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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 640/2011

of 30 June 2011

amending for the 152nd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, ⁽¹⁾ and in particular Article 7(1)(a), and 7a(5) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 22 June 2011 the Sanctions Committee of the United Nations Security Council decided to remove five natural persons and three legal persons from its list of persons, groups and entities to whom the freezing of funds and economic resources should apply.

- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex 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.

Done at Brussels, 30 June 2011.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instruments*

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

- (1) The following entries under the heading 'Legal persons, groups and entities' are deleted:
- (a) '**Meadowbrook Investments Limited**. Address: 44 Upper Belgrave Road, Clifton, Bristol, BS8 2XN, United Kingdom. Other information: (a) Registration number: 05059698; (b) Associated with Mohammed Benhammedi. Date of designation referred to in Article 2a(4)(b): 7.2.2006.'
 - (b) '**Ozlam Properties Limited**. Address: 88 Smithdown Road, Liverpool L7 4JQ, United Kingdom. Other information: (a) Registration number: 05258730; (b) Associated with Mohammed Benhammedi. Date of designation referred to in Article 2a(4)(b): 7.2.2006.'
 - (c) '**Sara Properties Limited** (*alias* Sara Properties). Address: (a) 104 Smithdown Road, Liverpool, Merseyside L7 4JQ, United Kingdom (b) 2a Hartington Road, Liverpool L8 OSG, United Kingdom. Other information: (a) Registration number: 4636613; (b) Associated with Mohammed Benhammedi. Date of designation referred to in Article 2a(4)(b): 7.2.2006.'
- (2) The following entries under the heading 'Natural persons' are deleted:
- (a) 'Ghuma **Abd'rabbah** (*alias* (a) Ghunia Abdurabba, (b) Ghoma Abdrabba, (c) Abd'rabbah, (d) Abu Jamil, (e) Ghunia Abdrabba). Address: Birmingham, United Kingdom. Date of birth: 2.9.1957. Place of birth: Benghazi, Libya. Nationality: British. Date of designation referred to in Article 2a (4) (b): 7.2.2006.'
 - (b) 'Abd Al-Rahman **Al-Faqih** (*alias* (a) Mohammed Albashir, (b) Muhammad Al-Bashir, (c) Bashir Mohammed Ibrahim Al- Faqi, (d) Al-Basher Mohammed, (e) Abu Mohammed, (f) Mohammed Ismail, (g) Abu Abd Al Rahman, (h) Abd Al Rahman Al-Khatab, (i) Mustafa, (j) Mahmud, (k) Abu Khalid). Address: Birmingham, United Kingdom. Date of birth: 15.12.1959. Place of birth: Libya. Date of designation referred to in Article 2a (4) (b): 7.2.2006.'
 - (c) 'Mohammed **Benhammedi** (*alias* (a) Mohamed Hannadi, (b) Mohamed Ben Hammedi, (c) Muhammad Muhammad Bin Hammidi, (d) Ben Hammedi, (e) Panhammedi, (f) Abu Hajir, (g) Abu Hajir Al Libi, (h) Abu Al Qassam (i) Hammedi Mohamedben). Address: Midlands, United Kingdom. Date of birth: 22.9.1966. Place of birth: Libya. Nationality: Libyan.'
 - (d) 'Abdulbaqi Mohammed **Khaled** (*alias* (a) Abul Baki Mohammed Khaled (b) Abd' Al-Baki Mohammed (c) Abul Baki Khaled (d) Abu Khawla). Address: Birmingham, United Kingdom. Date of birth: 18.8.1957. Place of birth: Tripoli, Libya. Nationality: British.'
 - (e) 'Tahir **Nasuf** (*alias* (a) Tahir Mustafa Nasuf, (b) Tahar Nasoof, (c) Taher Nasuf, (d) Al-Qa'qa, (e) Abu Salima El Libi, (f) Abu Rida, (g) Tahir Moustafa Nasuf, (h) Tahir Moustafa Mohamed Nasuf). Address: Manchester, United Kingdom. Date of birth: (a) 4.11.1961, (b) 11.4.1961. Place of birth: Tripoli, Libya. Nationality: Libyan. Passport No.: RP0178772 (Libyan passport number). National identification No.: PW548083D (British National Insurance Number). Other information: Resident in the United Kingdom as at January 2009. Date of designation referred to in Article 2a (4) (b): 7.2.2006.'
-

COMMISSION IMPLEMENTING REGULATION (EU) No 641/2011**of 30 June 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 1 July 2011.

