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Price: EUR 7

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⁽¹⁾ Text with EEA relevance

EN

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information on the date of entry into force of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand

Following signature on 18 September 2012, the Government of Denmark, the Home Rule Government of Greenland and the European Union notified on 21 December 2012, on 28 December 2012 and on 29 January 2014 respectively that they had finalised their internal procedures to conclude the Protocol to the Fisheries Partnership Agreement.

The Protocol accordingly entered into force on 29 January 2014 pursuant to Article 13.1 thereof.

COUNCIL DECISION**of 11 February 2014**

on the signing, on behalf of the European Union and its Member States, of a Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, regarding the participation of the Republic of Croatia as a Contracting Party, following its accession to the European Union

(2014/122/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 in conjunction with Article 218(5) and the second subparagraph of Article 218(8) thereof,

Having regard to the Act of Accession of the Republic of Croatia, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,
Whereas:

- (1) On 24 September 2012, the Council authorised the Commission to open negotiations with the Swiss Confederation for the adaptation, through the negotiation of a Protocol (‘the Protocol’), of the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, regarding the participation of Croatia as contracting party, in view of the enlargement of the European Union. Croatia acceded to the European Union on 1 July 2013.
- (2) The negotiations on the Protocol were recently concluded.
- (3) Therefore, the Protocol should be signed on behalf of the European Union and its Member States, subject to its conclusion at a later date,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the European Union and its Member States of the Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, regarding the participation of the Republic of Croatia as a Contracting Party following its accession to the European Union is hereby authorised, subject to the conclusion of the said Protocol.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Protocol on behalf of the Union and its Member States.

Article 3

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

Done at Brussels, 11 February 2014.

For the Council
The President
E. VENIZELOS

REGULATIONS

COMMISSION REGULATION (EU) No 214/2014

of 25 February 2014

amending Annexes II, IV, XI, XII and XVIII to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) ⁽¹⁾, and in particular Article 39(2) thereof,

Whereas:

(1) Directive 2007/46/EC establishes an harmonised framework containing the administrative provisions and general technical requirements for all new vehicles. In particular, it lists the regulatory acts laying down the technical requirements with which vehicles have to comply in order to be granted EC vehicle type-approval. Furthermore, Directive 2007/46/EC made the EC whole-vehicle type-approval mandatory for special purpose vehicles in accordance with the timetable set out in its Annex XIX.

(2) Regulation (EC) No 661/2009 of the European Parliament and of the Council ⁽²⁾, introduced new safety features for vehicles and provided for the repeal of several directives and their replacement by the corresponding United Nations Economic Commission for Europe (UNECE) Regulations.

(3) Annex XI to Directive 2007/46/EC contains a list of regulatory acts for the EC type-approval of special purpose vehicles, as well as specific provisions for such vehicles. It is essential to adapt Annex XI to take into account the changes introduced by Regulation (EC) No 661/2009. The date of application of Regulation (EC) No 661/2009 shall apply.

(4) To achieve the harmonisation of the technical requirements applying for the EC whole-vehicle type-approval of special purpose vehicles, it is essential to amend Annex II to Directive 2007/46/EC and to establish stricter requirements on ambulances and wheelchair accessible vehicles. In order to give time to industry to adapt their vehicles, those stricter requirements shall only apply to new vehicle types.

(5) Annex XVIII to Directive 2007/46/EC was relevant for the registration of special purpose vehicles based on incomplete vehicles holding a national type-approval. Since EC type-approvals will replace national type-approvals in accordance with the dates set out in Annex XIX to Directive 2007/46/EC, it is appropriate to delete Annex XVIII at the end of the transitional period foreseen by Annex XIX to Directive 2007/46/EC.

(6) Part II of Annex IV to Directive 2007/46/EC lists the UNECE Regulations recognised as an alternative to the directives mentioned in Part I of Annex IV. With the repeal of most of those directives by Regulation (EC) No 661/2009 from 1 November 2014 and the adoption of a new UNECE Regulation on pedestrian safety, it is appropriate to update the relevant entries in Part II of Annex IV to Directive 2007/46/EC. Furthermore, it is appropriate to correct several errors in Annex IV to that directive.

⁽¹⁾ OJ L 263, 9.10.2007, p. 1.

⁽²⁾ Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 200, 31.7.2009, p. 1).

- (7) Annex XII to Directive 2007/46/EC was amended the same day by Commission Regulation (EU) 1229/2012 ⁽¹⁾ and by Commission Regulation (EU) 1230/2012 ⁽²⁾, which may lead to an unclear situation regarding the number of units allowed for vehicles holding a small series type-approval because Regulation (EU) 1229/2012 was drafted to be published after Regulation (EU) 1230/2012. To remove this uncertainty, it is appropriate to publish again the consolidated version of Annex XII as amended by these two legal texts.
- (8) Directive 2007/46/EC should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee — Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

Directive 2007/46/EC is amended as follows:

- (1) Annexes II, IV, XI and XII are amended in accordance with the Annex to this Regulation;

- (2) Annex XVIII is deleted.

Article 2

From 1 November 2014, National authorities shall consider certificates of conformity for vehicles to be no longer valid for the purpose of Article 26(1) unless the type-approvals concerned have been updated to the requirements of Annex XI to Directive 2007/46/EC as amended by this Regulation.

However, the additional requirements on the patient compartment of ambulances in Appendix 1 of Annex XI to Directive 2007/46/EC and the Additional requirements for testing the wheel chair tie down and occupant restraint system of wheelchair accessible vehicles in Appendix 3 of Annex XI to Directive 2007/46/EC shall apply from 1 November 2014 only to new types of vehicles.

Article 3

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 1, point (2), Article 2 and Points 1(a) and 2(b)(i) of the Annex shall apply from 1 November 2014.

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

Done at Brussels, 25 February 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ Commission Regulation (EU) 1229/2012 of 10 December 2012 amending Annexes IV and XII to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 353, 21.12.2012, p. 1).

⁽²⁾ Commission Regulation (EU) 1230/2012 of 12 December 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with regard to type-approval requirements for masses and dimensions of motor vehicles and their trailers and amending Directive 2007/46/EC of the European Parliament and of the Council (OJ L 353, 21.12.2012, p. 31).

[illegible]

(ii) In Appendix 1, Table 1, the following entries 3B and 38A are inserted:

'3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58		B'
'38A	Head restraints	Regulation (EC) No 661/2009 UNECE Regulation No 25		X'

(iii) In Appendix 1, Table 2, entry 38 is deleted and the following 3B is inserted:

'3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58		B'
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(b) Part II is amended as follows:

(i) Points 2 to 57 of the table are deleted

(ii) The following point 58 is inserted:

'58.	Pedestrian protection	127	00
	Braking (brake assist)	13-H	00 (Supplement 9 and above)

(3) Annex XI is replaced by the following:

'ANNEX XI

NATURE OF AND PROVISIONS FOR THE EC TYPE-APPROVAL OF SPECIAL PURPOSE VEHICLES

Appendix 1

Motor-Caravans, Ambulances and Hearses

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
1	Permissible Sound level	Directive 70/157/EEC	H	G+H	G+H	G+H
2	Emissions (Euro 5 and 6) light duty vehicles/access to information	Regulation (EC) 715/2007	Q ⁽¹⁾	G+Q ⁽¹⁾	G+Q ⁽¹⁾	
3	Fuel tanks/rear protective devices	Directive 70/221/EEC	F ⁽²⁾	F ⁽²⁾	F ⁽²⁾	F ⁽²⁾
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UNECE Regulation No 34	F ⁽²⁾	F ⁽²⁾	F ⁽²⁾	F ⁽²⁾

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58	X	X	X	X
4	Rear registration plate space	Directive 70/222/EEC	X	X	X	X
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X	X	X	X
5	Steering effort	Directive 70/311/EEC	X	G	G	G
5A	Steering equipment	Regulation (EC) No 661/2009 UNECE Regulation No 79	X	G	G	G
6	Door latches and hinges	Directive 70/387/EEC	B	G+B		
6A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	X		
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UNECE Regulation No 11	B	G+B		
7	Audible warning	Directive 70/388/EEC	X	X	X	X
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UNECE Regulation No 28	X	X	X	X
8	Devices for indirect vision	Directive 2003/97/EC	X	G	G	G
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UNECE Regulation No 46	X	G	G	G
9	Braking	Directive 71/320/EEC	X	G	G	G
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UNECE Regulation No 13-H	X ⁽⁴⁾	G+A ₁		
9B	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UNECE Regulation No 13			G ⁽³⁾	G ⁽³⁾

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
10	Radio interference (electromagnetic compatibility)	Directive 72/245/EEC	X	X	X	X
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UNECE Regulation No 10	X	X	X	X
12	Interior fittings	Directive 74/60/EEC	C	G+C		
12A	Interior fittings	Regulation (EC) No 661/2009 UNECE Regulation No 21	C	G+C		
13	Anti-theft and immobiliser	Directive 74/61/EEC	X	G	G	G
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UNECE Regulation No 18			G ^(4A)	G ^(4A)
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UNECE Regulation No 116	X	G		
14	Protective steering	Directive 74/297/EEC	X	G		
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UNECE Regulation No 12	X	G		
15	Seat strength	Directive 74/408/EEC	D	G+D	G+D	G+D
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UNECE Regulation No 17	D	G+D	G+D ^(4B)	G+D ^(4B)
15B	Seats of large passenger vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 80			X	X
16	Exterior projections	Directive 74/483/EEC	X for the cab; A+Z for the remaining part	G for the cab; A+Z for the remaining part		
16A	External projections	Regulation (EC) No 661/2009 UNECE Regulation No 26	X for the cab; A+Z for the remaining part	G for the cab; A+Z for the remaining part		

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
17	Speedometer and reverse gear	Directive 75/443/EEC	X	X	X	X
17A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	X	X	X
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UNECE Regulation No 39	X	X	X	X
18	Plates (statutory)	Directive 76/114/EEC	X	X	X	X
18A	Manufacturer's statutory plate and vehicle identification number	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X	X	X	X
19	Seat belt anchorages	Directive 76/115/EEC	D	G+L	G+L	G+L
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UNECE Regulation No 14	D	G+L	G+L	G+L
20	Installation of lighting and light signalling devices	Directive 76/756/EEC	A+N	A+G+N for the cab; A+N for the remaining part	A+G+N for the cab; A+N for the remaining part	A+G+N for the cab; A+N for the remaining part
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 48	A+N	A+G+N for the cab; A+N for the remaining part	A+G+N for the cab; A+N for the remaining part	A+G+N for the cab; A+N for the remaining part
21	Retro reflectors	Directive 76/757/EEC	X	X	X	X
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 3	X	X	X	X
22	End-outline, front-side, rear-side, stop, day time running, side-marker lamps	Directive 76/758/EEC	X	X	X	X

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 7	X	X	X	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 87	X	X	X	X
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 91	X	X	X	X
23	Direction indicators	Directive 76/759/EEC	X	X	X	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 6	X	X	X	X
24	Rear registration plate lamps	Directive 76/760/EEC	X	X	X	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 4	X	X	X	X
25	Head lamps (including bulbs)	Directive 76/761/EEC	X	X	X	X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UNECE Regulation No 31	X	X	X	X
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 37	X	X	X	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UNECE Regulation No 98	X	X	X	X

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 99	X	X	X	X
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UNECE Regulation No 112	X	X	X	X
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 123	X	X	X	X
26	Front fog lamps	Directive 76/762/EEC	X	X	X	X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UNECE Regulation No 19	X	X	X	X
27	Towing hooks	Directive 77/389/EEC	E	E	E	E
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	E	E	E	E
28	Rear fog lamps	Directive 77/538/EEC	X	X	X	X
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 38	X	X	X	X
29	Reversing lamps	Directive 77/539/EEC	X	X	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 23	X	X	X	X
30	Parking lamps	Directive 77/540/EEC	X	X	X	X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 77	X	X	X	X

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
31	Seat belts and restraint systems	Directive 77/541/EEC	D	G+M	G+M	G+M
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UNECE Regulation No 16	D	G+M	G+M	G+M
32	Forward vision	Directive 77/649/EEC	X	G		
32A	Forward field of vision	Regulation (EC) No 661/2009 UNECE Regulation No 125	X	G		
33	Identification of controls, tell-tales and indicators	Directive 78/316/EEC	X	X	X	X
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UNECE Regulation No 121	X	X	X	X
34	Defrost/demist	Directive 78/317/EEC	X	G ⁽⁵⁾	⁽⁵⁾	⁽⁵⁾
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	X	G ⁽⁵⁾	⁽⁵⁾	⁽⁵⁾
35	Wash/wipe	Directive 78/318/EEC	X	G ⁽⁶⁾	⁽⁶⁾	⁽⁶⁾
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	X	G ⁽⁶⁾	⁽⁶⁾	⁽⁶⁾
36	Heating systems	Directive 2001/56/EC	X	X	X	X
36A	Heating systems	Regulation (EC) No 661/2009 UNECE Regulation No 122	X	X	X	X
37	Wheel guards	Directive 78/549/EEC	X	G		
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010	X	G		

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
38	Head restraints	Directive 78/932/EEC	D	G+D		
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UNECE Regulation No 25	D	G+D	A	A
41	Emissions (Euro IV and V) heavy duty vehicles	Directive 2005/55/EC	H ⁽⁸⁾	G+H ⁽⁸⁾	G+H ⁽⁸⁾	G+H ⁽⁸⁾
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009	G+H ⁽⁹⁾	G+H ⁽⁹⁾	G+H ⁽⁹⁾	G+H ⁽⁹⁾
44	Masses and dimensions (cars)	Directive 92/21/EEC	X	X		
44A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	X	X		
45	Safety glazing	Directive 92/22/EEC	J	G+J	G+J	G+J
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 43	J	G+J	G+J	G+J
46	Tyres	Directive 92/23/EEC	X	G	G	G
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X	G	G	G
46B	Pneumatic tyres for motor vehicles and their trailers (Class C1)	Regulation (EC) No 661/2009 UNECE Regulation No 30	X	G		
46C	Pneumatic tyres for commercial vehicles and their trailers (Classes C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 54	—	G	G	G
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C1, C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 117	X	G	G	G

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
46E	Temporary-use spare unit, run-flat tyres/system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UNECE Regulation No 64	X	G		
47	Speed limitation devices	Directive 92/24/EEC			X	X
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 89			X	X
48	Masses and dimensions (other than vehicles referred to in item 44)	Directive 97/27/EC			X	X
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012			X	X
50	Couplings	Directive 94/20/EC	X ⁽¹⁰⁾	G ⁽¹⁰⁾	G ⁽¹⁰⁾	G ⁽¹⁰⁾
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 55	X ⁽¹⁰⁾	G ⁽¹⁰⁾	G ⁽¹⁰⁾	G ⁽¹⁰⁾
51	Flammability	Directive 95/28/EC				G for the cab; X for the remaining part
51A	Burning behaviour of materials used in the interior construction of certain categories of motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 118				G for the cab; X for the remaining part
52	Buses and coaches	Directive 2001/85/EC			A	A
52A	M ₂ and M ₃ vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 107			A	A
52B	Strength of the superstructure of large passenger vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 66			A	A

Item	Subject	Regulatory act reference	$M_1 \leq 2\,500\text{ kg}^{(*)}$	$M_1 > 2\,500\text{ kg}^{(*)}$	M_2	M_3
53	Frontal impact	Directive 96/79/EC	N/A	N/A		
53A	Protection of occupants in the event of a frontal collision	Regulation (EC) No 661/2009 UNECE Regulation No 94	N/A	N/A		
54	Side impact	Directive 96/27/EC	N/A	N/A		
54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UNECE Regulation No 95	N/A	N/A		
58	Pedestrian protection	Regulation (EC) No 78/2009	X	N/A. However, any frontal protection systems supplied with the vehicle shall comply and shall be marked		
59	Recyclability	Directive 2005/64/EC	N/A	N/A		
61	Air-conditioning system	Directive 2006/40/EC	X	G ⁽¹⁴⁾		
62	Hydrogen system	Regulation (EC) No 79/2009	X	X	X	X
63	General Safety	Regulation (EC) No 661/2009	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾
64	Gear shift indicators	Regulation (EC) No 661/2009 Regulation (EU) No 65/2012	X	G		
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012			N/A ⁽¹⁶⁾	N/A ⁽¹⁶⁾
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012			N/A ⁽¹⁷⁾	N/A ⁽¹⁷⁾
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 67	X	X	X	X

Item	Subject	Regulatory act reference	M ₁ ≤ 2 500 kg (*)	M ₁ > 2 500 kg (*)	M ₂	M ₃
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UNECE Regulation No 97	X	G		
69	Electrical safety	Regulation (EC) No 661/2009 UNECE Regulation No 100	X	X	X	X
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 110	X	X	X	X

(*) Technically permissible maximum laden mass

Additional requirements for ambulances

The patient compartment of ambulances shall comply with the requirements of EN 1789:2007 +A1: 2010 +A2:2014 on Medical vehicles and their equipment – Road ambulances with the exception of Section 6.5, list of equipment. Proof of compliance shall be provided with a test report of a technical service. If a Wheelchair space is foreseen, the requirements of Appendix 3 relating to the wheelchair tie down and occupant restraint systems shall apply.

Appendix 2

Armoured Vehicles

Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
1	Permissible sound level	Directive 70/157/EEC	X	X	X	X	X	X				
2	Emissions (Euro 5 and 6) light duty vehicles/access to information	Regulation (EC) No 715/2007	A ⁽¹⁾	A ⁽¹⁾		A ⁽¹⁾	A ⁽¹⁾					
3	Fuel tanks/rear protective devices	Directive 70/221/EEC	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X	X	X	X
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UNECE Regulation No 34	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X	X	X	X
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58	X	X	X	X	A	A	X	X	X	X
4	Rear registration plate space	Directive 70/222/EEC	X	X	X	X	X	X	X	X	X	X
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X	X	X	X	X	X	X	X	X	X
5	Steering effort	Directive 70/311/EEC	X	X	X	X	X	X	X	X	X	X
5A	Steering equipment	Regulation (EC) No 661/2009 UNECE Regulation No 79	X	X	X	X	X	X	X	X	X	X
6	Door latches and hinges	Directive 70/387/EEC	X			X	X	X				
6A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	X	X	X	X	X				
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UNECE Regulation No 11	X			X						

Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
7	Audible warning	Directive 70/388/EEC	A+ K	A+ K	A+ K	A+ K	A+ K	A+ K				
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UNECE Regulation No 28	A+ K	A+ K	A+ K	A+ K	A+ K	A+ K				
8	Indirect vision devices	Directive 2003/97/EC	A	A	A	A	A	A				
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UNECE Regulation No 46	A	A	A	A	A	A				
9	Braking	Directive 71/320/EEC	X	X	X	X	X	X	X	X	X	X
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UNECE Regulation No 13		X (³)	X (³)	X (³)	X (³)	X (³)	X (³)	X (³)	X (³)	X (³)
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UNECE Regulation No 13-H	X (⁴)			X (⁴)						
10	Radio interference (electromagnetic compatibility)	Directive 72/245/EEC	X	X	X	X	X	X	X	X	X	X
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UNECE Regulation No 10	X	X	X	X	X	X	X	X	X	X
12	Interior fittings	Directive 74/60/EEC	A									
12A	Interior fittings	Regulation (EC) No 661/2009 UNECE Regulation No 21	A									
13	Anti-theft and immobiliser	Directive 74/61/EEC	X	X	X	X	X	X				
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UNECE Regulation No 18		X (^{4A})	X (^{4A})		X (^{4A})	X (^{4A})				

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Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
24	Rear registration plate lamps	Directive 76/760/EEC	X	X	X	X	X	X	X	X	X	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 4	X	X	X	X	X	X	X	X	X	X
25	Headlamps (including bulbs)	Directive 76/761/EEC	X	X	X	X	X	X				
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UNECE Regulation No 31	X	X	X	X	X	X				
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 37	X	X	X	X	X	X	X	X	X	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UNECE Regulation No 98	X	X	X	X	X	X				
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 99	X	X	X	X	X	X				
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UNECE Regulation No 112	X	X	X	X	X	X				
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 123	X	X	X	X	X	X				
26	Front fog lamps	Directive 76/762/EEC	X	X	X	X	X	X				

Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UNECE Regulation No 19	X	X	X	X	X	X				
27	Towing hooks	Directive 77/389/EEC	A	A	A	A	A	A				
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A	A	A	A	A	A				
28	Rear fog lamps	Directive 77/538/EEC	X	X	X	X	X	X	X	X	X	X
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 38	X	X	X	X	X	X	X	X	X	X
29	Reversing lamps	Directive 77/539/EEC	X	X	X	X	X	X	X	X	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 23	X	X	X	X	X	X	X	X	X	X
30	Parking lamps	Directive 77/540/EEC	X	X	X	X	X	X				
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 77	X	X	X	X	X	X				
31	Seat belts and restraint systems	Directive 77/541/EEC	A	A	A	A	A	A				
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UNECE Regulation No 16	A	A	A	A	A	A				
32	Forward vision	Directive 77/649/EEC	S									
32A	Forward field of vision	Regulation (EC) No 661/2009 UNECE Regulation No 125	S									
33	Identification of controls, tell-tales and indicators	Directive 78/316/EEC	X	X	X	X	X	X				

Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UNECE Regulation No 121	X	X	X	X	X	X				
34	Defrost/demist	Directive 78/317/EEC	A	(⁵)	(⁵)	(⁵)	(⁵)	(⁵)				
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	A	(⁵)	(⁵)	(⁵)	(⁵)	(⁵)				
35	Wash/wipe	Directive 78/318/EEC	A	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)				
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	A	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)				
36	Heating systems	Directive 2001/56/EC	X	X	X	X	X	X	X	X	X	X
36A	Heating systems	Regulation (EC) No 661/2009 UNECE Regulation No 122	X	X	X	X	X	X	X	X	X	X
37	Wheel guards	Directive 78/549/EEC	X									
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010	X									
38	Head restraints	Directive 78/932/EEC	X									
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UNECE Regulation No 25	X									
41	Emissions (Euro IV and V) heavy duty vehicles.	Directive 2005/55/EC	A (⁸)	X (⁸)	X	X (⁸)	X (⁸)	X				
41A	Emissions (Euro VI) heavy duty vehicles/ access to information	Regulation (EC) No 595/2009	X (⁹)	X (⁹)	X	X (⁹)	X (⁹)	X				

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Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
46E	Temporary-use spare unit, run-flat tyres/ system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UNECE Regulation No 64	A ^(9A)			A ^(9A)						
47	Speed limitation devices	Directive 92/24/EEC		X	X		X	X				
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 89		X	X		X	X				
48	Masses and dimensions (other than vehicles referred to in item 44)	Directive 97/27/EC		X	X	X	X	X	X	X	X	X
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012		X	X	X	X	X	X	X	X	X
49	External projections of cabs	Directive 92/114/EEC				A	A	A				
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UNECE Regulation No 61				A	A	A				
50	Couplings	Directive 94/20/EC	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X	X	X	X
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 55	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X	X	X	X
50B	Close-coupling device (CCD); fitting of an approved type of CCD	Regulation (EC) No 661/2009 UNECE Regulation No 102					X ⁽¹⁰⁾	X ⁽¹⁰⁾			X ⁽¹⁰⁾	X ⁽¹⁰⁾
51	Flammability	Directive 95/28/EC			X							

Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
51A	Burning behaviour of materials used in the interior construction of certain categories of motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 118			X							
52	Buses and coaches	Directive 2001/85/EC		A	A							
52A	M ₂ and M ₃ vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 107		A	A							
52B	Strength of the superstructure of large passenger vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 66		A	A							
53	Frontal impact	Directive 96/79/EC	N/A									
53A	Protection of occupants in the event of a frontal collision	Regulation (EC) No 661/2009 UNECE Regulation No 94	N/A									
54	Side impact	Directive 96/27/EC	N/A			N/A						
54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UNECE Regulation No 95	N/A			N/A						
55	(empty)											
56	Vehicles intended for the transport of dangerous goods	Directive 98/91/EC				X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾
56A	Vehicles for the carriage of dangerous goods	Regulation (EC) No 661/2009 UNECE Regulation No 105				X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾
57	Front underrun protection	Directive 2000/40/EC					X	X				
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 UNECE Regulation No 93					X	X				

Item	Subject	Reference to regulatory act	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
58	Pedestrian protection	Regulation (EC) No 78/2009	N/A			N/A						
59	Recyclability	Directive 2005/64/EC	N/A			N/A		—				
60	(empty)											
61	Air-conditioning systems	Directive 2006/40/EC	X			X ⁽¹⁴⁾						
62	Hydrogen system	Regulation (EC) No 79/2009	A	A	A	A	A	A				
63	General Safety	Regulation (EC) No 661/2009	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾	X ⁽¹⁵⁾
64	Gear shift indicators	Regulation (EC) No 661/2009 Regulation (EU) No 65/2012	X									
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012		⁽¹⁶⁾	⁽¹⁶⁾		⁽¹⁶⁾	⁽¹⁶⁾				
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012		⁽¹⁷⁾	⁽¹⁷⁾		⁽¹⁷⁾	⁽¹⁷⁾				
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 67	X	X	X	X	X	X				
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UNECE Regulation No 97	X			X						
69	Electrical safety	Regulation (EC) No 661/2009 UNECE Regulation No 100	X	X	X	X	X	X				
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 110	X	X	X	X	X	X				

Appendix 3

Wheel-chair Accessible Vehicles

Item	Subject	Regulatory act	M ₁
1	Permissible sound level	Directive 70/157/EEC	G+W ₀
2	Emissions (Euro 5 and 6) light duty vehicles/ access to information	Regulation (EC) No 715/2007	G+W ₁
3	Fuel tanks/rear protective devices	Directive 70/221/EEC	X+W ₂
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UNECE Regulation No 34	X+W ₂
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58	X
4	Rear registration plate space	Directive 70/222/EEC	X
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X
5	Steering effort	Directive 70/311/EEC	G
5A	Steering equipment	Regulation (EC) No 661/2009 UNECE Regulation No 79	G
6	Door latches and hinges	Directive 70/387/EEC	X
6A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UNECE Regulation No 11	X
7	Audible warning	Directive 70/388/EEC	X
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UNECE Regulation No 28	X
8	Indirect vision devices	Directive 2003/97/EC	X
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UNECE Regulation No 46	X
9	Braking	Directive 71/320/EEC	G

Item	Subject	Regulatory act	M ₁
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UNECE Regulation No 13-H	G+A ₁
10	Radio interference (electromagnetic compatibility)	Directive 72/245/EEC	X
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UNECE Regulation No 10	X
12	Interior fittings	Directive 74/60/EEC	G+C
12A	Interior fittings	Regulation (EC) No 661/2009 UNECE Regulation No 21	G+C
13	Anti-theft and immobiliser	Directive 74/61/EEC	X
13B	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UNECE Regulation No 116	X
14	Protective steering	Directive 74/297/EEC	G
14A	Protection of the driver against the steering mechanism in the event of impact	Regulation (EC) No 661/2009 UNECE Regulation No 12	G
15	Seat strength	Directive 74/408/EEC	G+W ₃
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UNECE Regulation No 17	G+W ₃
16	Exterior projections	Directive 74/483/EEC	G+W ₄
16A	External projections	Regulation (EC) No 661/2009 UNECE Regulation No 26	G+W ₄
17	Speedometer and reverse gear	Directive 75/443/EEC	X
17A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UNECE Regulation No 39	X
18	Statutory plates	Directive 76/114/EEC	X
18A	Manufacturer's statutory plate and vehicle identification number	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X

Item	Subject	Regulatory act	M ₁
19	Seat belt anchorages	Directive 76/115/EEC	X+W ₅
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UNECE Regulation No 14	X+W ₅
20	Installation of lighting and light signalling devices	Directive 76/756/EEC	X
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 48	X
21	Retro reflectors	Directive 76/757/EEC	X
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 3	X
22	End-outline, front-position (side), rear-position (side), stop, side marker, daytime running lamps	Directive 76/758/EEC	X
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 7	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 87	X
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 91	X
23	Direction indicators	Directive 76/759/EEC	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 6	X
24	Rear registration plate lamps	Directive 76/760/EEC	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 4	X
25	Headlamps (including bulbs)	Directive 76/761/EEC	X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UNECE Regulation No 31	X
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 37	X

Item	Subject	Regulatory act	M ₁
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UNECE Regulation No 98	X
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 99	X
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UNECE Regulation No 112	X
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 123	X
26	Front fog lamps	Directive 76/762/EEC	X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UNECE Regulation No 19	X
27	Towing hooks	Directive 77/389/EEC	E
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	E
28	Rear fog lamps	Directive 77/538/EEC	X
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 38	X
29	Reversing lamps	Directive 77/539/EEC	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 23	X
30	Parking lamps	Directive 77/540/EEC	X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 77	X
31	Seat belts and restraint systems	Directive 77/541/EEC	X+W ₆
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UNECE Regulation No 16	X+W ₆
32	Forward vision	Directive 77/649/EEC	G

Item	Subject	Regulatory act	M ₁
32A	Forward field of vision	Regulation (EC) No 661/2009 UNECE Regulation No 125	G
33	Identification of controls, tell-tales and indicators	Directive 78/316/EEC	X
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UNECE Regulation No 121	X
34	Defrost/demist	Directive 78/317/EEC	G ⁽⁵⁾
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	G ⁽⁵⁾
35	Wash/wipe	Directive 78/318/EEC	G ⁽⁶⁾
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	G ⁽⁶⁾
36	Heating systems	Directive 2001/56/EC	X
36A	Heating systems	Regulation (EC) No 661/2009 UNECE Regulation No 122	X
37	Wheel guards	Directive 78/549/EEC	G
37A	Wheel guards	Regulation (EC) No 661/2009 Regulation (EU) No 1009/2010	G
38	Head restraints	Directive 78/932/EEC	X
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UNECE Regulation No 25	X
41	Emissions (Euro IV and V) heavy duty vehicles.	Directive 2005/55/EC	X+W ₁ ⁽⁸⁾
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009	X+W ₁ ⁽⁹⁾
44	Masses and dimensions (cars)	Directive 92/21/EEC	X+W ₈
44A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	X+W ₈
45	Safety glazing	Directive 92/22/EEC	G

Item	Subject	Regulatory act	M ₁
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 43	G
46	Tyres	Directive 92/23/EEC	X
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X
46B	Pneumatic tyres for motor vehicles and their trailers (Class C1)	Regulation (EC) No 661/2009 UNECE Regulation No 30	X
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C1, C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 117	X
46E	Temporary-use spare unit, run-flat tyres/system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UNECE Regulation No 64	G ^(9A)
50	Couplings	Directive 94/20/EC	X ⁽¹⁰⁾
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 55	X ⁽¹⁰⁾
53	Frontal impact	Directive 96/79/EC	N/A
53A	Protection of occupants in the event of a frontal collision	Regulation (EC) No 661/2009 UNECE Regulation No 94	N/A
54	Side impact	Directive 96/27/EC	N/A
54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UNECE Regulation No 95	N/A
58	Pedestrian protection	Regulation (EC) No 78/2009	G
59	Recyclability	Directive 2005/64/EC	N/A
61	Air-conditioning systems	Directive 2006/40/EC	G
62	Hydrogen system	Regulation (EC) No 79/2009	X
63	General Safety	Regulation (EC) No 661/2009	X ⁽¹⁵⁾
64	Gear shift indicators	Regulation (EC) No 661/2009 Regulation (EU) No 65/2012	G

Item	Subject	Regulatory act	M ₁
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 67	X
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UNECE Regulation No 97	X
69	Electric safety	Regulation (EC) No 661/2009 UNECE Regulation No 100	X
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 110	X

Additional requirements for testing the wheelchair tie down and occupant restraint system

Note: The following sections 1. and either section 2. or 3. shall apply.

0. Definitions

- 0.1. Surrogate wheelchair (SWC) is a rigid, re-usable test wheelchair, as defined in section 3 of ISO 10542-1:2012.
- 0.2. Point P is a representation of the position of the wheelchair occupant's hip when seated in the SWC, as defined in section 3 of ISO 10542-1:2012.

1. General requirements

- 1.1. Each wheelchair location shall be provided with anchorages to which a wheelchair tie-down and occupant restraint system (WTORS) shall be fitted.
- 1.2. The wheelchair occupant's lower belt anchorages shall be located in accordance with UNECE Regulation 14-07, paragraph 5.4.2.2, relative to Point P on the SWC when placed in the travelling position designated by the manufacturer. The upper actual anchorage (s) shall be located at least 1 100 mm above the horizontal plane passing through the points of contact between the rear tyres of the SWC and the vehicle floor. This condition shall still be satisfied after the test carried out according to paragraph 2. below.
- 1.3. An assessment shall be made of the WTORS occupant belt to ensure compliance with the provisions of UNECE Regulation 16-06 paragraphs 8.2.2 to 8.2.2.4 and 8.3.1 to 8.3.4.
- 1.4. The minimum number of ISOFIX child seat anchorages need not to be provided. In the case of a multi-stage approval where an ISOFIX anchorage system has been affected by the conversion, the system shall either be re-tested or the anchorages shall be rendered unusable. In the latter case the ISOFIX labels shall be removed and appropriate information given to the vehicle purchaser.

2. Static in-vehicle testing

2.1. Wheelchair occupant restraint anchorages

- 2.1.1. The wheelchair occupant restraint anchorages shall resist the static forces prescribed for occupant restraint anchorages in UNECE Regulation 14-07 simultaneously with the static forces applied to the wheelchair tie-down anchorages as specified in 2.2 below.

2.2. Wheelchair tie-down anchorages

The wheelchair tie-down anchorages shall resist the following forces, for at least 0.2 seconds, applied via the SWC (or a suitable surrogate wheelchair having a wheelbase, seat height and tie-down attachment points in accordance with the specification for the SWC), at a height of 300 +/- 100 mm from the surface on which the SWC rests:

- 2.2.1. In the case of a forward-facing wheelchair, a simultaneous force, coincident with the force applied to the occupant restraint anchorages, of 24,5 kN and
- 2.2.2. a second test applying a static force of 8,2 kN directed towards the rear of the vehicle.

- 2.2.3. In the case of a rearward-facing wheelchair, a simultaneous force, coincident with the force applied to the occupant restraint anchorages, of 8,2 kN and
 - 2.2.4. a second test applying a static force of 24,5 kN directed towards the front of the vehicle.
 - 2.3. Components of the system
 - 2.3.1. All components of the WTORS shall meet the relevant requirements of ISO 10542-1:2012. However, the dynamic test specified in Annex A and paragraphs 5.2.2 and 5.2.3 of ISO 10542-1:2012 shall be carried out on the complete WTORS using the vehicle anchorage geometry instead of the test geometry specified in Annex A of ISO 10542-1:2012. This may be carried out within the vehicle structure or on a surrogate structure representative of the vehicle's WTORS anchorage geometry. The location of each anchorage shall lie within the tolerance provided for in point 7.7.1 of UNECE Regulation No 16-06.
 - 2.3.2. Where the occupant restraint part of the WTORS is approved according to UNECE Regulation No 16-06, it shall be subject to the dynamic test of the complete WTORS specified in paragraph 2.3.1, but the requirements of Paragraphs 5.1, 5.3 and 5.4 of ISO10542-1:2012 shall be considered to have been met.
 - 3. Dynamic in-vehicle testing
 - 3.1. The full assembly of the WTORS system shall be tested by an in-vehicle dynamic test in line with paragraphs 5.2.2 and 5.2.3 and Annex A of ISO 10542-1:2012, testing all components/anchorages simultaneously, using a vehicle body-in-white or representative structure.
 - 3.2. The component parts of the WTORS shall meet the relevant requirements of ISO10542-1:2012 paragraphs 5.1, 5.3 and 5.4. These requirements shall be deemed to have been met in respect of the occupant restraint if it is approved according to UNECE Regulation No 16-06.
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Appendix 4

Other Special Purpose Vehicles (including special group, multi-equipment carrier and trailer Caravans)

The requirements of Annex IV shall be fulfilled to the greatest extent: Application of the exemptions is only permitted if the manufacturer demonstrates to the satisfaction of the approval authority that the vehicle, due to the special function, cannot meet all the requirements.

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
1	Permissible sound level	Directive 70/157/EEC	H	H	H	H	H				
2	Emissions (Euro 5 and 6) light duty vehicles/access to information	Regulation (EC) No 715/2007	Q ⁽¹⁾		Q ⁺ V ₁ ⁽¹⁾	Q ⁺ V ₁ ⁽¹⁾					
3	Fuel tanks/rear protective devices	Directive 70/221/EEC	F ⁽²⁾	F ⁽²⁾	F ⁽²⁾	F ⁽²⁾	F ⁽²⁾	X	X	X	X
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UNECE Regulation No 34	F	F	F	F	F	X	X	X	X
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58	X	X	A	A	A	X	X	X	X
4	Rear registration plate space	Directive 70/222/EEC	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R	A+ R
5	Steering effort	Directive 70/311/EEC	X	X	X	X	X	X	X	X	X
5A	Steering equipment	Regulation (EC) No 661/2009 UNECE Regulation No 79	X	X	X	X	X	X	X	X	X
6	Door latches and hinges	Directive 70/387/EEC			B	B	B				

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
6A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	X	B	B	B				
6B	Door latches and door retention components	Regulation (EC) No 661/2009 UNECE Regulation No 11			B						
7	Audible warning	Directive 70/388/EEC	X	X	X	X	X				
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UNECE Regulation No 28	X	X	X	X	X				
8	Indirect vision devices	Directive 2003/97/EC	X	X	X	X	X				
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UNECE Regulation No 46	X	X	X	X	X				
9	Braking	Directive 71/320/EEC	X	X	X	X	X	X	X	X	X
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UNECE Regulation No 13	X ⁽³⁾	X ⁽³⁾	X ⁽³⁾	X+ U ₁ (³)	X+ U ₁ (³)	X	X	X ⁽³⁾	X ⁽³⁾
9B	Braking of passenger cars	Regulation (EC) No 661/2009 UNECE Regulation No 13-H			X ⁽⁴⁾						
10	Radio interference (electromagnetic compatibility)	Directive 72/245/EEC	X	X	X	X	X	X	X	X	X
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UNECE Regulation No 10	X	X	X	X	X	X	X	X	X
13	Anti-theft and immobiliser	Directive 74/61/EEC	X	X	X	X	X				

[illegible]

[illegible]

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
23	Direction indicators	Directive 76/759/EEC	X	X	X	X	X	X	X	X	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 6	X	X	X	X	X	X	X	X	X
24	Rear registration plate lamps	Directive 76/760/EEC	X	X	X	X	X	X	X	X	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 4	X	X	X	X	X	X	X	X	X
25	Headlamps (including bulbs)	Directive 76/761/EEC	X	X	X	X	X				
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UNECE Regulation No 31	X	X	X	X	X				
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 37	X	X	X	X	X	X	X	X	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UNECE Regulation No 98	X	X	X	X	X				
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 99	X	X	X	X	X				
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UNECE Regulation No 112	X	X	X	X	X				

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 123	X	X	X	X	X				
26	Front fog lamps	Directive 76/762/EEC	X	X	X	X	X				
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UNECE Regulation No 19	X	X	X	X	X				
27	Towing hooks	Directive 77/389/EEC	A	A	A	A	A				
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A	A	A	A	A				
28	Rear fog lamps	Directive 77/538/EEC	X	X	X	X	X	X	X	X	X
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 38	X	X	X	X	X	X	X	X	X
29	Reversing lamps	Directive 77/539/EEC	X	X	X	X	X	X	X	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 23	X	X	X	X	X	X	X	X	X
30	Parking lamps	Directive 77/540/EEC	X	X	X	X	X				
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 77	X	X	X	X	X				
31	Seat belts and restraint systems	Directive 77/541/EEC	D	D	D	D	D				

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UNECE Regulation No 16	D	D	D	D	D				
33	Identification of controls, tell-tales and indicators	Directive 78/316/EEC	X	X	X	X	X				
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UNECE Regulation No 121	X	X	X	X	X				
34	Defrost/demist	Directive 78/317/EEC	(⁵)	(⁵)	(⁵)	(⁵)	(⁵)				
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	(⁵)	(⁵)	(⁵)	(⁵)	(⁵)				
35	Wash/wipe	Directive 78/318/EEC	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)				
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)				
36	Heating systems	Directive 2001/56/EC	X	X	X	X	X	X	X	X	X
36A	Heating systems	Regulation (EC) No 661/2009 UNECE Regulation No 122	X	X	X	X	X	X	X	X	X
38A	Head restraints (headrests), whether or not incorporated in vehicle seats	Regulation (EC) No 661/2009 UNECE Regulation No 25	X								
41	Emissions (Euro IV and V) heavy duty vehicles.	Directive 2005/55/EC	H (⁸)	H	H (⁸)	H (⁸)	H				
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009	H (⁹)	H	H (⁹)	H (⁹)	H				

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
42	Lateral protection	Directive 89/297/EEC				X	X			X	X
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 73				X	X			X	X
43	Spray-suppression systems	Directive 91/226/EEC			X	X	X	X	X	X	X
43A	Spray suppression systems	Regulation (EC) No 661/2009 Regulation (EU) No 109/2011			X	X	X	X	X	X	X
45	Safety glazing	Directive 92/22/EEC	J	J	J	J	J	J	J	J	J
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 43	J	J	J	J	J	J	J	J	J
46	Tyres	Directive 92/23/EEC	X	X	X	X	X	X	X	X	X
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X	X	X	X	X	X	X	X	X
46B	Pneumatic tyres for motor vehicles and their trailers (Class C1)	Regulation (EC) No 661/2009 UNECE Regulation No 30			X			X	X		
46C	Pneumatic tyres for commercial vehicles and their trailers (Classes C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 54	X	X	X	X	X			X	X
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C1, C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 117	X	X	X	X	X	X	X	X	X
46E	Temporary-use spare unit, run-flat tyres/system and tyre pressure monitoring system	Regulation (EC) No 661/2009 UNECE Regulation No 64			X ^(9A)						

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
47	Speed limitation devices	Directive 92/24/EEC	X	X		X	X				
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 89	X	X		X	X				
48	Masses and dimensions (other than vehicles referred to in item 44)	Directive 97/27/EC	X	X	X	X	X	X	X	X	X
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	X	X	X	X	X	X	X	X	X
49	External projections of cabs	Directive 92/114/EEC			X	X	X				
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UNECE Regulation No 61			X	X	X				
50	Couplings	Directive 94/20/EC	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X	X	X	X
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 55	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X ⁽¹⁰⁾	X	X	X	X
50B	Close-coupling device (CCD); fitting of an approved type of CCD	Regulation (EC) No 661/2009 UNECE Regulation No 102				X ⁽¹⁰⁾	X ⁽¹⁰⁾			X ⁽¹⁰⁾	X ⁽¹⁰⁾
51	Flammability	Directive 95/28/EC		X							
51A	Burning behaviour of materials used in the interior construction of certain categories of motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 118		X							

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
52	Buses and coaches	Directive 2001/85/EC	X	X							
52A	M ₂ and M ₃ vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 107	X	X							
52B	Strength of the superstructure of large passenger vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 66	X	X							
54	Side impact	Directive 96/27/EC			A						
54A	Protection of occupants in the event of lateral collision	Regulation (EC) No 661/2009 UNECE Regulation No 95			A						
56	Vehicles intended for the transport of dangerous goods	Directive 98/91/EC			X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾
56A	Vehicles for the carriage of dangerous goods	Regulation (EC) No 661/2009 UNECE Regulation No 105			X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾	X ⁽¹³⁾
57	Front underrun protection	Directive 2000/40/EC				X	X				
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 UNECE Regulation No 93				X	X				
58	Pedestrian protection	Regulation (EC) No 78/2009			N/A ^(*)						
59	Recyclability	Directive 2005/64/EC			N/A		—				
61	Air-conditioning systems	Directive 2006/40/EC			X ⁽¹⁴⁾						
62	Hydrogen system	Regulation (EC) No 79/2009	X	X	X	X	X				

Item	Subject	Reference to regulatory act	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
63	General Safety	Regulation (EC) No 661/2009	X (¹⁵)	X (¹⁵)	X (¹⁵)	X (¹⁵)	X (¹⁵)	X (¹⁵)	X (¹⁵)	X (¹⁵)	X (¹⁵)
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012	N/A	N/A		N/A	N/A				
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012	N/A	N/A		N/A	N/A				
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 67	X	X	X	X	X				
68	Vehicle alarm systems (VAS)	Regulation (EC) No 661/2009 UNECE Regulation No 97			X						
69	Electric safety	Regulation (EC) No 661/2009 UNECE Regulation No 100	X	X	X	X	X				
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 110	X	X	X	X	X				

(*) Any frontal protection system supplied with the vehicle shall comply with the requirements of Regulation (EC) No 78/2009 and shall be provided with a type-approval number and shall be marked accordingly.

