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⁽¹⁾ Text with EEA relevance.

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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2022/1022

of 9 June 2022

on the signing, on behalf of the European Union, of the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment (MAC Protocol)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), points (a), (c) and (e), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Union is working towards the establishment of a common judicial area based on the principle of mutual recognition of judicial decisions.
- (2) The Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment ('the MAC Protocol'), adopted in Pretoria on 22 November 2019, makes a useful contribution to the regulation of those matters at international level. It is therefore desirable that the provisions of the MAC Protocol be applied as soon as possible.
- (3) Some of the matters dealt with in the MAC Protocol affect Regulations (EC) No 593/2008 ⁽¹⁾, (EU) No 1215/2012 ⁽²⁾ and (EU) 2015/848 ⁽³⁾ of the European Parliament and of the Council. The Union therefore has exclusive competence over those matters, while the other matters do not fall within that competence.
- (4) The Commission negotiated the MAC Protocol on behalf of the Union, for the parts falling within the exclusive competence of the Union.
- (5) Article XXIV(1) of the MAC Protocol provides that regional economic integration organisations which have competence over certain matters governed by the MAC Protocol are able to sign, accept, approve or accede to that Protocol.
- (6) Article XXIV(2) of the MAC Protocol provides that, at the time of signature, acceptance, approval or accession, a regional economic integration organisation is to make a declaration specifying the matters governed by that Protocol in respect of which competence has been transferred to that organisation by its Member States. The Union should therefore make such a declaration at the time of signature of the MAC Protocol.
- (7) Ireland is bound by Regulations (EC) No 593/2008, (EU) No 1215/2012 and (EU) 2015/848, and is therefore taking part in the adoption of this Decision.

⁽¹⁾ Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (OJ L 177, 4.7.2008, p. 6).

⁽²⁾ Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1).

⁽³⁾ Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19).

- (8) In accordance with Articles 1 and 2 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (9) The MAC Protocol should be signed on behalf of the Union, subject to its conclusion at a later date, and the attached declaration should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment (MAC Protocol), adopted in Pretoria on 22 November 2019, is hereby authorised, subject to its conclusion ⁽⁴⁾.

Article 2

The Declaration attached to this Decision shall be approved on behalf of the Union, subject to the adoption of a decision on the conclusion of the MAC Protocol at a later stage.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the MAC Protocol on behalf of the Union, subject to the condition set out in Article 4.

Article 4

When signing the MAC Protocol, the Union shall make the declaration attached to this Decision, in accordance with Article XXIV(2) of the MAC Protocol.

Article 5

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

Done at Luxembourg, 9 June 2022.

For the Council
The President
É. DUPOND-MORETTI

⁽⁴⁾ The text of the MAC Protocol will be published together with the decision on its conclusion.

Declaration pursuant to Article XXIV(2) concerning the competence of the European Union over matters governed by the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment (MAC Protocol), adopted in Pretoria on 22 November 2019, in respect of which the Member States have transferred their competence to the European Union

1. Article XXIV(1) of the MAC Protocol provides that regional economic integration organisations which are constituted by sovereign States and which have competence over certain matters governed by the MAC Protocol may sign it, on condition that they make the declaration referred to in Article XXIV(2). The European Union has decided to sign the MAC Protocol and is hereby making that declaration.
2. The current Members of the European Union are the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand-Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden.
3. However, this declaration does not apply to the Kingdom of Denmark in accordance with Articles 1 and 2 of Protocol 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union.
4. This declaration is not applicable in the case of the territories of the Member States in which the Treaty on the Functioning of the European Union does not apply and is without prejudice to such acts or positions as may be adopted under the MAC Protocol by the Member States concerned on behalf of and in the interests of those territories.
5. In respect of matters governed by the MAC Protocol, the European Union has exercised its competence by adopting Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽¹⁾ (Article IX of the MAC Protocol – ‘*Modification of provisions regarding relief pending final determination*’), Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings ⁽²⁾ (Article X of the MAC Protocol – ‘*Remedies on Insolvency*’ – and Article XI of the MAC Protocol – ‘*Insolvency assistance*’) and Regulation (EC) No 593/2008 of 17 June 2008 on the law applicable to contractual obligations (Rome I) ⁽³⁾ (Article VI of the MAC Protocol – ‘*Choice of law*’).
6. The competence of the European Union pursuant to the Treaty on European Union and to the Treaty on the Functioning of the European Union is, by its nature, liable to continuous development. In the framework of the Treaties, the competent institutions may take decisions which determine the extent of the competence of the European Union. The latter therefore reserves the right to amend this declaration accordingly, without this constituting a prerequisite for the exercise of its competence with regard to matters governed by the MAC Protocol.

⁽¹⁾ OJ L 351, 20.12.2012, p. 1.

⁽²⁾ OJ L 141, 5.6.2015, p. 19.

⁽³⁾ OJ L 177, 4.7.2008, p. 6.

Information concerning the entry into force of the renewal of the Agreement on cooperation in science and technology between the European Community and Ukraine

The renewal of the Agreement on cooperation in science and technology between the European Community and Ukraine, signed on 4 July 2002 ⁽¹⁾ and renewed in 2003 ⁽²⁾, 2011 ⁽³⁾, 2015 ⁽⁴⁾ and 2020 ⁽⁵⁾ has, in accordance with Article 12(a) thereof, entered into force on 17 June 2020. The renewal of the Agreement for a further period of 5 years, in accordance with Article 12(b) thereof, is effective as from 8 November 2019.

⁽¹⁾ OJ L 36, 12.2.2003, p. 31.

⁽²⁾ OJ L 267, 17.10.2003, p. 24.

⁽³⁾ OJ L 79, 25.3.2011, p. 3.

⁽⁴⁾ OJ L 60, 4.3.2015, p. 37.

⁽⁵⁾ OJ L 193, 17.6.2020, p. 1.

REGULATIONS

COMMISSION REGULATION (EU) 2022/1023

of 28 June 2022

amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards the use of oat lecithin in cocoa and chocolate products as covered by Directive 2000/36/EC of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Articles 10(3) and 14 thereof,

Having regard to Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in food and their conditions of use.
- (2) Only food additives included in the Union list in Annex II to Regulation (EC) No 1333/2008 may be placed on the market as such and used in foods under the conditions of use specified therein.
- (3) Commission Regulation (EU) No 231/2012 ⁽³⁾ lays down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008.
- (4) The Union list and the specifications may be updated in accordance with the common procedure referred to in Article 3(1) of Regulation (EC) No 1331/2008, either on the initiative of the Commission or following an application.
- (5) On 25 January 2018, an application was submitted for the authorisation of the use of oat lecithin as a food additive in the food category 5.1 'Cocoa and Chocolate products as covered by Directive 2000/36/EC' of the European Parliament and of the Council ⁽⁴⁾ in Part E of Annex II to Regulation (EC) No 1333/2008, at a maximum level of 20 000 mg/kg. The application was subsequently made available to the Member States pursuant to Article 4 of Regulation (EC) No 1331/2008.

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).

⁽⁴⁾ Directive 2000/36/EC of the European Parliament and of the Council of 23 June 2000 relating to cocoa and chocolate products intended for human consumption (OJ L 197, 3.8.2000, p. 19).

