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## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) No 409/2013

of 3 May 2013

**on the definition of common projects, the establishment of governance and the identification of incentives supporting the implementation of the European Air Traffic Management Master Plan**

(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 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky <sup>(1)</sup>, and in particular Article 15a thereof,

Whereas:

- (1) The single European sky regulatory framework comprises the measures referred to in Article 3(1) of Regulation (EC) No 549/2004 of the European Parliament and of the Council <sup>(2)</sup>.
- (2) The application of single European sky regulatory framework shall be without prejudice to the Member States' responsibilities in accordance with Article 1(2) of Regulation (EC) No 549/2004.
- (3) In its Communication of 22 December 2011 <sup>(3)</sup>, the Commission announced its intention to set out governance and incentive mechanisms for the deployment of SESAR (Single European Sky Air Traffic Management Research and development) based on Article 15a of Regulation (EC) No 550/2004. These mechanisms include common projects, which should assist the successful implementation of the ATM Master Plan; guidance on common projects, which should establish a binding framework on how common projects can support such implementation; and governance mechanisms which should ensure timely, coordinated and synchronised deployment by setting out a clear allocation of responsibilities amongst stakeholders.

- (4) Regulation (EC) No 550/2004 aims to help airspace users and air navigation service providers improve collective air navigation infrastructure, the provision of air navigation services and the use of airspace by working together in common projects. The aim is also to speed up the deployment of the Single European Sky Air Traffic Management Research and Development (SESAR) project.
- (5) SESAR is the project set up to modernise European air traffic management system. It is the technological pillar of the single European sky initiative.
- (6) SESAR is composed of three phases: the definition phase to define the content of the next generation of ATM systems; the development phase to develop and validate the new generation of technological systems, components and operational procedures; and the deployment phase that consists in the industrialisation and implementation of the new air traffic management systems.
- (7) The European Air Traffic Management (ATM) Master Plan (hereinafter referred to as the ATM Master Plan), produced during the definition phase of SESAR is the agreed roadmap to bring ATM research and development to the deployment phase.
- (8) The ATM Master Plan outlines the essential operational changes that are required to help achieve the Single European Sky (SES) performance objectives. It is a key tool for SESAR deployment and provides the basis for timely, coordinated and synchronised deployment of the new ATM functionalities.
- (9) Deployment objectives and priorities should take into account also aspects of Network operations defined in the Network Strategy Plan, which includes the performance targets consistent with the European

<sup>(1)</sup> OJ L 96, 31.3.2004, p. 10.

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

<sup>(3)</sup> COM(2011) 923 final.

Union-wide performance targets and the actions planned to meet the targets, and in the Network Operations plan defined in Commission Regulation (EU) No 677/2011 <sup>(1)</sup>.

- (10) A timely, coordinated and synchronised deployment of SESAR is essential to achieve the SES performance objectives and the overall economic benefits expected from ATM modernisation.
- (11) Common projects provided for in Article 15a of Regulation (EC) No 550/2004 should help boost the performance of the European ATM network (EATMN) and demonstrate overall positive cost-benefit analysis, mindful of any potential negative impacts for specific regions or stakeholders.
- (12) In order to ensure that common projects are implemented and monitored in a timely, coordinated and synchronised manner, making optimal use of the instruments and bodies identified in the single European sky regulatory framework, a governance of SESAR deployment should be established.
- (13) In order to govern SESAR deployment effectively and ensure credibility of the deployment process, the operational stakeholders accountable for the performance of the ATM system should be involved in deployment governance.
- (14) Operational stakeholders investing in SESAR deployment should play a leading role in managing and implementing deployment activities, preferably through a single entity, while avoiding any conflict of interest.
- (15) The manufacturing industry should play an advisory role in SESAR deployment to ensure consistency with industrialisation and timely availability of equipment.
- (16) The Commission should oversee deployment activities making sure they follow the SES objectives and safeguard the public interest, by establishing appropriate reporting and monitoring mechanisms making the best use of existing instruments such as the European and Local Single Sky Implementation (ESSIP Plan and Report and LSSIP documents).
- (17) The Commission should keep the Single Sky Committee fully informed on the process for the selection of the deployment manager, for the approval of the deployment programme and for the selection of implementation projects. The Single Sky Committee should be consulted on these issues without prejudice to the rules and procedures laid down in the relevant Union funding programmes.
- (18) The European Organisation for Civil Aviation Equipment (Eurocae), which produces technical material and performs preliminary and ancillary work in connection

with European standardisation, should assist the Commission in monitoring and facilitating standardisation processes and in promoting the use of European standards.

- (19) While the deployment of SESAR projects in relation to the military remains the responsibility of the States concerned, there should be coordination with the military to avoid any adverse impact on defence capabilities.
- (20) To encourage early investment from stakeholders and mitigate deployment aspects for which the cost-benefit analysis is less positive, implementation projects that aim to deploy common projects should be eligible for Union funding and other incentives, in accordance with the rules and procedures of Union funding programmes and incentive schemes.
- (21) As far as possible, synergies shall be sought between SESAR deployment and Functional Airspace Blocks (FABs).
- (22) The measures provided for in this Regulation are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS REGULATION:

#### CHAPTER I

#### GENERAL PRINCIPLES

##### Article 1

#### Subject matter and scope

1. This Regulation defines common projects, referred to in Article 15a of Regulation (EC) No 550/2004, explains how they shall be governed and identifies incentives for their deployment.
2. This Regulation shall apply to the European Air Traffic Management Network (EATMN).

##### Article 2

#### Definitions

For the purpose of this Regulation, the definitions in Article 2 of Regulation (EC) No 549/2004 and in Article 2 of Regulation (EU) No 677/2011 shall apply.

In addition the following definitions shall apply:

- (1) 'SESAR Joint Undertaking' means the body, established by Council Regulation (EC) No 219/2007 <sup>(2)</sup>, entrusted with the task of managing and coordinating the development phase of the SESAR project;
- (2) 'charging scheme' means the scheme established by Commission Regulation (EC) No 1794/2006 <sup>(3)</sup>;

<sup>(1)</sup> OJ L 185, 15.7.2011, p. 1.

<sup>(2)</sup> OJ L 64, 2.3.2007, p. 1.

<sup>(3)</sup> OJ L 341, 7.12.2006, p. 3.

- (3) 'ATM functionality' means a group of ATM operational functions or services related to trajectory, airspace and surface management or to information sharing within the en-route, terminal, airport or network operating environments;
- (4) 'SESAR deployment' means the activities and processes relating to the industrialisation and implementation of ATM functionalities identified in the ATM Master Plan;
- (5) 'industrialisation' of ATM functionalities means the activities and processes, following their validation that include standardisation, certification and production by the manufacturing industry (ground and airborne equipment manufacturers);
- (6) 'implementation' of ATM functionalities means the procurement, installation and putting into service of equipment and systems, including associated operational procedures, carried out by operational stakeholders;
- (7) 'essential operational change' means an Air Traffic Management (ATM) operational change that provides significant network performance improvements to the operational stakeholders, as referred to in the ATM Master Plan;
- (8) 'performance scheme' means a scheme established by Commission Regulation (EU) No 691/2010 <sup>(1)</sup>;
- (9) 'European Union-wide performance targets' means the targets referred to in Article 9 of Regulation (EU) No 691/2010;
- (10) 'operational stakeholders' means civil and military: airspace users, air navigation service providers and airport operators.