Appendix 5

Mobile Cranes

Item	Subject	Reference to regulatory act	N ₃
1	Permissible sound level	Directive 70/157/EEC	T+Z ₁
3	Fuel tanks/rear protective devices	Directive 70/221/EEC	X ⁽²⁾
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UNECE Regulation No 34	X
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58	A
4	Rear registration plate space	Directive 70/222/EEC	X
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X
5	Steering effort	Directive 70/311/EEC	X Crab steering allowed
5A	Steering equipment	Regulation (EC) No 661/2009 UNECE Regulation No 79	X Crab steering allowed
6	Door latches and hinges	Directive 70/387/EEC	A
6A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	A
7	Audible warning	Directive 70/388/EEC	X
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UNECE Regulation No 28	X
8	Indirect vision devices	Directive 2003/97/EC	A
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UNECE Regulation No 46	X
9	Braking	Directive 71/320/EEC	U
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UNECE Regulation No 13	U ⁽³⁾

Item	Subject	Reference to regulatory act	N ₃
10	Radio interference (electromagnetic compatibility)	Directive 72/245/EEC	X
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UNECE Regulation No 10	X
13	Anti-theft and immobiliser	Directive 74/61/EEC	X
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UNECE Regulation No 18	X ^(4A)
15	Seat strength	Directive 74/408/EEC	D
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UNECE Regulation No 17	X
17	Speedometer and reverse gear	Directive 75/443/EEC	X
17A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UNECE Regulation No 39	X
18	Statutory plates	Directive 76/114/EEC	X
18A	Manufacturer's statutory plate and vehicle identification number	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X
19	Seat belt anchorages	Directive 76/115/EEC	D
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UNECE Regulation No 14	X
20	Installation of lighting and light signalling devices	Directive 76/756/EEC	A+Y
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 48	A+Y
21	Retro reflectors	Directive 76/757/EEC	X
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 3	X

Item	Subject	Reference to regulatory act	N ₃
22	End-outline, front-position (side), rear-position (side), stop, side marker, daytime running lamps	Directive 76/758/EEC	X
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 7	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 87	X
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 91	X
23	Direction indicators	Directive 76/759/EEC	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 6	X
24	Rear registration plate lamps	Directive 76/760/EEC	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 4	X
25	Headlamps (including bulbs)	Directive 76/761/EEC	X
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UNECE Regulation No 31	X
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 37	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UNECE Regulation No 98	X
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 99	X
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UNECE Regulation No 112	X
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 123	X

Item	Subject	Reference to regulatory act	N ₃
26	Front fog lamps	Directive 76/762/EEC	X
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UNECE Regulation No 19	X
27	Towing hooks	Directive 77/389/EEC	A
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A
28	Rear fog lamps	Directive 77/538/EEC	X
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 38	X
29	Reversing lamps	Directive 77/539/EEC	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 23	X
30	Parking lamps	Directive 77/540/EEC	X
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 77	X
31	Seat belts and restraint systems	Directive 77/541/EEC	D
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UNECE Regulation No 16	X
33	Identification of controls, tell-tales and indicators	Directive 78/316/EEC	X
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UNECE Regulation No 121	X
34	Defrost/demist	Directive 78/317/EEC	(⁵)
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	(⁵)
35	Wash/wipe	Directive 78/318/EEC	(⁶)
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	(⁶)

Item	Subject	Reference to regulatory act	N ₃
36	Heating systems	Directive 2001/56/EC	X
36A	Heating systems	Regulation (EC) No 661/2009 UNECE Regulation No 122	X
41	Emissions (Euro IV and V) heavy duty vehicles.	Directive 2005/55/EC	V
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009	V
42	Lateral protection	Directive 89/297/EEC	X
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 73	A
43	Spray-suppression systems	Directive 91/226/EEC	X
43A	Spray suppression systems	Regulation (EC) No 661/2009 Regulation (EU) No 109/2011	Z ₁
45	Safety glazing	Directive 92/22/EEC	J
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 43	J
46	Tyres	Directive 92/23/EEC	X
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X
46C	Pneumatic tyres for commercial vehicles and their trailers (Classes C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 54	X
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C1, C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 117	X
47	Speed limitation devices	Directive 92/24/EEC	X
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 89	X
48	Masses and dimensions (other than vehicles referred to in item 44)	Directive 97/27/EC	X
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	A

Item	Subject	Reference to regulatory act	N ₃
49	External projections of cabs	Directive 92/114/EEC	X
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UNECE Regulation No 61	A
50	Couplings	Directive 94/20/EC	X ⁽¹⁰⁾
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 55	X ⁽¹⁰⁾
50B	Close-coupling device (CCD); fitting of an approved type of CCD	Regulation (EC) No 661/2009 UNECE Regulation No 102	X ⁽¹⁰⁾
57	Front underrun protection	Directive 2000/40/EC	Z ₁
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 UNECE Regulation No 93	X
62	Hydrogen system	Regulation (EC) No 79/2009	X
63	General Safety	Regulation (EC) No 661/2009	X ⁽¹⁵⁾
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012	N/A ⁽¹⁶⁾
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012	N/A ⁽¹⁷⁾
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 67	X
69	Electric safety	Regulation (EC) No 661/2009 UNECE Regulation No 100	X
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 110	X

Appendix 6

Exceptional load transport vehicles

Item	Subject	Reference to regulatory act	N ₃	O ₄
1	Permissible sound level	Directive 70/157/EEC	T	
3	Fuel tanks/rear protective devices	Directive 70/221/EEC	X ⁽²⁾	X
3A	Prevention of fire risks (liquid fuel tanks)	Regulation (EC) No 661/2009 UNECE Regulation No 34	X	X
3B	Rear underrun protective devices (RUPDs) and their installation; rear underrun protection (RUP)	Regulation (EC) No 661/2009 UNECE Regulation No 58	A	A
4	Rear registration plate space	Directive 70/222/EEC	X	A+R
4A	Space for mounting and fixing rear registration plates	Regulation (EC) No 661/2009 Regulation (EU) No 1003/2010	X	A+R
5	Steering effort	Directive 70/311/EEC	X Crab steering allowed	X
5A	Steering equipment	Regulation (EC) No 661/2009 UNECE Regulation No 79	X Crab steering allowed	X
6	Door latches and hinges	Directive 70/387/EEC	X	
6A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	
7	Audible warning	Directive 70/388/EEC	X	
7A	Audible warning devices and signals	Regulation (EC) No 661/2009 UNECE Regulation No 28	X	
8	Indirect vision devices	Directive 2003/97/EC	X	
8A	Devices for indirect vision and their installation	Regulation (EC) No 661/2009 UNECE Regulation No 46	X	
9	Braking	Directive 71/320/EEC	U	X

Item	Subject	Reference to regulatory act	N ₃	O ₄
9A	Braking of vehicles and trailers	Regulation (EC) No 661/2009 UNECE Regulation No 13	U ⁽³⁾	X ⁽³⁾
10	Radio interference (electromagnetic compatibility)	Directive 72/245/EEC	X	X
10A	Electromagnetic compatibility	Regulation (EC) No 661/2009 UNECE Regulation No 10	X	X
13	Anti-theft and immobiliser	Directive 74/61/EEC	X	
13A	Protection of motor vehicles against unauthorised use	Regulation (EC) No 661/2009 UNECE Regulation No 18	X ^(4A)	
15	Seat strength	Directive 74/408/EEC	X	
15A	Seats, their anchorages and any head restraints	Regulation (EC) No 661/2009 UNECE Regulation No 17	X	
17	Speedometer and reverse gear	Directive 75/443/EEC	X	
17A	Vehicle access and manoeuvrability	Regulation (EC) No 661/2009 Regulation (EU) No 130/2012	X	
17B	Speedometer equipment including its installation	Regulation (EC) No 661/2009 UNECE Regulation No 39	X	
18	Statutory plates	Directive 76/114/EEC	X	X
18A	Manufacturer's statutory plate and vehicle identification number	Regulation (EC) No 661/2009 Regulation (EU) No 19/2011	X	X
19	Seat belt anchorages	Directive 76/115/EEC	X	
19A	Safety-belt anchorages, Isofix anchorages systems and Isofix top tether anchorages	Regulation (EC) No 661/2009 UNECE Regulation No 14	X	
20	Installation of lighting and light signalling devices	Directive 76/756/EEC	X	A+N
20A	Installation of lighting and light-signalling devices on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 48	X	A+N
21	Retro reflectors	Directive 76/757/EEC	X	X

Item	Subject	Reference to regulatory act	N ₃	O ₄
21A	Retro-reflecting devices for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 3	X	X
22	End-outline, front-position (side), rear-position (side), stop, side marker, daytime running lamps	Directive 76/758/EEC	X	X
22A	Front and rear position lamps, stop-lamps and end-outline marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 7	X	X
22B	Daytime running lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 87	X	
22C	Side-marker lamps for motor vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 91	X	X
23	Direction indicators	Directive 76/759/EEC	X	X
23A	Direction indicators for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 6	X	X
24	Rear registration plate lamps	Directive 76/760/EEC	X	X
24A	Illumination of rear-registration plates of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 4	X	X
25	Headlamps (including bulbs)	Directive 76/761/EEC	X	
25A	Power-driven vehicle's sealed-beam headlamps (SB) emitting an European asymmetrical passing beam or a driving beam or both	Regulation (EC) No 661/2009 UNECE Regulation No 31	X	
25B	Filament lamps for use in approved lamp units of power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 37	X	X
25C	Motor vehicle headlamps equipped with gas-discharge light sources	Regulation (EC) No 661/2009 UNECE Regulation No 98	X	
25D	Gas-discharge light sources for use in approved gas-discharge lamp units of power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 99	X	
25E	Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps and/or LED modules	Regulation (EC) No 661/2009 UNECE Regulation No 112	X	

Item	Subject	Reference to regulatory act	N ₃	O ₄
25F	Adaptive front-lighting systems (AFS) for motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 123	X	
26	Front fog lamps	Directive 76/762/EEC	X	
26A	Power-driven vehicle front fog lamps	Regulation (EC) No 661/2009 UNECE Regulation No 19	X	
27	Towing hooks	Directive 77/389/EEC	A	
27A	Towing device	Regulation (EC) No 661/2009 Regulation (EU) No 1005/2010	A	
28	Rear fog lamps	Directive 77/538/EEC	X	X
28A	Rear fog lamps for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 38	X	X
29	Reversing lamps	Directive 77/539/EEC	X	X
29A	Reversing lights for power-driven vehicles and their trailers	Regulation (EC) No 661/2009 UNECE Regulation No 23	X	X
30	Parking lamps	Directive 77/540/EEC	X	
30A	Parking lamps for power-driven vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 77	X	
31	Seat belts and restraint systems	Directive 77/541/EEC	X	
31A	Safety-belts, restraint systems, child restraint systems and Isofix child restraint systems	Regulation (EC) No 661/2009 UNECE Regulation No 16	X	
33	Identification of controls, tell-tales and indicators	Directive 78/316/EEC	X	
33A	Location and identification of hand controls, tell-tales and indicators	Regulation (EC) No 661/2009 UNECE Regulation No 121	X	
34	Defrost/demist	Directive 78/317/EEC	(⁵)	
34A	Windscreen defrosting and demisting systems	Regulation (EC) No 661/2009 Regulation (EU) No 672/2010	(⁵)	
35	Wash/wipe	Directive 78/318/EEC	(⁶)	

Item	Subject	Reference to regulatory act	N ₃	O ₄
35A	Windscreen wiper and washer systems	Regulation (EC) No 661/2009 Regulation (EU) No 1008/2010	(⁶)	
36	Heating systems	Directive 2001/56/EC	X	
36A	Heating systems	Regulation (EC) No 661/2009 UNECE Regulation No 122	X	
41	Emissions (Euro IV and V) heavy duty vehicles.	Directive 2005/55/EC	X (⁸)	
41A	Emissions (Euro VI) heavy duty vehicles/access to information	Regulation (EC) No 595/2009	X (⁹)	
42	Lateral protection	Directive 89/297/EEC	X	A
42A	Lateral protection of goods vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 73	X	A
43	Spray-suppression systems	Directive 91/226/EEC	X	A
43A	Spray suppression systems	Regulation (EC) No 661/2009 Regulation (EU) No 109/2011	X	A
45	Safety glazing	Directive 92/22/EEC	X	
45A	Safety glazing materials and their installation on vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 43	X	
46	Tyres	Directive 92/23/EEC	X	I
46A	Installation of tyres	Regulation (EC) No 661/2009 Regulation (EU) No 458/2011	X	I
46C	Pneumatic tyres for commercial vehicles and their trailers (Classes C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 54	X	I
46D	Tyre rolling sound emissions, adhesion on wet surfaces and rolling resistance (Classes C1, C2 and C3)	Regulation (EC) No 661/2009 UNECE Regulation No 117	X	I
47	Speed limitation devices	Directive 92/24/EEC	X	
47A	Speed limitation of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 89	X	

Item	Subject	Reference to regulatory act	N ₃	O ₄
48	Masses and dimensions (other than vehicles referred to in item 44)	Directive 97/27/EC	X	X
48A	Masses and dimensions	Regulation (EC) No 661/2009 Regulation (EU) No 1230/2012	A	A
49	External projections of cabs	Directive 92/114/EEC	A	
49A	Commercial vehicles with regard to their external projections forward of the cab's rear panel	Regulation (EC) No 661/2009 UNECE Regulation No 61	A	
50	Couplings	Directive 94/20/EC	X ⁽¹⁰⁾	X
50A	Mechanical coupling components of combinations of vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 55	X ⁽¹⁰⁾	X
50B	Close-coupling device (CCD); fitting of an approved type of CCD	Regulation (EC) No 661/2009 UNECE Regulation No 102	X ⁽¹⁰⁾	X ⁽¹⁰⁾
56	Vehicles intended for the transport of dangerous goods	Directive 98/91/EC	X ⁽¹³⁾	X ⁽¹³⁾
56A	Vehicles for the carriage of dangerous goods	Regulation (EC) No 661/2009 UNECE Regulation No 105	X ⁽¹³⁾	X ⁽¹³⁾
57	Front underrun protection	Directive 2000/40/EC	A	
57A	Front underrun protective devices (FUPDs) and their installation; front underrun protection (FUP)	Regulation (EC) No 661/2009 UNECE Regulation No 93	A	
62	Hydrogen system	Regulation (EC) No 79/2009	X	
63	General Safety	Regulation (EC) No 661/2009	X ⁽¹⁵⁾	X ⁽¹⁵⁾
65	Advanced emergency braking system	Regulation (EC) No 661/2009 Regulation (EU) No 347/2012	N/A ⁽¹⁶⁾	
66	Lane departure warning system	Regulation (EC) No 661/2009 Regulation (EU) No 351/2012	N/A ⁽¹⁷⁾	
67	Specific components for liquefied petroleum gases (LPG) and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 67	X	

Item	Subject	Reference to regulatory act	N ₃	O ₄
69	Electric safety	Regulation (EC) No 661/2009 UNECE Regulation No 100	X	
70	Specific components for CNG and their installation on motor vehicles	Regulation (EC) No 661/2009 UNECE Regulation No 110	X	

Meaning of notes:

X The requirements of the relevant act are applicable. The series of amendments of the UNECE Regulations which applies on a compulsory basis are listed in Annex IV to Regulation (EC) No 661/2009. Series of amendments adopted subsequently are accepted as an alternative. Member States may grant extensions to existing type-approvals granted according to the former EU Directives repealed by Regulation (EC) 661/2009 under the conditions fixed by Article 13(14) of Regulation (EC) 661/2009.

N/A This regulatory act is not applicable to this vehicle (no requirements).

⁽¹⁾ For vehicles with a reference mass not exceeding 2 610 kg. At the manufacturer's request, may apply to vehicles with a reference mass not exceeding 2 840 kg. With regard to Access to information, for other parts (e.g. living compartment) than the base vehicle, it is sufficient that the manufacturer provide access to repair and maintenance information in a readily accessible and prompt manner.

⁽²⁾ In case of vehicles equipped with a LPG or CNG installation, a vehicle type-approval in accordance with UNECE Regulation No 67 or UNECE Regulation No 110 is required.

⁽³⁾ The fitting of an ESC system is required in accordance with Article 12 of Regulation (EC) No 661/2009. The implementation dates set out in Annex V to Regulation (EC) No 661/2009 apply. In accordance with UNECE Regulation 13, the fitting of an electronic stability control ('ESC') system is not required for special purpose vehicles of categories M₂, M₃, N₂ and N₃ and for vehicles for exceptional load transport and trailers with areas for standing passengers. N₁ vehicles may be approved according to UNECE Regulation 13 or UNECE Regulation 13-H.

⁽⁴⁾ The fitting of an ESC system is required in accordance with Article 12 of Regulation (EC) No 661/2009. Therefore, the requirements set out in Part A of Annex 9 to UNECE Regulation No 13-H shall be complied with for the purposes of EC type-approval of new types of vehicles as well as for the registration, sale and entry into service of new vehicles. The implementation dates set out in Article 13 of Regulation (EC) No 661/2009 apply. N₁ vehicles may be approved according to UNECE Regulation 13 or UNECE Regulation 13-H.

^(4A) If fitted, the protective device shall fulfill the requirements of UNECE Regulation No 18.

^(4B) This Regulation applies to seats not falling within the scope of UNECE Regulation No 80.

For other options, see Article 2 of Regulation (EC) No 595/2009.

⁽⁵⁾ Vehicles of categories other than M₁ do not need to fully comply with act but shall be fitted with a suitable windscreen defrosting and demisting device.

⁽⁶⁾ Vehicles of categories other than M₁ do not need to fully comply with act but shall be fitted with a suitable windscreen washing and wiping devices.

⁽⁸⁾ For vehicles with a reference mass exceeding 2 610 kg and which did not benefit from the possibility offered in note ⁽¹⁾.

⁽⁹⁾ For vehicles with a reference mass exceeding 2 610 kg which are not type-approved (at the manufacturer's request and provided their reference mass does not exceed 2 840 kg) under Regulation (EC) No 715/2007. For other parts than the base vehicle, it is sufficient that the manufacturer provide access to repair and maintenance information in a readily accessible and prompt manner

^(9A) Applies only where such vehicles are fitted with equipment covered by UNECE Regulation No 64. Tyre pressure monitoring system for M1 vehicles applies on a compulsory basis in accordance with Article 9(2) of Regulation (EC) No 661/2009.

⁽¹⁰⁾ Applies only to vehicles equipped with coupling(s).

- (¹¹) Applies to vehicles with a technically permissible maximum laden mass not exceeding 2,5 tonnes.
- (¹²) Only applicable to vehicles where the "Seating Reference Point ('R' point)" of the lowest seat is not more than 700 mm above the ground level.
- (¹³) Applies only when the manufacturer applies for type-approval of vehicles intended for the transport of dangerous goods.
- (¹⁴) Applies only for vehicles of category N₁, class I (reference mass ≤ 1 305 kg)
- (¹⁵) At the request of the manufacturer, a type-approval may be granted under this item, as an alternative to obtaining type-approvals under each individual item covered by Regulation (EC) No 661/2009.
- (¹⁶) The fitting of an Advanced emergency braking system is not required for special purpose vehicles in accordance with Article 1 of Regulation (EU) No 347/2012.
- (¹⁷) The fitting of a Lane departure warning system is not required for special purpose vehicles in accordance with Article 1 of Regulation (EU) No 351/2012.
- A The requirements shall be fulfilled to the greatest extent. The type-approval authority may only grant exemption(s) if the manufacturer demonstrates that the vehicle cannot meet the requirements due to its special purpose. The exemptions granted shall be described on the vehicle type-approval certificate and the certificate of conformity (remark –entry 52).
- A₁ The fitting of ESC is not mandatory. In the case of multi-stage approvals, where the modifications made at a particular stage are likely to affect the function of the base vehicle's ESC system, the manufacturer may either disable the system or demonstrate that the vehicle has not been rendered unsafe or unstable. This may be demonstrated, e.g., by performing rapid double lane-change manoeuvres in each direction at 80 km/h with sufficient severity to cause intervention by the ESC system. These interventions shall be well-controlled and shall act to improve stability of the vehicle. The Technical Service shall have the right to request further testing if deemed necessary.
- B Application limited to doors giving access to the seats designated for normal use when the vehicle is travelling on the road and where the distance between the R point of the seat and the average plane of the door surface, measured perpendicular to the longitudinal medium plane of the vehicle, does not exceed 500 mm.
- C Application limited to that part of the vehicle in front of the rearmost seat designated for normal use when the vehicle is travelling on the road and also limited to the head impact zone as defined in the legal act.
- D Application limited to seats designated for normal use when the vehicle is travelling on the road. Seats which are not designated for use when the vehicle is travelling on the road shall be clearly identified to users either by means of a pictogram or a sign with an appropriate text. The luggage retention requirements of UNECE Regulations No. 17 shall not apply.
- E Front only.
- F Modification to the routing and length of the refuelling duct and re-positioning of the tank inboard is permissible.
- G In case of multi-stage approval, requirements according to the category of the base/incomplete vehicle (e.g. the chassis of which was used to build the special purpose vehicle) may also be used.
- H Modification of exhaust system length after the last silencer not exceeding 2 m is permissible without any further test.
- I Tyres shall be type-approved according to the requirements of UNECE Regulation No. 54 even if the design speed of the vehicle is less than 80 km/h. The load capacity may be adjusted in relation to the maximum design speed of the trailer in agreement with the tyre manufacturer.
- J For all window glazing other than driver's cab glazing (windshield and side glasses), the material may be either of safety glass or rigid plastic glazing.
- K Additional panic alarm devices permitted.

- L Application limited to seats designated for normal use when the vehicle is travelling on the road. At least anchorages for lap belts are required in the rear seating positions. Seats which are not designated for use when the vehicle is travelling on the road shall be clearly identified to users either by means of a pictogram or a sign with an appropriate text. ISOFIX is not required on Ambulances and hearses.
- M Application limited to seats designated for normal use when the vehicle is travelling on the road. At least lap belts are required in all rear seating positions. Seats which are not designated for use when the vehicle is travelling on the road shall be clearly identified to users either by means of a pictogram or a sign with an appropriate text. ISOFIX is not required on Ambulances and hearses.
- N Provided that all mandatory lighting devices are installed and that the geometric visibility is not affected.
- Q Modification of exhaust system length after the last silencer not exceeding 2 m is permissible without any further test. An EC type-approval issued to the most representative base vehicle remains valid irrespective of change in the reference weight.
- R Provided that the registration plates of all Member States can be mounted and remain visible.
- S The light transmission factor is at least 60 %, also the "A" pillar obstruction angle is not more than 10°.
- T Test to be performed only with the complete/completed vehicle. The vehicle can be tested according to Directive 70/157/EEC. Concerning item 5.2.2.1 of Annex 1 to Directive 70/157/EEC the following limit values are applicable:
- (a) 81 dB(A) for vehicles with an engine power of less than 75 kW;
 - (b) 83 dB(A) for vehicles with an engine power of not less than 75 kW but less than 150 kW;
 - (c) 84 dB(A) for vehicles with an engine power of not less than 150 kW.
- U Test to be performed only with the complete/completed vehicle. Vehicles up to 4 axles shall comply with all the requirements laid down by regulatory act. Derogations are admitted for vehicles having more than 4 axles, provided that:
- they are justified by the particular construction
 - all the braking performances, related to parking, service and secondary braking laid down by the regulatory act are fulfilled.
- U₁ ABS is not mandatory for vehicles with hydrostatic drive.
- V As alternative, Directive 97/68/EC may also be applied.
- V₁ For vehicles with hydrostatic drive, Directive 97/68/EC may also be applied as alternative.
- W₀ Modification of exhaust system length is permitted without any further test, provided the back pressure is similar. If a new test is required, an extra 2dB(A) above the applicable limit shall be allowed.
- W₁ Requirements shall be complied with, but modification in the exhaust system is permitted without any further test of tailpipe emissions and CO₂/fuel consumption provided the emission control devices including particulate filters (if any) are not affected. No new evaporative test shall be required on the modified vehicle on condition that the evaporative control devices are kept as fitted by the manufacturer of the base vehicle.
- An EC type approval issued to the most representative base vehicle remains valid irrespective of change in the reference mass.
- W₂ Modification of the routing, length of the refuelling duct, fuel hoses and fuel vapour pipes is permitted without further test. Re-location of the original fuel tank is permitted provided all requirements are met. However further testing according to Annex 5 to UNECE Regulation No. 34 shall not be required.