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

Done at Brussels, 30 June 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	AR	26,0
	EC	26,0
	MK	29,3
	TR	40,0
	ZZ	30,3
0707 00 05	TR	96,4
	ZZ	96,4
0709 90 70	EC	28,8
	TR	110,5
	ZZ	69,7
0805 50 10	AR	68,3
	BR	42,9
	CL	88,7
	TR	68,6
	UY	54,5
	ZA	85,8
	ZZ	68,1
0808 10 80	AR	134,7
	BR	76,6
	CA	105,9
	CL	93,6
	CN	77,5
	NZ	110,8
	US	155,4
	UY	64,7
	ZA	85,1
	ZZ	100,5
	0809 10 00	AR
TR		294,1
XS		152,4
ZZ		178,7
0809 20 95	TR	333,5
	ZZ	333,5
0809 30	TR	179,1
	XS	55,8
	ZZ	117,5

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

COMMISSION IMPLEMENTING REGULATION (EU) No 642/2011
of 30 June 2011
fixing the import duties in the cereals sector applicable from 1 July 2011

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 (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

(1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

(2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, for the purposes of calculating the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Pursuant to Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

(4) Import duties should be fixed for the period from 1 July 2011 and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 2011, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 1 July 2011.

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

Done at Brussels, 30 June 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 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 1 July 2011

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	0,00
1005 10 90	Maize seed, other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00
1007 00 90	Grain sorghum, other than hybrids for sowing	0,00

⁽¹⁾ For goods arriving in the Union via the Atlantic Ocean or via the Suez Canal the importer may benefit, pursuant to Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom, or on the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

16.6.2011-29.6.2011

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	236,80	189,82	—	—	—	—
Fob price USA	—	—	413,89	403,89	383,89	173,72
Gulf of Mexico premium	—	16,29	—	—	—	—
Great Lakes premium	80,11	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).

⁽²⁾ Discount of 10 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).

⁽³⁾ Discount of 30 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico–Rotterdam: 18,42 EUR/t

Freight costs: Great Lakes–Rotterdam: 47,52 EUR/t

DECISIONS

EUROPEAN COUNCIL DECISION

of 24 June 2011

appointing the President of the European Central Bank

(2011/386/EU)

THE EUROPEAN COUNCIL,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 283(2) thereof,

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 11.2 thereof,

Having regard to the recommendation of the Council of the European Union ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Governing Council of the European Central Bank ⁽³⁾,

Whereas:

- (1) The term of office of the President of the European Central Bank, Mr Jean-Claude TRICHET, appointed by Decision of 16 October 2003 ⁽⁴⁾, expires on 31 October 2011 and it is therefore necessary to appoint a new President of the European Central Bank.

- (2) The European Council wishes to appoint Mr Mario DRAGHI who, in its view, meets all the requirements set out in Article 283(2) of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Mr Mario DRAGHI is hereby appointed President of the European Central Bank for a term of office of 8 years as from 1 November 2011.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Article 3

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

Done at Brussels, 24 June 2011.

For the European Council
The President
H. VAN ROMPUY

⁽¹⁾ OJ L 150, 9.6.2011, p. 8.

⁽²⁾ Opinion delivered on 23 June 2011 (not yet published in the Official Journal).

⁽³⁾ OJ C 182, 23.6.2011, p. 6.

⁽⁴⁾ Decision taken by common accord, at the level of Heads of State or Government, by the Governments of the Member States having the euro as their currency of 16 October 2003 appointing the President of the European Central Bank (OJ L 277, 28.10.2003, p. 16).

COUNCIL DECISION

of 28 June 2011

on the launch of automated data exchange with regard to Vehicle Registration Data (VRD) in Slovenia

(2011/387/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, in particular Article 25 thereof,

Having regard to Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽²⁾, in particular Article 20 and Chapter 4 of the Annex thereto,

Whereas:

- (1) According to the Protocol on Transitional Provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, the legal effects of the acts of the institutions, bodies, offices and agencies of the Union adopted prior to the entry into force of the Treaty of Lisbon are preserved until those acts are repealed, annulled or amended in implementation of the Treaties.
- (2) Accordingly, Article 25 of Decision 2008/615/JHA is applicable and the Council must unanimously decide whether the Member States have implemented the provisions of Chapter 6 of that Decision.
- (3) Article 20 of Decision 2008/616/JHA provides that decisions referred to in Article 25(2) of Decision 2008/615/JHA are to be taken on the basis of an evaluation report based on a questionnaire. With respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA, the evaluation report is to be based on an evaluation visit and a pilot run.
- (4) According to Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and has to be answered by

a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.

