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Legislation

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⁽¹⁾ Text with EEA relevance.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2023/543

of 9 March 2023

amending Implementing Regulation (EU) No 686/2012 as regards the allocation to Member States, for the purposes of the renewal procedure, of the evaluation of active substances whose approval expires between 31 January 2029 and 1 October 2035

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 19 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 686/2012 ⁽²⁾ allocates the evaluation of active substances to a rapporteur Member State and to a co-rapporteur Member State for the purposes of the renewal procedure. Since the evaluation of active substances whose approval expires between 31 January 2029 and 1 October 2035 has not yet been allocated to a Member State or to a co-rapporteur Member State, it is appropriate to proceed to such allocation.
- (2) That allocation should be made in a way that ensures a balance between Member States as regards the distribution of the responsibilities and the work.
- (3) Implementing Regulation (EU) No 686/2012 should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 686/2012 is amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 686/2012 of 26 July 2012 allocating to Member States, for the purposes of the renewal procedure, the evaluation of the active substances (OJ L 200, 27.7.2012, p. 5).

Article 2

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

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

Done at Brussels, 9 March 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In the Annex to Implementing Regulation (EU) No 686/2012, the following Part E is added:

PART E

Allocation of the evaluation of active substances whose approval expires between 31 January 2029 and 1 October 2035

Active substance	Rapporteur Member State	Co-rapporteur Member State
1-methylcyclopropene	DE	EL
2,4-D	DE	EL
2,4-DB	EL	IE
ABE-IT 56	FR	PT
Acetamiprid	DE	ES
Acibenzolar-S-methyl	ES	BE
<i>Ampelomyces quisqualis</i> strain AQ10	SE	NL
<i>Bacillus amyloliquefaciens</i> strain FZB24	DE	AT
<i>Bacillus subtilis</i> strain IAB/BS03	ES	AT
<i>Beauveria bassiana</i> strain 203	DK	NL
<i>Beauveria bassiana</i> strain IMI389521	SE	NL
<i>Beauveria bassiana</i> strain PPRI 5339	SE	NL
Benzoic acid	HU	CZ
Carfentrazone-ethyl	FR	DE
Carvone	IT	NL
Cerevisane	ES	DE
<i>Clonostachys rosea</i> strain J1446	HU	AT
<i>Coniothyrium minitans</i> strain CON/M/91-08	AT	EE
COS-OGA	FR	HR
Cyhalofop-butyl	CZ	BE
Cypermethrin	CZ	DE
Dimethenamid-P	BE	DE
Ethofumesate	AT	FI
Fenhexamid	BE	CZ
Ferric phosphate	PL	DK
Ferric pyrophosphate	CZ	FR
Flazasulfuron	ES	PL
Florasulam	CZ	FR
Florpyrauxifen-benzyl	FR	IT
Flutianil	DE	EL
Foramsulfuron	FR	SK
Forchlorfenuron	ES	BE

Iodosulfuron	BE	FR
Iprovalicarb	SE	LV
<i>Isaria fumosorosea</i> strain Apopka 97	NL	AT
Isoxaflutole	SE	BE
Laminarin	EL	FR
Lavandulyl senecioate	SE	NL
Maleic hydrazide	SI	IT
Mefentrifluconazole	ES	FR
Mesosulfuron	PL	SE
Mesotrione	NL	SK
Metalaxyl-M	DE	EL
Mild Pepino Mosaic Virus isolate VC 1	FR	DE
Mild Pepino Mosaic Virus isolate VX 1	FR	DE
<i>Pasteuria nishizawae</i> Pn1	NL	DK
<i>Pepino mosaic virus</i> strain CH2 isolate 1906	FI	BE
Pethoxamid	AT	FR
<i>Phlebiopsis gigantea</i> strain FOC PG 410.3	EE	FI
<i>Phlebiopsis gigantea</i> strain VRA 1835	EE	FI
<i>Phlebiopsis gigantea</i> strain VRA 1984	EE	FI
Picolinafen	LT	IT
Propoxycarbazone	SE	BE
Pyraflufen-ethyl	DE	FR
Pyridate	AT	DE
Pyriproxyfen	ES	BE
<i>Saccharomyces cerevisiae</i> strain LAS02	EL	AT
Silthiofam	NL	IE
Sodium hydrogen carbonate	AT	FR
Sulfosulfuron	IE	SE
Thiabendazole	NO	ES
Thifensulfuron-methyl	FR	DK
Tolclofos-methyl	FI	SE
Tribenuron	FR	SE
<i>Trichoderma atroviride</i> strain SC1	SI	NL
Trifloxystrobin	HR	DE
<i>Verticillium albo-atrum</i> strain WCS850	NL	SE
Zoxamide	BE	PL

DIRECTIVES

COMMISSION DELEGATED DIRECTIVE (EU) 2023/544

of 16 December 2022

amending Directive 2000/53/EC of the European Parliament and of the Council as regards the exemptions for the use of lead in aluminium alloys for machining purposes, in copper alloys and in certain batteries

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles ⁽¹⁾, and in particular Article 4(2), point (b), thereof,

Whereas:

- (1) Pursuant to Article 4(2), point (a), of Directive 2000/53/EC, Member States are to ensure that materials and components of vehicles put on the market after 1 July 2003 do not contain lead, mercury, cadmium or hexavalent chromium.
- (2) Annex II to Directive 2000/53/EC lists vehicle materials and components that are exempt from the prohibition pursuant to Article 4(2), point (a), thereof.
- (3) The Commission assessed the exemption set out in entry 2(c)(i) of Annex II to Directive 2000/53/EC regarding aluminium alloys for machining purposes in view of technical and scientific progress. This assessment led to the conclusion that there are suitable alternatives available, but that a transitional period is needed to replace the use of lead in all the materials and components covered by that exemption. The use of lead in the materials and components concerned, including lead in wrought aluminium, could be phased out by the end of 2027. It is therefore appropriate to provide for an expiry date for that exemption.
- (4) The Commission assessed the exemption set out in entry 3 of Annex II to Directive 2000/53/EC regarding copper alloys in view of technical and scientific progress. This assessment led to the conclusion that there are still no suitable alternatives to the use of lead in the materials and components covered by that exemption. Taking into account the progress made in the development of substitutes to lead in the materials and components concerned, it is appropriate to provide for a new review date for that exemption.
- (5) The Commission assessed the exemption set out in entry 5(b) of Annex II to Directive 2000/53/EC regarding lead in batteries for battery applications not included in entry 5(a) of that Annex, which concerns batteries in high voltage systems, in view of technical and scientific progress. This assessment led to the conclusion that the use of lead in batteries for battery applications not included in entry 5(a) of Annex II to Directive 2000/53/EC can be avoided for some applications but not for batteries used in 12 V applications. In order to apply a consistent regulatory framework for batteries, including those that are not falling under the exemption set out in entry 5(a) of Annex II to Directive 2000/53/EC and are not used in 12 V applications, it is appropriate to provide for two separate entries 5(b)(i) and 5(b)(ii) instead of a single entry 5(b).

⁽¹⁾ OJ L 269, 21.10.2000, p. 34.

- (6) Entry 5(b)(i) should provide an exemption for the use of lead in batteries used in 12 V applications and for the use of lead in batteries used in 24 V applications in special purpose vehicles as defined in Article 3 of Regulation (EU) 2018/858 of the European Parliament and of the Council ⁽²⁾. Taking into account the progress made in the development of substitutes to the use of lead in the batteries concerned, it is appropriate to provide for a review date for those exemptions.
- (7) Entry 5(b)(ii) should provide for an exemption for the use of lead in batteries for other battery applications that are not included in entry 5(a) and entry 5(b)(i) of Annex II to Directive 2000/53/EC. The assessment led to the conclusion that lead-based batteries for those applications are avoidable given the progress made in the development of substitutes to the use of lead in batteries used in such applications. It is therefore appropriate to provide for an expiry date for that exemption that allows phasing out of the use of lead in the batteries concerned.
- (8) Directive 2000/53/EC should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 2000/53/EC is replaced by the text set out in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 June 2023. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law, which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 16 December 2022.

For the Commission
The President
Ursula VON DER LEYEN

⁽²⁾ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

ANNEX

ANNEX II

Materials and components exempt from Article 4(2), point (a)

A maximum concentration value of substances up to 0,1 % by weight in homogeneous material for lead, hexavalent chromium and mercury and up to 0,01 % by weight in homogeneous material for cadmium shall be tolerated.

Spare parts put on the market after 1 July 2003 which are used for vehicles put on the market before 1 July 2003, except for wheel balance weights, carbon brushes for electric motors and brake linings, shall be exempted from Article 4(2), point (a), of Directive 2000/53/EC.

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with Article 4(2), point (b)(iv)
<i>Lead as an alloying element</i>		
1(a). Steel for machining purposes and batch hot dip galvanised steel components containing up to 0,35 % lead by weight		
1(b). Continuously galvanised steel sheet containing up to 0,35 % lead by weight	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	
2(a). Aluminium for machining purposes with a lead content up to 2 % by weight	As spare parts for vehicles put on the market before 1 July 2005	
2(b). Aluminium with a lead content up to 1,5 % by weight	As spare parts for vehicles put on the market before 1 July 2008	
2(c)(i). Aluminium alloys for machining purposes with a lead content up to 0,4 % by weight	Vehicles type-approved before 1 January 2028 and spare parts for these vehicles	
2(c)(ii). Aluminium alloys not included in entry 2(c)(i) with a lead content up to 0,4 % by weight ^(*)	⁽¹⁾	
3. Copper alloys containing up to 4 % lead by weight	⁽²⁾	
4(a). Bearing shells and bushes	As spare parts for vehicles put on the market before 1 July 2008	
4(b). Bearing shells and bushes in engines, transmissions and air conditioning compressors	As spare parts for vehicles put on the market before 1 July 2011	
<i>Lead and lead compounds in components</i>		
5(a). Lead in batteries used in high-voltage systems ^(*) that are used only for propulsion in M1 and N1 vehicles	Vehicles type approved before 1 January 2019 and spare parts for these vehicles	X

5(b)(i). Lead in batteries: (1) used in 12 V applications (2) used in 24 V applications in special purpose vehicles as defined in Article 3 of Regulation (EU) 2018/858 ⁽¹⁾ of the European Parliament and of the Council	⁽²⁾	X
5(b)(ii). Lead in batteries used in applications not included in entry 5(a) or entry 5(b)(i)	Vehicles type approved before 1 January 2024 and spare parts for these vehicles	X
6. Vibration dampers	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	X
7(a). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings	As spare parts for vehicles put on the market before 1 July 2005	
7(b). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings containing up to 0,5 % lead by weight	As spare parts for vehicles put on the market before 1 July 2006	
7(c). Bonding agents for elastomers in powertrain applications containing up to 0,5 % lead by weight	As spare parts for vehicles put on the market before 1 July 2009	
8(a). Lead in solders to attach electrical and electronic components to electronic circuit boards and lead in finishes on terminations of components other than electrolyte aluminium capacitors, on component pins and on electronic circuit boards	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	X ⁽³⁾
8(b). Lead in solders in electrical applications other than soldering on electronic circuit boards or on glass	Vehicles type approved before 1 January 2011 and spare parts for these vehicles	X ⁽³⁾
8(c). Lead in finishes on terminals of electrolyte aluminium capacitors	Vehicles type approved before 1 January 2013 and spare parts for these vehicles	X ⁽³⁾
8(d). Lead used in soldering on glass in mass airflow sensors	Vehicles type approved before 1 January 2015 and spare parts of these vehicles	X ⁽³⁾
8(e). Lead in high melting temperature type solders (i.e. lead-based alloys containing 85 % by weight or more lead)	⁽¹⁾	X ⁽³⁾

⁽¹⁾ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

8(f)(i). Lead in compliant pin connector systems	Vehicles type approved before 1 January 2017 and spare parts for these vehicles	X ⁽⁵⁾
8(f)(ii). Lead in compliant pin connector systems other than the mating area of vehicle harness connectors	Vehicles type approved before 1 January 2024 and spare parts for these vehicles	X ⁽⁵⁾
8(g)(i). Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages	Vehicles type approved before 1 October 2022 and spare parts for these vehicles	X ⁽⁵⁾
8(g)(ii). Lead in solders to complete a viable electrical connection between the semiconductor die and the carrier within integrated circuit flip chip packages where that electrical connection consists of any of the following: (1) a semiconductor technology node of 90 nm or larger; (2) a single die of 300 mm, or larger in any semiconductor technology node; (3) stacked die packages with dies of 300 mm, or larger, or silicon interposers of 300mm, or larger.	⁽¹⁾ Vehicles type-approved from 1 October 2022 and spare parts for these vehicles	X ⁽⁵⁾
8(h). Lead in solder to attach heat spreaders to the heat sink in power semiconductor assemblies with a chip size of at least 1 cm ² of projection area and a nominal current density of at least 1 A/mm ² of silicon chip area	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	X ⁽⁵⁾
8(i). Lead in solders in electrical glazing applications on glass except for soldering in laminated glazing	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	X ⁽⁵⁾
8(j). Lead in solders for soldering of laminated glazing	Vehicles type approved before 1 January 2020 and spare parts for these vehicles	X ⁽⁵⁾
8(k). Soldering of heating applications with 0,5 A or more of heat current per related solder joint to single panes of laminated glazings not exceeding wall thickness of 2,1 mm. This exemption does not cover soldering to contacts embedded in the intermediate polymer.	Vehicles type approved before 1 January 2024 and spare parts for these vehicles	X ⁽⁵⁾
9. Valve seats	As spare parts for engine types developed before 1 July 2003	

10(a). Electrical and electronic components, which contain lead in a glass or ceramic, in a glass or ceramic matrix compound, in a glass-ceramic material, or in a glass-ceramic matrix compound. This exemption does not cover the use of lead in: (i) glass in bulbs and glaze of spark plugs, (ii) dielectric ceramic materials of components listed under 10(b), 10(c) and 10(d).		X ⁽⁶⁾ (for components other than piezo in engines)
10(b). Lead in PZT based dielectric ceramic materials of capacitors being part of integrated circuits or discrete semiconductors		
10(c). Lead in dielectric ceramic materials of capacitors with a rated voltage of less than 125 V AC or 250 V DC	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	
10(d). Lead in the dielectric ceramic materials of capacitors compensating the temperature-related deviations of sensors in ultrasonic sonar systems	Vehicles type approved before 1 January 2017 and spare parts for these vehicles	
11. Pyrotechnic initiators	Vehicles type approved before 1 July 2006 and spare parts for these vehicles	
12. Lead-containing thermoelectric materials in automotive electrical applications to reduce CO ₂ emissions by recuperation of exhaust heat	Vehicles type approved before 1 January 2019 and spare parts for these vehicles	X

Hexavalent chromium

13(a). Corrosion preventive coatings	As spare parts for vehicles put on the market before 1 July 2007	
13(b). Corrosion preventive coatings related to bolt and nut assemblies for chassis applications	As spare parts for vehicles put on the market before 1 July 2008	
14. Hexavalent chromium as an anti-corrosion agent of the carbon steel cooling system in absorption refrigerators up to 0,75 % by weight in the cooling solution: (a) designed to operate fully or partly with electrical heater, having an average utilised electrical power input < 75W at constant running conditions; (b) designed to operate fully or partly with electrical heater, having an average utilised electrical power input ≥ 75W at constant running conditions; (c) designed to fully operate with non-electrical heater.	For (a): Vehicles type approved before 1 January 2020 and spare parts for these vehicles For (b): Vehicles type approved before 1 January 2026 and spare parts for these vehicles	X

Mercury

15(a). Discharge lamps for headlight application	Vehicles type approved before 1 July 2012 and spare parts for these vehicles	X
15(b). Fluorescent tubes used in instrument panel displays	Vehicles type approved before 1 July 2012 and spare parts for these vehicles	X