### Article 3

#### ATM Master Plan

1. The ATM Master Plan is the roadmap driving the modernisation of the European ATM system and connecting SESAR research and development with deployment. It shall be the key SES instrument for the seamless operation of the EATMN and the timely, coordinated and synchronised SESAR deployment.

2. The updates of the ATM Master Plan shall contribute to achieving the European Union-wide performance targets and maintain consistency between these targets, SESAR deployment and SESAR research, development, innovation and validation activities. For this purpose, the ATM Master Plan updates shall take into account the Network Strategy Plan and the Network Operation plan.

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

## CHAPTER II

### COMMON PROJECTS

#### Article 4

#### Purpose and content

1. Common projects shall aim to deploy in a timely, coordinated and synchronised way ATM functionalities that will achieve the essential operational changes.
2. Common projects shall be consistent with and contribute to the European Union-wide performance targets.
3. Common projects shall identify the ATM functionalities that:
  - (a) having reached the appropriate level of industrialisation, are mature for implementation;
  - (b) require synchronised deployment.
4. The maturity of ATM functionalities shall be demonstrated, inter alia, on the basis of the results of validation carried out by the SESAR Joint Undertaking, the status of standardisation and certification processes and an assessment of their interoperability, also in relation to the ICAO Global Air Navigation Plan and relevant ICAO material.
5. The need for synchronised deployment of ATM functionalities shall be assessed on the basis of:
  - (a) a definition of their geographical scope and planning, including deployment target dates;
  - (b) an identification of the operational stakeholders required to deploy them;
  - (c) transitional measures for their progressive deployment.
6. Common projects shall also:
  - (a) demonstrate a positive business case for the EATMN, based on an independent cost-benefit analysis, and identify any potential local or regional negative impact for any specific category of operational stakeholders;
  - (b) identify incentives for deployment, referred to in Section 3 of Chapter III, in particular to mitigate negative impacts on a specific geographical area or category of operational stakeholders;
  - (c) refer to the implementing rules for interoperability and safety under Regulation (EC) No 552/2004 of the European Parliament and of the Council <sup>(2)</sup> and Regulation (EC) No 216/2008 of the European Parliament and of the Council <sup>(3)</sup>. In particular, reference shall be made to

<sup>(2)</sup> OJ L 96, 31.3.2004, p. 26.

<sup>(3)</sup> OJ L 79, 19.3.2008, p. 1.

Community specifications under Regulation (EC) No 552/2004 and to acceptable means of compliance and certification specifications under Regulation (EC) No 216/2008;

- (d) identify any need for new implementing rules for interoperability and safety, Community specifications and civil standards to support their deployment and their applicability to the military taking into consideration civil and military systems' equivalence; and
- (e) take account of the relevant deployment elements specified in the Network Strategy Plan and the Network Operations Plan of the Network Manager.

#### Article 5

##### Setup, adoption and implementation

1. The Commission shall set up proposals for common projects in accordance with the requirements of Article 4.
2. The Commission shall be assisted by the Network Manager, the European Aviation Safety Agency, the Performance Review Body within their respective roles and competencies as defined in the SES regulatory framework, and by the SESAR Joint undertaking, Eurocontrol, the European standardisation organisations, Eurocae and the deployment manager. These bodies shall involve the operational stakeholders and manufacturing industry.
3. The Commission shall consult the stakeholders in accordance with Articles 6 and 10 of Regulation (EC) No 549/2004 including through the European Defence Agency, within its remit to facilitate the coordination of military views, and the consultative group of experts on the social dimension of the single European sky on its proposals for common projects.
4. The Commission shall ensure that proposals for common projects are endorsed by the airspace users and the ground operational stakeholders that are required to implement a specific common project. To this end, airspace users shall set up a group made up of representatives of airspace users.
5. The Commission shall adopt common projects and any amendments to them in accordance with the procedure referred to in Article 15a(3) of Regulation (EC) No 550/2004.
6. Common projects shall be implemented through implementation projects and in accordance with the deployment programme defined in Chapter III, Section 2.

#### Article 6

##### Monitoring

1. The Commission shall monitor the implementation of common projects and their impact on the performance of the EATMN through specific reporting requirements. Those requirements shall be set out by the Commission under the framework partnership referred to in Article 9(5).

2. In monitoring the effectiveness of common projects with regard to performance of the EATMN, the Commission shall make best use of existing monitoring and reporting instruments and shall be assisted, in particular, by the Network Manager and the Performance Review Body in accordance with Regulations (EU) No 677/2011 and (EU) No 691/2010 and by the European Aviation Safety Agency regarding the safety aspects.

3. The Single Sky Committee shall be informed on the implementation of common projects.

### CHAPTER III

#### DEPLOYMENT GOVERNANCE AND INCENTIVES

##### SECTION 1

##### Deployment Governance

##### Article 7

##### General principles

1. Deployment governance shall ensure the timely, coordinated and synchronised implementation of common projects while interfacing with and facilitating industrialisation.
2. Deployment governance shall be composed of three levels: policy level; management level; and implementation level.

##### Article 8

##### Policy level

1. The policy level shall be responsible for overseeing SESAR deployment, ensuring that it is in line with the single European sky regulatory framework and safeguards the public interest.
2. The Commission shall be responsible for the policy level, in particular for:
  - (a) setting up and adopting common projects in accordance with Article 5;
  - (b) selecting the deployment manager, approving the deployment programme and selecting the implementation projects;
  - (c) managing the Union funds supporting the deployment manager and the implementation projects;
  - (d) identifying incentives for SESAR deployment and enforcing the framework partnership agreement concluded with the deployment manager in accordance with Article 9(5) and any relevant agreements for implementation projects;
  - (e) promoting the participation of the civil and military stakeholders;
  - (f) developing cooperation and coordination with third countries;

- (g) establishing coordination with standardisation and certification organisations and bodies to facilitate industrialisation and promote interoperability of ATM functionalities;
- (h) monitoring the deployment of common projects and their contribution to achieving the European Union-wide performance targets;
- (i) issuing recommendations to operational stakeholders and Member States.

3. The Commission shall be assisted by the Single Sky Committee, the Industry Consultation Body, the consultative group of experts on the social dimension of the single European sky, the National Supervisory Authorities and the Performance Review Body, within their respective roles and competencies as defined in the single European sky regulatory framework. The Commission may consult the Single Sky Committee on any matter concerning the application of this Regulation.

