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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) No 832/2010 of 17 September 2010 amending Regulation (EC) No 1828/2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund** 1

- ★ **Commission Regulation (EU, Euratom) No 833/2010 of 21 September 2010 implementing Council Regulation (EU, Euratom) No 617/2010 concerning the notification to the Commission of investment projects in energy infrastructure within the European Union** 36

Commission Regulation (EU) No 834/2010 of 21 September 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables 57

DECISIONS

- ★ **Council Decision 2010/565/CFSP of 21 September 2010 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo)** 59

Price: EUR 4

(Continued overleaf)

EN

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

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

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

2010/566/EU:

- ★ **Decision No 1/2010 of the EU-Algeria Association Council of 3 August 2010 amending Article 15(7) of Protocol 6 to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation** 64

2010/567/EU:

- ★ **Decision No 1/2010 of the EU-Morocco Association Council of 23 August 2010 amending Article 15(7) of Protocol 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation** 66

Corrigenda

- ★ **Corrigendum to Commission Regulation (EU) No 401/2010 of 7 May 2010 amending and correcting Regulation (EC) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (OJ L 117, 11.5.2010)** 67

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 832/2010

of 17 September 2010

amending Regulation (EC) No 1828/2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 ⁽¹⁾, and in particular Articles 44, 66(3) and 76(4) thereof,

Having regard to Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999 ⁽²⁾, and in particular the second subparagraph of Article 7(2) thereof,

Whereas:

- (1) Regulation (EC) No 1083/2006, as amended by Regulation (EU) No 539/2010 of the European Parliament and of the Council ⁽³⁾, simplifies and clarifies certain requirements as regards major projects, financial engineering instruments and reporting on financial progress of operational programmes. It is therefore necessary to align the provisions of Commission Regulation (EC) No 1828/2006 ⁽⁴⁾ with Regulation (EC) No 1083/2006 as amended.
- (2) Regulation (EC) No 1080/2006, as amended by Regulation (EU) No 437/2010 ⁽⁵⁾ provides for eligibility of housing interventions in favour of marginalised

communities. It is therefore necessary to align the provisions of Commission Regulation (EC) No 1828/2006 with Regulation (EC) No 1080/2006 as amended.

- (3) It is necessary to clarify that the implementation of financial engineering also covers funds or other incentive schemes for energy efficiency and use of renewable energy in buildings, including existing housing.
- (4) It is necessary to define the conditions for eligible housing interventions in favour of marginalised communities in the context of an integrated approach, with particular regard to the desegregation measures.
- (5) In order to facilitate the provision of data by Member States and the processing of data by the Commission, it is necessary to simplify the requirements on financial information to be provided in the annual and final reports on the implementation of an operational programme.
- (6) The threshold for projects to be considered major projects has been raised to EUR 50 million. In order to ensure appropriate monitoring of environmental projects with total investment costs between EUR 25 and 50 million, it is necessary to provide for an obligation to include information on those projects in the annual and final reports on implementation of an operational programme.
- (7) Regulation (EC) No 1083/2006 now allows a major project to cover more than one operational programme. It is therefore necessary to update the type of structured data to be provided on major projects and to update the forms for requests for assistance for major projects.

⁽¹⁾ OJ L 210, 31.7.2006, p. 25.

⁽²⁾ OJ L 210, 31.7.2006, p. 1.

⁽³⁾ OJ L 158, 24.6.2010, p. 1.

⁽⁴⁾ OJ L 371, 27.12.2006, p. 1.

⁽⁵⁾ OJ L 132, 29.5.2010, p. 1.

- (8) Regulation (EC) No 1828/2006 should therefore be amended accordingly.
- (9) For reasons of coherence it is appropriate that the amendments to Regulation (EC) No 1828/2006 apply from the same date as Regulation (EU) No 539/2010 and Regulation (EU) No 437/2010.
- (10) It is necessary that all the advantages to beneficiaries which result from Regulation (EU) No 539/2010 and Regulation (EU) No 437/2010 apply as soon as possible. Therefore, this Regulation should enter into force as a matter of urgency.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Coordination Committee of the Funds,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1828/2006 is amended as follows:

- (1) Article 43 is amended as follows:

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

‘1. Articles 43 to 46 shall apply to financial engineering instruments in the form of actions which make repayable investments, or provide guarantees for repayable investments, or both, in the following:

- (a) enterprises, primarily small and medium-sized enterprises (SMEs), including micro-enterprises, as defined in Commission Recommendation 2003/361/EC (*) as of 1 January 2005;
- (b) public-private partnerships or other urban projects included in integrated plans for sustainable urban development, in the case of urban development funds;
- (c) funds or other incentive schemes for energy efficiency and use of renewable energy in buildings, including in existing housing.

(*) OJ L 124, 20.5.2003, p. 36.’

- (b) paragraph 6 is replaced by the following:

‘6. Enterprises, public private partnerships and other projects included in an integrated plan for sustainable urban development, as well as operations for energy

efficiency and use of renewable energy in buildings, including in existing housing which are supported by financial engineering instruments, may also receive a grant or other assistance from an operational programme.’

- (2) In Article 44, paragraph 1 is amended as follows:

- (a) point (a) is replaced by the following:

‘(a) as regards financial engineering instruments supporting enterprises, primarily SMEs, including micro-enterprises, the conclusions of an evaluation of gaps between supply of such instruments, and demand for such instruments;’

- (b) the following point (c) is added:

‘(c) as regards funds or other incentive schemes for energy efficiency and use of renewable energy in buildings, including in existing housing the relevant Union and national regulatory frameworks and the relevant national strategies.’

- (3) Article 45 is amended as follows:

- (a) the title is replaced by the following:

‘Additional provisions applicable to financial engineering instruments for enterprises’

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

‘Financial engineering instruments for enterprises referred to in Article 43(1)(a) shall invest only at the establishment, in the early stages, including seed capital, or on expansion of those enterprises, and only in activities which the managers of the financial engineering instruments judge potentially economically viable.’

- (4) In Article 47, paragraph 2 is replaced by the following:

‘2. Having regard to Article 7(2) of Regulation (EC) No 1080/2006, expenditure for housing in favour of marginalized communities shall be eligible only if the following conditions are fulfilled:

- (a) such housing investment is part of an integrated approach and support for housing interventions for marginalized communities takes place together with other types of interventions including interventions in the areas of education, health, social inclusion and employment;

(b) the physical location of such housing ensures spatial integration of these communities into mainstream society and does not contribute to segregation, isolation and exclusion.'

(5) Annex XVIII is amended in accordance with Annex I to this Regulation.

(6) Annexes XX, XXI and XXII are replaced by the text set out in Annex II to this Regulation.

Article 2

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

It shall apply from 25 June 2010.

However, point (4) of Article 1 shall apply from 18 June 2010.

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

Done at Brussels, 17 September 2010.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Annex XVIII is amended as follows:

(1) Point 2.1.2 is replaced by the following:

‘2.1.2. *Financial information (all financial data should be expressed in euro)*

	Total funding of the operational programme (Union and national)	Basis for calculating Union contribution (Public or Total cost)	Total amount of certified eligible expenditure paid by beneficiaries ⁽¹⁾	Corresponding public contribution ⁽¹⁾	Implementation rate In %
	a	b	c	d	e = c/a if T or e = d/a if P
<i>Priority axis 1</i> Specify the Fund — of which ESF type expenditure ⁽²⁾ — of which ERDF type expenditure ⁽²⁾ — Expenditure for regions not receiving transitional support ⁽³⁾ — Expenditure for regions receiving transitional support ⁽³⁾	N.A.				N.A.
<i>Priority axis 2</i> Specify the Fund — of which ESF type expenditure — of which ERDF type expenditure — Expenditure for regions not receiving transitional support — Expenditure for regions receiving transitional support	N.A.				N.A.
<i>Priority axis ...</i> Specify the Fund — of which ESF type expenditure — of which ERDF type expenditure — Expenditure for regions not receiving transitional support — Expenditure for regions receiving transitional support	N.A.				N.A.

Grand total					
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(¹) Figures expressed in cumulative terms.

(²) This field shall be completed only in the case of the final report on implementation where the operational programme is co-financed by the ERDF or the ESF where use is made of the option under Article 34(2) of Regulation (EC) No 1083/2006.

(³) This field shall be completed only in the case of the final report on implementation where the operational programme includes support to transitional and non-transitional regions.

For operational programmes receiving a contribution of the ERDF under the specific allocation for outermost regions: the breakdown of the expenditure between operational costs and investments in infrastructures.'

(2) The following point 5a is inserted:

'5a. ERDF/CF PROGRAMMES: ENVIRONMENTAL PROJECTS WITH TOTAL INVESTMENT COSTS EQUAL TO OR HIGHER THAN EUR 25 MILLION AND EQUAL TO OR LOWER THAN EUR 50 MILLION (IF APPLICABLE)

For ongoing projects:

- Progress in the implementation of different stages of projects.
- Progress in the financing of projects.

For completed projects:

- List of completed projects, including the date of completion, total final investment costs, including the sources of financing, and key output and result indicators, including, where relevant, the core indicators.'

ANNEX II

‘ANNEX XX

MAJOR PROJECT STRUCTURED DATA TO BE ENCODED

Major project key details	Infrastructure application form	Productive investment application form	Type of data
Project name	B.1.1	B.1.1	Text
Name of company	n.a.	B.1.2	Text
SME	n.a.	B.1.3	Y/N
Priority theme dimension	B.2.1	B.2.1	Code(s)
Form of finance dimension	B.2.2	B.2.2	Code
Territorial dimension	B.2.3	B.2.3	Code
Economic activity dimension	B.2.4	B.2.4	Code(s)
NACE code	B.2.4.1	B.2.4.1	Code(s)
Nature of the investment	n.a.	B.2.4.2	Code
Location dimension(s)	B.2.5	B.2.5	Code(s)
Fund(s)	B.3.4	B.3.3	ERDF/CF
Priority Axis or Priority Axes	B.3.4	B.3.4	Text
PPP	B.4.2.d	n.a.	Y/N
Construction phase — Start date	D.1.8A	D.1.5A	Date
Construction phase — Completion date	D.1.8B	D.1.5B	Date
Reference period	E.1.2.1	E.1.2.1	Years
Financial discount rate	E.1.2.2	E.1.2.2	%
Total investment cost	E.1.2.3	E.1.2.3	EUR
Total investment cost (present value)	E.1.2.4	n.a.	EUR
Residual value	E.1.2.5	n.a.	EUR
Residual value (present value)	E.1.2.6	n.a.	EUR
Revenues (present value)	E.1.2.7	n.a.	EUR
Operating cost (present value)	E.1.2.8	n.a.	EUR
Net revenue (present value)	E.1.2.9	n.a.	EUR
Eligible expenditure (present value)	E.1.2.10	n.a.	EUR
Estimated increase in annual turnover	n.a.	E.1.2.4	EUR
% change in turnover per person employed	n.a.	E.1.2.5	%
Financial rate of return (without Union grant)	E.1.3.1A	E.1.3.1A	%
Financial rate of return (with Union grant)	E.1.3.1B	E.1.3.1B	%

Major project key details		Infrastructure application form	Productive investment application form	Type of data
Financial net present value (without Union grant)		E.1.3.2A	E.1.3.2A	EUR
Financial net present value (with Union grant)		E.1.3.2B	E.1.3.2B	EUR
Eligible costs		H.1.12C	H.1.10C	EUR
Decision amount		H.2.1.3	H.2.1.1	EUR
Union grant		H.2.1.5	H.2.1.3	EUR
Expenditure already certified	Total amount in EUR: Amount in each operational programme in EUR:	H.2.3	H.2.3	EUR
Economic costs and benefits		E.2.2	E.2.2	Text/EUR
Social discount rate		E.2.3.1	E.2.3.1	%
Economic rate of return		E.2.3.2	E.2.3.2	%
Economic net present value		E.2.3.3	E.2.3.3	EUR
Benefit/Cost ratio		E.2.3.4	E.2.3.4	Number
Number of jobs directly created during implementation phase		E.2.4.1A	E.2.4 a) 1A	Number
Average duration of jobs directly created during implementation phase		E.2.4.1B	E.2.4 a) 1B	Months/permanent
Number of jobs directly created during operational phase		E.2.4.2A	E.2.4 a) 2A	Number
Average duration of jobs directly created during operational phase		E.2.4.2B	E.2.4 a) 2B	Months/permanent
Number of jobs indirectly created during operational phase		n.a.	E.2.4 a) 4A	Number
Inter regional employment impact		n.a.	E.2.4 c)	Neg/Neut/Pos
EIA class of development		F.3.2.1	F.3.2.1	I/II/Not covered
EIA carried out if class II		F.3.2.3	F.3.2.3	Y/N
% of cost to compensate for negative environmental impacts		F.6	F.6	%
Other Union sources (EIB/EIF)		I.1.3	I.1.3	Y/N
Involvement of Jaspers		I.4.1	I.4.1	Y/N
Core indicators (please choose relevant core indicator from a drop down list available in the electronic system):		B.4.2B	n.a.	Number

ANNEX XXI

**MAJOR PROJECT
REQUEST FOR CONFIRMATION OF ASSISTANCE UNDER ARTICLES 39 TO 41 OF REGULATION (EC) No 1083/2006**

EUROPEAN REGIONAL DEVELOPMENT FUND/COHESION FUND

INFRASTRUCTURE INVESTMENT

[Project title]

CCI No [.....]