- W₃ The longitudinal plane of the intended wheelchair-travelling position shall be parallel to the longitudinal plane of the vehicle.
- Appropriate information shall be made available to the vehicle owner that, in order to be capable of withstanding the forces transmitted by the tie-down mechanism during the various driving conditions, a wheelchair with a structure meeting the relevant part of ISO 7176-19:2008 is recommended.
- Appropriate adaptations may be made to the seats of the vehicle without further testing provided if it can be demonstrated to the technical service that their anchorages, mechanisms and head restraints provide the same level of performance.
- The luggage retention requirements of UNECE Regulation No. 17 shall not apply.
- W₄ Compliance with the legal act(s) shall be required for the boarding aids when in the resting position.
- W₅ Each wheelchair location shall be provided with anchorages to which a wheelchair tie-down and occupant restraint system (WTORS) shall be fitted, and which comply with the additional provisions of Appendix 3.
- W₆ Each wheelchair location shall be provided with occupant restraint belt that comply with the additional provisions of Appendix 3
- When, due to the conversion, anchorage points for the safety belts need to be moved outside the tolerance provided for in point 7.7.1 of UNECE Regulation No.16-06, the technical service shall check whether the alteration constitutes a worst case or not. If that is the case, the test provided for in point 7.7.1. of UNECE Regulation No.16-06 shall be performed. Extension to the EC type-approval does not need to be issued. The test may be performed using components that have not undergone the conditioning test prescribed by UNECE Regulation No.16-06.
- W₈ For the purposes of calculations, the mass of the wheel-chair including the user shall be assumed to be 160 kg. The mass shall be concentrated at the P point of the surrogate wheelchair in its travelling position declared by the manufacturer.
- Any limitation in the passenger capacity resulting from the use of wheelchair(s) shall be recorded in the owner's handbook, on side 2 of the EU type-approval certificate and in the the certificate of conformity (remark section).
- Y Provided that all mandatory lighting devices are installed.
- Z The requirements on the protrusion of open windows shall not apply to the living compartment.
- Z₁ Mobile cranes with more than six axles are considered to be off-road vehicles (N3G) when at least three axles are driven and provided they meet the provisions of Annex II, point 4.3 b) ii) and iii) as well as point 4.3 c).'

(4) Annex XII is replaced by the following:

'ANNEX XII

SMALL SERIES AND END-OF-SERIES LIMITS

A. SMALL SERIES LIMITS

1. The number of units of one type of vehicle to be registered, sold or put into service per year in the European Union pursuant to Article 22 may not exceed the figures shown below for the vehicle category in question:

Category	Units
M ₁	1 000
M ₂ , M ₃	0
N ₁	1 000
N ₂ , N ₃	0
O ₁ , O ₂	0
O ₃ , O ₄	0

2. The number of units of one type of vehicle to be registered, sold or put into service per year in one Member State pursuant to Article 23 shall be determined by that Member State but shall not exceed the figures shown below for the vehicle category in question:

Category	Units
M ₁	100
M ₂ , M ₃	250
N ₁	500 until 31 October 2016 250 from 1 November 2016
N ₂ , N ₃	250
O ₁ , O ₂	500
O ₃ , O ₄	250

3. The number of units of one type of vehicle to be registered, sold or put into service per year in one Member State for the purposes of Article 6(2) of Commission Regulation (EU) No 1230/2012 shall be determined by each Member State but shall not exceed the figures shown below for the vehicle category in question:

Category	Units
M ₂ , M ₃	1 000
N ₂ , N ₃	1 200
O ₃ , O ₄	2 000

B. END-OF-SERIES LIMITS

The maximum number of complete and completed vehicles put into service in each Member State under the procedure "End-of-Series" shall be restricted in one of the following ways to be chosen by the Member State:

1. The maximum number of vehicles of one or more types may not exceed 10 %, in the case of category M₁, and may not exceed 30 % of the vehicles of all types concerned put into service in that Member State during the previous year, in the case of all other categories.

Should 10 %, respectively 30 %, be less than 100 vehicles, then the Member State may allow the putting into service of a maximum of 100 vehicles.

2. Vehicles of any one type shall be restricted to those for which a valid certificate of conformity was issued on or after the date of manufacture and which remained valid for at least three months after its date of issue but subsequently lost its validity due to the entry into force of a regulatory act.'
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COMMISSION IMPLEMENTING REGULATION (EU) No 215/2014

of 7 March 2014

laying down rules for implementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund with regard to methodologies for climate change support, the determination of milestones and targets in the performance framework and the nomenclature of categories of intervention for the European Structural and Investment Funds

THE EUROPEAN COMMISSION,

relevant for the programming of the ESI Funds to be set out by implementing acts as required by Regulation (EU) No 1303/2013 in a single Regulation.

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

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 ⁽¹⁾, and in particular the third subparagraph of Article 8, the fifth subparagraph of Article 22(7) and the second subparagraph of Article 96(2) thereof,

Whereas:

- (1) Regulation (EU) No 1303/2013 lays down common provisions on the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund, the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF) which provide support under the cohesion policy and now operate under a common framework.
- (2) The provisions in this Regulation are closely linked, since they deal with the fund-specific rules for each of the five European Structural and Investment Funds (the 'ESI Funds') on aspects common to three or more of them, i.e. a methodology for climate change support, the determination of milestones and targets in the performance framework and the nomenclature of categories of intervention and all affect the content of programmes. To ensure coherence between those provisions, which should enter into force at the same time to facilitate strategic programming of the ESI Funds, and to facilitate a comprehensive view and compact access to them by all Union residents, it is desirable to include these elements

- (3) Pursuant to the third subparagraph of Article 8 of Regulation (EU) No 1303/2013, it is necessary to adopt a common methodology to determine the level of support for climate change objectives for each of the five ESI Funds. That methodology should consist of assigning a specific weighting to the support provided under the ESI Funds at a level which reflects the extent to which such support makes a contribution to climate change mitigation and adaptation goals. The specific weighting assigned should be differentiated on the basis of whether the support makes a significant or a moderate contribution towards climate change objectives. Where the support does not contribute towards those objectives or the contribution is insignificant, a weighting of zero should be assigned. The standard weightings should be used to ensure a harmonised approach to tracking of climate change related expenditure across different Union policies. The methodology should nevertheless reflect the differences in the interventions of each of the different ESI Funds. In accordance with Regulation (EU) No 1303/2013, in the case of the ERDF, the ESF and the Cohesion Fund weightings should be attached to categories of intervention established within the nomenclature adopted by the Commission. In the case of the EAFRD weightings should be attached to focus areas set out in Regulation (EU) No 1305/2013 of the European Parliament and of the Council ⁽²⁾ and in the case of the EMFF to measures set out in a future Union legal act establishing the condition for the financial support for maritime and fisheries policy for the 2014-2020 programming period.

- (4) Pursuant to the fifth subparagraph of Article 22(7) of Regulation (EU) No 1303/2013 it is also necessary to lay down detailed arrangements for determining the milestones and targets in the performance framework for each priority included in programmes supported by the ESI Funds and for assessing the achievement of those milestones and targets.

⁽¹⁾ OJ L 347, 20.12.2013, p. 320.

⁽²⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development and repealing Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

- (5) The verification of whether the milestones and targets fulfil the conditions set out in Annex II to Regulation (EU) No 1303/2013 requires recording of the information used for this purpose and of the methodological approach taken to establish the performance framework. While the inclusion of that information in programmes should be voluntary, such documentation should be available both to the Member State and to the Commission to inform the development of a performance framework which is consistent with Annex II to Regulation (EU) No 1303/2013.
- (6) Achievement of milestones set in the performance framework is a precondition for the definitive allocation of the performance reserve and serious failure to achieve milestones may lead to suspension of interim payments. It is therefore important to set out detailed arrangements for setting milestones and to define precisely what constitutes achievement of milestones.
- (7) Since achievement of targets set for the end of the programming period is an important measure of success delivering ESI Funds and serious failure to achieve targets may be the basis for a financial correction, it is important to state clearly the arrangements for setting targets and to clarify precisely what constitutes achieving targets or a serious failure to do so.
- (8) In order to reflect the progress in implementation of operations under a priority, it is necessary to set out the characteristics of key implementation steps.
- (9) In order to ensure that the performance framework reflects adequately the objectives and results sought for each Fund, or the Youth Employment Initiative, and category of region, where appropriate, it is necessary to set out specific provisions on the structure of the performance framework and on the assessment of the achievement of milestones and targets, where a priority covers more than one Fund or category of region. As only the ESF and the ERDF provide for financial allocations by category of region, the latter should not be considered relevant for the purposes of setting up a performance framework for the Cohesion Fund, the EAFRD and the EMFF.
- (10) Pursuant to the second subparagraph of Article 96(2) of Regulation (EU) No 1303/2013 it is necessary to specify common categories of intervention for the ERDF, the ESF and Cohesion Fund to enable Member States to submit to the Commission consistent information on the programmed use of the these Funds as well as information on the cumulative allocation and expenditure of these Funds by category and the number of operations throughout the application period of a programme. This is to enable the Commission to inform the other Union institutions and citizens of the Union in an appropriate manner about the use of the Funds. With the exception of categories of intervention which correspond directly to thematic objectives or investment priorities set out in Regulation (EU) No 1303/2013 and in Fund-specific Regulations, the categories of intervention can be applied to support under different thematic objectives.
- (11) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (12) The measures provided for in this Regulation are in accordance with the second subparagraph of Article 150(3) of Regulation (EU) No 1303/2013, given that the Coordination Committee for the European Structural and Investment Funds established by Article 150(1) of that Regulation delivered an opinion,
- HAS ADOPTED THIS REGULATION:
- CHAPTER I
- METHODOLOGY FOR DETERMINING THE SUPPORT FOR CLIMATE CHANGE OBJECTIVES FOR EACH OF THE ESI FUNDS**
- (Empowerment under the third subparagraph of Article 8 of Regulation (EU) No 1303/2013)
- Article 1*
- Methodology for the calculation of support by the ERDF, the ESF and the Cohesion Fund for climate change objectives**
1. The calculation of support to be used for climate change objectives by the ERDF and the Cohesion Fund shall be carried out in two steps as follows:
- (a) the coefficients set out in Table 1 of Annex I to this Regulation shall be applied by intervention field code to financial data reported for those codes;
- (b) in relation to financial data reported against intervention field codes that have a coefficient of zero, where financial data is reported in the thematic objective dimension against codes 04 and 05 set out in Table 5 of Annex I to this Regulation, the data shall be weighted with a 40 % coefficient in terms of their contribution to climate change objectives.

2. The climate change coefficients applied on the basis of Table 1 of Annex I to this Regulation shall also apply to the respective categories under the European territorial cooperation goal established on the basis of the second subparagraph of Article 8(2) of Regulation (EU) No 1299/2013 of the European Parliament and of the Council ⁽¹⁾.

3. The calculation of support for climate change objectives by the ESF shall be made by identifying the financial data reported against dimension code 01 'Supporting the shift to a low carbon, resource efficient economy' in accordance with Dimension 6 'Codes for the secondary theme dimension under the European Social Fund' as set out in Table 6 of Annex I to this Regulation.

Article 2

Methodology for the calculation of support by the EAFRD for climate change objectives

1. The indicative amount of support to be used for climate change objectives by the EAFRD in each programme as referred to in Article 27(6) of Regulation (EU) No 1303/2013 shall be calculated by applying the coefficients set out in Annex II to this Regulation to the planned expenditure shown in the financing plan referred to in Article 8(1)(h) of Regulation (EU) No 1305/2013 in relation to the priorities and focus areas referred to in points 3(b), 4, 5 and 6(b) of Article 5 of Regulation (EU) No 1305/2013.

2. For the purpose of reporting on support used for climate change objectives in the annual implementation report in accordance with Article 50(4) and (5) of Regulation (EU) No 1303/2013, the coefficients referred to in paragraph 1 shall be applied to the information on expenditure referred to in Article 75(2) of Regulation (EU) No 1305/2013.

Article 3

Methodology for the calculation of support by the EMFF for climate change objectives

1. The contribution to climate change by the EMFF shall be calculated by attaching coefficients to each of the main measures supported by the EMFF reflecting the climate change relevance of each of these measures.

Support by the EMFF for climate change objectives shall be calculated on the basis of the following information:

- (a) the indicative amount of support to be used for climate change objectives by the EMFF in each programme as referred to in Article 27(6) of Regulation (EU) No 1303/2013;
- (b) the coefficients established for the main measures supported by the EMFF as set out in Annex III to this Regulation;
- (c) reporting by Member States on financial appropriations and expenditure by measure in annual implementation reports pursuant to Article 50(4) and (5) of Regulation No 1303/2013;
- (d) the information and data provided by Member States on operations selected for funding pursuant to a future Union legal act establishing the conditions for the financial support for maritime and fisheries policy for the programming period 2014-2020 (the 'EMFF Regulation').

2. A Member State may propose in its operational programme that a coefficient of 40 % be assigned to a measure weighed with a coefficient of 0 % in Annex III to this Regulation, provided that it can demonstrate the relevance of that measure to climate change mitigation or adaptation.

CHAPTER II

DETERMINING MILESTONES AND TARGETS IN THE PERFORMANCE FRAMEWORK AND ASSESSING THEIR ACHIEVEMENT

(Empowerment under the fifth subparagraph of Article 22(7) of Regulation (EU) No 1303/2013)

Article 4

Information to be recorded by the bodies preparing the programmes

1. The bodies preparing programmes shall record information on the methodologies and criteria applied to select indicators for the performance framework to ensure that corresponding milestones and targets comply with the conditions set out in paragraph 3 of Annex II to Regulation (EU) No 1303/2013 for all programmes and priorities supported by the ESI Funds, as well as the specific allocation to the Youth Employment Initiative ('YEI') as referred to in Article 16 of Regulation (EU) No 1304/2013 of the European Parliament and of the Council ⁽²⁾, subject to the exceptions set out in paragraph 1 of Annex II to Regulation (EU) No 1303/2013.

⁽¹⁾ Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal (OJ L 347, 20.12.2013, p. 259).

⁽²⁾ Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 181/2006 (OJ L 347, 20.12.2013, p. 470).

2. The information recorded by the bodies preparing programmes shall permit verification of compliance with the conditions set out in paragraph 3 of Annex II to Regulation (EU) No 1303/2013 for the milestones and targets. This shall include:

- (a) data or evidence used to estimate the value of milestones and targets and the calculation method, such as data on unit costs, benchmarks, standard or a past rate of implementation, expert advice and the conclusions of the ex-ante evaluation;
- (b) information on the share of the financial allocation represented by operations, to which the output indicators and key implementation steps set out in the performance framework correspond, as well as the explanation of how that share has been calculated;
- (c) information on how the methodology and mechanisms to ensure consistency in the functioning of the performance framework set out in the Partnership Agreement in accordance with Article 15(1)(b)(iv) of Regulation (EU) No 1303/2013 have been applied;
- (d) an explanation of the selection of result indicators or key implementation steps, where these have been included in the performance framework.

3. The information on the methodologies and criteria applied to select indicators for the performance framework and to fix corresponding milestones and targets recorded by the bodies preparing programmes shall be made available at the request of the Commission.

4. The requirements referred to in paragraphs 1 to 3 of this Article shall also apply to the revision of milestones and targets in accordance with Article 30 of Regulation (EU) No 1303/2013.

Article 5

Establishment of milestones and targets

1. Milestones and targets shall be set at the level of the priority, except in the cases referred to in Article 7. Output indicators and key implementation steps set out in the performance framework shall correspond to more than 50 % of the financial allocation to the priority. For the purposes of establishing that amount, an allocation to an indicator or key implementation step shall not be counted more than once.

2. For all ESI Funds, except for the EAFRD, the milestone and the target for a financial indicator shall refer to the total

amount of eligible expenditure entered into the accounting system of the certifying authority and certified by that authority in accordance with point (c) of Article 126 of Regulation (EU) No 1303/2013.

For the EAFRD, they shall refer to the realised total public expenditure entered into the common monitoring and evaluation system.

3. For all ESI Funds, except for the ESF and the EAFRD, the milestone and target for an output indicator shall refer to operations, where all the actions leading to outputs have been implemented in full, but for which not all the payments have necessarily been made.

For the ESF and for the EAFRD for measures according to Articles 16, 19(1)(c), 21 (1)(a) and (b), 27, 28, 29, 30, 31, 33, 34 of Regulation (EU) No 1305/2013, they may also relate to the achieved value for operations which have been started but where some of the actions leading to outputs are still ongoing.

For other measures under the EAFRD, they shall refer to the completed operations in the meaning of Article 2(14) of Regulation (EU) No 1303/2013.

4. A key implementation step shall be an important stage in the implementation of operations under a priority, whose completion is verifiable and may be expressed by a number or percentage. For the purpose of Articles 6 and 7 of this Regulation, key implementation steps shall be treated as indicators.

5. A result indicator shall be used only where appropriate and closely linked to supported policy interventions.

6. Where the information referred to in Article 4(2) of this Regulation has been found to be based on incorrect assumptions leading to under- or over-estimation of targets or milestones, this may be considered to constitute a duly justified case in the meaning of paragraph 5 of Annex II to Regulation (EU) No 1303/2013.

Article 6

Achievement of milestones and targets

1. The achievement of milestones and targets shall be assessed by taking into account all indicators and key implementation steps included in the performance framework set at the level of priority in the meaning of Article 2(8) of Regulation (EU) No 1303/2013 except in cases referred to in Article 7 of this Regulation.

2. The milestones or targets of a priority shall be deemed to be achieved if all indicators included in the related performance framework have achieved at least 85 % of the milestone value by the end of 2018 or at least 85 % of the target value by the end of 2023. By way of derogation, where the performance framework includes three or more indicators, the milestones or targets of a priority may be deemed to be achieved if all indicators except for one achieve 85 % of their milestone values by the end of 2018 or 85 % of their target value by the end of 2023. The indicator, which does not achieve 85 % of its milestone or target value, shall not achieve less than 75 % of its milestone or target value.

3. For a priority whose performance framework includes no more than two indicators, a failure to achieve at least 65 % of the milestone value by the end of 2018 for either of these indicators shall be deemed a serious failure to achieve milestones. A failure to achieve at least 65 % of the target value by the end of 2023 for either of these indicators shall be deemed a serious failure to achieve the targets.

4. For a priority whose performance framework includes more than two indicators the failure to achieve at least 65 % of the milestone value by the end of 2018 for at least two of those indicators shall be deemed a serious failure to achieve milestones. A failure to achieve at least 65 % of the target value by the end of 2023 for at least two of these indicators shall be deemed a serious failure to achieve the targets.

Article 7

Performance framework for priority axes referred to in Article 96(1)(a) and (b) of Regulation (EU) No 1303/2013 and priority axes integrating the YEI

1. The indicators and key implementation steps selected for the performance framework, their milestones and targets, as well as their achievement values shall be broken down by Fund and, for the ERDF and the ESF, by category of region.

2. The information required in Article 4(2) of this Regulation shall be set out by Fund and by category of region, where applicable.

3. The achievement of milestones and targets shall be assessed separately for each Fund and for each category of region within the priority, taking into account the indicators, their milestones and targets, and their achievement values broken down by Fund and category of region. Output indicators and key implementation steps set out in the performance framework shall correspond to more than 50 % of the financial allocation to the Fund and category of region, where applicable. For the purposes of establishing that amount, an

allocation to an indicator or key implementation step shall not be counted more than once.

4. If the resources for the YEI are programmed as a part of a priority axis in accordance with Article 18(c) of Regulation (EU) No 1304/2013, a performance framework shall be established separately for the YEI and the achievement of milestones set for the YEI shall be assessed separately from the other part of the priority axis.

CHAPTER III

NOMENCLATURE OF CATEGORIES OF INTERVENTION FOR THE ERDF, THE ESF AND THE COHESION FUND UNDER THE INVESTMENT FOR GROWTH AND JOBS GOAL

Article 8

Categories of intervention for the ERDF, the ESF and the Cohesion Fund

(Empowerment under the second subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

1. The nomenclature for categories of intervention referred to in the second subparagraph of Article 96(2) of Regulation (EU) No 1303/2013 is set out in Tables 1 to 8 of Annex I to this Regulation. The Codes set out in these tables shall apply to the ERDF with regard to the Investment for growth and jobs goal, the Cohesion Fund, the ESF and the YEI, as specified in paragraphs 2 and 3 of this Article.

2. Codes 001 to 101 set out in Table 1 of Annex I to this Regulation shall only apply to the ERDF and the Cohesion Fund.

Codes 102 to 120 set out in Table 1 of Annex I to this Regulation shall only apply to the ESF.

Only Code 103 set out in Table 1 of Annex I to this Regulation shall apply to the YEI.

Codes 121, 122 and 123 set out in Table 1 of Annex I to this Regulation shall apply to the ERDF, the Cohesion Fund and the ESF.

3. The codes set out in Tables 2 to 4, 7 and 8 of Annex I to this Regulation shall apply to the ERDF, the ESF, the YEI and the Cohesion Fund.

The codes set out in Table 5 of Annex I to this Regulation shall only apply to the ERDF and the Cohesion Fund.

The codes set out in Table 6 of Annex I to this Regulation shall only apply to the ESF and the YEI.

CHAPTER IV

FINAL PROVISIONS*Article 9*

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

Article 3 and Annex III to this Regulation shall apply with effect as of the entry into force of the EMFF Regulation.