- (6) The European Food Safety Authority ('the Authority') evaluated the safety of oat lecithin as a food additive and, in its opinion ⁽⁹⁾ of 10 December 2019, it concluded that there is no safety concern for oat lecithin to be used as a food additive for the proposed use and use levels.
- (7) Oat lecithin is a fractionated oat oil, which acts as an emulsifier and facilitates the manufacturing of cocoa and chocolate products by reducing the viscosity and yield value of chocolate products. This allows molten chocolate to be pumped easily during processing. Furthermore, oat lecithin prevents fat bloom, a greyish haze, from developing on the surface of products during storage.
- (8) It is therefore appropriate to authorise the use of oat lecithin as an emulsifier in the food category 'cocoa and chocolate products as covered by Directive 2000/36/EC', at the maximum use level of 20 000 mg/kg, and to assign E 322a as E-number to that additive.
- (9) The specifications for oat lecithin (E 322a) should be included in Regulation (EU) No 231/2012, as it is included in the Union list of food additives laid down in Annex II to Regulation (EC) No 1333/2008 for the first time.
- (10) Regulations (EC) No 1333/2008 and (EU) No 231/2012 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with Annex I to this Regulation.

Article 2

The Annex to Regulation (EU) No 231/2012 is amended in accordance with Annex II to this Regulation.

Article 3

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

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

Done at Brussels, 28 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁹⁾ EFSA Journal 2020;18(1):5969.

ANNEX I

Annex II to Regulation (EC) No 1333/2008 is amended as follows:

- (1) in Part B, point 3 'Additives other than colours and sweeteners', the following new entry is inserted after the entry for food additive E 322:

E 322a	Oat lecithin'
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- (2) in Part E, in food category 5.1 'Cocoa and Chocolate products as covered by Directive 2000/36/EC', the following new entry for 'Oat lecithin' is inserted after the entry for E 322:

	E 322a	Oat lecithin	20 000'			
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ANNEX II

In the Annex to Regulation (EU) No 231/2012, the following entry is inserted after the entry for food additive E 322:

E 322a OAT LECITHIN**Synonyms**

Fractionated oat oil

Definition

Oat lecithin is a fractionated oat oil rich in polar lipids, mainly galactolipids. Oat lecithin is produced from food grade oat kernels that are sieved and extracted using ethanol at an elevated temperature to produce a crude lipid extract. This crude extract undergoes multistage evaporation and filtration, yielding crude oat oil, which is separated, evaporated and filtered to produce oat lecithin.

Only ethanol may be used in the extraction as extraction solvent.

Einecs

281-672-4

Assay

Not less than 30 % of polar lipids insoluble in acetone

Description

Yellowish-brown viscous liquid

Identification

Choline

Not more than 2 g/100 g

Phosphorous

Not less than 0,5 %

Polar lipids

Not less than 35 % w/w

Neutral lipids

55–65 % w/w

Saturated

17–20 % w/w

Monounsaturated

38–42 % w/w

Polyunsaturated

38–42 % w/w

Purity

Loss of drying

Not more than 2 %

Toluene-insoluble matter

Not more than 1 % w/w

Acid value

Not more than 30 mg KOH/g

Peroxide value

less than 10 meq O₂/kg fat

Solvent residues

Ethanol: not more than 300 mg/kg

Arsenic

Not more than 0,1 mg/kg

Lead

Not more than 0,05 mg/kg

Mercury

Not more than 0,02 mg/kg

Cadmium

Not more than 0,05 mg/kg

Microbiological criteria

Aerobic plate count

Not more than 1 000 CFU/g

Yeast

Not more than 100 CFU/g

Moulds

Not more than 100 CFU/g

Enterobacteriaceae

Not more than 10 CFU/g

Aerobic spores

Not more than 1 CFU/g

Other

Gluten

Not more than 20 mg/kg'

DECISIONS

COUNCIL DECISION (EU) 2022/1024

of 7 April 2022

on the position to be taken on behalf of the European Union at the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade as regards amendments of Annex III to that Convention

THE COUNCIL OF THE EUROPEAN UNION,D

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) and 207(3) and the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade (the 'Convention') entered into force on 24 February 2004 and was concluded on behalf of the Union by Council Decision 2006/730/EC ⁽¹⁾.
- (2) Regulation (EU) No 649/2012 of the European Parliament and of the Council implements the Convention within the Union ⁽²⁾.
- (3) Pursuant to Article 7 of the Convention, the Conference of the Parties to the Convention may list chemicals in Annex III to the Convention.
- (4) At its tenth meeting, the Conference of the Parties to the Convention is expected to adopt decisions to list further chemicals in Annex III to the Convention.
- (5) In order to ensure that importing Parties benefit from the protection offered by the Convention, and since all relevant criteria under the Convention are met, it is necessary and appropriate to support the recommendation from the Chemical Review Committee under the Convention as regards the inclusion in Annex III to the Convention of acetochlor, carbosulfan, chrysotile asbestos, decabromodiphenyl ether, fenthion, certain liquid formulations containing paraquat dichloride, and perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds. The use of those chemicals is already banned or severely restricted within the Union, and, pursuant to Regulation (EU) No 649/2012, most of them are subject to export requirements that go beyond what is required under the Convention.
- (6) It is appropriate to establish the position to be taken on the Union's behalf at the tenth meeting of the Conference of the Parties as regards amendments to Annex III to the Convention, as those amendments will be binding on the Union,

⁽¹⁾ Council Decision 2006/730/EC of 25 September 2006 on the conclusion, on behalf of the European Community, of the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade (OJ L 299, 28.10.2006, p. 23).

⁽²⁾ Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (OJ L 201, 27.7.2012, p. 60).

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf at the tenth meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade shall be to support the amendment of Annex III to the Convention as regards the inclusion of acetochlor, carbosulfan, chrysotile asbestos, decabromodiphenyl ether, fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L), liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, and perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds.

Article 2

Refinements of the position referred to in Article 1, in light of the developments at the tenth meeting of the Conference of the Parties, may be agreed upon by representatives of the Union, in consultation with the Member States, during on-the-spot coordination meetings without a further decision of the Council.

Article 3

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

Done at Brussels, 7 April 2022.

For the Council
The President
J. DENORMANDIE

COUNCIL DECISION (EU) 2022/1025**of 2 June 2022****on the position to be taken on behalf of the European Union at the fifteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal with regard to certain amendments to paragraph 2 of Article 6 of that Convention**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal ('the Convention') entered into force in 1992 and was concluded by the Union by means of Council Decision 93/98/EEC ⁽¹⁾.
- (2) Pursuant to the Convention, the Conference of the Parties is to consider and adopt, as required, amendments to the Convention. Amendments to the Convention are to be adopted at a meeting of the Conference of the Parties.
- (3) In accordance with the procedure set out in Article 17 of the Convention, the Conference of the Parties, at its fifteenth meeting in June 2022, will consider the proposal by the Russian Federation to amend paragraph 2 of Article 6 of the Convention. That proposal aims to establish a 30 day time limit for a State of import to respond to the notifier of a shipment of waste and includes one other change which is presented as editorial.
- (4) It is appropriate to establish the position to be taken on the Union's behalf at the fifteenth meeting of the Conference of the Parties on the proposal of the Russian Federation, as that amendment would be binding on the Union and affect the content of Union law, namely Regulation (EC) No 1013/2006 of the European Parliament and of the Council ⁽²⁾.
- (5) The Union should not support the proposal of the Russian Federation to amend paragraph 2 of Article 6 of the Convention. To do so would necessitate a long and heavy process to negotiate and it would be a long time before such an amendment would enter into force. It seems disproportionate to launch such process for an amendment, since the aims of the proposal could be achieved by other means. The Union should rather be open to and put forward or act upon initiatives designed to improve the functioning of the 'prior informed consent' procedure, set out in Article 6 of the Convention, provided such initiatives are broader in scope than the proposal submitted by the Russian Federation to the fifteenth meeting of the Conference of the Parties, are in line with broad Union policies and objectives and do not require an amendment to the Convention,

⁽¹⁾ Council Decision 93/98/EEC of 1 February 1993 on the conclusion, on behalf of the Community, of the Convention on the control of transboundary movements of hazardous wastes and their disposal (Basel Convention) (OJ L 39, 16.2.1993, p. 1).