- (5) Slovenia has completed the questionnaire on data protection and the questionnaire on Vehicle Registration Data (VRD).
- (6) A successful pilot run has been carried out by Slovenia with the Netherlands, with a view to evaluating the results of the questionnaire concerning VRD.
- (7) An evaluation visit has taken place in Slovenia and a report on the evaluation visit has been produced by the Belgian/Dutch evaluation team and forwarded to the relevant Council Working Group with a view to evaluating the questionnaire concerning VRD.
- (8) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning VRD has been presented to the Council,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of vehicle registration data, Slovenia has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA and is entitled to receive and supply personal data pursuant to Article 12 of that Decision as from the date of the entry into force of this Decision.

Article 2

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

Done at Luxembourg, 28 June 2011.

For the Council
The President
FAZEKAS S.

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ OJ L 210, 6.8.2008, p. 12.

COMMISSION IMPLEMENTING DECISION

of 29 June 2011

amending Decision 2011/44/EU concerning certain protection measures against foot-and-mouth disease in Bulgaria

(notified under document C(2011) 4573)

(Text with EEA relevance)

(2011/388/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

(1) A case of foot-and-mouth disease in wild boar and a number of outbreaks of that disease in livestock were confirmed in Bulgaria in January 2011. As a consequence, Bulgaria has taken measures in the framework of Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease ⁽³⁾.

(2) In addition, Commission Decision 2011/44/EU of 19 January 2011 concerning certain protection measures against foot-and-mouth disease in Bulgaria ⁽⁴⁾ was adopted, as it was necessary to reinforce the control measures taken by Bulgaria. That Decision is to apply until 30 June 2011.

(3) Annex I to Decision 2011/44/EU lists the areas in Bulgaria where cases of foot-and-mouth disease have been confirmed. The areas surrounding those areas are listed in Annex II to that Decision. The protection measures laid down in Decision 2011/44/EU differ depending on whether an area is listed in Annex I or in Annex II to that Decision.

(4) Annex I to Decision 2011/44/EU currently lists the region of Burgas and Annex II to that Decision lists the regions of Kardjali, Haskovo, Yambol, Sliven, Shumen and Varna.

(5) As no new outbreaks of foot-and-mouth disease have been reported in Bulgaria since 7 April 2011 and surveillance carried out in the areas listed in Annex I and Annex II has not revealed foot-and-mouth disease infection in domestic animals of species susceptible to foot-and-mouth disease, it is appropriate to reduce the areas under restriction listed in Annexes I and II to Decision 2011/44/EU, respectively.

(6) However, surveillance in accordance with point 4(g) of Part B of Annex XVIII to Directive 2003/85/EC to rule out infection of wildlife with the foot-and-mouth disease virus cannot be completed until at least maternal antibodies have vanished in susceptible to foot-and-mouth disease wild animals born in that area after the first case of that disease was reported in January 2011.

(7) It is therefore necessary to prolong the application of the measures laid down in Decision 2011/44/EU until 30 September 2011.

(8) Decision 2011/44/EU should therefore be amended accordingly.

(9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/44/EU is amended as follows:

(1) in Article 16, the date '30 June 2011' is replaced by '30 September 2011';

(2) Annexes I and II are replaced by the text in the Annex to this Decision.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ OJ L 306, 22.11.2003, p. 1.

⁽⁴⁾ OJ L 19, 22.1.2011, p. 20.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 June 2011.

For the Commission
John DALLI
Member of the Commission

ANNEX

ANNEX I

The following areas in the region of Burgas in Bulgaria:

- (a) the municipalities of Malko Tarnovo and Tsarevo;
- (b) the part of the municipality of Sredets south of
 - (i) the point where the local road coming from Gabar (municipality of Sozopol) and leading to Drachevo (municipality of Sredets) hits the administrative border of the municipality Sredets at 42°18'19.82"N / 27°17'12.11"E;
 - (ii) the local road from the point described in point (i) leading to Drachevo, the village of Drachevo and then further the road leading from the north of Drachevo to the conjunction of national road No 79 with national road No 53 in the east of the village Sredets;
 - (iii) the national road No 53 from the conjunction described in point (ii) to its conjunction with the local road leading to Belila, forming the northern boundaries of Sredets;
 - (iv) the local road from its conjunction with national road No 53 in Sredets as described in point (iii), following westward to the village of Belila and leading to the bridge of that road over the river Sredetska west of the village of Prohod, and including the village of Prohod;
 - (v) the river Sredetska from its intersection with the local road leading from Prohod to Bistrets until the point where that branch of the river that leads to the village of Oman (municipality of Bolyarovo) hits the border with the municipality Bolyarovo at 42°16'57.78"N / 26°57'33.54"E.

