



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 September 2013

13252/13

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COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 21 August 2013

to: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European
Union

No Cion doc.: C(2013) 5393 final

Subject: Commission Delegated Regulation (EU) No .../. of 21.8.2013 amending
Commission Delegated Regulation (EU) 114/2013 for the purpose of
correcting the 2010 average specific CO2 emissions specified for the
manufacturer Piaggio

Delegations will find attached Commission document C(2013) 5393 final.

Encl.: C(2013) 5393 final



Brussels, 21.8.2013
C(2013) 5393 final

COMMISSION DELEGATED REGULATION (EU) No .../..

of 21.8.2013

**amending Commission Delegated Regulation (EU) 114/2013 for the purpose of
correcting the 2010 average specific CO₂ emissions specified for the manufacturer
Piaggio**

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Article 11(7) of Regulation (EU) No 510/2011 concerning light commercial vehicles (vans) provides that the Commission shall adopt rules to supplement that Regulation on the interpretation of the eligibility criteria for derogations, on the content of applications, and on the content and assessment of programmes for the reduction of specific emissions of CO₂, by means of delegated act. The rules for the application for a derogation from the specific CO₂ emissions targets for new light commercial vehicles, including list of average specific CO₂ emissions in 2010 per manufacturer, are specified in Commission Delegated Regulation (EU) No 114/2013 of 6 November 2012 supplementing Regulation (EU) No 510/2011. The manufacturer of light commercial vehicles, Piaggio, has informed the Commission that the average specific CO₂ emissions in 2010 specified for that manufacturer in Commission Delegated Regulation (EU) No 114/2013 are incorrect.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The manufacturer of light commercial vehicles, Piaggio, has informed the Commission that the average specific CO₂ emissions in 2010 specified for that manufacturer in Commission Delegated Regulation (EU) No 114/2013 are incorrect and has provided the evidence that the average specific CO₂ emissions in 2010 were higher than the value indicated.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The draft delegated act amends Commission Delegated Regulation (EU) 114/2013 by correcting the average specific emissions CO₂ emissions of manufacturer Piaggio.

COMMISSION DELEGATED REGULATION (EU) No .../..

of 21.8.2013

amending Commission Delegated Regulation (EU) 114/2013 for the purpose of correcting the 2010 average specific CO₂ emissions specified for the manufacturer Piaggio

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emissions from light-duty vehicles¹, and in particular Article 11(7) thereof,

Whereas:

- (1) The manufacturer of light commercial vehicles, Piaggio, has informed the Commission that the average specific CO₂ emissions in 2010 specified for that manufacturer in Commission Delegated Regulation (EU) No 114/2013 supplementing Regulation (EU) No 510/2011 of the European Parliament and of the Council with regard to rules for the application for a derogation from the specific CO₂ emissions targets for new light commercial vehicle² are incorrect. The manufacturer has provided detailed evidence demonstrating that the average specific CO₂ emissions in 2010 were significantly higher than the value indicated in that Regulation.
- (2) The Commission has assessed the evidence provided by Piaggio and considers that it is appropriate to correct the value.
- (3) Regulation (EU) 114/2013 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the list in Annex III to Regulation (EU) No 114/2013, the entry in the second column, with the heading "Average emissions, (g/km)", for the make *Piaggio* is replaced by "177,00".

¹ OJ L 145, 31.5.2011, p. 1.

² OJ L 38, 9.2.2013, p. 1.

Article 2

This Regulation shall enter into force on the 20th 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, 21.8.2013

For the Commission
The President
José Manuel BARROSO