⁽²⁾ Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on the Union's behalf at the fifteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal shall be not to support the proposal by the Russian Federation to amend paragraph 2 of Article 6 of the Convention.
2. The Union shall put forward an initiative or support initiatives by other Parties to the Convention to improve the functioning of the 'prior informed consent' procedure, set out in Article 6 of the Convention, at the fifteenth meeting of the Conference of the Parties to the Convention, provided that such initiatives:
 - (a) are designed to improve the functioning of the 'prior informed consent' procedure, by addressing the delays and problems experienced by States of export, import or transit in handling notifications and by supporting the digitalisation of that procedure, so that wastes movements that are in compliance with the Convention can be carried out across borders without undue delay;
 - (b) do not necessitate the amendment of the Convention;
 - (c) contribute to the environmentally sound management of waste and to the transition towards a global circular economy; and
 - (d) contribute to the proper implementation of the control mechanisms laid down in the Convention and to legal certainty in that regard.

Article 2

Refinement of the position referred to in Article 1, paragraph 2, of this Decision may, in the light of the developments at the fifteenth meeting of the Conference of the Parties to the Convention, be agreed to by representatives of the Union in consultation with the Member States during on-the-spot coordination meetings, without a further decision of the Council.

Article 3

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

Done at Luxembourg, 2 June 2022.

For the Council
The President
A. DE MONTCHALIN

COUNCIL DECISION (EU) 2022/1026**of 21 June 2022****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms and Protocol 32 on financial modalities for implementation of Article 82, annexed to the EEA Agreement (InvestEU)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 173 and Article 175, third paragraph, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee established by the EEA Agreement (the 'EEA Joint Committee') may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31') and Protocol 32 on financial modalities for implementation of Article 82 ('Protocol 32'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/523 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 and Protocol 32 should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the attached draft Decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms and Protocol 32 on financial modalities for implementation of Article 82, annexed to the EEA Agreement, shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ L 107, 26.3.2021, p. 30).

Article 2

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

Done at Luxembourg, 21 June 2022.

For the Council
The President
C. BEAUNE

DRAFT**DECISION OF THE EEA JOINT COMMITTEE No [...]****of [...]****amending Protocol 31 (cooperation in specific fields outside the four freedoms) and Protocol 32 (financial modalities for implementation of Article 82) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 ⁽¹⁾.
- (2) Pursuant to Article 5 of Regulation (EU) 2021/523, contributions to the EU guarantee from the EFTA States are allowed, for the purpose of participation in certain financial products under the EU compartment of the InvestEU Fund. The EFTA States' contributions to the provisioning of the EU guarantee may be accompanied by a back-to-back-guarantee covering the respective contingent liability in relation to the EU guarantee. Alternatively, they may also provide the full contribution to the InvestEU Fund in cash.
- (3) The conditions for the participation of EFTA States and their institutions, undertakings, organisations and nationals in programmes of the European Union are set out in the EEA Agreement and in particular in Article 81 thereof.
- (4) Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis ⁽²⁾ allocates additional external assigned revenue to the InvestEU Programme established by Regulation (EU) 2021/523. It is appropriate to clarify in Protocol 32 on financial modalities for the implementation of Article 82 of the EEA Agreement that, for the purpose of calculating the EFTA States' financial contributions to the InvestEU Programme, the basis for calculation should be increased by appropriations corresponding to external assigned revenue under Article 3(1) of Council Regulation (EU) 2020/2094 in relation to their participation in that programme.
- (5) Protocols 31 and 32 to the EEA Agreement should therefore be amended accordingly, in order to allow for this extended cooperation to take place from 1 January 2022,

HAS ADOPTED THIS DECISION:

Article 1

The following Article shall be added after Article 19 (Reduction of economic and social disparities) of Protocol 31 to the EEA Agreement:

'Article 20

Improving the competitiveness and socio-economic convergence and cohesion under the InvestEU Programme

1. The EFTA States shall, as from 1 January 2022, participate in the activities which may result from the following Union act:

⁽¹⁾ OJ L 107, 26.3.2021, p. 30.

⁽²⁾ OJ L 433I, 22.12.2020, p. 23.

— **32021 R 0523**: Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ L 107, 26.3.2021, p. 30).

2. The EFTA States shall not participate in the InvestEU Advisory Hub.
3. The EFTA States may choose to participate in one or more financial products under the EU compartment of the InvestEU Fund. The contribution of the EFTA States shall be based on the risk profile of the financial products in which they choose to participate. The contribution from EFTA States shall increase the EU guarantee.
4. For the purpose of calculating the financial contribution of the EFTA States to the InvestEU Fund, the proportionality factor as stipulated in Article 82(1) of the EEA Agreement for budget lines shall not apply. In accordance with Article 8 of Protocol 32, the EFTA States shall enter into contribution agreements with the EU represented by the Commission. The contribution agreements shall establish the amounts of the EFTA States' financial contribution to the EU guarantee, lay down terms and conditions for the use of this contribution, establish the frequency and amounts of the payment of the contribution and establish rules for the reimbursement of unused funds and revenues to the EFTA States.
5. When the EFTA States' contribution to the EU guarantee is not providing provisioning in cash in full, i.e. the provisioning is set at less than 100 %, the EFTA States shall commit to cover the respective contingent liability through an irrevocable, unconditional and on-demand back-to-back-guarantee. The back-to-back guarantee shall be provided concurrently with the signature of a contribution agreement.
6. Liechtenstein shall be exempted from the participation in, and the financial contribution to, this programme.'

Article 2

The text of Article 1(10) of Protocol 32 to the EEA Agreement is replaced by the following:

'10. For the purpose of calculating the operational contribution pursuant to Article 82(a) and (b) of the Agreement, the commitment and payment appropriations entered in the European Union budget definitively adopted for the applicable years for financing the Horizon Europe Programme (established by Regulation (EU) 2021/695 of the European Parliament and of the Council), the InvestEU Programme (established by Regulation (EU) 2021/523 of the European Parliament and of the Council) and the Union Civil Protection Mechanism (governed by Decision No 1313/2013/EU of the European Parliament and of the Council) shall be increased by the appropriations corresponding to external assigned revenue allocated to those activities under Article 3(1) of Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis (').'

Article 3

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement *.

It shall apply from 1 January 2022.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

(¹) OJ L 433I, 22.12.2020, p. 23.

