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► B **COMMISSION IMPLEMENTING REGULATION (EU) 2021/521**
of 24 March 2021
making specific arrangements to the mechanism making the exportation of certain products
subject to the production of an export authorisation
(OJ L 104, 25.3.2021, p. 52)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Implementing Regulation (EU) 2021/734 of 5 May 2021	L 158	13	6.5.2021
► <u>M2</u>	Commission Implementing Regulation (EU) 2021/1071 of 29 June 2021	L 230	28	30.6.2021
► <u>M3</u>	Commission Implementing Regulation (EU) 2021/1728 of 29 September 2021	L 345	34	30.9.2021

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export authorisation

Article 1

The application of point (a) of Article 1(9) of Implementing Regulation (EU) 2021/442 is suspended.

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However, the suspension shall not apply to the following countries and territories:

- Andorra,
- the Faroe Islands,
- Iceland
- Liechtenstein
- Norway
- San Marino,
- Vatican City,
- the overseas countries and territories listed in Annex II to the Treaty on the Functioning of the European Union,
- Büsingen,
- Helgoland,
- Livigno,
- Ceuta and Melilla.

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Article 2

1. The competent authority of a Member State shall grant an export authorisation requested pursuant to Implementing Regulation (EU) 2021/442 provided that:

- (a) the export authorisation fulfils the condition of Article 1(7) of Implementing Regulation (EU) 2021/442;
- (b) the authorisation does not otherwise pose a threat to the security of supply within the Union of the goods covered by Implementing Regulation (EU) 2021/442.

2. To determine whether the condition in point (b) of paragraph 1 is fulfilled, the competent authority of the Member State shall assess the following factors:

- (a) whether the country of destination of the export restricts its own exports to the Union of goods covered by Implementing Regulation (EU) 2021/442, or of the raw materials from which they are made, either by law or by any other means, including through the conclusion of contractual arrangements with the manufacturers of those goods;

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(b) the relevant conditions prevailing in the country of destination of the export, including the epidemiological situation, the vaccination rate and the existing availability of goods covered by Implementing Regulation (EU) 2021/442.

3. When the Commission assesses the draft decision notified by the competent authority of the Member State pursuant to Article 2(4) of Implementing Regulation (EU) 2021/442, it shall also evaluate whether the condition in point (b) of paragraph 1 of this Article is fulfilled, having regard to the factors listed in its paragraph 2.

Article 3

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

▼ M3

It shall apply until 31 December 2021.

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