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I

(Legislative acts)

DECISIONS

**DECISION No 1194/2011/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 16 November 2011
establishing a European Union action for the European Heritage Label**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 167(5), first indent, thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the Committee of the Regions ⁽¹⁾,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

(1) The Treaty on the Functioning of the European Union (TFEU) aims at an ever closer union among the peoples of Europe and confers on the Union the task, inter alia, of contributing to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore. In this respect, the Union, where necessary, supports and supplements Member States' action to improve the knowledge and dissemination of the culture and history of the European peoples.

(2) A better understanding and appreciation, especially among young people, of their shared yet diverse heritage would help to strengthen the sense of

belonging to the Union and reinforce intercultural dialogue. It is therefore important to promote greater access to cultural heritage and to enhance its European dimension.

(3) The TFEU also establishes citizenship of the Union, which complements national citizenship of the respective Member States and is an important element in safeguarding and strengthening the process of European integration. For citizens to give their full support to European integration, greater emphasis should be placed on their common values, history and culture as key elements of their membership of a society founded on the principles of freedom, democracy, respect for human rights, cultural and linguistic diversity, tolerance and solidarity.

(4) An intergovernmental European Heritage Label initiative ('intergovernmental initiative') was launched on 28 April 2006 in Granada, Spain.

(5) On 20 November 2008, the Council adopted conclusions ⁽³⁾ aimed at transforming the intergovernmental initiative into a Union action ('action') by inviting the Commission to submit to it a proposal for the creation by the Union of a European Heritage Label ('label') and to specify the practical procedures for the implementation of the project.

(6) The public consultation and the impact assessment carried out by the Commission confirmed the value of the intergovernmental initiative but indicated that it needed to be further developed to reach its full potential, and that the involvement of the Union could provide it with a clear added value and help it to take a qualitative step forward.

⁽¹⁾ OJ C 267, 1.10.2010, p. 52.

⁽²⁾ Position of the European Parliament of 16 December 2010 (not yet published in the Official Journal) and position of the Council at first reading of 19 July 2011. Position of the European Parliament of 16 November 2011.

⁽³⁾ OJ C 319, 13.12.2008, p. 11.

- (7) The label should benefit from the experience gained from the intergovernmental initiative.
- (8) The label should seek added value and complementarity with regard to other initiatives such as the Unesco World Heritage List, the Unesco Representative List of the Intangible Cultural Heritage of Humanity and the Council of Europe's European Cultural Routes. Its added value should be based on the contribution made by the selected sites to European history and culture, including the building of the Union, on a clear educational dimension reaching out to citizens, especially young people, and on networking between the sites to share experiences and best practices. The main focus of the action should be on the promotion of and access to the sites as well as on the quality of the information and activities offered, as opposed to the preservation of the sites, which should be guaranteed by existing protection regimes.
- (9) In addition to strengthening European citizens' sense of belonging to the Union and stimulating intercultural dialogue, the action could also contribute to enhancing the value and profile of cultural heritage, to increasing the role of heritage in the economic and sustainable development of regions, in particular through cultural tourism, to fostering synergies between cultural heritage and contemporary creation and creativity and, more generally, to promoting the democratic values and human rights that underpin European integration.
- (10) Those objectives are fully in line with the objectives set out in the Commission communication entitled 'A European agenda for culture in a globalizing world', which include the promotion of cultural diversity and intercultural dialogue as well as of culture as a catalyst for creativity.
- (11) It is crucial that the label be awarded on the basis of common, clear and transparent criteria and procedures, including during the first two selection years when transitional provisions should apply.
- (12) The procedure for the selection of sites under the action should be carried out in two stages. Sites should initially be pre-selected at national level. Whenever relevant, Member States could involve local and regional authorities. The selection should then take place at Union level. Each site awarded the label should be monitored in order to ensure continued compliance with the criteria as laid down for the label.
- (13) In the course of the first evaluation of the action, the widening of its geographical scope should be examined.
- (14) Where there is a clear thematic link between several sites located in one Member State, the action should allow for joint applications. Such joint applications should comprise a reasonable number of participating sites and demonstrate a European added value compared to individual applications in respect of the same sites.
- (15) Similarly, by reason of the transnational dimension of certain sites, the action should allow for joint applications both in the case of sites which are located in different Member States but focus on one specific theme and in the case of a site located on the territory of at least two Member States.
- (16) In order to ensure uniform conditions for the implementation of this Decision and, in particular, the provisions concerning the designation of sites to be awarded the label, the withdrawal of the label and the formalisation of the renunciation of the label, implementing powers should be conferred on the Commission.
- (17) The administrative arrangements for the label should be light and flexible, in accordance with the principle of subsidiarity.
- (18) Since the objectives of this Decision cannot be sufficiently achieved by the Member States by reason of the need, in particular, for new common, clear and transparent criteria and procedures for the label, as well as for stronger coordination between the Member States, and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives,
- HAVE ADOPTED THIS DECISION:
- Article 1*
- Establishment**
- A European Union action ('action') entitled 'European Heritage Label' ('label') is hereby established.

*Article 2***Definitions**

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

- (1) 'sites' means monuments, natural, underwater, archaeological, industrial or urban sites, cultural landscapes, places of remembrance, cultural goods and objects and intangible heritage associated with a place, including contemporary heritage;
- (2) 'transnational site' means:
 - (a) several sites, located in different Member States, which focus on one specific theme in order to submit a joint application; or
 - (b) one site located on the territory of at least two Member States;
- (3) 'national thematic site' means several sites, located in the same Member State, which focus on one specific theme in order to submit a joint application.

*Article 3***Objectives**

1. The action shall contribute to the following general objectives:

- (a) strengthening European citizens' sense of belonging to the Union, in particular that of young people, based on shared values and elements of European history and cultural heritage, as well as an appreciation of national and regional diversity;
- (b) strengthening intercultural dialogue.

2. In order to achieve the objectives set out in paragraph 1, the action shall seek to attain the following intermediate objectives:

- (a) stressing the symbolic value and raising the profile of sites which have played a significant role in the history and culture of Europe and/or the building of the Union;
- (b) increasing European citizens' understanding of the history of Europe and the building of the Union, and of their common yet diverse cultural heritage, especially in relation to the democratic values and human rights that underpin the process of European integration.

3. The sites themselves shall seek to attain the following specific objectives:

- (a) highlighting their European significance;
- (b) raising European citizens' awareness of their common cultural heritage, especially that of young people;
- (c) facilitating the sharing of experiences and exchanges of best practices across the Union;
- (d) increasing and/or improving access for all, especially young people;
- (e) increasing intercultural dialogue, especially among young people, through artistic, cultural and historical education;
- (f) fostering synergies between cultural heritage on one hand and contemporary creation and creativity on the other;
- (g) contributing to the attractiveness and the economic and sustainable development of regions, in particular through cultural tourism.

*Article 4***Participation in the action**

The action shall be open to the participation, on a voluntary basis, of the Member States.

*Article 5***Added value and complementarity of the action with other initiatives**

The Commission and the Member States shall ensure the added value and complementarity of the action with regard to other initiatives in the field of cultural heritage such as the Unesco World Heritage List, the Unesco Representative List of the Intangible Cultural Heritage of Humanity and the Council of Europe's European Cultural Routes.

*Article 6***Eligibility**

Sites within the meaning of Article 2 shall be eligible for the attribution of the label.

*Article 7***Criteria**

1. The attribution of the label shall be based on the following criteria ('criteria'):

- (a) Candidate sites for the label must have a symbolic European value and must have played a significant role in the history and culture of Europe and/or the building of the Union. They must therefore demonstrate one or more of the following:
- (i) their cross-border or pan-European nature: how their past and present influence and attraction go beyond the national borders of a Member State;
 - (ii) their place and role in European history and European integration, and their links with key European events, personalities or movements;
 - (iii) their place and role in the development and promotion of the common values that underpin European integration.
- (b) Candidate sites for the label must submit a project, the implementation of which is to begin by the end of the designation year at the latest, which includes all of the following elements:
- (i) raising awareness of the European significance of the site, in particular through appropriate information activities, signposting and staff training;
 - (ii) organising educational activities, especially for young people, which increase the understanding of the common history of Europe and of its shared yet diverse heritage and which strengthen the sense of belonging to a common space;
 - (iii) promoting multilingualism and facilitating access to the site by using several languages of the Union;
 - (iv) taking part in the activities of networks of sites awarded the label in order to exchange experiences and initiate common projects;
 - (v) raising the profile and attractiveness of the site on a European scale, *inter alia*, by using the possibilities offered by new technologies and digital and interactive means and by seeking synergies with other European initiatives.
- The organisation of artistic and cultural activities which foster the mobility of European culture professionals, artists and collections, stimulate intercultural dialogue and encourage linkage between heritage and contemporary creation and creativity is to be welcomed whenever the specific nature of the site allows this.
- (c) Candidate sites for the label must submit a work plan which includes all of the following elements:
- (i) ensuring the sound management of the site, including defining objectives and indicators;
 - (ii) ensuring the preservation of the site and its transmission to future generations in accordance with the relevant protection regimes;
 - (iii) ensuring the quality of the reception facilities such as the historical presentation, visitors' information and signposting;
 - (iv) ensuring access for the widest possible public, *inter alia*, through site adaptations or staff training;
 - (v) according special attention to young people, in particular by granting them privileged access to the site;
 - (vi) promoting the site as a sustainable tourism destination;
 - (vii) developing a coherent and comprehensive communication strategy highlighting the European significance of the site;
 - (viii) ensuring that the management of the site is as environmentally friendly as possible.
2. As regards the criteria laid down in points (b) and (c) of paragraph 1, each site shall be assessed in a proportionate manner, taking into account its characteristics.

Article 8

European panel

1. A European panel of independent experts ('European panel') shall be established to carry out the selection and monitoring at Union level. It shall ensure that the criteria are properly applied by the sites across the Member States.

2. The European panel shall consist of 13 members, four of whom shall be appointed by the European Parliament, four by the Council, four by the Commission and one by the Committee of the Regions, in accordance with their respective procedures. The European panel shall designate its chairperson.

3. The members of the European panel shall be independent experts with substantial experience and expertise in the fields relevant to the objectives of the action. Each institution and body shall seek to ensure that the competences of the experts it appoints are as complementary as possible, and that those experts are drawn from a balanced geographical spectrum.

4. The members of the European panel shall be appointed for three years.

However, in 2012 four experts shall be appointed by the European Parliament for two years, four by the Council for three years, four by the Commission for one year and one by the Committee of the Regions for three years.

5. The members of the European panel shall declare any actual or potential conflict of interest in respect of a specific site. In the event of such a declaration by a member, or if such a conflict of interest comes to light, that member shall not participate in the evaluation of the site or of any other sites from the Member State(s) concerned.

6. All reports, recommendations and notifications of the European panel shall be made public by the Commission.

Article 9

Application form

With a view to keeping procedures as streamlined and light as possible, a common application form ('application form') based on the criteria shall be prepared by the Commission and used by all candidate sites.

Article 10

Pre-selection at national level

1. The pre-selection of sites for the attribution of the label shall be under the responsibility of the Member States.

2. Each Member State may pre-select up to two sites every two years.

3. The pre-selection shall be based on the criteria and on the application form.

4. Each participating Member State shall establish its own procedures and its own calendar for the pre-selection in accordance with the principle of subsidiarity, striving for administrative arrangements that are as light and flexible as possible. It shall transmit the application forms in respect of the pre-selected sites to the Commission by 1 March of the year of the selection procedure, in accordance with the calendar set out in the Annex.

5. The Commission shall publish the full list of pre-selected sites and shall inform the European Parliament, the Council and the Committee of the Regions thereof without delay after the finalisation of the pre-selection stage, so that the European Parliament, the Council, the Committee of the Regions, the Member States or any other person or entity may submit to the Commission any observation which could have an impact on the selection of those sites.

Article 11

Selection at Union level

1. The selection of sites for the attribution of the label shall be carried out by the European panel under the responsibility of the Commission.

2. The European panel shall evaluate the applications relating to the pre-selected sites and shall select a maximum of one site per Member State. If necessary, further information may be requested and visits to the sites may be organised.

3. The selection shall be based on the criteria and on the application form. The European panel shall also take duly into account the observations referred to in Article 10(5).

4. The European panel shall issue a report on the pre-selected sites and transmit it to the Commission at the latest by the end of the year of the selection procedure. That report shall include a recommendation for the attribution of the label and provide an accompanying explanation for its conclusions regarding those sites which are selected and those which are not. The Commission shall forward that report without delay to the European Parliament, the Council and the Committee of the Regions for information.

5. Candidate sites which are not selected may submit new applications for pre-selection at national level in the following years.

Article 12

Transnational sites

1. In order for a transnational site to be eligible for the attribution of the label, it shall comply with all of the following conditions:

(a) full compliance with the criteria by each participating site;

(b) designation of one of the participating sites as the coordinator, which will be the single contact point for the Commission;

(c) application under a common name;

(d) where appropriate, demonstration of a clear thematic link.

2. Applications in respect of transnational sites shall follow the same procedure as that for other sites. Following consultation among the participating sites with the involvement of relevant national authorities, each participating site shall complete an application form and send it to the coordinator. Transnational sites shall be pre-selected by the Member State of the coordinator within the numerical limits of sites laid down in Article 10(2) and proposed on behalf of all the Member States concerned after those Member States have agreed thereon.

3. When a transnational site is selected, the label shall be awarded to the transnational site as a whole and under the common name.