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

Done at Brussels,

For the EEA Joint Committee
The President

The Secretaries
To the EEA Joint Committee

COUNCIL DECISION (EU) 2022/1027**of 28 June 2022****on the financial contributions to be paid by the parties to the European Development Fund,
including the second instalment for 2022**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies ⁽¹⁾ and in particular Article 7(2) in conjunction with Article 14(3) thereof,

Having regard to the Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323 ⁽²⁾, and in particular Article 19(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with the procedure laid down in Articles 19 to 22 of Regulation (EU) 2018/1877, the European Commission is to present a proposal by 15 June 2022 setting out the amount of the second instalment of the contribution for 2022 and a revised annual amount of the contribution for 2022, where the amount deviates from actual needs.
- (2) In accordance with Article 46 of Regulation (EU) 2018/1877, the European Investment Bank (EIB) is to send to the Commission its updated estimates of commitments and payments under the instruments it manages.
- (3) Pursuant to Article 20(1) of Regulation (EU) 2018/1877, calls for contributions are to first use up the amounts provided for in previous European Development Funds. Therefore a call for funds pursuant to Regulation (EU) 2018/1877 should be made for the Commission and for the EIB.
- (4) Pursuant to Article 152 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ⁽³⁾ ('the Withdrawal Agreement'), the United Kingdom of Great Britain and Northern Ireland (the 'United Kingdom') is to remain party to the European Development Fund (EDF) until the closure of the 11th EDF and all previous unclosed EDFs. However, pursuant to Article 153 of the Withdrawal Agreement, the United Kingdom's share in decommitted funds from projects under the 11th EDF, where those funds have been decommitted after 31 December 2020, or previous EDFs is not to be reused.
- (5) Council Decision (EU) 2021/1941 ⁽⁴⁾ sets the annual amount of the Member States' EDF contributions for 2022 at EUR 2 500 000 000 for the Commission, and at EUR 300 000 000 for the EIB.
- (6) In order to allow for the prompt application of the measures provided for in this Decision, this Decision should enter into force on the date of its publication in the *Official Journal of the European Union*,

⁽¹⁾ OJ L 210, 6.8.2013, p. 1.

⁽²⁾ OJ L 307, 3.12.2018, p. 1.

⁽³⁾ OJ L 29, 31.1.2020, p. 7.

⁽⁴⁾ Council Decision (EU) 2021/1941 of 9 November 2021 on the financial contributions to be paid by the parties to the European Development Fund to finance that Fund, including the ceiling for 2023, the annual amount for 2022, the amount of the first instalment for 2022 and an indicative and non-binding forecast for the expected annual amounts of contributions for the years 2024 and 2025 (OJ L 396, 10.11.2021, p. 61).

HAS ADOPTED THIS DECISION:

Article 1

Parties to the European Development Fund shall pay the individual EDF contributions to the Commission and the European Investment Bank, as the second instalment for 2022, in accordance with the Annex.

Article 2

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

Done at Luxembourg, 28 June 2022.

For the Council

The President

A. PANNIER-RUNACHER

ANNEX

MEMBER STATES & UK	Key 11th EDF %	2nd instalment 2022 (EUR)		Total
		Commission 11th EDF	EIB 11th EDF	
BELGIUM	3,24927	25 994 160,00	3 249 270,00	29 243 430,00
BULGARIA	0,21853	1 748 240,00	218 530,00	1 966 770,00
CZECHIA	0,79745	6 379 600,00	797 450,00	7 177 050,00
DENMARK	1,98045	15 843 600,00	1 980 450,00	17 824 050,00
GERMANY	20,57980	164 638 400,00	20 579 800,00	185 218 200,00
ESTONIA	0,08635	690 800,00	86 350,00	777 150,00
IRELAND	0,94006	7 520 480,00	940 060,00	8 460 540,00
GREECE	1,50735	12 058 800,00	1 507 350,00	13 566 150,00
SPAIN	7,93248	63 459 840,00	7 932 480,00	71 392 320,00
FRANCE	17,81269	142 501 520,00	17 812 690,00	160 314 210,00
CROATIA	0,22518	1 801 440,00	225 180,00	2 026 620,00
ITALY	12,53009	100 240 720,00	12 530 090,00	112 770 810,00
CYPRUS	0,11162	892 960,00	111 620,00	1 004 580,00
LATVIA	0,11612	928 960,00	116 120,00	1 045 080,00
LITHUANIA	0,18077	1 446 160,00	180 770,00	1 626 930,00
LUXEMBOURG	0,25509	2 040 720,00	255 090,00	2 295 810,00
HUNGARY	0,61456	4 916 480,00	614 560,00	5 531 040,00
MALTA	0,03801	304 080,00	38 010,00	342 090,00
NETHERLANDS	4,77678	38 214 240,00	4 776 780,00	42 991 020,00
AUSTRIA	2,39757	19 180 560,00	2 397 570,00	21 578 130,00
POLAND	2,00734	16 058 720,00	2 007 340,00	18 066 060,00
PORTUGAL	1,19679	9 574 320,00	1 196 790,00	10 771 110,00
ROMANIA	0,71815	5 745 200,00	718 150,00	6 463 350,00
SLOVENIA	0,22452	1 796 160,00	224 520,00	2 020 680,00
SLOVAKIA	0,37616	3 009 280,00	376 160,00	3 385 440,00
FINLAND	1,50909	12 072 720,00	1 509 090,00	13 581 810,00
SWEDEN	2,93911	23 512 880,00	2 939 110,00	26 451 990,00
UNITED KINGDOM	14,67862	117 428 960,00	14 678 620,00	132 107 580,00
TOTAL EU-27 & UK	100,00	800 000 000,00	100 000 000,00	900 000 000,00

COMMISSION IMPLEMENTING DECISION (EU) 2022/1028**of 27 June 2022****amending Decision (EU) 2021/355 as regards certain installations in Denmark, France and Sweden and included in the list of installations covered by the emissions trading system of the Union laid down in Directive 2003/87/EC***(notified under document C(2022) 4289)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC ⁽¹⁾, and in particular Article 11 thereof,

Whereas:

- (1) Further to the submission by Member States of their National Implementation Measures (NIMs), the Commission adopted Decision (EU) 2021/355 ⁽²⁾ on national implementation measures for the transitional free allocation of greenhouse gas emission allowances. That Decision rejects the inscription of certain installations and their corresponding data on the lists of installations covered by Directive 2003/87/EC, thus excluding them from the scope of the emissions trading system of the Union (EU ETS).
- (2) Installations exclusively using biomass were excluded from the EU ETS, in line with paragraph 1 of Annex I to Directive 2003/87/EC. That provision was introduced in the ETS Directive by Directive 2009/29/EC of the European Parliament and of the Council ⁽³⁾, and since its application on 1 January 2013, it determined a new scope for the EU ETS. Therefore, the inscription of the installations that used biomass exclusively for all the years of the baseline period is to be rejected despite being listed in accordance with Article 11(1) of Directive 2003/87/EC.
- (3) The Commission was informed that Sweden had erroneously included in its NIMs the installation SE-207651. That installation uses biomass exclusively and for that reason should have been excluded from the scope of the EU ETS.
- (4) Following a query from the Commission, Denmark confirmed that installations DK-65, DK-66 and DK-135 had no fossil emissions during the baseline period 2014 – 2018. Those installations use biomass exclusively and should also have been excluded from the scope of the EU ETS.
- (5) It is therefore appropriate to reject the inscription of the installations DK-65, DK-66, DK-135 and SE-207651 on the lists of installations covered by Directive 2003/87/EC for all the years of the baseline period including when they were listed in accordance with Article 11(1) of Directive 2003/87/EC.

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ Commission Decision (EU) 2021/355 of 25 February 2021 concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 68, 26.2.2021, p. 221).