4. The Commission shall also involve, within their respective competencies and roles:

- (a) Eurocontrol, through cooperative arrangements between Eurocontrol and the Union, to take full advantage of its expertise and its civil-military and pan-European competencies;
- (b) the European Defence Agency, to facilitate the coordination of military views from and in support of the Member States and the relevant international military organisations on SESAR deployment and inform military planning mechanisms of the requirements stemming from SESAR deployment;
- (c) the European Aviation Safety Agency, to ensure that safety issues are integrated into the implementation of common projects, in particular when developing the required technical rules, such as those relating to the design, production and maintenance of systems and constituents for air traffic management and air navigation services, as well as for the personnel and organisations involved therein;
- (d) the SESAR Joint Undertaking, to ensure continuous connection between SESAR research, development, innovation and validation activities and SESAR deployment and to ensure that common projects and the deployment programme are in line with the ATM Master Plan;
- (e) The European Standardisation Organisations and Eurocae, the latter in particular to facilitate and monitor industrial standardisation processes and the use of the resulting standards.

#### Article 9

##### Management level

1. The deployment manager shall be responsible for the management level.
2. The deployment manager shall, in particular, be responsible for:
  - (a) developing, proposing, maintaining and implementing the deployment programme, in accordance with Section 2;
  - (b) associating the operational stakeholders that are required to implement common projects;
  - (c) establishing mechanisms and decision-making processes that ensure efficient synchronisation and overall coordination of the implementation projects and the related investment in line with the deployment programme;
  - (d) ensuring effective management of risks and conflict of interest;
  - (e) advising the Commission on issues related to the implementation of common projects and to the setting up new common projects;
  - (f) implementing Commission decisions and ensuring and monitoring their implementation by the implementation level;
  - (g) identifying the most appropriate financing mechanisms combining public and private funding;
  - (h) monitoring implementation of the deployment programme;
  - (i) reporting to the Commission;
  - (j) ensuring appropriate coordination with National Supervisory Authorities.
3. The deployment manager shall be composed of groupings of operational stakeholders or individual operational stakeholders, including from third countries, under the conditions defined in the relevant Union funding programmes. Operational stakeholders may participate in the deployment manager through FAB structures.
4. The deployment manager shall demonstrate, inter alia, its capacity to:
  - (a) represent operational stakeholders that are required to implement common projects;
  - (b) manage multi-national implementation programmes;
  - (c) understand funding and financing mechanisms and financial programme management; and
  - (d) use existing structures to involve all operational stakeholders.

5. The selection of the members of the deployment manager by the Commission shall take the form of the award of a framework partnership following a call for proposals in accordance with Article 178 of the Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union <sup>(1)</sup> (Rules of Application). The call for proposals shall define the objectives, requirements and the criteria for the selection of the members of the deployment manager in accordance with the Rules of Application. The Single Sky Committee shall be informed on the process of selection of the deployment manager.

6. Members of the deployment manager shall carry out at least one implementation project or part of it.

7. The deployment manager shall make appropriate cooperative arrangements with the Network Manager, the SESAR Joint Undertaking and the military. The appropriate cooperative arrangements shall be submitted to the Commission for approval. The cooperation shall be as follows:

- (a) the deployment manager and the Network Manager shall cooperate to ensure their tasks are fulfilled without any form of duplication or competition, in particular, for the deployment aspects that have an impact on the network infrastructure, airspace organisation and performance as well as coherence with the Network Strategy Plan and the Network Operations Plan; the Network Manager shall also support, within its mandate, the members of the deployment manager in accordance with Articles 4(1)(i) and 4(3)(b) of Regulation (EU) No 677/2011;
- (b) the deployment manager shall cooperate with the SESAR Joint Undertaking to ensure the necessary connections between SESAR research, development, innovation and validation activities and SESAR deployment and shall consult with the SESAR Joint Undertaking on the priorities and the progress made during the development phase on issues related to industrialisation and to ensure consistency with the ATM Master Plan;
- (c) the deployment manager shall coordinate with the military to avoid any adverse impact on national and collective defence capabilities.

8. The deployment manager shall duly take into account the opinion of the entities referred to in paragraph 7 in its decisions that may impact the activities of these entities.

9. In the event of disagreement between the deployment manager and the entities referred to in paragraph 7 the deployment manager shall submit the matter to the Commission for a decision. The deployment manager shall comply with the Commission's decision.

10. The deployment manager shall seek assistance from the manufacturing industry, through cooperative arrangements, which shall be communicated to the Commission, to receive, inter alia, information on the industrialisation of products.

11. Subject to the availability of funds and under the conditions set out in the relevant Union funding Programme, the Commission shall provide financial support to the deployment manager solely for the execution of its tasks referred to in paragraph 2.

#### Article 10

##### Implementation level

1. The implementation level consists of the implementation projects selected by the Commission to implement common projects in line with the deployment programme.

2. Implementation projects shall be selected by the Commission through calls for proposals to implement the deployment programme and in accordance with the rules and procedures of relevant Union funding programmes.

3. The proposals for implementation projects shall take due account of the maturity of the industrialisation processes for these projects, based on information provided by the manufacturing industry, in particular on the impact of the implementation projects on legacy ATM systems, technical feasibility, cost estimates and roadmaps for technical solutions.

4. The implementation projects and their execution shall comply with the conditions agreed on with the Commission.

#### SECTION 2

##### Deployment programme

#### Article 11

##### Purpose

1. The deployment programme shall provide a comprehensive and structured work plan of all activities necessary to implement technologies, procedures and best practices required to implement common projects. It shall organise these activities in implementation projects identifying the associated risks and mitigation actions, the geographical scope, the timeframe and the operational stakeholders responsible for carrying out the implementation projects.

2. The deployment programme shall constitute the reference for the work of the Management and Implementation levels.

3. The deployment programme shall be part of the framework partnership agreement and, as such, the members of the deployment manager shall commit to implement it.

<sup>(1)</sup> OJ L 362, 31.12.2012, p. 1.



*Article 12***Establishment and implementation**

1. The deployment manager shall submit the proposal for the deployment programme and any proposals for amendments to the Commission for approval.
2. In preparing the proposal for the deployment programme or proposals to amend it, the deployment manager shall coordinate with the Network Manager, the SESAR Joint Undertaking and the military in accordance with Article 9(7).
3. Upon adoption of each common project the Commission shall request the deployment manager to adapt the deployment programme.

## SECTION 3

**Incentives***Article 13***Union Funding**

1. Union funding to support SESAR deployment shall focus on implementation projects provided for in Article 10, selected for Union funding in accordance with the rules and procedures of the relevant Union funding programmes.
2. The Commission shall make contractual arrangements covering the implementation projects selected to receive

Union funding. These arrangements shall define penalties for non-execution of the deployment programme and non-execution of the implementation projects.

*Article 14***Other Incentives**

1. Incentives in accordance with Regulations (EC) No 1794/2006 and (EU) No 691/2010 for SESAR deployment may be identified when establishing common projects.
2. Union funding granted in accordance with Article 13 shall be considered as 'other revenue' in accordance with Article 2(k) of Regulation (EC) No 1794/2006.

## CHAPTER IV

**FINAL PROVISIONS***Article 15***Review**

The Commission shall review the implementation of common projects by the end of the second reference period established by Article 7 of Regulation (EU) No 691/2010.

*Article 16***Entry into force**

This Regulation shall enter into force on the first 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, 3 May 2013.

