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### OUTCOME OF PROCEEDINGS

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From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	12627/18
No. Cion doc.:	14217/1/17 REV1 - COM(2017)676 final/2
Subject:	Proposal for a Regulation of the European Parliament and of the Council setting emission performance standards for new passenger cars and for new light commercial vehicles as part of the Union's integrated approach to reduce CO <sub>2</sub> emissions from light-duty vehicles and amending Regulation (EC) No 715/2007 (recast) – General approach

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Delegations will find attached, for information, the text on which the Council (Environment) reached a general approach on the above-mentioned proposal at its meeting on 9 October 2018.

The changes to the previous version of the text (doc. 12627/18), as resulting from the discussion at Council are indicated as **bold and underlined**. Previous amendments to the Commission proposal are underlined. Deleted text is marked as [...].

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**setting emission performance standards for new passenger cars and for new light commercial vehicles as part of the Union's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles and amending Regulation (EC) No 715/2007 (recast)**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Regulation (EC) No 443/2009 of the European Parliament and of the Council<sup>1</sup> and Regulation (EU) No 510/2011 of the European Parliament and of the Council<sup>2</sup> have been substantially amended several times. Since further amendments are to be made, those Regulations should be recast in the interests of clarity.
- (2) This Regulation should apply from 1 January 2020 in order to provide a coherent and efficient transition following the recast and repeal of Regulations (EC) No 443/2009 and (EU) No 510/2011. However, it is appropriate to maintain the CO<sub>2</sub> performance standards and the modalities for achieving them as set out in those Regulations without changes until 2024.
- (3) The Commission's Communication "A European Strategy for Low-Emission Mobility"<sup>3</sup> sets a clear ambition: by mid-century, greenhouse gas emissions from transport will need to be at least 60% lower than in 1990 and be firmly on the path towards zero. Emissions of air pollutants from transport that harm our health need to be drastically reduced without delay. Emissions from conventional combustion engines will need to further reduce after 2020. Zero- and low emission vehicles will need to be deployed and gain significant market share by 2030.

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<sup>1</sup> Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles (OJ L 140, 5.6.2009, p. 1).

<sup>2</sup> 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 CO<sub>2</sub> emissions from light-duty vehicles (OJ L 145, 31.5.2011, p. 1).

<sup>3</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Strategy for Low-Emission Mobility (COM(2016) 501 final).

- (4) The Commissions Communications "Europe on the move"<sup>4</sup> and "Delivering on the European Strategy for low-emission mobility A European Union that protects the planet, empowers its consumers, and defends its industry and workers"<sup>5</sup> highlight that the CO<sub>2</sub> emissions standards for passenger cars and light commercial vehicles are a strong driver for innovation and efficiency and will contribute to strengthening competitiveness of the automotive industry and pave the way for zero and low-emission vehicles in a technology-neutral way.
- (5) This Regulation provides a clear pathway for CO<sub>2</sub> emissions reductions from the road transport sector and contributes to the binding target of at least a 40% domestic reduction in economy-wide greenhouse gas emissions by 2030 compared to 1990, as was endorsed in the Conclusions of the European Council of 23-24 October 2014, and approved as the Union Intended Nationally Determined Contribution under the Paris Agreement at the Environment Council meeting on 6 March 2015.
- (6) The European Council Conclusions of October 2014 endorsed a greenhouse gas emissions reduction of 30% by 2030 compared to 2005 for the sectors that are not part of the European Union emissions trading system. Road transport provides a major contribution to the emissions of those sectors, and its emissions remain significantly above 1990 levels. If the road transport emissions increase further, it will offset reductions made by other sectors to combat climate change.

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<sup>4</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: EUROPE ON THE MOVE An agenda for a socially fair transition towards clean, competitive and connected mobility for all (COM(2017) 283 final).

<sup>5</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: "Delivering on low-emission mobility; A European Union that protects the planet, empowers its consumers and defends its industry and workers" (COM(2017) 675 final).