A. ADDRESSES AND REFERENCES

A.1. Authority responsible for the application (i.e., managing authority or intermediate body). In case of major project co-financed by more than one Operational Programme, the responsible authorities of each Operational Programme concerned shall be mentioned.

A.1.1. *Name:*

A.1.2. *Address:*

A.1.3. *Contact:*

A.1.4. *Telephone:*

A.1.5. *Telex/Fax:*

A.1.6. *E-mail:*

A.2. Organisation, or organisations in case of major project co-financed by more than one Operational Programme, responsible for project implementation (beneficiary)

A.2.1. *Name:*

A.2.2. *Address:*

A.2.3. *Contact:*

A.2.4. *Telephone:*

A.2.5. *Telex/Fax:*

A.2.6. *E-mail:*

B. PROJECT DETAILS

B.1. Title of project/project phase:

B.2. Categorisation of project activity ⁽¹⁾

	<i>Code</i>	<i>Percentage</i>
B.2.1. <i>Code for the priority theme dimension</i>		
B.2.2. <i>Code for the form of finance dimension</i>		
B.2.3. <i>Code for the territorial dimension</i>		
B.2.4. <i>Code for the economic activity dimension ⁽²⁾</i>		
B.2.4.1. <i>NACE Code ⁽³⁾</i>		
B.2.5. <i>Code for the location dimension(s) (NUTS/LAU) ⁽⁴⁾</i>		

⁽¹⁾ Annex II to Regulation (EC) No 1828/2006 unless otherwise specified.

⁽²⁾ Where a project involves more than one economic activity, multiple codes may be indicated. In that case the percentage share for each code should be indicated with the total not exceeding 100 %.

⁽³⁾ NACE-Rev.2, 4 digit code: Regulation (EC) No 1893/2006 of the European Parliament and of the Council (OJ L 393, 30.12.2006, p. 1).

⁽⁴⁾ Regulation (EC) No 1059/2003 of the European Parliament and of the Council (OJ L 154, 21.6.2003, p. 1). Use the most detailed and relevant NUTS code. Where a project affect multiple individual NUTS/LAU 2 level areas, consider encoding the NUTS/LAU1 or higher codes.

B.3. Compatibility and coherence with the Operational Programme(s)

B.3.1. *Title of the related Operational Programme(s):*

B.3.2. *Common Code for Identification (CCI) No of Operational Programme(s)*

B.3.3. *Fund*

In case of major project co-financed by more than one Operational Programme, specify the Fund for each Operational Programme separately.

ERDF ☐

Cohesion Fund ☐

B.3.4. *Title of the priority axis or priority axes in case of major project co-financed by more than one Operational Programme*

B.4. Project description

B.4.1. *Project (or project phase) description:*

(a) Provide a description of the project (or project phase).

(b) Where the project is a phase of an overall project, provide a description of the proposed stages of implementation (explaining whether they are technically and financially independent). In case of major project co-financed by more than one Operational Programme indicate the parts falling under each Operational Programme or pro-rata allocation.

(c) What criteria have been used to determine the division of the project into phases?

B.4.2. *Technical description of the investment in infrastructure*

(a) Describe the proposed infrastructure and the work for which assistance is being proposed specifying its main characteristics and component elements.

(b) In respect of the work involved, identify and quantify the key output indicators and, where relevant, the core indicators to be used:

(c) Main beneficiaries of the infrastructure (i.e. target population served, quantified where possible):

(d) Is the construction of the infrastructure to be delivered through a public-private partnership (PPP)?

Yes ☐

No ☐

If yes, describe the form of the PPP (i.e., selection process for private partner, structure of PPP, infrastructure ownership arrangements, risk allocation arrangements, etc.):

Give details of how the infrastructure is to be managed after the project is completed (i.e., public management, concession, other form of PPP).

(e) Does the project form part of a Trans-European Network agreed at Union level?

Yes ☐

No ☐

B.5. Project objectives

B.5.1. Current infrastructure endowment and impact of the project

Indicate the extent to which the region(s) is/are at present endowed with the type of infrastructure covered by this application; compare it with the level of infrastructure endowment aimed for by target year 20.. (i.e., according to the relevant strategy or national/regional plans, where applicable). Indicate the foreseeable contribution of the project to the strategy/plan objectives. Specify potential bottlenecks or other problems to be resolved.

B.5.2. Socio-economic objectives

Indicate the project's socio-economic objectives and targets.

B.5.3. Contribution to the achievement of the Operational Programme(s)

Describe how the project contributes to the achievement of the priorities of the Operational Programme(s) (provide quantified indicators per operational programme where possible).

C. RESULTS OF FEASIBILITY STUDIES

C.1. Provide a summary of the main conclusions of the feasibility studies conducted

Give precise references if ERDF, Cohesion Fund, ISPA or other Union assistance is/was involved in the financing of the feasibility studies.

C.1.1. Demand analysis

Provide a summary of the demand analysis, including the predicted utilisation rate on completion and the demand growth rate.

C.1.2. Options considered

Outline the alternative options considered in the feasibility studies.

D. TIMETABLE**D.1. Project timetable**

Give below the timetable for the development of the overall project.

Where the application concerns a project stage, clearly indicate in the table the elements of the overall project for which assistance is being sought by this application:

	Start date (A) dd/mm/yyyy	Completion date (B) dd/mm/yyyy
1. Feasibility studies:		
2. Cost-benefit analysis (including financial analysis):		
3. Environmental impact assessment:		
4. Design studies:		
5. Preparation of Tender documentation:		
6. Expected launch of tender procedure(s) (*):		
7. Land acquisition:		
8. Construction phase/contract:		
9. Operational phase:		

(*) Specify for each tender

Please attach a summary schedule of the main categories of works (i.e., a Gantt chart, where available).

D.2. Project maturity

Describe the project timetable (D.1) in terms of the technical and financial progress and current maturity of the project under the following headings:

D.2.1. Technical (feasibility studies, etc.):

D.2.2. Administrative (authorisations, EIA, land purchase, invitations to tender, etc.):

D.2.3. Financial (commitment decisions in respect of national public expenditure, loans requested or granted, etc. - give references):

D.2.4. If the project has already started, indicate the current state of works:

E. COST-BENEFIT ANALYSIS

This section should be based on the Guidelines on the methodology for carrying out the cost-benefit-analysis of major projects. In addition to the summary elements to be provided, the full cost-benefit analysis document shall be provided in support of this application as Annex II.

E.1. Financial analysis

The key elements from the financial analysis of the CBA should be summarised below.

E.1.1. *Short description of methodology and specific assumptions made*

--

E.1.2. *Main elements and parameters used in the CBA for financial analysis*

Main elements and parameters	Value Not discounted	Value Discounted (Net Present Value)
1. Reference period (years)		
2. Financial discount rate (%) ⁽¹⁾		
3. Total investment cost excluding contingencies (in euro, not discounted) ⁽²⁾		
4. Total investment cost (in euro, discounted)		
5. Residual value (in euro, not discounted)		
6. Residual value (in euro, discounted)		
7. Revenues (in euro, discounted)		
8. Operating costs (in euro, discounted)		
Funding gap calculation ⁽³⁾		
9. Net revenue = revenues – operating costs + residual value (in euro, discounted) = (7) – (8) + (6)		
10. Investment cost – net revenue (in euro, discounted) = (4) – (9) (Article 55(2))		
11. Funding gap rate (%) = (10) / (4)		

⁽¹⁾ Specify if the rate is real or nominal. If the financial analysis is conducted in constant prices, a financial discount rate expressed in real terms shall be used. If the analysis is conducted in current prices, a discount rate in nominal terms shall be used.

⁽²⁾ Investment cost should here exclude contingencies in accordance with working document number 4.

⁽³⁾ This does not apply: 1) for projects subject to the rules on State aids in the meaning of Article 107 of the Treaty (see point G.1), pursuant to Article 55(6) of Regulation (EC) No 1083/2006 and 2) if operating costs are higher than revenues the project is not considered as revenue generating in the sense of Article 55 of Regulation (EC) No 1083/2006, in which case, ignore items 9 and 10 and set funding gap to 100 %.

Where VAT is recoverable, the costs and revenues should be based on figures excluding VAT.

E.1.3. *Main results of the financial analysis*

	Without Union assistance (FRR/C) A		Without Union assistance (FRR/K) B ⁽¹⁾	
1. Financial rate of return (%)		FRR/C		FRR/K
2. Net present value (euro)		FNPV/C		FNPV/K

⁽¹⁾ For the calculation of the project profitability without ('/C') and with ('/K') Union assistance, refer to the guidance provided by the Commission in line with Article 40 of Regulation (EC) No 1083/2006.

E.1.4. *Revenues generated over its lifetime*

If the project is expected to generate revenues through tariffs or charges borne by users, please give details of charges (types and level of charges, principle or Union legislation on the basis of which the charges have been established).

(a) Do the charges cover the operational costs and depreciation of the project?

--

(b) Do the charges differ between the various users of the infrastructure?

--

(c) Are the charges proportional

(i) To the use of the project/real consumption?

(ii) To the pollution generated by users?

If no tariffs or charges are proposed, how will operating and maintenance costs be covered?

E.2. Socio-economic analysis

E.2.1. Provide a short description of methodology (key assumptions made in valuing costs and benefits) and the main findings of the socio-economic analysis:

E.2.2. Give details of main economic costs and benefits identified in the analysis together with values assigned to them:

Benefit	Unit value (where applicable)	Total value (in euro, discounted)	% of total benefits
...	...	...	...
Cost	Unit value (where applicable)	Total value (in euro, discounted)	% of total costs
...	...	...	...

E.2.3. Main indicators of the economic analysis

Main parameters and indicators	Values
1. Social discount rate (%)	
2. Economic rate of return (%)	
3. Economic net present value (in euro)	
4. Benefit-cost ratio	

E.2.4. Employment effects of project

Provide an indication of the number of jobs to be created (expressed in terms of full-time equivalents (FTE)).

Number of jobs directly created:	No (FTE) (A)	Average duration of these jobs (months) ⁽¹⁾ (B)
1. During implementation phase		
2. During operational phase		

⁽¹⁾ In case of permanent jobs, instead of duration in months, type 'permanent'.