*For the Commission*

*The President*

José Manuel BARROSO

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**COMMISSION IMPLEMENTING REGULATION (EU) No 410/2013****of 3 May 2013****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:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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 to this Regulation.

*Article 2*

This Regulation shall enter into force on the day 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, 3 May 2013.

*For the Commission,  
On behalf of the President,*

Jerzy PLEWA  
*Director-General for Agriculture and  
Rural Development*

<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

<i>(EUR/100 kg)</i>		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MA	74,6
	TN	108,2
	TR	125,9
	ZZ	102,9
0707 00 05	AL	65,0
	EG	158,2
	TR	126,3
	ZZ	116,5
0709 93 10	TR	135,7
	ZZ	135,7
0805 10 20	EG	51,2
	IL	71,8
	MA	60,7
	TN	67,7
	TR	72,9
	ZZ	64,9
0805 50 10	TR	97,0
	ZA	116,4
	ZZ	106,7
0808 10 80	AR	116,6
	BR	98,6
	CL	121,1
	CN	76,2
	MK	30,3
	NZ	142,8
	US	202,7
	ZA	108,8
	ZZ	112,1

<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 411/2013

of 3 May 2013

**fixing the allocation coefficient to be applied to applications for import licences for olive oil lodged from 29 to 30 April 2013 under the Tunisian tariff quota and suspending the issue of import licences for the month of May 2013**

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 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences <sup>(2)</sup>, and in particular Article 7(2) thereof,

Whereas:

- (1) Article 3(1) and (2) of Protocol No 1 <sup>(3)</sup> to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part <sup>(4)</sup>, opens a tariff quota at a zero rate of duty for imports of untreated olive oil falling within CN codes 1509 10 10 and 1509 10 90, wholly obtained in Tunisia and transported direct from that country to the European Union, up to the limit laid down for each year.
- (2) Article 2(2) of Commission Regulation (EC) No 1918/2006 of 20 December 2006 opening and providing for the administration of tariff quota for

olive oil originating in Tunisia <sup>(5)</sup> lays down monthly quantitative limits for the issue of import licences.

- (3) Import licence applications have been submitted to the competent authorities under Article 3(1) of Regulation (EC) No 1918/2006 in respect of a total quantity exceeding the limit laid down for the month of May in Article 2(2) of that Regulation.
- (4) In these circumstances, the Commission must set an allocation coefficient allowing import licences to be issued in proportion to the quantity available.
- (5) Since the limit for the month of May has been reached, no more import licences can be issued for that month,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications were lodged for 29 and 30 April 2013 under Article 3(1) of Regulation (EC) No 1918/2006 shall be multiplied by an allocation coefficient of 61,061322 %.

The issue of import licences in respect of amounts applied for as from 6 May 2013 shall be suspended for May 2013.

*Article 2*

This Regulation shall enter into force on 4 May 2013.

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

Done at Brussels, 3 May 2013.

*For the Commission,  
On behalf of the President,*

Jerzy PLEWA

*Director-General for Agriculture and  
Rural Development*

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

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 97, 30.3.1998, p. 57.

<sup>(4)</sup> OJ L 97, 30.3.1998, p. 2.

<sup>(5)</sup> OJ L 365, 21.12.2006, p. 84.

# DECISIONS

## COMMISSION IMPLEMENTING DECISION

of 2 May 2013

**on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD)**

(notified under document C(2013) 2436)

(Only the Czech, Dutch, English, French, German, Greek, Hungarian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian and Spanish texts are authentic)

(2013/214/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(1)</sup>, and in particular Article 7(4) thereof,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(2)</sup>, and in particular Articles 30 and 31 thereof,

Having consulted the Committee on the Agricultural Funds,

Whereas:

(1) Under Article 7(4) of Regulation (EC) No 1258/1999, and Article 31 of Regulation (EC) No 1290/2005, the Commission is to carry out the necessary verifications, communicate to the Member States the results of these verifications, take note of the comments of the Member States, initiate a bilateral discussion so that an agreement may be reached with the Member States in question, and formally communicate its conclusions to them.

(2) The Member States have had an opportunity to request the launch of a conciliation procedure. That opportunity has been used in some cases and the reports issued on the outcome have been examined by the Commission.

(3) Under Regulations (EC) No 1258/1999 and (EC) No 1290/2005, only agricultural expenditure which has been incurred in a way that has not infringed European Union rules may be financed.

(4) In the light of the verifications carried out, the outcome of the bilateral discussions and the conciliation procedures, part of the expenditure declared by the Member States does not fulfil this requirement and cannot, therefore, be financed under the EAGGF Guarantee Section, the EAGF and the EAFRD.

(5) The amounts that are not recognised as being chargeable to the EAGGF Guarantee Section, the EAGF and the EAFRD should be indicated. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the verifications to the Member States.

(6) As regards the cases covered by this decision, the assessment of the amounts to be excluded on grounds of non-compliance with European Union rules was notified by the Commission to the Member States in a summary report on the subject.

(7) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the European Courts in cases pending on 1 February 2013 and relating to its content,

HAS ADOPTED THIS DECISION:

### Article 1

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section, under the EAGF or under the EAFRD shall be excluded from European Union financing because it does not comply with European Union rules.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 103.

<sup>(2)</sup> OJ L 209, 11.8.2005, p. 1.

*Article 2*

This Decision is addressed to the Kingdom of Belgium, the Czech Republic, the Federal Republic of Germany, Ireland, the Hellenic Republic, the Kingdom of Spain, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 2 May 2013.

*For the Commission*  
Dacian CIOLOŞ  
*Member of the Commission*

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## ANNEX

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
<b>BUDGET ITEM: 6 7 0 1</b>									
BE	Financial audit - Overshooting	2011	Exceeding of ceilings	ONE-OFF		EUR	- 595 061,63	0,00	- 595 061,63
<b>TOTAL BE</b>						<b>EUR</b>	<b>- 595 061,63</b>	<b>0,00</b>	<b>- 595 061,63</b>
CZ	Financial audit - Overshooting	2010	exceeding of financial ceilings	ONE-OFF		EUR	- 26 676,47	0,00	- 26 676,47
<b>TOTAL CZ</b>						<b>EUR</b>	<b>- 26 676,47</b>	<b>0,00</b>	<b>- 26 676,47</b>
DE	Clearance of accounts - Financial Clearance	2009	Material error found in the EAGF debtor population	ONE-OFF		EUR	- 63 112,38	0,00	- 63 112,38
<b>TOTAL DE</b>						<b>EUR</b>	<b>- 63 112,38</b>	<b>0,00</b>	<b>- 63 112,38</b>
ES	Other Direct Aid - Bovines	2008	Insufficient rate of on-the-spot checks during the retention period for suckler cow premium	FLAT RATE	2,00 %	EUR	- 167 971,02	0,00	- 167 971,02
ES	Other Direct Aid - Ewe and Goats	2008	Minimum rate of on-the-spot checks to be performed throughout the retention period not achieved	FLAT RATE	2,00 %	EUR	- 11 498,80	0,00	- 11 498,80
ES	Other Direct Aid - Ewe and Goats	2009	Minimum rate of on-the-spot checks to be performed throughout the retention period not achieved	FLAT RATE	2,00 %	EUR	- 68,10	0,00	- 68,10
ES	Other Direct Aid - Bovines	2009	Insufficient rate of on-the-spot checks during the retention period for suckler cow premium	FLAT RATE	2,00 %	EUR	- 807,40	0,00	- 807,40
ES	Other Direct Aid - Article 69 of Regulation (EC) No 1782/2003 - only Ovines and Bovines	2009	Incorrect application of sanctions for Art. 69 payments for suckler cows	ONE-OFF		EUR	- 14 942,25	0,00	- 14 942,25
ES	Other Direct Aid - Bovines	2010	Insufficient rate of on-the-spot checks during the retention period for suckler cow premium	FLAT RATE	2,00 %	EUR	- 349,10	0,00	- 349,10