Cadmium

16. Batteries for electrical vehicles	As spare parts for vehicles put on the market before 31 December 2008	
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Notes to the table:

- (¹) This exemption shall be reviewed in 2024.
- (²) Applies to aluminium alloys where lead is not intentionally introduced, but is present due to the use of recycled aluminium.
- (³) This exemption shall be reviewed in 2025.
- (⁴) Systems that have a voltage of > 75 V DC as provided for in Article 1 of Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (OJ L 96, 29.3.2014, p. 357).
- (⁵) Dismantling if, in correlation with entry 10(a), an average threshold of 60 grams per vehicle is exceeded. For the purposes of this note electronic devices not installed by the manufacturer on the production line shall not be taken into account.
- (⁶) Dismantling if, in correlation with entries 8(a) to 8(k), an average threshold of 60 grams per vehicle is exceeded. For the purposes of this note electronic devices not installed by the manufacturer on the production line shall not be taken into account.'
-

DECISIONS

COUNCIL DECISION (EU) 2023/545

of 7 March 2023

appointing three members and two alternate members, proposed by the Federal Republic of Germany, of the Committee of the Regions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposals of the German Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025. On 25 November 2021, the Council adopted Decision (EU) 2021/2112 ⁽³⁾, appointing an alternate member, proposed by the Federal Republic of Germany, of the Committee of the Regions.
- (3) Three members' seats on the Committee of the Regions have become vacant following the end of the national mandate on the basis of which Ms Birgit HONÉ was proposed for appointment and the resignations of Mr Franz RIEGER and Mr Bernd Claus VOß.
- (4) Two alternate members' seats on the Committee of the Regions have become vacant following the end of the national mandates on the basis of which Mr Claus Christian CLAUSSEN and Mr Clemens LAMMERSKITTEN were proposed for appointment.
- (5) The German Government has proposed the following representatives of regional bodies who hold a regional authority electoral mandate or who are politically accountable to an elected assembly as members of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025: Mr Alex DOROW, *Mitglied des Bayerischen Landtags* (Member of Bavarian State Parliament), Ms Erika VON KALBEN, *Mitglied des Schleswig-Holsteinischen Landtages* (Member of the State Parliament of Schleswig-Holstein), and Mr Matthias WUNDERLING-WEILBIER, *Staatssekretär für Bundes- und Europaangelegenheiten und Regionale Entwicklung, Niedersächsisches Ministerium für Bundes- und Europaangelegenheiten und Regionale Entwicklung* (State Secretary for Federal and European Affairs and Regional Development, Ministry for Federal and European Affairs and Regional Development of the State of Lower Saxony).

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

⁽³⁾ Council Decision (EU) 2021/2112 of 25 November 2021 appointing an alternate member, proposed by the Federal Republic of Germany, of the Committee of the Regions (OJ L 429, 1.12.2021, p. 151).

- (6) The German Government has proposed the following representatives of regional or local bodies who hold a local authority electoral mandate or who are politically accountable to an elected assembly as alternate members of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025: Ms Anna KEBSCHULL, *Landrätin des Landkreises Osnabrück* (District Commissioner of Osnabrück), and Mr Werner SCHWARZ, *Minister für Landwirtschaft, ländliche Räume, Europa und Verbraucherschutz des Landes Schleswig-Holstein* (Minister of Agriculture, Rural Areas, European Affairs and Consumer Protection of the State of Schleswig-Holstein),

HAS ADOPTED THIS DECISION:

Article 1

The following representatives of regional or local bodies who hold an electoral mandate or who are politically accountable to an elected assembly are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025:

(a) as members:

- Mr Alex DOROW, *Mitglied des Bayerischen Landtags* (Member of Bavarian State Parliament),
- Ms Erika VON KALBEN, *Mitglied des Schleswig-Holsteinischen Landtages* (Member of the State Parliament of Schleswig-Holstein),
- Mr Matthias WUNDERLING-WEILBIER, *Staatssekretär für Bundes- und Europaangelegenheiten und Regionale Entwicklung, Niedersächsisches Ministerium für Bundes- und Europaangelegenheiten und Regionale Entwicklung* (State Secretary for Federal and European Affairs and Regional Development, Ministry for Federal and European Affairs and Regional Development of the State of Lower Saxony),

and

(b) as alternate members:

- Ms Anna KEBSCHULL, *Landrätin des Landkreises Osnabrück* (District Commissioner of Osnabrück),
- Mr Werner SCHWARZ, *Minister für Landwirtschaft, ländliche Räume, Europa und Verbraucherschutz des Landes Schleswig-Holstein* (Minister of Agriculture, Rural Areas, European Affairs and Consumer Protection of the State of Schleswig-Holstein).

Article 2

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

Done at Brussels, 7 March 2023.

For the Council
The President
L. EDHOLM

COUNCIL DECISION (EU) 2023/546**of 7 March 2023****appointing a member and two alternate members, proposed by the Republic of Slovenia, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposals of the Slovenian Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) A member's seat on the Committee of the Regions has become vacant following the end of the national mandate on the basis of which Ms Jasna GABRIČ was proposed for appointment.
- (4) Two alternate members' seats have become vacant following the appointment of Mr Tine RADINJA and Mr Tomaž ROŽEN as members of the Committee of the Regions by Council Decision (EU) 2022/1678 ⁽³⁾.
- (5) The Slovenian Government has proposed, on the basis of a different electoral mandate, Ms Jasna GABRIČ, representative of a local body who holds a local authority electoral mandate, *članica občinskega sveta, Občina Trbovlje* (member of the municipal council, Municipality of Trbovlje), as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.
- (6) The Slovenian Government has proposed the following representatives of local bodies who hold a local authority electoral mandate as alternate members of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025: Mr Marko DIACI, *župan, Občina Šentjur* (Mayor, Municipality of Šentjur), and Mr Nejc SMOLE, *župan, Občina Medvode* (Mayor, Municipality of Medvode),

HAS ADOPTED THIS DECISION:

Article 1

The following representatives of local bodies who hold an electoral mandate are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025:

(a) as a member:

- Ms Jasna GABRIČ, *članica občinskega sveta, Občina Trbovlje* (member of the municipal council, Municipality of Trbovlje) (change of mandate),

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

⁽³⁾ Council Decision (EU) 2022/1678 of 26 September 2022 appointing two members, proposed by the Republic of Slovenia, of the Committee of the Regions (OJ L 252, 30.9.2022, p. 70).

and

(b) as alternate members:

- Mr Marko DIACI, *župan, Občina Šentjur* (Mayor, Municipality of Sentjur),
- Mr Nejc SMOLE, *župan, Občina Medvode* (Mayor, Municipality of Medvode).

Article 2

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

Done at Brussels, 7 March 2023.

For the Council
The President
L. EDHOLM

COUNCIL DECISION (EU) 2023/547**of 7 March 2023****appointing a member, proposed by the Italian Republic, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposal of the Italian Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 20 January 2020, the Council adopted Decision (EU) 2020/102 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) A member's seat on the Committee of the Regions has become vacant following the end of the national mandate on the basis of which Mr Nicola IRTO was proposed for appointment.
- (4) The Italian Government has proposed Mr Antonio MAZZEO, representative of a regional body who holds a regional authority electoral mandate, *Presidente del Consiglio regionale e Consigliere della Regione Toscana* (President and Member of the Regional Council of Tuscany), as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

Mr Antonio MAZZEO, representative of a regional body who holds an electoral mandate, *Presidente del Consiglio regionale e Consigliere della Regione Toscana* (President and Member of the Regional Council of Tuscany), is hereby appointed as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.

Article 2

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

Done at Brussels, 7 March 2023.

For the Council
The President
L. EDHOLM

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2020/102 of 20 January 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 20, 24.1.2020, p. 2).

COMMISSION IMPLEMENTING DECISION (EU) 2023/548**of 6 March 2023****not granting a Union authorisation for the biocidal product family ‘UL Hydrogen Peroxide Family 1’
in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council***(notified under document C(2023) 1372)***(Only the Dutch text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular Article 44(5), first subparagraph, thereof,

Whereas:

- (1) On 27 January 2017, Unilever Europe BV submitted to the European Chemicals Agency (‘the Agency’) an application in accordance with Article 43(1) of Regulation (EU) No 528/2012 for Union authorisation of a biocidal product family named ‘UL Hydrogen Peroxide Family 1’ of product-type 2, as described in Annex V to that Regulation, providing written confirmation that the competent authority of Germany had agreed to evaluate the application. The application was recorded under case number BC-MS029571-20 in the Register for Biocidal Products.
- (2) ‘UL Hydrogen Peroxide Family 1’ contains hydrogen peroxide as the active substance, which is included in the Union list of approved active substances referred to in Article 9(2) of Regulation (EU) No 528/2012 for product-type 2.
- (3) On 20 December 2021, the evaluating competent authority submitted, in accordance with Article 44(1) of Regulation (EU) No 528/2012, an assessment report and the conclusions of its evaluation to the Agency.
- (4) On 25 October 2021, the evaluating competent authority gave Unilever Europe BV the opportunity to provide written comments on the assessment report and the conclusions of the evaluation, in accordance with Article 44(1), second subparagraph, of Regulation (EU) No 528/2012. On 23 November 2021, Unilever Europe BV sent its comments to the evaluating competent authority. During the Agency’s opinion-forming process on that assessment report, the report was updated by the evaluating competent authority, and on 13 May 2022, Unilever Europe BV was given the opportunity to provide comments on the updated assessment report and the draft opinion of the Agency before the final opinion was adopted by the Biocidal Products Committee of the Agency on 15 June 2022. No comments were provided by Unilever Europe BV on that occasion.
- (5) On 5 July 2022, the Agency submitted to the Commission its opinion ⁽²⁾ on ‘UL Hydrogen Peroxide Family 1’ in accordance with Article 44(3) of Regulation (EU) No 528/2012.
- (6) The opinion concludes that ‘UL Hydrogen Peroxide Family 1’ is a biocidal product family within the meaning of Article 3(1), point (s), of Regulation (EU) No 528/2012, but that it does not meet the conditions laid down in Article 19(1), points (b)(iii), (b)(iv) and (d), of that Regulation.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ ECHA opinion on the Union authorisation of the biocidal product family ‘UL Hydrogen Peroxide Family 1’, ECHA/BPC/344/2022, adopted on 15 June 2022, <https://echa.europa.eu/bpc-opinions-on-union-authorisation>.

- (7) According to the opinion of the Agency, an unacceptable risk was identified for professional and non-professional users from secondary inhalation exposure, and measures to mitigate the identified risk are not available or applicable. Unacceptable environmental risks for the compartments sediment and soil were also identified, due to the presence in the products of the substance of concern PEG-2 hydrogenated tallow amine. The opinion of the Agency also indicated that data gaps were identified for certain endpoints, and it was not possible to conclude on the physical and chemical properties of the products and whether they could be deemed acceptable for the purposes of the appropriate use and transport of the product.
- (8) The Commission concurs with the opinion of the Agency and considers it therefore appropriate not to grant a Union authorisation for 'UL Hydrogen Peroxide Family 1'.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DECISION:

Article 1

A Union authorisation is not granted to Unilever Europe BV for the making available on the market and use of the biocidal product family 'UL Hydrogen Peroxide Family 1'.

Article 2

This Decision is addressed to Unilever Europe BV, Weena 455, 3013AL Rotterdam, Netherlands.

Done at Luxembourg, 6 March 2023.

For the Commission
The President
Ursula VON DER LEYEN

DECISION (EU) 2023/549 OF THE EUROPEAN CENTRAL BANK**of 6 March 2023****on access to and use of certain TARGET data and repealing Decision ECB/2010/9 (ECB/2023/3)**

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

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

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first and fourth indents of Article 3.1 and Article 22 thereof,

Whereas:

- (1) The Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) is currently governed by Guideline ECB/2012/27 ⁽¹⁾. From 20 March 2023, TARGET2 will be replaced by TARGET, a third generation of payment systems in euro settling in central bank money. TARGET is governed by Guideline (EU) 2022/912 of the European Central Bank on a new-generation Trans-European Automated Real-time Gross Settlement Express Transfer system (TARGET) (ECB/2022/8) ⁽²⁾ and Guideline ECB/2012/27 is repealed with effect from 20 March 2023. TARGET component systems constitute the legal successors to the corresponding TARGET2 component systems.
- (2) As is the case for TARGET2, TARGET is structured as a multiplicity of real-time gross settlement systems, each of which is a component operated by a Eurosystem central bank (Eurosystem CB). Guideline (EU) 2022/912 (ECB/2022/8) harmonises the rules for the TARGET components to the greatest extent possible.
- (3) TARGET2 component systems owned and operated by Eurosystem CBs have been collectively identified as systemically important payment systems (SIPS) for the purposes of Regulation of the European Central Bank (EU) No 795/2014 (ECB/2014/28) ⁽³⁾. The respective TARGET component systems, as the payment systems replacing those TARGET2 component systems, are likewise expected to fall within the scope of Regulation (EU) No 795/2014 (ECB/2014/28) and to be required to comply with the oversight requirements laid down in that Regulation.
- (4) Article 28(1) of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8) imposes certain confidentiality obligations on each central bank (CB) to keep confidential payment information belonging to participants holding TARGET accounts with that CB.
- (5) Article 28(3) of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8) allows each CB to disclose payment information regarding the participant obtained in the course of the operation of the relevant TARGET component for certain purposes.
- (6) When the use of aggregate TARGET payment data is not sufficient for the CBs to ensure the effective functioning of TARGET, CBs should have access to transaction-level data extracted from TARGET of the participants in all TARGET components, including addressable BIC holders. Access by all CBs to such transaction-level data is also necessary for the performance of the public tasks of the Eurosystem as overseer of TARGET when the use of aggregate TARGET payment data does not suffice. In addition, access by all CBs to such transaction-level data is also necessary in order to carry out the analyses to support macroprudential oversight, financial stability, financial integration, market operations, resolution and monetary policy functions and the Single Supervisory Mechanism, in accordance with the separation principle.

⁽¹⁾ Guideline of the European Central Bank of 5 December 2012 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) (ECB/2012/27) (OJ L 30, 30.1.2013, p. 1).

⁽²⁾ Guideline (EU) 2022/912 of the European Central Bank of 24 February 2022 on a new-generation Trans-European Automated Real-time Gross Settlement Express Transfer system (TARGET) and repealing Guideline 2013/47/EU (ECB/2012/27) (ECB/2022/8) (OJ L 163, 17.6.2022, p. 84).

⁽³⁾ Regulation of the European Central Bank (EU) No 795/2014 of 3 July 2014 on oversight requirements for systemically important payment systems (ECB/2014/28) (OJ L 217, 23.7.2014, p. 16).