- (6a) The Paris Agreement, inter alia, sets out a long-term goal in line with the objective to keep the global average temperature increase well below 2 °C above pre industrial levels and to pursue efforts to keep it to 1,5 °C above pre-industrial levels. In order to meet this goal, further CO<sub>2</sub> emission reductions also for passenger cars and light commercial vehicles beyond 2030 will be necessary.
- (7) The European Council Conclusions of October 2014 highlighted the importance of reducing greenhouse gas emissions and risks related to fossil fuel dependency in the transport sector through a comprehensive and technology neutral approach for the promotion of emissions reduction and energy efficiency in transport, for electric transportation and for renewable energy sources in transport also after 2020.
- (8) Energy efficiency contributing to moderation of demand is one of the five mutually-reinforcing and closely interrelated dimensions [...] set out in the Commission's Communication on "The Energy Union Strategy"<sup>6</sup> [...], in order to give consumers in the Union secure, sustainable, competitive and affordable energy. The [...] Communication states that, while all economic sectors must take steps to increase the efficiency of their energy consumption, transport has a huge energy efficiency potential, which can be realised also with a continued focus on tightening CO<sub>2</sub> emission standards for passenger cars and light commercial vehicles in a 2030 perspective.

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<sup>6</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank: A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy (COM(2015) 80 final).

- (9) An evaluation of Regulations (EC) No 443/2009 and (EU) No 510/2011 in 2015 concluded that those Regulations have been relevant, broadly coherent, and have generated significant emissions savings, whilst being more cost-effective than originally anticipated. They have also generated significant added value for the Union that could not have been achieved to the same extent through national measures.
- (10) It is therefore appropriate to pursue the objectives of those Regulations by setting new EU fleet-wide CO<sub>2</sub> reduction targets for passenger cars and light commercial vehicles for the period up to 2030. In defining the reduction levels, account has been taken of their effectiveness in delivering a cost-effective contribution to reducing emissions of the sectors covered by the Effort Sharing Regulation [...] by 2030, of the resulting costs and savings for society, manufacturers and vehicle users, as well as of their direct and indirect implications for employment, competitiveness and innovation and the co-benefits generated in terms of reduced air pollution and energy security. Considering that the market share and therefore the overall contribution of CO<sub>2</sub> emissions from passenger cars are significantly higher than those of light commercial vehicles, a differentiated approach between passenger cars and light commercial vehicles is considered appropriate.

- (11) As part of the implementation of Regulation (EC) No 715/2007 of the European Parliament and of the Council<sup>7</sup>, a new test procedure for measuring CO<sub>2</sub> emissions from and fuel consumption of light duty vehicles, the Worldwide Harmonised Light Vehicles Test procedure (WLTP), set out in Commission Regulation (EU) 2017/1151<sup>8</sup>, entered into force in 2017. This [...] test procedure [...] provides CO<sub>2</sub> emission and fuel consumption values that are more representative of real world conditions. It is therefore appropriate that the new CO<sub>2</sub> emission targets should be based on the CO<sub>2</sub> emissions determined on the basis of that test procedure. Considering however that WLTP-based CO<sub>2</sub> emissions will be available for target compliance purposes from 2021, it is appropriate that the new emissions performance standards should be defined as reduction levels set in relation to the 2021 average of the specific emissions targets [...] calculated on the basis of the CO<sub>2</sub> emissions measured for the purpose of the WLTP emissions test. In order to ensure the robustness and representativeness of the values used as the starting point for defining the reduction levels to be applied in 2025 and 2030, the conditions for performing those measurements are to be clarified as part of the implementation of Implementing Regulations (EU) 2017/1152 and (EU) 2017/1153<sup>9</sup>.
- (12) It is important that the setting of CO<sub>2</sub> emissions reduction requirements continues to provide Union-wide predictability and planning security for vehicle manufacturers across their new car and light commercial vehicle fleets in the Union.

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<sup>7</sup> Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1).

<sup>8</sup> Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008, and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p.1).

<sup>9</sup> To be updated following adoption of the implementing regulations.

