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Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

2011/663/EU:

- ★ **Council Decision of 16 June 2011 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Republic of Indonesia on certain aspects of air services** 1

Agreement between the European Union and the Government of the Republic of Indonesia on certain aspects of air services 2

2011/664/EU:

- ★ **Council Decision of 12 September 2011 on the signing, on behalf of the European Union, and provisional application of the amended Constitution and Rules of Procedure of the International Rubber Study Group** 12
- ★ **International Rubber Study Group Constitution** 14

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 996/2011 of 7 October 2011 amending Regulations (EC) No 657/2008, (EC) No 1276/2008 and Implementing Regulation (EU) No 543/2011 as regards the notification obligations within the common organisation of agricultural markets** 25

Price: EUR 4

(Continued overleaf)

EN

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

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

Commission Implementing Regulation (EU) No 997/2011 of 7 October 2011 establishing the standard import values for determining the entry price of certain fruit and vegetables	28
---	----

Commission Implementing Regulation (EU) No 998/2011 of 7 October 2011 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year	30
---	----

DECISIONS

2011/665/EU:

★ Commission Implementing Decision of 4 October 2011 on the European register of authorised types of railway vehicles (<i>notified under document C(2011) 6974</i>) ⁽¹⁾	32
---	----

Corrigenda

★ Corrigendum to Decision 2010/592/EU of the Representatives of the Governments of the Member States of 29 September 2010 appointing a judge to the Court of Justice (OJ L 261, 5.10.2010)	55
★ Corrigendum to Decision 2010/629/EU of the Representatives of the Governments of the Member States of 20 October 2010 appointing a Judge to the General Court (OJ L 278, 22.10.2010)	55



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 16 June 2011

on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Republic of Indonesia on certain aspects of air services

(2011/663/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) By its Decision of 5 June 2003, the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with an agreement at Union level.
- (2) On behalf of the Union, the Commission has negotiated an Agreement with the Government of the Republic of Indonesia on certain aspects of air services (the Agreement) in accordance with the mechanisms and directives set out in the Annex to the Council Decision of 5 June 2003.
- (3) The Agreement should be signed and provisionally applied subject to its conclusion,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union and the Government of the Republic of Indonesia on certain aspects

of air services (the Agreement) is hereby approved on behalf of the Union, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

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

Article 3

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the parties have notified each other of the completion of the necessary procedures for this purpose ⁽¹⁾.

Article 4

The President of the Council is hereby authorised to make the notification provided for in Article 8(2) of the Agreement.

Article 5

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

Done at Luxembourg, 16 June 2011.

*For the Council**The President*

VÖLNER P.

⁽¹⁾ The date from which the Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Government of the Republic of Indonesia on certain aspects of air services**

THE EUROPEAN UNION hereinafter referred to as 'the Union'

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF INDONESIA hereinafter referred to as 'Indonesia'

of the other part,

hereinafter referred to as 'the Parties',

NOTING that bilateral air service agreements have been concluded between several Member States of the Union and Indonesia containing provisions contrary to the law of the Union,

NOTING that the Union has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the Union and third countries,

NOTING that, under the law of the Union, Union air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the Union and third countries,

HAVING REGARD to the agreements between the Union and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with the law of the Union,

RECOGNISING that certain provisions of the bilateral air service agreements between Member States of the Union and Indonesia, which are contrary to Union law, must be brought into conformity with it in order to establish a sound legal basis for air services between the Union and Indonesia and to preserve the continuity of such air services,

NOTING that under the law of the Union air carriers may not, in principle, conclude agreements which may affect trade between Member States of the Union and which have as their object or effect the prevention, restriction or distortion of competition,

RECOGNISING that provisions in bilateral air service agreements concluded between Member States of the Union and Indonesia which (i) require or favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition between air carriers on the relevant routes; or (ii) reinforce the effects of any such agreement, decision or concerted practice; or (iii) delegate to air carriers or other private economic operators the responsibility for taking measures that prevent, distort or restrict competition between air carriers on the relevant routes, may render ineffective the competition rules applicable to undertakings,

NOTING that it is not a purpose of the Union, as part of this Agreement, to increase the total volume of air traffic between the Union and Indonesia, to affect the balance between Union air carriers and air carriers of Indonesia, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

Article 1

General provisions

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the Union and 'EU Treaties' shall mean the Treaty on European Union and the Treaty on the Functioning of the European Union.

2. References in each of the agreements listed in Annex 1 to nationals of the Member State that is a party to that agreement shall be understood as referring to nationals of the Member States of the Union.

3. References in each of the agreements listed in Annex 1 to air carriers or airlines of the Member State that is a party to that agreement shall be understood as referring to air carriers or airlines designated by that Member State.

Article 2

Designation by a Member State

1. The provisions in paragraphs 2 and 3 of this Article shall supersede the corresponding provisions in the Articles listed in Annex 2(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by Indonesia, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

2. On receipt of a designation by a Member State, Indonesia shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

(a) the air carrier is established in the territory of the designating Member State under the EU Treaties and has a valid Operating Licence in accordance with the law of the Union; and

(b) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and

(c) the air carrier is owned, directly or through majority ownership, and it is effectively controlled by Member States and/or nationals of Member States, and/or by other states listed in Annex 3 and/or nationals of such other states.

3. Indonesia may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:

(a) the air carrier is not established in the territory of the designating Member State under the EU Treaties or does not have a valid Operating Licence in accordance with the law of the Union; or

(b) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operator's Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or

(c) the air carrier is not owned, directly or through majority ownership, or it is not effectively controlled by Member States and/or nationals of Member States, and/or by other states listed in Annex 3 and/or nationals of such other states; or

(d) the air carrier is already authorised to operate under a bilateral agreement between Indonesia and another Member State and Indonesia can demonstrate that, by exercising traffic rights under this Agreement on a route that includes a point in that other Member State, it would be circumventing restrictions on the traffic rights imposed by that other agreement; or

(e) the air carrier designated holds an Air Operators Certificate issued by a Member State and there is no bilateral air services agreement between Indonesia and that Member State and that Member State has denied traffic rights to the air carrier designated by Indonesia.

In exercising its right under this paragraph, Indonesia shall not discriminate between Union air carriers on the grounds of nationality.

Article 3

Safety

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex 2(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Indonesia under the safety provisions of the agreement between the Member State that has designated the air carrier and Indonesia shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

Article 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex 2(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex 2(d) shall prevent a Member State from imposing, on a non-discriminatory basis, taxes, levies, duties, fees or charges on fuel

supplied in its territory for use in an aircraft of a designated air carrier of Indonesia that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.

Article 5

Compatibility with competition rules

1. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex 1 shall (i) favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition; (ii) reinforce the effects of any such agreement, decision or concerted practice; or (iii) delegate to private economic operators the responsibility for taking measures that prevent, distort or restrict competition.

2. The provisions contained in the agreements listed in Annex 1 that are incompatible with paragraph 1 of this Article shall not be applied.

Article 6

Annexes to this Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 7

Revision or amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent.

Article 8

Entry into force and provisional application

1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective

internal procedures necessary for its entry into force have been completed.

2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

3. This Agreement shall apply to all agreements and arrangements listed in Annex 1 including those that, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally.

Article 9

Termination

1. In the event that an agreement listed in Annex 1 is terminated, all provisions of this Agreement that relate to the agreement listed in Annex 1 concerned shall terminate at the same time.

2. In the event that all agreements listed in Annex 1 are terminated, this Agreement shall terminate at the same time.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at Brussels in duplicate, on this twenty-ninth day of June in the year two thousand and eleven, in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, Swedish and Indonesian languages, all texts being equally authentic.

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



За правителството на Република Индонезия
Por el Gobierno de la República de Indonesia
Za vládu Indonéské republiky
For Republikken Indonesiens regering
Für die Regierung der Republik Indonesien
Indoneesia Vabariigi valitsuse nimel
Για την Κυβέρνηση της Δημοκρατίας της Ινδονησίας
For the Government of the Republic of Indonesia
Pour le gouvernement de la République d'Indonésie
Per il governo della Repubblica di Indonesia
Indonēzijas Republikas valdības vārdā –
Indonezijos Respublikos vyriausybės vardu
Az Indonéz Köztársaság kormánya részéről
Ghall-Gvern tar-Repubblika tal-Indoneżja
Voor de regering van de Republiek Indonesië
W imieniu rządu Republiki Indonezji
Pelo Governo da República da Indonésia
Pentru Guvernul Republicii Indonezia
Za vládu Indonézskéj republiky
Za vlado Republike Indonezije
Indonesian tasavallan hallituksen puolesta
För Republiken Indonesiens regering
Untuk Pemerintah Republik Indonesia



ANNEX 1

List of agreements referred to in Article 1 of the Agreement

Air service agreements and other arrangements between the Republic of Indonesia and Member States of the European Union as modified or amended which, at the date of signature of the Agreement, have been concluded, signed or initialled:

- Air Transport Agreement between the Austrian Federal Government and the Government of the Republic of Indonesia relating to scheduled air transport, signed at Vienna on 19 March 1987, hereinafter referred to as the 'Indonesia — Austria Agreement' in Annex 2;
- Agreement between the Government of the Kingdom of Belgium and the Government of the Republic of Indonesia for air services between and beyond their territories, done at Djakarta on 12 March 1971, hereinafter referred to as the 'Indonesia — Belgium Agreement' in Annex 2;
- Air Transport Agreement between the Government of the Republic of Bulgaria and Government of the Republic of Indonesia for air services between and beyond their respective territories, done at Jakarta on 22 June 1992, hereinafter referred to as the 'Indonesia — Bulgaria Agreement' in Annex 2;
- Air Transport Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Republic of Indonesia, signed at Prague on 10 May 1972, hereinafter referred to as the 'Indonesia — Czech Republic Agreement' in Annex 2. Last modified by Exchange of letters done at Djakarta on 18 January 1986;
- Agreement between the Government of Denmark and the Government of the Republic of Indonesia for Air Services between their respective Territories, signed at Copenhagen on 23 June 1971, hereinafter referred to as the 'Indonesia — Denmark Agreement' in Annex 2;
- Air Services Agreement between the Government of the Republic of Finland and the Government of the Republic of Indonesia, signed at Djakarta on 7 November 1997, hereinafter referred to as the 'Indonesia — Finland Agreement' in Annex 2,
- Agreement between the Government of the French Republic and the Government of the Republic of Indonesia relating to air services between their respective territories and beyond, done at Djakarta on 24 November 1967, hereinafter referred to as the 'Indonesia — France Agreement' in Annex 2;
- Agreement between the Federal Republic of Germany and the Republic of Indonesia for Air Services between and beyond their respective Territories, signed at Djakarta on 4 December 1969, hereinafter referred to as the 'Indonesia — Germany Agreement' in Annex 2;
- Air Services Agreement between the Government of the Hellenic Republic and the Government of the Republic of Indonesia, done at Jakarta on 24 June 2008, hereinafter referred to as the 'Indonesia — Greece Agreement' in Annex 2,
- Air Transport Agreement between the Government of the Republic of Hungary and the Government of the Republic of Indonesia, signed at Djakarta on 20 September 1994, hereinafter referred to as the 'Indonesia — Hungary Agreement' in Annex 2,
- Agreement between the Government of the Italian Republic and the Government of the Republic of Indonesia for air services between and beyond their respective Territories, signed at Djakarta on 7 December 1966, hereinafter referred to as the 'Indonesia — Italy Agreement' in Annex 2;
- Draft Agreement between the Government of the Grand Duchy of Luxembourg and the Government of the Republic of Indonesia on air services initialled in Denpasar on 15 March 2005, hereinafter referred to as the 'Indonesia — Luxembourg Agreement' in Annex 2,
- Air Transport Agreement between the Government of the Kingdom of the Netherlands and the Government of the Republic of Indonesia, signed at The Hague on 23 November 1990, hereinafter referred to as the 'Indonesia — Netherlands Agreement' in Annex 2,
- Air Transport Agreement between the Government of the Republic of Poland and the Republic of Indonesia relating to scheduled air transport, signed at Djakarta on 13 December 1991, hereinafter referred to as the 'Indonesia — Poland Agreement' in Annex 2,
- Air Services Agreement between the Government of Romania and the Government of the Republic of the Indonesia, signed at Jakarta on 7 September 1993, hereinafter referred to as the 'Indonesia — Romania Agreement' in Annex 2,
- Air Transport Agreement between the Government of the Slovak Republic and the Government of the Republic of Indonesia, initialled at Djakarta on 28 March 1995, hereinafter referred to as the 'Indonesia — Slovakia Agreement' in Annex 2,

- Air Transport Agreement between the Government of the Kingdom of Spain and the Government of the Republic of Indonesia relating to scheduled air services, done at Madrid on 5 October 1993, hereinafter referred to as the 'Indonesia — Spain Agreement' in Annex 2;
 - Agreement between the Government of Sweden and the Government of the Republic of Indonesia for air services between their respective territories, signed at Copenhagen on 23 June 1971, hereinafter referred to as the 'Indonesia — Sweden Agreement' in Annex 2;
 - Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic Indonesia for air services between and beyond their respective territories, signed at Jakarta on 28 June 1973, hereinafter referred to as the 'Indonesia — UK Agreement' in Annex 2.
-

ANNEX 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 4 of the Agreement

(a) Designation by a Member State:

Article 3 of the Indonesia — Austria Agreement;

Article 3 of the Indonesia — Belgium Agreement;

Article III of the Indonesia — Bulgaria Agreement;

Article 3 of the Indonesia — Czech Republic Agreement;

Article 3 of the Indonesia — Denmark Agreement;

Article 3 of the Indonesia — Finland Agreement;

Article 3 of the Indonesia — France Agreement;

Article 3, paragraph 4, of the Indonesia — Germany Agreement;

Article 3 of the Indonesia — Hungary Agreement;

Article 3 of the Indonesia — Italy Agreement;

Article III of the Indonesia — Luxembourg Agreement;

Article 3 of the Indonesia — Netherlands Agreement;

Article 3 of the Indonesia — Poland Agreement;

Article 3 of the Indonesia — Romania Agreement;

Article 3 of the Indonesia — Slovakia Agreement;

Article III of the Indonesia — Spain Agreement;

Article 3 of the Indonesia — Sweden Agreement;

Article 3 of the Indonesia — UK Agreement.

