURSUANT TO ARTICLE SSC.47(4)

AUSTRIA

- (a) All applications for benefits under the Federal Act of 9 September 1955 on General Social Insurance – ASVG, the Federal Act of 11 October 1978 on social insurance for self-employed persons engaged in trade and commerce – GSVG, the Federal Act of 11 October 1978 on social insurance for self-employed farmers – BSVG and the Federal Act of 30 November 1978 on social insurance for the self-employed in the liberal professions (FSVG);
- (b) All applications for survivors' pensions based on a pension account pursuant to the General Pensions Act (APG) of 18 November 2004, with the exception of cases under Part 2;
- (c) All applications for survivors' pensions of the Austrian Provincial Chambers of Physicians (Landesärztekammer) based on basic provision (basic and any supplementary benefit, or basic pension);
- (d) All applications for survivors' support from the pension fund of the Austrian Chamber of Veterinary Surgeons;
- (e) All applications for benefits from widows and orphans pensions according to the statutes of the welfare institutions of the Austrian bar associations, Part A;
- (f) All applications for benefits under the Notary Insurance Act of 3 February 1972 – NVG 1972.

CYPRUS

All applications for old age, widow's and widower's pensions.

DENMARK

All applications for pensions referred to in the law on social pensions, except for pensions mentioned in Annex SSC-5 to this Protocol.

IRELAND

All applications for state pension (contributory), widow's, widower's, and surviving civil partners (contributory) pension.

LATVIA

All applications for survivor's pensions (Law on State pensions of 1 January 1996; Law on State funded pensions of 1 July 2001).

LITHUANIA

All applications for State social insurance survivor's pensions calculated on the basis of the basic amount of survivor's pension (Law on State Social Insurance Pensions).

NETHERLANDS

All applications for old-age pensions under the law on general old-age insurance (AOW).

POLAND

All applications for old-age under the defined benefits scheme and survivors' pensions, except for the cases where the totalised periods of insurance completed under the legislation of more than one country are equal to or longer than 20 years for women and 25 years for men but the national periods of insurance are inferior to these limits (and not less than 15 years for women and 20 years for men), and the calculation is made under Articles 27 and 28 of the Act of 17 December 1998 (O.J. 2015, item 748).

PORTUGAL

All applications for old-age and survivors' pension claims, except for the cases where the totalised periods of insurance completed under the legislation of more than one country are equal to or longer than 21 calendar years but the national periods of insurance are equal or inferior to 20 years, and the calculation is made under Articles 32 and 33 of Decree-Law No 187/2007 of 10 May 2007, amended.

SLOVAKIA

- (a) All applications for survivors' pension (widow's pension, widower's and orphan's pension) calculated according to the legislation in force before 1 January 2004, the amount of which is derived from a pension formerly paid to the deceased;
- (b) All applications for pensions calculated pursuant to Act No 461/2003 Coll. on social security as amended.

SWEDEN

- (a) Applications for an old-age pension in the form of a guaranteed pension for persons born in or before 1937 (Chapter 66 of the Social Insurance Code [2010:110]).
- (b) Applications for an old-age pension in the form of a supplementary pension (Chapter 63 of the Social Insurance Code [2010:110]).

UNITED KINGDOM

All applications for retirement pension, state pension pursuant to Part 1 of the Pensions Act 2014, widows' and bereavement benefits, with the exception of those for which during a tax year beginning on or after 6 April 1975:

- (i) the party concerned had completed periods of insurance, employment or residence under the legislation of the United Kingdom and a Member State; and one (or more) of the tax years was not considered a qualifying year within the meaning of the legislation of the United Kingdom;
- (ii) the periods of insurance completed under the legislation in force in the United Kingdom for the periods prior to 5 July 1948 would be taken into account for the purposes of point (b) of Article SSC.47(1) of this Protocol by application of the periods of insurance, employment or residence under the legislation of a Member State.

All applications for additional pension pursuant to the Social Security Contributions and Benefits Act 1992, section 44, and the Social Security Contributions and Benefits (Northern Ireland) Act 1992, section 44.

PART 2

CASES IN WHICH ARTICLE SSC.47(5) APPLIES

AUSTRIA

- (a) Old-age pensions and survivor's pensions derived thereof based on a pension account pursuant to the General Pensions Act (APG) of 18 November 2004;
- (b) Compulsory allowances under Article 41 of the Federal Law of 28 December 2001, BGBl I Nr. 154 on the general salary fund of Austrian pharmacists (Pharmazeutische Gehaltskasse für Österreich);

- (c) Retirement and early retirement pensions of the Austrian Provincial Chambers of Physicians based on basic provision (basic and any supplementary benefit, or basic pension), and all pension benefits of the Austrian Provincial Chambers of Physicians based on additional provision (additional or individual pension);
- (d) Old-age support from the pension fund of the Austrian Chamber of Veterinary Surgeons;
- (e) Benefits according to the statutes of the welfare institutions of the Austrian bar associations, Parts A and B, with the exception of applications for benefits from widows' and orphans' pensions according to the statutes of the welfare institutions of the Austrian bar associations, Part A;
- (f) Benefits by the welfare institutions of the Federal Chamber of Architects and Consulting Engineers under the Austrian Civil Engineers' Chamber Act (Ziviltechnikerammergesetz) 1993 and the statutes of the welfare institutions, with the exception of benefits on grounds of survivors' benefits deriving from the last-named benefits;
- (g) Benefits according to the statute of the welfare institution of the Federal Chamber of Professional Accountants and Tax Advisors under the Austrian Professional Accountants and Tax Advisors' Act (Wirtschaftstreuhandberufsgesetz).

BULGARIA

Old age pensions from the Supplementary Compulsory Pension Insurance, under Part II, Title II, of the Social Insurance Code.