⁽³⁾ Directive 2009/29/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community (OJ L 140, 5.6.2009, p. 63).

- (6) Following a request for clarification from the Commission, France informed the Commission that two installations, FR-206164 and FR-206032, only produce polymers. Both installations have zero direct CO₂ emissions because they import the heat needed for the production from another EU ETS installation. In the judgment in Case C-577/16 ^(*), the Court of Justice held that an installation for the production of polymers which obtains the heat needed for that production from a third-party installation does not fall within the scope of the EU ETS, since it does not generate direct CO₂ emissions. The inscription of those installations on the lists of installations covered by Directive 2003/87/EC should therefore be rejected.
- (7) Decision (EU) 2021/355 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision (EU) 2021/355 is amended as follows:

- (1) in Article 1, the following paragraph 6 is added:

‘6. The inscription of the installations listed in Annex IV to this Decision included on the lists of installations covered by Directive 2003/87/EC and the corresponding free allocation data to those installations, submitted to the Commission pursuant to Article 11(1) of that Directive, are rejected.’;

- (2) Annex I is replaced by the text in Annex I to this Decision;
- (3) The text set out in Annex II to this Decision is added as Annex IV.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 June 2022.

For the Commission
Frans TIMMERMANS
Executive Vice-President

^(*) Judgment of the Court of Justice of 28 February 2018, *Trinseo Deutschland Anlagengesellschaft mbH v Bundesrepublik Deutschland*, C-577/16, ECLI:EU:C:2018:127.

ANNEX I

'ANNEX I

Installations using exclusively biomass

Installations identifier in the national implementation measures lists

DK000000000000065	DK000000000000066	DK000000000000135	
FI000000000000645	FI000000000207696		
SE000000000000031	SE000000000000064	SE000000000000073	SE000000000000074
SE000000000000086	SE000000000000088	SE000000000000099	SE000000000000102
SE000000000000169	SE000000000000186	SE000000000000199	SE000000000000205
SE000000000000211	SE000000000000249	SE000000000000261	SE000000000000319
SE000000000000320	SE000000000000324	SE000000000000382	SE000000000000468
SE000000000000523	SE000000000000543	SE000000000000547	SE000000000000565
SE000000000000583	SE000000000000629	SE000000000000659	SE000000000000681
SE000000000000686	SE000000000000687	SE000000000000705	SE000000000000785
SE000000000000789	SE000000000000798	SE000000000000830	SE000000000000838
SE000000000000845	SE000000000000847	SE000000000202297	SE000000000205800
SE000000000205887	SE000000000206192	SE000000000208282	SE000000000209062
SE000000000209930	SE000000000211058	SE000000000000153	SE000000000000231'
SE000000000000779	SE000000000207651		

ANNEX II

‘ANNEX IV

Installations producing polymers and importing heat, with zero direct CO₂ emissions

Installations identifier in the national implementation measures list

FR000000000206164

FR000000000206032’

COMMISSION IMPLEMENTING DECISION (EU) 2022/1029**of 28 June 2022****amending Implementing Decision (EU) 2019/919 as regards harmonised standards for principal data for small craft, liquefied petroleum gas propulsion systems for boats, yachts and other watercraft, and determination of maximum propulsion power rating using manoeuvring speed for craft with a length of hull between 8 m and 24 m****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) In accordance with Article 14 of Directive 2013/53/EU of the European Parliament and of the Council ⁽²⁾, products which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union*, are presumed to be in conformity with the requirements covered by those standards or parts thereof set out in Article 4(1) of Directive 2013/53/EU and Annex I to that Directive.
- (2) By Implementing Decision C(2015) 8736 ⁽³⁾, the Commission made a request to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec) for the drafting and revision of harmonised standards in support of Directive 2013/53/EU addressing the stricter essential requirements set out in Article 4(1) of Directive 2013/53/EU and in Annex I to that Directive, in comparison with the repealed Directive 94/25/EC of the European Parliament and of the Council ⁽⁴⁾.
- (3) By Implementing Decision C(2015) 8736 CEN and Cenelec were also requested to revise standards, the references of which were published by Commission communication 2015/C 087/01 ⁽⁵⁾.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90).

⁽³⁾ Commission Implementing Decision C(2015) 8736 of 15 December 2015 on a standardisation request to the European Committee for Standardisation and the European Committee for Electro-technical Standardisation as regards recreational craft and personal watercraft in support of Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC.

⁽⁴⁾ Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft (OJ L 164, 30.6.1994, p. 15).

⁽⁵⁾ Commission communication in the framework of the implementation of Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 87, 13.3.2015, p. 1).

- (4) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN revised harmonised standard EN ISO 8666:2018 on principal data for small craft, the reference of which is included in Annex I to Commission Implementing Decision (EU) 2019/919 ⁽⁶⁾. This resulted in the adoption of the harmonised standard EN ISO 8666:2020 and its amendment EN ISO 8666:2020/A11:2021 on the definitions of main dimensions and related data, the mass specifications and loading conditions for small craft.
- (5) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN revised harmonised standard EN 15609:2012 on installation requirements for the liquefied petroleum gas propulsion systems for boats, yachts and other watercraft, published by Communication 2015/C 087/01. This resulted in the adoption of harmonised standard EN 15609:2021.
- (6) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN also drafted harmonised standard EN ISO 11592-2:2021 on determination of maximum propulsion power rating using manoeuvring speed for craft with a length of hull between 8 m and 24 m.
- (7) The Commission together with CEN has assessed whether those harmonised standards comply with the request set out in Implementing Decision C(2015) 8736.
- (8) The standards EN 15609:2021, EN ISO 11592-2:2021 and EN ISO 8666:2020 as amended by EN ISO 8666:2020/A11:2021 satisfy the requirements which they aim to cover and which are set out in Article 4(1) of Directive 2013/53/EU, as well as in Part A of Annex I to that Directive. It is therefore appropriate to publish the reference of those standards in the *Official Journal of the European Union*.
- (9) Standard EN 15609:2021 is to replace standard EN 15609:2012. Standard EN ISO 8666:2020 as amended by standard EN ISO 8666:2020/A11:2021 is to replace standard EN ISO 8666:2018.
- (10) It is therefore necessary to withdraw the references of standards EN 15609:2012 and EN ISO 8666:2018 from the *Official Journal of the European Union*.
- (11) In order to give manufacturers sufficient time to adapt their products to the revised and amended versions of harmonised standards EN 15609:2012 and EN ISO 8666:2018, it is necessary to defer the withdrawal of the references of those standards.
- (12) Annex I to Implementing Decision (EU) 2019/919 lists the references of harmonised standards drafted in support of Directive 2013/53/EU. The references of harmonised standards EN 15609:2021, EN ISO 8666:2020 and its amendment EN ISO 8666:2020/A11:2021, and EN ISO 11592-2:2021 should be included in that Annex. It is also appropriate to delete the reference of harmonised standard EN ISO 8666:2018 from Annex I to Implementing Decision (EU) 2019/919.
- (13) Annex II to Implementing Decision (EU) 2019/919 lists the references of harmonised standards drafted in support of Directive 2013/53/EU that are withdrawn from the C-series of *Official Journal of the European Union*. The references of harmonised standard EN 15609:2012 should be included in that Annex.
- (14) Implementing Decision (EU) 2019/919 should therefore be amended accordingly.
- (15) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

⁽⁶⁾ Commission Implementing Decision (EU) 2019/919 of 4 June 2019 on the harmonised standards for recreational craft and personal watercraft drafted in support of Directive 2013/53/EU of the European Parliament and of the Council (OJ L 146, 5.6.2019, p. 106).