4. If a transnational site meets all the criteria, priority shall be given to that site during the selection.

Article 13

National thematic sites

1. In order for a national thematic site to be eligible for the attribution of the label, it shall comply with all of the following conditions:

(a) demonstration of the European added value of a joint application compared to individual applications;

(b) demonstration of a clear thematic link;

(c) full compliance with the criteria by each participating site;

(d) designation of one of the participating sites as the coordinator, which will be the single contact point for the Commission;

(e) application under a common name.

2. Applications in respect of national thematic sites shall follow the same procedure as that for other sites. Each participating site shall complete an application form and send it to the coordinator. National thematic sites shall be pre-selected by the Member State concerned within the numerical limits of sites laid down in Article 10(2).

3. When a national thematic site is selected, the label shall be awarded to the national thematic site as a whole and under the common name.

Article 14

Designation

1. The Commission shall designate the sites to be awarded the label, having due regard to the recommendation of the European panel. The Commission shall inform the European Parliament, the Council and the Committee of the Regions of its designation.

2. The label shall be awarded on a permanent basis, subject to the conditions laid down in Article 15 and to the continuation of the action and without prejudice to Article 16.

Article 15

Monitoring

1. Each site awarded the label shall be monitored on a regular basis in order to ensure that it continues to meet the criteria and that it respects the project and work plan submitted in its application.

2. The Member States shall be responsible for the monitoring of all sites located on their respective territory. The monitoring of a transnational site shall be the responsibility of the Member State of the coordinator.

3. The Member States shall collect all the necessary information and prepare a report every four years in accordance with the calendar set out in the Annex. The Member States shall send the report to the Commission by 1 March of the year of the monitoring procedure. The Commission shall submit the report to the European panel for examination.

4. The European panel shall issue a report on the state of the sites awarded the label by the end of the year of the monitoring procedure, including if necessary recommendations to be taken into account for the following monitoring period.

5. The Commission shall establish, in cooperation with the European panel, common indicators for the Member States to ensure a coherent approach to the monitoring procedure.

Article 16

Withdrawal or renunciation of the label

1. If the European panel establishes that a site no longer meets the criteria or that it no longer respects the project and work plan submitted in its application, it shall initiate a dialogue with the Member State concerned via the Commission, with a view to facilitating the necessary adjustments to the site.

2. If, 18 months after the beginning of the dialogue, the necessary adjustments have not been made to the site, the European panel shall notify the Commission of that fact. The notification shall be accompanied by a statement of reasons and shall include practical recommendations on how to improve the situation.

3. If, 18 months after the notification referred to in paragraph 2, the practical recommendations have not been implemented, the European panel shall issue a recommendation to the Commission for the withdrawal of the label from the relevant site.

4. If the European panel establishes that a site participating in a transnational site or a national thematic site no longer meets the criteria or that it no longer respects the project and work plan submitted in its application, the procedure set out in paragraphs 1, 2 and 3 shall apply. Withdrawal pursuant to this paragraph shall apply to the transnational site or national thematic site in its entirety. However, in cases where the coherence of the transnational site or national thematic site will not be undermined, the European panel may recommend limiting the withdrawal to the participating site concerned.

5. The Commission shall take the decision to withdraw the label having due regard to the recommendation referred to in paragraph 3. The Commission shall inform the European Parliament, the Council and the Committee of the Regions of the withdrawal.

6. Sites may at any time renounce the label and, in such cases, they shall notify the Member States concerned which shall in turn inform the Commission of the renunciation. The Commission shall formalise the renunciation and inform the European Parliament, the Council and the Committee of the Regions to that effect.

Article 17

Practical arrangements

1. The Commission shall implement the action. It shall in particular:

- (a) ensure the overall coherence and quality of the action;
- (b) ensure coordination between the Member States and the European panel;

(c) in the light of the objectives and criteria, establish guidelines to assist with the selection and monitoring procedures in close cooperation with the European panel;

(d) provide support to the European panel.

2. The Commission shall be responsible for communicating information concerning the label and ensuring its visibility at Union level, in particular by setting up and maintaining a specific website. The Commission shall also ensure the creation of a logo for the action.

3. The Commission shall foster networking activities between the sites awarded the label.

4. The actions under paragraphs 2 and 3 of this Article, as well as the costs of the European panel, shall be financed through the financial envelope provided for in Article 20.

Article 18

Evaluation

1. The Commission shall ensure the external and independent evaluation of the action. Such evaluation shall take place every six years in accordance with the calendar set out in the Annex and shall examine all elements, including the efficiency of the processes involved in running the action, the number of sites, the impact of the action, the widening of its geographical scope, how it could be improved and whether it should be continued.

2. The Commission shall present a report on the evaluation provided for in paragraph 1 to the European Parliament, the Council and the Committee of the Regions within six months of its finalisation, accompanied, if appropriate, by relevant proposals.

Article 19

Transitional provisions

1. Member States which did not participate in the intergovernmental European Heritage Label initiative of 2006 ('inter-governmental initiative') may pre-select up to four sites in 2013 for the attribution of the label.

2. Member States which participated in the intergovernmental initiative may pre-select up to four sites in 2014 for the attribution of the label. They may propose sites which were already awarded a label within the intergovernmental initiative.

3. All sites referred to in paragraphs 1 and 2 shall be assessed by the European panel on the basis of the same criteria and follow the same procedure as those for other sites.

4. Where one of the sites referred to in paragraphs 1 and 2 does not meet the criteria or if further information is needed, the European panel shall initiate a dialogue with the Member State concerned via the Commission in order to examine whether the application can be improved before a decision is taken. Visits to the site may be organised if necessary.

Article 20

Financial provisions

1. The financial envelope for the implementation of the action during the period from 1 January 2012 to 31 December 2013 is set at EUR 650 000.

2. The annual appropriations shall be authorised by the budgetary authority within the limits of the multiannual financial framework.

Article 21

Entry into force

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

Done at Strasbourg, 16 November 2011.

For the European Parliament

The President

J. BUZEK

For the Council

The President

W. SZCZUKA

ANNEX

Calendar

Year	
2011	Entry into force of the Decision Preparatory work
2012	Preparatory work
2013	First selection of sites for the Member States which did not participate in the inter-governmental initiative
2014	First selection of sites for the Member States which participated in the intergovernmental initiative
2015	Selection
2016	Monitoring
2017	Selection
2018	Evaluation of the label
2019	Selection
2020	Monitoring
2021	Selection
2022	—
2023	Selection
2024	Monitoring Evaluation of the label
2025	Selection
...	...

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1195/2011

of 16 November 2011

concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

(1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.

(2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.

(3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

(4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

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

Done at Brussels, 16 November 2011.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>A product consisting of a plastic collar shaped to fit the neck with a shock-absorbing foam layer and hook-and-loop fasteners (so-called "cervical collar").</p> <p>It is used to support the cervical portion of a person's spinal cord (neck) and head, for example, when rescuing and transporting patients with suspected or known spinal injuries, or for supporting the neck of a person who has suffered an injury such as whiplash.</p>	9021 10 10	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 6 to Chapter 90 and by the wording of CN codes 9021, 9021 10 and 9021 10 10.</p> <p>The collar is considered to be an appliance for supporting or holding parts of the body following an illness, operation or injury within the meaning of Note 6 to Chapter 90.</p> <p>The product cannot be considered to be a splint or other fracture appliance as it is not used to immobilise part of the body following a fracture. Classification under CN code 9021 10 90 is therefore excluded.</p> <p>The product is therefore to be classified under CN code 9021 10 10 as an orthopaedic appliance.</p>

COMMISSION IMPLEMENTING REGULATION (EU) No 1196/2011
of 17 November 2011
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information which has been issued by the customs

authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 17 November 2011.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>A portable, battery-powered electronic eyewear apparatus for displaying images (so-called "video glasses") with dimensions in a folded state of approximately 15 × 3,5 × 2,5 cm.</p> <p>The electronic eyewear apparatus consists of two liquid crystal device (LCD) screens, each with a resolution of 640 × 480 pixels (virtual equivalent of an 80 inch screen viewed 2 meters away) and sound-processing circuits, mounted in a frame similar to a frame for spectacles.</p> <p>The apparatus can be connected to an automatic data-processing (ADP) machine and to apparatus such as video reproducers, television receivers or game consoles.</p> <p>It displays virtual 3-dimensional (3D) video images for entertainment purposes.</p>	8528 59 40	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8528, 8528 59 and 8528 59 40.</p> <p>The function of the eyewear apparatus is to display video within the meaning of heading 8528.</p> <p>As the apparatus does not incorporate a tuner or any similar device enabling the reception of television signals, classification as reception apparatus for television under subheading 8528 71 is excluded.</p> <p>The apparatus uses 2 very small LCD screens (one in front of each eye) for creating a virtual image equivalent of an 80 inch screen viewed 2 meters away. Given these characteristics and properties, the apparatus is intended for entertainment purposes such as watching films, viewing television or gaming. Consequently, classification under subheading 8528 51 is excluded as the apparatus cannot be considered of a kind solely or principally used in an ADP system of heading 8471.</p> <p>The apparatus is therefore to be classified under CN code 8528 59 40 as colour monitors with a screen of the liquid crystal display technology.</p>

COMMISSION IMPLEMENTING REGULATION (EU) No 1197/2011**of 21 November 2011****amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air passengers of the identity of the operating carrier, and repealing Article 9 of Directive 2004/36/CE ⁽¹⁾, and in particular Article 4 thereof ⁽²⁾,

Whereas:

(1) Commission Regulation (EC) No 474/2006 of 22 March 2006 established the Community list of air carriers which are subject to an operating ban within the Union referred to in Chapter II of Regulation (EC) No 2111/2005.

(2) In accordance with Article 4(3) of Regulation (EC) No 2111/2005, some Member States and the European Aviation Safety Agency (hereinafter "EASA") communicated to the Commission information that is relevant in the context of updating the Community list. Relevant information was also communicated by third countries. On this basis, the Community list should be updated.

(3) The Commission informed all air carriers concerned either directly or, when this was not practicable, through the authorities responsible for their regulatory oversight, indicating the essential facts and considerations which would form the basis for a decision to impose on them an operating ban within the Union or to modify the conditions of an operating ban imposed on an air carrier which is included in the Community list.

(4) Opportunity was given by the Commission to the air carriers concerned to consult documents provided by

Member States, to submit written comments and to make an oral presentation to the Commission within 10 working days and to the Air Safety Committee established by Council Regulation (EEC) No 3922/1991 of 16 December on the harmonization of the technical requirements and administrative procedures in the field of civil aviation ⁽³⁾.

(5) The Air Safety Committee has heard presentations by EASA about the results of the analysis of audit reports carried out by the International Civil Aviation Organisation (ICAO) in the framework of the comprehensive USOAP programme as well as technical assistance projects carried out in countries affected by Regulation (EC) No 2111/2005. It has been informed about the requests for further technical assistance and cooperation to improve the administrative and technical capability of civil aviation authorities with a view to resolving any non compliance with applicable international standards

(6) Regulation (EC) No 474/2006 should be therefore amended accordingly,

(7) The measures provided for in this Regulation are in accordance with the opinion of the Air Safety Committee,

European Union air carriers

(8) Following the analysis by EASA of information resulting from SAFA ramp checks carried out on aircraft of certain Union air carriers or from standardisation inspections carried out by EASA as well as area specific inspections and audits carried out by their national aviation authorities, some Member States have taken certain enforcement measures. They informed the Commission and the Air Safety Committee about these measures: Cyprus decided to revoke on 5 August 2011 the AOC of the air carrier Eurocypria Airlines; Italy informed the air transport license held by the air carriers Livingston and ItaliAirlines remain suspended; France decided to revoke the AOC of Blue Line on 6 October 2010. Greece decided to revoke the AOC of First Airways on 21 October 2010, to revoke the AOC of Athens Airways on 20 July 2011, to revoke the AOC of Air Go Airlines

⁽¹⁾ OJ L 344, 27.12.2005, p. 15

⁽²⁾ OJ L 143, 30.4.2004 p. 76

⁽³⁾ OJ L 373, 31.12.1991, p. 4

on 2 September 2011, to revoke the AOC of Argo Airways on 9 September 2011, to limit the validity of the license of the air carrier Hellenic Imperial Airways to five months until 2 February 2012 as a result of the ongoing heightened surveillance of its air operations and its maintenance; the United Kingdom confirmed that the enhanced surveillance activity of the air carriers Jet2.com, Oasis and Titan Airways has not revealed further safety concerns; the Netherlands decided to suspend the AOC of Solid-air on 28 September and to suspend the AOC of Amsterdam Airlines on 4 November 2011; Germany decided to revoke the AOC of ACH Hamburg GmbH on 29 June 2011. Furthermore, pending the expected reinforcement of the staffing of the LBA in 2012, the LBA are continuing to focus their oversight on those air carriers identified as presenting higher risks; Portugal informed that the AOC of the air carrier Luzair expired on 19 September 2011 and is in the process of recertification, and that, as the enhanced surveillance of White Airways has not revealed safety concerns, the air carrier has returned under normal surveillance; finally Sweden decided to suspend on 16 September 2011 the AOCs of the air carrier Flyg Centrum AB and the air carriers Nova Air and AirSweden Aviation AB have submitted corrective action plans which are being examined by the competent authorities of Sweden; in the meantime these air carriers remain under enhanced surveillance.