ANNEX II

The following areas in Bulgaria:

1. in the region of Burgas:
 - (a) the municipalities of Sozopol and Primorsko;
 - (b) the part of the municipality of Sredets north of
 - (i) the point where the local road coming from Gabar (municipality of Sozopol) and leading to Drachevo (municipality of Sredets) hits the administrative border of the municipality Sredets at 42°18'19.82"N / 27°17'12.11"E;
 - (ii) the local road from the point described in point (i) leading to Drachevo, the village of Drachevo and then further the road leading from the north of Drachevo to the conjunction of national road No 79 with national road No 53 in the east of the village Sredets;
 - (iii) the national road No 53 from the conjunction described in point (ii) to its conjunction with the local road leading to Belila, forming the northern boundaries of Sredets;
 - (iv) the local road from its conjunction with national road No 53 in Sredets as described in point (iii), following westward to the village of Belila and leading to the bridge of that road over the river Sredetska west of the village of Prohod, and including the village of Prohod;
 - (v) the river Sredetska from its intersection with the local road leading from Prohod to Bistrets until the point where that branch of the river that leads to the village of Oman (municipality of Bolyarovo) hits the border with the municipality Bolyarovo at 42°16'57.78"N / 26°57'33.54"E.
2. in the region of Yambol:
 - (a) the part of the municipality of Straldzha south of the national road No 53;
 - (b) the municipality of Bolyarovo.

COMMISSION DECISION

of 30 June 2011

on the Union-wide quantity of allowances referred to in Article 3e(3)(a) to (d) of Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowances trading within the Community

(Text with EEA relevance)

(2011/389/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowances trading within the Community and amending Council Directive 96/61/EC⁽¹⁾, and in particular Article 3e(3)(a) to (d) thereof,

Whereas:

- (1) Article 3e(3)(a) to (d) of Directive 2003/87/EC provides for a decision by the Commission, before the start of each trading period, fixing the total quantity of allowances to be created, auctioned, placed in the special reserve provided for in Article 3f(1) of Directive 2003/87/EC, and distributed for free to aircraft operators. These quantities are to be determined arithmetically from the figure on the historical aviation emissions which has been set by Commission Decision 2011/149/EU of 7 March 2011 on historical aviation emissions pursuant to Article 3c(4) of Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowances trading within the Community⁽²⁾, at 219 476 343 tonnes of CO₂.
- (2) Following its adaptation on incorporation into the EEA Agreement by Decision of the EEA Joint Committee No 6/2011 of 1 April 2011 amending Annex XX (Environment) to the EEA Agreement⁽³⁾, Article 3e(3) of Directive 2003/87/EC also provides for the calculation of EEA-wide quantities of allowances by the EEA Joint Committee when incorporating this Decision into the EEA Agreement.
- (3) Pursuant to Article 3e(3)(e) and the third subparagraph of Article 3f(5) of Directive 2003/87/EC (inserted on incorporation into the EEA Agreement), the Commission is to decide on the EEA-wide benchmark, which needs to be based on the EEA-wide quantities of allowances fixed by the EEA Joint Committee. Accordingly, a decision on the benchmark cannot be taken until the EEA-wide quantities have been fixed by the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The Union-wide total number of allowances referred to in Article 3c(1) of Directive 2003/87/EC relating to the period from 1 January 2012 to 31 December 2012 is 212 892 053.
2. The Union-wide total number of allowances referred to in Article 3c(2) of Directive 2003/87/EC relating to each year of the period beginning on 1 January 2013 is 208 502 526.

Article 2

1. The Union-wide total number of allowances referred to in Article 3d(1) of Directive 2003/87/EC relating to the period from 1 January 2012 to 31 December 2012 is 31 933 808.
2. The Union-wide total number of allowances referred to in Article 3d(2) of Directive 2003/87/EC relating to each year of the period beginning on 1 January 2013 is 31 275 379.

Article 3

The Union-wide total number of allowances referred to in Article 3f(1) of Directive 2003/87/EC relating to the special reserve is 50 040 608.

Article 4

1. The Union-wide total number of allowances referred to in Article 3e(3)(d) of Directive 2003/87/EC relating to the period from 1 January 2012 to 31 December 2012 is 180 958 245.
2. The Union-wide total number of allowances referred to in Article 3e(3)(d) of Directive 2003/87/EC relating to each year of the period beginning on 1 January 2013 is 170 972 071.

Article 5

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

Done at Brussels, 30 June 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ OJ L 61, 8.3.2011, p. 42.

⁽³⁾ OJ L 93, 7.4.2011, p. 35.

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