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2019/919 is amended as follows:

- (1) Annex I is amended in accordance with Annex I to this Decision;
- (2) Annex II is amended in accordance with Annex II to this Decision.

Article 2

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

Point (1) of Annex I shall apply from 29 December 2023.

Done at Brussels, 28 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I is amended as follows:

- (1) entry 7 is deleted;
- (2) the following entries are added:

No	Reference of the standard
45.	EN ISO 8666:2020 Small craft – Principal data EN ISO 8666:2020/A11:2021
46.	EN 15609:2021 LPG equipment and accessories – LPG propulsion systems for boats, yachts and other watercraft – Installation requirements
47.	EN ISO 11592-2:2021 Small craft – Determination of maximum propulsion power rating using manoeuvring speed – Part 2: Craft with a length of hull between 8 m and 24 m’.

ANNEX II

In Annex II, the following entry is added:

No	Reference of the standard	Date of withdrawal
‘38.	EN 15609:2012 LPG equipment and accessories – LPG propulsion systems for boats, yachts and other craft	29 December 2023’.

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2022 OF THE JOINT COMMITTEE ESTABLISHED BY THE EURO-MEDITERRANEAN AVIATION AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE GOVERNMENT OF THE STATE OF ISRAEL, OF THE OTHER PART

of 13 June 2022

**replacing Annex IV to the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the government of the State of Israel, of the other part
[2022/1030]**

THE JOINT COMMITTEE,

Having regard to the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the government of the State of Israel, of the other part ⁽¹⁾, and in particular Article 27(6) thereof,

HAS DECIDED AS FOLLOWS:

Sole Article

Annex IV to the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the government of the State of Israel, of the other part, is replaced by the text in the Annex to this Decision as from 1 July 2022.

Done at Brussels and Tel Aviv, on 13 June 2022.

For the Joint Committee
The Head of the European Union Delegation
Klaus GEIL

The Head of the Delegation of the government of Israel
Ishay DON-YEHIYA

⁽¹⁾ OJ L 208, 2.8.2013, p. 3.

ANNEX

‘ANNEX IV

RULES RELATING TO CIVIL AVIATION

The equivalent regulatory requirements and standards of European Union legislation referred to in this Agreement shall be delivered on the basis of the following acts. Where necessary, specific adaptations for each individual act are set out hereafter. The equivalent regulatory requirements and standards shall be applicable in accordance with Annex VI unless otherwise specified in this Annex or in Annex II on Transitional Provisions.

A. AVIATION SAFETY

A.1 List of air carriers subject to an operating ban

Israel shall, at the earliest possible, take measures corresponding to those taken by the EU Member States on the basis of the list of air carriers which are subject to an operating ban due to safety reasons.

The measures will be taken according to the relevant rules regarding the establishment and publication of a list of air carriers, which are subject to an operating ban and the information requirements to air passengers of the identity of the air carrier operating the flights on which they travel, established in the following EU legislation:

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

- Regulation (EU) 2018/1139 of 4 July 2018, OJ L 212, 22.8.2018, p.1;
- Regulation (EU) 2019/1243 of 20 June 2019, OJ L 198, 25.7.2019, p. 241.

Relevant provisions: Articles 1 to 13, Annex

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

Relevant provisions: Articles 1 to 6, Annexes A to C

Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (Text with EEA relevance), OJ L 84, 23.3.2006, p. 14, as regularly amended by Commission Regulations.

Relevant provisions: Articles 1 to 3, Annexes A to B

In case a measure raises serious concerns for Israel, Israel may suspend its application and shall, without undue delay, refer the matter to the Joint Committee pursuant to Article 22(11), point (f), of this Agreement.

A.2 Accident/incident investigation and occurrence reporting

A.2.1: Regulation (EU) No 996/2010

Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (Text with EEA relevance), OJ L 295, 12.11.2010, p. 35, as amended by:

- Regulation (EU) No 376/2014 of 3 April 2014, OJ L 122, 24.4.2014, p. 18;
- Regulation (EU) 2018/1139 of 4 July 2018, OJ L 212, 22.8.2018, p. 1.

Relevant provisions: Articles 1 to 5, Articles 8 to 18(2), Articles 20, 21, 23, Annex.

NB:

Commission Implementing Decision (EU) 2019/1128 of 1 July 2019 on access rights to safety recommendations and responses stored in the European Central Repository and repealing Decision 2012/780/EU (Text with EEA relevance), OJ L 177, 2.7.2019, p. 112.

A.2.2: Regulation (EU) No 376/2014

Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (Text with EEA relevance), OJ L 122, 24.4.2014, p. 18, as amended by:

- Regulation (EU) 2018/1139 of 4 July 2018, OJ L 212, 22.8.2018, p. 1.

Relevant provisions: Articles 1 to 7; Article 9(3); Article 10(2) to (4); Article 11(1) and (7); Article 13 with the exception of paragraph 9; Articles 14 to 16; Articles 21 to 23; Article 24(3), Annexes I to III.

Commission Delegated Regulation (EU) 2020/2034 of 6 October 2020 supplementing Regulation (EU) No 376/2014 of the European Parliament and of the Council as regards the common European risk classification scheme (Text with EEA relevance), OJ L 416, 11.12.2020, p. 1.

Commission Implementing Regulation (EU) 2015/1018 of 29 June 2015 laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council (Text with EEA relevance), OJ L 163, 30.6.2015, p. 1.

Relevant provisions: Articles 1 to 2, Annexes I to V.

B. AIR TRAFFIC MANAGEMENT

BASIC REGULATIONS

Section A:

B.1: Regulation (EC) No 549/2004

Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) (Text with EEA relevance), OJ L 96, 31.3.2004, p. 1, as amended by:

- Regulation (EC) No 1070/2009 of 21 October 2009, OJ L 300, 14.11.2009, p. 34.

Relevant provisions: Article 1(1) to (3), Article 2, Article 4(1) to (4), Articles 9, 10, Article 11(1), (2), (3)(b) and (d), (4) to (6), Article 13.

In order to implement the requirements of Article 11 of Regulation (EC) No 549/2004, Israel shall develop and put in place a national performance scheme including:

- National performance targets in the key performance areas of safety, environment, capacity and cost-efficiency. The targets shall be set by a governmental mechanism after taking into account input from the national supervisory authority;
- A performance plan consistent with the performance targets and including information on ATM investments, in particular those relating to the alignment with SESAR deployment plans including common projects. The performance plan shall be drawn up by the air navigation service provider after consultation of airspace users;

The consistency of the performance plan with the national performance targets shall be assessed by the national supervisory authority, which, in case of inconsistency, may decide to issue a recommendation that the ANSP propose revised performance targets and appropriate measures. Where the national supervisory authority finds that the revised performance targets and appropriate measures are not adequate, it may decide that the ANSP take corrective measures.

The reference period for the performance scheme shall be decided by Israel and will be reported to the Joint Committee.

The national supervisory authority shall carry out regular assessments of the achievement of the performance targets.

B.2: Regulation (EC) No 550/2004

Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation) (Text with EEA relevance), OJ L 96, 31.3.2004, p. 10, as amended by:

— Regulation (EC) No 1070/2009 of 21 October 2009, OJ L 300, 14.11.2009, p. 34.