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
ES	Cross Compliance	2007	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2006	FLAT RATE	5,00 %	EUR	- 278 566,12	- 15,91	- 278 550,21
ES	Cross Compliance	2007	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2006	FLAT RATE	5,00 %	EUR	10,62	0,00	10,62
ES	Cross Compliance	2008	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2006	FLAT RATE	5,00 %	EUR	69,80	0,01	69,79
ES	Cross Compliance	2008	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	- 455 159,79	- 16,40	- 455 143,39
ES	Cross Compliance	2008	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2006	FLAT RATE	5,00 %	EUR	7,84	0,00	7,84
ES	Cross Compliance	2008	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	46,11	0,00	46,11
ES	Cross Compliance	2009	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	- 193 420,77	- 64,19	- 193 356,58
ES	Cross Compliance	2009	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	21,10	0,00	21,10
ES	Cross Compliance	2009	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2006	FLAT RATE	5,00 %	EUR	- 315,09	0,00	- 315,09
ES	Cross Compliance	2009	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	- 1 230,99	0,00	- 1 230,99
ES	Cross Compliance	2009	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	15,27	0,00	15,27



MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
ES	Cross Compliance	2009	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2006	FLAT RATE	5,00 %	EUR	11,26	0,00	11,26
ES	Cross Compliance	2009	Systematic use of 1 % sanction, CY 2008	ONE-OFF		EUR	- 32 093,42	0,00	- 32 093,42
ES	Cross Compliance	2010	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	- 9,74	0,00	- 9,74
ES	Cross Compliance	2010	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	8,14	0,00	8,14
ES	Cross Compliance	2010	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	- 32,98	0,00	- 32,98
ES	Cross Compliance	2011	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	- 53,05	0,00	- 53,05
<b>TOTAL ES</b>						<b>EUR</b>	<b>- 1 156 328,48</b>	<b>- 96,49</b>	<b>- 1 156 231,99</b>
GB	Meat Premiums - Bovines	2004	identification of animals by management tags only; absence of reaction in terms of increase of numbers of on-the-spot checks; frequent announcement of on-the-spot checks more than 48h in advance	FLAT RATE	5,00 %	GBP	- 3 740 792,02	0,00	- 3 740 792,02
GB	Meat Premiums - Bovines	2004	inadequate application of the concept of "obvious error"	ONE-OFF		GBP	- 574 250,30	0,00	- 574 250,30
GB	Meat Premiums - Bovines	2005	identification of animals by management tags only; absence of reaction in terms of increase of numbers of on-the-spot checks; frequent announcement of on-the-spot checks more than 48h in advance	FLAT RATE	5,00 %	GBP	- 4 114 103,86	0,00	- 4 114 103,86
GB	Meat Premiums - Bovines	2005	inadequate application of the concept of "obvious error"	ONE-OFF		GBP	- 432 462,11	0,00	- 432 462,11
GB	Meat Premiums - Bovines	2006	identification of animals by management tags only; absence of reaction in terms of increase of numbers of on-the-spot checks; frequent announcement of on-the-spot checks more than 48h in advance	FLAT RATE	5,00 %	GBP	- 18 601,72	0,00	- 18 601,72
GB	Meat Premiums - Bovines	2006	inadequate application of the concept of "obvious error"	ONE-OFF		GBP	- 1 660,87	0,00	- 1 660,87
GB	Financial audit - Late payments and payment deadlines	2011	late payments	ONE-OFF		EUR	0,00	- 277 450,62	277 450,62

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
GB	Financial audit - Late payments and payment deadlines	2011	late payments	ONE-OFF		EUR	- 47 756,85	- 47 756,85	0,00
GB	Financial audit - Overshooting	2011	exceeding of ceiling	ONE-OFF		EUR	- 3 590,98	- 3 590,98	0,00
GB	Financial audit - Late payments and payment deadlines	2011	late payments	ONE-OFF		EUR	- 270 356,10	- 270 356,10	0,00
<b>TOTAL GB</b>						<b>GBP</b>	<b>- 8 881 870,88</b>	<b>0,00</b>	<b>- 8 881 870,88</b>
<b>TOTAL GB</b>						<b>EUR</b>	<b>- 321 703,93</b>	<b>- 599 154,55</b>	<b>277 450,62</b>
GR	Other Direct Aid - Processed dried grape products (other measures)	2008	Non-compliant reduction of the minimum yield for the dried grapes	ONE-OFF		EUR	- 83 614 255,41	0,00	- 83 614 255,41
GR	Other Direct Aid - Processed dried grape products (other measures)	2009	Non-compliant reduction of the minimum yield for the dried grapes	ONE-OFF		EUR	885,19	0,00	885,19
GR	Other Direct Aid - Bovines	2005	weaknesses in on the spot checks, delays in I&R database updates (claim year 2004)	FLAT RATE	5,00 %	EUR	- 4 768 967,30	- 71 456,42	- 4 697 510,88
GR	Other Direct Aid - Bovines	2006	weaknesses in on the spot checks, delays in I&R database updates (claim year 2004)	FLAT RATE	5,00 %	EUR	- 68,56	0,00	- 68,56
GR	Other Direct Aid - Bovines	2006	weaknesses in on the spot checks, delays in I&R database updates (claim year 2005)	FLAT RATE	5,00 %	EUR	- 4 726 636,37	- 431 325,20	- 4 295 311,17
GR	Other Direct Aid - Bovines	2007	weaknesses in on the spot checks, delays in I&R database updates (claim year 2004)	FLAT RATE	5,00 %	EUR	- 2,53	0,00	- 2,53
GR	Other Direct Aid - Bovines	2008	weaknesses in on the spot checks, delays in I&R database updates (claim year 2004)	FLAT RATE	5,00 %	EUR	129 970,98	0,00	129 970,98
GR	Other Direct Aid - Bovines	2008	weaknesses in on the spot checks, delays in I&R database updates (claim year 2005)	FLAT RATE	5,00 %	EUR	- 28 893,72	- 586,21	- 28 307,51