(b) Refusal, revocation, suspension or limitation of authorisations or permissions:

Articles 3 and 4 of the Indonesia — Austria Agreement;

Article 3 of the Indonesia — Belgium Agreement;

Article IV of the Indonesia — Bulgaria Agreement;

Article 3 of the Indonesia — Czech Republic Agreement;

Article 3 of the Indonesia — Denmark Agreement;

Articles 3 and 4 of the Indonesia — Finland Agreement;

Article 3 of the Indonesia — France Agreement;

Article 3, paragraph 6, of the Indonesia — Germany Agreement;

Article 4 of the Indonesia — Hungary Agreement;

Article 3 of the Indonesia — Italy Agreement;

Article IV of the Indonesia — Luxembourg Agreement;

Articles 3 and 4 of the Indonesia — Netherlands Agreement;

Articles 3 and 4 of the Indonesia — Poland Agreement;

Article 4 of the Indonesia — Romania Agreement;

Article 4 of the Indonesia — Slovakia Agreement;

Articles III and IV of the Indonesia — Spain Agreement;

Article 3 of the Indonesia — Sweden Agreement;

Article 3 of the Indonesia — UK Agreement.

(c) Safety:

Articles 3 and 6 of the Indonesia — Austria Agreement;

Article 3 of the Indonesia — Belgium Agreement;

Article 3 of the Indonesia — Czech Republic Agreement;

Article 3 of the Indonesia — Denmark Agreement;

Article 16 of the Indonesia — Finland Agreement;

Article 3 of the Indonesia — France Agreement;

Annex 4 of the Agreed Minutes signed in Bonn on 4 June 2003 by delegations representing the aeronautical authorities of the Federal Republic of Germany and the Republic of Indonesia;

Article 7 of the Indonesia — Greece Agreement;

Article 16 of the Indonesia — Hungary Agreement;

Article 3 of the Indonesia — Italy Agreement;

Article VII of the Indonesia — Luxembourg Agreement;

Annex IV of the Memorandum of Understanding between the aeronautical authorities of the Republic of Indonesia and the Kingdom of the Netherlands done at The Hague on 19 August 2009;

Article 6 of the Indonesia — Slovakia Agreement;

Article VI of the Indonesia — Spain Agreement;

Article 3 of the Indonesia — Sweden Agreement.

(d) Taxation of aviation fuel:

Article 7 of the Indonesia — Austria Agreement;

Article 4 of the Indonesia — Belgium Agreement;

Article VI of the Indonesia — Bulgaria Agreement;

Article 5 of the Indonesia — Czech Republic Agreement;

Article 4 of the Indonesia — Denmark Agreement;

Article 6 of the Indonesia — Finland Agreement;

Article 4 of the Indonesia — France Agreement;

Article 5 of the Indonesia — Germany Agreement;

Article 10 of the Indonesia — Greece Agreement;

Article 6 of the Indonesia — Hungary Agreement;

Article 4 of the Indonesia — Italy Agreement;

Article IX of the Indonesia — Luxembourg Agreement;

Article 10 of the Indonesia — Netherlands Agreement;

Article 6 of the Indonesia — Poland Agreement;

Article 9 of the Indonesia — Romania Agreement;

Article 8 of the Indonesia — Slovakia Agreement;

Article VIII of the Indonesia — Spain Agreement;

Article 4 of the Indonesia — Sweden Agreement;

Article 4 of the Indonesia — UK Agreement.

ANNEX 3

List of other states referred to in Article 2 of the Agreement

- (a) The Republic of Iceland (under the Agreement on the European Economic Area);
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area);
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
-

COUNCIL DECISION**of 12 September 2011****on the signing, on behalf of the European Union, and provisional application of the amended Constitution and Rules of Procedure of the International Rubber Study Group**

(2011/664/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(3) and (4) in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Further to several rounds of negotiation, on 14 July 2011 the Heads of Delegation of the International Rubber Study Group ('the Group') agreed on the text of the amendments to the Group's Constitution and Rules of Procedure.
- (2) The Union is a member of the Group.
- (3) Those Member States of the Union that were members of the Group have served formal notices of withdrawal and have withdrawn from the Group as from 1 July 2011.
- (4) The adoption of the Group's amended Constitution and Rules of Procedure is indispensable for confirming the Group's new Headquarters and for making explicit provisions regarding the status of the Union within the Group, as well as for realigning the organisational structure, budget contributions and decision-making procedures,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the amended Constitution and Rules of Procedure of the International Rubber Study Group ('the

Group'), as agreed by the Heads of Delegation at the meeting on 14 July 2011 in Singapore, is hereby authorised on behalf of the Union, subject to their conclusion.

Article 2

The amended Constitution and Rules of Procedure shall be applied on a provisional basis ⁽¹⁾, pending the completion of the procedures for their conclusion.

Article 3

This Decision shall be implemented by the Commission in the form of a letter to be sent to the Group confirming the agreement of the Union to the texts of the amended Constitution and Rules of Procedure and indicating the provisional application of the amended Constitution and Rules of Procedure by the Union pending completion of its procedure for their conclusion.

The Commission is also empowered to deposit the declaration of competence attached to this Decision with the Secretary-General of the Group in accordance with Article XVI, paragraph 2, of the amended Constitution.

Article 4

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

Done at Brussels, 12 September 2011.

For the Council

The President

M. DOWGIELEWICZ

⁽¹⁾ The date from which the amended Constitution and Rules of Procedure will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

European Union Declaration in accordance with Article XVI(2) of the Constitution

In accordance with Article XVI, paragraph 2, of the International Rubber Study Group Constitution, this declaration indicates the powers transferred to the European Union by its Member States in the matters governed by the Constitution.

The European Union declares that, in accordance with the Treaty on the Functioning of the European Union, the European Union has exclusive competence with respect to international trade matters under its common commercial policy, including the production of statistics.

The scope and exercise of the European Union competences are, by their nature, subject to continuous development, and the European Union will complete or amend this declaration, if necessary, in accordance with Article XVI, paragraph 2, of the Constitution.

INTERNATIONAL RUBBER STUDY GROUP CONSTITUTION

FOREWORD

The International Rubber Study Group (hereafter referred to as the Group) was established in 1944 with the status of a recognised international organisation in the United Kingdom. The Group has been based in Singapore, recognised as an international organisation, since 1 July 2008.

I Objectives

1. The Group provides a forum for the discussion of issues affecting the production and consumption of, as well as trade in, natural and synthetic rubbers. The Group aims to collect and disseminate comprehensive statistical information on the world rubber industry thereby increasing the transparency in rubber markets and market trends.
2. The Group may cooperate with other international organisations which are relevant for achieving its objectives.

II Functions

1. The Group shall meet periodically at times and places convenient to Members for the purposes of reviewing the statistical position and of discussing common issues of the rubber industry.
2. The Group shall make or commission such reviews and studies of the world rubber situation as it sees fit, paying regard particularly to the provision of comprehensive information on the supply and demand position and its probable development.

III Definitions

1. The 'Group' means the International Rubber Study Group (IRSG).
2. 'Heads of Delegation' means the highest authority of the Group composed of the representatives of the Members.
3. 'Host Country' means the Member with whom the Group has concluded a Headquarters Agreement.
4. Any reference in this Constitution to 'Member' or 'Country' shall be construed as including the European Union and any intergovernmental organisation having exclusive competence over matters covered by this Constitution and responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements.
5. 'World Rubber Summit' is a public conference for industry and governments organised by the IRSG.
6. 'Natural rubber producer' is any Member whose production of natural rubber exceeds its consumption of natural rubber.
7. 'Rubber consumer' is any Member other than a natural rubber producer.
8. 'Natural rubber' is the product derived from latex from the *Hevea brasiliensis* tree.
9. 'Synthetic rubber' comprises thermoset elastomers, based on the polymerisation process, which is the chemical assembly of monomers to form a polymer.
10. 'Rubber' is natural rubber or synthetic rubber excluding reclaimed forms of rubber.
11. 'Simple majority' means a majority of votes.

IV Headquarters

The Headquarters of the Group shall be in the territory of a Member and the Group shall maintain there a Secretariat for conducting its work.

V Membership

1. Membership to the Group shall be open to Countries interested in the production or consumption of, or trade in, natural and synthetic rubbers.
2. There shall be two categories of membership in the Group, namely natural rubber producers and rubber consumers.

VI Obligations of Members

1. Members shall use their best endeavours to provide the Secretariat with accurate statistics concerning the production and consumption of, and trade in rubber for their respective territories and with such other information as is pertinent to current estimates and future trends.
2. If a Member has not provided, for 2 consecutive years, accurate statistics and information required and no satisfactory explanation is forthcoming, the Heads of Delegation shall take such action as they deem appropriate.

VII Voting Rights and Procedures

1. Members shall together hold the total number of 100 votes.
2. Votes shall be distributed among Members in accordance with their respective annual share of contributions.
3. Whenever the membership changes or when any Member has its voting rights suspended or restored under any provision, the votes shall be recalculated and redistributed to the Members prior to the next vote.
4. Each Member shall be entitled to cast the number of votes it holds, and no Member shall be entitled to divide its votes.
5. By writing to the Chairperson of the Heads of Delegation, the Statistical and Economic Committee or other committees, any natural rubber producer may authorise any other natural rubber producer and any rubber consumer may authorise any other rubber consumer to represent its interests and to cast its votes at any meeting.
6. The presence of a simple majority of Members that includes at least two natural rubber producers and two rubber consumers shall be necessary to constitute a quorum at any meeting of the Group.
7. Voting procedures
 - 7.1. Decisions at all meetings shall, whenever possible, be made by consensus without contrary votes, formal objections or reservations of position. Chairpersons of meetings shall at all times strive to obtain consensus for all decisions, and where positions are reserved, sufficient time shall — if at all possible — be allowed for compromise and consensus to be achieved.
 - 7.2. If, in the opinion of the Chairperson of the meeting there is no possibility of achieving consensus on any matter, it shall be put to a vote.
 - 7.3. Voting shall normally be conducted so as to maintain the maximum transparency in decision-making, and shall at the sole discretion of the Chairperson of the meeting be by show of hands or by roll call. In exceptional circumstances the Chairperson may decide that a secret ballot or a postal vote of the appropriate membership may be required. At the request of one or more Members the Chairperson shall call for a secret ballot.
 - 7.4. Decisions by vote shall, subject to the provisions of paragraphs 7.5 and 7.6 below, normally be made by a simple majority of those present and voting, provided that an affirmative vote from at least two natural rubber producers and two rubber consumers is cast. When abstaining, a Member shall be deemed not to have cast its votes.

Where a Member avails itself of the provisions of paragraph 5 of this Article, and its votes are cast at a meeting, such Member shall, for the purposes of paragraphs 7.4, 7.5 and 7.6 of this Article, be considered as present and voting.