Air carriers from Spain

- (9) Following the adoption of Commission Implementing Regulation (EU) No390/2011 on 19 April 2011⁽¹⁾, two subsequent regular analyses of SAFA inspection data by EASA continues to show a high number of air carriers licensed in Spain with results from SAFA inspections of more than one major finding per inspection. As a result the Commission continued the formal consultations with the competent authorities of Spain (AESA) which were launched on 14 March 2011.
- (10) At a meeting on 19 October 2011, AESA briefed the Commission on the actions taken to date to address the identified safety issues with Spanish air carriers in a sustainable manner. In particular, AESA informed the Commission that the air carrier Flightline, following corrective actions by the company, had its AOC renewed, but limited to exclude the aircraft of type Metro III. In the case of the air carrier Zorex S.A., AESA had launched suspension action and provisional measures to prevent operations in May 2011. After remedial actions by the company the measures were lifted. However, following further evidence that the air carrier was not satisfactorily addressing safety concerns a new suspension procedure was commenced on 7 October 2011. Concerning the air carrier Alba Star, AESA had already detected issues with the safety

performance of this air carrier and were increasing oversight. AESA, from their own audits and inspections, had determined that the other Spanish air carriers that had had some poor results from SAFA inspections did not present any immediate safety risk but would continue to be subject to enhanced oversight.

- (11) AESA also briefed that the AOCs of Baleares Link Express and Eurocontinental had been revoked on 27 June 2011.
- (12) During the meeting of the Air Safety Committee AESA updated the Committee on further actions taken. They informed that the AOC of Zorex S.A. had been suspended on 7 November 2011, that the air carrier Alba Star had been subject to specific inspections on 24 October 2011 with no significant discrepancies detected, and that the last two SAFA inspections had no findings. Furthermore, the air carrier IMD Airways S.L. had been subject to a series of inspections on 20, 24 October and 3, 4 November 2011 with no significant findings.
- (13) Given the actions undertaken by AESA in addressing the identified safety deficiencies of Spanish air carriers it is assessed that, currently, the operations of these air carriers are sufficiently controlled by that authority to avoid any serious risks to safety and therefore no further action is necessary. Meanwhile the Commission, in co-operation with EASA, will continue to monitor the safety performance of Spanish air carriers.

Air carriers from Albania

- (14) ICAO carried out a comprehensive safety audit of Albania under its Universal Safety Oversight Audit Programme (USOAP) in December 2009. This audit reported a large number of significant deficiencies with regard to the capability of the competent authorities of Albania to discharge their air safety oversight responsibilities. At the time of the issuance of the final report stemming from this audit, more than 59 % of ICAO standards were considered by ICAO as not effectively implemented. On certain critical elements such as the resolution of safety concerns, more than 80 % of ICAO standards were not effectively implemented. In addition, the competent authorities of Albania failed to propose adequate corrective action plans, as demonstrated by the fact that more than 90 % of the corrective actions submitted by these authorities to ICAO in August 2010 in the fields of legislation, organisation, licensing, operations, airworthiness and accident/incident investigation have not been considered acceptable by ICAO. Furthermore, the competent authorities of Albania have failed to report the implementation of the above mentioned corrective action plans.

⁽¹⁾ OJ L 104, 20.4.2011, p. 10

- (15) EASA carried out a comprehensive standardisation inspection of Albania in January 2010. The final report of this inspection revealed significant deficiencies in all areas audited that needed to be immediately remedied. EASA informed however that the competent authorities of Albania (ACAA) had presented a comprehensive action plan that had been found acceptable and had been agreed on 29 April 2010 and a series of remedial actions to be implemented progressively until the end of 2011, with immediate actions to address the safety deficiencies. Further to the hearings of the ACAA before the Air Safety Committees held in March⁽¹⁾ and June 2010⁽²⁾ respectively, the competent authorities of Albania were urged to take the necessary actions to continue to implement effectively and timely the action plans agreed with EASA, with priority to the resolution of the deficiencies identified that raise safety concerns if not promptly corrected. It was in particular indicated that it was of utmost importance to accelerate the capacity building of the authority and to ensure the safety oversight of all air carriers certified in Albania in accordance with the applicable safety regulations and to take enforcement measures as necessary.
- (16) EASA continued actively the consultations with the competent authorities of Albania to follow-up the corrective action plans presented by these authorities in order to remedy the significant deficiencies identified by EASA during the comprehensive standardisation inspection of Albania carried out in January 2010. To that end, EASA carried out in July 2011 follow-up inspections in the fields of airworthiness and air operations. The final reports arising from these inspections, which were addressed to the ACAA on 10 August and 2 September 2011 respectively, reveal not only that the corrective action plans agreed have not been timely implemented, but that also new deficiencies had been reported. In the field of airworthiness, EASA concludes that three non-compliance findings stemming from the inspection of January 2010 were not adequately addressed by the competent authorities of Albania and that three additional ones were not satisfactorily closed contrary to previous statements of the competent authorities of Albania⁽³⁾, four of these findings being classified by EASA as affecting the safety. Accordingly, the ACAA have not been in a position to discharge their responsibilities regarding the oversight of airworthiness as ACAA does not hire qualified staff for that purpose and that the contracts established previously with external staff to compensate this situation have expired since January 2011. Consequently, there was no oversight neither of the airworthiness legislation in force in Albania nor of the certificate holders at the time of the inspection. In the field of air operations, EASA concludes that four non-compliance findings stemming from the inspection of January 2010 were not adequately addressed by the competent authorities of Albania and that two additional were not satisfactorily closed contrary to previous statements of the competent authorities of Albania⁽⁴⁾, five of these findings being classified by EASA as affecting the safety. Accordingly, the competent authorities of Albania have not been in a position to discharge effectively their responsibilities regarding the oversight of air operations as ACAA has not hired sufficient qualified staff for that purpose and that the contracts established previously with external staff to compensate this situation have been disrupted. Consequently, the implementation of the air operations' legislation in force in Albania and the oversight of the certificate holders is not robust and many safety critical elements are not overseen.
- (17) The competent authorities of Italy, which had embarked on an extensive twinning project with the competent authorities of Albania since September 2010, informed that these authorities, due to a lack of competent personnel, did make so far little use of the assistance offered to build up their technical and administrative capacity.
- (18) Given what precedes, the Commission continued actively the consultations with ACAA, requesting information regarding the safety oversight of air carriers licensed in Albania to be submitted in writing by 11 October 2011. Further consultations were held on 21 October 2011 with the competent authorities of France and Italy and the support of EASA. The ACAA were also invited to the Air Safety Committee and heard on 9 November 2011. ACAA did not provide further information on the actions undertaken to resolve the deficiencies reported by ICAO, nor evidence that all the deficiencies identified by EASA in its standardisation inspections had been timely resolved or were subject to corrective actions acceptable to EASA. EASA confirmed that only a limited number of actions were considered acceptable and only in the field of operations. The competent authorities of Albania confirmed that they do not have any qualified inspectors and continue to rely solely on three external consultants, contracted indirectly, working part time only and on short term basis until December 2011, to discharge on their behalf their oversight responsibilities. ACAA failed however to demonstrate the continuity of oversight as well as the absence of conflict of interest of the contracted agents. ACAA also failed to provide the extent of surveillance activities carried out in the field of airworthiness and
- ⁽¹⁾ Recitals (55) to (58) of Regulation (EC) No 273/2010 of 30 March 2010, OJ L 84, 31.03.2010, p. 30.
- ⁽²⁾ Recitals (24) to (30) of Regulation (EC) No 590/2010 of 5 July 2010, OJ L 170, 6.7.2010, p. 9.
- ⁽³⁾ EASA standardisation inspection AIR.AL.06.2011, 6 non-compliance findings open, reference AL#10418(d), 10419(d), 10423(c), 10426(c), 10427(d), 10428(d)
- ⁽⁴⁾ EASA standardisation inspection OPS.AL.06.2011, 4 non-compliance findings open, reference F3(d) in relation to the training programmes, F4(d) in relation to the inspection manual, F7(c) in relation to the SSP, F9(d) in relation to the continuing oversight

acknowledged that the safety oversight had been disrupted for several months in 2010/2011 due to difficulties experienced with the contracts of these experts.

- (19) The competent authorities of Albania however declared that the basic law establishing the ACAA was modified on 10 November 2011 to allow for more substantial financial independence and better employment conditions for the staff and that subsequently an international call for tender for technical assistance over five years is being organised, with a view to have contracts signed early 2012. They recognised that the use of externally contracted staff does not replace the need to recruit full time qualified inspectors within the authority to enable it to control the safety oversight functions and committed to recruit such staff as soon as practically possible.
- (20) The air carrier Albanian Airlines certified in Albania was invited to the Air Safety Committee and heard on 9 November 2011 in the presence of ACAA. Whilst the AOC was extended on 17 June 2011 to add a third aircraft of type BAE-146 with registration mark ZA-MAN, no evidence was provided that ex-ante verifications had been conducted by the competent authorities of Albania prior to the issuance of the certificate of airworthiness and the addition of the aircraft on the AOC. In addition, whilst the AOC was renewed on 27 July 2011 by the competent authorities of Albania, no evidence could be provided that ex-ante verifications had been conducted in the field of airworthiness prior to the renewal; with regard to operations, the ex-ante verifications were also limited. Although Albanian Airlines has established a functioning quality management system, no evidence was provided that all the deficiencies identified by ACAA and EASA in 2011 had been timely corrected, in particular those related to the operations manual and the training of the flight and cabin crew. The ACAA informed and provided written evidence on 10 November of the revocation with immediate effect the AOC of the air carrier Albanian Airlines. The Air Safety Committee took note of this decision of the competent authorities of Albania.
- (21) The air carrier Belle Air certified in Albania was invited to the Air Safety Committee and heard on 9 November 2011 in the presence of ACAA. Belle Air indicated that, out of the five aircraft operated, only one aircraft of type Boeing DC-9-82, is registered in Albania, the other aircraft of type Airbus A318/319/320/321 and ATR72 being registered in France under registration marks F-ORAA, F-ORAD, F-ORAE, F-ORAG. Belle Air demonstrated that the aircraft registered in France are managed by a contracted continuing airworthiness management organisation approved by the competent authorities of France and these confirmed the airworthiness and the licensing of the related crew remain under their safety oversight. Belle Air also demonstrated it had established internal controls of its activities, in particular through safety and quality management systems. The ACAA informed and provided written evidence on 10 November 2011 of

the withdrawal with immediate effect of the Certificate of Airworthiness of the aircraft with registration marks ZA-ARD operated until that date by Belle Air and of its immediate grounding until the completion of the certification process of this aircraft is completed. The Air Safety Committee took note of this decision of the competent authorities of Albania.

- (22) The Commission and the Air Safety Committee acknowledge the efforts made to reform the civil aviation system in Albania, in particular the establishment of a new legislative framework in line with international and European safety standards, the efforts undertaken to address the safety deficiencies reported by ICAO, EASA and those identified in the course of the consultations, as well as the enforcement actions adopted by ACAA and the commitment to hire without delay qualified inspectors on a permanent basis.
- (23) ACAA also formally requested the assistance of the competent authority of Italy, in the framework of an established cooperation arrangement between these authorities, in order to strengthen the administrative and technical capabilities of ACAA regarding the safety oversight, in particular in the field of air operations. The competent authorities of Italy informed the Air Safety Committee of their readiness to put in place this programme without delay, so as to enable the ACAA to exercise effectively the oversight of the air carriers under its regulatory control until such time the ACAA has the necessary qualified staff to do so independently.
- (24) In the light of these developments, it is assessed that, on the basis of the common criteria, that no further measures are needed at that stage. Member States will however verify effective compliance with the relevant safety standards through the prioritisation of ramp inspections on aircraft of air carriers certified in Albania pursuant to Regulation No 351/2008.
- (25) The Commission and the Air Safety Committee encourage Albania to make decisive progress in the build up of the technical and administrative capacity of ACAA and invites ACAA to cooperate fully and transparently with ICAO and EASA in order to demonstrate quick and substantial progress in the implementation of adequate corrective action plans to remedy all deficiencies identified. The Commission and the Air Safety Committee will reassess the situation in due time.

TAAG Angolan Airlines

- (26) As per Regulation (EC) No 273/2010⁽¹⁾ TAAG Angolan Airlines certified in Angola is allowed to operate in the EU only with four aircraft of type Boeing 737-700 with registration marks D2-TBF, D2-TBG, D2-TBH and D2-TBJ and with three aircraft of type Boeing 777-200

⁽¹⁾ Commission Regulation (EC) No 273/2010 of 30 March 2010, OJ L 84, 31.3.2010, p. 25, see in particular paragraphs (59) to (68).

with registration marks D2-TED, D2-TEE, D2-TEF. TAAG informed that following the renewal of its fleet the aircraft of type Boeing B747 were completely phased out and replaced in June/July 2011 by two aircraft of type Boeing 777-300 with registration mark D2-TEG and D2-TEH; TAAG requested these aircraft to be equally allowed to fly in the EU.

- (27) TAAG Angolan Airlines made written submissions and was heard by the Air Safety Committee on 9 November 2011. TAAG demonstrated its ability to ensure safe, secure and on-time operations of aircraft of type Boeing B777-200 and 777-300.
- (28) The competent authorities of Angola (INAVIC) confirmed to the Air Safety Committee and provided evidence that the extension of TAAG's fleet to the aircraft of type B777-300 was duly approved; INAVIC also stated that the air carrier is subject to continuous oversight, and that no safety concern has been identified in the course of this surveillance. With regard to the incident that occurred in December 2010 over Lisbon and Lunad, the on-going investigations by the competent authorities have not revealed deficiencies in the operations or maintenance of TAAG nor led to specific recommendations to the company.
- (29) The competent authorities of Portugal reported that no safety concern had been identified in the ramp inspections carried out in Portugal on aircraft operated by TAAG.
- (30) On the basis of the common criteria, it is assessed that TAAG should be allowed to operate into the EU the additional two aircraft of type Boeing B777-300ER with registration marks D2-TEG and D2-TEH that should be consequently added to Annex B. The operations of this carrier into the European Union should continue to be subject to appropriate verification of effective compliance with the relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this air carrier pursuant to Regulation No 351/2008.