- (13) Reduction levels for the Union-wide fleets of new passenger cars and light commercial vehicles should therefore be set for 2025 and for 2030, taking into account the vehicle fleet renewal time and the need for the road transport sector to contribute to the 2030 climate and energy targets. This stepwise approach also provides a clear and early signal for the automotive industry not to delay the market introduction of energy efficient technologies and zero- and low-emission vehicles.
- (13a) The CO2 emission performance standards set out in this Regulation apply to new passenger cars and light commercial vehicles. With regard to the existing fleet of light duty vehicles, including second-hand vehicles, additional measures aimed at reducing emissions may also be taken, inter alia, at national and EU level. **For instance, measures may be taken to encourage a higher fleet renewal rate, in order to replace as fast as possible older, more emitting vehicles by more performant ones. Access to more affordable zero-and low-emission vehicles could stimulate consumer behaviour change and faster deployment of low emissions technologies.**
- (14) While the Union is among the world's major producers of motor vehicles and demonstrates technological leadership in this sector, competition is increasing and the global automotive sector is changing rapidly through new innovations in electrified powertrains, and cooperative, connected and automated mobility. In order to retain its global competitiveness and access to markets, the Union needs a regulatory framework, including a particular incentive in the area of zero- and low-emission vehicles, which contributes to creating a large home market and supports technological development and innovation.
- (15) A dedicated incentive mechanism should be introduced to facilitate a smooth transition towards zero-emission mobility. This crediting mechanism should be designed so as to promote the deployment on the Union market of zero- and low-emission vehicles. **A specific transitional measure should be put in place to enable access to zero- and low-emission vehicles to consumers from Member States with low zero- and low-emission vehicles market penetration.**



- (16) Setting [...] benchmarks for the share of zero- and low-emission vehicles in the EU fleet together with a well-designed mechanism for adjusting a manufacturer's specific CO<sub>2</sub> target based on the share of zero- and low-emission vehicles in the manufacturer's own fleet should provide a strong and credible signal for the development and deployment of such vehicles while still allowing for the further improvement of the efficiency of the conventional internal combustion engines.
- (17) In determining the credits for the zero- and low-emission vehicles, it is appropriate to account for the difference in CO<sub>2</sub> emissions between the vehicles. As concerns passenger cars, the importance of low-emission vehicles, in particular plug-in hybrid vehicles, for the transition towards zero-emission vehicles should be appropriately recognised when determining the credits. The adjustment mechanism should ensure that a manufacturer exceeding the benchmark level would benefit from a higher specific CO<sub>2</sub> target. In order to ensure a balanced approach, limits should be set to the level of adjustment possible within that mechanism. This will provide for incentives, promoting a timely roll-out of recharging and refuelling infrastructure and yielding high benefits for consumers, competitiveness, and the environment.
- (18) The legislative framework for implementing the average new car and light commercial vehicle fleet target should ensure competitively neutral, socially equitable and sustainable reduction targets which take account of the diversity of European automobile manufacturers and avoid any unjustified distortion of competition between them.
- (19) In order to maintain the diversity of the market for passenger cars and light commercial vehicles and its ability to cater for different consumer needs, CO<sub>2</sub> targets should be defined according to the utility of the vehicles on a linear basis.

Maintaining mass as the utility parameter is considered coherent with the existing regime. In order to better reflect the mass of vehicles used on the road, the parameter should be changed with effect from 2025 from mass in running order to the vehicle's test mass as specified in the WLTP test procedure adopted on the basis of Regulation [...] (EC) No 715/2007.

