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(<sup>1</sup>) Text with EEA relevance

EN

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<sup>(1)</sup> Text with EEA relevance

## II

(Non-legislative acts)

## REGULATIONS

## COUNCIL REGULATION (EU) No 1215/2011

of 24 November 2011

## amending Regulation (EC) No 131/2004 concerning certain restrictive measures in respect of Sudan

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(1) thereof,

*Article 1*

Regulation (EC) No 131/2004 is hereby amended as follows:

Having regard to Council Decision 2011/423/CFSP of 18 July 2011 concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP<sup>(1)</sup>, adopted in accordance with Chapter 2 of Title V of the Treaty on European Union,

(1) the title is replaced by the following:

‘Council Regulation (EC) No 131/2004 of 26 January 2004 imposing certain restrictive measures in respect of Sudan and South Sudan’;

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission,

(2) Article 2 is replaced by the following:

*Article 2*

It shall be prohibited:

Whereas:

(1) On 30 May 2005, the Council adopted Common Position 2005/411/CFSP<sup>(2)</sup> concerning restrictive measures against Sudan.

(a) to provide technical assistance related to military activities and to the provision, manufacture, maintenance and use of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts therefor, directly or indirectly to any person, entity or body in, or for use in Sudan or South Sudan;

(2) On 18 July 2011, the Council adopted Decision 2011/423/CFSP concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP. Decision 2011/423/CFSP amended the scope of the restrictive measures imposed by the repealed Common Position 2005/411/CFSP.

(b) to provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of arms and related material, or for the provision of related technical assistance, directly or indirectly to any person, entity or body in, or for use in Sudan or South Sudan.’;

(3) Council Regulation (EC) No 131/2004<sup>(3)</sup> should therefore be amended accordingly.

(3) in Article 4(1), the following point is inserted:

(4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately upon its publication,

‘(e) support for the process of Security Sector Reform in South Sudan.’;

<sup>(1)</sup> OJ L 188, 19.7.2011, p. 20.

<sup>(2)</sup> OJ L 139, 2.6.2005, p. 25.

<sup>(3)</sup> OJ L 21, 28.1.2004, p. 1.

(4) Article 5 is replaced by the following:

*Article 5*

Articles 2 and 3 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Sudan or South Sudan by United Nations personnel, personnel of the Union or its Member States,

representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

*Article 2*

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

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

Done at Brussels, 24 November 2011.

*For the Council*  
*The President*  
W. PAWLAK

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**COMMISSION IMPLEMENTING REGULATION (EU) No 1216/2011****of 24 November 2011****amending Commission Regulation (EU) No 691/2010 laying down a performance scheme for air navigation services and network functions****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Organisation for the Safety of Air Navigation (Euro-control) and adopted by the Commission prior to the first reference period.

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

Having regard to Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) <sup>(1)</sup>, and in particular Article 11 thereof,

Whereas:

- (1) Commission Regulation (EU) No 691/2010 laying down a performance scheme for air navigation services and network functions and amending Regulation (EC) No 2096/2005 laying down common requirements for the provision of air navigation services <sup>(2)</sup> provides for Key Performance Indicators (KPIs) and binding targets on the key performance areas of safety, environment, capacity and cost-efficiency.
- (2) The safety KPIs for national or functional airspace block (FAB) target setting set out in Annex 1 to Regulation (EU) No 691/2010 are: the effectiveness of safety management as measured by a methodology based on the ATM Safety Framework Maturity Survey; the application of the severity classification of the Risk Analysis Tool to allow harmonised reporting of severity assessment of Separation Minima Infringement, Runway Incursions and Air Traffic Management (ATM) Specific Technical Events; and the reporting of just culture.
- (3) Pursuant to Annex 1 to Regulation (EU) No 691/2010, those safety KPIs should be further developed jointly by the Commission, the Member States, the European Aviation Safety Agency (EASA) and the European