Al Wafeer Air

- (31) Following the analysis by EASA of the results of SAFA ramp checks⁽¹⁾ carried out on aircraft operated into the EU by the air carrier Al Wafeer Air certified in Saudi Arabia, revealing repetitive serious non compliances with international safety standards, the Commission entered on 5 August 2011 into formal consultations with the competent authorities of Saudi Arabia. These informed on 14 September that the AOC of Al Wafeer Air had been suspended and provided assurance that the operations would not be allowed to resume without

ensuring the deficiencies identified in the course of the SAFA programme have been remedied. The Commission will continue its consultations with the competent authorities of Saudi Arabia to follow-up that case.

Pakistan International Airways

- (32) The Commission entered into consultations with the competent authorities of Pakistan on 8 September 2011 in order to resolve the findings in the area of airworthiness raised during numerous ramp inspections⁽²⁾ on aircraft operated by Pakistan International Airways PIA into the Union since September 2010. These consultations were launched as a result of an analysis of these SAFA inspections by EASA and in particular a SAFA inspection conducted by the competent authorities of France⁽³⁾ on an aircraft of type Airbus A310 with registration mark AP-BGO which resulted in the aircraft having to be ferried empty to Pakistan for remedial maintenance actions.
- (33) In their reply of 17 September 2011, the competent authorities of Pakistan (PCAA) provided information concerning actions taken by them to address the detected non-compliances. The response included details of a corrective action plan (CAP), produced by PIA, which set out 15 specific actions the air carrier planned to take, the majority of which were due to have been completed by 30 October 2011.
- (34) On 31 October 2011 the PCAA updated the Commission on the progress made by PIA in completing their corrective action plan, and on actions carried out by the PCAA. Of the fifteen actions in the PIA CAP, eight had been completed and the remainder were due to be completed no later than 15 December 2011. The PCAA had introduced a thirteen point plan to address the safety culture of PIA, the airworthiness status of their aircraft, and actions to achieve systemic improvements in the airline.
- (35) Member States encourage the Commission to pursue its consultation with the competent authorities of Pakistan and with the air carrier with a view to ensuring that any corrective and remedial actions are sustainable in the long term. To that end member States shall continue to verify the effective compliance with relevant safety

⁽¹⁾ DGAC/F-2010-2383, DGAC/F-2010-2540, DGAC/F-2010-2298, CAA-UK-2010-0993

⁽²⁾ AESA-E-2010-632, AESA-E-2011-361, AESA-E-2011-361, AESA-E-2011-455, AESA-E-2011-581, AESA-E-2011-701, CAA-N-2010-102, CAA-N-2010-119, CAA-N-2010-120, CAA-N-2011-5, CAA-N-2011-24, CAA-N-2011-38, CAA-UK-2010-918, CAA-UK-2010-958, CAA-UK-2010-1083, CAA-UK-2011-114, CAA-UK-2011-185, CAA-UK-2011-187, CAA-UK-2011-326, CAA-UK-2011-398, CAA-UK-2011-664, CAA-UK-2011-751, CAADK-2010-62, DGAC/F-2010-2034, DGAC/F-2010-2214, DGAC/F-2010-2518, DGAC/F-2010-2639, DGAC/F-2011-376, DGAC/F-2011-608, DGAC/F-2011-878, DGAC/F-2011-1138, DGAC/F-2011-1370, DGAC/F-2011-1560, DGAC/F-2011-1777, DGAC/F-2011-1811, DGAC/F-2011-2084, ENAC-IT-2011-219, ENAC-IT-2011-569, LBA/D-2010-1573, LBA/D-2011-534, LBA/D-2011-721, LBA/D-2011-1003

⁽³⁾ DGAC/F-2011-1811

standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier pursuant to Regulation (EC) No 351/2008 in order to confirm, or otherwise, the effectiveness of PIA's remedial actions. Should however these inspection reveal that PIA actions have failed to address the identified safety concerns, the Commission will have no choice but to act to contain any risks to safety.

Air carriers from the Russian Federation

(36) Following two subsequent regular analyses of SAFA inspection data by EASA where various air carriers licensed in the Russian Federation continue to show results from SAFA inspections of greater than one major finding per inspection as well as the fact that some of these air carriers experienced fatal accidents in 2011, the Commission held consultations with the competent authorities of the Russian Federation (Federal Air Transport Agency of the Russian Federation – FATA) in the margins of the EU-Russia Aviation Summit organised in St. Petersburg on 12 and 13 October 2011.

(37) In order to provide detailed information regarding the safety performance of air carriers operating into the Union and the safety of operations of certain types of aircraft involved in fatal accidents of Russian air carriers in the Russian Federation in 2010 and 2011 further consultations were held with these authorities on 27 October. Also during these consultations, two air carriers certified by these authorities VIM AVIA (VIM AIRLINES) and TATARSTAN AIRLINES were heard by the Commission, EASA, Eurocontrol and a Member State.

(38) During these consultations FATA informed that certain types of aircraft – Tupolev TU-134 and Tupolev TU-154B-2 and TU-154M operated by certain Russian air carriers were subject to various measures involving their continuing airworthiness, mandatory airworthiness information of equipment fitted thereon, as well as procedures for their operations. FATA also informed the Commission that certain equipment mandatory for international flights (GPWS/TAWS) were made obligatory also for domestic flights within the Russian Federation as of 1 January 2012.

(39) At the meeting of the Air Safety Committee on 8 November 2011 FATA informed of the following enforcement measures taken on air carriers under their regulatory control:

(a) The following 12 air carriers operating commercial air transport into the Union had had their AOCs revoked:

- 2nd Aviation Unit Sverdlovsk (ICAO designator UKU) revocation on 2.03.2011, MOSKVA (ICAO designator MOA) revocation on 23.03.2011, AVIAL NB (ICAO designator NVI), revocation

on 15.07.2011, AVIAENERGO (ICAO designator ERG), revocation on 18.07.2011, CONTINENT (ICAO designator CNE) revocation on 2.08.2011 in connection with statements by the operators concerned;

— RUSAIR (ICAO designator CGI) revocation on 13.07.2011 on the basis of facts following the accident on 20.06.2011 of the aircraft of type TU-134 operated by the air carrier;

— YAK SERVICE (ICAO designator AKY) revocation on 23.09.2011 on the basis of the facts following the accident on 7 September 2011 of the aircraft of type YAK-42 operated by the air carrier and the results of an inspection carried out on the air carrier by FATA on 22.09.2011;

— AEROSTARZ (ICAO designator ASE), revocation on 28.10.2011, AVIANOVA (ICAO designator VNV), revocation on 10.10.2011, KAVMINVO-DYAVIA (ICAO designator MVD) revocation on 27.09.2011 following the results of inspections carried out on these air carriers by FATA on 20.10.2011, 4.10.2011 and 27.09.2011 respectively;

— SKY EXPRESS (ICAO designator SXR) revocation on 31.10.2011 following industrial indicators, the financial condition of the air carrier and the results of an inspection carried out on the air carrier by FATA on 6.10.2011;

— AERORENT (ICAO designator NRO) revocation on 07.11.2011 following no compliance with certification requirements and the results of the inspection carried out by FATA on 27.09.2011;

(b) The following 6 air carriers operating commercial air transport into the Union had their AOCs modified with the imposition of operating restrictions by order of FATA on 2 November 2011:

— AVIASTAR-TU, UTAIR-CARGO, TATARSTAN AIRLINES, DAGHESTAN, YAKUTIA and VIM AVIA (VIM AIRLINES).

(40) As regards the performance of certain operators - Yakutia and Tatarstan Airlines- whose operations have been continuously monitored since 2007 and which had been heard by the Commission and members of the Air Safety Committee in April 2008, the Commission

drew the attention of FATA to the results of the analysis by EASA of the SAFA ramp checks which indicates that certain airworthiness and operations related weaknesses have not been effectively addressed by previous corrective and remedial actions. FATA informed that it had requested the competent regional authorities responsible for the oversight of these air carriers to investigate the results of the SAFA inspections and to ensure that appropriate corrective measures were implemented by these air carriers to resolve any detected deficiencies.

- (41) Both air carriers were heard by the Air Safety Committee on 8 November 2011 whereby they made presentations showing that they had resolved the findings raised previously during SAFA ramp inspections. Both air carriers stated that they had stopped operations into the Union following the decision of FATA of November 2, 2011.
- (42) As regards the air carrier VIM AVIA (VIM AIRLINES), the Commission drew the attention of FATA to two issues which raised concerns about the effective compliance of the air carrier with relevant safety standards, namely the correspondence by the competent authorities of France addressed to FATA following an inspection at a French airport ⁽¹⁾ which resulted into numerous significant and serious findings affecting the safety of operations and leading to the grounding of the aircraft and the restriction imposed by these authorities for the return flight (ferry flight) and the revocation on 24 May 2011 of the maintenance approval issued to that air carrier by EASA (EASA 145.0410) following its suspension on 24 September 2010 in view of the failure of VIM AVIA (VIM AIRLINES) to resolve adequately the findings in accordance with the relevant legislation ⁽²⁾. The unresolved findings which led to the revocation of the maintenance approval confirmed deficiencies in the area of airworthiness raised during various SAFA inspections at Union airports ⁽³⁾ notably those affecting undetected defects or damages and known defects or damages left without assessment or monitoring and damages or defected outside acceptable maintenance limits.
- (43) During its presentation in the Air Safety Committee VIM AVIA (VIM AIRLINES) did not show that the air carrier has in place a functioning safety management system which ensures that the operator is capable of correctly

identifying, evaluating, managing and controlling risks in an appropriate manner to ensure that it operates safely. VIM AVIA (VIM AIRLINES) stated that it had stopped operations into the Union following the decision of FATA of November 2, 2011.

- (44) On the basis of information presented by Eurocontrol, the Air Safety Committee learned that all three air carriers – VIM AVIA (VIM AIRLINES), YAKUTIA and TATARSTAN AIRLINES have actually operated various flights into the EU still after November 2, 2011. The Air Safety Committee was also informed that one air carrier – AERO RENT, whose AOC was revoked by FATA performed commercial flights departing from the EU after the date of the decision of revocation.
- (45) In the light of this information the Commission was compelled to request urgent clarifications from FATA with a view to receiving assurances that the various enforcement measures (revocation of AOCs and imposition of operating restrictions) vis-à-vis Russian air carriers were effectively complied with.
- (46) Having examined the documentation submitted by this air carrier and having listened to its presentations in the Air Safety Committee, the Commission and the Air Safety Committee have expressed doubts about the capability of VIM AVIA (VIM AIRLINES) to resume operations into the European Union unless and until they have received the necessary documented evidence that it has fully implemented corrective and remedial actions to address any findings resulting from both SAFA and continuous surveillance activities of FATA in a sustainable manner.
- (47) The Commission requested information from FATA on 10 November 2011 with a view to receiving assurances by 14 November 2011 that the operations into the Union of the air carriers concerned were effectively restricted until they had demonstrated that they had appropriately resolved all findings resulting from both SAFA and continuous surveillance activities of FATA in a sustainable manner. FATA submitted documented evidence on 14 November confirming that the operations of the air carrier VIM AVIA (VIM AIRLINES) will remain restricted until April 1, 2012 and that the operations of the other five Russian air carriers were restricted until such time as they had demonstrated to FATA that they had addressed effectively all safety issues arising from SAFA ramp inspections. Also, FATA confirmed that it was taking the necessary steps to ensure that all air carriers affected by operating restrictions complied effectively with the decisions of FATA.

⁽¹⁾ DGAC/F-2011-2145

⁽²⁾ Commission Regulation (EC) No 2042/2003, OJ L 315, 28.11.2003, p. 1

⁽³⁾ SDAT-2011-0058; ENAC-IT-2011-0027; ENAC-IT-2011-0180; SCCA-2010-0002; GDCA-2010-0028; AESA-E-2010-0922; CAAHUN-2011-0023; ENAC-IT-2011-0510; AESA-E-2010-0690; ENAC-IT-2010-0649; LBA/D-2011-0594; CAA-NL-2011-0143; DGAC/F-2011-2145; ENAC-IT-2010-0796; CAA-NL-2011-0141; SCCA-2011-0009; CAA-N-2011-0013; ENAC-IT-2011-0020; ENAC-IT-2011-0103; GDCA-2011-0029; SAFA-BUL-2011-0064; SAFA-DGAC/F-2011-0445; SAFA-BUL-2011-0015; HCAAGR-2011-0039; ENAC-IT-2011-0092; LBA/D-2010-1312; BUL-2010-0105; SCCA-2010-0008; CAA-SR-2011-0044; HCAAGR-2010-0397; DGAC/F-2010-2689; HCAAGR-2010-0414

- (48) In view of the documentation submitted by FATA, it is assessed that, at this stage, in accordance with the common criteria, no further measures are necessary on VIM AVIA (VIM AIRLINES). The Commission will examine again the performance of this air carrier in the Air Safety Committee in March 2012.
- (49) The Air Safety Committee has expressed the desire to continue a constructive dialogue with FATA on all matters affecting safety. The Commission and the Air Safety Committee will monitor closely the performance of the air carriers whose operations into the Union have been restricted by FATA to ensure that they resume operations once they have demonstrated that they effectively resolved all findings resulting from ramp inspections carried out in the EU. The Commission and the Air Safety Committee will pursue the sustainable resolution of any safety non compliances detected during SAFA ramp inspections through further technical consultations with FATA. In the meantime, Member States will continue to verify the effective compliance of Russian air carriers with the relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of these carriers pursuant to Regulation (EC) No 351/2008 and the Commission will closely monitor the actions taken by them.