7.5. Decisions by vote concerning:

- (a) the selection of Secretary-General;
- (b) approval of budget; and
- (c) suspension of rights of a Member as referred to in Article XIV, paragraph 4,

shall require a simple majority within the group of the natural rubber producers as well as within the group of the rubber consumers present and voting; and in addition, these combined votes shall comprise at least a two-thirds majority of those present and voting.

7.6. Decisions concerning:

- (a) revision or termination of the Headquarters Agreement;
- (b) amendment or termination of the Constitution;
- (c) location of Headquarters; and
- (d) approval of the draft audited accounts,

shall be determined only by consensus.

VIII **World Rubber Summit**

The Group shall meet annually in the territory of a Member. However, when the World Rubber Summit is organised in the territory of a non-Member, the Group meetings may be held there instead. If no invitation is received and accepted, the World Rubber Summit shall be held in the Host Country. Non-Members, Industry advisers and other experts and observers can be invited to attend the World Rubber Summit.

IX **Heads of Delegation**

1. The Members constituting the Group shall each appoint one representative who may be accompanied by advisors at any Heads of Delegation meeting.
2. The Chairperson and Vice-Chairperson shall be elected by the Heads of Delegation and shall hold office for 2 financial years of the Group; they shall be eligible for re-election for one more term.
3. The Heads of Delegation shall meet at the Headquarters or such other place as they may decide.
4. The Heads of Delegation shall meet at least once in the first half of each calendar year and at such other times as the Heads of Delegation may determine.
5. If its representative is unable to be present at a meeting of the Group, any Member may be represented by an alternate. Such alternate shall be accorded all the privileges of a representative, including voting rights.
6. The Heads of Delegation may appoint other committees or advisory panels as may from time to time be deemed necessary and shall determine their membership and functions.
7. The Heads of Delegation shall appoint independent auditors for the purpose of auditing the accounts of the Group.
8. The Heads of Delegation shall authorise the preparation and publishing of such studies of the world rubber position and such other subjects as it deems fit.
9. The Heads of Delegation shall adopt the Rules of Procedure of the Group.

X The Secretariat and the Secretary-General

1. The Secretariat is established for the proper conduct of the work of the Group.
2. The Secretary-General shall be the executive head of the Secretariat and responsible to the Heads of Delegation for its work.
3. The Secretary-General shall be appointed by the Heads of Delegation for a term of 4 years, renewable for another term up to 4 years. The rules for the selection shall be decided by the Heads of Delegation.
4. The Heads of Delegation shall decide on the responsibilities of the Secretary-General.
5. The functions of the Secretariat are:
 - (a) to provide the best possible information on statistics and on wider economic matters related to rubber;
 - (b) to prepare and implement the work programme;
 - (c) to provide a link between Members on rubber matters between meetings;
 - (d) to make the necessary preparations for meetings; and
 - (e) to maintain liaison with the other international organisations and industry whose work is relevant and of interest to the work of the Group.

XI The Statistical and Economic Committee

1. The Statistical and Economic Committee shall consist of all Members who wish to serve on it.
2. The Committee shall draw upon the expertise of the Industry Advisory Panel.
3. Members within the Committee shall elect the Chairperson and Vice-Chairperson from amongst themselves or from the Industry Advisory Panel. These officers shall serve for 2 financial years and be eligible for re-election for one more term.
4. The Committee shall meet once each calendar year —and at such other times as the Committee may determine.
5. The Committee shall:
 - (a) analyse and review the statistical data provided by the Secretariat on the rubber supply/demand positions;
 - (b) approve, monitor and review the Secretariat work programme, taking into account any views and recommendations made to it by the Industry Advisory Panel; and
 - (c) make recommendations to the Heads of Delegation concerning the initiation, continuation and publication of papers prepared in the work programme including the submission of this report thereon to the Head of Delegations for approval.

XII The Industry Advisory Panel

1. The Heads of Delegation shall establish an Industry Advisory Panel to provide a channel of communication with input from all sides of the rubber sector, including industry, commerce, academy, research and technology. The Heads of Delegation shall set up a transparent procedure to select the members of the Industry Advisory Panel.
2. The Industry Advisory Panel shall elect its own Chairperson and Vice-Chairperson. These officers shall serve for 2 financial years and be eligible for re-election for one more term.

3. The Industry Advisory Panel shall:

- (a) contribute views and recommendations towards the establishment of the Secretariat work programme;
 - (b) assist the Statistical and Economic Committee in the monitoring and reviewing the Secretariat work programme;
 - (c) assist the Statistical and Economic Committee in appraising project proposals funded by other bodies; and
 - (d) make reports and recommendations as considered appropriate to the Heads of Delegation.
4. The Industry Advisory Panel shall meet at least once a year and at such other times as the Industry Advisory Panel may determine. Members shall have observer status at Industry Advisory Panel meetings as appropriate.
5. The Industry Advisory Panel as represented by its Chairperson or Vice-Chairperson shall be observer in all Heads of Delegation meetings as appropriate.

XIII Status

1. The Group shall have legal personality. It shall in particular have the capacity to contract, acquire and dispose of movable and immovable property and to institute legal proceedings as governed by the Headquarters Agreement concluded between the Host Country and the Group.
2. The status, privileges and immunities of the Group, of its Secretary-General, its staff and experts, and of representatives of Members while in the territory of the Host Country for the purpose of exercising their functions, shall be governed by the Headquarters Agreement concluded between the Host Country and the Group.

XIV Budget and Financial Rules

1. Members shall contribute on an agreed basis the income required for the activities of the Group. All sums due from Members shall be in the currency of the Host Country.
2. Of the approved annual budget, 60 % shall be met by basic contributions as paid in equal amount by all Members. The balance of 40 % of the approved budget shall be paid by Members in proportion to the average of their production or consumption (whichever is the larger) of rubber in the 3 calendar years before the financial year in question. In the absence of necessary statistics, the Secretary-General shall determine by the best information available the contribution to be paid and shall invite the Members concerned to agree to this assessment.
3. New Members joining the Group during the course of a financial year shall pay pro rata (per month) contribution for the remainder of the year. Contributions received from new Members shall not affect contributions by existing Members in the financial year in question, but shall be taken into account in assessing contributions in the ensuing year.
4. Members with 2 years' contributions unpaid shall, unless the Group otherwise decides, have their rights suspended until arrears of all previous years and contributions for the current year have been met.

XV Amendments

1. The Heads of Delegation may, by consensus in accordance with Article VII, paragraph 7.6, adopt amendments to this Constitution. The Secretariat shall notify the Members of the amendments.
2. The Heads of Delegation shall specify the date and procedures for the application of the amendments.

XVI Joining, Withdrawal and Exclusion from the Group

1. Joining the Group shall be effected by notification to the Secretary-General.
2. Upon joining, the European Union or any intergovernmental organisation referred to in Article III, paragraph 4, shall deposit a declaration with the Secretariat issued by the appropriate authority of such organisation specifying the nature and extent of its competence over matters governed by this Constitution, and shall inform the Secretariat of any subsequent substantial change in such competence. Where the European Union or any intergovernmental organisation declares exclusive competence over all matters governed by this Constitution, the Member States of such organisations shall not be eligible to become Members of the Group and those being Members shall withdraw from the Group.
3. Notice of withdrawal by a Member shall be delivered in writing to the Secretary-General by 1 November to be effective on 30 June of the subsequent calendar year. Members giving notice after 1 November shall be liable for the membership contributions for the next ensuing financial year.
4. If the Heads of Delegation decide that any Member is in breach of its obligations under this Constitution, it may, by consensus, exclude that Member from the Group. The Member who is in breach of its obligations shall not vote on its own matters.
5. Financial obligations to the Group incurred by a Member under this Constitution before its withdrawal or exclusion shall not be terminated by withdrawal or exclusion.
6. A Member that has withdrawn from or been excluded from the Group shall not be entitled to any share of the proceeds of liquidation or the other assets of the Group nor shall such Member be liable for payment of any part of the deficit, if any, of the Group upon termination of this Constitution.

XVII Termination

1. This Constitution shall remain in effect unless the Heads of Delegation decide by consensus to terminate it.
 2. Notwithstanding the termination of this Constitution, the Heads of Delegation shall continue in being for a period not exceeding 18 months to carry out the liquidation of the Group, including the settlement of accounts, and, subject to relevant decisions to be taken by consensus in accordance with Article VII, paragraph 7.6, shall have during that period such powers and functions as may be necessary for these purposes.
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INTERNATIONAL RUBBER STUDY GROUP RULES OF PROCEDURE

FOREWORD

The Rules of Procedure of the International Rubber Study Group are formulated as required in the International Rubber Study Group Constitution, paragraph 9 of Article IX. These Rules of Procedure were adopted by the Group at the meeting of the Heads of Delegation held on in

1. Financial Rules of Procedures

The financial year shall run from 1 July to 30 June.

1.1. Membership Contributions

- 1.1.1. Membership contributions shall be due on 1 July annually upon receipt of the official invoice from the Secretariat.
- 1.1.2. If a Member has not paid its contribution in full by 1 December, the Secretary-General shall make an urgent request for immediate payment.
- 1.1.3. If payment is not made in full by 1 February, the Secretary-General shall report the arrears to the Heads of Delegation. Then the Heads of Delegation shall consider suspension of all voting rights of the Member, except when voting on issues directly resulting from a decision to liquidate the Group.
- 1.1.4. If payment is not made in full by 1 April, the Heads of Delegation shall, unless in the particular circumstances it decides otherwise, suspend all Secretariat services to the Member.
- 1.1.5. If a Member has not paid its contribution in full by the end of the financial year, the value of the payment due shall be maintained by increasing it by the annual rate of inflation in the Host Country used in the calculation of the budget for each year for which the payment remains in arrears, unless the Heads of Delegation decide otherwise.
- 1.1.6. The revised payment shall be calculated and notified to the Member by the Secretary-General at the end of each quarter of the financial year.
- 1.1.7. No decision or action taken under the provisions of this clause shall prejudice the rights of the Member.

1.2. Bank Account

- 1.2.1. A bank account in the name of the International Rubber Study Group shall be maintained in the Host Country.
- 1.2.2. The bank account shall be operated on cheques/electronic banking endorsed by
 - (a) the Secretary-General;
 - (b) in his absence by the Head of Economic and Statistics; or
 - (c) in their absence, the appointed representative of the Host Country to the Heads of Delegation.
- 1.2.3. Beyond the limit of SGD 15 000 the cheques/electronic banking will require two signatures, one signature will be from the Secretariat and one from the appointed representative of the Host Country to the Heads of Delegation.
- 1.2.4. The accounts of the Secretariat shall be kept by the Head of Management and Administration.

1.2.5. The Secretariat oversees all relevant bank accounts operating in the Host Country.

1.2.6. All monies received shall promptly be deposited in the Bank. An impress account shall be kept by the Secretary-General for petty cash payments and receipts to an amount of SGD 1 000.

1.3. Rules for Tender

The Secretariat shall procure services through one of the following methods, based on the Estimated Procurement Value (EPV) determined. The Secretariat shall not 'split' the EPV to avoid compliance with the procurement procedures.

1.3.1. Small Value Purchases for EPV not exceeding SGD 3 000 GST-exclusive. Purchases can be made directly from the supplier when (a) the price of the items (goods or services) is known either by previous purchase or (b) posted prices by suppliers, the media or any other source of reliable information e.g. flyers, the Internet. The price for the items should also be reasonable.

1.3.2. Procurement through Quotations for EPV not exceeding SGD 70 000/ GST-exclusive, the Secretariat must call for quotations from at least three appropriate suppliers, taking the lowest-priced offer where feasible. Justifications must be properly documented if the lowest-priced offer is not chosen for any procurement. The Secretary-General's approval is required for any procurement decision.

1.3.3. Procurement through Tendering for EPV exceeding SGD 70 000 GST-exclusive. The Secretariat must call for tender from at least three appropriate suppliers. The Secretariat must put up an evaluation report of the tenders with the necessary recommendations and observations to the Heads of Delegation. The Heads of Delegation approval is required for any procurement decisions.

1.4. Appointment of Auditors

1.4.1. The appointment of auditors in accordance with paragraph 7 of Article IX of the Constitution shall be made on the recommendation of the Secretary-General who shall be responsible for monitoring the performance of the auditors. Every 4 years the Secretary-General shall invite quotations from at least three legally qualified auditing companies.