- (4) To this effect the Commission established a Working Group consisting of representatives from EASA, Euro-control and the Commission (so-called E3-Task Force). That working group produced a technical report entitled "Metrics for Safety Key Performance Indicators for the Performance Scheme". That report was further developed on the basis of the comments received from Member States and the stakeholders and constitutes the technical concept for this Regulation and its associated Acceptable Means of Compliance (AMC) and Guidance Material (GM).
- (5) Work already done in respect of other initiatives such as EASA Safety Plan and Eurocontrol's Risk Analysis Tool and Safety Framework Maturity Survey should be taken into account in the development of safety KPIs.
- (6) Experience gained from the gradual implementation of the performance scheme shows that the time allocated to the Commission for the assessment of revised performance targets should be increased in view of the workload generated by the detailed assessment of performance plans and in order to conduct the necessary dialogue with the national supervisory authorities and to ensure an appropriate justification of the results of that assessment.
- (7) Regulation (EU) No 691/2010 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 691/2010 is amended as follows:

(1) Article 14 is amended as follows:

- (a) In paragraph 1, the words 'two months' are replaced by 'four months';
- (b) In paragraph 2, the words 'two months' are replaced by 'four months';

<sup>(1)</sup> OJ L 96, 31.3.2004, p. 1.<sup>(2)</sup> OJ L 201, 3.8.2010, p.1.

(c) In paragraph 3, the words 'two months' are replaced by 'four months';

(2) In Annex I point 1 of Section 2 is replaced by the following:

‘1. SAFETY KEY PERFORMANCE INDICATORS

(a) The first national/FAB safety KPI for the first reference period shall be the effectiveness of safety management as measured by a methodology based on the ATM Safety Framework Maturity Survey.

With regard to Member States and their national supervisory authorities and air navigation service providers, certified to provide air traffic services or communication, navigation and surveillance services, this KPI shall be measured by the level of implementation of the following Management Objectives:

- Safety policy and objectives;
- Safety risk management;
- Safety assurance;
- Safety promotion;
- Safety Culture.

(b) The second national/FAB safety KPI for the first reference period shall be the application of the severity classification below based on the Risk Analysis Tool methodology to the reporting of, as a minimum, three categories of occurrences: Separation Minima Infringements, Runway Incursions and ATM-specific occurrences at all Air Traffic Control Centres and at airports. Member States may decide not to apply the method at airports with less than 50 000 commercial air transport movements per year.

When reporting the above occurrences Member States and air navigation service providers shall use the following severity classes:

- Serious incident
- Major incident
- Significant incident
- No safety effect
- Not determined; for example insufficient information available, or inconclusive or conflicting evidence precluded such determination.

Reporting on the application of the method shall be done for individual occurrences.

(c) The third national/FAB safety KPI for the first reference period shall be the reporting by the Member States and their air navigation service providers through a questionnaire established in accordance with paragraph (e), which measures the level of presence and corresponding level of absence of just culture.

(d) During the first reference period, there will be no EU wide safety performance targets. However, Member States may set targets corresponding to these Safety KPIs.

(e) In order to facilitate the implementation and measurement of the safety KPIs, EASA – in consultation with the Performance Review Body - shall adopt before the start of the first reference period acceptable means of compliance and guidance material in accordance with the procedure adopted under Article 52 of Regulation (EC) No 216/2008.

- (f) Eurocontrol shall provide, in a timely manner, the information needed for the development of the documents referred to in point (e), including at least the specification of the Risk Analysis Tool methodology and its further development and the details of the methodology of the Safety Framework Maturity Survey and its weighting factors.
- (g) The yearly measurement of the KPIs referred to in points (a) and (c) (questionnaires on effectiveness of safety management and just culture) by national supervisory authorities and air navigation service providers shall be reported to the EASA for the previous year by the national supervisory authorities before 1<sup>st</sup> February of each year. These yearly measurements shall be used as input for the monitoring functions described in points (h) and (i). If any changes in the yearly measurement of the KPIs occur the national supervisory authorities shall present those changes before the next yearly report is being due.
- (h) National supervisory authorities shall monitor the implementation and measurement of the safety KPIs by air navigation service providers, in accordance with the procedures for safety oversight established in Commission Implementing Regulation (EU) No 1034/2011 (\*).
- (i) In the context of its standardisation inspections the EASA shall monitor the implementation and measurement of the safety KPIs by national supervisory authorities, in accordance with the working methods referred to in Article 24 of Regulation (EC) No 216/2008. The EASA shall inform the Performance Review Body of the outcome of these inspections.