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
GR	Other Direct Aid - Bovines	2009	weaknesses in on the spot checks, delays in I&R database updates (claim year 2005)	FLAT RATE	5,00 %	EUR	- 8 325,21	0,00	- 8 325,21
GR	Other Direct Aid - Ewe and Goats	2006	Flock registers and on-the-spot checks weaknesses (claim year 2005)	FLAT RATE	10,00 %	EUR	- 23 930 463,40	- 71 791,38	- 23 858 672,02
GR	Other Direct Aid - Ewe and Goats	2006	Payments to claimants with less than 10 quota rights (claim year 2005)	ONE-OFF		EUR	- 12 269,39	- 1 226,94	- 11 042,45
GR	Other Direct Aid - Ewe and Goats	2007	Flock registers and on-the-spot checks weaknesses (claim year 2005)	FLAT RATE	10,00 %	EUR	- 9 671,15	- 29,01	- 9 642,14
GR	Other Direct Aid - Ewe and Goats	2008	Flock registers and on-the-spot checks weaknesses (claim year 2005)	FLAT RATE	10,00 %	EUR	- 1 753,01	0,00	- 1 753,01
GR	Other Direct Aid - Ewe and Goats	2009	Flock registers and on-the-spot checks weaknesses (claim year 2005)	FLAT RATE	10,00 %	EUR	- 2 110,56	0,00	- 2 110,56
<b>TOTAL GR</b>						<b>EUR</b>	<b>- 116 972 560,44</b>	<b>- 576 415,16</b>	<b>- 116 396 145,28</b>
HU	Financial audit - Overshooting	2011	exceeding of ceilings	ONE-OFF		EUR	- 575,13	- 575,13	0,00
<b>TOTAL HU</b>						<b>EUR</b>	<b>- 575,13</b>	<b>- 575,13</b>	<b>0,00</b>
IE	Cross Compliance	2007	Two GAEC missing, Arable land, CY 2006	FLAT RATE	2,00 %	EUR	- 345 152,32	0,00	- 345 152,32
IE	Cross Compliance	2007	Cases of non compliance not leading to sanctions, CY 2006	ONE-OFF		EUR	- 167 997,40	0,00	- 167 997,40
IE	Cross Compliance	2008	Two GAEC missing, Arable land, CY 2007	FLAT RATE	2,00 %	EUR	- 588 528,41	0,00	- 588 528,41
IE	Cross Compliance	2008	Cases of non compliance not leading to sanctions, CY 2007	ONE-OFF		EUR	- 139 818,63	0,00	- 139 818,63
IE	Cross Compliance	2009	Two GAEC missing, Arable land, CY 2008	FLAT RATE	2,00 %	EUR	- 657 665,13	0,00	- 657 665,13
<b>TOTAL IE</b>						<b>EUR</b>	<b>- 1 899 161,89</b>	<b>0,00</b>	<b>- 1 899 161,89</b>

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
MT	Entitlements	2008	Weaknesses in the establishment of the payment entitlements	ONE-OFF		EUR	- 55 495,24	- 277,48	- 55 217,76
MT	Entitlements	2009	Weaknesses in the establishment of the payment entitlements	ONE-OFF		EUR	- 28 426,43	- 142,14	- 28 284,29
MT	Entitlements	2010	Weaknesses in the establishment of the payment entitlements	ONE-OFF		EUR	- 7 763,34	- 38,82	- 7 724,52
<b>TOTAL MT</b>						<b>EUR</b>	<b>- 91 685,01</b>	<b>- 458,44</b>	<b>- 91 226,57</b>
PL	Clearance of accounts - Financial Clearance	2010	unaccounted recoveries	ONE-OFF		PLN	- 4 462,70	0,00	- 4 462,70
PL	Clearance of accounts - Financial Clearance	2010	unaccounted recoveries	ONE-OFF		PLN	- 90 495,14	0,00	- 90 495,14
<b>TOTAL PL</b>						<b>PLN</b>	<b>- 94 957,84</b>	<b>0,00</b>	<b>- 94 957,84</b>
PT	Export refunds - other	2006	weaknesses in the selection of the export declarations for the physical checks	ONE-OFF		EUR	- 3 156,84	0,00	- 3 156,84
PT	Export refunds - other	2007	weaknesses in the selection of the export declarations for the physical checks	ONE-OFF		EUR	- 17 242,40	0,00	- 17 242,40
PT	Export refunds - other	2008	weaknesses in the selection of the export declarations for the physical checks	ONE-OFF		EUR	- 10 585,11	0,00	- 10 585,11
<b>TOTAL PT</b>						<b>EUR</b>	<b>- 30 984,35</b>	<b>0,00</b>	<b>- 30 984,35</b>
SI	Clearance of accounts - Financial Clearance	2008	Correction of the incorrect allocation of the financial correction to EAFRD in Decision 2012/336/EU	ONE-OFF		EUR	- 6 010,62	0,00	- 6 010,62
<b>TOTAL SI</b>						<b>EUR</b>	<b>- 6 010,62</b>	<b>0,00</b>	<b>- 6 010,62</b>
<b>6 701 TOTAL</b>						<b>GBP</b>	<b>- 8 881 870,88</b>	<b>0,00</b>	<b>- 8 881 870,88</b>

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
<b>6 7 0 1 TOTAL</b>						<b>PLN</b>	<b>- 94 957,84</b>	<b>0,00</b>	<b>- 94 957,84</b>
<b>6 7 0 1 TOTAL</b>						<b>EUR</b>	<b>- 121 163 860,33</b>	<b>- 1 176 699,77</b>	<b>- 119 987 160,56</b>

**BUDGET ITEM: 05 07 01 07**

GR			reimbursement following the judgement issued in case T-158/09	ONE-OFF		EUR	820 821,99	0,00	820 821,99
<b>TOTAL GR</b>						<b>EUR</b>	<b>820 821,99</b>	<b>0,00</b>	<b>820 821,99</b>
<b>05 07 01 07 TOTAL</b>						<b>EUR</b>	<b>820 821,99</b>	<b>0,00</b>	<b>820 821,99</b>

**BUDGET ITEM: 6 5 0 0**

PL	Clearance of accounts - Financial Clearance	2010	unaccounted recoveries for TRDI	ONE-OFF		EUR	- 464 767,83	0,00	- 464 767,83
PL	Rural Development - Transitional Instrument	2007	Deficiencies in the check of the initial application and in the approval of the business plan	FLAT RATE	10,00 %	EUR	- 2 624 539,65	0,00	- 2 624 539,65
PL	Rural Development - Transitional Instrument	2007	Deficiencies in the check of the initial application and in the approval of the business plan	EXTRAPO-LATED		EUR	- 3 243 813,05	0,00	- 3 243 813,05
PL	Rural Development - Transitional Instrument	2008	Deficiencies in the check of the initial application and in the approval of the business plan	FLAT RATE	10,00 %	EUR	- 1 153 939,94	0,00	- 1 153 939,94
PL	Rural Development - Transitional Instrument	2008	Deficiencies in the check of the initial application and in the approval of the business plan	EXTRAPO-LATED		EUR	- 1 426 217,90	0,00	- 1 426 217,90