Relevant provisions: Article 2(1), (2), and (4) to (6), Article 4, Article 7(1), (2), (4) to (5), and (7), Article 8(1), (3), and (4), Articles 9, 10, 11, Article 12(1) to (4), Article 18(1) and (2), Annex II

B.3: Regulation (EC) No 551/2004

Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation) (Text with EEA relevance), OJ L 96, 31.3.2004, p. 20, as amended by:

— Regulation (EC) No 1070/2009 of 21 October 2009, OJ L 300, 14.11.2009, p. 34.

Relevant provisions: Article 1, Article 3a, Article 4, Article 6(1) to (5), and (7), Article 7(1) and (3), Article 8

B.4: Regulation (EC) No 552/2004

Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation) (Text with EEA relevance), OJ L 96, 31.3.2004, p. 26, as amended by:

— Regulation (EC) No 1070/2009 of 21 October 2009, OJ L 300, 14.11.2009, p. 34.

Relevant provisions: Articles 1 to 3, Article 4(2), Article 5 to 6a, Article 7(1), Article 8, Annexes I to V

NB: This Regulation (552/2004) has been repealed by Regulation (EU) 2018/1139 with effect from 11 September 2018. However, Articles 4, 5, 6, 6a and 7 of that Regulation and Annexes III and IV thereto shall continue to apply until the date of application of the delegated acts referred to in Article 47 of this Regulation and insofar as those acts cover the subject matter of the relevant provisions of Regulation (EC) No 552/2004, and in any case not later than 12 September 2023.

Regulations No 549/2004 to 552/2004 amended by Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system.

B.5: Regulation (EU) 2018/1139

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

— Commission Delegated Regulation (EU) 2021/1087 of 7 April 2021, OJ L 236, 5.7.2021, p. 1.

Relevant provisions: Articles 1 to 3, 40 to 54, Annex VIII

Section B:

B.2: Regulation (EC) No 550/2004

Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation) (text with EEA relevance), OJ L 96, 31.3.2004, p. 10, as amended by:

— Regulation (EC) No 1070/2009 of 21 October 2009, OJ L 300, 14.11.2009, p. 34.

Relevant provisions: Article 2(3), Article 7(6) and (8), Article 8(2) and (5), Article 9a(1) to (5), Article 13

B.3: Regulation (EC) No 551/2004

Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation) (text with EEA relevance), OJ L 96, 31.3.2004, p. 20, as amended by:

— Regulation (EC) No 1070/2009 of 21 October 2009, OJ L 300, 14.11.2009, p. 34.

Relevant provisions: Article 3, Article 6(6)

Regulations No 549/2004 to 552/2004 amended by Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system.

B.5: Regulation (EU) 2018/1139

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

— Commission Delegated Regulation (EU) 2021/1087 of 7 April 2021, OJ L 236, 5.7.2021, p. 1.

Relevant provisions: Articles 1 to 3, 40 to 54, Annex VIII

IMPLEMENTING RULES

The following acts will be applicable and relevant unless otherwise specified in Annex VI with respect to the equivalent regulatory requirements and standards relating to the "Basic Regulations":

Service provision (Regulation (EC) No 550/2004)

Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (text with EEA relevance), OJ L 62, 8.3.2017, p.1, as amended by:

— Commission Implementing Regulation (EU) 2020/469 of 14 February 2020, OJ L 104, 3.4.2020, p.1, as amended by:

— Commission Implementing Regulation (EU) 2020/1177 of 7 August 2020, OJ L 259, 10.8.2020, p. 12.

— Commission Implementing Regulation (EU) 2021/1338 of 11 August 2021, OJ L 289, 12.8.2021, p.12.

Israel may keep its meteorological services provider as a governmental body.

Commission Implementing Regulation (EU) No 409/2013 of 3 May 2013 on the definition of common projects, the establishment of governance and the identification of incentives supporting the implementation of the European Air Traffic Management Master Plan (Text with EEA relevance), OJ L 123, 4.5.2013, p. 1, as amended by:

— Commission Implementing Regulation (EU) 2021/116 of 1 February 2021, OJ L 36, 2.2.2021, p. 10.

Commission Implementing Regulation (EU) 2021/116 of 1 February 2021 on the establishment of the Common Project One supporting the implementation of the European Air Traffic Management Master Plan provided for in Regulation (EC) No 550/2004 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 409/2013 and repealing Commission Implementing Regulation (EU) No 716/2014 (Text with EEA relevance), OJ L 36, 2.2.2021, p. 10.

Airspace (Regulation (EC) No 551/2004)

Commission Regulation (EU) No 255/2010 of 25 March 2010 laying down common rules on air traffic flow management (Text with EEA relevance), OJ L 80, 26.3.2010, p.10, as amended by:

— Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012, OJ L 281, 13.10.2012, p. 1, as amended by:

— Commission Implementing Regulation (EU) 2020/886 of 26 June 2020, OJ L 205, 29.6.2020, p. 14,

— Commission Implementing Regulation (EU) 2020/469 of 14 February 2020, OJ L 104, 3.4.2020, p.1, as amended by:

— Commission Implementing Regulation (EU) 2020/1177 of 7 August 2020, OJ L 259, 10.8.2020, p. 12,

— Commission Implementing Regulation (EU) 2016/1006 of 22 June 2016, OJ L 165, 23.6.2016, p. 8,

— Commission Implementing Regulation (EU) 2017/2159 of 20 November 2017, OJ L 304, 21.11.2017, p. 45.

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

— Commission Regulation (EU) 2015/340 of 20 February 2015, OJ L 63, 6.3.2015, p. 1,

— Commission Implementing Regulation (EU) 2016/1185 of 20 July 2016, OJ L 196, 21.7.2016, p. 3,

— Commission Implementing Regulation (EU) 2020/469 of 14 February 2020, OJ L 104, 3.4.2020, p. 1, as amended by :

— Commission Implementing Regulation (EU) 2020/1177 of 7 August 2020, OJ L 259, 10.8.2020, p. 12,

— Commission Implementing Regulation (EU) 2020/886 of 26 June 2020, OJ L 205, 29.6.2020, p. 14.

Commission Regulation (EC) No 2150/2005 of 23 December 2005 laying down common rules for the flexible use of airspace (Text with EEA relevance), OJ L 342, 24.12.2005, p. 20.

Commission Implementing Regulation (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of air traffic management (ATM) network functions and repealing Commission Regulation (EU) No 677/2011 (Text with EEA relevance), OJ L 28, 31.1.2019, p. 1.

Interoperability Regulation (EC) 552/2004

Commission Regulation (EC) No 262/2009 of 30 March 2009 laying down requirements for the coordinated allocation and use of Mode S interrogator codes for the single European sky (text with EEA relevance), OJ L 84, 31.3.2009, p. 20, as amended by:

— Commission Implementing Regulation (EU) 2016/2345 of 14 December 2016, OJ L 348, 21.12.2016, p. 11.

Commission Regulation (EC) No 633/2007 of 7 June 2007 laying down requirements for the application of a flight message transfer protocol used for the purpose of notification, coordination and transfer of flights between air traffic control units (text with EEA relevance), OJ L 146, 8.6.2007, p.7, as amended by:

— Commission Regulation (EU) No 283/2011 of 22 March 2011, OJ L 77, 23.3.2011, p. 23.