[NB: indirect jobs created or lost are not sought for public infrastructure investments.]

E.2.5. *Identify the main non-quantifiable/non valuable benefits and costs:*

E.3. Risk and sensitivity analysis

E.3.1. *Short description of methodology and summary results*

E.3.2. *Sensitivity analysis*

State the percentage change applied to the variables tested:

Present the estimated effect on results of financial and economic performance indexes.

Variable tested	Financial Rate of Return variation	Financial Net Present Value variation	Economic Rate of Return variation	Economic Net Present Value variation

Which variables were identified as critical variables? State which criterion is applied.

Which are the switching values of the critical variables?

E.3.3. *Risk analysis*

Describe the probability distribution estimate of the project's financial and economic performance indexes. Provide relevant statistical information (expected values, standard deviation).

F. ANALYSIS OF THE ENVIRONMENTAL IMPACT

F.1. **How does the project:**

- (a) contribute to the objective of environmental sustainability (European climate change policy, halting loss of biodiversity, other ...);
- (b) respect the principles of preventive action and that environmental damage should as a priority be rectified at source;
- (c) respect the 'polluter pays' principle.

F.2. **Consultation of environmental authorities**

Have the environmental authorities likely to be concerned by the project been consulted by reason of their specific responsibilities?

Yes ☐

No ☐

If yes, please give name(s) and address(es) and explain that authority's responsibility:

If no, please give reasons:

F.3. Environmental Impact Assessment**F.3.1. Development consent ⁽⁵⁾**

F.3.1.1. Has development consent already been given to this project?

Yes ☐

No ☐

F.3.1.2. If yes, on which date

F.3.1.3. If no, when was the formal request for the development consent introduced:

F.3.1.4. By which date is the final decision expected?

F.3.1.5. Specify the competent authority or authorities, which has given or will give the development consent.

F.3.2. Application of Council Directive 85/337/EEC on Environmental Impact Assessment (EIA) ⁽⁶⁾

F.3.2.1. Is the project a class of development covered by:

☐ Annex I to that Directive (go to question F.3.2.2)

☐ Annex II to that Directive (go to question F.3.2.3)

☐ Neither of the two annexes (go to question F.3.3)

F.3.2.2. When covered by Annex I to that Directive, include the following documents:

(a) the information referred to in Article 9(1) of that Directive;

(b) the non-technical summary ⁽⁷⁾ of the Environmental Impact Study carried out for the project;

(c) information on consultations with environmental authorities, the public concerned and, if applicable, with other Member States.

F.3.2.3. When covered by Annex II to that Directive, has an Environmental Impact Assessment been carried out for this project?

☐ Yes

in which case, include the necessary documents listed under point F.3.2.2

☐ No

in which case, explain the reasons and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects:

F.3.3. Application of the Strategic Environmental Assessment Directive 2001/42/EC of the European Parliament and of the Council ⁽⁸⁾ (SEA-Directive)

⁽⁵⁾ The decision of the competent (national) authority or authorities which entitles the developer to proceed with the project. In cases where the project submitted is part of a wider operation, the development consent should refer only to the project submitted to the Commission. In cases where more than one development consent decisions are required, please repeat the information as many times as necessary.

⁽⁶⁾ OJ L 175, 5.7.1985, p. 40.

⁽⁷⁾ Prepared under Article 5(3) of Directive 85/337/EEC.

⁽⁸⁾ OJ L 197, 21.7.2001, p. 30.

F.3.3.1. Does the project result from a plan or programme falling within the scope of the SEA Directive?

☐ No in which case please provide a short explanation:

☐ Yes in which case, in order to appreciate if wider potential cumulative effects of the project have been addressed, please provide either an internet link to or an electronic copy of the non-technical summary ⁽⁹⁾ of the Environmental Report carried out for the plan or programme.

F.4. Assessment of effects on NATURA 2000 Sites

F.4.1. *Is the project likely to have significant negative effects on sites included or intended to be included in the NATURA 2000 network?*

☐ Yes in which case

(1) Please provide a summary of the conclusions of the appropriate assessment carried out according to Article 6(3) of Council Directive 92/43/EEC ⁽¹⁰⁾.

(2) In case, compensation measures were deemed necessary according to Article 6(4), please provide a copy of the form 'Information on projects likely to have significant negative effect on NATURA 2000 sites, as notified to the Commission (DG Environment) under Directive 92/43/EEC ⁽¹¹⁾'.

☐ No in which case attach a completed Appendix I declaration filled in by the relevant authority.

F.5. Additional environmental integration measures

Does the project envisage, apart from Environmental Impact Assessment, any additional environmental integration measures (e.g. environmental audit, environmental management, specific environmental monitoring)?

Yes ☐

No ☐

If yes, specify

F.6. Cost of measures taken for correcting negative environmental impacts

If included in total cost, estimate proportion of cost of measures taken to reduce and/or to compensate for negative environmental impacts

%

Explain briefly:

F.7. In case of projects in the areas of water, waste water and solid waste:

Explain whether the project is consistent with a sectoral/integrated plan and programme associated with the implementation of Union policy or legislation ⁽¹²⁾ in those areas:

⁽⁹⁾ Prepared under Annex I (j) to Directive 2001/42/EC.

⁽¹⁰⁾ OJ L 206, 22.7.1992, p. 7.

⁽¹¹⁾ Document 99/7 rev. 2 adopted by the Habitats Committee (established under Directive 92/43/EEC) at its meeting on 4 October 1999.

⁽¹²⁾ In particular, Directive 2000/60/EC of the European Parliament and of the Council (Water Framework Directive) (OJ L 327, 22.12.2000, p. 1) Council Directive 1991/271/EC (Urban Waste Water Treatment Directive) (OJ L 135, 30.5.1991, p. 40), Article 7 of Directive 2006/12/EC of the European Parliament and of the Council (Waste Framework Directive) (OJ L 114, 27.4.2006, p. 9), Council Directive 1999/31/EC (Landfill of Waste Directive) (OJ L 182, 16.7.1999, p. 1).

G. JUSTIFICATION FOR THE PUBLIC CONTRIBUTION**G.1. Competition**

Does this project involve State Aids?

Yes ☐

No ☐

If yes, please give in the table below the amount of aid, and, for approved aid the state aid number and the reference of the approval letter, for block-exempted aid the respective registry number, and for pending notified aid the state aid number ⁽¹³⁾.

Sources of aid (local, regional, national and Union):	Amount of aid euro	State Aid number/ registry number for block-exempted aid	Reference of approval letter
Approved aid schemes, approved ad hoc aid, or aid falling under a block exemption regulation:			
Aid foreseen under pending notifications (ad hoc aid or schemes):			
Aid for which a notification is outstanding (ad hoc aid or schemes)			
Total aid granted:			
Total cost of the investment project			

G.2. Impact of Union assistance on project implementation

For each affirmative answer, give details:

Will Union assistance:

a) accelerate implementation of the project?

Yes ☐

No ☐

b) be essential to implementation of the project?

Yes ☐

No ☐

H. FINANCING PLAN

The decision amount and other financial information in this section must be coherent with the basis (total or public cost) for the co-financing rate of the priority axis. Where private expenditure is not eligible for financing under the priority axis it shall be excluded from the eligible costs; where private expenditure is eligible it may be included.

⁽¹³⁾ This application does not replace notification to the Commission under Article 108(3) of the Treaty. A positive decision by the Commission on the major project under Regulation (EC) No 1083/2006 does not constitute state aid approval.

H.1. Cost breakdown

Euro	Total Project costs (A)	Ineligible costs ⁽¹⁾ (B)	eligible costs (C) = (A) - (B)
1. Planning/design fees			
2. Land purchase			
3. Building and construction			
4. Plant and machinery			
5. Contingencies ⁽²⁾			
6. Price adjustment (if applicable) ⁽³⁾			
7. Technical assistance			
8. Publicity			
9. Supervision during construction implementation			
10. Sub-Total			
11. (VAT ⁽⁴⁾)			
12. Total	⁽⁵⁾		

⁽¹⁾ Ineligible costs comprise (i) expenditure outside the eligibility period, (ii) expenditure ineligible under national rules (Article 56(4) of Regulation (EC) No 1083/2006), (iii) other expenditure not presented for co-financing. NB: The starting date for eligibility of expenditure is the date of receipt of the draft operational programme by the Commission or 1 January 2007, whichever is the earlier.

⁽²⁾ Contingencies should not exceed 10 % of total investment cost net of contingencies. These contingencies may be included in the total eligible costs used to calculate the planned contribution of the funds – Section H2.

⁽³⁾ A price adjustment may be included, where relevant, to cover expected inflation where the eligible cost values are in constant prices.

⁽⁴⁾ Where VAT is considered as eligible, give reasons.

⁽⁵⁾ Total cost must include all costs incurred for the project, from planning to supervision and must include VAT even if VAT is considered non-eligible

H.2. Total planned resources and planned contribution from the Funds

The funding gap rate was already presented under Section E.1.2. This should be applied to the eligible cost to calculate the 'amount to which the co-financing rate for the priority axis applies' (Article 41(2) of Council Regulation (EC) No 1083/2006). This is then multiplied by the co-financing rate of the priority axis to determine the Union contribution.

H.2.1. Union contribution calculation

	Value
1. Eligible cost (in euro, not discounted) (Section H.1.12(C))	
2. Funding gap rate (%), if applicable = (E.1.2.11)	
3. Decision amount, i.e. the 'amount to which the co-financing rate for the priority axis or priority axes ⁽¹⁾ applies' (Article 41(2)) = (1)*(2). If H.2.1.2 not applicable, the decision amount must respect the maximum public contribution according to state aid rules	
3.1. In case of major project co-financed by more than one Operational Programme, indicate the share of the Decision amount corresponding to each Operational Programme	
4. Co-financing rate of the priority axis or priority axes ⁽¹⁾ (%)	
5. Union contribution (in euro) = (3)*(4)	
⁽¹⁾ In case of major project co-financed by more than one Operational Programme.	

H.2.2 Sources of co-financing

In the light of the results of the financing gap calculation (where relevant) the total investment costs of the project shall be met from the following sources:

Source of total investment costs (€)					Of which (for information)
Total investment cost [H.1.12.(A)]	Union assistance [H.2.1.5]	National public (or equivalent)	National private	Other sources (specify)	EIB/EIF loans:
(a) = (b)+(c)+(d)+(e)	(b)	(c)	(d)	(e)	(f)

H.2.3. Expenditure already certified

Have expenditure for this major project been already certified?

Yes ☐ No ☐

If yes, state the amount: EUR.

If yes and in case of major project co-financed by more than one Operational Programme, under which Operational Programmes have the expenditure been certified?

Title of the related Operational Programme(s):

CCI number:

Amount concerned in the Operational Programme: EUR

H.3. Annual financing plan of Union contribution

The Union contribution (H.2.1.5) shall be presented below in terms of the share of annual programme commitment. In case of major project co-financed by more than one Operational Programme, the annual financing plan shall be presented separately for each Operational Programme.

(in Euro)

	2007	2008	2009	2010	2011	2012	2013
[CF/ ERDF - specify]							

I. COMPATIBILITY WITH UNION POLICIES AND LAW

With regard to Article 9(5) of Regulation (EC) No 1083/2006 provide the following information:

I.1. Other Union financing sources

I.1.1. Has an application been made for assistance from any other Union source (TEN-T Budget, LIFE+, R&D Framework Programme, other source of Union finance) for this project?

Yes ☐ No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.2. Is this project complementary to any project already financed or to be financed by the ERDF, ESF, Cohesion Fund, TEN-T Budget, other source of Union finance?

Yes ☐ No ☐

If yes, give details (provide precise details, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.3. Has an application been made for loan or equity support from EIB/EIF for this project?