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(\*) OJ L 271, 18.10.2011, p. 15.'

#### Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 24 November 2011.

For the Commission  
The President  
José Manuel BARROSO

**COMMISSION IMPLEMENTING REGULATION (EU) No 1217/2011****of 24 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) <sup>(1)</sup>,

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 <sup>(2)</sup>, 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 25 November 2011.

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

Done at Brussels, 24 November 2011.

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

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<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> 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 <sup>(1)</sup>	Standard import value
0702 00 00	AL	62,0
	MA	42,6
	MK	57,4
	TN	143,2
	TR	85,0
	ZZ	78,0
0707 00 05	AL	64,0
	EG	188,1
	TR	102,2
	ZZ	118,1
0709 90 70	MA	36,7
	TR	139,2
	ZZ	88,0
0805 20 10	MA	75,2
	ZZ	75,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	42,1
	IL	76,3
	JM	134,1
	MA	53,5
	TR	82,6
	ZZ	77,7
0805 50 10	TR	61,1
	ZA	49,5
	ZZ	55,3
0808 10 80	CA	135,1
	CL	90,0
	CN	86,4
	MK	41,0
	NZ	41,5
	US	122,1
	ZA	107,2
	ZZ	89,0
0808 20 50	AR	43,9
	CN	79,6
	ZZ	61,8

<sup>(1)</sup> 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 1218/2011****of 24 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) <sup>(1)</sup>,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 <sup>(2)</sup>, 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 <sup>(3)</sup>. These prices and duties have been last amended by Commission Implementing Regulation (EU) No 1199/2011 <sup>(4)</sup>.

(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 25 November 2011.

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

Done at Brussels, 24 November 2011.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24.<sup>(3)</sup> OJ L 254, 30.9.2011, p. 12.<sup>(4)</sup> OJ L 303, 22.11.2011, p. 42.

## ANNEX

**Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 25 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 <sup>(1)</sup>	39,90	0,00
1701 11 90 <sup>(1)</sup>	39,90	2,93
1701 12 10 <sup>(1)</sup>	39,90	0,00
1701 12 90 <sup>(1)</sup>	39,90	2,64
1701 91 00 <sup>(2)</sup>	45,89	3,70
1701 99 10 <sup>(2)</sup>	45,89	0,57
1701 99 90 <sup>(2)</sup>	45,89	0,57
1702 90 95 <sup>(3)</sup>	0,46	0,24

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

## DECISIONS

## COUNCIL DECISION 2011/752/CFSP

of 24 November 2011

**amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo <sup>(1)</sup>,  
EULEX KOSOVO**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Articles 42(4) and 43(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 4 February 2008, the Council adopted Joint Action 2008/124/CFSP <sup>(2)</sup>.
- (2) On 9 June 2009, the Council adopted Joint Action 2009/445/CFSP <sup>(3)</sup>, which amended Joint Action 2008/124/CFSP by increasing the financial reference amount to cover the expenditure of the European Union Rule of Law Mission in Kosovo ('EULEX KOSOVO') until the expiry of Joint Action 2008/124/CFSP.
- (3) On 8 June 2010, the Council adopted Decision 2010/322/CFSP <sup>(4)</sup>, which amended Joint Action 2008/124/CFSP and extended it for a period of 2 years until 14 June 2012.
- (4) The current financial reference amount covers the period until 14 December 2011. Joint Action 2008/124/CFSP should be amended to provide a new financial reference amount for the period from 15 December 2011 until 14 June 2012.
- (5) EULEX KOSOVO will be conducted in the context of a situation which may deteriorate and could impede the

achievement of the objectives of the common foreign and security policy as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

*Article 1*

Article 16(1) of Joint Action 2008/124/CFSP is hereby replaced by the following:

'1. The financial reference amount intended to cover the expenditure of EULEX KOSOVO until 14 October 2010 shall be EUR 265 000 000.