CROATIA

Pensions from the compulsory insurance scheme based on the individual capitalised savings according to the Compulsory and Voluntary Pension Funds Act (OG 49/99, as amended) and the Act on Pension Insurance Companies and Payment of Pensions Based on Individual Capitalised Savings (OG 106/99, as amended), except in the cases provided by Articles 47 and 48 of the Compulsory and Voluntary Pension Funds Act and survivor's pension).

DENMARK

- (a) Personal pensions;
- (b) Benefits in the event of death (accrued based on contributions to Arbejdsmarkedets Tillægspension related to the time before 1 January 2002);
- (c) Benefits in the event of death (accrued based on contributions to Arbejdsmarkedets Tillægspension related to the time after 1 January 2002) referred to in the Consolidated Act on Labour Market Supplementary Pension (Arbejdsmarkedets Tillægspension) 942:2009.

ESTONIA

Mandatory funded old-age pension scheme.

FRANCE

Basic or supplementary schemes in which old-age benefits are calculated on the basis of retirement points.

HUNGARY

Pension benefits based on membership of private pension funds.

LATVIA

Old-age pensions (Law on State pensions of 1 January 1996; Law on State funded pensions of 1 July 2001).

POLAND

Old-age pensions under the defined contribution scheme.

PORTUGAL

Supplementary pensions granted pursuant to Decree-Law No 26/2008 of 22 February 2008, amended (public capitalisation scheme).

SLOVAKIA

Mandatory old-age pension saving.

SLOVENIA

Pension from compulsory supplementary pension insurance.

SWEDEN

Old-age pension in the form of an income pension and a premium pension (Chapters 62 and 64 of the Social Insurance Code[2010:110]).

UNITED KINGDOM

Graduated retirement benefits paid pursuant to the National Insurance Act 1965, sections 36 and 37, and the National Insurance Act (Northern Ireland) 1966, sections 35 and 36.

ANNEX SSC-5

BENEFITS AND AGREEMENTS WHICH ALLOW THE APPLICATION OF ARTICLE SSC.49

- I. Benefits referred to in point (a) of Article SSC.49(2) of this Protocol, the amount of which is independent of the length of periods of insurance or residence completed

DENMARK

The full Danish national old-age pension acquired after 10 years' residence by persons who will have been awarded a pension by 1 October 1989

FINLAND

National pensions and spouse's pensions determined according to the transitional rules and awarded prior to the 1 of January 1994 (Act on Enforcement of the National Pensions Act, 569/2007)

The additional amount of child's pension when calculating independent benefit according to the National Pension Act (the National Pension Act, 568/2007)

FRANCE

Widower's or widow's invalidity pension under the general social security system or under the agricultural workers scheme where it is calculated on the basis of the deceased spouse's invalidity pension settled in accordance with point (a) of Article SSC.47(1)

GREECE

Benefits under Law No 4169/1961 relating to the agricultural insurance scheme (OGA)

NETHERLANDS

General Surviving Relatives Act of 21 December 1995 (ANW)

The Work and Income according to Labour Capacity Act of 10 November 2005 (WIA)

SPAIN

Survivors' pensions granted under the general and special schemes, with the exception of the Special Scheme for Civil Servants

SWEDEN

(a) Income-related sickness compensation and income-related activity compensation (Chapter 34 of the Social Insurance Code [2010:110])

(b) Guaranteed pension and guaranteed compensation which replaced the full state pension awarded under the legislation on state pension which applied before 1 January 1993, and the full state pension awarded under the transitional rules of the legislation applying from that date

- II. Benefits referred to in point (b) of Article SSC.49(2) of this Protocol, the amount of which is determined by reference to a credited period deemed to have been completed between the date on which the risk materialised and a later date

FINLAND

Employment pensions for which account is taken of future periods according to the national legislation

GERMANY

Survivors' pensions, for which account is taken of a supplementary period

Old-age pensions, for which account is taken of a supplementary period already acquired

ITALY

Italian pensions for total incapacity for work (inabilità)

LATVIA

Survivors' pension calculated on the basis of assumed insurance periods (Article 23(8) of the Law on State Pensions of 1 January 1996)

LITHUANIA

- (a) State social insurance work incapacity pensions, paid under the Law on State Social Insurance Pensions
- (b) State social insurance survivors' and orphans' pensions, calculated on the basis of the work incapacity pension of the deceased under the Law on State Social Insurance Pensions

LUXEMBOURG

Survivors' pensions

SLOVAKIA

Slovak survivors' pension derived from the invalidity pension

SPAIN

The pensions for retirement under the Special Scheme for Civil Servants due under Title I of the consolidated text of the Law on State Pensioners if at the time of materialisation of the risk the beneficiary was an active civil servant or treated as such; death and survivors' (widows'/widowers', orphans' and parents') pensions due under Title I of the consolidated text of the Law on State Pensioners if at the time of death the civil servant was active or treated as such

SWEDEN

- (a) Sickness compensation and activity compensation in the form of guaranteed compensation (Chapter 35 of the Social Insurance Code [2010:110])
- (b) Survivors' pension calculated on the basis of credited insurance periods (Chapters 76-85 of the Social Insurance Code [2010:110])

III. Agreements referred to in point (b)(i) of Article SSC.49(2) of this Protocol intended to prevent the same credited period being taken into account two or more times:

The Social Security Agreement of 28 April 1997 between the Republic of Finland and the Federal Republic of Germany

The Social Security Agreement of 10 November 2000 between the Republic of Finland and the Grand Duchy of Luxembourg

Nordic Convention on social security of 12 June 2012

ANNEX SSC-6

SPECIAL PROVISIONS FOR THE APPLICATION OF THE LEGISLATION OF THE MEMBER STATES AND OF THE UNITED KINGDOM

(Article SSC.3(2), Article SSC.51(1) and Article SSC.66)