Commission Regulation (EC) No 1033/2006 of 4 July 2006 laying down the requirements on procedures for flight plans in the pre-flight phase for the single European sky (Text with EEA relevance), OJ L 186, 7.7.2006, p. 46, as amended by:

— Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012, OJ L 281, 13.10.2012, p.1, as amended by:

— Commission Implementing Regulation (EU) 2020/886 of 26 June 2020, OJ L 205, 29.6.2020, p. 14,

— Commission Implementing Regulation (EU) 2020/469 of 14 February 2020, OJ L 104, 3.4.2020, p. 1, as amended by:

— Commission Implementing Regulation (EU) 2020/1177 of 7 August 2020, OJ L 259, 10.8.2020, p. 12,

— Commission Implementing Regulation (EU) No 428/2013 of 8 May 2013, OJ L 127, 9.5.2013, p. 23,

— Commission Implementing Regulation (EU) 2016/2120 of 2 December 2016, OJ L 329, 3.12.2016, p. 70,

— Commission Implementing Regulation (EU) 2018/139 of 29 January 2018, OJ L 25, 30.1.2018, p. 4.

Commission Regulation (EC) No 1032/2006 of 6 July 2006 laying down requirements for automatic systems for the exchange of flight data for the purpose of notification, coordination and transfer of flights between air traffic control units (Text with EEA relevance), OJ L 186, 7.7.2006, p. 27, as amended by:

— Commission Regulation (EC) No 30/2009 of 16 January 2009, OJ L 13, 17.1.2009, p. 20.

Commission Implementing Regulation (EU) No 1206/2011 of 22 November 2011 laying down requirements on aircraft identification for surveillance for the single European sky (Text with EEA relevance), OJ L 305, 23.11.2011, p. 23, as amended by:

— Commission Implementing Regulation (EU) 2020/587 of 29 April 2020, OJ L 138, 30.4.2020, p. 1.

Commission Implementing Regulation (EU) No 1207/2011 of 22 November 2011 laying down requirements for the performance and the interoperability of surveillance for the single European sky (Text with EEA relevance), OJ L 305, 23.11.2011, p. 35, as amended by:

— Commission Implementing Regulation (EU) No 1028/2014 of 26 September 2014, OJ L 284, 30.9.2014, p. 7,

— Commission Implementing Regulation (EU) 2017/386 of 6 March 2017, OJ L 59, 7.3.2017, p. 34,

— Commission Implementing Regulation (EU) 2020/587 of 29 April 2020, OJ L 138, 30.4.2020, p. 1.

Commission Regulation (EC) No 29/2009 of 16 January 2009 laying down requirements on data link services for the single European sky (Text with EEA relevance), OJ L 13, 17.1.2009, p. 3, as amended by:

— Commission Implementing Regulation (EU) 2015/310 of 26 February 2015, OJ L 56, 27.2.2015, p. 30,

- Commission Implementing Regulation (EU) 2019/1170 of 8 July 2019, OJ L 183, 9.7.2019, p. 6,
- Commission Implementing Decision (EU) 2019/2012 of 29 November 2019, OJ L 312, 3.12.2019, p. 95,
- Commission Implementing Regulation (EU) 2020/208 of 14 February 2020, OJ L 43, 17.2.2020, p. 72.

The Joint Committee shall take a Decision on the date starting from which Israel must apply requirements and standards equivalent to Regulation (EC) No 29/2009. Until such Decision is adopted by the Joint Committee, Regulation (EC) No 29/2009 shall be considered as not being part of this Annex for the purposes of the evaluation provided for in point 5 of Annex II.

ATM/ANS requirements stemming from Regulation (EU) 2018/1139

Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011 (Text with EEA relevance), OJ L 63, 6.3.2015, p. 1.

Israel shall not be required to establish medical aerial centres as institutions. The equivalency assessment shall focus on the actual requirements for aeromedical examiners and medical standards.

Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (Text with EEA relevance), OJ L 62, 8.3.2017, p. 1, as amended by:

- Commission Implementing Regulation (EU) 2020/469 of 14 February 2020, OJ L 104, 3.4.2020, p. 1, as amended by:
- Commission Implementing Regulation (EU) 2020/1177 of 7 August 2020, OJ L 259, 10.8.2020, p. 12.
- Commission Implementing Regulation (EU) 2021/1338 of 11 August 2021, OJ L 289, 12.8.2021, p. 12.

Israel shall not be required to establish a provider of Communication, navigation or surveillance services (CNS) that is independent from the provider(s) of other air navigation services (ANSP), and to certify it independently from other ANSP provider(s). When certifying the ANSP who is also responsible for the provision of CNS, Israel shall verify if requirements provided for in Article 6 a-c and Annex VIII to Regulation (EU) 2017/373 are met, and shall not be required to verify the independence of the CNS provider from the provider(s) of other air navigation services.

C. ENVIRONMENT

C.1: Regulation (EU) No 598/2014

Regulation (EU) No 598/2014 of the European Parliament and of the Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC, OJ L 173, 12.6.2014, p. 65.

Relevant provisions: Articles 3, 4, 5, 6, 8, 10, Annex I and II

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise, OJ L 189, 18.7.2002, p. 12, as amended by:

- Regulation (EC) No 1137/2008 of 22 October 2008, OJ L 311, 21.11.2008, p. 1,
- Commission Directive (EU) 2015/996 of 19 May 2015, OJ L 168, 1.7.2015, p. 1,

- Regulation (EU) 2019/1010 of 5 June 2019, OJ L 170, 25.6.2019, p. 115,
- Regulation (EU) 2019/1243 of 20 June 2019, OJ L 198, 25.7.2019, p. 241,
- Commission Directive (EU) 2020/367 of 4 March 2020, OJ L 67, 5.3.2020, p. 132.

Relevant provisions: as necessary for the correct application of Regulation (EU) No 598/2014.

C.2: Directive 2006/93/EC

Directive 2006/93/EC of the European Parliament and of the Council of 12 December 2006 on the regulation of the operation of aeroplanes covered by Part II, Chapter 3, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988) (codified version) (Text with EEA relevance), OJ L 374, 27.12.2006, p. 1.

Relevant provisions: Articles 1 to 3, 5

D. AIR CARRIER LIABILITY

D.1: Council Regulation (EC) No 2027/97

Council Regulation (EC) No 2027/97 of 9 October 1997 on air carrier liability in respect of the carriage of passengers and their baggage by air, OJ L 285, 17.10.1997, p. 1, as amended by:

- Regulation (EC) No 889/2002 of 13 May 2002, OJ L 140, 30.5.2002, p. 2.

Relevant provisions: Article 2(1)(a) and (c) to (g), Articles 3 to 6

E. CONSUMER RIGHTS AND PROTECTION OF PERSONAL DATA

E.2: Regulation (EU) 2016/679

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

Relevant provisions: Where relevant for civil aviation.

E.3: Regulation (EC) No 261/2004

Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (Text with EEA relevance), OJ L 46, 17.2.2004, p. 1.

Relevant provisions: Articles 1 to 16

E.4: Regulation (EC) No 1107/2006

Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (Text with EEA relevance), OJ L 204, 26.7.2006, p. 1.

Relevant provisions: Article 1(1), Articles 2 to 16, Annexes I to II

F. SOCIAL ASPECTS

F.1: Council Directive 2000/79/EC

Council Directive 2000/79/EC of 27 November 2000 concerning the European agreement on the organisation of working time of mobile workers in civil aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA) (Text with EEA relevance), OJ L 302, 1.12.2000, p. 57.

Relevant provisions: Clause 1(1) and Clauses 2 to 9 of the Annex'

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