1.4.2. Independently audited statements of the accounts shall be made available to Members as soon as possible after the close of each financial year, but not later than 6 months after that date, and be considered for approval by the Heads of Delegation at its next session, as appropriate. A summary of the audited accounts and balance sheet shall thereafter be published on the IRSG website.

1.5. Budget

1.5.1. The Secretary-General shall be responsible for drawing up and submitting to the Heads of Delegation not later than 31 March of each year a draft budget for the following financial year for approval.

1.5.2. The Secretary-General shall be responsible for submitting to Members the approved budget.

1.5.3. The travelling and subsistence expenses of Members attending meetings of the Group shall be borne by the respective Members.

1.6. Annual Statement of Accounts

1.6.1. The Secretary-General shall circulate to all Members as soon as possible after the end of the financial year an Annual Statement of Accounts. After the approval by Heads of Delegation, the Annual Statement of Accounts shall be certified by the Chairperson or Vice-Chairperson, the Secretary-General and the auditors.

1.6.2. The duly signed and certified account shall be maintained at the Secretariat.

2. Meetings of the Heads of Delegation

- 2.1. The Heads of Delegation may hold special sessions whenever so requested by a simple majority of its members, or by the Secretary-General with the consent of the Chairperson.
- 2.2. Notice of any session, the provisional agenda and the written explanation for the session shall be communicated to the Members by the Secretary-General in consultation with the Chairperson at least 30 days in advance, except in cases of emergency, when a notice must be communicated at least 15 days in advance. In cases of emergency, the notice shall state the nature of the emergency.
- 2.3. The provisional agenda for each session shall be prepared by the Secretary-General in consultation with the Chairperson. If a Member wishes a particular matter to be discussed at a session the Member shall, if possible, notify the Secretary-General 60 days before the commencement of the session, including in that notification a written explanation.
- 2.4. Each Member shall endeavour to notify the Secretary-General not later than 5 days before the commencement of the session of the names of the delegates, alternates and advisers designated to represent it at a session.

3. Appointment of the Secretary-General

- 3.1. The appointment of the Secretary-General by the Heads of Delegation pursuant to Article X, paragraph 3, of the Constitution shall be made on the basis of a recommendation by a Selection Panel constituted for that purpose.
- 3.2. The Selection Panel shall be established by the Heads of Delegation, normally at least 12 months before the expiry of the term of office of the incumbent Secretary-General.
- 3.3. The Selection Panel shall comprise the Chairperson and Vice-Chairperson of the Heads of Delegation, who shall be Chairperson and Vice-Chairperson respectively, of the Panel, and any such other Members wishing to serve on it.
- 3.4. The incumbent Secretary-General shall attend meetings of the Selection Panel as an adviser without voting rights.
- 3.5. All costs and expenses incurred in attendance at meetings of the Selection Panel and participation in the selection procedure by their representation shall be met by Members.
- 3.6. The Selection Panel shall establish the criteria for selection and agree on the advertisement for the post of Secretary-General. The advertisement shall be published in appropriate international media as well as via IRSG channels. The advertisement shall be made available to all Members who would ensure circulation within their countries.
- 3.7. Applications shall be received by the Secretary-General who shall be responsible for the administrative aspects of the recruitment process.
- 3.8. The Selection Panel shall meet as required to select a short list not exceeding six candidates for interview. Applicants shall be nationals or citizens of Members.
- 3.9. Interviews with short-listed candidates shall be held with the objective of choosing unanimously or by consensus a candidate with the necessary qualities of experience, personality, impartiality and the ability to work effectively with senior officials of Member and other governments, international and private organisations for recommendation to the Heads of Delegation for appointment as Secretary-General. An alternate candidate shall be submitted in case the selected candidate is prevented by ill health or other reason from assuming the post. In the event that a single candidate cannot be agreed, two candidates chosen by consensus may be submitted to the Heads of Delegation.

3.10. The terms and conditions of appointment and contract shall be determined by the Heads of Delegation.

3.11. Early termination of the contract for cause shall require a simple majority within the group of the natural rubber producers as well as within the group of the rubber consumers present and voting; and in addition, these combined votes shall comprise at least a two-thirds majority of those present and voting.

4. Work of the Secretariat

4.1. In the performance of its duties, the Secretariat shall not engage in any activities which pose a conflict of interest.

4.2. The Secretariat shall not seek or receive instructions from any individual Member or authority external to the Group. The Secretary-General and staff shall refrain from any action which might reflect adversely on their position as international officials ultimately responsible to the Heads of Delegation.

4.3. Each Member shall respect the responsibilities of the Secretary-General and other staff and shall not seek to influence them in the discharge of their responsibilities.

4.4. The Secretariat shall endeavour to ensure that no information published shall prejudice the confidentiality of the operations of persons or enterprises producing, processing, marketing or consuming rubber.

4.5. The Secretariat publishes regularly a Rubber Statistical Bulletin and a Rubber Industry Report as well as reports on projects and studies.

5. Industry Advisory Panel

5.1. The Industry Advisory Panel shall consist of not more than 30 persons appointed for their particular expertise by the Heads of Delegation for a period not exceeding 3 years. Membership may be renewed for a further period of 3 years.

5.2. Following the decision by the Heads of Delegation to renew the composition of the Industry Advisory Panel, the Secretariat shall invite nominations for candidates for the Industry Advisory Panel from Members, the Industry Advisory Panel and Associate Members.

5.3. The Secretariat shall make a recommendation concerning these candidates to the Heads of Delegation for consideration and appointment.

5.4. The new appointments shall commence by decision of Heads of Delegation.

5.5. The Secretary-General shall facilitate Industry Advisory Panel meetings.

5.6. The Industry Advisory Panel shall establish its own rules of procedure consistent with the provision of the International Rubber Study Group Constitution and these Rules of Procedure.

5.7. With reference to the Constitution, observer status in all Group meetings shall exclude discussions relating to confidential matters, budget and financial issues.

5.8. The travelling and subsistence expenses of Industry Advisory Panel members attending meetings shall be borne by themselves.

6. Associate Members

- 6.1. Associate membership shall be available to any company or organisation with an interest in the rubber industry on payment of the appropriate annual membership fee.
- 6.2. The annual membership fee is SGD 3 000 for organisations or individuals based in the territory of Members and SGD 6 000 for those in the territory of non-Members.
- 6.3. Associate Members are entitled to free access to all information available on the website for Associate Members. Any additional request will be charged.

7. World Rubber Summit

When the Group receives an invitation to host the World Rubber Summit by a non-Member or Member, the Group shall consider the invitation and accept only when sufficient funds are available.

8. Amendments and Revision

The Heads of Delegation may at any time amend or revise these Rules of Procedures only by consensus.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 996/2011

of 7 October 2011

amending Regulations (EC) No 657/2008, (EC) No 1276/2008 and Implementing Regulation (EU) No 543/2011 as regards the notification obligations within the common organisation of agricultural markets

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⁾, and in particular Article 102, Article 103h, Article 170, point (c) and Article 192(2), in conjunction with Article 4 thereof,

Whereas:

(1) Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments' regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands ⁽²⁾ lays down common rules for notifying information and documents by the competent authorities of the Member States to the Commission. Those rules cover in particular the obligation for the Member States to use the information systems made available by the Commission and the validation of the access rights of the authorities or individuals authorised to send notifications. In addition, that Regulation sets common principles applying to the information systems so that they guarantee the authenticity, integrity and legibility over time of the documents and provides for personal data protection.

(2) Pursuant to Regulation (EC) No 792/2009 the obligation to use the information systems in accordance with that Regulation has to be provided for in the regulations establishing a specific notification obligation.

(3) The Commission has developed an information system that allows managing documents and procedures

electronically in its own internal working procedures and in its relations with the authorities involved in the common agricultural policy.

(4) It is considered that several notification obligations can be fulfilled via that system in accordance with Regulation (EC) No 792/2009, in particular those provided for in Commission Regulations (EC) No 657/2008 of 10 July 2008 laying down detailed rules for applying Council Regulation (EC) No 1234/2007 as regards Community aid for supplying milk and certain milk products to pupils in educational establishments ⁽³⁾, (EC) No 1276/2008 of 17 December 2008 on the monitoring by physical checks of exports of agricultural products receiving refunds or other amounts ⁽⁴⁾ and 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 ⁽⁵⁾.

(5) In the interest of efficient administration and taking account of the experience, some notifications should be simplified and specified in those Regulations.

(6) Regulations (EC) No 657/2008, (EC) No 1276/2008 and Implementing Regulation (EU) No 543/2011 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 17 of Regulation (EC) No 657/2008 is replaced by the following:

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 228, 1.9.2009, p. 3.

⁽³⁾ OJ L 183, 11.7.2008, p. 17.

⁽⁴⁾ OJ L 339, 18.12.2008, p. 53.

⁽⁵⁾ OJ L 157, 15.6.2011, p. 1.

*'Article 17***Notifications**

1. By 31 January following the end of the previous period running from 1 August to 31 July, Member States shall provide the Commission with the following information broken down by the applicant as defined in Article 6 of this Regulation:

- (a) number of applicants;
- (b) number of applicants controlled;
- (c) total number of educational establishments to which controlled applicants delivered the products eligible for Community aid and number of these educational establishments controlled on the spot;
- (d) number of checks on the composition of products;
- (e) amount of aid claimed, paid and controlled on the spot (in euro);
- (f) reduction of aid after administrative check (in euro);
- (g) reduction of aid due to late application according to Article 11(3) (in euro);
- (h) aid recovered following on-the-spot checks according to Article 15(9) (in euro);
- (i) sanctions applied in case of fraud according to Article 15(10) (in euro);
- (j) number of applicants withdrawn or suspended according to Article 10.

2. Before 31 January each year Member States shall provide the Commission with at least the following information related to the previous period running from 1 August to 31 July:

- (a) the quantities of milk and milk products broken down by categories and sub-categories on which aid has been paid;
- (b) the maximum permissible quantity;

(c) the EU expenditure;

(d) the approximate number of pupils participating in the school milk scheme;

(e) the national top up.

3. The notifications referred to in this Regulation shall be made in accordance with Commission Regulation (EC) No 792/2009 (*).

(*) OJ L 228, 1.9.2009, p. 3.'

Article 2

In Article 16 of Regulation (EC) No 1276/2008, the second paragraph is replaced by the following:

'The notifications referred to in the first paragraph shall be made in accordance with Commission Regulation (EC) No 792/2009 (*).

(*) OJ L 228, 1.9.2009, p. 3.'

Article 3

Implementing Regulation (EU) No 543/2011 is amended as follows:

(1) in Article 97, the second sentence of point (b) is replaced by the following:

'The annual report shall contain in particular the information set out in Annex XIV and its notification shall be made in accordance with Commission Regulation (EC) No 792/2009 (*);

(*) OJ L 228, 1.9.2009, p. 3.;

(2) in Annex XIV, part A, point 1(b) is deleted.

Article 4

This Regulation shall enter into force on the third day following 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 October 2011.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 997/2011**of 7 October 2011****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:

Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto,

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 hereto.

Article 2

This Regulation shall enter into force on 8 October 2011.

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

Done at Brussels, 7 October 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
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	61,3
	MK	47,9
	ZZ	54,6
0707 00 05	EG	98,1
	MK	64,0
	TR	126,8
	ZZ	96,3
0709 90 70	TR	119,4
	ZZ	119,4
0805 50 10	AR	68,2
	BR	41,3
	CL	60,5
	TR	62,7
	UY	56,8
	ZA	75,6
	ZZ	60,9
0806 10 10	BR	238,8
	CL	79,6
	MK	50,0
	PE	228,3
	TR	112,3
	US	275,5
	ZA	65,0
	ZZ	149,9
0808 10 80	CL	69,1
	CN	86,4
	NZ	117,1
	US	114,5
	ZA	79,8
	ZZ	93,4
0808 20 50	CN	53,8
	TR	107,9
	ZA	60,3
	ZZ	74,0

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

COMMISSION IMPLEMENTING REGULATION (EU) No 998/2011**of 7 October 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2011/12 marketing year are fixed by Commission Implementing Regulation (EU) No 971/2011 ⁽³⁾. These prices and duties have been last amended by Commission Implementing Regulation (EU) No 995/2011 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 October 2011.

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

Done at Brussels, 7 October 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 254, 30.9.2011, p. 12.