AUSTRIA

1. For the purpose of acquiring periods in the pension insurance, attendance at a school or comparable educational establishment in another State shall be regarded as equivalent to attendance at a school or educational establishment pursuant to Articles 227(1)(1) and 228(1)(3) of the Allgemeines Sozialversicherungsgesetz (ASVG) (General Social Security Act), Article 116(7) of the Gewerbliches Sozialversicherungsgesetz (GSVG) (Federal Act on Social Insurance for Persons engaged in Trade and Commerce) and Article 107(7) of the Bauern-Sozialversicherungsgesetz (BSVG) (Social Security Act for Farmers), when the person concerned was subject at some time to Austrian legislation on the grounds that he pursued an activity as an employed or self-employed person, and the special contributions provided for under Article 227(3) of the ASVG, Article 116(9) of the GSVG and Article 107(9) of the BSVG for the purchase of such periods of education, are paid.
2. For the calculation of the pro rata benefit referred to in point (b) of Article SSC.47(1) of this Protocol, special increments for contributions for supplementary insurance and the miners' supplementary benefit under Austrian legislation shall be disregarded. In those cases the pro rata benefit calculated without those contributions shall, if appropriate, be increased by unreduced special increments for contributions for supplementary insurance and the miners' supplementary benefit.
3. Where pursuant to Article SSC.7 of this Protocol substitute periods under an Austrian pension insurance scheme have been completed but cannot form a basis for calculation pursuant to Articles 238 and 239 of the ASVG, Articles 122 and 123 of the GSVG and Articles 113 and 114 of the BSVG, the calculation basis for periods of childcare pursuant to Article 239 of the ASVG, Article 123 of the GSVG and Article 114 of the BSVG shall be used.
4. In the cases referred to in Article SSC 39, for the determination of the amount of invalidity benefits under the Austrian legislation, the provisions of Chapter 5 of the Protocol shall apply *mutatis mutandis*.

BULGARIA

Article 33(1) of the Bulgarian Health Insurance Act applies to all persons for whom Bulgaria is the competent Member State under Chapter 1 of Title III of this Protocol.

CYPRUS

For the purpose of applying the provisions of Articles SSC.7, SSC.46 and SSC.56 of this Protocol, for any period commencing on or after 6 October 1980, a week of insurance under the legislation of the Republic of Cyprus is determined by dividing the total insurable earnings for the relevant period by the weekly amount of the basic insurable earnings applicable in the relevant contribution year, provided that the number of weeks so determined shall not exceed the number of calendar weeks in the relevant period.

CZECHIA

1. For the purposes of defining members of the family in accordance with point (s) of Article SSC.1 of this Protocol, "spouse" includes registered partners as defined in the Czech act no. 115/2006 Coll., on registered partnership.
2. Notwithstanding Articles SSC.6 and SSC.7 of this Protocol, for the purposes of granting the supplementary benefit in respect of insurance periods completed under the legislation of the former Czech and Slovak Federal Republic, solely the insurance periods completed under the Czech legislation can be taken into account in order to meet the condition of at least one year of Czech pension insurance within the defined period after the date of dissolution of the federation (§ 106a, paragraph 1, letter b) of Act No. 155/1995 Coll., on pension insurance).

3. In the cases referred to in Article SSC 39, in determination of the amount of invalidity benefit according to the Act No. 155/1995 Coll., the provisions of Chapter 5 of the Protocol shall apply *mutatis mutandis*.

DENMARK

1. (a) For the purpose of calculating the pension under the "lov om social pension" (Social Pension Act), periods of activity as an employed or self-employed person completed under Danish legislation by a frontier worker or a worker who has gone to Denmark to do work of a seasonal nature are regarded as periods of residence completed in Denmark by the surviving spouse in so far as, during those periods, the surviving spouse was linked to the abovementioned worker by marriage without separation from bed and board or de facto separation on grounds of incompatibility, and provided that, during those periods, the spouse resided in the territory of another State. For the purposes of this point, "work of a seasonal nature" means work which, being dependent on the succession of the seasons, automatically recurs each year.

(b) For the purpose of calculating the pension under the "lov om social pension" (Social Pension Act), periods of activity as an employed or self-employed person completed under Danish legislation before 1 January 1984 by a person to whom point (a) does not apply shall be regarded as periods of residence completed in Denmark by the surviving spouse, in so far as, during those periods, the surviving spouse was linked to that person by marriage without separation from bed and board or de facto separation on grounds of incompatibility, and provided that, during those periods, the spouse resided in the territory of another State.

(c) Periods to be taken into account under points (a) and (b) shall not be taken into consideration if they coincide with the periods taken into account for the calculation of the pension due to the person concerned under the legislation on compulsory insurance of another State, or with the periods during which the person concerned received a pension under such legislation. Those periods shall, however, be taken into consideration if the annual amount of the said pension is less than half the basic amount of the social pension.
2. (a) Notwithstanding the provisions of Article SSC.7 of this Protocol, persons who have not been gainfully employed in one or more States are entitled to a Danish social pension only if they have been, or have previously been, permanent residents of Denmark for at least 3 years, subject to the age limits prescribed by Danish legislation. Subject to Article SSC.5 of this Protocol, Article SSC.8 of this Protocol does not apply to a Danish social pension to which entitlement has been acquired by such persons.

(b) The provisions referred to in point (a) do not apply to Danish social pension entitlement for the members of the family of persons who are or have been gainfully employed in Denmark, or for students or the members of their families.
3. The temporary benefit for unemployed persons who have been admitted to the ledighedsydelse (flexible job' scheme) (Law No 455 of 10 June 1997) is covered by Chapter 6 of Title III of this Protocol.
4. Where the beneficiary of a Danish social pension is also entitled to a survivor's pension from another State, those pensions for the implementation of Danish legislation shall be regarded as benefits of the same kind within the meaning of Article SSC.48(1), subject to the condition, however, that the person whose periods of insurance or of residence serve as the basis for the calculation of the survivor's pension had also acquired a right to a Danish social pension.