Jordan Aviation

- (50) On the basis of an analysis of the results of SAFA inspections carried out on certain air carriers certified in the Hashemite Kingdom of Jordan since 2010, the Commission entered into consultations with the competent authorities for civil aviation of the Hashemite Kingdom (CARC) of Jordan on 1 September 2011 with a view to receiving assurances that the safety deficiencies raised during these SAFA inspections had been resolved in a sustainable manner and, where this had not yet happened, that appropriate measures had been taken to mitigate the identified safety risks.
- (51) In their reply of 19 September 2011, CARC did not provide clear evidence of corrective and preventive measures effectively implemented by the air carriers concerned. Moreover, the lack of information regarding the root-cause analysis of the safety deficiencies coupled with increasingly poor results of SAFA inspections observed on several air operators certified in the Hashemite Kingdom of Jordan raised some questions on the ability of the competent authorities of that country to conduct appropriately continuous oversight of the air carriers it certified.
- (52) The Commission addressed further requests for information on 6 October 2011 and invited CARC to a meeting in Brussels on 21 October 2011 to clarify the

abovementioned issues. During this meeting CARC outlined a series of measures that were initiated by this authority in September 2011 to strengthen its oversight over the air carriers certified in Jordan and ensure that the results of ramp inspections carried out in the framework of the European programme for the Safety Assessment of Foreign Aircraft (SAFA) are duly taken into account in the oversight of the Jordanian air carriers, so that safety deficiencies identified during inspections are resolved in a sustainable manner. However, this meeting did not allow for sufficient clarification to be presented with regard to the safety performance of the air carrier Jordan Aviation.

- (53) In the case of Jordan Aviation the SAFA reports point to significant deficiencies in the management of airworthiness and operations of the aircraft of type Boeing B-767. In particular, following a SAFA inspection of B767, Reg No JY-JAG in France⁽¹⁾, serious airworthiness deficiencies required the aircraft to be ferried empty for remedial maintenance actions. The number of findings at each SAFA inspection, as well as the repetition of the safety deficiencies since 2010, indicate a serious safety concern. As a consequence, CARC and the operator Jordan Aviation were invited to make presentations to the Air Safety Committee in November 2011.
- (54) During their hearing by the Air Safety Committee on 9 November 2011, CARC and Jordan Aviation recognized the benefits of the consultations engaged with the Commission assisted by EASA and the Member States. These consultations triggered the establishment by both organisations of a corrective action plan aiming at addressing the safety deficiencies raised during the SAFA inspections, as well as the weaknesses identified in their own internal processes. The Committee acknowledged the efforts made towards bringing sustainable solutions to the safety deficiencies and took note of the commitment made by CARC and Jordan Aviation to fully implement their plan as presented during the hearing.
- (55) The Committee, whilst welcoming the encouraging moves by the air carrier, expressed its concerns regarding the current capability of Jordan Aviation to mitigate the safety risks regarding the commercial operations with its aircraft of type Boeing B-767. Taking into account the numerous and repeated safety deficiencies detected during ramp checks of aircraft of type Boeing B-767 operated by Jordan Aviation and the insufficient ability of the company to implement, to date, an appropriate corrective and preventive actions plan, and the lack of exercise of adequate safety oversight exercised by CARC, it is assessed, on the basis of the common criteria, that Jordan Aviation should be placed on Annex B and its operations should be subject

⁽¹⁾ DGAC/F-2011-269

to restrictions to exclude all aircraft of type Boeing B-767. The air carrier should be permitted to fly into the Union with the other types of aircraft on its AOC as per Annex B.

- (56) Member States encourage the Commission to pursue its consultation with the competent authorities of the Hashemite Kingdom of Jordan with a view to ensuring that international safety standards are effectively enforced by these authorities and that any corrective and preventive actions implemented by all air carriers concerned are sustainable in the long term. In the meantime, Member States shall continue to verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier pursuant to Regulation (EC) No 351/2008.
- (57) The Commission is ready to support the efforts of CARC and Jordan Aviation, through an assessment visit, with the participation of Member States and EASA, to verify the safety performance of Jordan Aviation as well as the progress made by CARC in the field of the oversight of the air operators certified in the Hashemite Kingdom of Jordan.

Rollins Air

- (58) The Commission launched formal consultations with the company Rollins Air certified by the competent authorities of Honduras following information provided by the competent authorities of France informing about their decision not to issue traffic rights to this air carrier pending resolution of the safety deficiencies identified during the technical assessment of the technical questionnaire and additional information submitted by Rollins Air for the purpose of receiving the landing authorisation (issuance of a so-called SAFA standard report).
- (59) The company was invited to clarify the following issues and make presentations to the Air Safety Committee on 8 November 2011: a) evidence that a flight data analysis programme compliant with the ICAO provisions had been implemented; b) evidence that France including its overseas territories was part of the authorized area of operations for the aircraft of type L1011-500 registered under HR-AVN, as authorized by its competent authority; c) evidence that the pilots involved in the intended flight had passed the necessary proficiency checks over the last 12 months and d) that the flight crew proposed by the air carrier were both over ICAO acceptable age limits.
- (60) Neither Rollins Air nor the competent authority of Honduras (DGAC) was present in the Air Safety Committee. DGAC empowered the diplomatic representation of Honduras to the Kingdom of Belgium to inform the Air Safety Committee about their official position on 9 November 2011, according to which the DGAC initiated a procedure to cancel the registration of aircraft HR-AVN from the national registry of Honduras and that Rollins Air is no longer allowed to

operate the aforementioned aircraft. However, Rollins Air operates more aircraft of this type and no further information was presented in relation to the issues raised above.

- (61) The Committee took into consideration that Honduras is classified under category 2 of the US IASA programme by the US Federal Aviation Administration indicating systemic deficiencies within the competent authorities of Honduras to discharge effectively its certification and oversight obligations on the air carriers under its regulatory control.
- (62) Consequently, on the basis of the common criteria, it is assessed that Rollins Air should be included in Annex A pending submission of evidence of rectification of the deficiencies raised in the standard report issued by the French competent authority.

Air carriers from the Republic of Congo

- (63) The competent authorities of the Republic of Congo (ANAC) informed of the issuance of a new AOC to the air carrier Equatorial Congo Airlines S.A. on 23 September 2011, thus without demonstrating that the certification and oversight of this air carrier complies fully with applicable international safety standards. Therefore, on the basis of the common criteria, it is assessed that Equatorial Congo Airlines S.A. should be equally included in Annex A.

Air carriers from the Democratic Republic of Congo

- (64) There is verified evidence that the competent authorities of the Democratic Republic of Congo (AAC) issued a new AOC to the air carrier Stellar Airways, whilst there is no evidence that the certification and oversight of this air carrier complies fully with applicable international safety standards. Therefore, on the basis of the common criteria, it is assessed that Stellar Airways should be equally included in Annex A.

Air carriers from the Philippines

- (65) The Commission was informed that the competent authorities of the Philippines (CAAP) would have issued new AOC to air carriers such as Aeromajestic and Inter-island Airlines. The CAAP failed to reply to the Commission's request for information sent on 26 October 2011 regarding the validity of the certificates held by this companies and did not demonstrate further that their certification and oversight comply with the applicable international safety standards. Therefore, on the basis of the common criteria, it is assessed that these carriers should be equally included in Annex A.

General considerations concerning the other carriers included in Annexes A and B

(66) No evidence of the full implementation of appropriate remedial actions by the other air carriers included in the Community list updated on 19 April 2011 and by the authorities with responsibility for regulatory oversight of these air carriers has been communicated to the Commission so far in spite of specific requests submitted by the latter. Therefore, on the basis of the common criteria, it is assessed that these air carriers should continue to be subject to an operating ban (Annex A) or operating restrictions (Annex B), as the case may be.

(67) The measures provided for in this Regulation are in accordance with the opinion of the Air Safety Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 474/2006 is amended as follows:

1. Annex A is replaced by the text set out in Annex A to this Regulation.
2. Annex B is replaced by the text set out in Annex B to this Regulation.

Article 2

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

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

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 21 November 2011.

*For the Commission,
On behalf of the President,
Joaquín ALMUNIA
Vice-President*

ANNEX A

LIST OF AIR CARRIERS OF WHICH ALL OPERATIONS ARE SUBJECT TO A BAN WITHIN THE EU ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
BLUE WING AIRLINES	SRBWA-01/2002	BWI	Suriname
MERIDIAN AIRWAYS LTD	AOC 023	MAG	Republic of Ghana
ROLLINS AIR	HR-005	RAV	Honduras
SILVERBACK CARGO FREIGHTERS	Unknown	VRB	Republic of Rwanda
All air carriers certified by the authorities with responsibility for regulatory oversight of Afghanistan, including			Islamic Republic of Afghanistan
ARIANA AFGHAN AIRLINES	AOC 009	AFG	Islamic Republic of Afghanistan
KAM AIR	AOC 001	KMF	Islamic Republic of Afghanistan
PAMIR AIRLINES	Unknown	PIR	Islamic Republic of Afghanistan
SAFI AIRWAYS	AOC 181	SFW	Islamic Republic of Afghanistan
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines put in Annex B, including			Republic of Angola
AEROJET	AO 008-01/11	Unknown	Republic of Angola
AIR26	AO 003-01/11-DCD	DCD	Republic of Angola
AIR GICANGO	009	Unknown	Republic of Angola
AIR JET	AO 006-01/11-MBC	MBC	Republic of Angola
AIR NAVE	017	Unknown	Republic of Angola
ANGOLA AIR SERVICES	006	Unknown	Republic of Angola
DIEXIM	007	Unknown	Republic of Angola
FLY540	AO 004-01 FLYA	Unknown	Republic of Angola
GIRA GLOBO	008	GGL	Republic of Angola
HELIANG	010	Unknown	Republic of Angola

⁽¹⁾ Air carriers listed in Annex A could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
HELIMALONGO	AO 005-01/11	Unknown	Republic of Angola
MAVEWA	016	Unknown	Republic of Angola
SONAIR	AO 002-01/10-SOR	SOR	Republic of Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Benin, including			Republic of Benin
AERO BENIN	PEA No 014/MDCTTTATP- PR/ANAC/DEA/SCS	AEB	Republic of Benin
AFRICA AIRWAYS	Unknown	AFF	Republic of Benin
ALAFIA JET	PEA No 014/ANAC/ MDCTTTATP- PR/DEA/SCS	N/A	Republic of Benin
BENIN GOLF AIR	PEA No 012/MDCTTP- PR/ANAC/DEA/SCS.	BGL	Republic of Benin
BENIN LITTORAL AIRWAYS	PEA No 013/MDCTTTATP- PR/ANAC/DEA/SCS.	LTL	Republic of Benin
COTAIR	PEA No 015/MDCTTTATP- PR/ANAC/DEA/SCS.	COB	Republic of Benin
ROYAL AIR	PEA No 11/ANAC/ MDCTTP-PR/DEA/SCS	BNR	Republic of Benin
TRANS AIR BENIN	PEA No 016/MDCTTTATP- PR/ANAC/DEA/SCS	TNB	Republic of Benin
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Congo, including			Republic of Congo
AERO SERVICE	RAC06-002	RSR	Republic of Congo
EQUAFLIGHT SERVICES	RAC 06-003	EKA	Republic of Congo
SOCIETE NOUVELLE AIR CONGO	RAC 06-004	Unknown	Republic of Congo
TRANS AIR CONGO	RAC 06-001	Unknown	Republic of Congo
EQUATORIAL CONGO AIRLINES S.A.	RAC 06-014	Unknown	Republic of Congo
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (RDC), including			Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
AFRICAN AIR SERVICES COMMUTER	409/CAB/MIN/TVC/ 051/09	Unknown	Democratic Republic of Congo (RDC)
AIR KASAI	409/CAB/MIN/ TVC/ 036/08	Unknown	Democratic Republic of Congo (RDC)
AIR KATANGA	409/CAB/MIN/TVC/ 031/08	Unknown	Democratic Republic of Congo (RDC)
AIR TROPIQUES	409/CAB/MIN/TVC/ 029/08	Unknown	Democratic Republic of Congo (RDC)
BLUE AIRLINES	409/CAB/MIN/TVC/ 028/08	BUL	Democratic Republic of Congo (RDC)
BRAVO AIR CONGO	409/CAB/MIN/TC/ 0090/2006	BRV	Democratic Republic of Congo (RDC)
BUSINESS AVIATION	409/CAB/MIN/TVC/ 048/09	ABB	Democratic Republic of Congo (RDC)
BUSY BEE CONGO	409/CAB/MIN/TVC/ 052/09	Unknown	Democratic Republic of Congo (RDC)
CETRACA AVIATION SERVICE	409/CAB/MIN/TVC/ 026/08	CER	Democratic Republic of Congo (RDC)
CHC STELLAVIA	409/CAB/MIN/TC/ 0050/2006	Unknown	Democratic Republic of Congo (RDC)
CONGO EXPRESS	409/CAB/MIN/TVC/ 083/2009	Unknown	Democratic Republic of Congo (RDC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	409/CAB/MIN/TVC/ 035/08	Unknown	Democratic Republic of Congo (RDC)
DOREN AIR CONGO	409/CAB/MIN/TVC/ 0032/08	Unknown	Democratic Republic of Congo (RDC)
ENTREPRISE WORLD AIRWAYS (EWA)	409/CAB/MIN/TVC/ 003/08	EWS	Democratic Republic of Congo (RDC)
FILAIR	409/CAB/MIN/TVC/ 037/08	Unknown	Democratic Republic of Congo (RDC)
GALAXY KAVATSI	409/CAB/MIN/TVC/ 027/08	Unknown	Democratic Republic of Congo (RDC)
GILEMBE AIR SOUTENANCE (GISAIR)	409/CAB/MIN/TVC/ 053/09	Unknown	Democratic Republic of Congo (RDC)
GOMA EXPRESS	409/CAB/MIN/TC/ 0051/2006	Unknown	Democratic Republic of Congo (RDC)
GOMAIR	409/CAB/MIN/TVC/ 045/09	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
HEWA BORA AIRWAYS (HBA)	409/CAB/MIN/TVC/ 038/08	ALX	Democratic Republic of Congo (RDC)
INTERNATIONAL TRANS AIR BUSINESS (ITAB)	409/CAB/MIN/TVC/ 033/08	Unknown	Democratic Republic of Congo (RDC)
KIN AVIA	409/CAB/MIN/TVC/ 042/09	Unknown	Democratic Republic of Congo (RDC)
KORONGO AIRLINES	409/CAB/MIN/TVC/ 001/2011	Unknown	Democratic Republic of Congo (RDC)
LIGNES AÉRIENNES CONGOLAISES (LAC)	Ministerial signature (ordonnance No. 78/205)	LCG	Democratic Republic of Congo (RDC)
MALU AVIATION	409/CAB/MIN/ TVC/04008	Unknown	Democratic Republic of Congo (RDC)
MANGO AVIATION	409/CAB/MIN/TVC/ 034/08	Unknown	Democratic Republic of Congo (RDC)
SAFE AIR COMPANY	409/CAB/MIN/TVC/ 025/08	Unknown	Democratic Republic of Congo (RDC)
SERVICES AIR	409/CAB/MIN/TVC/ 030/08	Unknown	Democratic Republic of Congo (RDC)
STELLAR AIRWAYS	AAC/DG/DTA/TM/ 787/2011	Unknown	Democratic Republic of Congo (RDC)
SWALA AVIATION	409/CAB/MIN/TVC/ 050/09	Unknown	Democratic Republic of Congo (RDC)
TMK AIR COMMUTER	409/CAB/MIN/TVC/ 044/09	Unknown	Democratic Republic of Congo (RDC)
TRACEP CONGO AVIATION	409/CAB/MIN/TVC/ 046/09	Unknown	Democratic Republic of Congo (RDC)
TRANS AIR CARGO SERVICES	409/CAB/MIN/TVC/ 024/08	Unknown	Democratic Republic of Congo (RDC)
WIMBI DIRA AIRWAYS	409/CAB/MIN/TVC/ 039/08	WDA	Democratic Republic of Congo (RDC)
ZAABU INTERNATIONAL	409/CAB/MIN/TVC/ 049/09	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Djibouti, including			Djibouti
DAALLO AIRLINES	Unknown	DAO	Djibouti