⁽⁴⁾ OJ L 263, 7.10.2011, p. 7.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 8 October 2011

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	46,32	0,00
1701 11 90 ⁽¹⁾	46,32	1,01
1701 12 10 ⁽¹⁾	46,32	0,00
1701 12 90 ⁽¹⁾	46,32	0,71
1701 91 00 ⁽²⁾	49,18	2,72
1701 99 10 ⁽²⁾	49,18	0,00
1701 99 90 ⁽²⁾	49,18	0,00
1702 90 95 ⁽³⁾	0,49	0,22

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 4 October 2011

on the European register of authorised types of railway vehicles

(notified under document C(2011) 6974)

(Text with EEA relevance)

(2011/665/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community ⁽¹⁾, and in particular Article 34(4) thereof,

Whereas:

- (1) In accordance with Article 34(1) of Directive 2008/57/EC, the European Railway Agency (the Agency) should set up and keep a register of types of vehicles authorised by the Member States for placing in service on the Union rail network.
- (2) For some existing vehicles it is not possible to establish a correspondence to a type of vehicle that is authorised in accordance with Article 26 of Directive 2008/57/EC. A possibility to include the technical characteristics of all the vehicles in service in one single register may, however, be beneficial for the railway sector.
- (3) Restrictions on how the vehicle may be used as mentioned in Article 33(2)(e) of Directive 2008/57/EC are in most cases subject to a specific code. Those restriction codes should be harmonised. The use of national restriction codes should be limited to those restrictions that reflect particular characteristics of the existing railway system of a Member State and are unlikely to be applied with the same meaning in other Member States. The Agency should keep up-to-date the list of harmonised restriction codes and of national codes and publish them on its web site.
- (4) In accordance with Article 34(3) of Directive 2008/57/EC, when an authorisation of type is granted, modified, suspended or withdrawn in a Member State, national safety authorities should inform the Agency so that the latter may update the register. The register

should include types of vehicle authorised in accordance with Article 26 of Directive 2008/57/EC. Therefore, when informing the Agency, national safety authorities should indicate which parameters of the given type were checked according to the notified national rules. This indication should be established in accordance with the reference document referred to in Article 27(4) of Directive 2008/57/EC.

- (5) The European Railway Agency submitted its recommendation ERA/REC/07-2010/INT to the Commission on 20 December 2010.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee set up under Article 29 of Directive 2008/57/EC,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision establishes the specification for the European register of authorised types of vehicles referred to in Article 34 of Directive 2008/57/EC.

Article 2

Specification of the European register of authorised types of vehicles

1. The Agency shall develop, operate and maintain the European register of authorised types of vehicles on the basis of the specification set out in Annexes I and II.
2. The European register of authorised types of vehicles (ERATV) shall contain data on the types of vehicle authorised by the Member States pursuant to Article 26 of Directive 2008/57/EC.
3. Types of vehicle authorised by a Member State before 19 July 2010 for which one or more vehicles have been authorised in one or more Member States pursuant to Article 22 or 24 of Directive 2008/57/EC after 19 July 2010 are deemed to

⁽¹⁾ OJ L 191, 18.7.2008, p. 1.

fall under provisions of Article 26 of Directive 2008/57/EC and shall be registered in ERATV. In this case, data to be recorded may be limited to the parameters that have been verified during the type authorisation process.

4. The types of vehicles which can be registered voluntarily are those set out in Section 1 of Annex I.

5. The structure of the number that each type of vehicle receives shall be as set out in Annex III.

6. The register shall be operational by 31 December 2012. In the meantime the Agency shall publish the information relating to the authorised types of vehicles on its website.

Article 3

Information to be sent by national safety authorities

1. The Member States shall make sure that the national safety authorities provide the information on the type authorisations they have granted, as set out in Annex II.

2. The national safety authorities shall provide the information referred to in paragraph 1 of this Article in accordance with the rules laid down in Section 5.2 of Annex I.

3. The national safety authorities shall submit the information by using the standard web-based electronic form with the relevant fields filled in.

4. The national safety authorities shall submit the information related to the authorisations of types of vehicles that they have granted after 19 July 2010 and before the entry into force of this Decision not later than 4 months after the date of entry into force of this Decision.

Article 4

Restriction codes

1. Harmonised restriction codes shall be applicable in all the Member States.

The list of harmonised restriction codes for the whole of the Union rail system shall be kept up-to-date by the Agency and published on its web site.

If a national safety authority considers that a new code needs to be added to the list of harmonised restriction codes, it shall request the Agency to evaluate the inclusion of this new code.

The Agency shall evaluate the request, in consultation with other national safety authorities. If appropriate, the Agency shall include a new restriction code in the list. Prior to the publication of the modified list, the Agency shall communicate it to the Commission together with the change request and its evaluation.

The Commission shall keep the Member States informed through the committee established in accordance with Article 29(1) of Directive 2008/57/EC.

2. The Agency shall keep up-to-date the list of national restriction codes. The use of national restriction codes shall be limited to those restrictions that reflect particular characteristics of the existing railway system of a Member State and are unlikely to be applied with the same meaning in other Member States.

For types of restrictions not indicated in the list referred to in paragraph 1, the national safety authority shall request the Agency the inclusion of a new code in the list of national restriction codes. The Agency shall evaluate the request, in consultation with other national safety authorities. If appropriate the Agency shall include a new restriction code in the list. Prior to the publication of the modified list, the Agency shall communicate it to the Commission together with the change request and its evaluation.

The Commission shall keep the Member States informed through the committee established in accordance with Article 29(1) of Directive 2008/57/EC.

3. The restriction code for multinational safety authorities shall be treated as national restriction codes.

4. The use of non-coded restrictions shall be limited to those restrictions that due to their particular character are unlikely to be applied to several types of vehicle.

Article 5

Final provisions

1. The Agency shall publish and keep up-to-date an application guide for the European register of authorised types of vehicles. Among other information, this guide shall include for each parameter a reference to the clauses of the technical specifications for interoperability that state the requirements for this parameter.

2. The Agency shall submit a recommendation to the Commission on the possible inclusion in the register of types of vehicles that were authorised before 19 July 2010 and on the possible amendment of this Decision based on the experience gained not later than 18 months after the entry into force of this Decision.

Article 6

Date of application

This Decision shall apply from 15 April 2012.

*Article 7***Addressees**

This Decision is addressed to the European Railway Agency and the Member States.

Done at Brussels, 4 October 2011.

For the Commission

Siim KALLAS

Vice-President

ANNEX I

SPECIFICATION FOR THE EUROPEAN REGISTER OF AUTHORISED TYPES OF VEHICLES**1. TYPES OF VEHICLE TO BE VOLUNTARILY REGISTERED**

Types of vehicle authorised before 19 July 2010 for which no new vehicles have been authorised after 19 July 2010 may be registered in ERATV voluntarily.

In addition, the following types of vehicle may be registered voluntarily:

- vehicles authorised to be placed in service before 19 July 2010 for which an additional authorisation for placing in service has been granted pursuant to Article 23 or 25 of Directive 2008/57/EC,
- vehicles authorised to be placed in service before 19 July 2010 for which a new authorisation for placing in service has been granted after an upgrading or renewal,
- vehicles coming from third countries and authorised on the EU territory according to COTIF 1999 and particularly its Appendices F and G or,
- vehicles coming from third countries and authorised under provisions of Article 21(11) of Directive 2008/57/EC.

In these four cases of voluntary registration, data to be recorded may be limited to the parameters that have been verified during the authorisation process.

Temporary permissions, such as permissions for testing and trial runs, shall not be recorded in ERATV.

2. FUNCTIONAL ARCHITECTURE**2.1. Administration of ERATV**

The Agency shall host and manage ERATV. The Agency shall create user accounts and to grant access rights at the request of national safety authorities in accordance with this specification.

2.2. Address of ERATV

ERATV shall be a web-based application. The address of ERATV shall be made available on the Agency website.

2.3. Users and user access rights

ERATV shall have the following users:

User	Access rights	Log in, user accounts
National safety authority of any Member State	Submission of data related to this Member State to be validated by the Agency. Unrestricted consultation of any data, including the data for which the validation is pending.	Logging in with user name and password. No functional or anonymous accounts shall be made available. Several accounts shall be created if the national safety authority so requires.
Agency	Validation regarding the compliance with this specification and publication of the data submitted by a national safety authority. Unrestricted consultation of any data, including the data for which the validation is pending.	Logging in with user name and password.
Public	Consultation of validated data.	Not applicable.

2.4. Interface to external systems

Any type of vehicle registered (i.e. validated and made public) in ERATV shall be available via a hyperlink. These hyperlinks may be used by external applications.

Attention shall be given to possible links between ERATV and the European Centralised Virtual Vehicle Register (ECVVR) ⁽¹⁾.

⁽¹⁾ As provided for in Commission Decision 2007/756/EC of 9 November 2007 adopting a common specification of the national vehicle register provided for under Article 14(4) and (5) of Directives 96/48/EC and 2001/16/EC (OJ L 305, 23.11.2007, p. 30).

2.5. Links to other registers and databases

When developing ERATV, the Agency shall take full account of the interfaces, including coordinated transitional periods, to the following registers and databases:

- National vehicle registers ⁽¹⁾ (NVR) and ECVVR: the format of data on the type of vehicle in ECVVR shall have a one-to-one correspondence with the designation of types and, where applicable, versions of type in ERATV.
- Register of infrastructure (RINF) ⁽²⁾: the lists of parameters and the data format of RINF and ERATV shall correspond to each other, including any updates or amendments of the RINF and ERATV specifications.
- Reference document of national rules (Article 27 of Directive 2008/57/EC): once the reference document is available, the list of parameters for which the conformity assessment is done against national rules indicated in ERATV shall have one-to-one correspondence with the list of parameters indicated in the reference document. ERATV must not allow referring to any parameter not included in the reference document.

2.6. Availability

As a general rule, ERATV shall be available 24 hours a day, 7 days a week, 365 days a year with a target system availability of 98 %. However, in the case of a failure occurring out of normal working hours of the Agency, the restoration of the service shall be handled the next working day of the Agency after the failure. The unavailability of the system shall be minimal during the maintenance.

2.7. Security

The user accounts and passwords created by the Agency must not be disclosed to any third party and must be used in accordance with this specification only.

3. TECHNICAL ARCHITECTURE

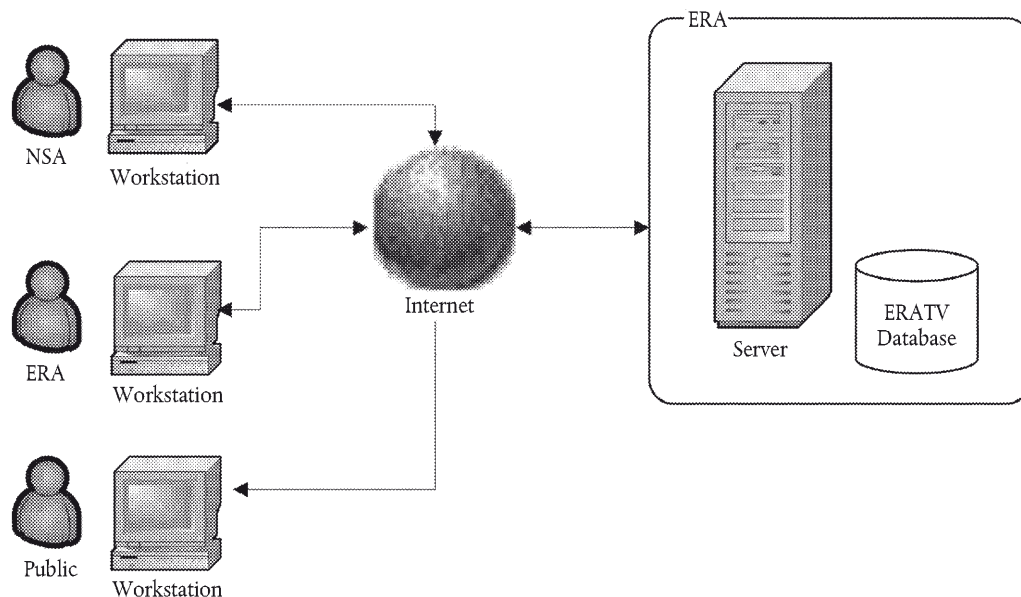
3.1. System architecture

ERATV shall be a web-based application hosted and managed by the Agency.

ERATV shall be capable of containing complete information for 35 000 types of vehicle.

The users shall have the possibility to connect to ERATV by means of a standard Internet connection.

ERATV architecture shall be as shown on the following figure:



⁽¹⁾ As provided for in Decision 2007/756/EC.

⁽²⁾ As provided for in Commission Implementing Decision 2011/633/EU of 15 September 2011 on the common specifications of the register of railway infrastructure (OJ L 256, 1.10.2011, p. 1).