The financial reference amount intended to cover the expenditure of EULEX KOSOVO from 15 October 2010 until 14 December 2011 shall be EUR 165 000 000.

The financial reference amount intended to cover the expenditure of EULEX KOSOVO from 15 December 2011 until 14 June 2012 shall be EUR 72 800 000.'

*Article 2*

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

Done at Brussels, 24 November 2011.

*For the Council*  
*The President*  
W. PAWLAK

<sup>(1)</sup> Under United Nations Security Council Resolution 1244 (1999).

<sup>(2)</sup> OJ L 42, 16.2.2008, p. 92.

<sup>(3)</sup> OJ L 148, 11.6.2009, p. 33.

<sup>(4)</sup> OJ L 145, 11.6.2010, p. 13.

## COMMISSION DECISION

of 18 November 2011

## establishing rules and calculation methods for verifying compliance with the targets set in Article 11(2) of Directive 2008/98/EC of the European Parliament and of the Council

(notified under document C(2011) 8165)

(2011/753/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives <sup>(1)</sup>, and in particular Article 11(3) thereof,

Whereas:

- (1) In order to ensure an effective implementation of the targets set in Article 11(2) of Directive 2008/98/EC, it is appropriate to define rules on the application of those targets.
- (2) It is also necessary to determine methods for the calculation of the share of municipal waste and construction and demolition waste which is prepared for reuse, recycled or materially recovered in order to verify and monitor compliance with the targets set in Article 11(2) of Directive 2008/98/EC.
- (3) Article 11(2)(a) of Directive 2008/98/EC leaves a certain flexibility to Member States as regards the municipal waste streams to which the targets are being applied. However, it is appropriate to define a range of options for Member States in order to clarify the practical application of verifying compliance with those targets.
- (4) In order to avoid additional administrative burden, data on waste statistics reported under Regulation (EC) No 2150/2002 of the European Parliament and of the Council of 25 November 2002 on waste statistics <sup>(2)</sup> should be used as far as possible to verify compliance with the targets set in Article 11(2) of Directive 2008/98/EC.
- (5) Where waste is exported out of the Union and there is sound evidence that the preparation for reuse, recycling or recovery took place under conditions that are equivalent to those prescribed by the legislation of the

Union, that waste should be taken into account when verifying compliance with the targets set in Article 11(2) of Directive 2008/98/EC.

- (6) A review of this Decision may be necessary, if measures are taken to reinforce the targets or targets for other waste streams are set.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC,

HAS ADOPTED THIS DECISION:

*Article 1***Definitions**

In addition to the definitions laid down in Article 3 of Directive 2008/98/EC, the following definitions shall apply for the purposes of this Decision:

- (1) 'household waste' means waste generated by households;
- (2) 'similar waste' means waste in nature and composition comparable to household waste, excluding production waste and waste from agriculture and forestry;
- (3) 'municipal waste' means household waste and similar waste;
- (4) 'construction and demolition waste' means waste corresponding to the waste codes in Chapter 17 of the Annex to Commission Decision 2000/532/EC <sup>(3)</sup>, excluding hazardous waste and naturally occurring material as defined in Category 17 05 04;
- (5) 'material recovery' means any recovery operation, excluding energy recovery and the reprocessing into materials which are to be used as fuel;
- (6) 'backfilling' means a recovery operation where suitable waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping and where the waste is a substitute for non-waste materials.

<sup>(1)</sup> OJ L 312, 22.11.2008, p. 3.