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

Done at Brussels, 7 March 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Nomenclature for the categories of intervention of the Funds ⁽¹⁾ under the Investment for growth and jobs goal and of the Youth Employment Initiative

TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION

1. INTERVENTION FIELD		Coefficient for the calculation of support to climate change objectives
I. Productive investment:		
001	Generic productive investment in small and medium – sized enterprises ('SMEs')	0 %
002	Research and innovation processes in large enterprises	0 %
003	Productive investment in large enterprises linked to the low-carbon economy	40 %
004	Productive investment linked to the cooperation between large enterprises and SMEs for developing information and communication technology ('ICT') products and services, e-commerce and enhancing demand for ICT	0 %
II. Infrastructure providing basic services and related investment:		
<i>Energy infrastructure</i>		
005	Electricity (storage and transmission)	0 %
006	Electricity (TEN-E storage and transmission)	0 %
007	Natural gas	0 %
008	Natural gas (TEN-E)	0 %
009	Renewable energy: wind	100 %
010	Renewable energy: solar	100 %
011	Renewable energy: biomass	100 %
012	Other renewable energy (including hydroelectric, geothermal and marine energy) and renewable energy integration (including storage, power to gas and renewable hydrogen infrastructure)	100 %
013	Energy efficiency renovation of public infrastructure, demonstration projects and supporting measures	100 %
014	Energy efficiency renovation of existing housing stock, demonstration projects and supporting measures	100 %
015	Intelligent Energy Distribution Systems at medium and low voltage levels (including smart grids and ICT systems)	100 %
016	High efficiency co-generation and district heating	100 %

⁽¹⁾ European Regional Development Fund, Cohesion Fund and European Social Fund.

<i>Environmental infrastructure</i>	
017 Household waste management (including minimisation, sorting, recycling measures)	0 %
018 Household waste management (including mechanical biological treatment, thermal treatment, incineration and landfill measures)	0 %
019 Commercial, industrial or hazardous waste management	0 %
020 Provision of water for human consumption (extraction, treatment, storage and distribution infrastructure)	0 %
021 Water management and drinking water conservation (including river basin management, water supply, specific climate change adaptation measures, district and consumer metering, charging systems and leak reduction)	40 %
022 Waste water treatment	0 %
023 Environmental measures aimed at reducing and / or avoiding greenhouse gas emissions (including treatment and storage of methane gas and composting)	100 %
<i>Transport infrastructure</i>	
024 Railways (TEN-T Core)	40 %
025 Railways (TEN-T comprehensive)	40 %
026 Other Railways	40 %
027 Mobile rail assets	40 %
028 TEN-T motorways and roads — core network (new build)	0 %
029 TEN-T motorways and roads — comprehensive network (new build)	0 %
030 Secondary road links to TEN-T road network and nodes (new build)	0 %
031 Other national and regional roads (new build)	0 %
032 Local access roads (new build)	0 %
033 TEN-T reconstructed or improved road	0 %
034 Other reconstructed or improved road (motorway, national, regional or local)	0 %
035 Multimodal transport (TEN-T)	40 %
036 Multimodal transport	40 %
037 Airports (TEN-T) ⁽¹⁾	0 %
038 Other airports ⁽¹⁾	0 %

039	Seaports (TEN-T)	40 %
040	Other seaports	40 %
041	Inland waterways and ports (TEN-T)	40 %
042	Inland waterways and ports (regional and local)	40 %
<i>Sustainable transport</i>		
043	Clean urban transport infrastructure and promotion (including equipment and rolling stock)	40 %
044	Intelligent transport systems (including the introduction of demand management, tolling systems, IT monitoring, control and information systems)	40 %
<i>Information and communication technology (ICT) infrastructure</i>		
045	ICT: Backbone/backhaul network	0 %
046	ICT: High-speed broadband network (access/local loop; ≥ 30 Mbps)	0 %
047	ICT: Very high-speed broadband network (access/local loop; ≥ 100 Mbps)	0 %
048	ICT: Other types of ICT infrastructure/large-scale computer resources/equipment (including e-infrastructure, data centres and sensors; also where embedded in other infrastructure such as research facilities, environmental and social infrastructure)	0 %
III. Social, health and education infrastructure and related investment:		
049	Education infrastructure for tertiary education	0 %
050	Education infrastructure for vocational education and training and adult learning	0 %
051	Education infrastructure for school education (primary and general secondary education)	0 %
052	Infrastructure for early childhood education and care	0 %
053	Health infrastructure	0 %
054	Housing infrastructure	0 %
055	Other social infrastructure contributing to regional and local development	0 %
IV. Development of endogenous potential:		
<i>Research and development and innovation</i>		
056	Investment in infrastructure, capacities and equipment in SMEs directly linked to research and innovation activities	0 %
057	Investment in infrastructure, capacities and equipment in large companies directly linked to research and innovation activities	0 %
058	Research and innovation infrastructure (public)	0 %

059	Research and innovation infrastructure (private, including science parks)	0 %
060	Research and innovation activities in public research centres and centres of competence including networking	0 %
061	Research and innovation activities in private research centres including networking	0 %
062	Technology transfer and university-enterprise cooperation primarily benefiting SMEs	0 %
063	Cluster support and business networks primarily benefiting SMEs	0 %
064	Research and innovation processes in SMEs (including voucher schemes, process, design, service and social innovation)	0 %
065	Research and innovation infrastructure, processes, technology transfer and cooperation in enterprises focusing on the low carbon economy and on resilience to climate change	100 %
<i>Business development</i>		
066	Advanced support services for SMEs and groups of SMEs (including management, marketing and design services)	0 %
067	SME business development, support to entrepreneurship and incubation (including support to spin offs and spin outs)	0 %
068	Energy efficiency and demonstration projects in SMEs and supporting measures	100 %
069	Support to environmentally-friendly production processes and resource efficiency in SMEs	40 %
070	Promotion of energy efficiency in large enterprises	100 %
071	Development and promotion of enterprises specialised in providing services contributing to the low carbon economy and to resilience to climate change (including support to such services)	100 %
072	Business infrastructure for SMEs (including industrial parks and sites)	0 %
073	Support to social enterprises (SMEs)	0 %
074	Development and promotion of commercial tourism assets in SMEs	0 %
075	Development and promotion of commercial tourism services in or for SMEs	0 %
076	Development and promotion of cultural and creative assets in SMEs	0 %
077	Development and promotion of cultural and creative services in or for SMEs	0 %
<i>Information and communication technology (ICT) — demand stimulation, applications and services</i>		
078	e-Government services and applications (including e-Procurement, ICT measures supporting the reform of public administration, cyber-security, trust and privacy measures, e-Justice and e-Democracy)	0 %
079	Access to public sector information (including open data e-Culture, digital libraries, e-Content and e-Tourism)	0 %

080	e-Inclusion, e-Accessibility, e-Learning and e-Education services and applications, digital literacy	0 %
081	ICT solutions addressing the healthy active ageing challenge and e-Health services and applications (including e-Care and ambient assisted living)	0 %
082	ICT Services and applications for SMEs (including e-Commerce, e-Business and networked business processes), living labs, web entrepreneurs and ICT start-ups)	0 %
<i>Environment</i>		
083	Air quality measures	40 %
084	Integrated pollution prevention and control (IPPC)	40 %
085	Protection and enhancement of biodiversity, nature protection and green infrastructure	40 %
086	Protection, restoration and sustainable use of Natura 2000 sites	40 %
087	Adaptation to climate change measures and prevention and management of climate related risks e.g. erosion, fires, flooding, storms and drought, including awareness raising, civil protection and disaster management systems and infrastructures	100 %
088	Risk prevention and management of non-climate related natural risks (i.e. earthquakes) and risks linked to human activities (e.g. technological accidents), including awareness raising, civil protection and disaster management systems and infrastructures	0 %
089	Rehabilitation of industrial sites and contaminated land	0 %
090	Cycle tracks and footpaths	100 %
091	Development and promotion of the tourism potential of natural areas	0 %
092	Protection, development and promotion of public tourism assets	0 %
093	Development and promotion of public tourism services	0 %
094	Protection, development and promotion of public cultural and heritage assets	0 %
095	Development and promotion of public cultural and heritage services	0 %
<i>Other</i>		
096	Institutional capacity of public administrations and public services related to implementation of the ERDF or actions supporting ESF institutional capacity initiatives	0 %
097	Community-led local development initiatives in urban and rural areas	0 %
098	Outermost regions: compensation of any additional costs due to accessibility deficit and territorial fragmentation	0 %
099	Outermost regions: specific action to compensate additional costs due to size market factors	0 %

100	Outermost regions: support to compensate additional costs due to climate conditions and relief difficulties	40 %
101	Cross-financing under the ERDF (support to ESF-type actions necessary for the satisfactory implementation of the ERDF part of the operation and directly linked to it)	0 %

V. Promoting sustainable and quality employment and supporting labour mobility:

102	Access to employment for job-seekers and inactive people, including the long-term unemployed and people far from the labour market, also through local employment initiatives and support for labour mobility	0 %
103	Sustainable integration into the labour market of young people, in particular those not in employment, education or training, including young people at risk of social exclusion and young people from marginalised communities, including through the implementation of the Youth Guarantee	0 %
104	Self-employment, entrepreneurship and business creation including innovative micro, small and medium sized enterprises	0 %
105	Equality between men and women in all areas, including in access to employment, career progression, reconciliation of work and private life and promotion of equal pay for equal work	0 %
106	Adaptation of workers, enterprises and entrepreneurs to change	0 %
107	Active and healthy ageing	0 %
108	Modernisation of labour market institutions, such as public and private employment services, and improving the matching of labour market needs, including through actions that enhance transnational labour mobility as well as through mobility schemes and better cooperation between institutions and relevant stakeholders	0 %

VI. Promoting social inclusion, combating poverty and any discrimination:

109	Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability	0 %
110	Socio-economic integration of marginalised communities such as the Roma	0 %
111	Combating all forms of discrimination and promoting equal opportunities	0 %
112	Enhancing access to affordable, sustainable and high-quality services, including health care and social services of general interest	0 %
113	Promoting social entrepreneurship and vocational integration in social enterprises and the social and solidarity economy in order to facilitate access to employment	0 %
114	Community-led local development strategies	0 %

VII. Investing in education, training and vocational training for skills and lifelong learning:

115	Reducing and preventing early school-leaving and promoting equal access to good quality early-childhood, primary and secondary education including formal, non-formal and informal learning pathways for reintegrating into education and training	0 %
116	Improving the quality and efficiency of, and access to, tertiary and equivalent education with a view to increasing participation and attainment levels, especially for disadvantaged groups	0 %
117	Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	0 %
118	Improving the labour market relevance of education and training systems, facilitating the transition from education to work, and strengthening vocational education and training systems and their quality, including through mechanisms for skills anticipation, adaptation of curricula and the establishment and development of work-based learning systems, including dual learning systems and apprenticeship schemes	0 %

VIII. Enhancing institutional capacity of public authorities and stakeholders and efficient public administration:

119	Investment in institutional capacity and in the efficiency of public administrations and public services at the national, regional and local levels with a view to reforms, better regulation and good governance	0 %
120	Capacity building for all stakeholders delivering education, lifelong learning, training and employment and social policies, including through sectoral and territorial pacts to mobilise for reform at the national, regional and local levels	0 %

IX. Technical assistance:

121	Preparation, implementation, monitoring and inspection	0 %
122	Evaluation and studies	0 %
123	Information and communication	0 %

(¹) Restricted to investments related to environmental protection or accompanied by investments necessary to mitigate or reduce its negative environmental impact.

TABLE 2: CODES FOR THE FORM OF FINANCE DIMENSION

2. FORM OF FINANCE	
01	Non-repayable grant
02	Repayable grant
03	Support through financial instruments: venture and equity capital or equivalent
04	Support through financial instruments: loan or equivalent

05	Support through financial instruments: guarantee or equivalent
06	Support through financial instruments: interest rate subsidy, guarantee fee subsidy, technical support or equivalent
07	Prize

TABLE 3: CODES FOR THE TERRITORIAL DIMENSION

3. TERRITORY TYPE	
01	Large Urban areas (densely populated > 50 000 population)
02	Small Urban areas (intermediate density > 5 000 population)
03	Rural areas (thinly populated)
04	Macro regional cooperation area
05	Cooperation across national or regional programme areas in national context
06	ESF transnational cooperation
07	Not applicable

TABLE 4: CODES FOR THE TERRITORIAL DELIVERY MECHANISMS DIMENSION

4. TERRITORIAL DELIVERY MECHANISMS	
01	Integrated Territorial Investment — Urban
02	Other integrated approaches to sustainable urban development
03	Integrated Territorial Investment — Other
04	Other integrated approaches to sustainable rural development
05	Other integrated approaches to sustainable urban/rural development
06	Community-led local development initiatives
07	Not applicable

TABLE 5: CODES FOR THEMATIC OBJECTIVE DIMENSION

5. THEMATIC OBJECTIVE (ERDF and the Cohesion Fund)	
01	Strengthening research, technological development and innovation
02	Enhancing access to, and use and quality of, information and communication technologies
03	Enhancing the competitiveness of small and medium-sized enterprises
04	Supporting the shift towards a low-carbon economy in all sectors
05	Promoting climate change adaptation, risk prevention and management
06	Preserving and protecting the environment and promoting resource efficiency

07	Promoting sustainable transport and removing bottlenecks in key network infrastructures
08	Promoting sustainable and quality employment and supporting labour mobility
09	Promoting social inclusion and combating poverty and any discrimination
10	Investing in education, training and vocational training for skills and lifelong learning
11	Enhancing the institutional capacity of public authorities and stakeholders and an efficient public administration
12	Not applicable (Technical assistance only)

TABLE 6: CODES FOR THE SECONDARY THEME DIMENSION UNDER THE ESF

6. ESF SECONDARY THEME	Coefficient for the calculation of support to climate change objectives
01 Supporting the shift to a low-carbon, resource efficient economy	100 %
02 Social innovation	0 %
03 Enhancing the competitiveness of SMEs	0 %
04 Strengthening research, technological development and innovation	0 %
05 Enhancing the accessibility, use and quality of information and communication technologies	0 %
06 Non-discrimination	0 %
07 Gender equality	0 %
08 Not applicable	0 %

TABLE 7: CODES FOR THE ECONOMIC ACTIVITY DIMENSION

7. ECONOMIC ACTIVITY
01 Agriculture and forestry
02 Fishing and aquaculture
03 Manufacture of food products and beverages
04 Manufacture of textiles and textile products
05 Manufacture of transport equipment
06 Manufacture of computer, electronic and optical products
07 Other unspecified manufacturing industries
08 Construction
09 Mining and quarrying (including mining of energy producing materials)
10 Electricity, gas, steam, hot water and air conditioning

11	Water supply, sewerage, waste management and remediation activities
12	Transport and storage
13	Information and communication activities, including telecommunication, information service activities, computer programming, consultancy and related activities
14	Wholesale and retail trade
15	Tourism, accommodation and food service activities
16	Financial and insurance activities
17	Real estate, renting and business activities
18	Public administration
19	Education
20	Human health activities
21	Social work activities, community, social and personal services
22	Activities linked to the environment and to climate change
23	Arts, entertainment, creative industries and recreation
24	Other unspecified services

TABLE 8: CODES FOR THE LOCATION DIMENSION

8. LOCATION (2)	
Code	Location
	Code of region or area where operation is located/carried out, as set out in the Classification of Territorial Units for Statistics (NUTS) in the Annex to Regulation (EC) No 1059/2003 of the European Parliament and of the Council ⁽¹⁾

⁽¹⁾ Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

ANNEX II

Coefficients for calculating amounts of support for climate change objectives in the case of the European Agricultural Fund for Rural Development pursuant to Article 2

Article of Regulation (EU) No 1305/2013 ⁽¹⁾	Priority / focus area	Coefficient
Article 5(3)(b)	Supporting farm risk prevention and management	40 %
Article 5(4)	Restoring, preserving and enhancing ecosystems related to agriculture and forestry (<i>all focus areas</i>)	100 %
Article 5(5)	Promoting resource efficiency and supporting the shift towards a low-carbon and climate-resilient economy in the agriculture, food and forestry sectors (<i>all focus areas</i>)	100 %
Article 5(6)(b)	Fostering local development in rural areas	40 %

⁽¹⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 347, 20.12.2013, p. 487).

ANNEX III

Coefficients for calculating amounts of support for climate change objectives in the case of the European Maritime and Fisheries Fund pursuant to Article 3

	Title of the Measure	Provisional numbering	Coefficient
CHAPTER I Sustainable development in fisheries			
	Innovation	Article 28	0 %* (1)
	Advisory services	Article 29	0 %
	Partnership between scientists and fishermen	Article 30	0 %*
	Promoting human capital and social dialogue - training, networking, social dialogue	Article 31	0 %*
	Promoting human capital and social dialogue - support to spouses and life partners	Article 31.2	0 %*
	Promoting human capital and social dialogue – trainees on board of SSCF vessels	Article 31.3	0 %*
	Diversification and new forms of income	Article 32	0 %*
	Start-up support for young fishermen	Article 32a	0 %
	Health and safety	Article 33	0 %
	Temporary cessation of fishing activities	Article 33a	40 %
	Permanent cessation of fishing activities	Article 33b	100 %
	Mutual funds for adverse climatic events and environmental incidents	Article 33c	40 %
	Support to systems of allocation of fishing opportunities	Article 34	40 %
	Support for the design and implementation of conservation measures	Article 35	0 %
	Limiting the impact of fishing on the marine environment and adapting fishing to the protection of species	Article 36	40 %
	Innovation linked to the conservation of marine biological resources	Article 37	40 %
	Protection and restoration of marine biodiversity – collection of waste	Article 38.1.a	0 %
	Protection and restoration of marine biodiversity – contribution to a better management or conservation, construction, installation or modernisation of static or movable facilities, preparation of protection and management plans related to NATURA2000 sites and special protected areas, management, restoration and monitoring marine protected areas, including NATURA 2000 sites, environmental awareness, participation in other actions aimed at maintaining and enhancing biodiversity and ecosystem services	Article 38.1.b-e, ea, f	40 %
	Protection and restoration of marine biodiversity – schemes for the compensation of damage to catches caused by mammals and birds	Article 38.1.eb	0 %
	Mitigation of climate change – on board investments	Article 39.1.a	100 %

	Title of the Measure	Provisional numbering	Coefficient
	Mitigation of climate change – energy efficiency audits and schemes	Article 39.1.b	100 %
	Energy efficiency - studies to assess the contribution of alternative propulsion systems and hull designs	Article 39.1.c	40 %
	Replacement or modernisation of main or ancillary engines	Article 39.2	100 %
	Added value, product quality and use of unwanted catches	Article 40	0 %
	Fishing ports, landing sites, auction halls and shelters - investments improving fishing port and auctions halls infrastructure or landing sites and shelters	Article 41.1	40 %
	Fishing ports, landing sites, auction halls and shelters – investments to facilitate compliance with the obligation to land all catches	Article 41.2	0 %
	Fishing ports, landing sites, auction halls and shelters – investments to improve the safety of fishermen	Article 41.3	0 %
	Inland Fishing and inland aquatic fauna and flora - on board or in individual equipment as referred to in Article 33	Article 42.1.a	0* %
	Inland fishing and inland aquatic fauna and flora. Investments in equipment and types of operations as referred to in Article 36 and Article 37	Article 42.1.b	
	Inland Fishing and inland aquatic fauna and flora - on board and energy efficiency audits and schemes	Article 42.1.c	
	Inland Fishing and inland aquatic fauna and flora –promotion of human capital and social dialogue.	Article 42.1.aa	0 %
	Inland Fishing and inland aquatic fauna and flora - fishing ports, shelters and landing sites	Article 42.1.d	0 %
	Inland Fishing and inland aquatic fauna and flora - investments improving the value or quality of the fish caught	Article 42.1.da	0 %
	Inland Fishing and inland aquatic fauna and flora - start-up for young fishermen	Article 42.1.1a	0 %
	Inland Fishing and inland aquatic fauna and flora - development and facilitation of innovation	Article 42.1b	0 %*
	Inland Fishing and inland aquatic fauna and flora - to protect and develop aquatic fauna and flora,	Article 42.5	40 %

CHAPTER II
Sustainable development in aquaculture

	Innovation	Article 45	0 %*
	Productive investments in aquaculture	Article 46	0 %*
	Management, relief and advisory services for aquaculture farms	Article 48	0 %*
	Promoting human capital and networking	Article 49	0 %*
	Increasing the potential of aquaculture sites	Article 50	40 %
	Encouraging new sustainable aquaculture farmers	Article 51	0 %
	Conversion to eco-management and audit schemes and organic aquaculture	Article 53	40 %

	Title of the Measure	Provisional numbering	Coefficient
	Aquaculture providing environmental services	Article 54	40 %
	Public health measures	Article 55	0 %
	Animal health and welfare measures	Article 56	0 %
	Aquaculture stock insurance	Article 57	40 %

CHAPTER III
Sustainable development of fisheries areas

	Preparatory support	Article 63.1.a	0 %
	Implementation of local development strategies	Article 65	40 %
	Cooperation activities	Article 66	0 %*
	Running cost and animation	Article 63.1.d	0 %

CHAPTER IV
Marketing and processing related measures

	Production and marketing plans	Article 69	0 %*
	Storage aid	Article 70	0 %
	Marketing measures	Article 71	0 %*
	Processing of fisheries and aquaculture products	Article 72	40 %

CHAPTER V
Compensation for additional costs in outermost regions for fishery and aquaculture products

	Compensation regime	Article 73	0 %
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CHAPTER VI
Accompanying measures for the common fisheries policy under shared management

	Control and enforcement	Article 78	0 %
	Data collection	Article 79	0 %*

CHAPTER VII
Technical assistance at the initiative of the Member States

	Technical assistance at the initiative of the Member States	Article 79a	0 %
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CHAPTER VIII
Measures concerning integrated maritime policy financed under shared management

	Integrating Maritime Surveillance	Article 79b.1.a	40 %
	Promotion of the protection of marine environment, and the sustainable use of marine and coastal resources	Article 79b.1.b	40 %

(¹) A weight of 40 % can be assigned to the measures marked with * in the table, in accordance with Article 3(2).

COMMISSION REGULATION (EU) No 216/2014

of 7 March 2014

amending Regulation (EC) No 2075/2005 laying down specific rules on official controls for *Trichinella* in meat

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽¹⁾, and in particular points 6, 8, 10 and 12 of Article 18 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for *Trichinella* in meat ⁽²⁾ lays down rules for the sampling of carcasses of species susceptible to *Trichinella* infection, for the determination of the status holdings and regions and conditions for import of meat into the Union. It also provides for reference methods and equivalent methods of detection of *Trichinella* in samples of carcasses.
- (2) The European Food Safety Authority (EFSA) adopted on 3 October 2011 a Scientific Opinion on the public health hazards to be covered by inspection of meat (swine) ⁽³⁾. In that opinion EFSA identified *Trichinella* as a medium risk for public health related to the consumption of pig meat and concludes that with respect to inspection methods for biological hazards, a pork carcass safety assurance, with a range of preventive measures and controls applied both on-farm and at slaughterhouse in an integrated way is the only way to ensure an effective control of the main hazards.
- (3) EFSA identified certain epidemiological indicators in relation to *Trichinella*. Depending on the purpose and the epidemiological situation of the country the indicators may be applied at national, regional, slaughterhouse or holding level.
- (4) EFSA recognises the sporadic presence of *Trichinella* in the Union, mainly in free-ranging and backyard pigs. EFSA also identified that the type of production system is the single main risk factor for *Trichinella* infections. In addition, available data demonstrate that the risk of *Trichinella* infection in pigs from officially recognised controlled housing conditions is negligible.
- (5) A negligible risk status for a country or region is no longer recognised in an international context by the World Animal Health Organisation (OIE). Instead, such recognition is linked to compartments of one or more holdings applying specific controlled housing conditions.
- (6) For reasons of consistency with international standards, and in order to enhance a control system in accordance with the actual public health risks, the *Trichinella* risk mitigation measures, including import conditions, at slaughterhouses and the conditions for determination of the *Trichinella* infection status of countries, regions or holdings should be adapted, rationalised and simplified.
- (7) Belgium and Denmark notified in 2011 a *Trichinella* negligible risk for their territory in accordance with Regulation (EC) No 2075/2005. Such negligible risk status for a country or region is however no longer recognised. Nevertheless, holdings and compartments in Belgium and Denmark which comply with the conditions for controlled housing at the date of entry into force of this Regulation should be allowed to apply the derogation for such holdings and compartments without additional prerequisites such as further requirements of post-official recognition by the competent authority.
- (8) The EU Reference Laboratory for parasites has recommended clarifying the text of the Regulation in relation to the procedure of certain equivalent methods for *Trichinella* testing.
- (9) It should be provided that the operators must ensure that dead animals are collected, identified and transported without undue delay in accordance with Articles 21 and 22 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) ⁽⁴⁾ and with Annex VIII to Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive ⁽⁵⁾.