- (7) Access by CBs to transaction-level data of all participants should be limited to what is necessary to enable the CBs to conduct quantitative analyses of transaction flows between participants or to make numerical simulations of the settlement process of TARGET, in accordance with Article 28(3) of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8) and its implementing provisions, and such access should exclude all information on the participants' customers except where such customers are addressable BIC holders.
- (8) When conducted by CBs in their capacity as operators of TARGET, quantitative analyses and numerical simulations should serve in particular the purposes of ensuring the efficiency of the design of TARGET, supporting compliance with oversight expectations, analysing operational failures in TARGET, analysing payment patterns and liquidity levels, monitoring the effects of its pricing mechanisms, and making cost-benefit analyses of additional features and services. When conducted by CBs in their capacity as overseers of TARGET, these quantitative analyses and numerical simulations should serve in particular the purposes of analysing and monitoring risks in TARGET and supporting regular and ad-hoc oversight assessments against applicable standards. When conducted by CBs to support other key central bank functions, these quantitative analyses and numerical simulations should serve in particular the purposes of analysing money market developments, assessing financial integration in the euro area, monitoring central bank balances and liquidity distribution.
- (9) It is of the utmost importance to preserve the confidentiality of transaction-level data. For this purpose, access to and use of transaction-level data should be limited to a small group of designated staff members from the CBs. In addition to the rules on professional conduct and confidentiality applicable to CB staff members, the Market Infrastructure Board (MIB) should establish specific rules for access to and use of transaction-level data. CBs should ensure compliance with these rules by their designated staff members and the MIB should monitor such compliance.
- (10) The MIB should have the option to publish information derived from the use of transaction-level data, provided that this information does not make it possible to identify participants or participants' customers, whether directly or indirectly.
- (11) TARGET Analytical Environment allows the Eurosystem to perform quantitative analyses and numerical simulations using transaction-level data.
- (12) In addition to Article 28(3) of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8) which covers transaction-level data, Article 28(5) of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8) states that the CBs may use, disclose or publish payment information regarding the participant or the participant's customers for statistical, historical, scientific or other purposes in the exercise of its public functions or of functions of other public entities to which the information is disclosed, provided that it is not possible, whether directly or indirectly, to identify the participant or the participant's customers. Without prejudice to the ability of the CBs to use, disclose or publish such information under this Article, the MIB should coordinate the actions of the CBs.
- (13) The provisions of this Decision should be extended to apply to connected national central banks (NCBs) by means of an agreement between the connected NCBs and the Eurosystem CBs,

HAS ADOPTED THIS DECISION:

Article 1

Scope

This Decision governs access to, and use of, certain TARGET data as set out in Article 3 and for the purposes set out in Article 3.

*Article 2***Definitions**

For the purposes of this Decision, the definitions set out in Article 2 of Guideline (EU) 2022/912 (ECB/2022/8) apply.

*Article 3***Access to and use of certain TARGET data**

1. In accordance with Article 28(3) of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8), CBs may access and use for quantitative analyses and numerical simulations, to the extent necessary, transaction-level data extracted from TARGET from all participants of all TARGET components for the following purposes:

- (a) ensuring the efficient functioning of TARGET and its oversight;
- (b) carrying out the analyses necessary for macroprudential oversight, financial stability, financial integration, market operations, resolution and monetary policy functions;
- (c) carrying out the analyses necessary for the Single Supervisory Mechanism, in accordance with the separation principle.

2. Access to, and use of, the data referred to in paragraph 1 shall be limited to the following:

- (a) where ensuring efficient functioning and oversight of TARGET, five staff members dealing with the operation of TARGET and five staff members dealing with the oversight of TARGET, each group with separate access to the data;
- (b) for analyses referred to in paragraph 1, points (b) and (c), a group of up to 15 staff members conducting research, coordinated by the European System of Central Banks' heads of research.

3. CBs shall appoint the staff members referred to in paragraph 2. Where a member of staff from operations or research is appointed for the purposes of paragraph 2, that appointment shall be subject to approval by the Market Infrastructure Board (MIB). The appointment of staff members from oversight for the purposes of paragraph 2(a) shall be subject to approval by the Market Infrastructure and Payments Committee (MIPC). The procedures referred to in this Article shall also apply for their replacement, where relevant.

4. The MIB shall establish specific rules for guaranteeing the confidentiality of transaction-level data. CBs shall ensure compliance with these rules by their staff members appointed in accordance with paragraphs 2 and 3. In cases of non-compliance with those specific rules established by the MIB, CBs shall ensure that staff members appointed in accordance with paragraph 3 no longer have access to, or make use of, the data referred to in paragraph 1. The MIB shall monitor compliance with the provisions of this paragraph.

5. The Governing Council may also grant access to other users and shall set out the precise rules for such access. In such a case, the MIB shall monitor their use of the data and, in particular, their compliance with the rules of confidentiality, both as established by the MIB and as set out in Article 28 of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8).

*Article 4***TARGET Analytical Environment**

1. The TARGET Analytical Environment shall be established for the performance of the quantitative analyses and numerical simulations referred to in Article 3(1). It shall comprise the Analytical Environment and the Simulation Tool.

2. The Analytical Environment shall be developed and maintained by the ECB. Suomen Pankki shall develop and maintain the Simulation Tool. The Analytical Environment and the Simulation Tool shall comprise the necessary technical infrastructure, data extraction tools, simulation tool and analytical software.

3. The ECB and Suomen Pankki shall conclude with the Eurosystem CBs an agreement governing the services and technical specifications of the TARGET Analytical Environment. Such agreement shall include the connected NCBs.

Article 5

Publication and disclosure

1. The MIB may publish information derived from the use of transaction-level data, provided that it is not possible, whether directly or indirectly, to identify the participants or participants' customers.
2. The MIB shall coordinate the disclosure and publication by CBs of payment information in accordance with Article 28(5) of Part I of Annex I to Guideline (EU) 2022/912 (ECB/2022/8).

Article 6

Repeal

Decision ECB/2010/9 is repealed with effect from 20 March 2023.

Article 7

Entry into force

1. This Decision shall enter into force on the fifth day following that of its publication in the *Official Journal of the European Union*.
2. This Decision shall apply from 20 March 2023.

Done at Frankfurt am Main, 6 March 2023.

The President of the ECB
Christine LAGARDE

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2023/550

of 8 March 2023

on National Support Programmes for Sustainable Urban Mobility Planning

(notified under document C(2023) 1524)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) The European Green Deal ⁽¹⁾ sets the objective of achieving a climate-neutral EU economy by 2050. It calls for a 90 % reduction in greenhouse gas emissions from transport. The Sustainable and Smart Mobility Strategy ⁽²⁾ has put forward measures to help achieve this objective, including measures for promoting sustainable, smart, safe and healthy urban mobility.
- (2) The Communication on the New EU Urban Mobility Framework ⁽³⁾ prioritises more sustainable transport solutions – collective and public transport, shared mobility, walking and cycling – with the aim of increasing their use for better and more energy-efficient door-to-door mobility while at the same time contributing to citizens' health and wellbeing.
- (3) Sustainable urban mobility contributes to a series of European policies aimed at promoting low- and zero-emission mobility ⁽⁴⁾, improving air quality and road safety, while generating co-benefits for citizens' health and wellbeing. Effective urban mobility planning can help advance related European and national policies directly at the local level. As highlighted by the Communication on the long-term Vision for the EU's Rural Areas ⁽⁵⁾ and the accompanying EU Rural Action Plan, better integrating urban, peri-urban and rural mobility are essential for promoting sustainable mobility solutions.
- (4) The urban mobility package of 2013 ⁽⁶⁾ introduced Sustainable Urban Mobility Plans (SUMP) as a framework for cities and towns for planning and implementing responses to urban mobility policy challenges in the entire functional urban area. Since then, the Commission has been encouraging the widespread uptake of SUMP as a cornerstone of European urban mobility policy. The concept and the related European SUMP guidelines have been used extensively by local authorities, planners and stakeholders. It has proven to be an effective, robust and flexible tool that cities can rely on for planning urban mobility measures.
- (5) In its special report 06/2020: Sustainable Urban Mobility in the EU ⁽⁷⁾, the European Court of Auditors underlined that Member States and their cities are responsible for managing urban mobility policies, in line with the principle of subsidiarity. The Court found that local urban mobility measures were not always consistent with sustainable urban mobility objectives. National Sustainable Urban Mobility Plan (SUMP) support programmes would contribute to improve links between the SUMP concept and local sustainable urban mobility plans.

⁽¹⁾ COM(2019) 640 final.

⁽²⁾ COM(2020) 789 final.

⁽³⁾ COM(2021) 811 final.

⁽⁴⁾ Directive (EU) 2019/1161 of the European Parliament and of the Council of 20 June 2019 amending Directive 2009/33/EC on the promotion of clean and energy-efficient road transport vehicles (OJ L 188, 12.7.2019, p. 116).

⁽⁵⁾ COM(2021) 345 final.

⁽⁶⁾ COM (2013) 913 final.

⁽⁷⁾ Special report 06/2020: Sustainable Urban Mobility in the EU: No substantial improvement is possible without Member States' commitment

- (6) The revised Regulation on Union guidelines for the development of the trans-European transport network (TEN-T) ⁽⁸⁾ proposes that urban nodes on the TEN-T network adopt a SUMP in accordance with the requirements provided in its Annex V and collect and submit relevant urban mobility data to the Commission. As regards data collection and reporting requirements, the subsequent implementing act will set out the list of sustainable urban mobility indicators and their calculation methodology. After adoption, these will be the only binding SUMP-related requirements at EU level. National SUMP support programmes will offer expertise to urban nodes on the TEN-T network to help them meet these requirements.
- (7) Cities face challenges monitoring progress of their sustainable urban mobility measures using indicators. Collecting data requires administrative and financial resources and cities often have difficulty accessing available data held by national and regional authorities and other bodies. Data collection sharing and use should be facilitated by Member States through central access points and decentralised data spaces. This will help cities improve their monitoring systems in the coming years.
- (8) A compendium of non-binding SUMP guidance ⁽⁹⁾ and reference materials, developed as part of EU co-funded projects, is also available to all cities to support them in preparing and implementing their individual SUMP. Cities are invited to use this pool of information as appropriate for their own needs. The Commission expert group on urban mobility ⁽¹⁰⁾ should help complement and streamline the compendium of non-binding SUMP guidance.
- (9) Member States should support cities to prepare SUMP with the aim of helping them to improve the quality of their SUMP and better align these plans with the EU framework.
- (10) Cities remain ultimately responsible for developing, adopting and implementing their SUMP, as well as for implementing the measures in them,

HAS ADOPTED THIS RECOMMENDATION:

1. PURPOSE AND SCOPE

1.1. Introduction

The 2013 Urban Mobility Package introduced the concept of SUMP ⁽¹¹⁾ as the cornerstone for a framework for towns, cities and regions to address urban mobility policy challenges. The SUMP concept needs updating to reflect new EU strategies and integrate new policy priorities. This is set out in the Annex to the current recommendation as the SUMP concept.

Based on the SUMP concept, the SUMP guidelines give cities advice on a process for preparing and implementing their SUMP.

Over the past decade, the concept has been promoted by the Commission and widely used by many cities across the EU on a voluntary basis for planning their transition to attractive, inclusive and sustainable urban mobility.

Cities applying the SUMP concept have found it to be an effective, comprehensive and flexible tool, going beyond the administrative boundaries of cities to cover the entire 'functional urban area', taking into account hinterland linkages and commuter flows and urban-rural linkages.

The Commission Staff Working Document of the New EU Urban Mobility Framework ⁽¹²⁾ highlighted that SUMP are a consistent long-term planning framework, involving all relevant parties. The concept's resilience was demonstrated in particular during the COVID-19 pandemic, as many cities with a SUMP were able to quickly and efficiently adapt their mobility policies. They were subsequently able to make changes to their mobility systems more easily than those without comparable plans. In many cases, emergency and resilience procedures had already been described in the existing SUMP.

⁽⁸⁾ COM(2021) 812 final.

⁽⁹⁾ SUMP guidance consists of the SUMP Guidelines for developing and implementing a SUMP and additional reference material, available on the ELTIS Urban Mobility Observatory portal; <https://www.eltis.org/mobility-plans/topic-guides>

⁽¹⁰⁾ Commission Decision C(2022) 5320 of 28 July 2022 setting up the Commission expert group on urban mobility; Expert Group on Urban Mobility.

⁽¹¹⁾ See Annex to Communication from the Commission of 17.12.2013 *Together towards competitive and resource-efficient urban mobility*, COM(2013) 913 final.

⁽¹²⁾ COM(2021) 811 final.

However, the evaluation of the 2013 Urban Mobility Package identified as a major shortcoming the uneven uptake of SUMP's across Member States. Many towns and cities still do not have a SUMP and the quality of the SUMP's that do exist varies significantly. There is also a clear imbalance between Member States regarding the overall coverage of cities with SUMP's.

This Recommendation is therefore addressed to Member States.

1.2. Need for action at Member State level

Based on vast experience using the SUMP concept since 2013, the evaluation of the 2013 Urban Mobility Package has shown that capacity and expertise, especially in small and medium-sized cities, remain an issue, as well as the lack of national involvement and support.

This points to a general need for ensuring consistency with the SUMP concept and coordinating the various activities undertaken by cities and urban areas to prepare, implement and monitor their mobility plans.

As the New EU Urban Mobility Framework points out, there is a need to strengthen governance and ownership at the national level, to establish a support framework to align SUMP's more closely with the SUMP concept, taking into account local circumstances, planning practices and institutional set-ups, in line with the principle of subsidiarity.

1.3. Link to the TEN-T

The proposal for the revised TEN-T Regulation ⁽¹³⁾ includes strengthening the role of cities as vital nodes for sustainable, safe, efficient and multimodal transport throughout Europe and beyond. In order to allow the effective functioning of the TEN-T network, the Commission proposed that by 31 December 2025, Member States ensure that urban nodes on the TEN-T network adopt a SUMP and collect relevant urban mobility data.

Urban nodes should take into account the impact of various urban mobility measures on traffic flows, both passenger and freight, along the TEN-T network. Measures should aim to ensure seamless transit through, bypass of, or interconnection through urban nodes, including of zero-emission vehicles. Measures should help alleviate congestion, increase of the modal share of public transport and of active modes, improve road safety and remove bottlenecks affecting the traffic flows on the TEN-T network.

This Recommendation therefore also aims to provide additional support for Member States and cities on how to prepare for fulfilling the proposed urban nodes requirements.

This recommendation is without prejudice to the future adoption of a revised TEN-T Regulation based on the above-mentioned proposal and any obligations on SUMP contained therein.

1.4. Coordination at local level for synergies between sectoral and spatial planning approaches

The development of SUMP's requires an integrated approach which address two dimensions: the integration of urban mobility into the network planning of a transport system ('network approach') and the integration into a cross-sectoral strategy for sustainable urban development ('place-based approach').

Transport is a vital part of an efficient and effective approach to integrated spatial planning approach at urban/local level. SUMP's should therefore be prepared and implemented in close coordination with local and regional mobility plans, spatial plans and relevant sectoral plans. Besides better aligning SUMP's with sectoral policy objectives, this also reduces the administrative burden for local authorities.

Member States should ensure the compatibility of and coherence between sectoral policy targets and urban mobility planning by

- supporting cities turn European and national targets into local urban policies, strategies and planning documents, such as SUMP's, Sustainable Urban Logistics Plans, Sustainable Energy and Climate Action Plans, Climate Contracts, and Green City Accords;

⁽¹³⁾ Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, COM(2021) 812 final.

- addressing the needs and specificities of cities and urban areas in overarching national or regional strategies and planning documents, such as national and regional transport plans, national policy frameworks for the deployment of alternative fuel infrastructure, national energy and climate plans, public health strategies; sustainable urban development strategies;
- addressing the needs and specificities of cities and urban areas in national actions on European and international commitments, such as the European Semester and TEN-T Core Network Corridor work plans.

2. NATIONAL SUMP SUPPORT PROGRAMME

2.1. Objectives

The Commission calls on each Member State to put in place a national SUMP support programme aimed at supporting cities, strengthening governance and increasing nationwide coordination, planning and ensuring the uptake of sustainable urban mobility policies, and improving coordination among regions, cities and towns, and between urban and rural areas.