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
PL	Rural Development - Transitional Instrument	2009	Deficiencies in the check of the initial application and in the approval of the business plan	FLAT RATE	10,00 %	EUR	69 646,57	0,00	69 646,57
PL	Rural Development - Transitional Instrument	2009	Deficiencies in the check of the initial application and in the approval of the business plan	EXTRAPO-LATED		EUR	86 080,03	0,00	86 080,03
<b>TOTAL PL</b>						<b>EUR</b>	<b>- 8 757 551,77</b>	<b>0,00</b>	<b>- 8 757 551,77</b>
<b>6 500 TOTAL</b>						<b>EUR</b>	<b>- 8 757 551,77</b>	<b>0,00</b>	<b>- 8 757 551,77</b>

**BUDGET ITEM: 6 7 1 1**

DE	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Lack of 100 % verification of the parcels for Agri-environment measure	FLAT RATE	2,00 %	EUR	- 1 953,69	0,00	- 1 953,69
DE	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	Lack of 100 % verification of the parcels for Agri-environment measure	FLAT RATE	2,00 %	EUR	- 338 482,03	0,00	- 338 482,03
DE	Clearance of accounts - Financial Clearance	2009	Most Likely Error correction for the EAFRD Non-IACS population	ONE-OFF		EUR	- 171 305,80	0,00	- 171 305,80
DE	Clearance of accounts - Financial Clearance	2009	Most Likely Error correction for the EAFRD Non-IACS population and Annex III correction	ONE-OFF		EUR	- 700 856,93	0,00	- 700 856,93
<b>TOTAL DE</b>						<b>EUR</b>	<b>- 1 212 598,45</b>	<b>0,00</b>	<b>- 1 212 598,45</b>
ES	Cross Compliance	2007	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	- 0,58	0,00	- 0,58
ES	Cross Compliance	2008	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	- 20 558,89	0,00	- 20 558,89

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
ES	Cross Compliance	2009	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	- 8 501,05	0,00	- 8 501,05
ES	Cross Compliance	2009	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	- 551,07	0,00	- 551,07
ES	Cross Compliance	2010	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	- 83,31	0,00	- 83,31
ES	Cross Compliance	2010	Non compliant sanctioning system, partial coverage of 2 SMR, 1 GAEC missing, CY 2007	FLAT RATE	5,00 %	EUR	- 58,17	0,00	- 58,17
ES	Cross Compliance	2011	Partial application of intentionality, partial coverage of 1 SMR, 1 GAEC missing, CY 2008	FLAT RATE	2,00 %	EUR	- 88,59	0,00	- 88,59
<b>TOTAL ES</b>						<b>EUR</b>	<b>- 29 841,66</b>	<b>0,00</b>	<b>- 29 841,66</b>
GB	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2008	deficiencies in the scope of the on-the-spot checks, controllability and risk analysis	FLAT RATE	5,00 %	EUR	- 1 928,36	- 1 928,36	0,00
GB	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	deficiencies in the scope of the on-the-spot checks, controllability and risk analysis	FLAT RATE	5,00 %	EUR	- 820 649,49	- 819 434,95	- 1 214,54
GB	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	deficiencies in the scope of the on-the-spot checks, controllability and risk analysis	FLAT RATE	5,00 %	EUR	- 1 107 312,97	- 1 107 270,18	- 42,79
<b>TOTAL GB</b>						<b>EUR</b>	<b>- 1 929 890,82</b>	<b>- 1 928 633,49</b>	<b>- 1 257,33</b>
GR	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Weaknesses on the on-the-spot controls	FLAT RATE	2,00 %	EUR	- 959 020,82	0,00	- 959 020,82

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
GR	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Weaknesses on the on-the-spot controls	FLAT RATE	5,00 %	EUR	- 2 369 009,27	0,00	- 2 369 009,27
GR	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	Weaknesses on the on-the-spot controls	FLAT RATE	2,00 %	EUR	- 992 833,01	0,00	- 992 833,01
GR	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	Weaknesses on the on-the-spot controls	FLAT RATE	5,00 %	EUR	- 1 854 231,39	0,00	- 1 854 231,39
<b>TOTAL GR</b>						<b>EUR</b>	<b>- 6 175 094,49</b>	<b>0,00</b>	<b>- 6 175 094,49</b>
LT	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2008	Weakness in the on-the-spot controls: checks of commitments and use of fertilisers	FLAT RATE	5,00 %	EUR	- 192 017,09	0,00	- 192 017,09
LT	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2008	Weakness in the on-the-spot control of an eligibility criterion	FLAT RATE	5,00 %	EUR	- 82 671,20	0,00	- 82 671,20
LT	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Weakness in the on-the-spot controls: number of parcels checked	FLAT RATE	2,00 %	EUR	- 78 104,23	0,00	- 78 104,23
LT	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Weakness in the on-the-spot control of an eligibility criterion	FLAT RATE	5,00 %	EUR	- 77 995,30	0,00	- 77 995,30
LT	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Weakness in the on-the-spot controls: checks of commitments and use of fertilisers	FLAT RATE	5,00 %	EUR	- 1 388 259,62	0,00	- 1 388 259,62



MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
LT	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	Weakness in the on-the-spot controls: number of parcels checked	FLAT RATE	2,00 %	EUR	- 156 283,74	0,00	- 156 283,74
LT	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	Weakness in the on-the-spot controls: checks of commitments and use of fertilisers	FLAT RATE	5,00 %	EUR	- 1 473 178,82	0,00	- 1 473 178,82
<b>TOTAL LT</b>						<b>EUR</b>	<b>- 3 448 510,00</b>	<b>0,00</b>	<b>- 3 448 510,00</b>
PL	Rural Development EAFRD Axis 1 - Measures with flat rate support (2007-2013)	2008	Deficiencies in the check of the initial application and in the approval of the business plan	FLAT RATE	10,00 %	EUR	- 12 142 330,51	0,00	- 12 142 330,51
PL	Rural Development EAFRD Axis 1 - Measures with flat rate support (2007-2013)	2008	Deficiencies in the check of the initial application and in the approval of the business plan	EXTRAPO-LATED		EUR	- 15 007 374,79	0,00	- 15 007 374,79
PL	Rural Development EAFRD Axis 1 - Measures with flat rate support (2007-2013)	2009	Deficiencies in the check of the initial application and in the approval of the business plan	FLAT RATE	10,00 %	EUR	- 9 619 133,12	0,00	- 9 619 133,12
PL	Rural Development EAFRD Axis 1 - Measures with flat rate support (2007-2013)	2009	Deficiencies in the check of the initial application and in the approval of the business plan	EXTRAPO-LATED		EUR	- 11 888 816,22	0,00	- 11 888 816,22
PL	Rural Development EAFRD Axis 1 - Measures with flat rate support (2007-2013)	2010	Deficiencies in the check of the initial application and in the approval of the business plan	FLAT RATE	10,00 %	EUR	- 10 265 369,46	0,00	- 10 265 369,46