<sup>(2)</sup> OJ L 332, 9.12.2002, p. 1.

<sup>(3)</sup> OJ L 226, 6.9.2000, p. 3.

*Article 2***General requirements**

For the purposes of verifying compliance with the targets set in Article 11(2) of Directive 2008/98/EC, the following rules shall apply:

- (1) Member States shall verify compliance with the targets set in Article 11(2) of Directive 2008/98/EC by calculating the weight of the waste streams which are generated and the waste streams which are prepared for reuse, recycled or have undergone other material recovery in 1 calendar year.
- (2) The weight of the waste prepared for reuse, recycled or materially recovered shall be determined by calculating the input waste used in the preparation for reuse or the final recycling or other final material recovery processes. A preparatory operation prior to the submission of the waste to a recovery or disposal operation is not a final recycling or other final material recovery operation. Where waste is collected separately or the output of a sorting plant is sent to recycling or other material recovery processes without significant losses, that waste may be considered the weight of the waste which is prepared for reuse, recycled or has undergone other material recovery.
- (3) The amount of waste prepared for reuse shall be included in the amount of recycled waste and shall not be reported separately.
- (4) Where waste is sent for preparation for reuse, recycling or other material recovery in another Member State, it may only be counted toward the targets of the Member State in which it has been collected.
- (5) Where waste is exported out of the Union for preparation for reuse, recycling or other material recovery, it shall be counted as prepared for reuse, recycled or having undergone other material recovery only where there is sound evidence showing compliance of the shipment with the provisions of Regulation (EC) No 1013/2006 of the European Parliament and of the Council<sup>(1)</sup>, and in particular Article 49(2) thereof.
- (6) Where the target calculation is applied to the aerobic or anaerobic treatment of biodegradable waste, the input to the aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost or digestate which, following any further necessary reprocessing, is used as a recycled product, material or substance for land treatment resulting in benefit to agriculture or ecological improvement.

*Article 3***Municipal waste**

1. For the purposes of verifying compliance with the target on municipal waste set in Article 11(2)(a) of Directive 2008/98/EC, Member States shall apply the target to one of the following:
  - (a) the preparation for reuse and the recycling of paper, metal, plastic and glass household waste;
  - (b) the preparation for reuse and the recycling of paper, metal, plastic, glass household waste and other single types of household waste or of similar waste from other origins;
  - (c) the preparation for reuse and the recycling of household waste;
  - (d) the preparation for reuse and the recycling of municipal waste.
2. The target applies to the total amount of waste of the waste streams in the option chosen by the Member State pursuant to paragraph 1 of this Article.
3. Member States shall apply the calculation method set out in Annex I to this Decision which corresponds to the option chosen by the Member State pursuant to paragraph 1.
4. Member States' implementation reports on municipal waste shall comply with the specific requirements set out in Annexes I and II.
5. Member States shall inform the Commission of the option chosen pursuant to paragraph 1 of this Article in the first implementation report referred to in Article 37(1) of Directive 2008/98/EC.
6. A Member State may change the option until the submission of the implementation report covering the year 2020 provided that it can ensure consistency in the data reported.

*Article 4***Construction and demolition waste**

1. For the calculation of the target set in Article 11(2)(b) of Directive 2008/98/EC with regard to construction and demolition waste, Member States shall apply the calculation method set out in Annex III to this Decision.
2. Member States' implementation reports on construction and demolition waste shall comply with the specific requirements in Annex III.
3. The amount of waste used for backfilling operations shall be reported separately from the amount of waste prepared for reuse or recycled or used for other material recovery operations. The reprocessing of waste into materials that are to be used for backfilling operations is also to be reported as backfilling.

<sup>(1)</sup> OJ L 190, 12.7.2006, p. 1.

*Article 5***Reporting by Member States**

1. Member States shall report their progress to the Commission with regard to meeting the targets set in Article 11(2) of Directive 2008/98/EC by means of the implementation report referred to in Article 37 thereof.