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including			Equatorial Guinea
CRONOS AIRLINES	Unknown	Unknown	Equatorial Guinea
CEIBA INTERCONTINENTAL	Unknown	CEL	Equatorial Guinea
EGAMS	Unknown	EGM	Equatorial Guinea
EUROGUINEANA DE AVIACION Y TRANSPORTES	2006/001/MTTCT/ DGAC/SOPS	EUG	Equatorial Guinea
GENERAL WORK AVIACION	002/ANAC	n/a	Equatorial Guinea
GETRA - GUINEA ECUATORIAL DE TRANSPORTES AEREOS	739	GET	Equatorial Guinea
GUINEA AIRWAYS	738	n/a	Equatorial Guinea
STAR EQUATORIAL AIRLINES	Unknown	Unknown	Equatorial Guinea
UTAGE – UNION DE TRANSPORTE AEREO DE GUINEA ECUATORIAL	737	UTG	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Indonesia, with the exception of Garuda Indonesia, Airfast Indonesia, Mandala Airlines, Ekspres Transportasi Antarbenua, Indonesia Air Asia and Metro Batavia, including			Republic of Indonesia
AIR PACIFIC UTAMA	135-020	Unknown	Republic of Indonesia
ALFA TRANS DIRGANTATA	135-012	Unknown	Republic of Indonesia
ASCO NUSA AIR	135-022	Unknown	Republic of Indonesia
ASI PUDJIASTUTI	135-028	Unknown	Republic of Indonesia
AVIASTAR MANDIRI	135-029	Unknown	Republic of Indonesia
DABI AIR NUSANTARA	135-030	Unknown	Republic of Indonesia
DERAYA AIR TAXI	135-013	DRY	Republic of Indonesia
DERAZONA AIR SERVICE	135-010	DRZ	Republic of Indonesia
DIRGANTARA AIR SERVICE	135-014	DIR	Republic of Indonesia
EASTINDO	135-038	Unknown	Republic of Indonesia
GATARI AIR SERVICE	135-018	GHS	Republic of Indonesia
INDONESIA AIR TRANSPORT	135-034	IDA	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Republic of Indonesia
JOHNLIN AIR TRANSPORT	135-043	Unknown	Republic of Indonesia
KAL STAR	121-037	KLS	Republic of Indonesia
KARTIKA AIRLINES	121-003	KAE	Republic of Indonesia
KURA-KURA AVIATION	135-016	KUR	Republic of Indonesia
LION MENTARI AIRLINES	121-010	LNI	Republic of Indonesia
MANUNGGAL AIR SERVICE	121-020	Unknown	Republic of Indonesia
MEGANTARA	121-025	MKE	Republic of Indonesia
MERPATI NUSANTARA AIRLINES	121-002	MNA	Republic of Indonesia
MIMIKA AIR	135-007	Unknown	Republic of Indonesia
NATIONAL UTILITY HELICOPTER	135-011	Unknown	Republic of Indonesia
NUSANTARA AIR CHARTER	121-022	Unknown	Republic of Indonesia
NUSANTARA BUANA AIR	135-041	Unknown	Republic of Indonesia
NYAMAN AIR	135-042	Unknown	Republic of Indonesia
PELITA AIR SERVICE	121-008	PAS	Republic of Indonesia
PENERBANGAN ANGKASA SEMESTA	135-026	Unknown	Republic of Indonesia
PURA WISATA BARUNA	135-025	Unknown	Republic of Indonesia
RIAU AIRLINES	121-016	RIU	Republic of Indonesia
SAMPOERNA AIR NUSANTARA	135-036	SAE	Republic of Indonesia
SAYAP GARUDA INDAH	135-004	Unknown	Republic of Indonesia
SKY AVIATION	135-044	Unknown	Republic of Indonesia
SMAC	135-015	SMC	Republic of Indonesia
SRIWIJAYA AIR	121-035	SJY	Republic of Indonesia
SURVEI UDARA PENAS	135-006	Unknown	Republic of Indonesia
TRANSWISATA PRIMA AVIATION	135-021	Unknown	Republic of Indonesia
TRAVEL EXPRESS AVIATION SERVICE	121-038	XAR	Republic of Indonesia
TRAVIRA UTAMA	135-009	Unknown	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
TRI MG INTRA ASIA AIRLINES	121-018	TMG	Republic of Indonesia
TRIGANA AIR SERVICE	121-006	TGN	Republic of Indonesia
UNINDO	135-040	Unknown	Republic of Indonesia
WING ABADI AIRLINES	121-012	WON	Republic of Indonesia
All air carriers certified by the authorities with responsibility for regulatory oversight of Kazakhstan, with the exception of Air Astana, including			Republic of Kazakhstan
AERO AIR COMPANY	AK-0429-10	ILK	Republic of Kazakhstan
AIR ALMATY	AK-0409-09	LMY	Republic of Kazakhstan
AIR TRUST AIRCOMPANY	AK-0412-10	RTR	Republic of Kazakhstan
AK SUNKAR AIRCOMPANY	AK-0396-09	AKS	Republic of Kazakhstan
ASIA CONTINENTAL AIRLINES	AK-0345-08	CID	Republic of Kazakhstan
ASIA WINGS	AK-0390-09	AWA	Republic of Kazakhstan
ATMA AIRLINES	AK-0437-10	AMA	Republic of Kazakhstan
AVIA-JAYNAR / AVIA-ZHAYNAR	AK-0435-10	SAP	Republic of Kazakhstan
BEYBARS AIRCOMPANY	AK-0383-09	BBS	Republic of Kazakhstan
BERKUT AIR/BEK AIR	AK-0428-10	BEK	Republic of Kazakhstan
BURUNDAYAVIA AIRLINES	AK-0415-10	BRY	Republic of Kazakhstan
COMLUX	AK-0399-09	KAZ	Republic of Kazakhstan
DETA AIR	AK-0417-10	DET	Republic of Kazakhstan
EAST WING	AK-0411-09	EWZ	Republic of Kazakhstan
EASTERN EXPRESS	AK-0427-10	LIS	Republic of Kazakhstan
EURO-ASIA AIR	AK-0384-09	EAK	Republic of Kazakhstan
EURO-ASIA AIR INTERNATIONAL	AK-0389-09	KZE	Republic of Kazakhstan
FLY JET KZ	AK-0391-09	FJK	Republic of Kazakhstan
INVESTAVIA	AK-0342-08	TLG	Republic of Kazakhstan
IRTYSH AIR	AK-0439-11	MZA	Republic of Kazakhstan
JET AIRLINES	AK-0419-10	SOZ	Republic of Kazakhstan

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
JET ONE	AK-0433-10	JKZ	Republic of Kazakhstan
KAZAIR JET	AK-0387-09	KEJ	Republic of Kazakhstan
KAZAIRTRANS AIRLINE	AK-0349-09	KUY	Republic of Kazakhstan
KAZAIRWEST	AK-0404-09	KAW	Republic of Kazakhstan
KAZAVIASPAS	AK-0405-09	KZS	Republic of Kazakhstan
MEGA AIRLINES	AK-0424-10	MGK	Republic of Kazakhstan
MIRAS	AK-0402-09	MIF	Republic of Kazakhstan
PRIME AVIATION	AK-0393-09	PKZ	Republic of Kazakhstan
SAMAL AIR	AK-0407-09	SAV	Republic of Kazakhstan
SAYAKHAT AIRLINES	AK-0426-10	SAH	Republic of Kazakhstan
SEMEYAVIA	AK-400-09	SMK	Republic of Kazakhstan
SCAT	AK-0420-10	VSV	Republic of Kazakhstan
SKYBUS	AK-0432-10	BYK	Republic of Kazakhstan
SKYJET	AK-0398-09	SEK	Republic of Kazakhstan
UST-KAMENOGORSK / AIR DIVISION OF EKA	AK-0440-11	UCK	Republic of Kazakhstan
ZHETYSU AIRCOMPANY	AK-0438-11	JTU	Republic of Kazakhstan
All air carriers certified by the authorities with responsibility for regulatory oversight of the Kyrgyz Republic, including			Kyrgyz Republic
AIR MANAS	17	MBB	Kyrgyz Republic
ASIAN AIR	36	AZZ	Kyrgyz Republic
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyz Republic
AEROSTAN (EX BISTAIR-FEZ BISHKEK)	08	BSC	Kyrgyz Republic
CENTRAL ASIAN AVIATION SERVICES (CAAS)	13	CBK	Kyrgyz Republic
CLICK AIRWAYS	11	CGK	Kyrgyz Republic
DAMES	20	DAM	Kyrgyz Republic
EASTOK AVIA	15	EEA	Kyrgyz Republic
ITEK AIR	04	IKA	Kyrgyz Republic

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
KYRGYZ TRANS AVIA	31	KTC	Kyrgyz Republic
KYRGYZSTAN	03	LYN	Kyrgyz Republic
KYRGYZSTAN AIRLINE	Unknown	KGA	Kyrgyz Republic
S GROUP AVIATION	6	SGL	Kyrgyz Republic
SKY WAY AIR	21	SAB	Kyrgyz Republic
TRAST AERO	05	TSJ	Kyrgyz Republic
VALOR AIR	07	VAC	Kyrgyz Republic
All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia.			Liberia
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Gabon, with the exception of Gabon Airlines, Afrijet and SN2AG put in Annex B, including			Republic of Gabon
AFRIC AVIATION	010/MTAC/ANAC-G/DSA	Unknown	Republic of Gabon
AIR SERVICES SA	004/MTAC/ANAC-G/DSA	RVS	Republic of Gabon
AIR TOURIST (ALLEGIANCE)	007/MTAC/ANAC-G/DSA	LGE	Republic of Gabon
NATIONALE ET REGIONALE TRANSPORT (NATIONALE)	008/MTAC/ANAC-G/DSA	NRG	Republic of Gabon
SCD AVIATION	005/MTAC/ANAC-G/DSA	SCY	Republic of Gabon
SKY GABON	009/MTAC/ANAC-G/DSA	SKG	Republic of Gabon
SOLENTA AVIATION GABON	006/MTAC/ANAC-G/DSA	Unknown	Republic of Gabon
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Mauritania, including			Republic of Mauritania
MAURITANIA AIRWAYS		MTW	Republic of Mauritania
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Mozambique, including			Republic of Mozambique
MOZAMBIQUE AIRLINES – LINHAS AEREAS DE MOÇAMBIQUE	MOZ-01/2010	LAM	Republic of Mozambique