2.2. Programme scope

National SUMP support programmes should include measures to:

- develop national guidance for urban mobility planning based on the updated SUMP concept, presented in the Annex to the current Commission Recommendation, and taking into account the SUMP Guidelines ⁽¹⁴⁾, addressing passenger mobility, freight transport and logistics in an integrated way;
- provide technical assistance and expert support;
- develop a national approach to preparing and implementing SUMP across cities, in cooperation with peri-urban and rural areas around the city, covering the whole functional urban area (city and its commuting zone);
- animate the national network of regions, cities and towns to foster peer learning and share good practice, including the EU outermost regions and other remote areas, insular, peripheral and sparsely populated areas;
- implement a training programme for cities, including capacity building;
- provide financial support to cities for recruiting and retaining administrative capacity and hiring temporary expert support;
- organise and coordinate communication campaigns and activities related to SUMP;
- raise awareness of the information and guidance published on the European Urban Mobility Observatory portal ⁽¹⁵⁾;
- review and advise on how to improve the quality of SUMP in alignment with the SUMP concept; this will facilitate the development of SUMP where required as a condition for public or private funding;
- screen the national legislative framework for obstacles to developing effective SUMP in cities
- help relevant authorities improve coordination in the provision of transport infrastructure and services in the functional urban area;
- help local authorities integrate and improve coordination between SUMP and spatial planning, and improve alignment and synergies with Sustainable Energy and Climate Action Plans, Sustainable Urban Logistics Plans, and other relevant plans;
- reinforce monitoring of SUMP implementation, by putting in place mechanisms to measure progress towards achieving the goals and objectives of the SUMP;

⁽¹⁴⁾ SUMP Guidelines for developing and implementing SUMP, available on the ELTIS Urban Mobility Observatory portal; <https://www.eltis.org/mobility-plans/sump-guidelines>

⁽¹⁵⁾ <https://www.eltis.org/mobility-plans/topic-guides>

- calculate sustainable urban mobility indicators, following the Commission's methodology ⁽¹⁶⁾, coordinate and support data collection and facilitate access to, sharing and use of national, regional or private data needed to calculate urban mobility indicators;
- monitor progress towards achieving sectoral policy objectives, including decarbonisation and road safety; support cities in developing disaggregated data-gathering mechanisms, including by gender;
- regularly update the sections on cities and national plans of the European Urban Mobility Observatory portal;
- support the implementation of urban mobility aspects of the Mission on Climate-Neutral and Smart Cities.

The scope of the support programme should be determined in cooperation with the cities and regions and regularly reviewed based on their needs and the feedback received from them.

2.3. Funding and quality assurance

SUMPs are an effective framework for planning and carrying out public or private urban mobility investments.

Member States should take measures to inform and support on funding opportunities, to improve the quality of SUMPs and align them more closely with the SUMP concept.

There is a wide range of European, national and regional funding and financing tools that can support SUMP processes, such as:

- the Connecting Europe Facility;
- the European Regional Development Fund and the Cohesion Fund, including Interreg and URBACT;
- Horizon Europe, including the Missions and CIVITAS actions;
- Invest EU, the Recovery and Resilience Facility (RRF) and REPowerEU;
- the Digital Europe Programme;
- Just Transition;
- the Innovation Fund;
- the Technical Support Instrument that provides tailor-made technical expertise to EU Member States;
- national schemes;
- private financing (e.g. green bonds).

Moreover, the EIT Knowledge and Innovation Community on Urban Mobility offers support to Member States, regions and cities in the implementation of their SUMPs.

2.4. SUMP programme management at national level

Member States should designate a national SUMP programme management office as a focal point for SUMP matters relating to cities and urban areas. These should be set up in cooperation with national, regional and local authorities.

The offices should have the relevant technical expertise and legal, financial and human resources to develop and implement the national SUMP support programme.

They should be neutral and transparent and involve regions and cities and rural areas in their work. They should be advised by an expert group of representatives from relevant ministries, regions, cities, rural areas, academia and other relevant urban mobility stakeholders.

This expert group could be instrumental in designing and assessing the national SUMP support programme, endorsing national SUMP guidance documents and serving as an independent expert forum to help ensure that European and national SUMP guidance are properly implemented. Member States should build on existing support schemes for cities. Programme management offices should bring together existing schemes implemented at sub-national and regional level to ensure a coordinated approach, including the particular constraints of remote and peripheral areas and outermost regions.

⁽¹⁶⁾ https://transport.ec.europa.eu/transport-themes/clean-transport-urban-transport/sumi_en

The offices could be located in a ministry, agency or specialised body, depending on the administrative set-up of the Member State. Regional offices could complement national ones, in particular in larger or federal Member States.

In line with the subsidiarity principle, cities should remain ultimately responsible for developing, adopting and implementing their SUMP.

2.5. Interaction of national programme management offices with the European Commission

National programme management offices should act as Member States' main point of contact with the Commission for exchanges and coordination with regard to SUMP support services.

Supporting SUMP implementation is one of the main tasks of the expert group on urban mobility (EGUM), established following the adoption of the New EU Urban Mobility Framework, where representatives from Member States, regions, cities and other stakeholders gather to discuss EU urban mobility policy, including in relation to SUMP. National programme management offices should therefore coordinate closely with their Member States' representatives in the expert group and actively contribute to the group.

2.6. Informing the European Commission on actions

Member States are invited to inform the Commission of actions taken annually in the light of this Recommendation. The information should be transmitted for the first time 1 year after this Recommendation is adopted.

Information transmitted should include:

- the national SUMP support programme;
- contact details of the national SUMP programme management office;
- work plan of the national SUMP support programme office;
- a summary of the annual reports on the implementation of the work plan (including quantified progress on KPIs, key milestones and possible issues identified as well as envisaged mitigation actions) and the lessons learnt.

3. ADDRESSEES

This Recommendation is addressed to the Member States.

Done at Brussels, 8 March 2023.

For the Commission
Adina VĂLEAN
Member of the Commission

ANNEX

Updated concept for sustainable urban mobility plans**1. INTRODUCTION**

A sustainable urban mobility plan (SUMP) is a strategic plan designed to satisfy the mobility needs of people and businesses in cities and their surroundings for a better quality of life. It is a single framework for tackling all common urban mobility challenges for the entire functional urban area. A SUMP offers a comprehensive, vision-led, flexible and resilient approach by serving as a long-term mobility plan that includes packages of measures addressing short-term objectives and targets the reaching of which can be fast-tracked in response to changing needs.

Since 2013 the Commission has been encouraging the widespread uptake of SUMPs as the bedrock of its urban mobility policy. This reflects a SUMP's potential to help towns, cities and regions address common challenges in their transition towards sustainable urban mobility, and to ensure a better quality of life. The 2013 Urban Mobility Package ⁽¹⁾ called on local authorities to place SUMPs at the centre of their approach to addressing urban mobility issues. Related EU guidelines were published to support local authorities throughout the SUMP process.

Over the past few years, a vast amount of advice and guidance has been developed with the urban mobility planning community, and a subsequent set of complementary guidance documents on specific aspects related to SUMPs has been made available to cities and stakeholders in the EU Urban Mobility Observatory ⁽²⁾. There is also a self-assessment tool to help cities understand the strengths and weaknesses of their SUMPs ⁽³⁾.

The original SUMP concept ⁽⁴⁾ emerged in the 2013 Urban Mobility Package and consisted of eight main guiding principles. The current SUMP concept retains them while updating what needs to be updated.

1.1. Context

In accordance with the New Leipzig Charter ⁽⁵⁾, *Cities need to establish integrated and sustainable urban development strategies and assure their implementation for the city as a whole, from its functional areas to its neighbourhoods.*

Sustainable urban mobility planning is therefore crucial for effective and sustainable mobility in cities, including the TEN-T urban nodes, as well as being important for the overall functioning of the network and ensuring contingency and resilience in the event of major challenges.

It is proposed that urban nodes fulfil the essential SUMP-related requirements in Annex V to the Commission's proposal for a revised TEN-T Regulation ⁽⁶⁾. This concept is without prejudice to any binding obligations for urban nodes concerning the adoption of SUMPs and their content laid down in the future revised TEN-T Regulation. While building on these proposed requirements, this concept gives more information and sets out the recommended components required to develop a SUMP whether a city is an urban node or not.

1.2. Reasons for updating the SUMP concept

Taking into account the major developments of the past few years and the practical experience acquired over the last decade from implementing the concept, there is now an opportunity to update it, so that SUMPs can contribute more effectively to delivering on the EU's increasingly ambitious transport, climate, health and societal objectives and commitments.

⁽¹⁾ COM(2013) 913 final

⁽²⁾ <https://www.eltis.org/mobility-plans/sump-guidelines>

⁽³⁾ <https://www.eltis.org/resources/tools/sump-self-assessment-tool>

⁽⁴⁾ Annex 1 to the Commission Communication *Together towards competitive and resource-efficient urban mobility* (https://eur-lex.europa.eu/resource.html?uri=cellar%3A82155e82-67ca-11e3-a7e4-01aa75ed71a1.0011.02/DOC_4&format=PDF).

⁽⁵⁾ https://ec.europa.eu/regional_policy/sources/brochure/new_leipzig_charter/new_leipzig_charter_en.pdf

⁽⁶⁾ COM(2021) 812/2.

The current policy lines are set out, in particular, in the European Green Deal ⁽⁷⁾, the Sustainable and Smart Mobility Strategy ⁽⁸⁾, and the New EU Urban Mobility Framework ⁽⁹⁾. In the Fit for 55 package ⁽¹⁰⁾ and the Green and Efficient Mobility and the REPowerEU packages ⁽¹¹⁾, the Commission recently put forward relevant legislative proposals. Most importantly, the SUMP concept needs to better incorporate climate and energy aspects while addressing safety, inclusiveness and accessibility as well as the freight transport and logistics aspects of local transport.

More specifically, the New EU Urban Mobility Framework says that the upgraded SUMP concept should make it clear that the priority is to favour sustainable solutions including active, collective and public transport and shared mobility (including for urban-rural linkages), fully integrating resilience aspects as well as sustainable urban logistics plans (SULP), based on zero-emission vehicles and solutions. It should be further complemented, anticipating the need for specific indicators and requirements on SUMPs for the TEN-T urban nodes ⁽¹²⁾.

Finally, planning tools in the areas of mobility, energy, sustainability and land use need to complement each other more. This way, the revised concept will also create closer links between SUMPs and other relevant urban plans covering energy and climate, in particular Sustainable Energy and Climate Action Plans (SECAP).

2. A CONCEPT FOR SUMPs

This concept presents a recommended approach to SUMP for urban areas irrespective of their size. A SUMP should be developed and implemented in accordance with the following guiding principles.

2.1. Clear and measurable goals and objectives

A SUMP's main aim is to make the functional urban area ⁽¹³⁾ it is intended for more accessible and to provide high-quality, safe and sustainable low-emission mobility to, through and in that area. It should in particular support zero-emission mobility and the implementation of an urban transport system that contributes to better overall performance of the transport network, in particular through the development of infrastructure for the seamless circulation of zero-emission vehicles and multimodal passenger hubs to facilitate first- and last-mile connections, and of multimodal freight terminals serving urban areas.

A SUMP should therefore include specific goals and objectives to support the development of an urban transport system that:

- is safe, accessible, affordable and inclusive for all users, including disadvantaged groups and people with disabilities or reduced mobility, and that takes into account the gender perspective and demographic change;
- serves all users' mobility needs, including cycling and walking, urban logistics, long-distance freight and passenger flows on the TEN-T network, as well as flows from peri-urban and rural areas around a city, covering the whole functional urban area (the city and its commuting zone);
- meets sustainability, climate protection and resilience requirements, balancing the need to ensure economic viability, social equity and the protection of health and environment;
- optimises the efficiency of urban mobility systems, taking into account cost-effectiveness as well as the transport externalities of different modes linked, in particular, to congestion, air and noise pollutants, CO₂ emissions, traffic fatalities and injuries, and their impact on biodiversity;
- contributes to making the urban environment more attractive, including by better sharing of public space;

⁽⁷⁾ COM(2019) 640 final.

⁽⁸⁾ COM(2020) 789 final.

⁽⁹⁾ COM(2020) 811 final.

⁽¹⁰⁾ COM(2021) 550 final.

⁽¹¹⁾ COM(2022) 230 final.

⁽¹²⁾ Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, COM(2021) 812 final.

⁽¹³⁾ [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Functional_urban_area#:~:text=Short%20definition%3A%20a%20functional%20urban,city%20\(OECD%2C%202012\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Functional_urban_area#:~:text=Short%20definition%3A%20a%20functional%20urban,city%20(OECD%2C%202012))

- increases quality of life and benefits public health, taking into account the UN Sustainable Development Goals ⁽¹⁴⁾, and ensures that urban transport infrastructure and services are safe, secure and comfortable for all, including for vulnerable groups in society and women;
- improves traffic safety and security, particularly for active and vulnerable road users (e.g. pedestrians, cyclists, older people, children, people with disabilities and reduced mobility), services and public spaces, striving to achieve Vision Zero ⁽¹⁵⁾ in urban road safety in line with the Valetta Declaration ⁽¹⁶⁾;
- reduces all sources of transport pollution, such as air, noise, particulate and microplastic, as well as greenhouse gas emissions from transport, as well as increases its energy efficiency, aiming for zero-emission urban mobility in line with the European Green Deal goals, the Sustainable and Smart Mobility Strategy ⁽¹⁷⁾, the Zero Pollution Action Plan ⁽¹⁸⁾ and the Climate Law, taking into account national energy and climate plans, Air Quality Plans and local Sustainable Energy and Climate Action Plans;
- contributes to better connectivity and overall performance of the trans-European transport network (TEN-T), and Europe's transport system as a whole, for both passengers and goods.

2.2. Long-term vision and a clear implementation plan

A SUMP presents, or is linked to an existing, long-term strategy for the future development of the functional urban area and, in this context, for the future development of transport infrastructure and multimodal mobility services. It also includes a delivery plan for the strategy's short-term implementation. It should be incorporated into an integrated approach to sustainable urban development and linked to relevant land use, spatial planning and sectoral policy planning (e.g. for climate and energy).

A SUMP should therefore contain the following:

- a timetable and budget plan, with sources for the necessary funding properly identified; the delivery plan should ideally cover 3-10 years;
- clearly defined responsibilities and resources, including identified resources required for each actor.

2.3. Assessment of current and future performance

A SUMP should be based on a careful assessment of the present and future performance of the urban transport system and supported by a comprehensive monitoring system, covering the following:

- a status analysis, baseline and final scenario, starting with a comprehensive review of the current situation and the establishment of a baseline against which future progress can be measured; it should also include an assessment of the impact of the proposed measures;
- specific objectives and targets: a SUMP should identify specific and realistic performance objectives that are linked with the status analysis and are ambitious in terms of a SUMP's goal and general objectives. It should also set measurable targets where appropriate, based on a realistic assessment of the baseline and available resources and reflecting the specific objectives;
- performance indicators, preferably based on the Sustainable Urban Mobility Indicators (SUMI ⁽¹⁹⁾), to describe the current status of the urban transport system and monitor progress towards achieving the set objectives.

⁽¹⁴⁾ <https://www.undp.org/sustainable-development-goals>

⁽¹⁵⁾ https://ec.europa.eu/transport/themes/strategies/news/2019-06-19-vision-zero_en

⁽¹⁶⁾ <https://data.consilium.europa.eu/doc/document/ST-9994-2017-INIT/en/pdf>

⁽¹⁷⁾ COM(2020) 789 final.

⁽¹⁸⁾ https://environment.ec.europa.eu/strategy/zero-pollution-action-plan_en

⁽¹⁹⁾ https://transport.ec.europa.eu/transport-themes/clean-transport-urban-transport/sumi_en

2.4. Integrated development of all modes of transport while prioritising the most sustainable ones

A SUMP should promote multimodal transport through the integration of the different modes and measures aimed at facilitating seamless and sustainable mobility. It should include actions to increase the modal share of more sustainable forms of transport such as public transport, active mobility, shared mobility ⁽²⁰⁾, zero-emission urban logistics and, as appropriate, inland waterway and maritime transport.

It should also include actions to promote zero-emission mobility, in particular with regard to the greening of the urban fleet, to reduce congestion and to improve road safety, in particular of vulnerable road users.