FINLAND

1. For the purposes of determining entitlement and of calculating the amount of the Finnish national pension under Articles SSC.47, SSC.48 and 49 of this Protocol, pensions acquired under the legislation of another State are treated in the same way as pensions acquired under Finnish legislation.

2. When applying point (b)(i) of Article SSC.47(1) of this Protocol for the purpose of calculating earnings for the credited period under Finnish legislation on earnings-related pensions, where an individual has pension insurance periods based on activity as an employed or self-employed person in another State for part of the reference period under Finnish legislation, the earnings for the credited period shall be equivalent to the sum of earnings obtained during the part of the reference period in Finland, divided by the number of months for which there were insurance periods in Finland during the reference period.

FRANCE

1. For persons receiving benefits in kind in France pursuant to Article SSC.15 or SSC.24 of this Protocol who are resident in the French departments of Haut-Rhin, Bas-Rhin or Moselle, benefits in kind provided on behalf of the institution of another State which is responsible for bearing their cost include benefits provided by both the general sickness insurance scheme and the obligatory supplementary local sickness insurance scheme of Alsace-Moselle.
2. French legislation applicable to a person engaged, or formerly engaged, in an activity as an employed or self-employed person for the application of Chapter 5 of Title III of this Protocol includes both the basic old-age insurance scheme(s) and the supplementary retirement scheme(s) to which the person concerned was subject.

GERMANY

1. Notwithstanding point (a) of Article SSC.6 of this Protocol and point 1 of Article 5(4) of the Sozialgesetzbuch VI (Volume VI of the Social Code), a person who receives a full old-age pension under the legislation of another State may request to be compulsorily insured under the German pension insurance scheme.
2. Notwithstanding point (a) of Article SSC.6 of this Protocol and Article 7 of the Sozialgesetzbuch VI (Volume VI of the Social Code), a person who is compulsorily insured in another State, or receives an old-age pension under the legislation of another State may join the voluntary insurance scheme in Germany.
3. For the purpose of granting cash benefits under §47(1) of SGB V, §47(1) of SGB VII and §24i of SGB V to insured persons who live in another State, German insurance schemes calculate net pay, which is used to assess benefits, as if the insured person lived in Germany, unless the insured person requests an assessment on the basis of the net pay which he actually receives.
4. Nationals of other States whose place of residence or usual abode is outside Germany and who fulfil the general conditions of the German pension insurance scheme may pay voluntary contributions only if they had been voluntarily or compulsorily insured in the German pension insurance scheme at some time previously; this also applies to stateless persons and refugees whose place of residence or usual abode is in another State.
5. The pauschale Anrechnungszeit (fixed credit period) pursuant to Article 253 of the Sozialgesetzbuch VI (Volume VI of the Social Code) shall be determined exclusively with reference to German periods.
6. In cases where the German pension legislation, in force on 31 December 1991, is applicable for the recalculation of a pension, only the German legislation applies for the purposes of crediting German Ersatzzeiten (substitute periods).
7. The German legislation on accidents at work and occupational diseases to be compensated for under the law governing foreign pensions and on benefits for insurance periods which can be credited under the law governing foreign pensions in the territories named in paragraph 1(2)(3) of the Act on affairs of displaced persons and refugees (Bundesvertriebengesetz) continues to apply within the scope of application of this Protocol, notwithstanding the provisions of paragraph 2 of the Act on foreign pensions (Fremdrentengesetz).

8. For the calculation of the theoretical amount referred to in point (b)(i) of Article SSC.47(1) of this Protocol, in pension schemes for liberal professions, the competent institution shall take as a basis, in respect of each of the years of insurance completed under the legislation of any other State, the average annual pension entitlement acquired during the period of membership of the competent institution through the payment of contributions.

GREECE

1. Law No 1469/84 concerning voluntary affiliation to the pension insurance scheme for Greek nationals and foreign nationals of Greek origin is applicable to nationals of other States, stateless persons and refugees, where the persons concerned, regardless of their place of residence or stay, have at some time in the past been compulsorily or voluntarily affiliated to the Greek pension insurance scheme.
- 2 Notwithstanding point (a) of Article SSC.6 of this Protocol and Article 34 of Law 1140/1981, a person who receives a pension in respect of accidents at work or occupational diseases under the legislation of another State may request to be compulsorily insured under the legislation applied by OGA, to the extent that they pursue an activity falling within the scope of that legislation.

IRELAND

Notwithstanding Article SSC.19(2) and Article SSC.57 of this Protocol, for the purposes of calculating the prescribed reckonable weekly earnings of an insured person for the grant of sickness or unemployment benefit under Irish legislation, an amount equal to the average weekly wage of employed persons in the relevant prescribed year shall be credited to that insured person in respect of each week of activity as an employed person under the legislation of another State during that prescribed year.

MALTA

Special provisions for civil servants

- (a) Solely for the purposes of the application of Articles SSC.43 and SSC.55 of this Protocol, persons employed under the Malta Armed Forces Act (Chapter 220 of the Laws of Malta), the Police Act (Chapter 164 of the Laws of Malta), the Prisons Act (Chapter 260 of the Laws of Malta) and the Civil Protection Act (Chapter 411 of the Laws of Malta) shall be treated as civil servants.
- (b) Pensions payable under the above Acts and under the Pensions Ordinance (Chapter 93 of the Laws of Malta) shall, solely for the purposes of point (cc) of Article SSC.1 of this Protocol, be considered as "special schemes for civil servants".

NETHERLANDS

1. Health care insurance

- (a) As regards entitlement to benefits in kind under Dutch legislation, persons entitled to benefits in kind for the purpose of the implementation of Chapters 1 and 2 of Title III of this Protocol shall mean:
 - (i) persons who, under Article 2 of the Zorgverzekeringswet (Health Care Insurance Act), are obliged to take out insurance under a health care insurer; and
 - (ii) in so far as they are not already included under point (i), members of the family of active military personnel who are living in another State and persons who are resident in another State and who, under this Protocol, are entitled to health care in their state of residence, the costs being borne by the Netherlands.
- (b) The persons referred to in point 1(a)(i) must, in accordance with the provisions of the Zorgverzekeringswet (Health Care Insurance Act), take out insurance with a health care insurer, and the persons referred to in point 1(a)(ii) must register with the College voor zorgverzekeringen (Health Care Insurance Board).

