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Subject:	Commission Regulation (EU) No .../. of XXX replacing Annex VII to Regulation (EU) No 601/2012 as regards Minimum frequency of analyses

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Delegations will find attached document D032367/01.

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Encl.: D032367/01



Brussels, **XXX**  
D032367/01  
[...] (2014) **XXX** draft

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

**of XXX**

**replacing Annex VII to Regulation (EU) No 601/2012 as regards Minimum frequency of analyses**

(Text with EEA relevance)

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

**of XXX**

**replacing Annex VII to Regulation (EU) No 601/2012 as regards Minimum frequency of analyses**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC<sup>1</sup>, and in particular Article 14(1) thereof,

Whereas:

- (1) Annex VII to Commission Regulation (EU) No 601/2012<sup>2</sup> determines the minimum frequency of analyses for relevant fuels and materials to be applied by operators for the determination of calculation factors.
- (2) Article 35 of Regulation (EU) No 601/2012 provides that Annex VII to that Regulation is to be reviewed on a regular basis and in the first instance not more than two years from Regulation (EU) No 601/2012 entering into force.
- (3) Annex VII to Regulation (EU) No 601/2012 should be amended to clarify the classification and categorisation of fuels and materials listed therein to improve consistency regarding application of appropriate factors used in the calculation of emissions.
- (4) In the interest of clarity, it is appropriate to replace Annex VII to Regulation (EU) No 601/2012.
- (5) Regulation (EU) No 601/2012 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

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<sup>1</sup> OJ L 275, 25.10.2003, p. 32.

<sup>2</sup> Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 181, 12.7.2012, p. 30).

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex VII to Regulation (EU) No 601/2012 is replaced by the text set out in the Annex to this Regulation.

*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,

*For the Commission*  
*The President*  
*José Manuel BARROSO*