The plan puts forward an integrated set of technical, infrastructural, policy-based and soft measures to improve performance and cost-effectiveness with regard to the stated goals and specific objectives.

A SUMP should therefore cover the following:

- public and collective transport services as well as shared mobility, with a dedicated strategy aiming to improve their quality, coverage, security, integration and accessibility;
- non-motorised transport, with a plan to make walking, cycling and micromobility more attractive, safer and more secure, striving for a comprehensive and high-quality network;
- multimodality, to better integrate the different modes of transport for both passengers and goods;
- urban road safety, aiming to achieve Vision Zero in relation to fatalities and serious injuries, in particular of vulnerable road users including pedestrians and cyclists.
- reducing congestion and optimising the use of infrastructure linked to parking management measures, including optimising charging infrastructure, exploring the potential for reallocating road and urban space to non-motorised modes or non-transport uses;
- urban logistics including home deliveries and management of commercial vehicles fleet (e.g. taxis), with measures to improve efficiency while reducing externalities such as greenhouse gas emissions, pollutants, noise and congestion (a SUMP and any specific sustainable urban logistics plan should be aligned with each other in an integrated way);
- mobility management plans, with actions aimed at effecting a change towards more sustainable mobility patterns for commuters, consumers and students (including those coming from surrounding peri-urban and rural areas) in sectors such as employment, education, health, retail and tourism/events;
- digitalisation, including intelligent transport systems (ITS), such as multimodal digital mobility services facilitating the ability to access information, book, pay journey and retrieve tickets in all modes, and the gathering of data (for example, from private operators, big data, artificial intelligence, digital twins, internet of things etc.), in order to support the preparation, implementation and monitoring of the measures included in a SUMP.

2.5. Integrated approach to passenger mobility and urban freight transport and logistics

Urban logistics, as well as links to long-distance freight transport, should be fully considered and integrated into a SUMP to ensure a systematic approach to all aspects of a city's mobility and to achieve the objective of zero-emission urban logistics and last-mile deliveries. Specific urban logistics matters could be addressed in a dedicated and aligned sustainable urban logistics plan.

For the relevant urban areas, a SUMP should duly take into account the impact of various urban measures on passenger and freight traffic flows and the trans-European transport network (TEN-T), to ensure seamless transit through, bypass of, or interconnection through and around urban nodes, including of zero-emission vehicles. It should in particular include actions to alleviate congestion, improve road safety and remove bottlenecks affecting TEN-T traffic flows.

⁽²⁰⁾ Shared mobility refers in this document to shared use of transport modes, such as sharing of vehicles for rental (e.g. bikes, scooters, cars), ride-sharing/car-pooling (i.e. shared space within a vehicle) as well as transport-on-demand services (e.g. ride hailing services like taxis).

2.6. Participatory approach and coordination with other relevant initiatives

The development and implementation of a SUMP should be based on an integrated and participatory approach, with a high level of cooperation, coordination and consultation between the different levels of government and relevant authorities. The general public, representatives of civil society and economic actors should also be involved.

To this end, local planning authorities should put in place appropriate structures and procedures.

This process should entail in particular:

- the proper involvement of relevant actors in the functional urban area, such as residents, representatives of civil society organisations and economic actors, in developing and implementing the plan from the outset and throughout the process to ensure a high level of acceptance and support;
- interdepartmental consultation and cooperation at local and regional level to ensure consistency and complementarity with local and regional policies, strategies and measures, in particular those concerning land use and spatial planning; Urban Greening Plans ⁽²¹⁾, energy; health; education; social services; law enforcement and policing;
- close exchange with relevant authorities responsible for providing transport infrastructure and services in the functional urban area (neighbouring urban, peri-urban and rural areas) and at different levels of administration and government.

2.7. Monitoring, review, reporting and quality assurance

A SUMP should include objectives, targets and indicators underpinning current and future performance of urban transport systems, at the very least for greenhouse gas emissions, congestion, road deaths and serious injuries, modal share and access to mobility services, as well as data on air and noise pollution in cities. The implementation of a SUMP should be monitored using these performance indicators.

In particular, local authorities should put in place mechanisms to monitor progress towards achieving the objectives of their SUMP and take timely corrective action when needed. Member States should support cities in this task and ensure a SUMP's quality and its compliance with the requirements of the SUMP concept, in line with the Commission Recommendation on national SUMP support programmes.

Progress towards achieving the goal and specific objectives of a SUMP and reaching the targets in it should be assessed regularly using selected result indicators ⁽²²⁾. Appropriate action should be taken to ensure timely access to relevant data and statistics. A monitoring report should provide the basis for a review of the SUMP's implementation.

To support monitoring, the use of predictions should be encouraged to anticipate future needs and challenges. Such prediction can be supported by digital tools such as local Digital Twins.

2.8. Guidance and support at European level

The European Commission will continue to provide information on SUMP through the European Local Transport Information Service – the European Mobility Observatory ⁽²³⁾. This information includes the process-related SUMP Guidelines and reference material on specific aspects of SUMP ⁽²⁴⁾.

The Commission expert group on urban mobility ⁽²⁵⁾, established following the adoption of the New EU Urban Mobility Framework, will help to complement and streamline this material.

⁽²¹⁾ https://environment.ec.europa.eu/topics/urban-environment/urban-greening-platform_en

⁽²²⁾ Such as the sustainable urban mobility indicators available at: https://ec.europa.eu/transport/themes/urban/urban_mobility/sumi_en.

⁽²³⁾ <https://www.eltis.org/mobility-plans>

⁽²⁴⁾ <https://www.eltis.org/mobility-plans/topic-guides>; <https://www.eltis.org/mobility-plans/practitioner-briefings>

⁽²⁵⁾ Group E03863 (<https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=3863>).

RULES OF PROCEDURE

DECISION No 2019/1 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY

(following a written consultation)

on the adoption of the budget of the Transport Community for the year 2019 [2023/551]

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 35 thereof,

HAS DECIDED AS FOLLOWS:

Article 1

The budget of the Transport Community for the year 2019, attached to this Decision, is hereby adopted.

Article 2

The European Commission shall be in charge of implementing the budget and of the initiation of the work of the Permanent Secretariat of the Transport Community in accordance with Article 3.

Article 3

Article 2 shall apply from 24 January 2019. It shall cease to apply on the day prior to that on which the appointment of the Director of the Permanent Secretariat becomes effective.

Done in Tirana, on 16 January 2019.

*For the Regional Steering Committee
The President*

APPENDIX

Budget of the Transport Community for the year 2019

Budget line	Amount (EUR)
Salaries for officials	750 000
Contribution to Health / Pension scheme for officials	200 000
Running costs of the secretariat (including fixed expenditure / travel / meeting organisation)	330 000
Office IT equipment and furniture (not covered by the HQ Agreement)	100 000
Recruitment costs (publication and reimbursement of candidates)	100 000
Total	1 480 000
Reserve (approximately 10 %)	150 000
Grand total	1 630 000
<i>Of which: EU contribution (80 %) (*)</i>	1 304 000
<i>WB6 contribution (20 %: annex V of TCT provides the distribution per country).</i>	326 000

(*) The figure of the EU contribution is without prejudice of the adoption of the EU budget for 2019.

**DECISION No 2019/2 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

**(following a written consultation of the Regional Steering committee members) on the Director of
the Permanent Secretariat of the Transport Community (2023/552)**

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 30 thereof,

Having regard to the Decision 2019/1 of the Regional Steering Committee of 16 January 2019,

HAS DECIDED AS FOLLOWS:

Article 1

Mr Alain Baron is appointed as 'interim' Director of the Permanent Secretariat.

Article 2

Article 1 shall apply from the date of adoption of the present decision. It shall cease to apply the day prior to the day on which the appointment of the Director of the Permanent Secretariat becomes effective.

Done in Tirana, on 28 January 2019.

*For the Regional Steering Committee
The President*

**DECISION No 2019/3 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY (2023/553)**

of 5 June 2019

relating to:

- **the adoption of rules on the recruitment, working conditions and geographic equilibrium of the staff of the Permanent Secretariat of the Transport Community;**
- **the adoption of the Staff Regulations of the Transport Community;**
- **the adoption of vacancy notices for the Director and the Deputy Director of the Permanent Secretariat of the Transport Community.**

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24 (1) and Article 35 thereof,

HAS DECIDED AS FOLLOWS:

Article 1

The rules on the recruitment, working conditions and geographic equilibrium of the staff of the Permanent Secretariat of the Transport Community, as set out in the Annex 1 to this Decision, are hereby adopted.

Article 2

The Staff Regulations of the Transport Community, as set out in the Annex II to this Decision, are hereby adopted.

Article 3

The vacancy notices for the Director and the Deputy Director of the Permanent Secretariat of the Transport Community, attached to this decision, are adopted.

Done in Tirana, on 5 June 2019.

*For the Regional Steering Committee
The President*

**DECISION No 2020/2 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

**(Following a consultation of the Regional Steering committee members)
on the Director of the Permanent Secretariat of the Transport Community [2023/554]**

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 30 thereof,

Having regard to the Decision 2019/2 of the Regional Steering Committee of 28 January 2019,

Having regard to the Decision 2019/3 of the Regional Steering Committee of 5 June 2019 on the Rules on the Recruitment, Working conditions and Geographic equilibrium of the staff of the Permanent Secretariat of Transport Community,

Having regard to the agreed conclusions of the Regional Steering Committee meeting of 18 May 2020 and the subsequent consultation of the Ministerial Council as well as the conclusions of the 8th Regional Steering Committee meeting of 30 June;

HAS DECIDED AS FOLLOWS:

Article 1

Mr Matej Zakonjsek is appointed as Director of the Permanent Secretariat.

Article 2

The place of assignment is the seat of the Permanent Secretariat of the Transport Community, Masarikova 5, 11000 Belgrade (Serbia).

Article 3

This appointment is concluded for a period of 36 months, from the date of entry into force of this decision and may be renewed for maximum two times.

Article 4

This Decision shall come into effect on: 1 August 2020.

Done in, Sarajevo, on 6 July 2020.

*For the Regional Steering Committee
The President*

DECISION No 2020/3 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY

(following a consultation of the Regional Steering committee members) on the Deputy Director of the Permanent Secretariat of the Transport Community [2023/555]

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 30 thereof,

Having regard to the Decision 2019/2 of the Regional Steering Committee of 28 January 2019,

Having regard to the Decision 2019/3 of the Regional Steering Committee of 5 June 2019 on the Rules on the Recruitment, Working conditions and Geographic equilibrium of the staff of the Permanent Secretariat of Transport Community,

Having regard to the agreed conclusions of the Regional Steering Committee meeting of 18 May 2020 and the subsequent consultation of the Ministerial Council as well as the conclusions of the 8th Regional Steering Committee meeting of 30 June;

HAS DECIDED AS FOLLOWS:

Article 1

Ms Ljuba Siljanoska is appointed as Deputy Director of the Permanent Secretariat.

Article 2

The place of assignment is the seat of the Permanent Secretariat of the Transport Community, Masarikova 5, 11000 Belgrade (Serbia).

Article 3

This appointment is concluded for a period of 36 months, from the date of entry into force of this decision and may be renewed for maximum two times.

Article 4

This Decision shall come into effect on 1 September 2020.

Done in Sarajevo, 6 July 2020.

*For the Regional Steering Committee
The President*

**DECISION No 2020/05 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

**on the rules on the reimbursement of expenses incurred by persons from outside the Permanent
Secretariat of the Transport Community who are invited to attend meetings in an expert capacity
[2023/556]**

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 35 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to attend meetings in an expert capacity are hereby adopted.

Those rules are set out in the Annex.

Article 2

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

Done in Sarajevo on 29 July 2020.

*For the Regional Steering Committee
The President*

ANNEX

**RULES ON THE REIMBURSEMENT OF EXPENSES INCURRED BY PERSONS FROM OUTSIDE THE
PERMANENT SECRETARIAT OF THE TRANSPORT COMMUNITY WHO ARE INVITED TO
ATTEND MEETINGS IN AN EXPERT CAPACITY***Article 1*

1. These rules apply to the following persons, hereinafter referred to together as 'external experts':
 - (a) any person from outside the Transport Community who is invited to give a specific professional opinion in a committee or working group, wherever the location of the meeting;
 - (b) any person responsible for accompanying a disabled person falling under point (a).
2. External experts may be private-sector experts or government experts:
 - (a) private-sector experts are individuals who represent civil society or work for a private organisation or company who have been invited to give the Transport Community the benefit of their personal expertise or to represent their organisations in a specific area, but not to defend the interests of a particular country;
 - (b) government experts are individuals who have been invited as representatives of a national, regional or local public authority of an EU Member State or a South East European Party or who have been appointed by such an authority.

Article 2

The Permanent Secretariat shall not be liable for any material, non-material or physical damage suffered by external experts or by persons responsible for accompanying a disabled external expert during their journey to or stay in the place of the meeting, unless such harm is directly attributable to the Permanent Secretariat.

In particular, the Transport Community shall not be liable for any accidents in which external experts who use their own means of transport for travelling to the meeting are involved.

Article 3

1. All external experts shall be entitled to the reimbursement of their travel expenses from the place specified in their invitation (work or home address) to the place of the meeting, by the most appropriate means of transport given the distance involved. In general, this shall be second-class rail travel for journeys of less than 400 km (one way, according to official distance by rail) and economy class air travel for distances of 400 km or more.
2. The Director of the Permanent Secretariat (the 'Director') shall in particular try to ensure that meetings are organised in such a way as to enable external experts to benefit from the most economical travel rates. The Director shall scrutinise particularly closely any requests for reimbursement involving abnormally expensive flights. The Director shall have the right to carry out any checks that might be needed and to request any proof from the external expert required for this purpose. The Director shall also have the right, where it appears to be justified, to restrict reimbursement to the rates normally applied to the usual journey from the external expert's place of work or residence to the meeting place.
3. Travel expenses shall be reimbursed on presentation of original supporting documents: tickets and invoices or, in the case of online bookings, the printout of the electronic reservation and boarding cards for the outward journey. The documents supplied must show the class of travel used, the time of travel and the amount paid.
4. The cost of travel by private vehicle shall be reimbursed at the same rate as the second class rail ticket.

5. If the route is not served by a train, the cost of travel by private vehicle shall be reimbursed at the rate of EUR 0,22 per km.
6. Taxi fares shall not be reimbursed.

Article 4

1. The daily subsistence allowance ('DSA') paid for each day of the meeting is a flat rate to cover all expenditure at the place where the meeting is held, including for example meals and local transport (bus, tram, metro, taxi, parking, motorway tolls, etc.), as well as travel and accident insurance.
2. The DSA shall be EUR 92,00.
3. If the place of departure cited in the invitation is 100 km or less from the place where the meeting is held, the DSA shall be reduced by 50 %.
4. External experts who have to spend one or more nights at the place where the meeting is held because the times of meetings are incompatible with the times of flights or trains ⁽¹⁾ shall be entitled to an accommodation allowance. This allowance shall be EUR 100,00 per night. The number of nights may not exceed the number of meeting days + 1.
5. An additional accommodation allowance and DSA may, exceptionally, be paid if prolonging the stay would enable the external expert to obtain a reduction in the cost of transport worth more than the amount of those allowances.
6. The DSA and/or accommodation allowance may be increased by 50 % by reasoned decision of the Director for very high-level external experts.

Article 5

Where, taking into account any expenses incurred by disabled external experts as a result of their disability or any person accompanying them, the allowances provided for in Article 4 appear to be clearly inadequate, those expenses shall be reimbursed at the request of the Director on presentation of supporting documents.