Yes ☐ No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

- I.1.4. *Has an application been made for assistance from any other Union source (including ERDF, ESF, Cohesion Fund, EIB, EIF, other sources of Union finance) for an earlier phase of this project (including feasibility and preparatory phases)?*

Yes ☐No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

- I.2. **Is the project subject to a legal procedure for non-compliance with Union legislation?**

Yes ☐No ☐

If yes, please give details:

- I.3. **Publicity measures**

Give details of the proposed measures to publicise Union assistance (for example, type of measure, brief description, estimated costs, duration, etc.):

- I.4. **Involvement of JASPERS in project preparation**

- I.4.1. *Has JASPERS technical assistance contributed to any part of the preparation of this project?*

Yes ☐No ☐

- I.4.2. *Describe the elements of the project where JASPERS had an input (e.g. environmental compliance, procurement, review of technical description).*

- I.4.3. *What were the principal conclusions and recommendations of the JASPERS contribution and were these taken into account in the finalisation of the project?*

- I.5. **Public procurement**

In cases where contracts have been advertised in the *Official Journal of the European Union*, give reference.

Contract	Date	Reference
...	...	...

- J. **ENDORSEMENT OF COMPETENT NATIONAL AUTHORITY**

I confirm that the information presented in this form is accurate and correct.

Name:

Signature:

Organisation:

(Managing authority and in case of major project co-financed by more than one operational programme the responsible authorities)

Date:

Appendix I

DECLARATION BY AUTHORITY RESPONSIBLE FOR MONITORING NATURA 2000 SITES

Responsible Authority

Having examined the project application

Which is to be located at

Declares that the project is not likely to have significant effects on a *NATURA 2000* site on the following grounds:

--

Therefore an appropriate assessment required by Article 6(3) was not deemed necessary.

A map at scale of 1:100.000 (or the nearest possible scale) is attached, indicating the location of the project as well as the *NATURA 2000* sites concerned, if any.

Date (dd/mm/yyyy):

Signed:

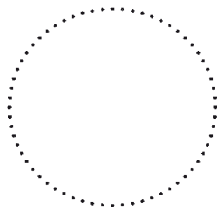
Name:

Position:

Organisation:

(Authority responsible for monitoring *NATURA 2000* sites)

Official Seal:



ANNEX XXII

**MAJOR PROJECT
REQUEST FOR CONFIRMATION OF ASSISTANCE UNDER ARTICLES 39 TO 41 OF REGULATION (EC) NO 1083/2006**

EUROPEAN REGIONAL DEVELOPMENT FUND/COHESION FUND

PRODUCTIVE INVESTMENT

[Project title]

CCI No [.....]

A. ADDRESSES AND REFERENCES

A.1. Authority responsible for the application (i.e., managing authority or intermediate body). In case of major project co-financed by more than one Operational Programme, the responsible authorities of each Operational Programme concerned shall be mentioned.

A.1.1. *Name:*A.1.2. *Address:*A.1.3. *Contact:*A.1.4. *Telephone:*A.1.5. *Telex/Fax:*A.1.6. *E-mail:*

A.2. Organisation, or organisations in case of major project co-financed by more than one Operational Programme, responsible for project implementation (beneficiary)

A.2.1. *Name:*A.2.2. *Address:*A.2.3. *Contact:*A.2.4. *Telephone:*A.2.5. *Telex/Fax:*A.2.6. *E-mail:***B. PROJECT DETAILS****B.1. Description of the project**B.1.1. *Name of the project/project phase:*B.1.2. *Name of the undertaking:*B.1.3. *Is the undertaking an SME ⁽¹⁾?*Yes ☐No ☐B.1.4. *Turnover:*

value million euro

B.1.5. *Total number of persons employed: value*B.1.6. *Group structure:*

Are 25 % or more of the capital or voting rights of the undertaking owned by one enterprise or a group of enterprises falling outside the definition of an SME?

Yes ☐No ☐

Indicate the name and describe the group structure.

⁽¹⁾ Commission Recommendation 2003/361/EC (OJ L 124, 20.5.2003, p. 36).

B.2. Categorisation of project activity ⁽²⁾

	Code	Percentage
B.2.1. Code for the priority theme dimension ⁽³⁾		
B.2.2. Code for the form of finance dimension		
B.2.3. Code for the territorial dimension		
B.2.4. Code for the economic activity dimension		
B.2.4.1. NACE Code ⁽⁴⁾		
B.2.4.2. Nature of the investment ⁽⁵⁾		
B.2.4.3. Product concerned ⁽⁶⁾		
B.2.5. Code for the location dimension(s) (NUTS/LAU) ⁽⁷⁾		

B.3. Compatibility and coherence with the Operational Programme(s)

B.3.1. Title of the related Operational Programme(s):

B.3.2. Common Code for Identification (CCI) No of Operational Programme(s)

B.3.3. Fund

In case of major project co-financed by more than one Operational Programme, specify the Fund for each Operational Programme separately.

ERDF ☐Cohesion Fund ☐

B.3.4. Title of the priority axis or priority axes in case of major project co-financed by more than one Operational Programme:

B.4. Project description

B.4.1. Project (or project phase) description:

(a) Provide a description of the project (or project phase).

(b) Where the project is a phase of an overall project, provide a description of the proposed stages of implementation (explaining whether they are technically and financially independent). In case of major project co-financed by more than one Operational Programme indicate the parts falling under each Operational Programme or pro-rata allocation.

(c) What criteria have been used to determine the division of the project into phases?

⁽²⁾ Annex II to this Regulation unless otherwise specified.

⁽³⁾ Where a project involves more than one economic activity, multiple codes may be indicated. In that case, the percentage share for each code should be indicated with the total not exceeding 100%.

⁽⁴⁾ NACE-Rev. 2, 4 digit code: Regulation (EC) No 1893/2006.

⁽⁵⁾ New construction = 1; extension = 2; conversion/modernisation = 3; change of locality = 4; creation by take-over = 5.

⁽⁶⁾ Combined Nomenclature (CN), Council Regulation (EEC) No 2658/87 (OJ L 256, 7.9.1987, p. 1).

⁽⁷⁾ Regulation (EC) No 1059/2003. Use the most detailed and relevant NUTS code. Where a project affects more than three individual Nuts – Lau 2 level areas, consider encoding the NUTS/LAU1 or higher codes.

B.4.2. Technical description of the productive investment

Fully describe:

- (a) The work involved, specifying its main characteristics and component elements (use quantified indicators where possible).

- (b) The establishment, main activities and main elements of the financial structure of the enterprise.

- (c) The objectives of the investment and main aspects of the new construction, extension, conversion/modernisation, change of locality, creation by take-over covering the investment.

- (d) Describe the production technology and equipment.

- (e) Describe the products.

B.5. Project objectives**B.5.1. Current infrastructure endowment and impact of the project**

Indicate the extent to which the region(s) is/are at present endowed with the type of production facilities or activities covered by this application. Indicate the foreseeable contribution of the project:

B.5.2. Contribution to the achievement of the Operational Programme(s)

Indicate how the project contributes to the achievement of the priorities of the Operational Programme(s) (provided quantified indicators per operational programme where possible).

C. RESULTS OF FEASIBILITY STUDIES**C.1. Provide a summary of the main conclusions of the feasibility studies (or business plan) conducted****C.1.1. Demand analysis****C.1.1.1. Describe the target markets, broken down, where appropriate, by Member State and, separately, by third countries considered as a whole:****C.1.1.2. Provide a summary of the demand analysis including the demand growth rate broken down, where appropriate, by Member State and, separately, by third countries considered as a whole:**

C.1.2. *Capacity considerations*

C.1.2.1. Capacity of the firm before investment (in units per year):

C.1.2.2. Reference date:

C.1.2.3. Capacity after investment (in units per year):

C.1.2.4. Estimate the capacity utilisation rate:

D. **TIMETABLE**D.1. **Project timetable**

Give below the timetable for the development of the overall project.

Where the application concerns a project stage clearly indicate in the table the elements of the overall project for which assistance is being sought by this application:

	Start date (A) dd/mm/yyyy	Completion date (B) dd/mm/yyyy
1. Feasibility study/Business plan:		
2. Cost-benefit analysis:		
3. Environmental impact assessment:		
4. Land acquisition:		
5. Construction phase:		
6. Operational phase:		

Please attach a summary schedule of the main categories of works (i.e., a Gantt chart, where available).

D.2. **Project maturity**

Describe the project timetable (D.1) in terms of the technical and financial progress and current maturity of the project under the following headings:

D.2.1. *Technical (feasibility studies, etc.);*

D.2.2. *Administrative (authorisations, EIA, land purchase, etc.);*

D.2.3. *Financial (commitment decisions in respect of national public expenditure, loans requested or granted, etc. - give references)*

D.2.4. *If the project has already started, indicate the current state of works:*

E. **COST-BENEFIT ANALYSIS**

This section should be based on the Guidelines on the methodology for carrying out the cost-benefit analysis of major projects. In addition to the summary elements to be provided below the full cost-benefit analysis document shall be provided in support of this application as Annex II.

E.1. Financial analysis

The key elements from the financial analysis of the CBA should be summarised below.

E.1.1. Short description of methodology and specific assumptions made

--

E.1.2. Main elements and parameters used in the CBA for financial analysis

Main elements and parameters taken into account in calculation of expected profitability	
1. Reference period (years)	
2. Financial discount rate (%)	
3. Total investment cost (in euro)	
4. Estimated increase in annual turnover realised by this investment (in euro)	
5. % change in turnover per person employed (only in the case of expansion of an activity)	

E.1.3. Main results of the financial analysis

	Without Union assistance (FRR/C) A		With Union assistance (FRR/K) B ⁽¹⁾	
1. Financial rate of return: (%)		FRR/C		FRR/K
2. Net present value (euro)		FNPV/C		FNPV/K

⁽¹⁾ For the calculation of the project profitability without ("C") and with ("K") Union assistance, refer to guidance provided by the Commission in line with Article 40 of Regulation (EC) No 1083/2006.

E.2. Socio-economic analysis**E.2.1. Provide a short description of methodology (key assumptions made in valuing costs and benefits) and the main findings of the socio-economic analysis:**

--

E.2.2. Please give details of main economic costs and benefits identified in the analysis together with values assigned to them:

Benefit	Unit value (where applicable)	Total value (in euro, discounted)	% of total benefits
...	...	...	...
Cost	Unit value (where applicable)	Total value (in euro, discounted)	% of total costs
...	...	...	...

E.2.3. *Main indicators of the economic analysis*

Main parameters and indicators	Values
1. Social discount rate (%)	
2. Economic rate of return (%)	
3. Economic net present value (in euro)	
4. Benefit-cost ratio	

E.2.4. *Employment effects of project*

(a) Provide an indication of the number of jobs to be created (expressed in terms of full-time equivalents (FTE))

	No (FTE) (A)	Average duration of these jobs (months) ⁽¹⁾ (B)
<i>No of jobs directly created:</i>		
1. During implementation phase		
2. During operational phase		
<i>No of jobs indirectly created</i>		
3. During implementation phase		
4. During operational phase		

⁽¹⁾ In case of permanent jobs, instead of duration in months, type "permanent".

(b) Jobs safeguarded

Estimate the number of jobs (full time equivalents) that would be lost if the investment is not realised:

Explain the reasons:

(c) Inter-regional employment impact

What impact is the project expected to have on employment in other regions of the Union?

Give details:

E.2.5. *Identify the main non-quantifiable/non-valuable benefits and costs:*

E.3. **Risk and sensitivity analysis**E.3.1. *Short description of methodology and summary results*

E.3.2. Sensitivity analysis

State the percentage change applied to the variables tested:

Present the estimated effect on results of financial and economic performance indexes.

Variable tested	Financial Rate or Return variation	Financial Net Present Value variation	Economic Rate or Return variation	Economic Net Present Value variation

Which variables were identified as critical variables? State which criterion is applied.