- (c) The provisions of the Zorgverzekeringswet (Health Care Insurance Act) and the Algemene Wet Bijzondere Ziektekosten (General Act on Exceptional Medical Expenses) concerning liability for the payment of contributions shall apply to the persons referred to in point (a) and the members of their families. In respect of members of the family, the contributions shall be levied on the person from whom the right to health care is derived with the exception of the members of the family of military personnel living in another State, who shall be levied directly.
- (d) The provisions of the Zorgverzekeringswet (Health Care Insurance Act) concerning late insurance shall apply *mutatis mutandis* in the event of late registration with the College voor zorgverzekeringen (Health Care Insurance Board) in respect of the persons referred to in point (a)(ii).
- (e) Persons entitled to benefits in kind by virtue of the legislation of a State other than the Netherlands who reside in the Netherlands or stay temporarily in the Netherlands shall be entitled to benefits in kind in accordance with the policy offered to insured persons in the Netherlands by the institution of the place of residence or the place of stay, taking into account Article 11(1), (2) and (3) and Article 19(1) of the Zorgverzekeringswet (Health Care Insurance Act), as well as to benefits in kind provided for by the Algemene Wet Bijzondere Ziektekosten (General Act on Exceptional Medical Expenses).
- (f) For the purposes of Articles SSC.21 to SSC.27 of this Protocol, the following benefits, in addition to pensions covered by Chapters 4 and 5 of Title III of this Protocol, shall be treated as pensions due under Dutch legislation:
 - pensions awarded under the Law of 6 January 1966 on pensions for civil servants and their survivors (Algemene burgerlijke pensioenwet) (Netherlands Civil Service Pensions Act),
 - pensions awarded under the Law of 6 October 1966 on pensions for military personnel and their survivors (Algemene militaire pensioenwet) (Military Pensions Act),
 - benefits for incapacity for work awarded under the Law of 7 June 1972 on benefits for incapacity for work for military personnel (Wetarbeidsongeschiktheidsvoorziening militairen) (Military Personnel Incapacity for Work Act),
 - pensions awarded under the Law of 15 February 1967 on pensions for employees of the NV Nederlandse Spoorwegen (Dutch Railway Company) and their survivors (Spoorwegpensioenwet) (Railway Pensions Act),
 - pensions awarded under the Reglement Dienstvoorwaarden Nederlandse Spoorwegen (governing conditions of employment of the Netherlands Railway Company),
 - benefits awarded to retired persons before reaching the pensionable age of 65 years under a pension designed to provide income for former employed persons in their old age, or benefits provided in the event of premature exit from the labour market under a scheme set up by the state or by an industrial agreement for persons aged 55 or over,
 - benefits awarded to military personnel and civil servants under a scheme applicable in the event of redundancy, superannuation and early retirement.
- (g) For the purposes of Article SSC.16(1) of this Protocol, the persons referred to in point (a)(ii) of this paragraph who stay temporarily in the Netherlands shall be entitled to benefits in kind in accordance with the policy offered to insured persons in the Netherlands by the institution of the place of stay, taking into account Article 11(1), (2) and (3) and Article 19(1) of the Zorgverzekeringswet (Health Care Insurance Act), as well as to benefits in kind provided for by the Algemene Wet Bijzondere Ziektekosten (General Act on Exceptional Medical Expenses).

2. Application of the Algemene Ouderdomswet (AOW) (General Old Age Pensions Act)

- (a) The reduction referred to in Article 13(1) of the AOW (General Old Age Pensions Act) shall not be applied for calendar years before 1 January 1957 during which a recipient not satisfying the conditions for having such years treated as periods of insurance:
 - resided in the Netherlands between the ages of 15 and 65,
 - while residing in another State, worked in the Netherlands for an employer established in the Netherlands, or
 - worked in another State during periods regarded as periods of insurance under the Dutch social security system.

By way of derogation from Article 7 of the AOW, anyone who resided or worked in the Netherlands in accordance with the above conditions only prior to 1 January 1957 shall also be regarded as being entitled to a pension.

- (b) The reduction referred to in Article 13(1) of the AOW shall not apply to calendar years prior to 2 August 1989 during which a person, between the ages of 15 and 65, who is or was married was not insured under the above legislation, while being resident in the territory of a State other than the Netherlands, if these calendar years coincide with periods of insurance completed by the person's spouse under the above legislation or with calendar years to be taken into account under point 2(a), provided that the couple's marriage subsisted during that time.

By way of derogation from Article 7 of the AOW, such a person shall be regarded as being entitled to a pension.

- (c) The reduction referred to in Article 13(2) of the AOW shall not apply to calendar years before 1 January 1957 during which a pensioner's spouse who fails to satisfy the conditions for having such years treated as periods of insurance:

- resided in the Netherlands between the ages of 15 and 65, or
- while residing in another State, worked in the Netherlands for an employer established in the Netherlands, or
- worked in another State during periods regarded as periods of insurance under the Netherlands social security system.

- (d) The reduction referred to in Article 13(2) of the AOW shall not apply to calendar years prior to 2 August 1989 during which a pensioner's spouse resident in a State other than the Netherlands, between the ages of 15 and 65, was not insured under the AOW, if those calendar years coincide with periods of insurance completed by the pensioner under that legislation or with calendar years to be taken into account under point 2(a), provided that the couple's marriage subsisted during that time.

- (e) Points 2(a), 2(b), 2(c) and 2(d) shall not apply to periods which coincide with:

- periods which may be taken into account for calculating pension rights under the old-age insurance legislation of a State other than the Netherlands, or
- periods for which the person concerned has drawn an old-age pension under such legislation.