2. Member States shall provide data in the implementation reports on the state of preparation for reuse, recycling and material recovery of the respective waste streams for either each year of the 3-year reporting period or for the years of the reporting periods laid down in Annex I, Section 5 to Regulation (EC) No 2150/2002.

3. In the implementation report covering the year 2020, Member States shall demonstrate compliance with the targets set in Article 11(2) of Directive 2008/98/EC for the amounts of the respective waste streams generated and recycled or recovered in the year 2020.

4. Member States shall transmit the data and metadata required by this Decision to the Commission in electronic form, by means of the interchange standard set up by Eurostat.

*Article 6***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 18 November 2011.

*For the Commission*

Janez POTOČNIK

*Member of the Commission*

## ANNEX I

## METHODS FOR THE CALCULATION OF THE TARGET ON MUNICIPAL WASTE PURSUANT TO ARTICLE 3(3) OF THIS DECISION

Option referred to in Article 3(1) of this Decision	Calculation method	Specific requirements for Member State implementation reports
Preparation for reuse and recycling of paper, metal, plastic and glass household waste	Calculation method 1 Recycling rate of paper, metal, plastic and glass household waste, in % = $\frac{\text{Recycled amount of paper, metal, plastic and glass household waste}}{\text{Total generated amount of paper, metal, plastic and glass household waste}}$	Member States shall use national data. Data from other waste reporting obligations can be used and adapted to national conditions. Member States shall submit, together with the data, a report explaining how the amounts generated and recycled have been calculated and how these amounts relate to the data on household waste to be reported under Regulation (EC) No 2150/2002.
Preparation for reuse and recycling of paper, metal, plastic, glass household waste and other single types of household waste or similar waste	Calculation method 2 Recycling rate of household and similar waste, in % = $\frac{\text{Recycled amount of paper, metal, plastic, glass waste and other single waste streams from households or similar waste stream}}{\text{Total generated amount of paper, metal, plastic, glass waste and other single waste streams from households or similar waste}}$	Member States shall use national data. Data from other waste reporting obligations can be used and adapted to national conditions. Member States shall submit, together with the data, a report explaining which materials are covered, from which activities they result by marking the relevant cells in the table in Annex II to this Decision and how the amounts generated and recycled have been calculated. Where a Member State includes home-composted waste in the calculation it shall explain how the amounts generated and recycled have been calculated.  The report shall also explain how these amounts relate to the data on household waste and other economic activities to be reported under Regulation (EC) No 2150/2002.
Preparation for reuse and recycling of household waste	Calculation method 3 Recycling rate of household waste in % = $\frac{\text{Recycled amount of household waste}}{\text{Total household waste amounts excluding certain waste categories}}$	Member States shall use national data to report on the recycled amount of household waste. They shall submit, together with the data, a report explaining which materials are covered by marking the relevant cells in the table in Annex II to this Decision and how the amounts recycled have been calculated.  The report shall also explain how these amounts relate to the data on household waste and other economic activities to be reported under Regulation (EC) No 2150/2002.  The total amounts of household waste shall be taken from the data to be reported according to point 1.2 of Section 8 of Annex I to Regulation (EC) No 2150/2002.  Waste of the following waste codes shall be excluded from the calculation:  08.1. - Discarded vehicles  11-13 - Sludges and mineral wastes
Preparation for reuse and recycling of municipal waste	Calculation method 4 Recycling of municipal waste, in % = $\frac{\text{Municipal waste recycled}}{\text{Municipal waste generated}}$	Member States shall rely on the statistical data on municipal waste reported annually to the Commission (Eurostat).