- (20) It should be avoided that the EU fleet-wide targets are altered due to changes in the average mass of the fleet. Changes in the average mass should therefore be reflected without delay in the specific emission target calculations, and the adjustments of the average mass value that is used to this end should therefore take place every two years with effect from 2025.
- (21) In order to distribute the emission reduction effort in a competitively neutral and fair way that reflects the diversity of the market for passenger cars and light commercial vehicles, and in view of the change in 2021 to WLTP-based specific emission targets, it is appropriate to determine the slope of the limit value curve on the basis of the specific emissions of all newly registered vehicles in that year, and to take into account the change in the EU fleet-wide targets between 2021, 2025 and 2030 with a view to ensuring an equal reduction effort of all manufacturers. With regard to light commercial vehicles, the same approach as that for car manufacturers should apply to manufacturers of lighter, car derived, vans, while for manufacturers of vehicles falling within the heavier segments, a higher and fixed slope should be set for the whole target period.
- (22) [...] This Regulation [...] aims to achieve its objectives by, inter alia, creating [...] incentives for the automotive industry to invest in new technologies. This Regulation actively promotes eco-innovation and provides a mechanism that should be able to acknowledge future technological development.

Experience shows that eco-innovations have successfully contributed to the cost-effectiveness of Regulations (EC) No 443/2009 and (EU) No 510/2011 and to the reduction of real world CO<sub>2</sub> emissions. This modality should therefore be maintained and the scope should be extended to incentivise efficiency improvements in air-conditioning systems.

- (23) A balance should however be ensured between incentives given to eco-innovations and those technologies for which the emission reduction effect is demonstrated on the official test procedure. As a consequence, it is appropriate to maintain a cap on the eco-innovation savings that a manufacturer may take into account for target compliance purposes. The Commission should have the possibility to review the level of the cap, in particular, to take into account the effects of the change in the official test procedure. It is also appropriate to clarify how the savings should be calculated for target compliance purposes.
- (24) Directive 2007/46/EC establishes a harmonised framework containing the administrative provisions and general technical requirements for approval of all new vehicles within its scope. The entity responsible for complying with this Regulation should be the same as the entity responsible for all aspects of the type-approval process in accordance with Directive 2007/46/EC and for ensuring conformity of production.
- (25) For the purposes of type-approval, specific requirements apply for special-purpose vehicles, as defined in Annex II of Directive 2007/46/EC, and they should therefore be excluded from the scope of this Regulation.
- (26) It is not appropriate to use the same method to determine the emissions reduction targets for large-volume manufacturers as for small-volume manufacturers considered as independent on the basis of the criteria set out in this Regulation. Such small-volume manufacturers should have the possibility to apply for alternative emissions reduction targets relating to the technological potential of a given manufacturer's vehicles to reduce their specific emissions of CO<sub>2</sub> and consistent with the characteristics of the market segments concerned.

- (27) In recognition of the disproportionate impact on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, the high administrative burden of the derogation procedure, and the marginal resulting benefit in terms of CO<sub>2</sub> emissions reduction from the vehicles sold by those manufacturers, manufacturers responsible for fewer than 1 000 new passenger cars and new light commercial vehicles registered in the Union annually should be excluded from the scope of the specific emissions target and the excess emissions premium.

However, where a manufacturer that is covered by an exemption nevertheless applies for and is granted a derogation, it is appropriate that the manufacturer should be required to comply with that derogation target.

- (28) The procedure for granting derogations from the 95 g CO<sub>2</sub>/km fleet target to niche car manufacturers ensures that the reduction effort required by niche manufacturers is consistent with that of large volume manufacturers with regard to that target. [...] **It is appropriate to continue to provide those manufacturers with the possibility of being granted a derogation also from the targets applicable from 2025 until 2030.**

- (29) In determining the average specific emissions of CO<sub>2</sub> for all the new cars and new light commercial vehicles registered in the Union for which manufacturers are responsible, all cars and light commercial vehicles should be taken into account irrespective of their mass or other characteristics. Although Regulation (EC) No 715/2007 does not cover passenger cars and light commercial vehicles with a reference mass exceeding 2 610 kg and to which type approval is not extended in accordance with Article 2(2) of that Regulation [...], the emissions for these vehicles should be measured in accordance with the same measurement procedures as specified for light duty vehicles pursuant to Regulation (EC) No 715/2007, notably the procedures set out in Commission Regulation (EC) No 692/2008<sup>10</sup> and in Regulation (EU) 2017/1151, and the correlation procedures adopted on the basis of Regulation (EC) No 443/2009 and (EU) No 510/2011, notably Commission Implementing Regulations (EU) 2017/1152<sup>11</sup> and (EU) 2017/1153<sup>12</sup>. The resulting CO<sub>2</sub> emission values should be entered in the certificate of conformity of the vehicle in order to enable their inclusion in the monitoring scheme.
- (30) The specific emissions of CO<sub>2</sub> of completed light commercial vehicles should be allocated to the manufacturer of the base vehicle.