Periods of voluntary insurance under the system of another State shall not be taken into account for the purposes of this point.

- (f) Points 2(a), 2(b), 2(c) and 2(d) shall apply only if the person concerned has resided in one or more States for 6 years after the age of 59 and only for such time as that person is resident in one of those States.
- (g) By way of derogation from Chapter IV of the AOW, anyone resident in a State other than the Netherlands whose spouse is covered by compulsory insurance under that legislation shall be authorised to take out voluntary insurance under that legislation for periods during which the spouse is compulsorily insured.

This authorisation shall not cease where the spouse's compulsory insurance is terminated as a result of their death and where the survivor receives only a pension under the *Algemene nabestaandenwet* (General Surviving Relatives Act).

In any event, the authorisation in respect of voluntary insurance ceases on the date on which the person reaches the age of 65.

The contribution to be paid for voluntary insurance shall be set in accordance with the provisions relating to the determination of the contribution for voluntary insurance under the AOW. However, if the voluntary insurance follows on from a period of insurance as referred to in point 2(b), the contribution shall be set in accordance with the provisions relating to the determination of the contribution for compulsory insurance under the AOW, with the income to be taken into account being deemed to have been received in the Netherlands.

- (h) The authorisation referred to in point 2(g) shall not be granted to anyone insured under another State's legislation on pensions or survivors' benefits.
- (i) Anyone wishing to take out voluntary insurance under point 2(g) shall be required to apply for it to the Social Insurance Bank (*Sociale Verzekeringsbank*) not later than 1 year after the date on which the conditions for participation are fulfilled.

3. Application of the Algemene nabestaandenwet (ANW) (General Surviving Relatives Act)

- (a) Where the surviving spouse is entitled to a survivor's pension under the ANW (General Surviving Relatives Act) pursuant to Article SSC.46(3) of this Protocol, that pension shall be calculated in accordance with point (b) of Article SSC.47(1) of this Protocol.

For the application of these provisions, periods of insurance prior to 1 October 1959 shall also be regarded as periods of insurance completed under Dutch legislation if during those periods the insured person, after the age of 15:

- resided in the Netherlands; or
 - while resident in another State, worked in the Netherlands for an employer established in the Netherlands; or
 - worked in another State during periods regarded as periods of insurance under the Dutch social security system.
- (b) Account shall not be taken of the periods to be taken into consideration under point 3(a) which coincide with periods of compulsory insurance completed under the legislation of another State in respect of survivor's pensions.
- (c) For the purposes of point (b) of Article SSC.47(1) of this Protocol, only periods of insurance completed under Dutch legislation after the age of 15 shall be taken into account as periods of insurance.
- (d) By way of derogation from Article 63a(1) of the ANW, a person resident in a State other than the Netherlands whose spouse is compulsorily insured under the ANW shall be authorised to take out voluntary insurance under the ANW provided that such insurance has already begun by the date of application of this Protocol, but only for periods during which the spouse is compulsorily insured.

That authorisation shall cease as from the date of termination of the spouse's compulsory insurance under the ANW, unless the spouse's compulsory insurance is terminated as a result of their death and where the survivor only receives a pension under the ANW.

In any event, the authorisation in respect of voluntary insurance ceases on the date on which the person reaches the age of 65.

The contribution to be paid for voluntary insurance shall be set in accordance with the provisions relating to the determination of contributions for voluntary insurance under the ANW. However, if the voluntary insurance follows on from a period of insurance as referred to in point 2(b), the contribution shall be set in accordance with the provisions relating to the determination of contributions for compulsory insurance under the ANW, with the income to be taken into account being deemed to have been received in the Netherlands.

4. Application of Dutch legislation relating to incapacity for work

In calculating benefits under either the WAO, WIA or the WAZ, the Netherlands institutions shall take account of:

- periods of paid employment, and periods treated as such, completed in the Netherlands before 1 July 1967,
- periods of insurance completed under the WAO,
- periods of insurance completed by the person concerned, after the age of 15, under the Algemene Arbeidsongeschiktheidswet (General Act on Incapacity for Work), in so far as they do not coincide with the periods of insurance completed under the WAO,
- periods of insurance completed under the WAZ,
- periods of insurance completed under the WIA.

SPAIN

1. For the purpose of implementing of this Protocol, the years which the worker lacks to reach the pensionable or compulsory retirement age as stipulated under Article 31(4) of the consolidated version of the Ley de Clases Pasivas del Estado (Law on State Pensioners) shall be taken into account as actual years of service to the State only if at the time of the event in respect of which death pensions are due, the beneficiary was covered by Spain's special scheme for civil servants or was performing an activity assimilated under the scheme, or if, at the time of the event in respect of which the pensions are due, the beneficiary was performing an activity that would have required the person concerned to be included under the State's special scheme for civil servants, the armed forces or the judiciary, had the activity been performed in Spain.
2. (a) Under point (c) of Article SSC.51(1), the calculation of the theoretical Spanish benefit shall be carried out on the basis of the actual contributions of the person during the years immediately preceding payment of the last contribution to Spanish social security. Where, in the calculation of the basic amount for the pension, periods of insurance or residence under the legislation of other States have to be taken into account, the contribution basis in Spain which is closest in time to the reference periods shall be used for those periods, taking into account the development of the retail price index.

(b) The amount of the pension obtained shall be increased by the amount of the increases and revaluations calculated for each subsequent year for pensions of the same nature.
3. Periods completed in other States which must be calculated in the special scheme for civil servants, the armed forces and the judicial administration, will be treated in the same way, for the purposes of Article SSC.51 of this Protocol, as the periods closest in time covered as a civil servant in Spain.
4. The additional amounts based on age referred to in the Second Transitional Provision of the General Law on Social Security shall be applicable to all beneficiaries under this Protocol who have contributions to their name under the Spanish legislation prior to 1 January 1967; it shall not be possible, by application of Article SSC.6 of this Protocol, to treat periods of insurance credited in another State prior to 1 January 1967 as being the same as contributions paid in Spain, solely for the purposes of this Protocol. The date corresponding to 1 January 1967 shall be 1 August 1970 for the Special Scheme for Seafarers and 1 April 1969 for the Special Social Security Scheme for Coal Mining.