3.2. System requirements

For having connection to ERATV, an Internet browser and access to Internet shall be required.

4. OPERATING MODE

ERATV shall have the following operating modes:

- Normal mode. During the normal operating mode all functionalities shall be available.
- Maintenance mode. During the maintenance mode ERATV may not be available for users.

5. RULES FOR DATA INPUT AND CONSULTATION

5.1. General principles

Every national safety authority shall submit information related to the authorisations of types of vehicle it has granted.

ERATV shall include a web based tool for exchange of information between the national safety authorities and the Agency. This tool shall allow the following exchanges of information:

- (1) submission of data for the register by a national safety authority to the Agency including:
 - (a) data related to granting an authorisation for a new type of vehicle (in this case the national safety authority shall provide the full set of data as set out in Annex II);
 - (b) data related to granting an authorisation for a type of vehicle previously registered in ERATV (in this case the national safety authority shall only provide data related to the authorisation itself, i.e. fields in Section 3 of the list set out in Annex II);
 - (c) data related to modification of an existing authorisation (in this case the national safety authority shall only provide data related to the fields that need to be modified; this may not include modification of data related to the characteristics of the vehicle);
 - (d) data related to suspension of an existing authorisation (in this case the national safety authority shall only provide the date of suspension);
 - (e) data related to reactivation of an existing authorisation (in this case the national safety authority shall only provide data related to the fields that need to be modified), distinguishing between
 - reactivation without modification of data,
 - reactivation with modification of data (these data may not be related to the characteristics of the vehicle).
 - (f) data related to withdrawal of an authorisation;
 - (g) data related to correction of an error.
- (2) sending of requests for data clarification and/or correction by the Agency to a national safety authority;
- (3) sending of answers by a national safety authority to the requests of clarification and/or correction done by the Agency.

The national safety authority shall submit the data for updating the register electronically by means of a web based application and using the standard web based electronic form with the relevant fields filled in as set out in Annex II.

The Agency shall check the data submitted by the national safety authority regarding their compliance with this specification, and either validate them or request a clarification.

If the Agency considers that the data submitted by the national safety authority are not in compliance with this specification, the Agency shall send the national safety authority a request for correction or clarification of the submitted data.

Upon each update of data regarding a type of vehicle the system shall generate a confirmation message, which shall be sent by e-mail to the users of the national safety authority that submitted the data, to the national safety authority of all other Member States where the type is authorised and to the Agency.

5.2. Submission of data by national safety authority

5.2.1. Granting an authorisation to a new type of vehicle

The national safety authority shall inform the Agency of any authorisation of a new type of vehicle within 20 working days following the issue of the authorisation.

The Agency shall check the information submitted by the national safety authority and within 20 working days following the receipt of this information either validate it and assign a type of vehicle number as set out in Annex III or request its correction or clarification. In particular, in order to prevent an unintended duplication of types in ERATV, the Agency shall check, as far as the data available in ERATV allows, that this type has not been registered before by another Member State.

After validation of the information submitted by the national safety authority, the Agency shall assign the new type of vehicle its number. The rules for assigning the type of vehicle number are set out in Annex III.

5.2.2. *Granting an authorisation to a type of vehicle previously registered in ERATV*

The national safety authority shall inform the Agency of any authorisation of a type of vehicle already registered in ERATV (such as a type authorised by another Member State) within 20 working days following the issue of the authorisation.

The Agency shall check the information submitted by the national safety authority and, within 10 working days following the receipt of this information, shall either validate it or request its correction or clarification.

After validation of the information submitted by the national safety authority, the Agency shall complement the data related to this type of vehicle by the data related to the authorisation in the Member State of the national safety authority that granted this authorisation.

5.2.3. *Modification on an existing authorisation*

The national safety authority shall inform the Agency of any modification to an existing authorisation for a type of vehicle within 20 working days following the issue of the modification to the authorisation.

The Agency shall check the information submitted by the national safety authority and, within 10 working days following the receipt of this information, shall either validate it or request its correction or clarification. In particular, the Agency shall check that the requested changes actually consist of a modification of an authorisation of an existing type (e.g. amendment of conditions of the authorisation, amendments of the type examination certificate) and do not constitute a new type of vehicle.

After validation of the information submitted by the national safety authority, the Agency shall publish the information.

5.2.4. *Suspension*

The national safety authority shall inform the Agency of any suspension of an existing authorisation for a type of vehicle within 5 working days following the issue of the suspension of the authorisation.

The Agency shall check the information submitted by the national safety authority and, within 5 working days following the receipt of this information, shall either validate it or request its correction or clarification.

5.2.5. *Reactivation without modification*

The national safety authority shall inform the Agency of a reactivation of an authorisation for a type of vehicle previously suspended within 20 working days following the issue of the reactivation of the authorisation. The national safety authority shall confirm that the original authorisation is reactivated without any modifications.

The Agency shall check the information submitted by the national safety authority and, within 10 working days following the receipt of this information, shall either validate it or request its correction or clarification.

5.2.6. *Reactivation with modification*

The national safety authority shall inform the Agency of a reactivation of an authorisation for a type of vehicle previously suspended within 20 working days following the issue of the reactivation of the authorisation. The national safety authority shall indicate that the reactivation is accompanied by a modification of the original authorisation. The national safety authority shall submit information regarding this modification.

The process indicated in clause 5.2.3 above for modification of an authorisation shall apply.

5.2.7. *Withdrawal*

The national safety authority shall inform the Agency of any withdrawal of an existing authorisation for a type of vehicle within 5 working days following the withdrawal of the authorisation.

The Agency shall check the information submitted by the national safety authority and, within 5 working days following the receipt of this information, shall either validate it or request its correction or clarification.

In the cases where an authorisation has a validity term, the IT system shall automatically change the status of the authorisation to 'expired' according to the validity term indicated by the relevant national safety authority.

5.2.8. *Modification of an authorisation which may lead to a modification of a registered type of vehicle*

Before requesting a modification of an authorisation which may lead to a modification of a registered type of vehicle, the national safety authority shall coordinate with national safety authorities who have granted authorisation for this registered type, and in particular the authority who has registered the type in ERATV.

5.3. **Entry or modification of data by the Agency**

Normally, the Agency shall not introduce any data into the register. The data shall be submitted by the national safety authority and the role of the Agency consists of validation and publication only.

In exceptional circumstances, such as technical impossibility of following the normal procedure, the Agency may, following a request from a national safety authority, enter or modify data in ERATV. In this case, the national safety authority that requested the entry or modification of data shall confirm the data entered or modified by the Agency and the Agency shall duly document the process. The timescales for entering data in ERATV as indicated in Section 5.2 shall apply.

5.4. **Publication of data by the Agency**

The Agency shall make publicly available the data that has been validated.

5.5. **Error handling in submitted data**

ERATV shall allow correcting errors in the recorded data. In the cases when an error has been corrected, ERATV shall indicate the date of correction.

5.6. **Possible searches and reports**

ERATV shall allow the following reports:

(1) For a national safety authority and the Agency:

- information as indicated in Annex II submitted by any national safety authority and not validated by the Agency for any type of vehicle for which the authorisation is active, suspended or withdrawn (including expired authorisations) as far as this information is kept in historical records,
- any of the reports available to public.

(2) For the public:

- information as indicated in Annex II submitted by any national safety authority and validated by the Agency for any type of vehicle for which the authorisation is active, suspended or withdrawn (including expired authorisations) as far as this information is kept in historical records.

ERATV shall allow the public to perform searches at least by the following criteria and any combination of them:

- by type code,
- by type name or part of it,
- by manufacturer's name or part of it,
- by vehicle category/subcategory,
- by TSI(s) the type is in conformity with,
- by Member State or combination of Member States where the type of vehicle is authorised,
- by status of the authorisation,
- by any of the technical characteristics.

Where appropriate the search criteria shall allow indicating a range for a technical characteristic.

5.7. **Historical records**

ERATV shall retain the complete historical record of all the modifications, including correction of errors, requests for clarifications and answers, related to a registered type of vehicle for 10 years from the date of withdrawal of the authorisation in all the Member States and for 10 years from the date of withdrawal of the registration from any NVR of the last vehicle of this type, whatever occurs later.

5.8. Automatic notification of changes

Following a modification, suspension, reactivation or withdrawal of an authorisation of a vehicle type, the IT system shall send the national safety authority of any Member State where the vehicle types is authorised an automatic e-mail informing about the change.

In the cases where an authorisation has a validity term, the IT system shall send the relevant national safety authority an automatic e-mail informing about the forthcoming expiry date 3 months before this date.

6. GLOSSARY

Term or abbreviation	Definition
Vehicle	Railway vehicle as defined in Article 2(c) of Directive 2008/57/EC.
Type	Vehicle type as defined in Article 2(w) of Directive 2008/57/EC. Type must reflect the unit that has been subject of the conformity assessment and authorisation. This unit may be a single vehicle, a rake of vehicles or a trainset.
Version	Version of a type as covered by the type examination certificate.
Manufacturer	Any natural or legal person who manufactures a vehicle or has a vehicle designed or manufactured, and markets that vehicle under his name or trademark. The indication of manufacturer in ERATV is for reference only; it is without prejudice to the intellectual property rights, contractual responsibilities or civil liability.
Authorisation holder	Entity that applied for and received the authorisation of type of vehicle.
Restriction	Any condition or limitation indicated in the authorisation of type of vehicle that applies to placing in service or use of any vehicle in conformity with this type. Restrictions do not include technical characteristics that are included in Section 4 of Annex II (List and format of parameters).
Modification of authorisation	Decision taken by a national safety authority according to which certain conditions of an authorisation for a type of vehicle previously issued by this national safety authority need to be changed. Modification of authorisation may include, but is not limited to, restrictions, modification of validity date, renewal of authorisation after a change in the rules.
Suspension of authorisation	Decision taken by a national safety authority according to which an authorisation for a vehicle type is temporarily not valid and no vehicle may be authorised to be placed in service on the basis of its conformity to the given type, until the causes that motivated the suspension have not been analysed. Suspension of authorisation for a vehicle type does not apply to the vehicles already in service.
Reactivation of authorisation	Decision taken by a national safety authority according to which a suspension of authorisation it previously issued no longer applies.
Withdrawal of authorisation	Decision taken by a national safety authority according to which an authorisation for a vehicle type is no longer valid and no vehicle may be authorised to be placed in service on the basis of its conformity to the given type. Withdrawal of authorisation for a vehicle type does not apply to the vehicles already in service.
Error	Transmitted or published data that do not correspond to the given authorisation for type of vehicle. Modification of authorisation does not fall under this definition.

ANNEX II

DATA TO BE REGISTERED AND FORMAT

For each authorised type of vehicle ERATV shall include the following data:

- identification of the type,
- manufacturer,
- conformity with the TSIs,
- authorisations granted in different Member States, including general information about these authorisations, their status (active, suspended or withdrawn), list of parameters for which conformity with national rules has been checked,
- technical characteristics.

The data to be registered in ERATV for each type of vehicle and their format shall be as indicated below. The data to be registered depend on the category of the vehicle as indicated below.

The values indicated for the parameters related to the technical characteristics shall be those recorded in the technical documentation accompanying the type examination certificate.

In the cases where possible values for a parameter are limited to a predefined list, these lists shall be maintained and updated by the Agency.

For the types of vehicle that are not in conformity with all the relevant TSIs in force, the national safety authority that has granted the type authorisation may limit the information to be provided on the technical characteristics indicated in Section 4 below to the parameters that have been checked according to the applicable rules.