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<sup>10</sup> Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

<sup>11</sup> Commission Implementing Regulation (EU) 2017/1152 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure with regard to light commercial vehicles and amending Implementing Regulation (EU) No 293/2012 (OJ L 175, 7.7.2017, p. 644).

<sup>12</sup> Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (OJ L 175, 7.7.2017, p. 679).

- (31) Consideration should be given to the specific situation of manufacturers of light commercial vehicles producing incomplete vehicles that are type approved in multiple stages. While those manufacturers are responsible for meeting the CO<sub>2</sub> emission targets, they should have the possibility to predict with reasonable certainty the CO<sub>2</sub> emissions of the completed vehicles. The Commission should ensure that those needs are appropriately reflected in the implementing measures adopted pursuant to Regulation [...] (EC) No 715/2007.
- (32) In order to provide for flexibility for the purposes of meeting their targets under this Regulation, manufacturers may agree to form a pool on an open, transparent and non-discriminatory basis. An agreement to form a pool should not exceed five years but may be renewed. Where manufacturers form a pool, they should be deemed to have met their targets under this Regulation provided that the average emissions of the pool as a whole do not exceed the specific emissions target for the pool.
- (33) The possibility for manufacturers to form pools has proven a cost-effective way to achieve compliance with the CO<sub>2</sub> emissions targets, in particular facilitating compliance for those manufacturers that produce a limited range of vehicles. In order to improve the competitive neutrality, the Commission should have the powers to clarify the conditions on which independent manufacturers may form a pool in order to allow them to be placed in a position equivalent to connected undertakings.
- (34) A robust compliance mechanism is necessary in order to ensure that the targets under this Regulation are met.

- (35) It is also essential for achieving the CO<sub>2</sub> reductions required under this Regulation, that the emissions of vehicles in use are in conformity with the CO<sub>2</sub> values determined at type approval. It should therefore be possible for the Commission to take into account in the calculation of the average specific emissions of a manufacturer any systemic non-conformity found by type approval authorities with regard to the CO<sub>2</sub> emissions of vehicles in use.
- (36) In order to be in position to take such measures the Commission should have the powers to prepare and implement a procedure for verifying the in-service conformity of the CO<sub>2</sub> emissions of light duty vehicles placed on the market. For that purpose Regulation (EC) No 715/2007 should be amended.
- (37) The specific emissions of CO<sub>2</sub> from new passenger cars and light commercial vehicles are measured on a harmonised basis in the Union according to the methodology laid down in Regulation (EC) No 715/2007. To minimise the administrative burden of this Regulation, compliance should be measured by reference to data on registrations of new cars and light commercial vehicles in the Union collected by Member States and reported to the Commission. To ensure the consistency of the data used to assess compliance, the rules for the collection and reporting of this data should be harmonised as far as possible. The competent authorities' responsibility to provide correct and complete data should therefore be clearly stated as well as the need for an effective cooperation between those authorities and the Commission in addressing data quality issues.
- (38) Manufacturers' compliance with the targets under this Regulation should be assessed at Union level. Manufacturers whose average specific emissions of CO<sub>2</sub> exceed those permitted under this Regulation should pay an excess emissions premium with respect to each calendar year. The amounts of the excess emissions premium should be considered as revenue for the general budget of the Union.