⁽¹⁾ OJ L 139, 30.4.2004, p. 206.

⁽²⁾ OJ L 338, 22.12.2005, p. 60.

⁽³⁾ EFSA Journal 2011; 9(10):2351[198 pp.], published 3 October 2011.

⁽⁴⁾ OJ L 300, 14.11.2009, p. 1.

⁽⁵⁾ OJ L 54, 26.2.2011, p. 1.

- (10) The number of cases (imported and autochthonous) of *Trichinella* in humans, including epidemiological data should be reported in accordance with Commission Decision 2000/96/EC of 22 December 1999 on the communicable diseases to be progressively covered by the Community network under Decision No 2119/98/EC of the European Parliament and of the Council ⁽¹⁾.
- (11) Regulation (EC) No 2075/2005 should therefore be amended accordingly.
- (12) The requirements provided for in this Regulation involve an adaptation of current practices both for food business operators and competent authorities. It is therefore appropriate to allow a delayed application of some of the provisions of this Regulation.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2075/2005 is amended as follows:

- (1) Article 1 is replaced by the following:

'Article 1

Definitions

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

- (1) "*Trichinella*" means any nematode belonging to the species of the genus *Trichinella*;
- (2) "controlled housing conditions" means a type of animal husbandry where swine are kept at all times under conditions controlled by the food business operator with regard to feeding and housing;
- (3) "compartment" means a group of holdings which apply controlled housing conditions. All holdings applying controlled housing conditions in a Member State, may be considered as one compartment.;
- (2) Articles 2 and 3 are replaced by the following:

'Article 2

Sampling of carcasses

1. Carcasses of domestic swine shall be sampled in slaughterhouses as part of the post-mortem examination as follows:

- (a) all carcasses of breeding sows and boars or at least 10 % of carcasses of animals sent in for slaughter each year from each holding being officially recognised as applying controlled housing conditions, shall be examined for *Trichinella*;

- (b) all carcasses from holdings not being officially recognised as applying controlled housing conditions shall be systematically examined for *Trichinella*.

A sample shall be collected from each carcass and the sample shall be examined for *Trichinella*, in a laboratory designated by the competent authority, using one of the following methods of detection:

- (a) the reference method of detection set out in Chapter I of Annex I; or
- (b) an equivalent method of detection set out in Chapter II of Annex I.

2. Pending the results of the *Trichinella* examination and provided full traceability is guaranteed by the food business operator, such carcasses may be cut up into a maximum of six parts in a slaughterhouse or in a cutting plant on the same premises as the slaughterhouse (the premises).

By way of derogation from the first subparagraph and following approval by the competent authority, such carcasses may be cut up at a cutting plant attached to or separate from the slaughterhouse provided that:

- (a) the procedure is under supervision by the competent authority;
- (b) a carcass or the parts thereof have not more than one cutting plant as its destination;
- (c) the cutting plant is situated within the territory of the Member State; and
- (d) in case of a positive result all the parts are declared unfit for human consumption.

3. Carcasses of horses, wild boar and other farmed and wild animal species susceptible to *Trichinella* infestation shall be systematically sampled in slaughterhouses or game-handling establishments as part of the post-mortem examination.

A sample shall be collected from each carcass and the sample shall be examined in accordance with Annexes I and III in a laboratory designated by the competent authority.

Article 3

Derogations

1. By way of derogation from Article 2(1), meat of domestic swine that has undergone a freezing treatment in accordance with Annex II under the supervision of the competent authority shall be exempt from *Trichinella* examination.

2. By way of derogation from Article 2(1), carcasses and meat of not weaned domestic swine less than five weeks of age shall be exempt from *Trichinella* examination.

⁽¹⁾ OJ L 28, 3.2.2000, p. 50.

3. By way of derogation from Article 2(1), carcases and meat of domestic swine may be exempt from *Trichinella* examination where the animals come from a holding or a compartment officially recognised as applying controlled housing conditions in accordance with Annex IV, if:

- (a) no autochthonous *Trichinella* infestations in domestic swine kept in holdings officially recognised as applying controlled housing conditions have been detected in the Member State in the past three years, during which time continuous testing has been conducted in accordance with Article 2; or
- (b) historical data on continuous testing carried out on slaughtered swine population provide at least 95 % confidence that the prevalence of *Trichinella* does not exceed 1 per million in that population; or
- (c) the holdings applying controlled housing conditions are located in Belgium or Denmark.

4. Where a Member State implements the derogation provided for in paragraph 3, the Member State concerned shall inform the Commission and the other Member States at the Standing Committee of the Food Chain and Animal Health and submit an annual report to the Commission containing the information referred to in Chapter II of Annex IV. The Commission shall publish on its website the list of Member States implementing the derogation.

Where a Member State fails to submit that annual report or the annual report is unsatisfactory for the purposes of this Article, then the derogation shall cease to apply to that Member State.;

(3) Articles 8 to 12 are replaced by the following:

Article 8

Official recognition of holdings applying controlled housing conditions

1. For the purpose of this Regulation, the competent authority may officially recognise a holding or a compartment applying controlled housing conditions where the requirements laid down in Annex IV are complied with.

2. Holdings or a compartment applying controlled housing conditions in Denmark or Belgium in accordance with Article 3, paragraph 3(c) at the date of application of this Regulation are considered to be officially recognised applying controlled housing conditions as listed in Annex IV to this Regulation.

Article 9

Obligation on food business operators to inform

Food business operators of holdings officially recognised as applying controlled housing conditions shall inform the

competent authority of any requirement as laid down in Annex IV that is no longer fulfilled or of any other change that might affect holdings' *Trichinella* status.

Article 10

Audits of holdings officially recognised as applying controlled housing conditions

The competent authority shall ensure that audits are carried out periodically of holdings officially recognised as applying controlled housing conditions.

The frequency of audits shall be risk-based, taking account of disease history and prevalence, previous findings, the geographical area, local susceptible wildlife, animal husbandry practices, veterinary supervision and farmers' compliance.

The competent authority shall verify that domestic swine coming from those holdings are examined in accordance with Article 2(1).

Article 11

Monitoring programmes

The competent authority may implement a monitoring programme covering the population of domestic swine coming from a holding or a compartment officially recognised as applying controlled housing conditions, in order to verify that *Trichinella* is effectively absent in that population.

The frequency of testing, the number of animals to be tested and the sampling plan shall be laid down in the monitoring programme. To that end, meat samples shall be collected and examined for presence of *Trichinella* parasites in accordance with Chapter I or II of Annex I.

The monitoring programme may include serological methods as an additional tool once a suitable test is validated by the EU reference laboratory.

Article 12

Withdrawal of official recognition of holdings as applying controlled housing conditions

1. Where the results of the audits carried out in accordance with Article 10 show that the requirements of Annex IV are no longer fulfilled, the competent authority shall withdraw the holdings official recognition without delay.

2. Where domestic swine from a holding officially recognised as applying controlled housing conditions test positive to *Trichinella*, the competent authority shall without delay:

- (a) withdraw the holding's official recognition;
 - (b) examine all domestic swine of that holding at the time of slaughter;
 - (c) trace and test all breeding animals that arrived on the holding and, as far as possible, all those that left the holding in at least the six months preceding the positive finding; to that end, meat samples shall be collected and examined for presence of *Trichinella* parasites using the detection methods laid down in Chapters I and II of Annex I;
 - (d) when relevant, as far as is feasible, investigate the spread of parasite infestation due to the distribution of meat from domestic swine slaughtered in the period preceding the positive finding;
 - (e) inform the Commission and the other Member States;
 - (f) When relevant, initiate an epidemiological investigation to elucidate the cause of infestation;
 - (g) take appropriate measures where any infested carcase cannot be identified at the slaughterhouse, including:
 - (i) increasing the size of each meat sample collected for testing of the suspect carcasses; or
 - (ii) declaring the carcasses unfit for human consumption;
 - (iii) taking appropriate measures for the disposal of suspect carcasses or parts thereof and those testing positive.
3. Following withdrawal of recognition, holdings may be officially recognised again once the problems identified have been solved and the requirements laid down in Annex IV are fulfilled to the satisfaction of the competent authority.
4. If the inspection identified a lack of compliance with Article 9 or positive testing in a holding of a compartment, the holding concerned should be removed from the compartment until compliance is re-established.;

- (4) Article 13 is replaced by the following:

'Article 13

Import health requirements

Meat of animal species that may be carriers of *Trichinella*, containing striated muscles and coming from a third country may only be imported into the Union if examination for *Trichinella* has been performed in accordance with Articles 2 and 3 in that third country before export.;

- (5) Article 14 is deleted;

- (6) Article 15 is replaced by the following:

'Article 15

Documents

The health certificate accompanying imports of meat as referred to in Article 13 shall be endorsed with a statement by the official veterinarian to the effect that the examination for *Trichinella* in the third country of origin has been performed in accordance with Article 13.

That document shall accompany the meat in the original unless an exemption has been granted in accordance with Article 14(4) of Regulation (EC) No 854/2004.;

- (7) Annex I is amended in accordance with Annex I to this Regulation;
- (8) Annex IV is replaced by the text in Annex II to this Regulation.

Article 2

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

It shall apply from 1 June 2014.

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

Done at Brussels, 7 March 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Annex I to Regulation (EC) No 2075/2005 is amended as follows:

(1) in Chapter I, point 3. Procedure, the following paragraph is added:

IV. Cleaning and decontamination procedure after a positive or doubtful result

When the examination of a collective or individual sample produces a positive or doubtful latex agglutination result, all material in contact with meat (blender bowl, beaker, stirring rod, temperature sensor, conical filtration funnel, sieve and forceps) must be carefully decontaminated by soaking for few seconds in warm water (65 to 90 °C). Meat residues or inactivated larvae that could remain on their surface may be removed with a clean sponge and tap water. If required, a few drops of detergent can be added for degreasing equipment. It is then recommended to rinse each piece thoroughly to remove all traces of detergent.’;

(2) Part D, of Chapter II, point 3 is replaced by the following:

‘3. Procedure

I. For complete pools (100 g of samples at a time)

- (a) $16 \pm 0,5$ ml of 25 % hydrochloric acid (0,2 % final) is added to a 3 litre beaker containing 2,0 litres ± 200 ml of tap water, preheated to 46 to 48 °C; a stirring rod is placed in the beaker, the beaker is placed on the preheated plate and the stirring is started.
- (b) 10 ± 1 g of powder pepsin (or 30 ± 3 ml of liquid pepsin) is added.
- (c) 100-115 g of samples collected in accordance with point 2 are chopped in the blender, with 150 ± 15 ml of preheated digestion buffer.
- (d) The chopped meat is transferred to the 3 litre beaker containing the water, pepsin and hydrochloric acid.
- (e) The mincing insert of the blender is immersed repeatedly in the digestion fluid in the beaker and the blender bowl is rinsed with a small quantity of digestion fluid to remove any meat still adhering.
- (f) The beaker is covered with aluminium foil.
- (g) The magnetic stirrer must be adjusted so that it maintains a constant temperature of 44 to 46 °C throughout the operation. During stirring, the digestion fluid must rotate at a sufficiently high speed to create a deep whirl without splashing.
- (h) The digestion fluid is stirred until the meat particles disappear (approximately 30 minutes). The stirrer is then switched off and the digestion fluid is poured through the sieve into the sedimentation funnel. Longer digestion times may be necessary (not exceeding 60 minutes) in the processing of certain types of meat (tongue, game meat, etc.).
- (i) The digestion process is considered satisfactory if not more than 5 % of the starting sample weight remains on the sieve.
- (j) The 20 microns nylon mesh filter is placed on the filtration support. The conical filtration steel funnel is fixed to the support with the block system and the steel sieve of 180 microns mesh size is placed on the funnel. The vacuum pump is connected with the filtration support and with the metal or plastic tank, to collect the digestive fluid.
- (k) Stirring is stopped and the digestion fluid is poured into the filtration funnel through the sieve. The beaker is rinsed with approximately 250 ml of warm water. The rinsing liquid is poured into the filtration ramp after the digested fluid has been successfully filtrated.
- (l) The filtration membrane is taken with the forceps, holding it by an edge. The filtration membrane is folded (minimal) in four and put in the 15 ml conical tube. The choice of conical tube must be adapted to the pestle.

- (m) The filtration membrane is pushed at the bottom of the 15 ml conical tube with the help of the pestle and strongly pressed by doing approximately 20 successive back and forth movements with the pestle which should be positioned inside the filtration membrane folding according to the manufacturer's instructions.
- (n) $0,5 \pm 0,01$ ml of sample diluents is added into the 15 ml conical tube by pipette and the filtration membrane is homogenised with the pestle by doing successive low amplitude back and forth movements for approximately 30 seconds, avoiding abrupt movements to limit liquid splashes according to the manufacturer's instructions.
- (o) Each sample, the negative control, and the positive control, are dispensed into different fields of the agglutination card by pipettes, according to the manufacturer's instructions.
- (p) The latex beads are added into each field of the agglutination card by a pipette, according to the manufacturer's instructions, without making them come into contact with the sample/s and controls. In each field, the latex beads are then gently mixed with a disposable stick until the homogeneous liquid covers the entire field.
- (q) The agglutination card is put on the 3D rocker and is rocked for 10 ± 1 minutes according to the manufacturer's instructions.
- (r) After the time established by the manufacturer's instructions, the rocking is stopped and the agglutination card is put on a plane surface and the reaction results are read immediately, according to the manufacturer's instructions. In the case of a positive sample, the beads aggregates must appear. In the case of a negative sample, the suspension remains homogeneous without beads aggregates.

II. Pools of less than 100 g as set out in Chapter I(3)(II)

For pools of less than 100 g, the procedure set out in Chapter I(3)(II) must be followed.

III. Positive or doubtful results

Where examination of a collective sample produces a positive or uncertain latex agglutination result, a further 20 g sample is taken from each swine in accordance with Chapter I(2)(a). The 20 g samples from five swine are pooled and examined using the method described in Section I. In this way samples from 20 groups of five swine must be examined.

When a positive latex agglutination is obtained from a group of five swine, further 20 g samples are collected from the individuals in the group and each is examined separately using the method described in Section I.

When a positive or uncertain latex agglutination result is obtained, at least 20 g of swine muscle must be sent to the national reference laboratory for confirmation using one of the methods described in Chapter I.

Parasite samples must be kept in 90 % ethyl alcohol for conservation and identification at species level at the EU or national reference laboratory.

After parasite collection, positive fluids must be decontaminated by heating to at least 60 °C.

IV. Cleaning and decontamination procedure after a positive or doubtful result.

When the examination of a collective or individual sample produces a positive or doubtful latex agglutination result, all material in contact with meat (blender bowl, beaker, stirring rod, temperature sensor, conical filtration funnel, sieve and forceps) must be carefully decontaminated by soaking for few seconds in warm water (65 to 90 °C). Meat residues or inactivated larvae that could remain on their surface may be removed with a clean sponge and tap water. If required, a few drops of detergent can be added for degreasing equipment. It is then recommended to rinse each piece thoroughly to remove all traces of detergent.'

ANNEX II

‘ANNEX IV

CHAPTER I

OFFICIAL RECOGNITION OF A HOLDINGS OR A COMPARTMENT AS APPLYING CONTROLLED HOUSING CONDITIONS

A. The following requirements must be met by food business operators to obtain official recognition of holdings:

- (a) the operator must have taken all practical precautions with regard to building construction and maintenance in order to prevent rodents, any other kind of mammals and carnivorous birds from having access to buildings where animals are kept;
- (b) the operator must apply a pest-control programme, in particular for rodents, effectively to prevent infestation of pigs. The operator must keep records of the programme to the satisfaction of the competent authority;
- (c) the operator must ensure that all feed has been obtained from a facility that produces feed in accordance with the principles described in Regulation (EC) No 1831/2003 of the European Parliament and of the Council (*);
- (d) the operator must store feed intended for *Trichinella* susceptible species in closed silos or other containers that are impenetrable to rodents. All other feed supplies must be heat-treated or produced and stored to the satisfaction of the competent authority;
- (e) the operator must ensure that dead animals are collected, identified and transported without undue delay in accordance with Articles 21 and 22 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council (**) and with Annex VIII to Commission Regulation (EU) No 142/2011 (***);
- (f) if a rubbish dump is located in the neighbourhood of the holding, the operator must inform the competent authority. Subsequently, the competent authority must assess the risks involved and decide whether the holding is to be recognised as applying controlled housing conditions;
- (g) the operator must ensure that piglets coming onto the holding from outside and pigs purchased are born and bred under controlled housing conditions;
- (h) the operator must ensure that pigs are identified so each animal can be traced back to the holding;
- (i) the operator may introduce new animals onto the holding only if they come from holdings also officially recognised as applying controlled housing conditions;
- (j) none of the animals has access to outdoor facilities unless the food business operator can show by a risk analysis to the satisfaction of the competent authority that the time period, facilities and circumstances of outdoor access do not pose a danger for introduction of *Trichinella* in the holding.

B. Food business operators of holdings officially recognised as applying controlled housing conditions shall inform the competent authority where any of the requirements laid down in point A is no longer fulfilled or where any other change has occurred that might affect the status of the holding.

C. The competent authorities in Member States may only recognise a holding or a category of holdings provided that they have verified that the requirements laid down in point A are met.

CHAPTER II

REPORTING ON *TRICHINELLA* SITUATION

- (a) The number of cases (imported and autochthonous) of *Trichinella* in humans, including epidemiological data shall be reported in accordance with Commission Decision 2000/96/EC (****).
- (b) The number of tests and the results of testing for *Trichinella* in domestic swine, wild boar, horses, game and any other susceptible animals shall be submitted in accordance with Annex IV to Directive 2003/99/EC. Data on domestic swine shall, at least, provide specific information related to:
 - (i) tests on animals raised under controlled housing conditions;
 - (ii) tests on breeding sows, boars and fattening pigs.

(*) OJ L 35, 8.2.2005, p. 1.

(**) OJ L 300, 14.11.2009, p. 1.

(***) OJ L 54, 26.2.2011, p. 1.

(****) OJ L 28, 3.2.2000, p. 50.'

COMMISSION REGULATION (EU) No 217/2014

of 7 March 2014

amending Regulation (EC) No 2073/2005 as regards *Salmonella* in pig carcasses

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽¹⁾, and in particular Article 4(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 2073/2005 ⁽²⁾ lays down the microbiological criteria for certain micro-organisms and the implementing rules to be complied with by food business operators in respect of the general and specific hygiene requirements referred to in Article 4 of Regulation (EC) No 852/2004, and in particular a process hygiene criterion for *Salmonella* on pig carcasses in order to control contamination during slaughter.

(2) The European Food Safety Authority (EFSA) adopted on 3 October 2011 a Scientific Opinion on the public health hazards to be covered by inspection of meat (swine) ⁽³⁾, which identifies *Salmonella* as a high risk for public health related to the consumption of pigmeat, and recommends prevention of contamination of pig carcasses with *Salmonella*. EFSA recommends, inter alia, to strengthen the process hygiene criterion for *Salmonella* on pig carcasses.

(3) In order to reduce the *Salmonella* prevalence on pig carcasses, the control on hygiene during slaughter should be strengthened in accordance with the provisions in Commission Regulation (EU) No 218/2014 of 7 March 2014 amending Annexes to Regulations (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council and Commission Regulation (EC) No 2074/2005 ⁽⁴⁾ and consequently the number of positive samples should be reduced.

(4) The requirements provided for in the Regulation involve the adaptation of current practices for food business operators. It is therefore appropriate to allow a delayed application of this Regulation.

(5) Regulation (EC) No 2073/2005 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

In Chapter 2 of Annex I to Regulation (EC) No 2073/2005, row 2.1.4 is replaced by the following:

2.1.4 Carcasses of pigs	<i>Salmonella</i>	50 ⁽⁵⁾	3 ⁽⁶⁾	Absence in the area tested per carcase	EN/ISO 6579	Carcasses after dressing but before chilling	Improvements in slaughter hygiene and review of process controls, origin of animals and of the biosecurity measures in the farms of origin'
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⁽¹⁾ OJ L 226, 25.6.2004, p. 3.

⁽²⁾ OJ L 338, 22.12.2005, p. 1.

⁽³⁾ EFSA Journal 2011; 9(10):2351.

⁽⁴⁾ See page 95 of this Official Journal.

Article 2

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

It shall apply from 1 June 2014.

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

Done at Brussels, 7 March 2014.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 218/2014

of 7 March 2014

amending Annexes to Regulations (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council and Commission Regulation (EC) No 2074/2005

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽¹⁾, and in particular Article 10(1) thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽²⁾, and in particular Article 17(1) and points 3 and 10 of Article 18 thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. In accordance with Annex II to that Regulation food business operators operating slaughterhouses are to request, receive, check and act upon food chain information in respect of all animals, other than wild game, sent or intended to be sent to the slaughterhouse. Such information includes the status of the holding of provenance.
- (2) Commission Regulation (EU) No 216/2014 of 7 March 2014 amending Regulation (EC) No 2075/2005 laying down specific rules on official controls for *Trichinella* in meat⁽³⁾ grants derogation from testing provisions to holdings which apply controlled housing conditions. Such information should therefore be included in the food chain information to be provided to the slaughterhouse, in order to enable the Member States to apply the appropriate *Trichinella* testing regime.
- (3) Regulation (EC) No 853/2004 lays down conditions under which meat from animals having undergone emergency slaughter outside a slaughterhouse, is fit for

human consumption. As emergency slaughter meat which has successfully passed meat inspection does not constitute a risk to public health, the requirement for a special health mark and the restriction to the national market for the emergency slaughter meat should be deleted from that Regulation and the requirement for a special health mark for the emergency slaughter meat also from Regulation (EC) No 854/2004.