## ANNEX II

## MUNICIPAL WASTE MATERIALS AND RELEVANT SOURCES FOR CALCULATION METHODS 1, 2 AND 3 OF ANNEX I

		Generated by				
		Households	Small enterprises	Restaurants, canteens	Public areas	Others (please specify)
Waste materials	Waste code according to Decision 2000/532/EC					
Paper and cardboard	20 01 01, 15 01 01					
Metals	20 01 40, 15 01 04					
Plastic	20 01 39, 15 01 02					
Glass	20 01 02, 15 01 07					
Biodegradable kitchen and canteen waste	20 01 08					
		Please indicate whether home-composted waste is included:				
Biodegradable garden and park waste	20 02 01					
		Please indicate whether home-composted waste is included:				
Non-biodegradable garden and park waste	20 02 02, 20 02 03					
Wood	20 01 38, 15 01 03					
Textiles	20 01 10, 20 01 11, 15 01 09					
Batteries	20 01 34, 20 01 33*					
Discarded equipment	20 01 21*, 20 01 23*, 20 01 35*, 20 01 36					
Other municipal waste	20 03 01, 20 03 02, 20 03 07, 15 01 06					
Municipal waste not mentioned above (please specify)						

## ANNEX III

## METHODS FOR THE CALCULATION OF THE TARGET FOR CONSTRUCTION AND DEMOLITION WASTE REFERRED TO IN ARTICLE 4(1) OF THIS DECISION

Calculation method	Specific requirements for Member State implementation reports
<p>Recovery rate of construction and demolition waste, in % =</p> $\frac{\text{Materially recovered amount of construction and demolition waste}}{\text{Total amount of generated construction and demolition waste}}$	<p>(1) Reporting on the materially recovered amounts of construction and demolition waste (numerator of the formula) shall include only the following codes of the Annex to Decision 2000/532/EC:</p> <p>List of Waste, Chapter 17 – Construction and demolition waste:  17 01 01, 17 01 02, 17 01 03, 17 01 07, 17 02 01, 17 02 02, 17 02 03, 17 03 02, 17 04 01, 17 04 02, 17 04 03, 17 04 04, 17 04 05, 17 04 06, 17 04 07, 17 04 11, 17 05 08, 17 06 04, 17 08 02, 17 09 04</p> <p>List of Waste, subchapter 19 12 – Waste from mechanical treatment of waste (for example sorting, crushing, compacting or pelletising), if it is generated from the treatment of construction and demolition waste:  19 12 01, 19 12 02, 19 12 03, 19 12 04, 19 12 05, 19 12 07, 19 12 09</p> <p>Member States shall explain, in a report to be submitted together with the data, how double-counting of waste is avoided.</p> <p>(2) Construction and demolition waste generation shall be reported according to Regulation (EC) No 2150/2002 (denominator of the formula) containing:</p> <p>(a) waste generated by Section F of the NACE Rev. 2 code as mentioned in Annex I, Section 8, item No 17 to that Regulation consisting of the following waste codes as defined in Annex I, Section 2 to that Regulation:</p> <ul style="list-style-type: none"> <li>06.1. – Metallic waste, ferrous</li> <li>06.2. – Metallic waste, non-ferrous</li> <li>06.3. – Metallic waste, mixed</li> <li>07.1. – Glass waste</li> <li>07.4. – Plastics</li> <li>07.5. – Wood</li> </ul> <p>(b) the total of the waste category (over all economic activities):  — Mineral construction and demolition waste  as defined in Annex III to that Regulation.</p> <p>(3) Member States may alternatively report on the recycling and material recovery of construction and demolition waste based on their own reporting system. In this case they shall submit, together with the data, a report explaining which materials are covered, and how the data relates to the data on construction and demolition waste to be reported pursuant to Regulation (EC) No 2150/2002. If the data based on the reporting system of the Member State are more precise than the data provided according to that Regulation the compliance with the target shall be assessed based on the data from the Member State's reporting system.</p>

## COMMISSION IMPLEMENTING DECISION

of 22 November 2011

**on the application of Directive 2009/103/EC of the European Parliament and of the Council with regard to checks on insurance against civil liability in respect of the use of motor vehicles***(notified under document C(2011) 8289)***(Text with EEA relevance)**