Article 6

1. Unless stated otherwise in the letter of invitation and the request to organise the meeting, private-sector experts shall be entitled to a DSA for each day of the meeting and, where appropriate, an accommodation allowance, on condition that they declare on their honour that they are not receiving a similar allowance or similar allowances from another institution for the same visit. The Director shall ensure consistency between the content of the letters of invitation and the request to organise the meeting.
2. Government experts shall receive a DSA for each day of the meeting and, where appropriate, an accommodation allowance, provided that provision for this is made in the relevant rules of procedure of the committee or working group and on condition that they declare on their honour that they are not receiving similar allowances from their own administration for the same visit.
3. The Director may, by reasoned decision and on presentation of supporting documents, authorise the reimbursement of expenses which external experts have had to incur as a result of special instructions they have received in writing.
4. All reimbursements of travel expenses, DSAs and accommodation allowances shall be made to a single bank account per external expert.

⁽¹⁾ As a general rule, external experts cannot be required:

- to leave their place of work or residence or the place where the meeting is held before 7 am (station or other means of transport) or 8 am (airport);
- to arrive at the place where the meeting is held after 9 pm (airport) or 10 pm (station or other means of transport).

5. Reimbursements of the costs of government experts shall be paid into an account in the name of the government, one of its ministries or a public body, in the absence of any derogation from the government, one of its ministries or a public body.

Article 7

1. The maximum number of external experts per meeting, whether or not entitled to reimbursement of their expenses, shall be one per South East European Party and per EU Member State invited as a government expert, and a number of private-sector experts equal to the number of government experts.
2. The Director may depart from the rule set out in paragraph 1, by reasoned decision, in the event of joint meetings of several committees or working groups.

Article 8

1. The payment order shall be drawn up on the basis of the request for reimbursement which has been duly completed and signed by the external expert and by the secretary of the meeting responsible for certifying the external expert's presence.
2. External experts shall provide the secretary of the meeting with the documents necessary for their reimbursement, by letter, fax or e-mail postmarked or dated no later than 30 calendar days after the final day of the meeting.
3. The Permanent Secretariat shall reimburse the external experts' expenses within 30 calendar days.
4. Unless the external expert can provide a proper justification that is accepted by reasoned decision by the Director, failure to comply with paragraph 2 shall absolve the Transport Community from any obligation to reimburse travel expenses or pay any allowances.

Article 9

1. Travel expenses shall be reimbursed in euro where appropriate at the rate of exchange applying on the day of the meeting.
2. The DSA and, where appropriate, the accommodation allowance shall be reimbursed in euro at the flat rate applicable on the day of the meeting.

Article 10

These rules shall apply from the day following their adoption.

**DECISION No 2020/7 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

**on the designation of the Independent External Auditor for carrying out the annual audit for the
Fiscal Year 2019 [2023/557]**

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 36 thereof,

Having regard to the financial rules and auditing procedures applicable to the Transport Community, and in particular Articles 62 and 63 thereof,

HAS DECIDED AS FOLLOWS:

Article 1

Grant Thornton D.O.O. with the address: Kneževica Zorke 2/4 Belgrade, is designated as the Independent External Auditor for carrying out the annual audit for the Fiscal Year 2019 of the Transport Community.

Done in Sarajevo, 3 September 2020.

*For the Regional Steering Committee
The President*

**DECISION No 2020/08 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

on the creation of the Transport of dangerous goods technical committee [2023/558]

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Transport of dangerous goods technical committee of the Transport Community is hereby being created.

Article 2

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

Done in Sarajevo on 15 December 2020.

*For the Regional Steering Committee,
The President*

**DECISION No. 01/2021 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

(following the written consultation)

on the adoption of the budget of the Transport Community for the year 2021 [2023/559]

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community ⁽¹⁾, and in particular Article 24(1) and Article 35 thereof,

HAS DECIDED AS FOLLOWS:

Article 1

The budget of the Transport Community for the year 2021, attached to this Decision, is hereby adopted.

Article 2

1. In accordance with Article 10(1) of the financial rules and auditing procedures applicable to the Transport Community, appropriations of a given budget line of the 2021 budget may be used for purposes that the budget attributes to another budget line, within the total limit of 10 % of the appropriations of the former budget line. This shall not apply to the budget line regarding the human resources budget.

2. Appropriations carried over in order to meet obligations signed at the end of 2020, as specified in the budget attached, shall not be eligible for the use referred to in paragraph 1. They shall not be taken into account for determining the maximum amount corresponding to the limit of 10 % referred to therein.

Article 3

Appropriations which have not been committed at the end of the financial years 2019 and 2020 shall be cancelled and paid back to the Parties in accordance with the percentages established in Annex V of the Treaty establishing the Transport Community and the actual contributions paid.

Done in Sarajevo, on January 28th 2021.

*For the Regional Steering Committee
The President*

⁽¹⁾ OJ EU L 278, 27.10.2017, p. 3.

BUDGET OF THE TRANSPORT COMMUNITY FOR THE YEAR 2021

Budget line	Amount (EUR)
1. Permanent Secretariat	
1.1. Human resources	1 465 706
1.2. Travel costs	172 560
1.3. Office costs, equipment and software	353 080
— Of which fresh credits	303 080
— Of which carried-over budget appropriations corresponding to obligations signed at the end of 2020 for which payments are due in 2021	50 000
1.4. Other costs and services, including: — Outsourced and other services (audit, visibility, staff training, bank charges) — Meeting and conference costs — Information technology and communication costs — Recruitment costs	247 590
1.5. Studies, technical assistance for supporting the implementation of EU <i>acquis</i> and action plans	530 000
— Of which fresh credits	400 000
— Of which carried-over budget appropriations corresponding to obligations signed at the end of 2020 for which payments are due in 2021	130 000
2. Ministerial Council	
2.1. Meeting and conference costs	60 000
3. Regional Steering Committee	
3.1. Meeting and conference costs	20 950
4. Technical Committees	
4.1. Meeting and conference costs	99 100
5. Social Forum	
5.1. Meeting conference costs	13 300
Reserve (approximately 8 % of fresh credits)	217 714
Total fresh credits	3 000 000
Total carry-overs from 2020	180 000
Grand total	3 180 000
EU contribution (80 % of fresh credits)	2 400 000
South East European Parties' contribution (20 % of fresh credits: Annex V to the TCT provides the distribution per country)	600 000

**DECISION No 2021/02 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

**on the rules on the reimbursement of expenses incurred by persons from outside the Permanent
Secretariat of the Transport Community who are invited to participate in meetings of the Transport
Community [2023/560]**

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 35 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to participate in meetings of the Transport Community, set out in the Annex, are hereby adopted.

Upon their adoption, the Permanent Secretariat of the Transport Community shall publish the rules on the website of the Transport Community.

Article 2

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

Done in Sarajevo, 7 June 2021.

*For the Regional Steering Committee
The Chairman*

ANNEX

RULES ON THE REIMBURSEMENT OF EXPENSES INCURRED BY PERSONS FROM OUTSIDE THE PERMANENT SECRETARIAT OF THE TRANSPORT COMMUNITY WHO ARE INVITED TO PARTICIPATE IN MEETINGS OF THE TRANSPORT COMMUNITY

1. Scope
 - 1.1. These rules apply to persons from outside the Permanent Secretariat of the Transport Community ('Permanent Secretariat') who are invited to participate in any of the meetings of the Transport Community listed in rule 1.2.
 - 1.2. The meetings which are covered by these rules are meetings of the following configurations, committees and other fora of the Transport Community:
 - (a) the Ministerial Council, the Regional Steering Committee, technical committees, the Social Forum;
 - (b) the Budget Committee;
 - (c) task forces, coordination groups and other working bodies established by the decisions or conclusions of the Ministerial Council and of the Regional Steering Committee;
 - (d) conferences, workshops and other fora organised by the Permanent Secretariat relating to the work program of the Transport Community;
 - (e) other meetings organised within the scope of Transport Community Treaty implementation (high level debates, workshops etc.);
 - (f) selection procedures for posts published by the Transport Community (selection panel members); and
 - (g) selection procedures for posts published by the Transport Community (applicants).
 - 1.3. Only one representative per ministry, regulatory authority, agency, entity or other beneficiary party shall be entitled to reimbursement of expenses under these rules. However, in the event of meetings listed in rule 1.2 being organised jointly, the Director of the Permanent Secretariat ('Director') may depart from this rule by a reasoned decision.
 - 1.4. These rules cover the reimbursement of travel and accommodation costs only. Participants shall not be entitled to additional sums such as a daily subsistence allowance.
2. Travel expenses
 - 2.1. All participants shall be entitled to the reimbursement of their travel expenses from the place specified in their invitation (work or home address) to the place of the meeting, by the most appropriate means of transport given the distance involved. In general, this shall be second-class rail travel for journeys of less than 400 km (one way, according to official distance by rail), and economy class air travel for distances of 400 km or more.
 - 2.2. The Director shall endeavour to ensure that meetings are organised in such a way as to enable participants to benefit from the most economical travel rates.
 - 2.3. Travel expenses shall be reimbursed only on presentation of original supporting documents.
 - 2.4. When air or rail transport is not available or is not cost-effective, travel by bus or car shall be authorised.
 - 2.5. The cost of travel by private vehicle shall be reimbursed at the rate of EUR 0,22 per km.
 - 2.6. Taxi fares shall only be reimbursed if no local public transport is available.
 - 2.7. Travel costs shall be reimbursed up to EUR 700.

3. Accommodation expenses

- 3.1. Participants shall be entitled to the reimbursement of their accommodation expenses. Accommodation expenses are the costs incurred in staying overnight at the place where the meeting is held because the meeting times are incompatible with the times of flights or trains. Accommodation expenses shall be reimbursed up to EUR 120 per night. The number of overnight stays shall not exceed the number of meeting days + 1.
- 3.2. Subject to the prior approval of the Director, participants may exceptionally be entitled to the reimbursement of the accommodation expenses related to an additional night at the place where the meeting is held if, by prolonging the stay, the participant is able to obtain a reduction in the cost of transport worth more than the accommodation costs related to the additional night.
- 3.3. Participants shall not be entitled to the reimbursement of other expenditure related to the stay at the hotel such as internet, telephone, photocopying, minibar, non-included breakfast.

4. Purchase of tickets and accommodation

- 4.1. In principle, the participants invited to a meeting listed in rule 1.2, points (a) to (e), shall book their own tickets and accommodation. The bookings shall be made as early as possible so that the most economical fare or rate can be obtained. The Permanent Secretariat shall book travel or accommodation on behalf of participants or make advanced payment for expenditure only in exceptional cases and subject to rule 6.
- 4.2. For participants invited to a meeting listed in rule 1.2, points (f) and (g), the travel and accommodation arrangements shall be made by the Permanent Secretariat.

5. Reimbursement procedure

- 5.1. To obtain reimbursement of travel and accommodation expenses, participants shall submit a request for the reimbursement of expenses ('reimbursement request'). The reimbursement request shall be:
 - (a) made using the form set out in Appendix 1;
 - (b) submitted in electronic format to the Permanent Secretariat at the latest 15 calendar days after the date of the meeting in question; and
 - (c) accompanied by a complete set of original supporting documents, such as tickets and invoices or, in the case of online bookings, the printout of the electronic reservation and boarding cards for the outward journey, as evidence of the costs incurred and showing the class of travel used, the time of travel and the amount paid.
- 5.2. Correspondence regarding reimbursements shall be sent to the Permanent Secretariat at finance@transport-community.org.
- 5.3. Reimbursement shall be made in euro. The rate of exchange that applies to the reimbursement shall be that applicable on the date of the meeting.
- 5.4. Reimbursement shall be made via bank transfer to the bank account of the institution or organisation designating the participant, using the bank account details submitted in accordance with rule 5.5. However, reimbursement may be made to a private bank account of the participant if that institution or organisation so requests in writing.
- 5.5. The bank account details to be submitted for the purposes of rule 5.4 shall contain the following information relating to the beneficiary: name and address of the account holder, name of the bank, bank account number (IBAN) and SWIFT code (BIC).

6. Advanced payment of travel and accommodation expenses
 - 6.1. In exceptional cases, a designating institution or organisation may submit a request to the Permanent Secretariat for the advanced payment of travel or accommodation relating to a participant invited to a meeting listed in points (a) to (e) of rule 1.2. Such a proceeding includes the booking of travel and accommodation by the Permanent Secretariat.
 - 6.2. Requests for advanced payment shall be made using the form set out in Appendix 2 and sent at least 21 calendar days before the date of the meeting to the Permanent Secretariat at finance@transport-community.org.
 - 6.3. Where a request is submitted in accordance with rule 6.2, the Director may grant the request. If a request is submitted late, the Director may reject the request.
 - 6.4. Following the grant of a request under rule 6.3, and having regard to the draft agenda for the meeting, the Permanent Secretariat shall book the travel and accommodation for the participant in question. The Permanent Secretariat shall send the booking confirmations for the ticket and accommodation to the participant by email.
 - 6.5. By requesting advanced payment of travel expenses, the participant commits to attend the meeting.
 - 6.6. Where the participant is unable to attend the meeting for reasons which are not directly attributable to the Transport Community, the designating institution or organisation shall indemnify the Permanent Secretariat for the costs incurred in relation to the organisation of the trip (e.g. costs of tickets booked including cancellation fees).
 7. Administrative and final provisions
 - 7.1. The Director is responsible for the proper implementation of these rules.
 - 7.2. The Permanent Secretariat shall retain, for a period of five years, the records, documents and evidence related to reimbursements under these rules, including documents related to exceptional treatment.
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Appendix 1

TRAVEL REIMBURSEMENT REQUEST

1. MEETING DETAILS		Place:				
Description of the meeting:						
Date:	No. of days:					
2. PARTICIPANT						
FAMILY NAME:		FIRST NAME:				
INSTITUTION/ORGANISATION:		TITLE:				
COUNTRY:						
E-MAIL:		TEL:				
3. BANK DETAILS — please provide full IBAN and SWIFT code (BIC)						
NAME AND ADDRESS OF ACCOUNT HOLDER (INSTITUTION): (please indicate the name of owner/beneficiary of the bank account in this field)						
BANK NAME						
Account number						
IBAN						
SWIFT (BIC)						
4. ACCOMMODATION		From:	To:			
DATES OF STAY						
Total number of hotel nights (max. rate of 120 EUR/night)						
Please attach a copy of the hotel receipt invoice						
5. TRAVEL EXPENSES						
Airplane, train, long distance bus, local public transport, etc.	FROM	TO	CLASS	AMOUNT	CURRENCY	In EUR
Itinerary						
Continue on a separate sheet if required. Please attach a copy of the available receipts/invoices, including boarding passes for flights/train/bus						
CAR		From:	To:	To: (Return)		
Proof of distance attached (copy of the route from Google Maps or ViaMichelin.com or Rome2Rio.com, to be submitted in PDF or JPG format)				KM both ways:		
				Total EUR:		
TAXI (if local public transport was not available) – receipts required; additional justification necessary		Amount	Currency	In EUR		

TOTAL AMOUNT CLAIMED in EURO:**Other remarks:**

I certify that this travel reimbursement request is a true statement of travel expenses incurred by me. I have not been and will not be reimbursed for these expenses from any other source nor have I included any expenses paid or to be paid directly from another source.