Which are the switching values of the critical variables?

E.3.3. Risk analysis

Describe the probability distribution estimate of the project's financial and economic performance indexes. Provide relevant statistical information (expected values, standard deviation).

F. ANALYSIS OF THE ENVIRONMENTAL IMPACT**F.1. How does the project:**

- (a) contribute to the objective of environmental sustainability (European climate change policy, halting loss of biodiversity, other ...);
- (b) respect the principles of preventive action and that environmental damage should as a priority be rectified at source;
- (c) respect the "polluter pays" principle.

F.2. Consultation of environmental authorities

Have the environmental authorities likely to be concerned by the project been consulted by reason of their specific responsibilities?

Yes ☐ No ☐

If yes, please give name(s) and address(es) and explain that authority's responsibility:

If no, please give reasons

F.3. Environmental Impact Assessment**F.3.1. Development Consent ⁽⁸⁾**

F.3.1.1. Has development consent already been given to this project?

Yes ☐ No ☐

F.3.1.2. If yes, on which date

F.3.1.3. If no, when was the formal request for the development consent introduced:

F.3.1.4. By which date is the final decision expected?

F.3.1.5. Specify the competent authority or authorities, which has given or will give the development consent

F.3.2. Application of Council Directive 85/337/EEC on environmental impact assessment (EIA) ⁽⁹⁾

F.3.2.1. Is the project a class of development covered by:

- ☐ Annex I to that Directive (go to question F.3.2.2)
- ☐ Annex II to that Directive (go to question F.3.2.3)
- ☐ Neither of the two annexes (go to question F.3.3)

F.3.2.2. When covered by Annex I to that Directive, include the following documents:

- (a) The information referred to in Article 9(1) of that Directive
- (b) The non-technical summary ⁽¹⁰⁾ of the Environmental Impact Study carried out for the project;
- (c) Information on consultations with environmental authorities, the public concerned and, if applicable, with other Member States.

F.3.2.3. When covered by Annex II to that Directive, has an Environmental Impact Assessment been carried out for this project?

☐ Yes

in which case include the necessary documents listed under point F.3.2.2

☐ No

in which case explain the reasons and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects:

F.3.3. Application of the Strategic Environmental Assessment Directive 2001/42/EC of the European Parliament and of the Council ⁽¹¹⁾ (SEA-Directive)

⁽⁸⁾ The decision of the competent (national) authority or authorities which entitles the developer to proceed with the project. In cases where the project submitted is part of a wider operation, the development consent should refer only to the project as submitted to the Commission. In cases where more than one development consent decisions are required, please repeat the information as many times as necessary.

⁽⁹⁾ OJ L 175, 5.7.1985, p. 40.

⁽¹⁰⁾ Prepared under Article 5(3) of Directive 85/337/EEC.

⁽¹¹⁾ OJ L 197, 21.7.2001, p. 30.

F.3.3.1. Does the project result from a plan or programme falling within the scope of the SEA Directive?

☐ No in which case please provide a short explanation:

☐ Yes in which case, in order to appreciate if wider potential cumulative effects of the project have been addressed, please provide either an internet link to or an electronic copy of the non-technical summary⁽¹²⁾ of the Environmental Report carried out for the plan or programme.

F.4. Assessment of effects on NATURA 2000 sites

F.4.1. *Is the project likely to have significant negative effects on sites included or intended to be included in the NATURA 2000 network?*

☐ Yes in which case

(1) Please provide a summary of the conclusions of the appropriate assessment carried out according to Article 6(3) of Directive 92/43/EEC⁽¹³⁾

(2) In case, compensation measures were deemed necessary according to Article 6(4), please provide a copy of the form "Information on projects likely to have significant negative effect on NATURA 2000 sites, as notified to the Commission (DG Environment) under Directive 92/43/EEC⁽¹⁴⁾"

☐ No in which case attach a completed Appendix I declaration filled in by the relevant authority.

F.5. Additional environmental integration measures

Does the project envisage, apart from Environmental Impact Assessment, any additional environmental integration measures (e.g. environmental audit, environmental management, specific environmental monitoring)?

Yes ☐ No ☐

If yes, specify

F.6. Cost of measures taken for correcting negative environmental impacts

If included in total cost, estimate proportion of cost of measures taken to reduce and/or to compensate for negative environmental impacts

%

Explain briefly:

G. JUSTIFICATION FOR THE PUBLIC CONTRIBUTION

G.1. Competition

Does this project involve State Aids?

Yes ☐ No ☐

⁽¹²⁾ Prepared under Annex I(j) to Directive 2001/42/EC.

⁽¹³⁾ OJ L 206, 22.7.1992, p. 7.

⁽¹⁴⁾ Document 99/7 rev. 2 adopted by the Habitats Committee (established under Directive 92/43/EEC) at its meeting on 4 October 1999.

If yes, please give in the table below the amount of aid, and, for approved aid the State aid number and the reference of the approval letter, for block-exempted aid the respective registry number, and for pending notified aid the State aid number ⁽¹⁵⁾

Sources of aid (local, regional, national and Union):	Amount of aid euro	State Aid number/registry number for block-exempted aid	Reference of approval letter
Approved aid schemes, approved ad hoc aid, or aid falling under a block exemption regulation:			
Aid foreseen under pending notifications (ad hoc aid or schemes):			
Aid for which a notification is outstanding (ad hoc aid or schemes)			
Total aid granted:			
Total cost of the investment project			

G.2. Impact of Union assistance on project implementation

For each affirmative answer, give details:

Will Union assistance:

a) accelerate implementation of the project?

Yes ☐ No ☐

b) be essential to implementation of the project?

Yes ☐ No ☐

H. FINANCING PLAN

The decision amount and other financial information in this section must be coherent with the basis (total or public cost) for the co-financing rate of the priority axis. Where private expenditure is not eligible for financing under the priority axis, it shall be excluded from the eligible costs; where private expenditure is eligible it may be included.

⁽¹⁵⁾ This application does not replace notification to the Commission under Article 108(3) of the Treaty. A positive decision by the Commission on the major project under Regulation (EC) No 1083/2006 does not constitute State aid approval.

H.1. **Cost breakdown**

	Euro		
	Total project costs (A)	Ineligible costs ⁽¹⁾ (B)	Eligible costs (C) = (A) - (B)
1. Planning/design fees			
2. Land purchase			
3. Building and construction			
4. Plant and machinery			
5. Contingencies ⁽²⁾			
6. Publicity			
7. Supervision during construction implementation			
8. Sub-Total			
9. (VAT ⁽³⁾)			
10. Total	(⁽⁴⁾)		

⁽¹⁾ Ineligible costs comprise (i) expenditure outside the eligibility period, (ii) expenditure ineligible under national rules (Article 56(4) of Regulation (EC) No 1083/2006), (iii) other expenditure not presented for co-financing. NB: The starting date for eligibility of expenditure is the date of receipt of the related draft Operational Programme by the Commission or 1 January 2007, whichever is the earlier.

⁽²⁾ Contingencies should not exceed 10% of total investment cost net of contingencies. These contingencies may be included in the total costs used to calculate the financial contribution of the funds.

⁽³⁾ Where VAT is considered as eligible, give reasons.

⁽⁴⁾ Total cost must include all costs incurred for the project, from planning to supervision and must include VAT even if VAT is considered non eligible.

H.2. **Total planned resources and planned contribution from the Funds**H.2.1. *Union contribution calculation*

	Value
1. Decision amount, i.e., the "amount to which the co-financing rate for the priority axis or priority axes ⁽¹⁾ applies" (Article 41(2) of Regulation (EC) No 1083/2006) (respecting the maximum public contribution according to state aid rules and the exclusion of ineligible expenditure)	
1.1 In case of major project co-financed by more than one Operational Programme, indicate the share of the Decision amount corresponding to each Operational Programme	
2. Co-financing rate of the priority axis or priority axes ⁽¹⁾ (%)	
3. Union contribution (in euro) = (1)*(2)	

⁽¹⁾ In case of major project co-financed by more than one Operational Programme.

H.2.2. *Sources of co-financing*

In the light of the results of the grant calculation (H.2.1 consistent with the rules on State aid) the total investment costs of the project shall be met from the following sources:

Source of total investment costs (€)					Of which (For Information)
Total investment cost [H.1.10.(A)]	Union assistance [H.2.1.3]	National public (or equivalent)	National private	Other sources (specify)	EIB/EIF loans
(a) = (b) + (c) + (d) + (e)	(b)	(c)	(d)	(e)	(f)

H.2.3. *Expenditure already certified*

Has expenditure for this major project been already certified?

Yes ☐

No ☐

If yes, state the amount: EUR.

If yes and in case of major project co-financed by more than one Operational Programme, under which Operational Programmes have the expenditure been certified?

Title of the related Operational Programme(s):

CCI number:

Amount concerned in the Operational Programme: EUR

H.3. **Annual financing plan of Union contribution**

The Union contribution (H.2.1.3) shall be presented in terms of the share of annual programme commitment. In case of major project co-financed by more than one Operational Programme, the annual financing plan shall be presented separately for each Operational Programme.

(in Euro)

	2007	2008	2009	2010	2011	2012	2013
[CF/ERDF - specify]							

I. **COMPATIBILITY WITH UNION POLICIES AND LAW**

With regard to Article 9(5) of Regulation (EC) No 1083/2006 provide the following information:

I.1. **Other Union financing sources**

I.1.1. *Has an application been made for assistance from any other Union source (TEN-T Budget, LIFE+, R&D Framework Programme, other source of Union finance) for this project?*

Yes ☐

No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.2. *Is this project complementary to any project already financed or to be financed by the ERDF, ESF, Cohesion Fund, TEN-T Budget, other source of Union finance?*

Yes ☐

No ☐

If yes, give details (provide precise details, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.3. *Has an application been made for loan or equity support from EIB/EIF for this project?*

Yes ☐

No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.4. *Has an application been made for assistance from any other Union source (including ERDF, ESF, Cohesion Fund, EIB, EIF, other sources of Union finance) for an earlier phase of this project (including feasibility and preparatory phases)?*

Yes ☐

No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

I.2. Is the project subject to a legal procedure for non-compliance with Union legislation?Yes ☐No ☐

If yes, please give details:

I.3. Publicity measures

Give details of the proposed measures to publicise Union financial assistance (i.e. type of measure, brief description, estimated costs, duration, etc.):

I.4. Involvement of JASPERS in project preparation**I.4.1. Has JASPERS technical assistance contributed to any part of the preparation of this project?**Yes ☐No ☐**I.4.2. Describe the elements of the project where JASPERS had an input (e.g. environmental compliance, procurement, review of technical description).****I.4.3. What were the principal conclusions and recommendations of the JASPERS contribution and were these taken into account in the finalisation of the project?****I.5. Previous history of the recovery of assistance**Has the benefiting undertaking previously been, or is it currently, the subject of a procedure ⁽¹⁶⁾ to recover Union assistance following the transfer of a productive activity within a Member State or toward another Member State?Yes ☐No ☐**J. ENDORSEMENT OF COMPETENT NATIONAL AUTHORITY**

I confirm that the information presented in this form is accurate and correct.

Name:

Signature:

Organisation:

(Managing authority and in case of major project co-financed by more than one operational programme the responsible authorities)

Date:

⁽¹⁶⁾ Under Article 57(3) of Regulation (EC) No 1083/2006.

*Appendix I*DECLARATION BY AUTHORITY RESPONSIBLE FOR MONITORING
NATURA 2000 SITES

Responsible Authority

Having examined the project application

Which is to be located at

Declares that the project is not likely to have significant effects on a *NATURA 2000* site on the following grounds:

--

Therefore an appropriate assessment required by Article 6(3) was not deemed necessary.

A map at scale of 1:100.000 (or the nearest possible scale) is attached, indicating the location of the project as well as the *NATURA 2000* sites concerned, if any.