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
0	Identification of the type	Heading (no data)				
0.1	TYPE ID	[number] XX-XXX-XXXX-X (according to Annex III)	Y	Y	Y	Y
0.2	Versions included in this type	[number] XXX + [character string] (according to Annex III)	Y	Y	Y	Y
0.3	Date of record in ERATV	[date] DD-MM-YYYY	Y	Y	Y	Y
1	General information	Heading (no data)				
1.1	Type name	[character string] (max 256 characters)	O	O	O	O
1.2	Alternative type name	[character string] (max 256 characters)	O	O	O	O
1.3	Manufacturer's name	[character string] (max 256 characters) Selection from a predefined list, possibility to add new manufacturers	Y	Y	Y	Y
1.4	Category	[character string] Selection from a predefined list (according to Annex III)	Y	Y	Y	Y

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
1.5	Subcategory	[character string] Selection from a predefined list (according to Annex III)	Y	Y	Y	Y
2	Conformity with TSIs	Heading (no data)				
2.1	Conformity with TSI	For each TSI: [character string] Y/N/Partial/Not applicable Selection from a predefined list of vehicle related TSIs (both in force and those that were previously in force) (multiple selection possible)	Y	Y	Y	Y
2.2	Reference of 'EC type examination certificates' (if module SB applied) and/or 'EC design examination certificates' (if module SH1 applied)	[character string] (possibility to indicate several certificates, e.g. certificate for rolling stock subsystem, certificate for CCS, etc.)	Y	Y	Y	Y
2.3	Applicable specific cases (specific cases conformity with which has been assessed)	[character string] Selection from a predefined list (multiple selection possible) based on TSIs (for each TSI marked as Y or P)	Y	Y	Y	Y
2.4	Sections of TSI not complied with	[character string] Selection from a predefined list (multiple selection possible) based on TSIs (for each TSI marked as P)	Y	Y	Y	Y
3	Authorisations	Heading (no data)				
3.1	Authorisation in	Heading (no data)				
3.1.1	Member State of authorisation	[character string] Selection from a predefined list Codes are those officially published and updated on the European website in the Interinstitutional style guide	Y	Y	Y	Y
3.1.2	Current status	Heading (no data)				
3.1.2.1	Status	[character string] + [date]Field automatically filled in by the system. Possible options: ActiveSuspended DD-MM-YYYY, Withdrawn DD-MM-YYYY, Expired DD-MM-YYYY	Y	Y	Y	Y
3.1.2.2	Validity of authorisation (if defined)	[date] DD-MM-YYYY	Y	Y	Y	Y
3.1.2.3	Coded restrictions	[character string] Code assigned by the Agency	Y	Y	Y	Y
3.1.2.4	Non-coded restrictions	[character string]	Y	Y	Y	Y
3.1.3	Historical	Heading (no data)				
3.1.3.1	Original authorisation	Heading (no data)	Y	Y	Y	Y

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
3.1.3.1.1	Date	[date] DD-MM-YYYY	Y	Y	Y	Y
3.1.3.1.2	Authorisation holder	[character string] (max 256 characters) Selection from a predefined list, possibility to add new organisations	Y	Y	Y	Y
3.1.3.1.3	Authorisation document reference	[character string] (EIN)	Y	Y	Y	Y
3.1.3.1.4	National certificate references (if applicable)	[character string]	Y	Y	Y	Y
3.1.3.1.5	Parameters for which conformity to applicable national rules has been assessed	[character string] Selection from a predefined list (multiple selection possible) based on Commission Decision 2009/965/EC	Y	Y	Y	Y
3.1.3.1.6	Comments	[character string] (max 1 024 characters)	O	O	O	O
3.1.3.X	Modification of authorisation	<i>Heading (no data) (X is progressive from 2 onwards, as many times as modifications of the authorisation of type have been issued)</i>	Y	Y	Y	Y
3.1.3.X.1	Type of modification	[character string] Text from a predefined list (modification, suspension, reactivation, withdrawal)	Y	Y	Y	Y
3.1.3.X.2	Date	[date] DD-MM-YYYY	Y	Y	Y	Y
3.1.3.X.3	Authorisation holder (if applicable)	[character string] (max 256 characters) Selection from a predefined list, possibility to add new organisations	Y	Y	Y	Y
3.1.3.X.4	Authorisation modification document reference	[character string]	Y	Y	Y	Y
3.1.3.X.5	National certificate references (if applicable)	[character string]	Y	Y	Y	Y
3.1.3.X.6	Applicable national rules (if applicable)	[character string] Selection from a predefined list (multiple selection possible) based on Commission Decision 2009/965/EC	Y	Y	Y	Y
3.1.3.X.7	Comments	[character string] (max 1 024 characters)	O	O	O	O
3.X	Authorisation in	<i>Heading (no data) (X is progressive incremented by one unit from 2 onwards each time an authorisation for this type has been granted (including the suspended and withdrawn ones)). This Section contains same fields as 3.1</i>	Y	Y	Y	Y

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4	Technical characteristics of the vehicle	Heading (no data)				
4.1	General technical characteristics	Heading (no data)				
4.1.1	Number of driving cabs	[Number] 0/1/2	Y	Y	Y	Y
4.1.2	Speed	Heading (no data)				
4.1.2.1	Maximum design speed	[Number] km/h	Y	Y	Y	Y
4.1.2.2	Maximum speed when empty	[Number] km/h	N	N	Y	N
4.1.3	Wheel set gauge	[character string] Selection from predefined list	Y	Y	Y	Y
4.1.4	Conditions of use regarding train formation	[character string] Selection from a predefined list	Y	Y	N	Y
4.1.5	Maximum number of trainsets or locomotives coupled together in multiple operation.	[number]	Y	N	N	N
4.1.6	Number of elements in the rake of freight wagons (only for subcategory 'rake of freight wagons')	[number]	N	N	Y	N
4.1.7	Letter marking	[character string] Selection from a predefined list (according to Annex P of OPE TSI)	N	N	Y	N
4.1.8	Type meets the requirements necessary for validity of the vehicle authorisation granted by one Member State in other Member States	[character string] Selection from a predefined list	Y	Y	Y	Y
4.1.9	Dangerous goods for which the vehicle is suitable (tank code)	[character string] Tank code	N	N	Y	N
4.1.10	Structural category	[character string] Selection from a predefined list	Y	Y	Y	Y
4.2	Vehicle kinematic gauge	Heading (no data)				
4.2.1	Vehicle kinematic gauge (interoperable gauge)	[character string] Selection from predefined list (more than one possible) (the list will be different for different categories depending on the applicable TSI)	Y	Y	Y	Y
4.2.2	Vehicle kinematic gauge (other gauges assessed using the kinematic method)	[character string] Selection from predefined list (more than one possible)	O	O	O	O
4.3	Environmental conditions	Heading (no data)				
4.3.1	Temperature range	[character string] Selection from a predefined list (more than one possible)	Y	Y	Y	Y

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.3.2	Altitude range	[character string] Selection from a predefined list	Y	Y	N	Y
4.3.3	Snow, ice and hail conditions	[character string] Selection from a predefined list	Y	Y	N	Y
4.3.4	Ballast pick up (for $v \geq 190$ km/h vehicles only)	Open point	OP	OP	N	N
4.4	Fire safety	Heading (no data)				
4.4.1	Fire safety category	[character string] Selection from a predefined list	Y	Y	N	Y
4.5	Design mass and loads	Heading (no data)				
4.5.1	Permissible payload for different line categories	[number] t for line category [character string]	OP	OP	Y	OP
4.5.2	Design mass	Heading (no data)				
4.5.2.1	Design mass in working order	[number] kg	Y	Y	O	Y
4.5.2.2	Design mass under normal payload	[number] kg	Y	Y	O	Y
4.5.2.3	Design mass under exceptional payload	[number] kg	Y	Y	N	Y
4.5.3	Static axle load	Heading (no data)				
4.5.3.1	Static axle load in working order	[number] kg	Y	Y	O	Y
4.5.3.2	Static axle load under normal payload/ maximum payload for freight wagons	[number] kg	Y	Y	O	Y
4.5.3.3	Static axle load under exceptional payload	[number] kg	Y	Y	N	Y
4.5.4	Quasi-static guiding force (if exceeds the limit defined in TSI or not defined in the TSI)	[number] kN	Y	Y	N	Y
4.6	Rolling stock dynamic behaviour	Heading (no data)				
4.6.1	Cant deficiency (maximum uncompensated lateral acceleration) for which the vehicle has been assessed	[number] mm For dual gauge vehicles, values for each gauge shall be indicated	Y	Y	O	Y
4.6.2	Vehicle equipped with a cant deficiency compensation system (tilting vehicle)	[Boolean] Y/N	Y	Y	Y	Y

Parameter		Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.6.3	In service limits of equivalent conicity (or worn wheel profile) for which the vehicle has been tested	Open point	OP	OP	OP	OP
4.7	Braking	Heading (no data)				
4.7.1	Maximum train deceleration	[number] m/s ²	Y	N	N	Y
4.7.2	Service braking	Heading (no data)				
4.7.2.1	Brake performance on steep gradients with normal payload	Heading (no data)				
4.7.2.1.1	Reference case of TSI	[character string] from a predefined list	Y	Y	Y	Y
4.7.2.1.2	Speed (if no reference case is indicated)	[number] km/h	Y	Y	Y	Y
4.7.2.1.3	Gradient (if no reference case is indicated)	[number] ‰ (mm/m)	Y	Y	Y	Y
4.7.2.1.4	Distance (if no reference case is indicated)	[number] km	Y	Y	Y	Y
4.7.2.1.5	Time (if distance is not indicated) (if no reference case is indicated)	[number] min	Y	Y	Y	Y
4.7.3	Parking brake	Heading (no data)				
4.7.3.1	All vehicles of this type must be equipped with a parking brake (parking brake mandatory for vehicles of this type)	[Boolean] Y/N	N	N	Y	Y
4.7.3.2	Parking brake type (if the vehicle is fitted with it)	[character string] from a predefined list	Y	Y	Y	Y
4.7.3.3	Maximum gradient on which the unit is kept immobilised by the parking brake alone (if the vehicle is fitted with it)	[number] ‰ (mm/m)	Y	Y	Y	Y
4.7.4	Braking systems fitted on the vehicle	Heading (no data)				
4.7.4.1	Eddy current brake	Heading (no data)				
4.7.4.1.1	Eddy current brake fitted	[Boolean] Y/N	Y	Y	N	Y
4.7.4.1.2	Possibility of preventing the use of the eddy current brake (only if fitted with eddy current brake)	[Boolean] Y/N	Y	Y	N	Y
4.7.4.2	Magnetic brake	Heading (no data)				
4.7.4.2.1	Magnetic brake fitted	[Boolean] Y/N	Y	Y	N	Y

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.7.4.2.2	Possibility of preventing the use of the magnetic brake (only if fitted with magnetic brake)	[Boolean] Y/N	Y	Y	N	Y
4.7.4.3	Regenerative brake (only for vehicles with electrical traction)	Heading (no data)				
4.7.4.3.1	Regenerative brake fitted	[Boolean] Y/N	Y	N	N	Y
4.7.4.3.2	Possibility of preventing the use of the regenerative brake (only if fitted with regenerative brake)	[Boolean] Y/N	Y	N	N	Y
4.8	Geometrical characteristics	Heading (no data)				
4.8.1	Vehicle length	[number] m	Y	Y	Y	Y
4.8.2	Minimum in-service wheel diameter	[number] mm	Y	Y	Y	Y
4.8.3	Shunting restrictions	[Boolean] Y/N	N	N	Y	N
4.8.4	Minimum horizontal curve radius capability	[number] m	Y	Y	Y	Y
4.8.5	Minimum vertical convex curve radius capability	[number] m	O	O	O	O
4.8.6	Minimum vertical concave curve radius capability	[number] m	O	O	O	O
4.8.7	Height of loading platform (for flat wagons and combined transport)	[number] mm	N	N	Y	N
4.8.8	Suitability for transport on ferries	[Boolean] Y/N	Y	Y	Y	Y
4.9	Equipment	Heading (no data)				
4.9.1	Type of end coupling (indicating tensile and compressive forces)	[Character string] From a predefined list (multiple selection possible)	Y	Y	Y	Y
4.9.2	Axle bearing condition monitoring (hot axles box detection)	[Character string] From a predefined list (multiple selection possible)	Y	Y	Y	Y
4.9.3	Flange lubrication	Heading (no data)				
4.9.3.1	Flange lubrication fitted	[Boolean] Y/N	Y	Y	N	Y
4.9.3.2	Possibility of preventing the use of the lubrication device (only if fitted with flange lubrication)	[Boolean] Y/N	Y	N	N	Y
4.10	Energy supply	Heading (no data)				