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
MOZAMBIQUE EXPRESS/MEX	02 of 2010	MXE	Republic of Mozambique
TRANS AIRWAYS/KAYA AIRLINES	03 of 2010	Unknown	Republic of Mozambique
HELICOPTEROS CAPITAL	Unknown	Unknown	Republic of Mozambique
CFA MOZAMBIQUE	Unknown	Unknown	Republic of Mozambique
UNIQUE AIR CHARTER	Unknown	Unknown	Republic of Mozambique
AEROVISAO DE MOZAMBIQUE	Unknown	Unknown	Republic of Mozambique
SAFARI AIR	Unknown	Unknown	Republic of Mozambique
ETA AIR CHARTER LDA	04 of 2010	Unknown	Republic of Mozambique
EMILIO AIR CHARTER LDA	05 of 2010	Unknown	Republic of Mozambique
CFM-TTA SA	07 of 2010	Unknown	Republic of Mozambique
AERO-SERVICOS SARL	08 of 2010	Unknown	Republic of Mozambique
VR CROSPRAYERS LDA	06 of 2010	Unknown	Republic of Mozambique
All air carriers certified by the authorities with responsibility for regulatory oversight of the Phil- ippines, including			Republic of the Philippines
AEROMAJESTIC	Unknown	Unknown	Republic of the Philippines
AEROWURKS AERIAL SPRAYING SERVICES	2010030	Unknown	Republic of the Philippines
AIR PHILIPPINES CORPORATION	2009006	GAP	Republic of the Philippines
AIR WOLF AVIATION INC.	200911	Unknown	Republic of the Philippines
AIRTRACK AGRICULTURAL CORPORATION	2010027	Unknown	Republic of the Philippines
ASIA AIRCRAFT OVERSEAS PHILIPPINES INC.	4AN9800036	Unknown	Republic of the Philippines
AVIATION TECHNOLOGY INNOVATORS, INC.	4AN2007005	Unknown	Republic of the Philippines
AVIATOUR'S FLY'N INC.	200910	Unknown	Republic of the Philippines
AYALA AVIATION CORP.	4AN9900003	Unknown	Republic of the Philippines
BEACON	Unknown	Unknown	Republic of the Philippines
BENDICE TRANSPORT MANAGEMENT INC.	4AN2008006	Unknown	Republic of the Philippines
CANADIAN HELICOPTERS PHILIPPINES INC.	4AN9800025	Unknown	Republic of the Philippines
CEBU PACIFIC AIR	2009002	CEB	Republic of the Philippines

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
CHEMTRAD AVIATION CORPORATION	2009018	Unknown	Republic of the Philippines
CM AERO	4AN2000001	Unknown	Republic of the Philippines
CORPORATE AIR	Unknown	Unknown	Republic of the Philippines
CYCLONE AIRWAYS	4AN9900008	Unknown	Republic of the Philippines
FAR EAST AVIATION SERVICES	2009013	Unknown	Republic of the Philippines
F.F. CRUZ AND COMPANY, INC.	2009017	Unknown	Republic of the Philippines
HUMA CORPORATION	2009014	Unknown	Republic of the Philippines
INAEC AVIATION CORP.	4AN2002004	Unknown	Republic of the Philippines
INTERISLAND	Unknown	Unknown	Republic of the Philippines
ISLAND AVIATION	2009009	SOY	Republic of the Philippines
ISLAND TRANSVOYAGER	2010022	Unknown	Republic of the Philippines
LION AIR, INCORPORATED	2009019	Unknown	Republic of the Philippines
MACRO ASIA AIR TAXI SERVICES	2010029	Unknown	Republic of the Philippines
MINDANAO RAINBOW AGRICULTURAL DEVELOPMENT SERVICES	2009016	Unknown	Republic of the Philippines
MISIBIS AVIATION & DEVELOPMENT CORP	2010020	Unknown	Republic of the Philippines
OMNI AVIATION CORP.	2010033	Unknown	Republic of the Philippines
PACIFIC EAST ASIA CARGO AIRLINES, INC.	4AS9800006	PEC	Republic of the Philippines
PACIFIC AIRWAYS CORPORATION	4AN9700007	Unknown	Republic of the Philippines
PACIFIC ALLIANCE CORPORATION	4AN2006001	Unknown	Republic of the Philippines
PHILIPPINE AIRLINES	2009001	PAL	Republic of the Philippines
PHILIPPINE AGRICULTURAL AVIATION CORP.	4AN9800015	Unknown	Republic of the Philippines
ROYAL AIR CHARTER SERVICES INC.	2010024	Unknown	Republic of the Philippines
ROYAL STAR AVIATION, INC.	2010021	Unknown	Republic of the Philippines
SOUTH EAST ASIA AIRLINE INC. (SEAIR)	2009004	Unknown	Republic of the Philippines
SOUTHSTAR AVIATION COMPANY, INC.	4AN9800037	Unknown	Republic of the Philippines
SPIRIT OF MANILA AIRLINES CORPORATION	2009008	MNP	Republic of the Philippines

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
SUBIC INTERNATIONAL AIR CHARTER	4AN9900010	Unknown	Republic of the Philippines
SUBIC SEAPLANE, INC.	4AN2000002	Unknown	Republic of the Philippines
TOPFLITE AIRWAYS, INC.	4AN9900012	Unknown	Republic of the Philippines
TRANSGLOBAL AIRWAYS CORPORATION	2009007	TCU	Republic of the Philippines
WORLD AVIATION, CORP.	Unknown	Unknown	Republic of the Philippines
WCC AVIATION COMPANY	2009015	Unknown	Republic of the Philippines
YOKOTA AVIATION, INC.	Unknown	Unknown	Republic of the Philippines
ZENITH AIR, INC.	2009012	Unknown	Republic of the Philippines
ZEST AIRWAYS INCORPORATED	2009003	RIT	Republic of the Philippines
All air carriers certified by the authorities with responsibility for regulatory oversight of Sao Tome and Principe, including			Sao Tome and Principe
AFRICA CONNECTION	10/AOC/2008	Unknown	Sao Tome and Principe
BRITISH GULF INTERNATIONAL COMPANY LTD	01/AOC/2007	BGI	Sao Tome and Principe
EXECUTIVE JET SERVICES	03/AOC/2006	EJZ	Sao Tome and Principe
GLOBAL AVIATION OPERATION	04/AOC/2006	Unknown	Sao Tome and Principe
GOLIAF AIR	05/AOC/2001	GLE	Sao Tome and Principe
ISLAND OIL EXPLORATION	01/AOC/2008	Unknown	Sao Tome and Principe
STP AIRWAYS	03/AOC/2006	STP	Sao Tome and Principe
TRANSAFRIK INTERNATIONAL LTD	02/AOC/2002	TFK	Sao Tome and Principe
TRANSCARG	01/AOC/2009	Unknown	Sao Tome and Principe
TRANSLIZ AVIATION (TMS)	02/AOC/2007	TMS	Sao Tome and Principe
All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone, including			Sierra Leone
AIR RUM, LTD	Unknown	RUM	Sierra Leone
DESTINY AIR SERVICES, LTD	Unknown	DTY	Sierra Leone
HEAVYLIFT CARGO	Unknown	Unknown	Sierra Leone
ORANGE AIR SIERRA LEONE LTD	Unknown	ORJ	Sierra Leone

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
PARAMOUNT AIRLINES, LTD	Unknown	PRR	Sierra Leone
SEVEN FOUR EIGHT AIR SERVICES LTD	Unknown	SVT	Sierra Leone
TEEBAH AIRWAYS	Unknown	Unknown	Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Sudan, including			Republic of Sudan
SUDAN AIRWAYS	Unknown	SUD	Republic of the Sudan
SUN AIR COMPANY	051	SNR	Republic of the Sudan
MARSLAND COMPANY	040	MSL	Republic of the Sudan
ATTICO AIRLINES	023	ETC	Republic of the Sudan
FOURTY EIGHT AVIATION	054	WHB	Republic of the Sudan
SUDANESE STATES AVIATION COMPANY	010	SNV	Republic of the Sudan
ALMAJARA AVIATION	Unknown	MJA	Republic of the Sudan
BADER AIRLINES	035	BDR	Republic of the Sudan
ALFA AIRLINES	054	AAJ	Republic of the Sudan
AZZA TRANSPORT COMPANY	012	AZZ	Republic of the Sudan
GREEN FLAG AVIATION	017	Unkown	Republic of the Sudan
ALMAJAL AVIATION SERVICE	015	MGG	Republic of the Sudan
NOVA AIRLINES	001	NOV	Republic of the Sudan
TARCO AIRLINES	056	Unknown	Republic of the Sudan
All air carriers certified by the authorities with responsibility for regulatory oversight of Swaziland, including			Swaziland
SWAZILAND AIRLINK	Unknown	SZL	Swaziland
All air carriers certified by the authorities with responsibility for regulatory oversight of Zambia, including			Zambia
ZAMBEZI AIRLINES	Z/AOC/001/2009	ZMA	Zambia

ANNEXE B

**LIST OF AIR CARRIERS OF WHICH OPERATIONS ARE SUBJECT TO OPERATIONAL RESTRICTIONS
WITHIN THE EU ⁽¹⁾**

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s)	State of registry
AIR KORYO	GAC-AOC/KOR-01	KOR	DPRK	All fleet with the exception of: 2 aircraft of type TU- 204	All fleet with the exception of: P-632, P-633	DPRK
AFRIJET ⁽¹⁾	002/MTAC/ANAC-G/DSA	ABS	Republic of Gabon	All fleet with the exception of: 2 aircraft of type Falcon 50, 2 aircraft of type Falcon 900	All fleet with the exception of: TR-LGV; TR-LGY; TR-AFJ; TR-AFR	Republic of Gabon
AIR ASTANA ⁽²⁾	AK-0388-09	KZR	Kazakhstan	All fleet with the exception of: 2 aircraft of type B-767, 4 aircraft of type B-757, 10 aircraft of type A319/320/321, 5 aircraft of type Fokker 50	All fleet with the exception of: P4-KCA, P4-KCB, P4-EAS, P4-FAS, P4-GAS, P4-MAS; P4-NAS, P4-OAS, P4-PAS, P4-SAS, P4-TAS, P4-UAS, P4-VAS, P4-WAS, P4-YAS, P4-XAS; P4-HAS, P4-IAS, P4-JAS, P4-KAS, P4-LAS	Aruba (Kingdom of the Netherlands)
AIRLIFT INTERNATIONAL (GH) LTD	AOC 017	ALE	Republic of Ghana	All fleet with the exception of: 2 aircraft of type DC8-63F	All fleet with the exception of: 9G-TOP and 9G-RAC	Republic of Ghana
AIR MADAGASCAR	5R-M01/2009	MDG	Madagascar	All fleet with the exception of: 2 aircraft of type Boeing B-737-300, 2 aircraft of type ATR 72-500, 1 aircraft of type ATR 42-500, 1 aircraft of type ATR 42-320 and 3 aircraft of type DHC 6-300	All fleet with the exception of: 5R-MFH, 5R-MFI, 5R-MJE, 5R-MJF, 5R-MJG, 5R-MVT, 5R-MGC, 5R-MGD, 5R-MGF	Republic of Madagascar
AIR SERVICE COMORES	06-819/TA-15/DGACM	KMD	Comoros	All fleet with the exception of: LET 410 UVP	All fleet with the exception of: D6-CAM (851336)	Comoros

⁽¹⁾ Air carriers listed in Annex B could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s)	State of registry
GABON AIRLINES ⁽³⁾	001/MTAC/ANAC	GBK	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Boeing B-767-200	All fleet with the exception of: TR-LHP	Republic of Gabon
IRAN AIR ⁽⁴⁾	FS100	IRA	Islamic Republic of Iran	All fleet with the exception of: 14 aircraft of type A-300, 8 aircraft of type A-310, 1 aircraft B-737	All fleet with the exception of: EP-IBA EP-IBB EP-IBC EP-IBD EP-IBG EP-IBH EP-IBI EP-IBJ EP-IBM EP-IBN EP-IBO EP-IBS EP-IBT EP-IBV EP-IBX EP-IBZ EP-ICE EP-ICF EP-IBK EP-IBL EP-IBP EP-IBQ EP-AGA	Islamic Republic of Iran
JORDAN AVIATION	C002	JAV	Hashemite Kingdom of Jordan	All fleet with the exception of: 8 aircraft of type Boeing B-737, 2 aircraft of type Airbus A-310, 1 aircraft of type Airbus A-320	All fleet with the exception of: JY-JAB JY-JAD JY-JAN JY-JAO JY-JAX JY-JAY JY-JAP JY-JAQ JY-JAV JY-JAH JY-JAC	Hashemite Kingdom of Jordan
NOUVELLE AIR AFFAIRES GABON (SN2AG)	003/MTAC/ANAC-G/DSA	NVS	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Challenger CL-601, 1 aircraft of type HS-125-800	All fleet with the exception of: TR-AAG, ZS-AFG	Republic of Gabon; Republic of South Africa

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s)	State of registry
TAAG ANGOLA AIRLINES	001	DTA	Republic of Angola	All fleet with the exception of: 5 aircraft of type Boeing B-777 and 4 aircraft of type Boeing B-737-700	All fleet with the exception of: D2-TED, D2-TEE, D2-TEF, D2-TEG, D2-TEH, D2-TBF, D2-TBG, D2-TBH, D2-TBJ	Republic of Angola

(¹) Afrijet is only allowed to use the specific aircraft mentioned for its current operations within the European Union.

(²) Air Astana is only allowed to use the specific aircraft mentioned for its current operations within the European Union.

(³) Gabon Airlines is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

(⁴) Iran Air is allowed to operate to the European Union using the specific aircraft under the conditions set out in recital (69) Regulation (EU) No 590/2010, OJ L 170, 6.7.2010, p.15.