(2011/754/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability <sup>(1)</sup>, and in particular Article 2 thereof,

Whereas:

- (1) On 30 May 2002 the Agreement between the national insurers' bureaux of the Member States of the European Economic Area and other Associate States, hereinafter 'the Agreement', was concluded. Under the terms of the Agreement each national bureau guaranteed the settlement of claims, in accordance with the provisions of national law on compulsory insurance, in respect of accidents occurring in its territory, caused by vehicles normally based in the territory of another Member State or in the territory of Croatia, Cyprus, the Czech Republic, Hungary, Iceland, Norway, Slovakia, Slovenia or Switzerland, whether or not such vehicles are insured.
- (2) Commission Decision 2003/564/EC of 28 July 2003 on the application of Council Directive 72/166/EEC, relating to checks on insurance against civil liability in respect of the use of motor vehicles <sup>(2)</sup> provided that from 1 August 2003 Member States were to refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the territory of another Member State or in the territory of Croatia, Cyprus, the Czech Republic, Hungary, Iceland, Norway, Slovakia, Slovenia or Switzerland.
- (3) The Agreement was extended, by Addendum No 1 thereto, to include the bureaux of Estonia, Latvia,

Lithuania, Malta and Poland. Commission Decision 2004/332/EC of 2 April 2004 on the application of Council Directive 72/166/EEC with regard to checks on insurance against civil liability in respect of the use of motor vehicles <sup>(3)</sup> provided that from 30 April 2004 Member States were to refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the territory of Estonia, Latvia, Lithuania, Malta or Poland.

- (4) The Agreement was extended, by Addendum No 2 thereto, to include the bureau of Andorra. Commission Decision 2005/849/EC of 29 November 2005 on the application of Council Directive 72/166/EEC with regard to checks on insurance against civil liability in respect of the use of motor vehicles <sup>(4)</sup> provided that from 1 January 2006 Member States were to refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the territory of Andorra.
- (5) The Agreement was extended, by Addendum No 3 thereto, to include the bureaux of Bulgaria and Romania. Commission Decision 2007/482/EC of 9 July 2007 on the application of Council Directive 72/166/EEC with regard to checks on insurance against civil liability in respect of the use of motor vehicles <sup>(5)</sup> provided that from 1 August 2007 Member States were to refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the territory of Bulgaria or Romania. On 29 May 2008, the national insurers' bureaux consolidated the Agreement integrating the Addenda Nos 1-3.
- (6) On 26 May 2011 the national insurers' bureaux of the Member States and those of Andorra, Croatia, Iceland, Norway and Switzerland signed Addendum No 1 to the consolidated Agreement by which the Agreement was extended to include the national insurers' bureau of Serbia. The Addendum provides for the practical arrangements to abolish insurance checks in respect of vehicles normally based in the territory of Serbia and which are subject to the Agreement.

<sup>(1)</sup> OJ L 263, 7.10.2009, p. 11.

<sup>(2)</sup> OJ L 192, 31.7.2003, p. 23.

<sup>(3)</sup> OJ L 105, 14.4.2004, p. 39.

<sup>(4)</sup> OJ L 315, 1.12.2005, p. 16.

<sup>(5)</sup> OJ L 180, 10.7.2007, p. 42.

- (7) Therefore, all the conditions for the removal of checks on motor insurance against civil liability in accordance with Directive 2009/103/EC in respect of vehicles normally based in the territory of Serbia are fulfilled,

*Article 2*

Member States shall forthwith inform the Commission of measures taken to apply this Decision.

HAS ADOPTED THIS DECISION:

*Article 3*

This Decision is addressed to the Member States.

*Article 1*

As from 1 January 2012, Member States shall refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the territory of Serbia and which are subject to Addendum No 1 to the Agreement between the national insurers' bureaux of the Member States of the European Economic Area and other Associate States.

Done at Brussels, 22 November 2011.

*For the Commission*  
Michel BARNIER  
*Member of the Commission*

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