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
PL	Rural Development EAFRD Axis 1 - Measures with flat rate support (2007-2013)	2010	Deficiencies in the check of the initial application and in the approval of the business plan	EXTRAPO-LATED		EUR	- 12 687 535,29	0,00	- 12 687 535,29
PL	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Lack of verification of 100 % of the parcels for AEM	FLAT RATE	2,00 %	EUR	- 558 083,72	0,00	- 558 083,72
PL	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	Weakness in the sanction system for sub measure 7 of Agri-environment measure	ONE-OFF		EUR	- 128 160,62	0,00	- 128 160,62
PL	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	Lack of verification of 100 % of the parcels for Agri-environment measure	FLAT RATE	2,00 %	EUR	- 1 235 465,50	0,00	- 1 235 465,50
PL	Clearance of accounts - Financial Clearance	2010	unaccounted recoveries	ONE-OFF		EUR	- 192 783,22	0,00	- 192 783,22
<b>TOTAL PL</b>						<b>EUR</b>	<b>- 73 725 052,45</b>	<b>0,00</b>	<b>- 73 725 052,45</b>
SI	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	deficiencies in the administrative checks	FLAT RATE	5,00 %	EUR	- 172 157,18	0,00	- 172 157,18
SI	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	no cross-checks with the database for assessment of the livestock density	ONE-OFF		EUR	- 148 151,34	0,00	- 148 151,34
SI	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	deficiencies in the administrative checks	FLAT RATE	5,00 %	EUR	- 148 762,78	0,00	- 148 762,78

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
SI	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	no cross-checks with the database for assessment of the livestock density	ONE-OFF		EUR	- 84 932,61	0,00	- 84 932,61
SI	Clearance of accounts - Financial Clearance	2008	Reimbursement correcting the incorrect allocation of the financial correction to EAFRD in Decision 2012/336/EU	ONE-OFF		EUR	6 010,62	0,00	6 010,62
<b>TOTAL SI</b>						<b>EUR</b>	<b>- 547 993,29</b>	<b>0,00</b>	<b>- 547 993,29</b>
SK	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	lack of timing of on-the-spot controls for organic farming	FLAT RATE	2,00 %	EUR	- 28 024,87	0,00	- 28 024,87
SK	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	lack of timing of on-the-spot controls	FLAT RATE	5,00 %	EUR	- 559 889,71	0,00	- 559 889,71
SK	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2009	lack of cross checks for livestock verification	ONE-OFF		EUR	- 547 079,42	0,00	- 547 079,42
SK	Rural Development EAFRD Axis 2 (2007-2013, area related measures)	2010	lack of timing of on-the-spot controls	FLAT RATE	5,00 %	EUR	- 3 641,64	0,00	- 3 641,64
SK	Rural Development EAFRD Axis 2 (2007-2013, non area related measures)	2009	Lack of verification of minimum standards for animal welfare	FLAT RATE	5,00 %	EUR	- 176 405,60	0,00	- 176 405,60

MS	Measure	Financial Year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
SK	Rural Development EAFRD Axis 2 (2007-2013, non area related measures)	2010	Lack of verification of minimum standards for animal welfare	FLAT RATE	5,00 %	EUR	- 224 457,67	0,00	- 224 457,67
SK	Clearance of accounts - Financial Clearance	2010	financial error in the EAFRD accounts	ONE-OFF		EUR	- 1 764 408,41	0,00	- 1 764 408,41
<b>TOTAL SK</b>						<b>EUR</b>	<b>- 3 303 907,32</b>	<b>0,00</b>	<b>- 3 303 907,32</b>
<b>6 7 1 1 TOTAL</b>						<b>EUR</b>	<b>- 90 372 888,48</b>	<b>- 1 928 633,49</b>	<b>- 88 444 254,99</b>

## RULES OF PROCEDURE

### Revision of the Rules of Procedure of the Committee of the Regions

At its 99th plenary session, on 1 February 2013, the Committee of the Regions decided to replace Rule 29 of its Rules of Procedure, adopted on 3 December 2009 on the basis of Article 306, second subparagraph, of the Treaty on the Functioning of the European Union, as follows:

#### **Rule 29 — Composition of the Bureau**

The Bureau shall consist of:

- (a) the President;
- (b) the first Vice-President;
- (c) one Vice-President per Member State;
- (d) 28 other members; and
- (e) the chairmen of the political groups.

Seats on the Bureau (excluding the seats of the President, the first Vice-President and the chairmen of the political groups) shall be divided among the national delegations as follows:

- three seats: Germany, Spain, France, Italy, Poland, United Kingdom,
- two seats: Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Ireland, Greece, Lithuania, Hungary, Netherlands, Austria, Portugal, Romania, Slovakia, Finland, Sweden,
- one seat: Estonia, Cyprus, Latvia, Luxembourg, Malta, Slovenia.'

This decision shall only take effect subject to and on the date of entry into force of the Treaty concerning the accession of the Republic of Croatia to the European Union, scheduled for 1 July 2013.

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## CORRIGENDA

**Corrigendum to Council Implementing Decision 2013/185/CFSP of 22 April 2013 implementing Council Decision 2012/739/CFSP concerning restrictive measures against Syria**

(Official Journal of the European Union L 111 of 23 April 2013)

On page 77, recital 2:

*for:* (2) The Council considers that a person should be removed from the list of persons and entities subject to restrictive measures as set out in Annex I to Decision 2011/782/CFSP.;

*read:* (2) The Council considers that a person should be removed from the list of persons and entities subject to restrictive measures as set out in Annex I to Decision 2012/739/CFSP.;

on page 81, Annex, entry 36, column 'Name':

*for:* 'Nizar (رازن) Al-Assad (دعسأل) (a.k.a. Al-Assaad, Al-Assad, Al-Asaad),

*read:* 'Nizar Al-Assad (نزار الأسد)';

on page 81, Annex, entry 36, column 'Identifying information':

*for:* 'Previously head of the "Nizar Oilfield Supplies" company',

*read:* 'Cousin of Bashar Al-Assad; previously head of the "Nizar Oilfield Supplies" company'.

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**Corrigendum to Council Implementing Regulation (EU) No 363/2013 of 22 April 2013 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria**

(Official Journal of the European Union L 111 of 23 April 2013)

On page 5, Annex, entry 36, column 'Name':

*for:* 'Nizar (رازن) Al-Assad (دعسأل) (a.k.a. Al-Assaad, Al-Assad, Al-Asaad),

*read:* 'Nizar Al-Assad (نزار الأسد)';

on page 5, Annex, entry 36, column 'Identifying information':

*for:* 'Previously head of the "Nizar Oilfield Supplies" company',

*read:* 'Cousin of Bashar Al-Assad; previously head of the "Nizar Oilfield Supplies" company'.

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**NOTICE TO READERS**

**Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union***

In accordance with Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union* (OJ L 69, 13.3.2013, p. 1), as of 1 July 2013, only the electronic edition of the Official Journal shall be considered authentic and shall have legal effect.

Where it is not possible to publish the electronic edition of the Official Journal due to unforeseen and exceptional circumstances, the printed edition shall be authentic and shall have legal effect in accordance with the terms and conditions set out in Article 3 of Regulation (EU) No 216/2013.

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