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.10.1	Energy supply system	[Character string] From a predefined list (multiple selection possible)	Y	Y	N	Y
4.10.2	Maximum power (to be indicated for each energy supply system the vehicle is equipped for)	[Number] kW for [energy supply system automatically prefilled in]	O	O	N	O
4.10.3	Maximum rated current from the catenary (to be indicated for each electrical energy supply system the vehicle is equipped for)	[Number] A for [Voltage automatically prefilled in]	Y	Y	N	Y
4.10.4	Maximum current at standstill per pantograph (to be indicated for each DC systems the vehicle is equipped for)	[Number] A for [Voltage automatically prefilled in]	Y	Y	N	Y
4.10.5	Height of interaction of pantograph with contact wires (over top of rail) (to be indicated for each energy supply system the vehicle is equipped for)	[Number] From [m] to [m] (with two decimals)	Y	Y	N	Y
4.10.6	Pantograph head (to be indicated for each energy supply system the vehicle is equipped for)	[Character string] for [energy supply system automatically prefilled in] From a predefined list (multiple selection possible)	Y	Y	N	Y
4.10.7	Number of pantographs in contact with the overhead contact line (OCL) (to be indicated for each energy supply system the vehicle is equipped for)	[Number]	Y	Y	N	Y
4.10.8	Shortest distance between two pantographs in contact with the OCL (to be indicated for each energy supply system the vehicle is equipped for; to be indicated for single and, if applicable, multiple operation) (only if number of raised pantographs is more than 1)	[Number] [m]	Y	Y	N	Y
4.10.9	Type of OCL used for the test of current collection performance (to be indicated for each energy supply system the vehicle is equipped for) (only if number of raised pantographs is more than 1)	[Character string] for [energy supply system automatically prefilled in] From a predefined list (multiple selection possible)	Y	N	N	Y

Parameter		Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.10.10	Material of pantograph contact strip the vehicle may be equipped with (to be indicated for each energy supply system the vehicle is equipped for)	[Character string] for [energy supply system automatically prefilled in] From a predefined list (multiple selection possible)	Y	Y	N	Y
4.10.11	Automatic dropping device (ADD) fitted (to be indicated for each energy supply system the vehicle is equipped for)	[Boolean] Y/N	Y	Y	N	Y
4.10.12	TSI conform energy meter for billing purposes installed on board	[Boolean] Y/N	Y	Y	N	Y
4.11	Noise related characteristics	Heading (no data)				
4.11.1	Pass-by noise level (dB(A))	[Number] (dB(A))	O	O	O	O
4.11.2	Pass-by noise level was measured under reference conditions	[Boolean] Y/N	Y	Y	Y	Y
4.11.3	Stationary noise level (dB(A))	[Number] (dB(A))	O	O	O	O
4.11.4	Starting noise level (dB(A))	[Number] (dB(A))	O	N	N	O
4.12	Passenger related characteristics	Heading (no data)				
4.12.1	General passenger related characteristics	Heading (no data)				
4.12.1.1	Number of fixed seats	From [Number] to [Number]	O	O	N	N
4.12.1.2	Number of toilets	[Number]	O	O	N	N
4.12.1.3	Number of sleeping places	From [Number] to [Number]	O	O	N	N
4.12.2	PRM related characteristics	Heading (no data)				
4.12.2.1	Number of priority seats	From [Number] to [Number]	Y	Y	N	N
4.12.2.2	Number of wheelchair spaces	From [Number] to [Number]	Y	Y	N	N
4.12.2.3	Number of PRM accessible toilets	[Number]	Y	Y	N	N
4.12.2.4	Number of wheelchair accessible sleeping places	From [Number] to [Number]	Y	Y	N	N
4.12.3	Passenger access and egress	Heading (no data)				
4.12.3.1	Platform heights for which the vehicle is designed.	[Number] from predefined list (multiple selection possible)	Y	Y	N	N
4.12.3.2	Description of any integrated boarding aids (if provided)	[Character string] Selection from a predefined list (multiple selection possible)	Y	Y	N	N

	Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.12.3.3	Description of any portable boarding aids if considered in the design of the vehicle for meeting the PRM TSI requirements	[Character string] Selection from a predefined list (multiple selection possible)	Y	Y	N	N
4.13	On-board CCS equipment (for vehicles with a driving cab only)	Heading (no data)				
4.13.1	Signalling	Heading (no data)				
4.13.1.1	ETCS equipment on-board and its level	[Character string] From a predefined list	Y	Y	Y	Y
4.13.1.2	ETCS baseline.version (x.y). If the version is not fully compatible it shall be indicated in brackets	[Character string] From a predefined list	Y	Y	Y	Y
4.13.1.3	ETCS on-board equipment for reception of infill-function information via loop or GSM-R	[Character string] From a predefined list (more than one option possible)	Y	Y	Y	Y
4.13.1.4	ETCS national applications implemented (NID_XUSER of Packet 44)	[Number] From a predefined list according to the List of ETCS Variables (more than one option possible)	Y	Y	Y	Y
4.13.1.5	Class B or other train protection, control and warning systems installed (system and, if applicable, version)	[Character string] From a predefined list (more than one option possible)	Y	Y	Y	Y
4.13.1.6	Special conditions implemented on-board to switch over between different train protection, control and warning systems.	[Character string] From combination of systems installed on board ('System XX'/System YY') (more than one option possible)	Y	Y	Y	Y
4.13.2	Radio	Heading (no data)				
4.13.2.1	GSM-R equipment on board and its version (FRS and SRS)	[Character string] From a predefined list	Y	Y	Y	Y
4.13.2.2	Number of GSM-R mobile sets in driving cab for data transmission	[Number]: 0, 1, 2 or 3	Y	Y	Y	Y
4.13.2.3	Class B or other radio systems installed (system and, if applicable, version)	[Character string] From a predefined list (more than one option possible)	Y	Y	Y	Y
4.13.2.4	Special conditions implemented on-board to switch over between different radio systems.	[Character string] From combination of systems installed on board ('System XX'/System YY') (more than one option possible)	Y	Y	Y	Y

Parameter	Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
		1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.14	Compatibility with train detection systems	Heading (no data)			
4.14.1	Type of train detection systems for which the vehicle has been designed and assessed	[Character string] From a predefined list (more than one option possible)	Y	Y	Y
4.14.2	Detailed vehicle characteristics related to compatibility with train detection systems	Heading (no data)	Y	Y	Y
4.14.2.1	Maximum distance between consecutive axles	[Number] mm	Y	Y	Y
4.14.2.2	Minimum distance between consecutive axles	[Number] mm	Y	Y	Y
4.14.2.3	Distance between the first and the last axle	[Number] mm	Y	Y	Y
4.14.2.4	Maximum length of the vehicle nose	[Number] mm	Y	Y	Y
4.14.2.5	Minimum wheel rim width	[Number] mm	Y	Y	Y
4.14.2.6	Minimum wheel diameter	[Number] mm	Y	Y	Y
4.14.2.7	Minimum flange thickness	[Number] mm	Y	Y	Y
4.14.2.8	Minimum flange height	[Number] mm	Y	Y	Y
4.14.2.9	Maximum flange height	[Number] mm	Y	Y	Y
4.14.2.10	Minimum axle load	[Number] t	Y	Y	Y
4.14.2.11	Metal and inductive components-free space between wheels	Open point	OP	OP	OP
4.14.2.12	Wheel material is ferromagnetic	[Boolean] Y/N	Y	Y	Y
4.14.2.13	Maximum sanding output	[Number] g per [Number] s	Y	N	N
4.14.2.14	Possibility of preventing the use of sanding	Y/N	Y	N	N
4.14.2.15	Vehicle metal mass	Open point	OP	OP	OP
4.14.2.16	Maximum impedance between opposite wheels of a wheelset	[Number] Ω	Y	Y	Y
4.14.2.17	Minimum vehicle impedance (between wheels and pantograph) (only for vehicles equipped for 1 500 V or 3 000 V DC)	[Number] Ω for [Number] Hz (more than one line is possible)	Y	N	N

Parameter		Data format	Applicability to vehicle categories (Yes, No, Optional, Open Point)			
			1. Traction vehicles	2. Hauled passenger vehicles	3. Freight wagons	4. Special vehicles
4.14.2.18	Electromagnetic interferences caused by return current in the rails	Open point	OP	OP	OP	OP
4.14.2.19	Electromagnetic emission of the train with respect to compatibility with train detection systems	Open point	OP	OP	OP	OP

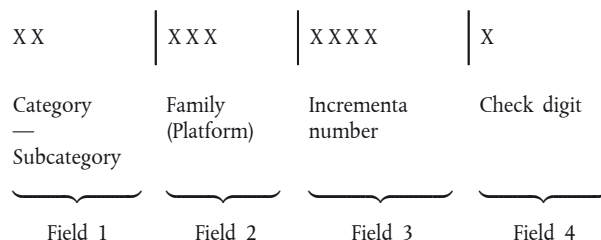
Notes:

1. Where a parameter is defined in the applicable TSI, the value indicated for the parameter shall be the one assessed in the verification procedure.
2. Predefined lists shall be maintained and kept updated by the Agency in accordance with the TSIs in force, including the TSIs that may be applied during a transitional period.
3. For parameters indicated as 'open point' no data shall be introduced until the 'open point' is not closed in the relevant TSI.
4. For parameters indicated as 'optional', indication of data shall be subject to the decision of the applicant for the type authorisation.
5. Fields 0.1-0.3 shall be filled in by the Agency.

ANNEX III

STRUCTURE OF TYPE NUMBER

Each type of vehicle shall receive a number consisting of 10 digits with the following structure:



Where:

Field 1 (digits 1 and 2) is assigned according to category and subcategory of the vehicle type in accordance with the following table:

Code	Category	Subcategory
11	Traction vehicles	Locomotive
12		Reserved
13		Self-propelled passenger trainset (incl. railbuses)
14		Reserved
15		Self-propelled freight trainset
16		Reserved
17		Shunter
18		Reserved
19		Other (tramways, light rail vehicles, etc.)
31	Hauled passenger vehicles	Passenger coach (incl. sleeping cars, restaurant, etc.)
32		Reserved
33		Van
34		Reserved
35		Car carrier
36		Reserved
37		Vehicle for services (e.g. kitchen)
38		Reserved
39		Fixed rake of coaches
40		Reserved
41		Other
42-49		Reserved

Code	Category	Subcategory
51	Freight wagons (hailed)	Freight wagon
52		Reserved
53		Fixed rake of freight wagons
54-59		Reserved
71	Special vehicles	Self-propelled special vehicle
72		Reserved
73		Hauled special vehicle
74-79		Reserved

Field 2 (digits from 3 to 5) is assigned according to the family to which the type of vehicle belongs. For new families (i.e. families not yet registered in ERATV) digits are progressively incremented by one unit each time an application for registration of a vehicle type belonging to a new family is received by the Agency.

Field 3 (digits from 6 to 9) is a progressive number incremented by one unit each time an application for registration of a vehicle type belonging to a given family is received by the Agency.

Field 4 (digit 10) is a check digit determined in the following manner (Luhn algorithm or modulus 10):

- the digits in the even positions of the basic number (fields from 1 to 9 counting from the right) are taken at their own decimal value,
- the digits in the odd positions of the basic number (counting from the right) are multiplied by 2,
- the sum formed by the digits in even position and by all the digits which constitute the partial products obtained from the odd positions is then established,
- the units digit of this sum is retained,
- the complement required to bring the units digit to 10 forms the check-digit; should this units digit be nought, then the check-digit will also be nought.

Examples of determining the check digit:

1 — Let the basic number be	3	3	8	4	4	7	9	6	1
Multiplication factor	2	1	2	1	2	1	2	1	2
	6	3	16	4	8	7	18	6	2

Sum: $6 + 3 + 1 + 6 + 4 + 8 + 7 + 1 + 8 + 6 + 2 = 52$

The units digit of this sum is 2.

The check-digit number will therefore be 8 and the basic number thus becomes the registration number 33 844 7961 — 8.

2 — Let the basic number be	3	1	5	1	3	3	2	0	4
Multiplication factor	2	1	2	1	2	1	2	1	2
	6	1	10	1	6	3	4	0	8

Sum: $6 + 1 + 1 + 0 + 1 + 6 + 3 + 4 + 0 + 8 = 30$

The units digit of this sum is 0.

The check-digit number will therefore be 0 and the basic number thus becomes the registration number 31 513 3204 — 0.

If the type examination certificate or design examination certificate covers more than one version of the vehicle type, each of these versions shall be identified by an incremental three-digit number.

CORRIGENDA**Corrigendum to Decision 2010/592/EU of the Representatives of the Governments of the Member States of 29 September 2010 appointing a judge to the Court of Justice**

(Official Journal of the European Union L 261 of 5 October 2010)

On page 5, signature:

for: 'For the Council

The President

J. DE RUYT,

read: 'The President

J. DE RUYT'

Corrigendum to Decision 2010/629/EU of the Representatives of the Governments of the Member States of 20 October 2010 appointing a Judge to the General Court

(Official Journal of the European Union L 278 of 22 October 2010)

On page 29, signature:

for: 'For the Council

The President

J. De RUYT,

read: 'The President

J. DE RUYT'

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