- (4) Regulation (EC) No 854/2004 lays down specific rules for the organisation of official controls on products of animal origin. In particular, Annex I to that Regulation lays down rules for ante-mortem and post-mortem inspection, including visual inspection, and for specific hazards in fresh meat.
- (5) Regulation (EC) No 854/2004 provides that official auxiliaries may assist the official veterinarian with official controls subject to certain restrictions. In relation to ante-mortem inspection and checks concerning the welfare of animals, official auxiliaries should be allowed to help the official veterinarian with the preselection of animals with abnormalities.
- (6) The European Food Safety Authority (EFSA) adopted on 3 October 2011 a Scientific Opinion on the public health hazards to be covered by inspection of meat (swine)⁽⁴⁾, which concluded that the currently required palpations and incisions in post-mortem inspection involve a risk of cross contamination. To prevent that cross contamination, those palpations and incisions should not be required anymore for normal animals, but only when abnormalities are identified. In that opinion EFSA identifies that the pathogens causing endocarditis in pigs are not relevant for public health. Since the routine incision of the heart is not necessary for safety reasons, it should not be required anymore.
- (7) In the same opinion EFSA identifies *Salmonella* as a high risk for public health related to the consumption of pigmeat, and recommends to prevent contamination of pig carcasses with *Salmonella*.
- (8) In Chapter IX of Section IV of Annex I to Regulation (EC) No 854/2004, provisions are laid down on the tasks of the official veterinarian for specific hazards. *Salmonella* should also be subject of specific task of the official

⁽¹⁾ OJ L 139, 30.4.2004, p. 55.

⁽²⁾ OJ L 139, 30.4.2004, p. 206.

⁽³⁾ See page 85 of this Official Journal.

⁽⁴⁾ EFSA Journal 2011; 9(10):2351.

veterinarian, in particular in case of non-compliance with specific Union legislation. In particular supervision of the existing process hygiene criterion for *Salmonella* on carcasses laid down in Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs⁽¹⁾ and enforcement of action by the food business operator in case of non-compliance with specific Union legislation, should be integrated in pigmeat inspection. The supervision also provides a cost-efficient tool to provide the information on the mandatory monitoring of *Salmonella* in the pigmeat production chain in accordance with Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC⁽²⁾.

- (9) In Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004⁽³⁾, specific requirements are laid down for optional visual post-mortem inspection of pigs. The amendments proposed in the present Regulation of the standard post-mortem inspection requirements in Regulation (EC) No 854/2004 make the requirements for optional visual inspection of pigs laid down in Regulation (EC) No 2074/2005 irrelevant for pigs and consequently those requirements should be amended.
- (10) The requirements provided for in the Regulation involve an adaptation of current practices both for food business operators and competent authorities. It is therefore appropriate to allow a delayed application of this Regulation.
- (11) Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 2074/2005 should be therefore amended accordingly.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 853/2004

Regulation (EC) No 853/2004 is amended as follows:

⁽¹⁾ OJ L 338, 22.12.2005, p. 1.

⁽²⁾ OJ L 325, 12.12.2003, p. 31.

⁽³⁾ OJ L 338, 22.12.2005, p. 27.

- (1) point 3(a) of Section III of Annex II is replaced by the following:

‘(a) the status of the holding of provenance or the regional animal health status, and whether the holding is officially recognised to apply controlled housing conditions in relation to *Trichinella* in accordance with Point A of Chapter I of Annex IV to Commission Regulation (EC) No 2075/2005 (*);

(*) OJ L 338, 22.12.2005, p. 60.’;

- (2) in Chapter VI of Section I of Annex III, point 9 is deleted.

Article 2

Amendments to Regulation (EC) No 854/2004

Annex I to Regulation (EC) No 854/2004 is amended as follows:

- (1) in Chapter III of Section I, point 7 is deleted;
- (2) in Chapter I of Section III, point 2 is replaced by the following:
- ‘2. in relation to ante-mortem inspection and checks concerning the welfare of animals, official auxiliaries may only help with purely practical tasks which may include a preselection of animals with abnormalities;’;
- (3) in Part B of Chapter IV of Section IV, points 1 and 2 are replaced by the following:
- ‘1. Carcasses and offal of pigs are to undergo the following post-mortem inspection procedures:
- (a) visual inspection of the head and throat; visual inspection of the mouth, fauces and tongue;
- (b) visual inspection of the lungs, trachea and oesophagus;
- (c) visual inspection of the pericardium and heart;
- (d) visual inspection of the diaphragm;
- (e) visual inspection of the liver and the hepatic and pancreatic lymph nodes, (*Lnn. portales*);
- (f) visual inspection of the gastro-intestinal tract, the mesentery, the gastric and mesenteric lymph nodes (*Lnn. gastrici, mesenterici, craniales* and *caudales*);

- (g) visual inspection of the spleen;
- (h) visual inspection of the kidneys;
- (i) visual inspection of the pleura and peritoneum;
- (j) visual inspection of the genital organs (except for the penis, if already discarded);
- (k) visual inspection of the udder and its lymph nodes (*Lnn. supramammarii*);
- (l) visual inspection of the umbilical region and joints of young animals.

2. When the epidemiological or other data from the holding of provenance of the animals, the food chain information or the findings of ante-mortem inspection and/or post-mortem visual detection of relevant abnormalities indicate possible risks to public health, animal health or animal welfare, the carcasses and offal of pigs are to undergo additional post-mortem procedures using incision and palpation. Depending on the identified risks these procedures may include:

- (a) incision and examination of the submaxillary lymph nodes (*Lnn. mandibulares*);
- (b) palpation of the lungs and the bronchial and mediastinal lymph nodes (*Lnn. bifurcationes, eparteriales* and *mediastinales*). The trachea and the main branches of the bronchi must be opened lengthwise and the lungs must be incised in their posterior third, perpendicular to their main axes; those incisions are not necessary where the lungs are excluded from human consumption;
- (c) incision of the heart lengthwise so as to open the ventricles and cut through the interventricular septum;
- (d) palpation of the liver and its lymph nodes;
- (e) palpation and, if necessary, incision of the gastric and mesenteric lymph nodes;
- (f) palpation of the spleen;
- (g) incision of the kidneys and the renal lymph nodes (*Lnn. renales*);
- (h) incision of the supramammary lymph nodes;
- (i) palpation of the umbilical region and joints of young animals and, if necessary incision of the umbilical region and opening of the joints.;

(4) in Chapter IX of Section IV, the following part G is added:

'G. *Salmonella*

1. Without prejudice to the first paragraph of Article 1 to Commission Regulation (EC) No 2073/2005 (*), the competent authority shall verify the correct implementation by food business operators of the point 2.1.4 (process hygiene criterion for *Salmonella* on pig carcasses) of Annex I to that Regulation by applying the following measures:
 - (a) official sampling using the same method and sampling area as food business operators. At least 49 (**) random samples shall be taken in each slaughterhouse each year. This number of samples may be reduced in small slaughterhouses based on a risk evaluation; and/or
 - (b) collecting all information on the total number and the number of *Salmonella* positive samples taken by food business operators in accordance with Article 5(5) of Regulation (EC) No 2073/2005, within the frame of point 2.1.4 of Annex I thereof; and/or
 - (c) collecting all information on the total number and the number of *Salmonella* positive samples taken within the frame of national control programmes in Member States or regions of Member States for which special guarantees have been approved in accordance with Article 8 of Regulation (EC) No 853/2004 as regards pork production;
2. If the process hygiene criterion is not complied with at several occasions, the competent authority shall require an action plan from the food business operator concerned and strictly supervise its outcome.
3. The total number and the number of *Salmonella* positive samples, differentiating between samples taken under 1(a), (b) and (c), when applied, shall be reported in accordance with Article 9(1) of Directive 2003/99/EC of the European Parliament and of the Council (**).

(*) OJ L 338, 22.12.2005, p. 1.

(**) If all negative, 95 % statistical certainty is provided that the prevalence is below 6 %.

(***) OJ L 325, 12.12.2003, p. 31.'

Article 3

Amendments to Regulation (EC) No 2074/2005

In point 3 of Annex VIb to Regulation (EC) No 2074/2005, point (a) is deleted.

*Article 4***Entry into force**

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

It shall apply from 1 June 2014.

However, Part G(3) in Chapter IX of Section IV of Annex I to Regulation (EC) No 854/2004 will apply from 1 January 2015.

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

Done at Brussels, 7 March 2014.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 219/2014**of 7 March 2014****amending Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council
as regards the specific requirements for post-mortem inspection of domestic swine****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽¹⁾, and in particular Article 17(1) and point 7 of Article 18 thereof,

Whereas:

- (1) Regulation (EC) No 854/2004 lays down specific rules for the organisation of official controls on products of animal origin. It provides, inter alia, that Member States are to ensure that official controls with respect to fresh meat take place in accordance with Annex I thereto. Regulation (EC) No 854/2004 also provides that the official veterinarian is to carry out inspection tasks in slaughterhouses, game handling establishments and cutting plants placing fresh meat on the market in accordance with, inter alia, the specific requirements of Section IV of Annex I thereto.
- (2) Part B of Chapter IV of Section IV of Annex I to Regulation (EC) No 854/2004 sets out the specific requirements for the post-mortem inspection of domestic swine.
- (3) The European Food Safety Authority (EFSA) adopted on 3 October 2011 a Scientific Opinion on the public health hazards to be covered by inspection of meat (swine)⁽²⁾, which concluded that the currently required palpations and incisions in post-mortem inspection, involve a risk of cross contamination with bacterial hazards.
- (4) EFSA also concluded that palpation or incisions used in current post-mortem inspection should be omitted in pigs subjected to routine slaughter, because the risk of microbial cross-contamination is higher than the risk associated with potentially reduced detection of conditions targeted by those techniques. The use of those manual techniques during post-mortem inspection

should be limited to suspect pigs identified, inter alia, through post-mortem visual detection of relevant abnormalities.

- (5) In view of the EFSA Opinion, it is appropriate to amend the specific requirements for the post-mortem inspection of domestic swine set out in Part B of Chapter IV of Section IV of Annex I to Regulation (EC) No 854/2004.
- (6) Where the epidemiological or other data from the holding of provenance of the animals, the food chain information or the findings of ante-mortem inspection or post-mortem visual detection of relevant abnormalities indicate possible risks to public health, animal health or animal welfare, the official veterinarian should have the possibility to decide which palpations and incisions must be carried out during post-mortem inspection in order to decide if the meat is fit for human consumption.
- (7) The requirements provided for in this Regulation amend Regulation (EC) No 854/2004 which involves an adaptation of current practices both for food business operators and competent authorities. It is therefore appropriate to allow a delayed application of this Regulation.
- (8) Regulation (EC) No 854/2004 should be therefore amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

In Chapter IV of Section IV of Annex I to Regulation (EC) No 854/2004, Part B is replaced by the following:

B. POST-MORTEM INSPECTION

1. Carcasses and offal of pigs are to undergo the following post-mortem inspection procedures:
 - (a) visual inspection of the head and throat; visual inspection of the mouth, fauces and tongue;

⁽¹⁾ OJ L 139, 30.4.2004, p. 206.

⁽²⁾ EFSA Panels on Biological Hazards (BIOHAZ), on Contaminants in the Food Chain (CONTAM), and on Animal Health and Welfare (AHAW); Scientific Opinion on the public health hazards to be covered by inspection of meat (swine), EFSA Journal 2011; 9(10):2351.

- (b) visual inspection of the lungs, trachea and oesophagus;
 - (c) visual inspection of the pericardium and heart;
 - (d) visual inspection of the diaphragm;
 - (e) visual inspection of the liver and the hepatic and pancreatic lymph nodes (*Lnn. portales*);
 - (f) visual inspection of the gastro-intestinal tract, the mesentery, the gastric and mesenteric lymph nodes (*Lnn. gastrici, mesenterici, craniales* and *caudales*);
 - (g) visual inspection of the spleen;
 - (h) visual inspection of the kidneys;
 - (i) visual inspection of the pleura and peritoneum;
 - (j) visual inspection of the genital organs (except for the penis, if already discarded);
 - (k) visual inspection of the udder and its lymph nodes (*Lnn. supramammari*);
 - (l) visual inspection of the umbilical region and joints of young animals.
2. The official veterinarian shall proceed with additional post-mortem inspection procedures using incision and palpation of the carcase and offal, where, in his or her opinion, one of the following indicates a possible risk to public health, animal health or animal welfare:
- (a) the checks and analysis of the food chain information carried out in accordance with Part A of Chapter II of Section I;
 - (b) the findings of the ante-mortem inspection carried out in accordance with Part B of Chapter II of Section I and Part A of this Chapter;
 - (c) the results of the verifications concerning compliance with animal welfare rules carried out in accordance with Part C of Chapter II of Section I;
 - (d) the findings of post-mortem inspection carried out in accordance with Part D of Chapter II of Section I and point 1 of this part;
 - (e) additional epidemiological data or other data from the holding of provenance of the animals.
3. Depending on the identified risks, the additional post-mortem procedures referred to in point 2 may include:
- (a) incision and examination of the submaxillary lymph nodes (*Lnn. mandibulares*);
 - (b) palpation of the lungs and the bronchial and mediastinal lymph nodes (*Lnn. bifurcationes, eparteriales* and *mediastinales*). The trachea and the main branches of the bronchi must be opened lengthwise and the lungs must be incised in their posterior third, perpendicular to their main axes; those incisions are not necessary where the lungs are excluded from human consumption;
 - (c) incision of the heart lengthwise so as to open the ventricles and cut through the interventricular septum;
 - (d) palpation of the liver and its lymph nodes;
 - (e) palpation and, if necessary, incision of the gastric and mesenteric lymph nodes;
 - (f) palpation of the spleen;
 - (g) incision of the kidneys and the renal lymph nodes (*Lnn. renales*);
 - (h) incision of the supramammary lymph nodes;
 - (i) palpation of the umbilical region and joints of young animals and, if necessary, incision of the umbilical region and opening of the joints.

Article 2

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

It shall apply from 1 June 2014.

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

Done at Brussels, 7 March 2014.

For the Commission
The President
José Manuel BARROSO

COMMISSION REGULATION (EU) No 220/2014**of 7 March 2014****amending Council Regulation (EC) No 479/2009 as regards references to the European system of national and regional accounts in the European Union**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 479/2009 of 25 May 2009 on the application of the Protocol on the excessive deficit procedure annexed to the Treaty establishing the European Community ⁽¹⁾, and in particular Article 17 thereof,

Whereas:

- (1) The definitions of 'government', 'deficit' and 'investment' are laid down in the Protocol on the excessive deficit procedure annexed to the Treaties and in Regulation (EC) No 479/2009, by reference to the European system of national and regional accounts in the Community (hereinafter referred to as 'ESA 95') established by Council Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community ⁽²⁾.
- (2) Regulation (EU) No 549/2013 of the European Parliament and the Council of 21 May 2013 on the European system of national and regional accounts in the European Union (hereinafter referred to as 'ESA 2010') ⁽³⁾ contains the reference framework of common standards, definitions, classifications and accounting rules for drawing up the accounts of the Member States for the statistical requirements of the Union, in order to obtain comparable results between Member States.
- (3) ESA 2010 constitutes a revision of ESA 95, and therefore requires the introduction of new references in Regulation (EC) No 479/2009.
- (4) Regulation (EC) No 479/2009 should therefore be amended accordingly.
- (5) In order to avoid confusion concerning the application of the new references to ESA 2010, the measures provided for in this Regulation should apply with effect from 1 September 2014,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 479/2009 is amended as follows:

1. All references to 'ESA 95' shall be replaced by 'ESA 2010'.
2. Article 1 (1) shall be replaced by the following:

'For the purposes of the Protocol on the excessive deficit procedure and of this Regulation, the terms in paragraphs 2 to 6 are defined according to Regulation (EU) No 549/2013 of the European Parliament and the Council of 21 May 2013 on the European system of national and regional accounts in the European Union (hereinafter referred to as ESA 2010). The codes in brackets refer to ESA 2010.'

3. Article 1(3) is amended as follows:

- (a) the code 'EDP B.9' shall be replaced by 'B.9';
- (b) the code 'EDP D.41' shall be replaced by 'D.41'

4. The second subparagraph of Article 1(5) shall be replaced by the following:

'Government debt is constituted by the liabilities of general government in the following categories: currency and deposits (AF.2); debt securities (AF.3) and loans (AF. 4), as defined in ESA 2010'.

Article 2

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

This Regulation shall apply from 1 September 2014.

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

Done at Brussels, 7 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 145, 10.6.2009, p. 1.

⁽²⁾ OJ L 310, 30.11.1996, p. 1.

⁽³⁾ OJ L 174, 26.6.2013, p. 1.

COMMISSION IMPLEMENTING REGULATION (EU) No 221/2014**of 7 March 2014****amending Regulation (EC) No 288/2009 in respect of fixing the indicative allocation of the aid under the School Fruit and Vegetables Scheme**

THE EUROPEAN COMMISSION,

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

Having regard to the Council Regulation (EU) No 1370/2013 of 16 December 2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

(1) Article 5 of Regulation (EU) No 1370/2013 sets the overall amount of the Union aid for the supply of fruit and vegetables, processed fruit and vegetables and banana products to children as referred to in Article 23 of Regulation (EU) No 1308/2013 of European Parliament and of the Council ⁽²⁾ (hereinafter 'school fruit and vegetables scheme'). Furthermore, Article 5 of Regulation (EU) No 1370/2013 fixes the maximum co-financing rates and a minimum amount of that aid per Member State.

(2) The Commission should fix the indicative allocation of the aid for the school fruit and vegetables scheme to each Member State on the basis of criteria referred to in Article 23(5) of Regulation (EU) No 1308/2013. The Commission should furthermore periodically assess whether the indicative allocation remains consistent with those criteria.

(3) Annex II to Commission Regulation (EC) No 288/2009 ⁽³⁾ sets the amount of the indicative allocation of Union aid per Member State based on the overall

Union budget of EUR 90 million. Since Regulation (EU) No 1370/2013 increases the overall budget for the school fruit and vegetables scheme to EUR 150 million and it fixes new co-financing rates, a new indicative allocation should be fixed.

(4) The new indicative allocation should also take into account the criteria referred to in Article 23(5) of Regulation (EU) No 1308/2013 based on the latest available data from 2012 as regards the number of children in the age group of six- to ten-year olds as a proportion of the population in Member State's regions.

(5) Regulation (EC) No 288/2009 should therefore be amended accordingly. To take into account the periodicity of the school year, the new indicative allocation should therefore become applicable as from 1 August 2014.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment of Regulation (EC) No 288/2009**

Annex II is replaced by the text set out in the Annex to this Regulation.

*Article 2***Entry into force and application**

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

It shall apply from 1 August 2014.

⁽¹⁾ OJ L 346, 20.12.2013, p. 12.

⁽²⁾ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common market organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

⁽³⁾ Commission Regulation (EC) No 288/2009 of 7 April 2009 laying down detailed rules for applying Council Regulation (EC) No 1234/2007 as regards Community aid for supplying fruit and vegetables, processed fruit and vegetables and banana products to children in educational establishments, in the framework of a School Fruit Scheme (OJ L 94, 8.4.2009, p. 38).

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

Done at Brussels, 7 March 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

‘ANNEX II

Indicative allocation of Union aid per Member State

Member State	Co-financing rate (in %)	Children 6-10 abs. numbers	EUR
Austria	75 %	406 322	2 239 273
Belgium	75 %	611 450	3 369 750
Bulgaria	90 %	316 744	2 094 722
Croatia	90 %	205 774	1 360 845
Cyprus	75 %	44 823	290 000
Czech Republic	88 %	480 495	3 124 660
Denmark	75 %	328 182	1 808 638
Estonia	90 %	66 436	439 361
Finland	75 %	290 308	1 599 911
France	76 %	4 051 279	22 500 145
Germany	75 %	3 575 991	19 707 575
Greece	81 %	529 648	3 143 600
Hungary	86 %	482 160	3 031 022
Ireland	75 %	319 126	1 758 729
Italy	80 %	2 853 098	16 719 794
Latvia	90 %	95 861	633 957
Lithuania	90 %	136 285	901 293
Luxembourg	75 %	29 473	290 000
Malta	75 %	19 511	290 000
Netherlands	75 %	986 118	5 434 576
Poland	88 %	1 802 733	11 645 350
Portugal	85 %	527 379	3 284 967
Romania	89 %	1 054 185	6 869 985
Slovakia	89 %	262 703	1 709 502
Slovenia	83 %	91 095	554 291
Spain	75 %	2 337 457	12 939 604
Sweden	75 %	518 322	2 856 514
United Kingdom	76 %	3 494 635	19 401 935
EU 28	79 %	25 917 593	150 000 000

COMMISSION IMPLEMENTING REGULATION (EU) No 222/2014**of 7 March 2014****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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 7 March 2014.

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

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	77,7
	TN	77,7
	TR	99,1
	ZZ	84,8
0707 00 05	EG	182,1
	JO	182,1
	TR	155,6
	ZZ	173,3
0709 91 00	EG	45,1
	ZZ	45,1
0709 93 10	MA	44,0
	TR	89,5
	ZZ	66,8
0805 10 20	EG	54,5
	IL	66,9
	MA	57,1
	TN	49,9
	TR	56,7
	ZZ	57,0
0805 50 10	TR	66,3
	ZZ	66,3
0808 10 80	CN	116,1
	MK	30,8
	US	205,8
	ZZ	117,6
0808 30 90	AR	105,9
	CL	139,4
	CN	68,3
	TR	156,2
	US	226,5
	ZA	92,9
	ZZ	131,5

⁽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

DECISION OF THE EUROPEAN CENTRAL BANK

of 4 February 2014

identifying the credit institutions that are subject to the comprehensive assessment

(ECB/2014/3)

(2014/123/EU)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 127(6) thereof,

Having regard to Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions ⁽¹⁾, and in particular Article 4(3) and Article 33(3) and (4) thereof,

Having regard to the proposal from the Supervisory Board,

Whereas:

- (1) From 3 November 2013, in view of the assumption of its supervisory tasks, the European Central Bank (ECB) may require the national competent authorities and the persons referred to in Article 10(1) of Regulation (EU) No 1024/2013 to provide all relevant information for the ECB to carry out a comprehensive assessment, including a balance-sheet assessment, of the credit institutions of the participating Member States. The ECB is required to carry out such an assessment at least in relation to the credit institutions not covered by Article 6(4) of Regulation (EU) No 1024/2013.
- (2) On 23 October 2013, the ECB published the names of institutions included in the comprehensive assessment as well as an initial overview of the key features of the comprehensive assessment.
- (3) Based on the criteria referred to in Article 6(4) of Regulation (EU) No 1024/2013, the ECB has identified credit institutions in respect of which it intends to carry out a comprehensive assessment, including a balance-sheet assessment, in accordance with Article 33(4) of Regulation (EU) No 1024/2013. In applying the above criteria, the ECB has taken into account possible changes that may occur at any time owing to the dynamics of the activities of credit institutions and the resulting consequences for the total value of their assets.