Date (dd/mm/yyyy):

Signed:

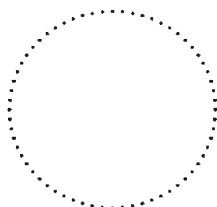
Name:

Position:

Organisation:

(Authority responsible for monitoring *NATURA 2000* sites)

Official Seal: '



COMMISSION REGULATION (EU, Euratom) No 833/2010**of 21 September 2010****implementing Council Regulation (EU, Euratom) No 617/2010 concerning the notification to the Commission of investment projects in energy infrastructure within the European Union**

THE EUROPEAN COMMISSION,

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

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the Council Regulation (EU, Euratom) No 617/2010 of 24 June 2010 concerning the notification to the Commission of investment projects in energy infrastructure within the European Union and repealing Regulation (EC) No 736/96 ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) The Commission is required to adopt the provisions concerning the form and other technical details of the notification of data and information referred to in Articles 3 and 5 of Regulation (EU, Euratom) No 617/2010.
- (2) In order to gather comparable data and to simplify the reporting by Member States or their delegated entities or bodies referred to in Article 3 of Regulation (EU,

Euratom) No 617/2010, notifications to be made should be standardized by the use of reporting tables.

- (3) Following the repeal of Council Regulation (EC) No 736/96 ⁽²⁾, Commission Regulation (EC) No 2386/96 ⁽³⁾ should also be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

The form and technical details of the notification to the Commission of data and information on investment projects in energy infrastructure referred to in Articles 3 and 5 of Regulation (EU, Euratom) No 617/2010 shall be as set out in the Annex to this Regulation.

Article 2

Regulation (EC) No 2386/96 is repealed.

Article 3

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

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

Done at Brussels, 21 September 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 180, 15.7.2010, p. 7.

⁽²⁾ OJ L 102, 25.4.1996, p. 1.

⁽³⁾ OJ L 326, 17.12.1996, p. 13.

ANNEX

O1 - OIL REFINING

Reporting year 20XX

in thousand tonnes per year

Member State		Infrastructure to be constructed or reconstructed in accordance with Article 1(2) of the Directive													
Type of infrastructure Annex point 1.1	Existing infrastructure Art. 5 (3)		Infrastructure under construction Art. 1(2) + 2(4) + 4 + 5 (1) a)		Planned infrastructure (FID) Art. 1(2) + 2(3)+ 4 + 5 (1) a)		Additions to be commissioned (under construction + FID) Art. 1(2) + 5 (1) c)			Infrastructure to be decommissioned Art. 1(2) + 2(5) + 5 (2)					
	Position at 1/1/Y	Non-operational ≥ 3 Y	Position at 31/3/Y		Position at 31/3/Y		Y + [0-2]			Y + [3-5]		Y + [0-2]		Y + [3-5]	
			Capacity	Capacity	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity			
Distillation ⁽¹⁾															
Astmospheric distillation															
	with CCS/CCS ready														
Vacuum distillation															
	with CCS/CCS ready														
Cracking ⁽²⁾															
Craking (Thermal)															
	— Visbreaking and/or thermal														
	— Coking														
with CCS or capture ready															
	— Other														
	with CCS or capture ready														
Cracking (catalytic)															
	— Fluid catalytic cracking														
	— Hydrocracking														
with CCS or capture ready															
	— Other														
	with CCS or capture ready														
Reforming ⁽²⁾															
	(Naphtha and isomerisation)														

in thousand tonnes per year

Member State											
Type of infrastructure Annex point 1.1	Existing infrastructure Art. 5 (3)		Infrastructure under construction Art. 1(2) + 2(4) + 4 + 5 (1) a)		Planned infrastructure (FID) Art. 1(2) + 2(3) + 4 + 5 (1) a)		Additions to be commissioned (under construction + FID) Art. 1(2) + 5 (1) c)		Infrastructure to be decommissioned Art. 1(2) + 2(5) + 5 (2)		
	Position at 1/1/Y	Non-operational [≥ 3 Y]	Position at 31/3/Y		Position at 31/3/Y		Y + [0-2]		Y + [0-2]		Y + [3-5]
	Capacity	Capacity	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity	Capacity
<i>with CCS or capture ready</i>											
Desulphurisation (gasoil, HFO, other)											
<i>with CCS or capture ready</i>											
Alkylation Polymerisation Isomerisation (C4)											
<i>with CCS or capture ready</i>											
Etherification (MTBE, TAME, ETBE) — Other											
<i>with CCS or capture ready</i>											
Supplementary Info Art. 5 (3)	Indication of e.g. reasons for investment, delays, problems for new infrastructure										
NB: under construction and FID (Final Investment Decision) include renovation. (¹) Installations of a capacity ≥ 1 Mio tonnes/y. (²) Installations with a minimum capacity of 500 t/day.											

NB: under construction and FID (Final Investment Decision) include renovation.

(1) Installations of a capacity ≥ 1 Mio tonnes/y.

(2) Installations with a minimum capacity of 500 t/day.

[illegible]

O3 - OIL CROSS-BORDER TRANSPORT
Reporting year 20XX

Member State	Transport capacity (Metric Tonnes per day)														TEN-E projects	Supplementary info Art. 5(3)
Cross-border transmission projects and essential links in interconnecting national or international networks Annex point 1.2	Existing infrastructure Art. 5 (3)	Infrastructure under construction Art. 1(2) + 2(4) + 4 + 5 (1) a)		Planned infrastructure (FID) Art. 1(2) + 2(3) + 4 + 5 (1) a)		Additions to be commissioned (under construction + FID) Art. 2(3) + 5 (1) c)				Infrastructure to be decommissioned (FID) Art. 1(2) + 2(5) + 5 (2)				Ref.		
	TO (1)	FROM (2)	TO (1)	FROM (2)	TO (1)	FROM (2)	TO (1)	FROM (2)	TO (1)	FROM (2)	TO (1)	FROM (2)				
Crude oil pipelines Annex point 1.2																
Cross - border/interconnecting point n° 1 (location - indicate MS/Third countries)																
...																
Petroleum products pipelines Annex point 1.2																
Cross - border/interconnecting point n° 1 (location - indicate MS/Third countries)																
...																

NB: under construction and FID (Final Investment Decision) include renovation.

¹⁾ To the reporting MS.

²⁾ From the reporting MS.

NB: under construction and FID (Final Investment Decision) include renovation.

(1) To the reporting MS.

(2) From the reporting MS.

¹⁾ Installations of a capacity $\geq 150\,000\text{ m}^3$ and tanks with a capacity $\geq 100\,000\text{ m}^3$.

G2 - GAS CROSS-BORDER TRANSMISSION
Reporting year 20XX

Member State	Maximum Technical transmission capacity (Nm ³ /cd)													
Cross-border transmission infrastructure Annex point 2.1	Existing infrastructure Art. 5 (3)		Infrastructure Under Construction Art. 1(2) + 2(4) + 4 + 5 (1) a)		Planned infrastructure (FID) Art. 1(2) + 2(3) + 4 + 5 (1) a)		Additions to be commissioned (under construction + FID) Art. 1(2) + 5 (1) c)				Infrastructure to be decommissioned Art. 1(2) + 2(5) + 5 (2)		TEN-E projects Annex 2.1	Supplementary info ⁽¹⁾ Art. 5(3)
	Position at 1/1/Y	FROM ⁽³⁾	Position at 31/3/Y	TO	FROM	TO	FROM	TO	FROM	TO	FROM	TO	FROM	
	TO ⁽²⁾													
Cross - border point n° 1 (location - indicate MS/Third countries)														
Cross - border point n° 1 (location - indicate MS/Third countries)														
...														

NB: under construction and FID (Final Investment Decision) include renovation.

(1) Indication of e.g. of delays, problems for new infrastructure or of the reasons of the increase in technical transmission capacity at a cross-border point in the absence of investment projects in new pipelines.

(2) To the reporting MS.

(3) From the reporting MS.

G3 - LNG TERMINALS
Reporting year 20XX

Member State								
Type of infrastructure Annex point 2.2	Existing infrastructure Art. 5 (3)		Infrastructure under construction ⁽¹⁾ Art. 1(2)+ 2(4) + 4+ 5 (1) a)	Planned infrastructure ⁽¹⁾ (FID) Art. 1(2)+ 2(3)+ 4+ 5 (1) a)	Additions to be commissioned ⁽¹⁾ (under construction + FID) Art. 1(2)+ 5 (1) c)		Infrastructure to be decommissioned ⁽¹⁾ Art. 1(2)+ 2(5) + 5 (2)	TEN - E project Annex 2.1
	Position at 1/1/Y	Non-operational [≥ 3 Y]	Position at 31/3/Y	Position at 31/3/Y	Y+ [0-2]	Y + [3-5]	Y + [0-2]	Y + [3-5]
Number Art. 5(1) b)								
Max. regasification capacity [bcm(N)/y] - Art. 5(1) b)								
Max storage capacity [cm] Art. 5(1) b)								
Supplementary Info Art. 5 (3)	Indication of e.g. reasons for the investment, problems, delays for new infrastructure							

NB: under construction and FID (Final Investment Decision) include renovation

⁽¹⁾ Terminals for the importation of liquefied natural gas, with a regasification capacity of 1 bcm per year or more (Annex 2.2)

Reporting year 20XX

Member State		Infrastructure to be decommissioned Art. 1(2) + 2(5) + 5 (2)									
Type of infrastructure Annex point 3.1	Existing infrastructure Art. 5 (3)		Infrastructure under construction Art. 1(2) + 2(4) + 4 + 5 (1) a)		Planned infrastructure (FID) Art. 1(2) + 2(3) + 4 + 5 (1) a)		Additions to be commissioned (under construction + FID) Art. 1(2) + 5 (1) c)			Infrastructure to be decommissioned Art. 1(2) + 2(5) + 5 (2)	
	Position at 1/1/Y	Non-operational [≥ 3 Y]	Position at 31/3/Y		Position at 31/3/Y		Y + [0-2]		Y + [3-5]		
	Capacity (1) (MW)	Capacity (1) (MW)	Number	Capacity (1) (MW)	Number	Capacity (1) (MW)	Number	Capacity (1) (MW)	Number	Capacity (1) (MW)	
Conventional thermal power stations (≥ 100 MW) capable of burning Annex point 3.1 + Art. 5(1) d)											
Coal and lignite											
with CCS/CCS ready											
Oil											
with CCS/CCS ready											
Gas											
with CCS/CCS ready											
Two or more energy sources (2)											
.....I... (1)											
with CCS or capture ready											
Others											
Nuclear Power Stations (≥ 100 MW) of type Annex point 3.1 + Art. 5(1) b)											
Pressurized Water Reactor											
Boiling Water Reactor											
Graphit Gas Reactor											
Fast Breeder Reactor											
Others											

Member State		Infrastructure to be decommissioned Art. 1(2) + 2(5) + 5 (2)									
Type of infrastructure Annex point 3.1	Existing infrastructure Art. 5 (3)		Infrastructure under construction Art. 1(2) + 2(4) + 4 + 5 (1) a)		Planned infrastructure (FID) Art. 1(2) + 2(3) + 4 + 5 (1) a)		Additions to be commissioned (under construction + FID) Art. 1(2) + 5 (1) c)		Infrastructure to be decommissioned Art. 1(2) + 2(5) + 5 (2)		
	Position at 1/1/Y	Non-operational ≥ 3 Y]	Position at 31/3/Y		Position at 31/3/Y		Y + [0-2]		Y + [3-5]		
Run-of River (R) Pumped storage only (P) Mixed pumped and others	Capacity (1) (MW)	Capacity (1) (MW)	Number	Capacity (1) (MW)	Number	Capacity (1) (MW)	Number	Capacity (1) (MW)	Number	Capacity (1) (MW)	
Wind power farms (≥ 20 MW) of the type Annex point 3.1 + Art. 5(1) b)											
On-shore											
Off-shore											
Concentrated solar thermal and geothermal installations (≥ 20 MW) Annex point 3.1											
Concentrated solar thermal											
Geothermal											
Photovoltaic installations (≥ 10 MW) Annex point 3.1											
Supplementary Info Art. 5 (3)	Indication of e.g. reasons for the investment, problems, delays for new infrastructure										
NB: under construction and FID (Final Investment Decision) include renovation. 1) Nominal capacity. For installations capable of burning more than one fuel, please indicate the power at total level and for each fuel separately.											

