



Council of the
European Union

Brussels, 4 November 2014
(OR. en)

15079/14

ENV 873
ENT 253
DELECT 214

COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	31 October 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2014) 7892 final
Subject:	Commission Delegated Regulation (EU) No .../.. of 31.10.2014 amending Annex I to Regulation (EC) No 443/2009 of the European Parliament and of the Council in order to take into account the evolution of the mass of new passenger cars registered in 2011, 2012 and 2013

Delegations will find attached document C(2014) 7892 final.

Encl.: C(2014) 7892 final



Brussels, 31.10.2014
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COMMISSION DELEGATED REGULATION (EU) No .../..

of 31.10.2014

amending Annex I to Regulation (EC) No 443/2009 of the European Parliament and of the Council in order to take into account the evolution of the mass of new passenger cars registered in 2011, 2012 and 2013

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The CO₂ emission targets to be achieved by manufacturers of new passenger cars are set as a function of the average mass of the vehicle fleet and the CO₂ emissions of those vehicles. In order to ensure that level of reductions provided for in Regulation (EC) No 443/2009 continues to be achieved, it necessary to take into account the evolution of the mass of new vehicles registered in the Union. As a consequence, the reference average mass value (expressed as the M₀ value in the target calculation formulae set out in Annex I to that Regulation) is to be adjusted every third year, starting from 31 October 2014.

The new value is based on the monitoring of the mass in running order of new vehicles in the calendar years 2011, 2012 and 2013. The new value has been calculated using only those mass values that have been possible to verify by the vehicle manufacturers concerned whilst excluding mass values that were obviously incorrect (i.e. exceeding 2 840 kg or below 500 kg) or values relating to vehicles that were out of the scope of the Regulation.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Expert Group on CO₂ emissions from motor vehicles was consulted on 22 May 2014 and supported the approach for calculating the adjustment of the average mass value.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The target calculation formula is amended with a view to applying the new M₀ value from 1 January 2016.

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(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 443/2009 of the European Parliament and of the Council setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles¹, and in particular Article 13(2) thereof,

Whereas:

- (1) The average mass value used for the purpose of calculating the specific emissions of CO₂ for each new passenger car is to be adjusted every three years to take into account any changes in the average mass of the new vehicles registered in the Union.
- (2) It is evident from the monitoring of the mass in running order of new passenger cars registered in calendar years 2011, 2012 and 2013 that the average mass has increased and that the figure M₀ referred to in point 1(b) of Annex I to Regulation (EC) No 443/2009 should therefore be adjusted.
- (3) Exceptionally for this first adjustment, it is appropriate to take into account that the quality of the data monitored in the years 2011, 2012 and 2013 has differed. The new value should therefore be determined by taking into account only those mass values that it has been possible to verify by the manufacturers concerned, whilst excluding values from the calculation that were obviously incorrect, i.e. values exceeding 2 840 kg or lower than 500 kg as well as values relating to vehicles that did not fall within the scope of Regulation (EC) No 443/2009. The new value is moreover based on the weighted average taking into account the number of new registrations in each of the reference years.
- (4) Against that background, the M₀ value to be applied from 1 January 2016 should be increased by 20,4 kg from 1372,0 to 1392,4,

¹ OJ L 140, 5.6.2009, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Point 1(b) of Annex I to Regulation (EC) No 443/2009 is replaced by the following:

"From 2016:

Specific emission of CO₂ = 130 + a × (M – M₀)

Where:

M = mass of the vehicle in kilograms (kg)

M₀ = 1392,4

a = 0,0457".

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, 31.10.2014

For the Commission
The President
José Manuel BARROSO