As a result, it has included credit institutions that currently do not meet the criteria for significance but may do so in the near future and should be subject therefore to the comprehensive assessment. The ECB will therefore undertake a comprehensive assessment with respect to credit institutions, financial holding companies or mixed financial holding companies the total value of whose assets exceeds EUR 27 billion. Notwithstanding the above criteria, the ECB will also undertake the comprehensive assessment with respect to the three most significant institutions in each of the euro area Member States. The identification of credit institutions on which the ECB intends to carry out comprehensive assessments is without prejudice to the final assessment of the criteria that is based on the specific methodology included in the framework referred to in Article 6 of Regulation (EU) No 1024/2013.

- (4) The credit institutions and the national competent authorities are required to supply all relevant information for the ECB to carry out the comprehensive assessment in accordance with Article 33(4) of Regulation (EU) No 1024/2013.
- (5) The ECB may require the national competent authorities and the persons referred to in Article 10(1) of Regulation (EU) No 1024/2013 to provide all relevant information for the ECB to carry out such a comprehensive assessment.
- (6) Members of the Supervisory Board, staff of the ECB and staff seconded by participating Member States are subject to professional secrecy requirements set out in Article 37 of the Statute of the European System of Central Banks and of the European Central Bank and relevant Union law. In particular, the ECB and national competent authorities are subject to the provisions regarding the exchange of information and professional secrecy set out in Directive 2013/36/EU of the European Parliament and of the Council ⁽²⁾,

⁽¹⁾ OJ L 287, 29.10.2013, p. 63.

⁽²⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

HAS ADOPTED THIS DECISION:

Article 1

Entities subject to the comprehensive assessment

1. The entities listed in the Annex shall be subject to the comprehensive assessment to be carried out by the ECB by 3 November 2014.
2. In accordance with Article 33(4) of Regulation (EU) No 1024/2013, the national competent authority responsible for the supervision of a credit institution listed in the Annex shall submit all information of relevance to the comprehensive assessment that the ECB requests in relation to that credit institution. The national competent authority shall verify the information as it deems appropriate for the exercise, including, when necessary, on-site inspections and, if appropriate, with the involvement of third parties.
3. The national competent authority responsible for supervision of subsidiaries in a group that is subject to consolidated

supervision within the Single Supervisory Mechanism shall be in charge of this verification for the subsidiaries authorised in its Member State.

Article 2

Investigatory powers

In accordance with Article 33(3) and (4) of Regulation (EU) No 1024/2013, the ECB may exercise its investigatory powers in respect of the credit institutions identified in the Annex.

Article 3

Entry into force

This Decision shall enter into force on 6 February 2014.

Done at Frankfurt am Main, 4 February 2014.

The President of the ECB
Mario DRAGHI

ANNEX

INSTITUTIONS INCLUDED IN THE COMPREHENSIVE ASSESSMENT

Belgium

AXA Bank Europe SA

Belfius Banque SA

Dexia NV ⁽¹⁾

Investar (Holding of Argenta Bank- en Verzekerings-groep)

KBC Group NV

The Bank of New York Mellon SA

Germany

Aareal Bank AG

Bayerische Landesbank

Commerzbank AG

DekaBank Deutsche Girozentrale

Deutsche Apotheker- und Ärztebank eG

Deutsche Bank AG

DZ Bank AG Deutsche Zentral-Genossenschaftsbank

HASPA Finanzholding

HSH Nordbank AG

Hypo Real Estate Holding AG

IKB Deutsche Industriebank AG

KfW IPEX-Bank GmbH

Landesbank Baden-Württemberg

Landesbank Berlin Holding AG

Landesbank Hessen-Thüringen Girozentrale

Landeskreditbank Baden-Württemberg-Förderbank

Landwirtschaftliche Rentenbank

Münchener Hypothekenbank eG

Norddeutsche Landesbank-Girozentrale

NRW.Bank

SEB AG

Volkswagen Financial Services AG

WGZ Bank AG Westdeutsche Genossenschafts-Zentralbank

Wüstenrot & Württembergische AG with regard to Wüstenrot Bank AG Pfandbriefbank and Wüstenrot Bausparkasse AG

Estonia

AS DNB Bank

AS SEB Bank

Swedbank AS

Ireland

Allied Irish Banks plc

Merrill Lynch International Bank Limited

Permanent tsb plc

The Governor and Company of the Bank of Ireland

Ulster Bank Ireland Limited

Greece

Alpha Bank, S.A.

Eurobank Ergasias, S.A.

National Bank of Greece, S.A.

Piraeus Bank, S.A.

Spain

Banco Bilbao Vizcaya Argentaria, S.A.

Banco de Sabadell, S.A.

Banco Financiero y de Ahorros, S.A.

Banco Mare Nostrum, S.A.

Banco Popular Español, S.A.

Banco Santander, S.A.

Bankinter, S.A.

Caja de Ahorros y M.P. de Zaragoza, Aragón y Rioja

Caja de Ahorros y Pensiones de Barcelona

Caja España de Inversiones, Salamanca y Soria, CAMP

Cajas Rurales Unidas, Sociedad Cooperativa de Crédito

Catalunya Banc, S.A.

Kutxabank, S.A.

Liberbank, S.A.

MPCA Ronda, Cádiz, Almería, Málaga, Antequera y Jaén

NCG Banco, S.A.

France

Banque Centrale de Compensation (LCH Clearnet)

Banque PSA Finance

⁽¹⁾ The assessment methodology for this group will take due account of its specific situation and in particular the fact that an extensive assessment of its financial position and risk profile was already carried out within the framework of the plan initiated in October 2011 and approved by the European Commission on 28 December 2012.

BNP Paribas
 C.R.H. — Caisse de Refinancement de l'Habitat
 Groupe BPCE
 Groupe Crédit Agricole
 Groupe Crédit Mutuel
 HSBC France
 La Banque Postale
 BPI France (Banque Publique d'Investissement)
 RCI Banque
 Société de Financement Local
 Société Générale

Italy

Banca Carige S.p.A. — Cassa di Risparmio di Genova e Imperia
 Banca Monte dei Paschi di Siena S.p.A.
 Banca Piccolo Credito Valtellinese, Società Cooperativa
 Banca Popolare Dell'Emilia Romagna — Società Cooperativa
 Banca Popolare Di Milano — Società Cooperativa A Responsabilità Limitata
 Banca Popolare di Sondrio, Società Cooperativa per Azioni
 Banca Popolare di Vicenza — Società Cooperativa per Azioni
 Banco Popolare — Società Cooperativa
 Credito Emiliano S.p.A.
 Iccrea Holding S.p.A.
 Intesa Sanpaolo S.p.A.
 Mediobanca — Banca di Credito Finanziario S.p.A.
 UniCredit S.p.A.
 Unione Di Banche Italiane Società Cooperativa Per Azioni
 Veneto Banca S.C.P.A.

Cyprus

Bank of Cyprus Public Company Ltd
 Cooperative Central Bank Ltd
 Hellenic Bank Public Company Ltd
 Russian Commercial Bank (Cyprus) Ltd

Latvia

ABLV Bank, AS

AS SEB banka
 Swedbank

Luxembourg

Banque et Caisse d'Epargne de l'Etat, Luxembourg
 Clearstream Banking S.A.
 Precision Capital S.A. (Holding of Banque Internationale à Luxembourg and KBL European Private Bankers S.A.)
 RBC Investor Services Bank S.A.
 State Street Bank Luxembourg S.A.
 UBS (Luxembourg) S.A.

Malta

Bank of Valletta plc
 HSBC Bank Malta plc

Netherlands

ABN AMRO Bank N.V.
 Bank Nederlandse Gemeenten N.V.
 Coöperatieve Centrale Raiffeisen-Boerenleenbank B.A.
 ING Bank N.V.
 Nederlandse Waterschapsbank N.V.
 The Royal Bank of Scotland N.V.
 SNS Bank N.V.

Austria

BAWAG P.S.K. Bank für Arbeit und Wirtschaft und Österreichische Postsparkasse AG
 Erste Group Bank AG
 Raiffeisenlandesbank Oberösterreich AG
 Raiffeisenlandesbank Niederösterreich-Wien AG
 Raiffeisen Zentralbank Österreich AG
 Österreichische Volksbanken-AG together with credit institutions affiliated in accordance with Article 10 of Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽¹⁾

Portugal

Banco BPI, SA
 Banco Comercial Português, SA
 Caixa Geral de Depósitos, SA
 Espírito Santo Financial Group, SA

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

Slovenia

Nova Kreditna Banka Maribor d.d.

Nova Ljubljanska banka d. d., Ljubljana

SID — Slovenska izvozna in razvojna banka, d.d.,
Ljubljana

Finland

Danske Bank Oyj

Nordea Bank Finland Abp

OP-Pohjola Group

Cases in which one or more of the three most significant credit institutions in a participating Member State are subsidiaries of banking groups already included in the list above:

Malta

Deutsche Bank (Malta) Ltd

Slovakia

Slovenská sporiteľňa, a.s.

Všeobecná úverová banka, a.s.

Tatra banka, a.s.

RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 7 March 2014

on strengthening the principle of equal pay between men and women through transparency

(Text with EEA relevance)

(2014/124/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Article 2 and Article 3(3) of the Treaty on European Union enshrine the right to equality between women and men as one of the essential values and tasks of the Union.
 - (2) Articles 8 and 10 of the Treaty on the Functioning of the European Union (TFEU) provide that the Union shall aim to eliminate inequalities, to promote equality between men and women and to combat discrimination based on sex in all its activities.
 - (3) Article 157(1) of the TFEU obliges each Member State to ensure that the principle of equal pay for male and female workers for equal work or work of equal value is applied.
 - (4) Article 23 of the Charter of Fundamental Rights of the European Union provides that equality between women and men must be ensured in all areas, including employment, work and pay.
 - (5) Equal pay for equal work and work of equal value is one of the five priorities established in the Women's Charter, which reaffirms the Commission's commitment to a forceful mobilisation of all instruments, both legislative and non-legislative, to close the gender pay gap. The Strategy for equality between women and men 2010-2015 builds on the priorities of the Women's Charter. The Strategy sets out that the Commission will explore possible ways to improve the transparency of pay.
 - (6) Directive 2006/54/EC of the European Parliament and of the Council ⁽¹⁾ provides that for the same work or for work of equal value, direct and indirect discrimination on grounds of sex with regard to all aspects and conditions of remuneration shall be eliminated. In particular, where a job classification system is used for determining pay, it should be based on the same criteria for both men and women and should be drawn up so as to exclude any discrimination on grounds of sex.
 - (7) Women in the Union still earn an average of 16,2 % less than men for each hour worked (Eurostat 2011), in spite of their significant progress in terms of educational achievements and work experience. This indicates a persistent gender pay gap that has up to now only been reduced at a very slow pace.
 - (8) The Commission Communication COM(2007) 424 final ⁽²⁾ concluded that women continue to be affected by gender pay discrimination and inequalities in the labour market which prevents them from realising their full potential. Conspicuous direct pay discrimination for the exact same work has become a rather rare occurrence. However, the existing legal framework has been less effective in ensuring implementation of the principle of equal pay for work of equal value. Such discrimination is less likely to be the subject of a court case not only because potential victims are probably not aware of it, but also because it is more difficult for victims of pay discrimination to effectively enforce the principle of equal pay. Victims have to establish the facts that give rise to a presumption of discrimination in order to shift the burden of proof to the employer. Obscure pay structures and a lack of available information about pay levels of employees performing the same work or work of equal value are major contributing factors to these difficulties.
- ⁽¹⁾ Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (OJ L 204, 26.7.2006, p. 23).
- ⁽²⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 18 July 2007 'Tackling the pay gap between women and men'.

- (9) The Commission Communication COM(2010) 543 final⁽¹⁾ listed further improvements in transposing, implementing and enforcing Union legislation among its priorities in the field of smart regulation.
- (10) The European Parliament adopted on 18 November 2008⁽²⁾ and 24 May 2012⁽³⁾ resolutions on equal pay between men and women with recommendations on how to better implement the principle of equal pay. Those recommendations include the introduction of wage transparency measures and gender-neutral job evaluation and classification systems.
- (11) In its Conclusions of 6 December 2010 on strengthening the commitment and stepping up action to close the gender pay gap, and on the review of the implementation of the Beijing Platform for Action⁽⁴⁾, the Council invited Member States to put in place measures that tackle the causes of the gender pay gap, particularly ones that promote pay transparency and gender-neutral job evaluation and classification.
- (12) The Commission Communication COM(2013) 83 final⁽⁵⁾ calls on Member States to take efforts to close the gender pay gap, to address other barriers to women's participation in the labour market and to encourage employers to address workplace discrimination as part of efforts to pursue a strategy of active inclusion.
- (13) The Commission's Report to the European Parliament and the Council COM(2013) 861 final⁽⁶⁾ indicates that implementation of the equal pay principle is hindered by a lack of transparency in pay systems, a lack of legal certainty on the concept of work of equal value, and by procedural obstacles. These obstacles include employees lacking the information they need to make a successful equal pay claim and in particular information about the pay levels for categories of employees who perform the same work or work of equal value.
- (14) Union level action to facilitate implementation of the equal pay principle would help national authorities and relevant stakeholders to step up their efforts in tackling the gender pay gap and pay discrimination through better implementation of current legal requirements. While fully respecting the principle of subsidiarity, it is necessary to enhance effective application of the principle of equal pay in Member States.
- (15) This Recommendation should focus on transparency of wage categories, which is essential for the effective application of the equal pay principle. Increased transparency can reveal a gender bias and discrimination in the pay structures of an undertaking or organisation. It enables employees, employers and social partners to take appropriate action to ensure implementation of the equal pay principle. This Recommendation should present a tool box of measures designed to assist Member States in taking a tailor-made approach to improving wage transparency. Member States should be encouraged to implement the most appropriate measures for their specific circumstances and to implement at least one of the core measures enhancing transparency set out in this Recommendation (entitlement to request pay information, company reporting, pay audits, equal pay collective bargaining).
- (16) Enabling employees to request information on pay levels, including complementary or variable components such as payments in kind and bonuses, for other categories of employees performing the same work or work of equal value, broken down by gender, would make the wage policy of an undertaking or organisation more transparent. It would also improve the chances of individual legal action in discrimination cases succeeding before national courts and would consequently have a dissuasive effect.
- (17) Employers' regular reporting of wages by category of employee or position, broken down by gender would also improve wage transparency and constitute a reliable basis for discussions on measures to implement the equal pay principle. Such collective disclosure of wages should not be required for undertakings and organisations with fewer than 50 employees which meet the workforce-related criteria for small undertakings in Commission Recommendation 2003/361/EC⁽⁷⁾, as it could place a disproportionate burden on them.
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- (1) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 8 October 2010 'Smart Regulation in the European Union'.
- (2) OJ C 16 E, 22.1.2010, p. 21.
- (3) P7_TA(2012)0225.
- (4) OJ C 345, 18.12.2010, p. 1.
- (5) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 20 February 2013 'Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014-2020' (page 11).
- (6) Report from the Commission to the European Parliament and the Council on the application of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.
- (7) Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

- (18) Pay audits should make it easier to analyse the gender equality aspects of pay and to reach conclusions on the application of the principle of equal pay. Pay audits could be the basis for discussion between employers and workers' representatives aiming to eliminate gender discrimination in pay. The measures relating to pay audits should not be required for undertakings and organisations with fewer than 250 employees which meet the workforce-related criteria for medium-sized undertakings in Recommendation 2003/361/EC, as they could place a disproportionate burden on them.
- (19) Encouraging or obliging social partners to discuss and give particular attention to matters of equal pay in collective bargaining is another way of increasing wage transparency and addressing the gender pay gap.
- (20) Compiling wage statistics broken down by gender and providing Eurostat with accurate and complete statistics is essential for analysing and monitoring changes in the gender pay gap at European level. Council Regulation (EC) No 530/1999⁽¹⁾ requires Member States to compile four-yearly structural earnings statistics that facilitate calculation of the gender pay gap. For 2006 and 2010, the gender pay gap was calculated from the data collected by the Structure of Earnings survey. For 2007 to 2009, gender pay gap data were transmitted on a voluntary basis, often with delays and in draft form subject to later revision. Annual high-quality statistics could increase transparency and further enhance awareness of the gender inequality problem as regards pay. The availability and comparability of such data is instrumental for assessing developments throughout the Union.
- (21) The lack of a definition of work of equal value, including a clear indication of the assessment criteria for comparing different jobs, is a major obstacle for victims of pay discrimination bringing claims before the courts. To assess whether employees are performing work of equal value, a range of factors including the nature of the work, training and working conditions, must be considered. Including such a definition and job evaluation and classification criteria in national laws would help victims of pay discrimination to bring claims before national courts.
- (22) Gender-neutral job evaluation and classification systems are effective in establishing a transparent pay system. They detect indirect pay discrimination related to the undervaluation of jobs typically done by women since they measure and compare jobs whose content is different but of equal value and so support the principle of work of equal value. Member States, social partners and employers are encouraged to promote the development and use of gender-neutral job evaluation and classification systems, drawing inspiration from Annex 1 to the Commission Staff Working Document accompanying the Report on the application of Directive 2006/54/EC⁽²⁾.
- (23) Involving equality bodies is instrumental in effectively applying the principle of equal pay. The powers and mandates of the national gender equality bodies should therefore be adequate to cover gender pay discrimination, including any transparency obligations. Procedural and cost-related obstacles that victims of pay discrimination face should be alleviated by enabling equality bodies to represent individuals. This would reduce the litigation risk for individual employees and could be a possible remedy for the current significant scarcity of equal pay cases that are brought to court.
- (24) Awareness-raising activities inform stakeholders about the existence and importance of the equal pay principle. Member States should be encouraged to raise awareness among undertakings and organisations, social partners and the general public in order to effectively promote the equal pay principle, use job evaluation and classification methods free from gender bias and tackle the gender pay gap more generally. Actions at the level of undertakings and organisations are also necessary,

HAS ADOPTED THIS RECOMMENDATION:

I. SUBJECT MATTER

1. This Recommendation provides guidance to Member States to assist them in a better and more effective implementation of the equal pay principle in order to combat pay discrimination and to contribute to tackling the persistent gender pay gap.

⁽¹⁾ Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs (OJ L 63, 12.3.1999, p. 6).

⁽²⁾ Commission Staff Working Document accompanying the Report from the Commission to the Council and the European Parliament on the application of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, SWD(2013) 512 final.

II. WAGE TRANSPARENCY

2. Member States should encourage public and private employers and social partners to adopt transparency policies on wage composition and structures. They should put in place specific measures to promote wage transparency. In particular, these measures should include one or more of the actions referred to in points 3 to 6 in an approach tailor made to the specific domestic situation.

Right of employees to obtain information on pay levels

3. Member States should put in place appropriate and proportionate measures to ensure that employees can request information on pay levels, broken down by gender, for categories of employees doing the same work or work of equal value. This information should include complementary or variable components beyond the fixed basic salary, such as payments in kind and bonuses.

Reporting on pay

4. Member States should put in place measures that ensure that employers in undertakings and organisations with at least 50 employees regularly inform employees, workers' representatives and social partners of the average remuneration by category of employee or position, broken down by gender.

Pay audits

5. Member States should take appropriate measures to ensure that pay audits are conducted in undertakings and organisations with at least 250 employees. These audits should include an analysis of the proportion of women and men in each category of employee or position, an analysis of the job evaluation and classification system used and detailed information on pay and pay differentials on grounds of gender. These audits should be made available to workers' representatives and social partners on request.

Collective bargaining

6. Without prejudice to the autonomy of social partners and in accordance with national law and practice, Member States should ensure that the issue of equal pay, including pay audits, is discussed at the appropriate level of collective bargaining.

Statistics and administrative data

7. Member States should further improve the availability of up-to-date gender pay gap data by providing Eurostat with statistics annually and in a timely manner. These statistics should be broken down by gender, economic sector⁽¹⁾, working time (full-time/part-time), economic control (public/private ownership) and age and be calculated on an annual basis.
8. Member States should also provide the Commission with data on the number and types of pay discrimination cases when notifying it in accordance with point 18.

Data protection

9. To the extent that any information provided pursuant to measures taken under points 3 to 8 involves the disclosure of personal data, it should be provided in accordance with national data protection laws, in particular those implementing Directive 95/46/EC of the European Parliament and of the Council⁽²⁾.

Concept of work of equal value

10. In line with the case-law of the Court of Justice of the European Union, Member States should clarify the concept of 'work of equal value' in their legislation. The value of work should be assessed and compared based on objective criteria, such as educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of tasks involved.

Job evaluation and classification systems

11. Member States should promote the development and use of gender-neutral job evaluation and classification systems, including in their capacity as employers in the public sector, to prevent or identify and tackle possible pay discrimination based on gender-biased pay scales. They should specifically encourage employers and social partners to introduce gender-neutral job evaluation and classification systems.
12. As regards gender-neutral job evaluation and classification systems, Member States are encouraged to draw inspiration from Annex 1 to the Commission Staff Working Document accompanying the Report on the application of Directive 2006/54/EC.

⁽¹⁾ At least NACE Rev.2, sections B to S except O.

⁽²⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

III. HORIZONTAL PROVISIONS

Equality bodies

13. Member States should ensure that their national equality bodies' powers and mandates cover issues related to gender pay discrimination, including transparency obligations. Where applicable, Member States should give equality bodies the right to access the information and audits referred to in points 4 and 5 of this Recommendation.
14. Member States should reduce procedural obstacles to the bringing of equal pay cases to court by enabling equality bodies to represent individuals in cases of pay discrimination.
15. Member States should ensure closer cooperation and coordination between the national equality bodies and national bodies that have an inspection function in the labour market.

Monitoring and enforcement

16. Member States should ensure the consistent monitoring of the implementation of the principle of equal pay and the enforcement of all available remedies for pay discrimination.

Awareness-raising activities

17. Member States should raise awareness among public and private undertakings and organisations, social partners and

the general public to promote equal pay, the principle of work of equal value and wage transparency, to tackle the causes of the gender pay gap, and devise tools to help analyse and assess pay inequalities.

IV. FOLLOW-UP

18. Member States should take the necessary measures to ensure the application of this Recommendation and are invited to notify the Commission of these measures by 31 December 2015, in order to enable the Commission to closely monitor the situation, to draw up a report on progress made in implementing this Recommendation and, on that basis, to assess the need for further measures.

V. FINAL PROVISIONS

19. This Recommendation is addressed to all Member States. It is also addressed to the social partners, in particular in the Member States where in accordance with the national law and practice, the social partners have a specific responsibility for implementing the principle of equal pay by concluding collective agreements.

Done at Brussels, 7 March 2014.

For the Commission

Viviane REDING

Vice-President

RECOMMENDATIONS

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