E3 - ELECTRICITY CROSS-BORDER TRANSMISSION

Reporting year 20XX

[illegible]

1) Pipelines related to power generation plants and refining installations.

C2 - CO₂ STORAGE
Reporting year 20XX

Member State							
Type of infrastructure Annex point 5.2	Existing infrastructure Art. 5(3)		Infrastructure under construction ⁽¹⁾ Art. 1(2) + 2(4) + 4 + 5 (1) a)	Planned infrastructure ⁽¹⁾ (FID) Art. 1(2) + 2(3) + 4 + 5 (1) a)	Additions to be commissioned (Under construction + FID) ⁽¹⁾ Art. 1(2) + 5 (1) c)	Infrastructure to be decommissioned ⁽¹⁾ Art. 1(2) + 2(5) + 5 (2)	
	Position at 1/1/Y	Non-operational [≥ 3 Y]	Position at 31/3/Y	Position at 31/3/Y	Y + [0-2]	Y + [3-5]	Y + [3-5]
Aquifer storage							
Number							
Total storage capacity [kt]							
Injectability Max.injection capacity [t/d]							
Depleted field							
Number							
Total storage capacity [kt]							
Injectability Max.injection capacity [t/d]							
Other							
Supplementary Info Art. 5 (3)	Indication of e.g. reasons for the investment, problems, delays for new infrastructure						
NB: under construction and FID (Final Investment Decision) include renovation. ⁽¹⁾ Installations with a capacity ≥ 100 kt.							

COMMISSION REGULATION (EU) No 834/2010**of 21 September 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 September 2010.

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

Done at Brussels, 21 September 2010.

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

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	87,2
	MK	53,0
	TR	64,0
	XS	58,9
	ZZ	65,8
0707 00 05	TR	133,8
	ZZ	133,8
0709 90 70	TR	107,3
	ZZ	107,3
0805 50 10	AR	133,8
	CL	150,2
	IL	126,1
	TR	115,9
	UY	137,9
	ZA	126,2
	ZZ	131,7
0806 10 10	EG	75,0
	TR	123,5
	US	185,0
	ZZ	127,8
0808 10 80	AR	63,5
	BR	74,7
	CL	125,6
	CN	55,0
	NZ	112,3
	US	124,7
	ZA	91,0
	ZZ	92,4
0808 20 50	AR	157,0
	CN	84,3
	ZA	105,4
	ZZ	115,6
0809 30	TR	142,5
	ZZ	142,5
0809 40 05	BA	53,5
	IL	178,5
	ZZ	116,0

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL DECISION 2010/565/CFSP

of 21 September 2010

on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Article 43 thereof,

Whereas:

- (1) On the basis of Joint Action 2005/355/CFSP⁽¹⁾, the European Union (EU) has been conducting, since 2 May 2005, a mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) (EUSEC RD Congo). The current mandate of the mission is set out in Joint Action 2009/709/CFSP⁽²⁾ and expires on 30 September 2010.
- (2) The Secretary-General/High Representative for Common Foreign and Security Policy sent a letter to the President of the DRC dated 27 July 2009 stating the EU's renewed commitment. Following that letter, the mission statement was adapted as from 1 October 2009. The Congolese authorities transposed that letter into an action programme which was signed, on 21 January 2010, by the Minister for Defence and War Veterans and the Head of the EUSEC RD Congo mission.
- (3) Following the ratification in 2005 of the Constitution of the Third Republic of the Congo, the elections held in the DRC in 2006 marked the end of the transition process and enabled a government to be formed in 2007, which has adopted a programme providing in particular for comprehensive reform of the security sector, the drawing up of a national plan, and priority reforms in the police, armed forces and judicial sectors. The Congolese authorities have demonstrated their interest in implementing the security sector reform

(SSR) process in the DRC at operational level by developing a plan to reform the Armed Forces of the Democratic Republic of the Congo (FARDC) in three stages between 2009 and 2025, a plan which was approved by the President of the Republic at the end of May 2009 and presented to the representatives of the international community on 26 January 2010, and by taking over the role of coordinator of the work of the various actors supporting SSR in the DRC.

- (4) The United Nations has reaffirmed its support for the transition process and SSR by means of several Security Council resolutions, and is conducting the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO), which is focusing on peacekeeping in the east of the country and on peace consolidation throughout the country. On 28 May 2010, the United Nations Security Council adopted Resolution 1925 (2010) extending MONUC's mandate until 30 June 2010 and renaming it the United Nations Organisation Stabilisation Mission in the DRC (MONUSCO) as from 1 July 2010 and allowing it to support, in close cooperation with other international partners, the efforts of the Congolese authorities to strengthen and reform security and judicial institutions.
- (5) The EU has consistently supported SSR in the DRC, as one of the elements of a more general EU commitment to supporting development and democracy in the African Great Lakes Region, while taking care to promote policies compatible with human rights and international humanitarian law, democratic standards and the principles of good governance, transparency and respect for the rule of law.
- (6) On 14 June 2010, the Council adopted Decision 2010/329/CFSP amending and extending for an additional period of three months Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of SSR and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo)⁽³⁾.

⁽¹⁾ Council Joint Action 2005/355/CFSP of 2 May 2005 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) (OJ L 112, 3.5.2005, p. 20).

⁽²⁾ OJ L 246, 18.9.2009, p. 33.

⁽³⁾ OJ L 149, 15.6.2010, p. 11.

- (7) In order to increase the coordination, consistency and complementarity of the EU's activities in the DRC, making maximum use of the new European institutional framework, there should be enhanced coordination of EU action between the two missions, between the European players in the DRC and between Brussels and Kinshasa.
- (8) On 11 August 2010, the Council adopted Decision 2010/440/CFSP⁽¹⁾ extending the mandate of Mr Roeland VAN DE GEER as the EU Special Representative (EUSR) for the African Great Lakes Region.
- (9) On 29 July 2010, the Council approved the crisis management concept for the commitment of common security and defence policy missions in support of security sector reform in the DRC.
- (10) Third States should participate in the project in accordance with the general guidelines defined by the European Council.
- (11) The current security situation in the DRC may deteriorate, with potentially serious repercussions for the process of strengthening democracy, the rule of law and international and regional security. A continued commitment of EU political effort and resources will help to embed stability in the region,
- (a) maintaining support at strategic level;
- (b) supporting the consolidation of the administration and the introduction of a human resources management system based on the work in progress;
- (c) supporting the modernisation of logistics;
- (d) supporting a relaunch of the training system, particularly for executive staff, mainly through support for the School of Administration and Military Academy project in Kananga and for studies for the School of Logistics in Kinshasa;
- (e) pursuing activities relating to the campaign against impunity in the areas of respect for human rights, including sexual violence.
2. The mission shall advise the Member States and shall coordinate and facilitate, under their responsibility, the implementation of their projects in fields which are of interest to the mission and in furtherance of its objectives.

Article 3

Structure of the mission and deployment zone

1. The mission shall have headquarters in Kinshasa consisting of:
- (a) a leadership;
- (b) an administrative support and logistics department;
- (c) a department of defence experts responsible for assisting and supporting the Congolese in carrying out specific actions in the areas of administration, human resources, logistics and training;
- (d) an advice and assistance department, including advisers deployed in the east of the DRC and responsible for contributing to work on SSR carried out by the Congolese administration; and
- (e) a planning cell.

2. The main deployment zone shall be Kinshasa. Seconded advisers might also be deployed in the military regions in the east of the DRC. Movements of experts and their temporary presence in the military regions might also prove necessary, on the instructions of the Head of Mission.

Article 4

Planning

The Head of Mission shall draw up an implementation plan (OPLAN) for the mission, to be submitted for approval by the Council. He shall be assisted in this task by the departments under the authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR).

HAS ADOPTED THIS DECISION:

Article 1

Mission

1. The European Union (EU) is conducting a mission to provide advice and assistance for security sector reform (SSR) in the Democratic Republic of the Congo (DRC), hereinafter referred to as 'EUSEC RD Congo' or 'the mission', with the aim of assisting the Congolese authorities in setting up a defence apparatus capable of guaranteeing the security of the Congolese people, while respecting democratic standards, human rights and the rule of law, as well as the principles of good governance and transparency.

2. The mission shall operate in accordance with the mission statement set out in Article 2.

Article 2

Mission statement

1. The mission shall aim, in close cooperation and coordination with the other actors in the international community, in particular the United Nations and MONUSCO, and in pursuit of the objectives laid down in Article 1, to provide practical support in the field of SSR, creating conditions to facilitate the implementation in the short and medium term of activities and projects based on the guidelines adopted by the Congolese authorities in the plan for reform of the FARDC as set out in the mission action programme, including:

⁽¹⁾ OJ L 211, 12.8.2010, p. 20.

*Article 5***Head of Mission**

1. The Head of Mission shall assume day-to-day management of the mission and shall be responsible for staff and disciplinary matters.

2. All seconded staff shall remain under the full command of the national authorities of the sending State or the EU institution concerned. National authorities shall transfer operational control (OPCON) of their personnel to the Head of Mission.

3. The Head of Mission shall be responsible for disciplinary matters relating to staff. In the case of seconded staff, disciplinary action shall be exercised by the national authorities or EU institution concerned.

4. In the context of the mission statement as set out in Article 2, the Head of Mission shall be authorised to have recourse to financial contributions from the Member States to implement projects identified as supplementing in a consistent manner the mission's other actions, in two specific cases: either the project is provided for in the financial statement relating to this Decision or it is incorporated in the course of the mission by amending the financial statement at the request of the Head of Mission.

The Head of Mission shall conclude an arrangement with the Member States concerned. This arrangement shall in particular cover the specific procedures for dealing with any complaint from third parties concerning damage caused as a result of acts or omissions by the Head of Mission in the use of the funds provided by the contributing Member States.

Under no circumstances may the EU or the HR be held liable by contributing Member States as a result of acts or omissions by the Head of Mission in the use of funds from those States.

5. The Head of Mission shall sign a contract with the Commission to execute the budget for the mission.

6. The Head of Mission shall collaborate closely, in his area of competence, with the Head of the EU Delegation, the heads of Member States' missions in Kinshasa and the EU Special Representative (EUSR).

*Article 6***Staff**

1. Mission experts shall be seconded by Member States and by the EU institutions. Except for the Head of Mission, each Member State or institution shall bear the costs relating to the experts seconded, including travel expenses to and from the DRC, salaries, medical coverage and allowances other than daily allowances.

2. International civilian staff and local staff shall be recruited on a contractual basis by the mission as required.

3. All mission experts shall remain under the authority of the appropriate Member State or EU institution, and shall fulfil their

duties and act in the interest of the mission. Both during and after the mission, mission experts shall exercise the greatest discretion with regard to all facts and information relating to the mission.

*Article 7***Chain of command**

1. The mission shall have a unified chain of command.

2. The Head of Mission shall lead the mission and assume its day-to-day management.

3. The Head of Mission shall report to the HR.

*Article 8***Political control and strategic direction**

1. Under the responsibility of the Council and the HR, the Political and Security Committee (PSC) shall exercise the political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 38(3) of the Treaty on European Union (TEU). This authorisation shall include the power to amend the implementation plan. It shall also include powers necessary to take decisions regarding the appointment of the Head of Mission. The power of decision with respect to the objectives and termination of the mission shall remain vested in the Council, assisted by the HR.