COMMISSION IMPLEMENTING REGULATION (EU) No 1198/2011**of 21 November 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 22 November 2011.

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

Done at Brussels, 21 November 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	AL	51,9
	MA	47,0
	MK	57,4
	TR	86,5
	ZZ	60,7
0707 00 05	AL	64,0
	EG	161,4
	TR	143,8
	ZZ	123,1
0709 90 70	MA	51,8
	TR	145,1
	ZZ	98,5
0805 20 10	MA	90,5
	ZA	65,5
	ZZ	78,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	43,8
	IL	74,8
	JM	134,1
	MA	53,5
	TR	79,0
	UY	42,7
	ZA	62,9
	ZZ	70,1
0805 50 10	TR	57,0
	ZA	43,5
	ZZ	50,3
0808 10 80	CA	110,8
	CL	90,0
	MK	41,0
	NZ	65,3
	TR	95,1
	US	111,2
	ZA	108,7
	ZZ	88,9
0808 20 50	AR	43,9
	CN	90,1
	TR	85,0
	ZA	73,2
	ZZ	73,1

⁽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 1199/2011**of 21 November 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 1166/2011 ⁽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 22 November 2011.

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

Done at Brussels, 21 November 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 297, 16.11.2011, p. 59.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 22 November 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⁾	41,78	0,00
1701 11 90 ⁽¹⁾	41,78	2,37
1701 12 10 ⁽¹⁾	41,78	0,00
1701 12 90 ⁽¹⁾	41,78	2,07
1701 91 00 ⁽²⁾	45,89	3,70
1701 99 10 ⁽²⁾	45,89	0,57
1701 99 90 ⁽²⁾	45,89	0,57
1702 90 95 ⁽³⁾	0,46	0,24

⁽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

DECISION OF THE EUROPEAN CENTRAL BANK

of 15 November 2011

amending Decision ECB/2007/7 concerning the terms and conditions of TARGET2-ECB

(ECB/2011/19)

(2011/749/EU)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 11.6 and Articles 17, 22 and 23 thereof,

Having regard to Guideline ECB/2007/2 of 26 April 2007 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) ⁽¹⁾, and in particular Article 6(2) thereof,

Whereas:

- (1) Guideline ECB/2007/2 has been amended by Guideline ECB/2011/15 of 14 October 2011 amending Guideline ECB/2007/2 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) ⁽²⁾, inter alia, (a) to include the 'grounds of prudence' among the criteria on the basis of which an application for participation in TARGET2 may be rejected, and a participant's participation in TARGET2 or its access to intraday credit might be suspended, limited or terminated; and (b) to reflect new requirements for TARGET2 participants related to the administrative and restrictive measures introduced pursuant to Articles 75 and 215 of the Treaty.

- (2) Therefore, it is necessary to amend the Annex to Decision ECB/2007/7 of 24 July 2007 concerning the terms and conditions of TARGET2-ECB ⁽³⁾ to incorporate certain elements from Guideline ECB/2011/15 into the terms and conditions of TARGET2-ECB,

HAS ADOPTED THIS DECISION:

Article 1

Amendment of the terms and conditions of TARGET2-ECB

The Annex to Decision ECB/2007/7 which contains the terms and conditions of TARGET2-ECB is amended in accordance with the Annex to this Decision.

Article 2

Entry into force

This Decision shall enter into force on 21 November 2011.

Done at Frankfurt am Main, 15 November 2011.

The President of the ECB

Mario DRAGHI

⁽¹⁾ OJ L 237, 8.9.2007, p. 1.

⁽²⁾ OJ L 279, 26.10.2011, p. 5.

⁽³⁾ OJ L 237, 8.9.2007, p. 71.

ANNEX

The Annex to Decision ECB/2007/7 is amended as follows:

(1) in Article 1 the following definitions are replaced:

- “payee”, except where used in Article 33, means a TARGET2 participant whose PM account will be credited as a result of a payment order being settled,
- “payer”, except where used in Article 33, means a TARGET2 participant whose PM account will be debited as a result of a payment order being settled;’;

(2) Article 6(4)(c) is replaced by the following:

- ‘(c) in the ECB’s assessment, such participation would endanger the overall stability, soundness and safety of TARGET2-ECB or of any other TARGET2 component system, would jeopardise the ECB’s performance of its tasks as described in the Statute of the European System of Central Banks and of the European Central Bank, or poses risks on the grounds of prudence.’;

(3) Article 28(2)(e) and (f) is replaced by the following:

- ‘(e) any other participant-related event occurs which, in the ECB’s assessment, would threaten the overall stability, soundness and safety of TARGET2-ECB or of any other TARGET2 component system, which would jeopardise the ECB’s performance of its tasks as described in the Statute of the European System of Central Banks and of the European Central Bank, or poses risks on the grounds of prudence;
- (f) the ECB suspends, limits or terminates the participant’s access to intraday credit pursuant to paragraph 12 of Annex III to Guideline ECB/2007/2.’;

(4) Article 33 is amended as follows:

- (a) the title ‘Data protection, prevention of money laundering and related issues’ is replaced by ‘Data protection, prevention of money laundering, administrative or restrictive measures and related issues’;

(b) the following paragraph 3 is added:

‘3. Participants, when acting as the payment service provider of a payer or payee, shall comply with all requirements resulting from administrative or restrictive measures imposed pursuant to Article 75 or 215 of the Treaty on the Functioning of the European Union, including with respect to notification and/or obtaining consent from a competent authority in relation to the processing of transactions. In addition:

(a) when the ECB is the payment service provider of a participant that is a payer:

- (i) the participant shall make the required notification or obtain consent on behalf of the central bank that is primarily required to make notification or obtain consent, and shall provide the ECB with evidence of having made a notification or having received consent; and
- (ii) the participant shall not enter any credit transfer order into TARGET2 until it has obtained confirmation from the ECB that the required notification has been made or the consent has been obtained by or on behalf of the payment service provider of the payee;

(b) when the ECB is a payment service provider of a participant that is a payee, the participant shall make the required notification or obtain consent on behalf of the central bank that is primarily required to make notification or obtain consent, and shall provide the ECB with evidence of having made a notification or having received consent.

For the purposes of this paragraph, the terms “payment service provider”, “payer” and “payee” shall have the meanings given to them in the applicable administrative or restrictive measures.’.

RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 8 September 2011

on support for an EU-wide eCall service in electronic communication networks for the transmission of in-vehicle emergency calls based on 112 ('eCalls')

(Text with EEA relevance)

(2011/750/EU)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Council Decision 91/396/EEC of 29 July 1991 on the introduction of a single European emergency call number ⁽¹⁾ required Member States to ensure that the number 112 was introduced in public telephone networks as the single European emergency call number.
- (2) Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) ⁽²⁾ requires Member States to ensure that calls to the number 112 are appropriately answered and handled, and that all end-users are able to call 112 free of charge.
- (3) Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport ⁽³⁾ included harmonised provision for an interoperable EU-wide eCall service as a priority action. The introduction of such a harmonised service in all vehicles in the European Union has the potential to significantly reduce the number of fatalities and the severity of injuries resulting from road accidents.
- (4) It is important for all Member States to develop common technical solutions and practices for the provision of

emergency call services. The development of common technical solutions should be pursued through the European standardisation organisations, in order to facilitate the introduction of the eCall service, ensure the interoperability and continuity of the service EU-wide, and reduce the costs of implementation for the European Union.

- (5) A harmonised solution across Europe would ensure interoperability for transmitting the voice/audio call and the minimum set of data generated by the in-vehicle eCall system to the public safety answering point, including the accurate location and time of the incident. A harmonised solution would also ensure the continuity of the eCall service across European countries. With the high volume of cross-border traffic in Europe, there is a growing need for a common data transfer protocol for passing such information to public safety answering points and emergency services in order to avoid the risk of confusion or wrong interpretation of the data passed.
- (6) The effective implementation of a harmonised EU-wide interoperable eCall service requires that the voice/audio call, along with the minimum set of data generated by the in-vehicle system on the incident, is transmitted automatically to any appropriate public safety answering point that can receive and use the location data provided.
- (7) The arrangements for forwarding information by mobile network operators to public safety answering points should be established in a transparent and non-discriminatory way, including, where appropriate, any cost aspects.
- (8) A harmonised solution across Europe may also ensure interoperability for advanced eCall applications, such as the provision of additional information, e.g. on crash-sensor indicators, on the type of dangerous goods carried or on the number of occupants of the vehicle.

⁽¹⁾ OJ L 217, 6.8.1991, p. 31.

⁽²⁾ OJ L 108, 24.4.2002, p. 51.

⁽³⁾ OJ L 207, 6.8.2010, p. 1.

- (9) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽¹⁾ and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) ⁽²⁾ generally require that the privacy and data protection rights of individuals should be fully respected and adequate technical and organisational security measures should be implemented for that purpose. However, it allows the use of location data by emergency services without the consent of the user concerned. In particular, Member States should ensure that there are transparent procedures governing the way in which a provider of a public telecommunications network and/or service may override the absence of consent by a user to the processing of location data, on a per-line basis for organisations that deal with emergency calls and are recognised as such by a Member State.
- (10) The eCall service has been designed to follow the recommendations made by the Article 29 Data Protection Working Party and contained in the working document on data protection and privacy implications of the eCall initiative, adopted on 26 September 2006, namely that vehicles equipped with eCall devices should not be traceable in their normal operational status and that the minimum set of data sent by the eCall device should include the minimum information required for the appropriate handling of emergency calls.
- (11) This Recommendation will allow Member States to design the eCall response organisation in a way that best suits their emergency response infrastructure.
- (12) Actions under the European Union's action programme in the field of civil protection should aim to integrate civil protection objectives within other Union policies and actions as well as ensure the consistency of the programme with other Union actions. This entitles the Commission to implement actions to increase the preparedness of organisations involved in civil protection in the Member States, by enhancing their ability to respond to emergencies and by improving the techniques and methods of response and immediate aftercare. This may include the handling and use of eCall information by public safety answering points and emergency services.
- (13) For the successful implementation of an eCall service throughout the Union, implementation issues must be addressed and timescales for the introduction of new systems coordinated. The European eCall Implementation Platform, established by the Commission in February 2009 as a partnership between the public and private sectors, has allowed all stakeholders to discuss and agree on the principles for harmonised and timely implementation.
- (14) To achieve the objectives of this Recommendation, a continued dialogue between mobile network operators and service providers and public authorities, including emergency services, is essential.
- (15) Given the continuous evolution of concepts and technologies, Member States are encouraged to foster and support the development of services for emergency assistance, for instance to tourists and travellers and to transporters of dangerous goods by road, and to support the development and implementation of common interface specifications in ensuring Europe-wide interoperability of such services,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should apply the following harmonised conditions and principles to the making of emergency calls manually or automatically by an in-vehicle telematics terminal to public safety answering points via the single European emergency call number 112.
2. For the purposes of this Recommendation, the following definitions apply:
 - (a) 'emergency service' means a service, recognised as such by the Member State, that provides immediate and rapid assistance in situations where there is a direct risk to life or limb, to individual or public health or safety, to private or public property, or to the environment, but not necessarily limited to these situations;
 - (b) 'public safety answering point' (PSAP) means the physical location where emergency calls are first received under the responsibility of a public authority or a private organisation recognised by the national government, whereby the 'most appropriate PSAP' is the one defined beforehand by authorities to cover emergency calls from a certain area or for emergency calls of a certain type (e.g. eCalls);
 - (c) 'eCall' means an in-vehicle emergency call to 112, made either automatically via activation of in-vehicle sensors or manually, which carries, by means of mobile wireless communications networks, a standardised minimum set of data and establishes an audio channel between the occupants of the vehicle and the most appropriate public safety answering point;
 - (d) 'emergency service category value' is the 8-bit value used for mobile-originated emergency calls to indicate the particular type of emergency call (1-Police, 2-Ambulance, 3-Fire Brigade, 4-Marine Guard,

⁽¹⁾ OJ L 281, 23.11.1995, p. 31.

⁽²⁾ OJ L 201, 31.7.2002, p. 37.

5-Mountain Rescue, 6-Manually Initiated eCall, 7-Automatically Initiated eCall, 8-spare), as indicated in Table 10.5.135d of ETSI TS 124.008;

- (e) 'eCall discriminator' or 'eCall flag' means the 'emergency service category value' allocated to eCalls according to ETSI TS 124.008 (i.e. '6-Manually Initiated eCall' and '7-Automatically Initiated eCall'), allowing differentiation between 112 calls from mobile terminals and 112 eCalls from in-vehicle terminals and also between manually and automatically triggered eCalls;
 - (f) 'minimum set of data' means the information which must be sent to the PSAP according to the standard EN 15722; and
 - (g) 'mobile telecommunication network operator' or 'mobile network operator' means a provider of a public mobile wireless communications network.
3. Member States should draw up detailed rules for public mobile network operators operating in their countries on handling eCalls. The rules should fully comply with the data protection provisions enshrined in Directives 95/46/EC and 2002/58/EC. Further, they should indicate the most appropriate public safety answering point to route eCalls.
4. Member States should ensure that mobile network operators implement the mechanism to handle the 'eCall discriminator' in their networks. This should be implemented by 31 December 2014.
5. Mobile network operators should handle an eCall like any other call to the single European emergency number 112.
6. Member States should require their national authorities to report to the Commission on the measures taken regarding this Recommendation, and on the state of implementation by the mobile network operators of the mechanism to handle the 'eCall discriminator' in their networks, by the end of March 2012, so that the Commission can undertake a review taking into account the emerging requirements for public safety answering points.
- Done at Brussels, 8 September 2011.
- For the Commission*
Neelie KROES
Vice-President

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