Date:

PARTICIPANT SIGNATURE:

Appendix 2

REQUEST FOR ADVANCED PAYMENT OF TRAVEL EXPENSES

1. Traveller's details - please fill in ALL fields marked with {}

Last name*:		
First name*:		
Name of the organisation/ institution*:		
Function:		
Passport number* (required for booking purposes):		
Contact phone No.:		
E-mail:		
Title and place of meeting:		
Dates of the meeting:	From:	To:
Travel route:	Departing from:	Arriving to:

2. Request for Booking – please tick relevant boxTRAVEL ACCOMMODATION **IMPORTANT NOTES FOR PARTICIPANTS:**

- This form serves as a basis for the travel arrangements made by the Permanent Secretariat of the Transport Community on behalf of the traveller. It shall be approved in advance by the traveller's direct superior and submitted in a scanned form to the Permanent Secretariat's mailbox: finance@transport-community.org.
- The traveller is solely responsible for the correctness of the submitted details and bears full responsibility for incomplete or erroneous data that might result in cancellation, impossibility to travel, change of booking details or additional related charges.
- All extra costs (use of mini-bar in the hotel, parking fees, additional nights etc.) shall not be reimbursed.
- The traveller is obliged to keep all boarding passes and travel tickets as proof of travel and upon return he/she is asked to send the scanned copies to the email specified above.
- The Permanent Secretariat shall make travel arrangements within the available travel and accommodation offers on the market that match the Reimbursement Rules limits and rates.
- The undersigned confirms that he/she is aware of the refunding clause laid down in rule 6.6 of the Reimbursement Rules: Where the participant is unable to attend the meeting for reasons which are not directly attributable to the Transport Community, the designating institution or organisation shall indemnify the Permanent Secretariat for the costs incurred in relation to the organisation of the trip (e.g. costs of tickets booked including cancellation fees).

Signature: _____	Head of designating institution/organisation approval: _____
Date: _____	Date: _____

3. FOR TRANSPORT COMMUNITY PERMANENT SECRETARIAT INTERNAL USE

Estimated costs (in EUR)	Budget Availability
Flight ticket / Train ticket/ bus ticket / Car	YES <input type="checkbox"/> NO <input type="checkbox"/>
Accommodation	Financial & Accounting Officer:
TOTAL:	DIRECTOR'S APPROVAL:
Budgetary commitment No.:	<input type="checkbox"/> Approved <input type="checkbox"/> Not approved

**DECISION No 2021/03 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT
COMMUNITY**

**on rules on the reimbursement of staff of the Permanent Secretariat of the Transport Community for
travel and relocation costs upon taking up duties and termination of service (2023/561)**

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Articles 30 and 35 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The rules on the reimbursement of staff of the Permanent Secretariat of the Transport Community for travel and relocation costs upon taking up duties and termination of service, set out in the Annex, are hereby adopted.

Upon their adoption, the Permanent Secretariat of the Transport Community shall publish the rules on the website of the Transport Community.

Article 2

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

Done in Sarajevo, on June 7th 2021.

*For the Regional Steering Committee
The Chairman*

ANNEX

**RULES ON THE REIMBURSEMENT OF STAFF OF THE PERMANENT SECRETARIAT OF THE
TRANSPORT COMMUNITY FOR TRAVEL AND RELOCATION COSTS UPON TAKING UP DUTIES
AND TERMINATION OF SERVICE**

1. Scope

These rules cover:

- (a) the reimbursement of travel expenses of staff of the Permanent Secretariat of the Transport Community ('Permanent Secretariat') subject to the Staff Regulations of the Transport Community ('staff'), their spouses, and dependent children between the ages of 2 and 18 years actually living in their households, upon taking up duties and termination of service;
- (b) the reimbursement of removal and storage costs of staff, upon taking up duties and termination of service; and
- (c) the payment of an installation allowance to staff upon taking up duties.

2. Travel expenses

2.1. The following travel expenses shall be reimbursed:

- (a) travel expenses upon taking up duties, from the place of recruitment to the place of employment;
- (b) travel expenses upon termination of service, from the place of employment to the place of origin, provided that the transfer involves a change in the main residence and is carried out within one year of the date of termination.

In general, the means of transport shall be second-class rail travel for journeys of less than 400 km (one way, according to official distance by rail) and economy class air travel for distances of 400 km or more.

2.2. Each eligible traveller shall be entitled to the reimbursement of the costs of excess baggage up to 10 kg.

2.3. Travel expenses shall be reimbursed only on the presentation of original supporting documents.

2.4. When air or rail transport is not available or is not cost-effective, travel by bus or car shall be authorised.

2.5. The cost of travel by private vehicle shall be reimbursed at the rate of EUR 0,22 per km.

2.6. Taxi fares shall not be reimbursed.

3. Removal Expenses

3.1. Subject to the prior authorisation of the Director of the Permanent Secretariat of the Transport Community ('Director'), expenses incurred in respect of removal of furniture and personal effects, including the cost of insurance against ordinary risks (breakages, theft, fire etc.), shall be reimbursed upon:

- (a) taking up duties, up to not more than one year after the end of the probationary period, for a removal from the place of recruitment to the place of employment; expenses incurred in respect of a removal effected prior to the entry into service of a member of staff shall not be reimbursed;
- (b) termination of service, for a removal from the place of employment to the place of origin, or to a place which is at the same or at a shorter distance, provided that the removal is carried out within one year of the date of termination of service;

- 3.2. The costs to be reimbursed shall be a lump sum removal allowance or the expenses actually incurred.
- 3.3. A lump sum removal allowance shall be 30 percent of the basic salary of the member of staff, with a maximum ceiling of EUR 1 500.
- 3.4. The expenses actually incurred, including the cost of storage for a maximum of 60 days and insurance against ordinary risks, shall be reimbursed up to a ceiling of EUR 6 000 and subject to the following volume limits, as relevant:
 - (a) 8 000 kg or 40 m³ for eligible members of staff accompanied to the duty station or joined there by at least one member of their family travelling at the expense of the Permanent Secretariat;
 - (b) 4 000 kg or 30 m³ for eligible members of staff not accompanied by any member of their family travelling at the expense of the Permanent Secretariat.
- 3.5. Transportation of furniture and personal effects shall be by land or sea or the most economical means as determined by the Director, taking into account costs related to packaging, crating, cartage, unpacking, uncrating and customs duties, if any.
- 3.6. Staff shall submit offers from at least three removal companies to the Permanent Secretariat for approval.
4. Installation allowance
 - 4.1. Upon appointment, members of staff who come to the duty station and are not accompanied by and are not joined there by at least one member of their family and travelling at the expense of the Permanent Secretariat shall be entitled to receive an installation allowance equal to the amount of one monthly salary.
 - 4.2. Upon appointment, members of staff who come to the duty station accompanied by or joined there by at least one member of their family and travelling at the expense of the Permanent Secretariat shall be entitled to receive an installation allowance equal to the amount of two monthly salaries. The Permanent Secretariat shall pay that amount to the member of staff as a single lump sum.
5. Administrative and final provisions
 - 5.1. Members of staff shall inform the Permanent Secretariat if their travel and removal expenses or, if applicable, those of their family members are partially or totally covered by a third party (e.g. governmental authorities, inviting entity, spouse's employer, other employer), in which case the Permanent Secretariat shall reimburse or cover only the portion of the expenses not covered by the third party.
 - 5.2. The Director is responsible for the proper implementation of these rules.
 - 5.3. The Permanent Secretariat shall retain the records, documents and evidence related to the reimbursement of removal and travel expenses and the payment of installation allowances for a period of five years.
 - 5.4. These rules shall apply from the day following that of adoption.

- 5.5. Members of staff who took up duties before the adoption of these rules shall be entitled to the reimbursement of the travel and removal expenses and the payment of an installation allowance in line with these rules, upon presentation of supporting documentation on the expenses actually incurred and subject to the limits set out in rules 2 to 4.
 - 5.6. Depending on the development of prices, the Director may propose to the Regional Steering Committee to review these rules.
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AMENDMENTS TO THE PRACTICE RULES FOR THE IMPLEMENTATION OF THE RULES OF PROCEDURE OF THE GENERAL COURT

THE GENERAL COURT,

Having regard to Article 224 of its Rules of Procedure;

Having regard to the Practice Rules for the Implementation of the Rules of Procedure of the General Court;

Whereas the General Court adopted amendments to its Rules of Procedure on 30 November 2022 ⁽¹⁾;

Whereas the new rules on the omission of data vis-à-vis the public, on joint hearings and on videoconferencing for hearings are such that certain points of the Practice Rules should be supplemented and adapted accordingly;

Whereas it is also desirable, in the interests of the parties and of the General Court, to improve the readability of the provisions relating to the formal presentation of an application and of the schedule of annexes in order to reduce the number of cases requiring regularisation;

Whereas it is appropriate to clarify the manner in which certain Registry tasks are to be performed, particularly those relating to the keeping of the register, maintenance of the case file and inspection of the case file, in particular in view of changes made during the health crisis;

whereas the digitisation of the judicial process and the implementation, in the course of 2022, of the qualified electronic signature for judgments and orders of the General Court have various consequences which must be taken into account, in particular as regards the requirements relating to the Registry's scale of charges and the archiving of the originals of judicial decisions;

HAS ADOPTED THESE AMENDMENTS TO THE PRACTICE RULES FOR THE IMPLEMENTATION OF THE RULES OF PROCEDURE OF THE GENERAL COURT:

Article 1

The Practice Rules for the Implementation of the Rules of Procedure of the General Court ⁽²⁾ are hereby amended as follows:

- (1) In point 1, the words ‘, and for the custody of the seals of the Court.’ are replaced by ‘, and for the custody of the seals of the Court and the archives.’
- (2) In point 10, the words ‘They shall be made in the language of the case and contain the information necessary for identifying the document, in particular the date of lodgement, the date of registration, the number of the case and the nature of the document.’ are replaced by ‘They shall be made in the language of the case. They shall contain in particular the date of lodgement, the date of registration, the number of the case and the nature of the document.’

⁽¹⁾ OJ L 44, 14.2.2023, p. 8.

⁽²⁾ OJ L 152, 18.6.2015, p. 1, as amended (OJ L 217, 12.8.2016, p. 78, OJ L 294, 21.11.2018, p. 23, corrigenda OJ L 196, 21.7.2016, p. 56 and OJ L 296, 22.11.2018, p. 40).

- (3) After point 10, the following point 10a is inserted:

'10a. The date of lodgement referred to in point 10 above shall be, depending on the circumstances: the date referred to in Article 5 of the decision of the Court of 11 July 2018, the date on which the document was received by the Registry, the date referred to in point 7 above, or the date referred to in the second indent of Article 3 of the decision of the Court of 14 September 2016. In the cases provided for by the first paragraph of Article 54 of the Statute, the date of lodgement referred to in point 10 above shall be the date on which the procedural document was lodged, via e-Curia, with the Registrar of the Court of Justice or, in the case of a document lodged as referred to in Article 147(6) of the Rules of Procedure, the date on which the document was lodged with the Registrar of the Court of Justice.'

- (4) The text of points 12, 13 and 14 is replaced by '[Text deleted]'.

- (5) In point 20, the words 'Where the Court of Justice refers a case back to the Court following the setting aside or review of a decision, that case shall be given the number' are replaced by 'Where the Court of Justice refers a case back to the Court following the setting aside of a decision, that case shall be given the number'.

- (6) Point 21 is replaced by the following:

'21. The serial number of the case and the parties shall be indicated on the procedural documents, in correspondence relating to the case, and also in the publications of the Court and in the documents and information which relate to the case and to which the public has access. Where data are omitted pursuant to Article 66 or Article 66a of the Rules of Procedure, the names of the parties shall be adapted accordingly.'

- (7) Points 22 and 23 are replaced by the following:

'22. The case file shall contain the procedural documents (where applicable together with the annexes thereto) and any other document taken into account in the determination of the case, and also the correspondence with the parties and proof of service. It shall also contain, where applicable, extracts from Chamber conference minutes, the minutes of the meeting with the parties, the report for the hearing, minutes of the hearing and minutes of the inquiry hearing, and the decisions taken and matters noted by the Registry in the case.

23. Any document placed on the case file must bear the register number referred to in point 10 above and a serial number. In addition, procedural documents lodged by the parties and any copies thereof must bear the date of lodgement and the date of entry in the register in the language of the case.'

- (8) In point 28, the words 'The closed file shall contain a list of all the documents on the case file, an indication of their number, and a cover page showing the serial number of the case, the parties and the date on which the case was closed.' are replaced by 'The closed file shall contain a list of all the documents on the case file and a declaration by the Registrar confirming that the file is complete.'

- (9) The title of Part E.2. is replaced by the following:

'E.2. Inspection and obtaining copies of the case file'

- (10) Point 30 is replaced by the following:

'30. The representatives of the main parties may inspect the case file, including administrative files produced before the Court, at the Registry.'

- (11) Points 32 and 33 are replaced by the following:

'32. In joined cases, the representatives of all parties shall have the right to inspect the files in the cases concerned by the joinder, subject to Article 68(4) of the Rules of Procedure. However, no such right of inspection shall apply where a joint hearing is organised in accordance with Article 106a of the Rules of Procedure.

33. A person who has made an application for legal aid pursuant to Article 147 of the Rules of Procedure without the assistance of a lawyer shall have the right to inspect the file relating to the legal aid. Where a lawyer is designated to represent that person, that representative alone shall have the right to inspect that file.’

(12) After point 36, the following points 36a and 36b are inserted:

‘36a. At the request of a party, the Registrar shall supply a copy of documents on the case file, if necessary in a non-confidential version, and of extracts from the register.

36b. At the request of a third party, the Registrar shall supply a copy of judgments or orders, provided that those decisions are not already publicly accessible and do not contain confidential information, and of extracts from the register.’

(13) The points in Part F. are replaced by the following:

‘37. Originals of judgments and orders of the Court shall be signed by means of a qualified electronic signature. They shall be stored in an unalterable electronic format, in chronological order, on a special server reserved for long-term archiving. The electronic copy of the certified version of the judgment or order shall be printed and placed on the case file.

38. [Text deleted]

39. [Text deleted]

40. Orders rectifying a judgment or an order, judgments or orders interpreting a judgment or an order, judgments given on applications to set aside judgments by default, judgments given and orders made in third-party proceedings or on applications for revision and which are signed by means of a qualified electronic signature shall be stored on a special server reserved for long-term archiving together with, and inextricably linked to, the relevant judgment or order of the Court signed by means of a qualified electronic signature and a document containing explanatory statements signed by the Registrar.

40a. Where the judgment or order of the Court has been signed by hand, the decision of the Court rectifying, interpreting or revising the judgment or order concerned and which has been signed by means of a qualified electronic signature shall be mentioned in the margin of the judgment or order concerned. The copy of the certified version of the decision signed by means of a qualified electronic signature shall be printed and appended to the original of the judgment or order in paper form.

40b. Where a decision of the Court signed by means of a qualified electronic signature has given rise to a decision of the Court of Justice on appeal, that decision shall be kept in paper form together with, and inextricably linked to, the version of the relevant judgment or order of the Court of Justice as transmitted to the Court Registry and explanatory statements, signed by the Registrar, in the margin of the Court’s decision.

40c. Decisions of the Court signed by means of a qualified electronic signature which have given rise to a decision of the Court of Justice on appeal shall be stored on a special server reserved for long-term archiving together with, and inextricably linked to, the version of the relevant judgment or order of the Court of Justice as transmitted to the Court Registry and a document containing explanatory statements signed by the Registrar.’

(14) The title of Part G. and the text of point 41 are replaced by ‘[Text deleted]’.

(15) Points 45 to 50 are replaced by the following:

‘45. Where an extract from the register is supplied in accordance with Article 37 of the Rules of Procedure, the Registrar shall impose a Registry charge of EUR 15 per extract.

46. Where a copy of a document or an extract from the case file is supplied to a party at that party’s request in accordance with Article 38(1) of the Rules of Procedure, the Registrar shall impose a Registry charge of EUR 40 per document supplied.