2. The PSC shall report to the Council at regular intervals.

3. The PSC shall receive reports by the Head of Mission at regular intervals, through the HR. The PSC may invite the Head of Mission to its meetings as appropriate.

*Article 9***Financial provisions**

1. The financial reference amount to cover expenditure relating to the mission shall be EUR 12 600 000 for the period from 1 October 2010 to 30 September 2011.

2. As regards expenditure financed out of the amount stipulated in paragraph 1, the following shall apply:

(a) expenditure shall be managed in accordance with the EU rules and procedures applicable to the budget. Nationals of third States shall be allowed to tender for contracts;

(b) the Head of Mission shall report fully to, and be supervised by, the Commission regarding the activities undertaken in the framework of his contract.

3. The financial arrangements shall respect the operational requirements of the mission, including compatibility of equipment.

4. The expenditure connected with the mission shall be eligible as from the entry into force of this Decision.

*Article 10***Participation by third States**

1. Without prejudice to the decision-making autonomy of the EU and the single institutional framework, the Council authorises the PSC to invite third States to propose to contribute to the mission, provided that they bear the cost of the staff seconded by them, including salaries, all risks insurance cover, daily allowances and travel expenses to and from the DRC, and that they contribute to the running costs of the mission, as appropriate.

2. Third States contributing to the mission shall have the same rights and obligations in terms of day-to-day management of the mission as Member States.

3. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the contributions proposed and to establish a Committee of Contributors.

4. Detailed arrangements regarding the participation of third States shall be covered by agreements concluded pursuant to Article 37 of the TEU and in accordance with the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union (TFEU) and additional technical arrangements if necessary. Where the EU and a third State have concluded an agreement establishing a framework for the third State's participation in EU crisis-management operations, the provisions of that agreement shall apply in the context of the mission.

*Article 11***Implementation and consistency of the EU's response**

1. The HR shall be responsible for the implementation of this Decision and shall also ensure that it is consistent with the EU's external action as a whole, including the EU's development programmes.

2. The Head of Mission shall assist the HR in implementing this Decision.

*Article 12***Coordination**

1. Arrangements for the coordination of the EU's activities in the DRC shall be established in Kinshasa as well as in Brussels.

2. Without prejudice to the chain of command, the Head of the EUSEC RD Congo mission and the Head of the EUPOL RD Congo mission shall coordinate their activities closely and shall seek synergies between the two missions, particularly as regards the horizontal aspects of SSR in the DRC, and as regards the sharing of functions between the two missions, particularly in relation to crosscutting areas.

3. The Head of Mission shall ensure that EUSEC RD Congo closely coordinates its activities in support of the reform of the

FARDC with the Government of the DRC, the United Nations, via the MONUSCO mission, and the third States involved in the defence area of the SSR process in the DRC.

4. The Head of the EU delegation in Kinshasa shall provide local political guidelines for the EUSEC RD Congo mission within the general framework defined by the planning documents, without prejudice to the EUSR's brief.

5. The Head of the EU delegation and the Head of the EUSEC RD Congo mission shall establish the appropriate arrangements for information/consultation, particularly as regards the political aspects which may have an impact on the conduct of the mission. Likewise, the Head of the EUSEC RD Congo mission shall inform the Head of the EU delegation of all contacts at his level which may have a political impact.

6. The Head of the EUSEC RD Congo mission (or his representative) shall also act as defence adviser to the Head of the delegation, without prejudice to each player's existing chains of command. In that context, there shall be constant contact between the mission and the EU delegation.

7. As part of his brief, the EUSR shall, where necessary, provide the EUSEC RD Congo mission with political advice on the regional dimension, particularly as regards the Nairobi, Goma and Juba processes.

*Article 13***Release of classified information**

1. The HR shall be authorised to release to third States associated with this Decision EU classified information and documents up to the level 'CONFIDENTIEL UE' generated for the purposes of the operation, in accordance with the Council's security regulations ⁽¹⁾.

2. The HR shall be authorised to release to the United Nations, in accordance with the operational needs of the mission, EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the operation, in accordance with the Council's security regulations. Local arrangements shall be established for this purpose.

3. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the operation, in accordance with the Council's security regulations. In all other cases, such information and documents shall be released to the host State in accordance with procedures appropriate to the host State's level of cooperation with the EU.

4. The HR shall be authorised to release to third States associated with this Decision EU non-classified documents relating to the deliberations of the Council with regard to the operation and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure ⁽²⁾.

⁽¹⁾ Decision 2001/264/EC (OJ L 101, 11.4.2001, p. 1).

⁽²⁾ Council Decision 2009/937/EU (OJ L 325, 11.12.2009, p. 35).

*Article 14***Status of the mission and of its staff**

1. The status of mission staff, including where appropriate the privileges, immunities and any further guarantees necessary for the completion and smooth functioning of the mission, shall be agreed pursuant to Article 37 of the TEU and in accordance with the procedure laid down in Article 218(3) of the TFEU.

2. The State or EU institution having seconded a staff member shall be responsible for dealing with any complaints linked to the secondment, from or concerning the staff member. The State or EU institution in question shall be responsible for bringing any action against the person seconded.

3. The conditions of employment and the rights and obligations of international and local civilian personnel shall be set out in a contract concluded between the Head of Mission and the staff member.

*Article 15***Security**

1. The Head of Mission shall be responsible for the security of the EUSEC RD Congo mission.

2. The Head of Mission shall exercise this responsibility in accordance with EU directives on the security of staff deployed outside EU territory in an operational mission decided on pursuant to Title V, Chapter 2, of the TEU and related documents.

3. The Head of Mission shall be assisted by a Mission Security Officer (MSO) who shall report to him and shall also have a functional link with the Council Security Office.

4. Appropriate training in security measures shall be provided for all staff, in accordance with the OPLAN. A reminder of security instructions shall be given regularly by the MSO.

*Article 16***Review of the mission**

On the basis of an evaluation report drafted by the departments under the authority of the HR halfway through the mission and presented in June 2011 at the latest, the PSC shall approve recommendations to the Council with a view to reviewing the progress of the reform of the FARDC and evaluating the impact of the mission on the implementation of specific measures to support the plan for reform of the FARDC. The evaluation shall be based, inter alia, on progress indicators and on specific operational indicators detailed in the OPLAN.

*Article 17***Entry into force and duration**

This Decision shall enter into force on 1 October 2010.

It shall apply until 30 September 2012.

Done at Brussels, 21 September 2010.

For the Council

The President

S. VANACKERE

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2010 OF THE EU-ALGERIA ASSOCIATION COUNCIL

of 3 August 2010

amending Article 15(7) of Protocol 6 to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation

(2010/566/EU)

THE ASSOCIATION COUNCIL,

- (5) Since Article 15(7) of Protocol 6 to the Agreement no longer applies as of 31 December 2009, this Decision should apply from 1 January 2010,

Having regard to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, and in particular Article 39 of Protocol 6 thereto,

HAS ADOPTED THIS DECISION:

Article 1

Whereas:

Article 15(7) of Protocol 6 to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, is replaced by the following:

- (1) Article 15(7) of Protocol 6 ⁽¹⁾ to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part ⁽²⁾ (hereafter referred to as 'the Agreement'), allows drawback of, or exemption from, customs duties or charges having an equivalent effect, subject to certain conditions, until 31 December 2009.
- (2) To provide clarity, long-term economic predictability and legal certainty for economic operators, the Parties to the Agreement have agreed to extend the application period of Article 15(7) of Protocol 6 to the Agreement by three years, with effect from 1 January 2010.
- (3) Moreover, the rates of customs charges currently applicable in Algeria should be adjusted to bring them into line with those that apply in the European Union.
- (4) Protocol 6 to the Agreement should therefore be amended accordingly.

'7. Notwithstanding paragraph 1, Algeria may, except for products falling within Chapters 1 to 24 of the Harmonised System, apply arrangements for drawback of, or exemption from, customs duties or charges having an equivalent effect, applicable to non-originating materials used in the manufacture of originating products, subject to the following provisions:

- (a) a 4 % rate of customs charge shall be retained in respect of products falling within Chapters 25 to 49 and 64 to 97 of the Harmonised System, or such lower rate as is in force in Algeria;
- (b) an 8 % rate of customs charge shall be retained in respect of products falling within Chapters 50 to 63 of the Harmonised System, or such lower rate as is in force in Algeria.

⁽¹⁾ OJ L 297, 15.11.2007, p. 3.

⁽²⁾ OJ L 265, 10.10.2005, p. 2.

This paragraph shall apply until 31 December 2012 and may be reviewed by common accord.'

Article 2

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

It shall apply from 1 January 2010.

Done at Brussels, 3 August 2010.

For the EU-Algeria Association Council

The President

C. ASHTON

DECISION No 1/2010 OF THE EU-MOROCCO ASSOCIATION COUNCIL
of 23 August 2010

amending Article 15(7) of Protocol 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation

(2010/567/EU)

THE ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, and in particular Article 39 of Protocol 4 thereto,

Whereas:

- (1) Article 15(7) of Protocol 4 ⁽¹⁾ to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part ⁽²⁾ (hereafter referred to as 'the Agreement'), allows drawback of, or exemption from, customs duties or charges having an equivalent effect, subject to certain conditions, until 31 December 2009.
- (2) To provide clarity, long-term economic predictability and legal certainty for economic operators, the Parties to the Agreement have agreed to extend the application period of Article 15(7) of Protocol 4 to the Agreement by three years, with effect from 1 January 2010.
- (3) Moreover, the rates of customs charges currently applicable in Morocco should be adjusted to bring them into line with those that apply in the European Union.
- (4) Protocol 4 to the Agreement should therefore be amended accordingly.
- (5) Since Article 15(7) of Protocol 4 to the Agreement no longer applies as of 31 December 2009, this Decision should apply from 1 January 2010,

HAS ADOPTED THIS DECISION:

Article 1

Article 15(7) of Protocol 4 to the Euro-Mediterranean Agreement establishing an association between the European

Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, is replaced by the following:

'7. Notwithstanding paragraph 1, Morocco may, except for products falling within Chapters 1 to 24 of the Harmonised System, apply arrangements for drawback of, or exemption from, customs duties or charges having an equivalent effect, applicable to non-originating materials used in the manufacture of originating products, subject to the following provisions:

- (a) a 4 % rate of customs charge shall be retained in respect of products falling within Chapters 25 to 49 and 64 to 97 of the Harmonised System, or such lower rate as is in force in Morocco;
- (b) an 8 % rate of customs charge shall be retained in respect of products falling within Chapters 50 to 63 of the Harmonised System, or such lower rate as is in force in Morocco.

This paragraph shall apply until 31 December 2012 and may be reviewed by common accord.'

Article 2

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

It shall apply from 1 January 2010.

Done at Brussels, 23 August 2010.

For the EU-Morocco Association Council

The President
C. ASHTON

⁽¹⁾ OJ L 336, 21.12.2005, p. 3.

⁽²⁾ OJ L 70, 18.3.2000, p. 2.

CORRIGENDA

Corrigendum to Commission Regulation (EU) No 401/2010 of 7 May 2010 amending and correcting Regulation (EC) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products

(Official Journal of the European Union L 117 of 11 May 2010)

On page 32, in Annex I, in the text of the new Annex XII to Regulation (EC) No 607/2009, Part B, CZECH REPUBLIC:
for:

'Burčák	Czech	PDO (1)	Partially fermented grape must, where the actual alcohol content is higher than one volume percentage and lower than three fifths of the total alcohol content.'
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read:

'Burčák	Czech	PDO (11)	Partially fermented grape must, where the actual alcohol content is higher than one volume percentage and lower than three fifths of the total alcohol content.'
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