SWEDEN

1. The provisions of the Protocol on the aggregation of insurance periods and periods of residence shall not apply to the transitional provisions in the Swedish legislation on entitlement to guaranteed pension for persons born in or before 1937 who have been resident in Sweden for a specified period before applying for a pension (Chapter 6 of the Act [2010:111] on the introduction of the Social Insurance Code).
2. For the purpose of calculating income for notional income-related sickness compensation and income-related activity compensation in accordance with Chapter 34 of the Social Insurance Code (2010:110), the following shall apply. Where the insured person, during the reference period, has also been subject to the legislation of one or more other States on account of activity as an employed or self-employed person, income in the State(s) concerned shall be deemed to be equivalent to the insured person's average gross income in Sweden during the part of the reference period completed in Sweden, calculated by dividing the earnings in Sweden by the number of years over which those earnings accrued.
3. (a) For the purpose of calculating notional pension assets for income-based survivors' pension (Chapter 82 of the Social Insurance Code [2010:110]), if the requirement in Swedish legislation for pension entitlement in respect of at least three out of the five calendar years immediately preceding the insured person's death (reference period) is not met, account shall also be taken of insurance periods completed in other States as if they had been completed in Sweden. The insurance periods in other States shall be regarded as based on the average Swedish pension base. If the person concerned has only one year in Sweden with a pension base, each insurance period in another State shall be regarded as constituting the same amount.

- (b) For the purpose of calculating notional pension credits for widows' pensions relating to deaths on or after 1 January 2003, if the requirement in Swedish legislation for pension credits in respect of at least two out of the four years immediately preceding the insured person's death (reference period) is not met and insurance periods were completed in another State during the reference period, those years shall be regarded as being based on the same pension credits as the Swedish year.

UNITED KINGDOM

1. Where, in accordance with United Kingdom legislation, a person may be entitled to a retirement pension if:
 - (a) the contributions of a former spouse are taken into account as if they were that person's own contributions; or
 - (b) the relevant contribution conditions are satisfied by that person's spouse or former spouse, then provided, in each case, that the spouse or former spouse is or had been exercising an activity as an employed or self-employed person, and had been subject to the legislation of two or more States, the provisions of Chapter 5 of Title III of this Protocol shall apply in order to determine entitlement under United Kingdom legislation. In that case, references in Articles SSC.44 to SSC.55 of this Protocol to "periods of insurance" shall be construed as references to periods of insurance completed by:
 - (1) a spouse or former spouse where a claim is made by:
 - (a) a married woman, or
 - (b) a person whose marriage has terminated otherwise than by the death of the spouse; or
 - (2) a former spouse, where a claim is made by:
 - (a) a widower who immediately before pensionable age is not entitled to a widowed parent's allowance, or
 - (b) a widow who immediately before pensionable age is not entitled to a widowed mother's allowance, widowed parent's allowance or widow's pension, or who is only entitled to an age-related widow's pension calculated pursuant to point (b) of Article SSC.47(1) of this Protocol, and for this purpose "age related widow's pension" means a widow's pension payable at a reduced rate in accordance with section 39(4) of the Social Security Contributions and Benefits Act 1992.
2. For the purposes of Article SSC.8 of this Protocol in the case of old-age or survivors' cash benefits, pensions for accidents at work or occupational diseases and death grants, any beneficiary under United Kingdom legislation who is staying in the territory of another State shall, during that stay, be considered as if they resided in the territory of that other State.
 - (1) For the purpose of calculating an earnings factor in order to determine entitlement to benefits under United Kingdom legislation, for each week of activity as an employed person under the legislation of a Member State, and which commenced during the relevant income tax year within the meaning of United Kingdom legislation, the person concerned shall be deemed to have paid contributions as an employed earner, or have earnings on which contributions have been paid, on the basis of earnings equivalent to two-thirds of that year's upper earnings limit.
 - (2) For the purposes of point (b) of Article SSC.47(1) of this Protocol, where:
 - (a) in any income tax year starting on or after 6 April 1975, a person carrying out activity as an employed person has completed periods of insurance, employment or residence exclusively in a Member State, and the application of point (1) of this paragraph results in that year being counted as a qualifying year within the meaning of United Kingdom legislation for the purposes of point (b)(i) of Article SSC.47(1) of this Protocol, they shall be deemed to have been insured for 52 weeks in that year in that Member State;
 - (b) any income tax year starting on or after 6 April 1975 does not count as a qualifying year within the meaning of United Kingdom legislation for the purposes of point (b)(i) of Article SSC.47(1) of this Protocol, any periods of insurance, employment or residence completed in that year shall be disregarded.

- (3) For the purpose of converting an earnings factor into periods of insurance, the earnings factor achieved in the relevant income tax year within the meaning of United Kingdom legislation shall be divided by that year's lower earnings limit. The result shall be expressed as a whole number, any remaining fraction being ignored. The figure so calculated shall be treated as representing the number of weeks of insurance completed under United Kingdom legislation during that year, provided that such figure shall not exceed the number of weeks during which in that year the person was subject to that legislation.
3. Where receipt of Widowed Parent's Allowance or Bereavement Support Payment (higher rate) is contingent on entitlement to UK Child Benefit, a person meeting all other eligibility criteria, and who would be eligible to receive UK Child Benefit if they, or the relevant child, were resident in the UK, will not be prevented from claiming Widowed Parent's Allowance or Bereavement Support Payment (higher rate) in accordance with this Protocol, notwithstanding the fact that UK Child Benefit is excluded from the material scope of this Protocol under Article SSC.3(4)(g).
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*Appendix SSCI-1***ADMINISTRATIVE ARRANGEMENTS BETWEEN TWO OR MORE STATES**