47. Where an authenticated copy of an order or of a judgment is, for the purposes of enforcement, supplied to a party at that party's request in accordance with Article 38(1) or Article 170 of the Rules of Procedure, the Registrar shall impose a Registry charge of EUR 50 per authenticated copy.
48. Where a copy of a judgment or of an order is supplied in accordance with point 36b above to a third party at that third party's request, the Registrar shall impose a Registry charge of EUR 40 per copy.
49. [Text deleted]
50. Where a party or an applicant for leave to intervene has repeatedly failed to comply with the requirements of the Rules of Procedure or of these Practice Rules, the Registrar shall, in accordance with Article 139(c) of the Rules of Procedure, impose a Registry charge which may not exceed EUR 7 000.'
- (16) In point 51, the words 'the Registrar shall demand payment of those sums from the party who is to bear them.' are replaced by 'the Registrar shall demand payment of those sums from the debtor who is to bear them.'
- (17) In point 53, the words 'the Registrar shall demand payment of those sums from the party or the third party who is to bear them.' are replaced by 'the Registrar shall demand payment of those sums from the debtor who is to bear them.'
- (18) The title of Part C. and the points in that part are replaced by the following:

'C. Omission of data vis-à-vis the public

71. [Text deleted]
72. An application for omission under Article 66 or Article 66a of the Rules of Procedure must be made by a separate document. It must accurately identify the data covered by the application. An application for omission of data as referred to in Article 66a of the Rules of Procedure must state the reasons on which it is based.
73. In order to ensure that the data referred to in Articles 66 and 66a of the Rules of Procedure are not disclosed, the application for omission of data must be made as soon as the procedural document containing the data in question is lodged. The practical effect of omitting the data is undermined if the data have already been published on the internet.'
- (19) The title of Part D. and the text of the points in that part are replaced by '[Text deleted]'
- (20) In point 81, the words '(d) with each page numbered consecutively.' are replaced by '(d) with consecutive page numbering (for example: pages 1 to 50).'
- (21) After point 81, the following point 81a is inserted:
- '81a. The main purpose of a footnote is to include references to documents cited in the procedural document. It is not the purpose of a footnote to develop the pleas in law or arguments put forward.'
- (22) In point 82, the sentence 'The schedule of annexes must appear at the end of the procedural document.' is replaced by 'The schedule of annexes must appear at the end of the procedural document with or without pagination.'
- (23) Point 83 is replaced by the following:
- '83. The schedule of annexes must indicate, for each annex:
- (a) the number of the annex (using a letter and a number; for example: A.1, A.2, ... for annexes to the application; B.1, B.2, ... for annexes to the defence or to the response; C.1, C.2, ... for annexes to the reply; D.1, D.2, ... for annexes to the rejoinder);
 - (b) a short description of the annex (for example: 'letter', followed by its date, author and addressee);

- (c) the page numbers of the first and last pages of each annex, according to the consecutive page numbering of the annexes (for example: pages 43 to 49 of the annexes);
- (d) the number of the paragraph in which the annex is first mentioned and its relevance described.’

(24) Points 85 to 87 are replaced by the following:

- ‘85. Only those documents mentioned in the actual text of a procedural document which are referred to in the schedule of annexes and which are necessary in order to prove or illustrate its contents may be submitted as annexes to a procedural document.
- 86. Annexes to a procedural document must be submitted in such a way as to facilitate the electronic inspection of documents by the Court and to avoid any possibility of confusion. Accordingly, the following requirements must be complied with:
 - (a) each annex must be numbered in accordance with point 83(a) above;
 - (b) it is recommended that each annex be introduced by means of a specific cover page;
 - (c) annexes to a procedural document must be paginated consecutively (for example: 1 to 152) from the first page of the first annex (not of the schedule of annexes), including cover pages and any annexes to the annexes;
 - (d) the annexes must be easily legible.
- 87. Each reference to an annex produced must include the annex number as stated in the schedule of annexes and indicate the procedural document with which the annex has been produced (for example: Annex A.1 to the application).’

(25) Points 92 to 94 are replaced by the following:

- ‘92. The Registrar shall refuse to enter in the register and to place on the case file, in whole or in part, procedural documents and, where appropriate, items which are not provided for by the Rules of Procedure. If in doubt, the Registrar shall refer the matter to the President in order for a decision to be taken.
- 93. Save in the cases expressly provided for by the Rules of Procedure and subject to Article 46(2) of the Rules of Procedure and point 100 below, the Registrar shall refuse to enter in the register and to place on the case file procedural documents or items drawn up in a language other than the language of the case.
- 94. Where a party challenges the Registrar’s refusal to enter all or part of a procedural document or item in the register and to place it on the case file, the Registrar shall submit that issue to the President for a decision on whether the document or item in question is to be accepted.’

(26) The text of points 98 and 99 is replaced by ‘[Text deleted]’.

(27) In point 101, the words ‘Failure to put the application in order may result in the action being dismissed as inadmissible, in accordance with Article 78(6), Article 177(6) and Article 194(5) of the Rules of Procedure.’ are replaced by ‘Failure to put the application in order may result in the action being dismissed as inadmissible, in accordance with Article 78(6) and Article 177(6) of the Rules of Procedure.’.

(28) After point 104, the following point 104a is inserted:

‘104a. The schedule of annexes and any table of contents shall not be taken into account in determining the maximum number of pages of a pleading.’.

(29) The title ‘**A.1. Direct actions**’ is replaced by ‘**A.1. Direct actions (other than those relating to intellectual property cases)**’.

(30) The title ‘**B.1. Direct actions**’ is replaced by ‘**B.1. Direct actions (other than those relating to intellectual property cases)**’.

- (31) In point 116, the words ‘The documents referred to in Article 51(2) and (3) ... of the Rules of Procedure must be produced’ are replaced by ‘The documents referred to in Article 51(2) and (3) ... of the Rules of Procedure must be produced, where appropriate.’
- (32) The text of point 117 is replaced by ‘[Text deleted]’.
- (33) In point 119, the last indent ‘– be transmitted by email, as an ordinary electronic file produced using word-processing software, to GC.Registry@curia.europa.eu, indicating the case to which it relates.’ is replaced by ‘– be transmitted by e-Curia when the application is lodged, with an indication of the case to which it relates.’
- (34) The text of point 122 is replaced by the following:
- ‘In order to facilitate formal preparation of the application, the parties’ representatives may find it useful to consult the document entitled “Aide-mémoire – Application” and the indicative model application available on the internet site of the Court of Justice of the European Union.’
- (35) In point 127, the words ‘Points 116 and 117 above shall apply’ are replaced by ‘Point 116 shall apply’.
- (36) In point 134, the words ‘Points 113 to 115, 117 and 120 to 122 above’ are replaced by ‘Points 113 to 115 and 120 to 122 above’.
- (37) In point 138, the words ‘Points 117, 125 and 126 above’ are replaced by ‘Points 125 and 126 above’.
- (38) Point 144 is replaced by the following:
- ‘144. The parties shall be given notice to attend the hearing by the Registry at least one month before it takes place, provided always that, where the circumstances so require, a shorter period of notice may apply. Where the Court decides to organise a joint hearing of two or more cases pursuant to Article 106a of the Rules of Procedure, the notice to attend the hearing shall specify in particular the cases that will be dealt with at that hearing.’
- (39) After point 147, the following point 147a is inserted:
- ‘147a. Where the Court decides to organise a joint hearing of two or more cases pursuant to Article 106a of the Rules of Procedure, the summary report for the hearing drawn up in the language of the case in each of the cases concerned shall be served on all other parties to whom notice to attend that hearing has been given.’
- (40) After point 152, the following point 152a is inserted:
- ‘152a. If a party intends to request a derogation from the language arrangements in accordance with Article 45(1)(c) or (d) of the Rules of Procedure in order for a language other than the language of the case to be used at the hearing, the request must be submitted as soon as possible after notice to attend has been given.’
- (41) In point 162, the words ‘Each of the main parties will be allowed 15 minutes and each intervener will be allowed 10 minutes to present oral submissions (in joined cases, each of the main parties will be allowed 15 minutes for each case and each intervener will be allowed 10 minutes for each case),’ are replaced by ‘Each of the main parties will be allowed 15 minutes and each intervener will be allowed 10 minutes to present oral submissions (at a hearing in joined cases or at a joint hearing, each of the main parties will be allowed 15 minutes for each case and each intervener will be allowed 10 minutes for each case),’.
- (42) Point 165 is replaced by the following:
- ‘165. Where two or more parties are advancing the same argument before the Court (a situation which may arise where there are interventions, where cases are joined or where the similarities between cases are such that a joint hearing is warranted), their representatives are requested to confer with each other before the hearing in order to avoid any repetition. Representatives of the parties concerned must, however, ensure that they adopt a position only on behalf of the parties whom they represent and that they comply with Article 84 of the Rules of Procedure, which lays down the conditions under which a new plea in law may be introduced in the course of proceedings before the Court.’

(43) Point 167 is replaced by the following:

‘167. In accordance with Article 85(3) of the Rules of Procedure, the main parties may, exceptionally, produce further evidence at the hearing. In such a situation, it is recommended that sufficient copies (including, where appropriate, in a non-confidential version for interveners) be made available. The other parties will be heard on the admissibility and content thereof.’

(44) After point 167, a new part is inserted:

‘Ca. Participation in a hearing by videoconference

Ca. 1. Request for the use of videoconferencing

167a. If a party’s representative is prevented from participating in person in a hearing which he has been given notice to attend, whether for health reasons (for example, an impediment of an individual medical nature or resulting from travel restrictions linked to an epidemic), or on security or other serious grounds (for example, a strike in the air transport sector), the representative of the party concerned must lodge, by a separate document, a reasoned request to participate in the hearing by videoconference.

167b. In order to ensure that the request can be properly processed by the Court, it must be submitted as soon as the reason for the impediment is known and contain:

- precise and substantiated details of the nature of the impediment relied on;
- the contact details of a contact person with whom any necessary technical and interpretation tests may be carried out in advance of the hearing;
- if applicable, the case number of the last case in which the representative participated in a hearing by videoconference before the Court or the Court of Justice.

167c. Any request for the use of videoconferencing shall be served on the other parties to the case.

167d. The party requesting the use of videoconferencing and the other parties to the case shall be informed by the Registry of the decision taken by the President of the Chamber on the request.

167e. If that decision is favourable, the contact person whose details will previously have been supplied by the representative in his request will be contacted by the technical support services of the Court of Justice of the European Union so that the mandatory technical and interpretation tests involving the representative can be organised as quickly as possible.

167f. If the tests prove to be successful, the hearing can be organised by videoconference, and the parties shall be notified accordingly. If the tests prove to be unsuccessful, the parties shall be notified of the consequences as regards proceeding with the hearing or adjourning it.

Ca. 2. Technical conditions

167g. The use of videoconferencing for oral hearings requires high sound and image quality and a perfectly stable connection, which are tested prior to the hearing. Accordingly, the following technical requirements must be met:

- only connections using the H.323 or SIP protocols shall be permitted. H.323 and SIP are protocols specifically used for setting up videoconference calls and ensure stability and optimal security of connections;
- the use of a software platform or any other meeting system based exclusively on a computer application shall not be permitted;
- connections via mobile devices such as laptops, tablets or smartphones shall not be permitted.

167h. Where the representative participates in the hearing by videoconference, he may use only the language in which he is authorised to plead under the Rules of Procedure and may, without prejudice to future developments, have access only to interpretation into that language.

Ca. 3. Practical recommendations for representatives making oral submissions by videoconference

167i. Practical recommendations for representatives making oral submissions by videoconference can be found on the internet site of the Court of Justice of the European Union.’.

(45) In point 168, the words ‘by email (interpret@curia.europa.eu).’ are replaced by ‘by email (interpretation@curia.europa.eu).’.

(46) After point 172, the following point 172a is inserted:

‘172a. Where a joint hearing of two or more cases is organised in accordance with Article 106a of the Rules of Procedure, minutes of the hearing, the content of which shall be identical for all the cases concerned, shall be placed on the file for each case in the language of the case.’.

(47) After point 184, the following point 184a is inserted:

‘184a. No application for confidential treatment vis-à-vis the other parties to the proceedings may be made by an intervener.’.

(48) Point 225 is replaced by the following:

‘225. The application for suspension of operation or enforcement or other interim measures must state, first, the subject matter of the proceedings and, clearly and concisely, the pleas of fact and law on which the main action is based, establishing a prima facie case on the merits in that action. It must state, secondly, precisely the measure(s) applied for. It must state, thirdly, giving reasons with documentary evidence, the circumstances giving rise to urgency.’.

(49) After point 225, the following point 225a is inserted:

‘225a. In accordance with the second sentence of Article 156(4) of the Rules of Procedure, the application for interim measures must contain all the evidence and offers of evidence available to justify the grant of interim measures. Thus, the judge hearing the application for interim measures must have specific and precise information, supported by detailed and, where appropriate, certified documentary evidence or offers of evidence showing the situation in which the party seeking the interim measures finds itself and enabling the probable consequences, should the measures sought not be granted, to be assessed.’.

(50) Point 227 is replaced by the following:

‘227. In order that an application for interim measures may be dealt with urgently, the number of pages it contains must not in principle exceed a maximum of 25 pages, taking into account the subject matter and the circumstances of the case.’.

(51) Annex 1 is amended as follows:

(a) in the introductory part, the words ‘in accordance with Article 78(6), Article 177(6) and Article 194(5) of the Rules of Procedure.’ are replaced by ‘in accordance with Article 78(6) and Article 177(6) of the Rules of Procedure.’;

(b) the heading of the first column ‘Direct actions’ is replaced by ‘Direct actions (other than intellectual property cases)’;

(c) point (a) of the first and second columns is replaced by the following:

‘a) ‘production of the document referred to in Article 51(2) of the Rules of Procedure unless such a document has already been lodged for the purposes of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure)’;

- (d) in point (b), the words in the first and second columns ‘recent proof of the existence in law’ are replaced by ‘proof of the existence in law’;
- (e) in point (g), the words in the second column ‘and the addresses which they had given for the purposes of notifications’ are replaced by ‘and the addresses which they had given for the purposes of notifications, if the circumstances so require’.
- (52) Annex 2 is amended as follows:
- (a) in point (a), the words ‘(first paragraph of Article 21 of the Statute; Article 76(a), Article 177(1)(a) and Article 194(1)(a) of the Rules of Procedure)’ are replaced by ‘(first paragraph of Article 21 of the Statute; Article 76(a) and Article 177(1)(a) of the Rules of Procedure)’;
- (b) in point (b), the words ‘(Article 76(b), Article 177(1)(b) and Article 194(1)(b) of the Rules of Procedure)’ are replaced by ‘(Article 76(b) and Article 177(1)(b) of the Rules of Procedure)’;
- (c) in point (h), the words ‘(point 86(d) of these Practice Rules)’ are replaced by ‘(point 86(c) of these Practice Rules)’.
- (53) Annex 3 is amended as follows:
- (a) the text in point (a) is replaced by the following: ‘production of the document referred to in Article 51(2) of the Rules of Procedure in respect of any additional lawyer, unless such a document has already been lodged for the purposes of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure)’;
- (b) in point (c), the words ‘(Article 46(2) of the Rules of Procedure; point 99 of these Practice Rules)’ are replaced by ‘(Article 46(2) of the Rules of Procedure)’.

Article 2

These amendments to the Practice Rules for the Implementation of the Rules of Procedure of the General Court shall be published in the *Official Journal of the European Union*.

They shall enter into force on 1 April 2023.

Done at Luxembourg, 1 February 2023.

Registrar
E. COULON

President
M. VAN DER WOUDE

CORRIGENDA

Corrigendum to Council Decision (CFSP) 2023/387 of 20 February 2023 in support of a global reporting mechanism on illicit conventional arms and their ammunition to reduce the risk of their diversion and illicit transfer ('iTrace V')

(Official Journal of the European Union L 53 of 21 February 2023)

Page 21, Article 2, paragraph 2:

for: '2. The technical implementation of the project referred to in Article 1 shall be carried out by Conflict Armament Research Ltd ('CAR').',

read: '2. The technical implementation of the project referred to in Article 1 shall be carried out by Conflict Armament Research ('CAR').'

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