(referred to in Article SSCI.8 of this Annex)

BELGIUM — UNITED KINGDOM

The Exchange of Letters of 4 May and 14 June 1976 regarding Article 105(2) of Regulation (EEC) No 574/72 (waiving of reimbursement of the costs of administrative checks and medical examinations)

The Exchange of Letters of 18 January and 14 March 1977 regarding Article 36(3) of Regulation (EEC) No 1408/71 (arrangement for reimbursement or waiving of reimbursement of the costs of benefits in kind provided under the terms of Chapter 1 of Title III of Regulation (EEC) No 1408/71) as amended by the Exchange of Letters of 4 May and 23 July 1982 (agreement for reimbursement of costs incurred under Article 22(1)(a) of Regulation (EEC) No 1408/71)

DENMARK — UNITED KINGDOM

The Exchange of Letters of 30 March and 19 April 1977 as modified by an Exchange of Letters of 8 November 1989 and of 10 January 1990 on agreement of waiving of reimbursement of the costs of benefits in kind and administrative checks and medical examinations

ESTONIA — UNITED KINGDOM

The Arrangement finalised on 29 March 2006 between the Competent Authorities of the Republic of Estonia and of the United Kingdom under Article 36(3) and 63(3) of Regulation (EEC) No 1408/71 establishing other methods of reimbursement of the costs of benefits in kind provided under Regulation (EC) No 883/2004 by both countries with effect from 1 May 2004

FINLAND — UNITED KINGDOM

The Exchange of Letters 1 and 20 June 1995 concerning Article 36(3) and 63(3) of Regulation (EEC) No 1408/71 (reimbursement or waiving of reimbursement of the cost of benefits in kind) and Article 105(2) of Regulation (EEC) 574/72 (waiving of reimbursement of the cost of administrative checks and medical examinations)

FRANCE — UNITED KINGDOM

The Exchange of Letters of 25 March and 28 April 1997 regarding Article 105(2) of Regulation (EEC) No 574/72 (waiving of reimbursement of the costs of administrative checks and medical examinations)

The Agreement of 8 December 1998 on the specific methods of determining the amounts to be reimbursed for benefits in kind pursuant to Regulations (EEC) No 1408/71 and (EEC) No 574/72

HUNGARY — UNITED KINGDOM

The Arrangement finalised on 1 November 2005 between the Competent Authorities of the Republic of Hungary and of the United Kingdom under Article 35(3) and 41(2) of Regulation (EEC) No 883/2004 establishing other methods of reimbursement of the costs of benefits in kind provided under that Regulation by both countries with effect from 1 May 2004

IRELAND — UNITED KINGDOM

The Exchange of Letters of 9 July 1975 regarding Article 36(3) and 63(3) of Regulation (EEC) No 1408/71 (arrangement for reimbursement or waiving of reimbursement of the costs of benefits in kind provided under the terms of Chapter 1 or 4 of Title III of Regulation (EEC) No 1408/71) and Article 105(2) of Regulation (EEC) No 574/72 (waiving of reimbursement of the costs of administrative checks and medical examinations)

ITALY — UNITED KINGDOM

The Arrangement signed on 15 December 2005 between the Competent Authorities of the Italian Republic and of the United Kingdom under Article 36(3) and 63(3) of Regulation (EEC) No 1408/71 establishing other methods of reimbursement of the costs of benefits in kind provided under Regulation (EC) No 883/2004 by both countries with effect from 1 January 2005

LUXEMBOURG — UNITED KINGDOM

The Exchange of Letters of 18 December 1975 and 20 January 1976 regarding Article 105(2) of Regulation (EEC) No 574/72 (waiving of reimbursement of the costs entailed in administrative checks and medical examinations referred to in Article 105 of Regulation (EEC) No 574/72)

MALTA — UNITED KINGDOM

The Arrangement finalised on 17 January 2007 between the Competent Authorities of Malta and of the United Kingdom under Article 35(3) and 41(2) of Regulation (EEC) No 883/2004 establishing other methods of reimbursement of the costs of benefits in kind provided under that Regulation by both countries with effect from 1 May 2004

NETHERLANDS — UNITED KINGDOM

The second sentence of Article 3 of the Administrative Arrangement of 12 June 1956 on the implementation of the Convention of 11 August 1954

PORTUGAL — UNITED KINGDOM

The Arrangement of 8 June 2004 establishing other methods of reimbursement of the costs of benefits in kind provided by both countries with effect from 1 January 2003

SPAIN — UNITED KINGDOM

The Agreement of 18 June 1999 on the reimbursement of costs for benefits in kind granted pursuant to the provisions of Regulations (EEC) No 1408/71 and (EEC) No 574/72.'

ANNEX II

‘ANNEX SSC-8

TRANSITIONAL PROVISIONS REGARDING THE APPLICATION OF ARTICLE SSC.11

MEMBER STATES

Austria

Belgium

Bulgaria

Croatia

Cyprus

Czechia

Denmark

Estonia

Finland

France

Germany

Greece

Hungary

Ireland

Italy

Latvia

Lithuania

Luxembourg

Malta

Netherlands

Poland

Portugal

Romania

Slovakia

Slovenia

Spain

Sweden.’

CORRIGENDA**Corrigendum to Political and Security Committee Decision (CFSP) 2021/2059 of 23 November 2021
on the reconfirmation of the authorisation of the European Union military operation in the
Mediterranean (EUNAVFOR MED IRINI) (EUNAVFOR MED IRINI/5/2021)**

(Official Journal of the European Union L 422 of 26 November 2021)

On page 3, signature:

for:

'For the Political and Security Committee

The Chairperson

S. FROM-EMMESBERGER',

read:

'For the Political and Security Committee

The Chairperson

D. PRONK'.

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