- (39) Any national measure that Member States may maintain or introduce in accordance with Article 193 of the Treaty on the Functioning of the European Union (TFEU) should not, in consideration of the purpose of and procedures established in this Regulation, impose additional or more stringent penalties on manufacturers who fail to meet their targets under this Regulation.
- (40) This Regulation should be without prejudice to the full application of Union competition rules.
- (41) The effectiveness of the targets set out in this Regulation in reducing CO<sub>2</sub> emissions in reality is strongly dependent on the representativeness of the official test procedure. In accordance with the Opinion of the Scientific Advice Mechanism (SAM)<sup>13</sup> and the recommendation of the European Parliament, following its inquiry into emission measurements in the automotive sector<sup>14</sup>, a mechanism should be put in place to assess the real world representativeness of vehicle CO<sub>2</sub> emissions and energy consumption values determined in accordance with [...] the WLTP test procedure adopted on the basis of Regulation (EC) No 715/2007. The Commission should have the powers to ensure the public availability of such data, whilst providing for the protection of any personal data, and, where necessary, develop the procedures needed for identifying and collecting the data required for performing such assessments.

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<sup>13</sup> High Level Group of Scientific Advisors, Scientific Opinion 1/2016 "Closing the gap between light-duty vehicle real-world CO<sub>2</sub> emissions and laboratory testing"

<sup>14</sup> European Parliament recommendation of 4 April 2017 to the Council and the Commission following the inquiry into emission measurements in the automotive sector (2016/2908(RSP))



- (42) In 2023 it is foreseen to review the progress achieved under the [Effort Sharing Regulation and Emissions Trading System Directive]. It is therefore appropriate to comprehensively assess the effectiveness of this Regulation in that same year to allow a coordinated and coherent assessment of the measures implemented under all these instruments. In this review the Commission should also identify a clear pathway for further CO<sub>2</sub> emission reductions for passenger cars and light commercial vehicles beyond 2030 in order to significantly contribute to achieving the long-term goal of the Paris Agreement. Where appropriate, the report on this review should be accompanied by a proposal for amending this Regulation.
- (43) Regulations (EC) No 443/2009 and (EU) No 510/2011 should be repealed with effect from 1 January 2020.
- (44) In order to ensure uniform conditions for the implementation of this Regulation , implementing powers should be conferred on the Commission.
- [...] The implementing powers relating to [...] the specification of detailed conditions for pooling arrangements, procedures for monitoring and reporting of data on average emissions as well as procedures for taking into account deviations found in the CO<sub>2</sub> emissions of vehicles when calculating the average specific emissions of a manufacturer, determination of the means for collecting excess emissions premiums, procedures to approve the innovative technologies or innovative technology packages achieving CO<sub>2</sub> savings, measures allowing the monitoring and assessment of the real world world representativeness of the CO<sub>2</sub> emission and energy consumption values determined in accordance with the WLTP test procedure and [...] determination of the correlation parameters necessary in order to reflect any change in the regulatory test procedure for the measurement of specific CO<sub>2</sub> emissions should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>15</sup>.

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<sup>15</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13).

(46) In order to amend [...] non-essential elements of the provisions of this Regulation the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission in respect of amending Annexes II and III as regards data requirements and data parameters, [...], adjusting the figures of  $M_0$  and  $TM_0$ , [...] and of the 7 g CO<sub>2</sub>/km cap [...] for the total contributions of innovative technologies, and [...] adapting the formulae [...] for calculating the specific emission targets to reflect the change in the regulatory test procedure. In order to supplement non-essential elements of the provisions of this Regulation the power to adopt acts in accordance with Article 290 of the TFEU should be delegated to the Commission in respect of supplementing the rules on the interpretation of the eligibility criteria for derogations for certain manufacturers from the specific emissions targets, on the content of the applications for a derogation, [...] on the content and assessment of programmes for the reduction of specific emissions of CO<sub>2</sub> with respect to certain manufacturers, and for setting out the calculation formulae of the derogation targets for niche manufacturers. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>16</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council [...] receive all documents at the same time as Member States' experts, and their experts [...] systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>16</sup> OJ L 123, 12.5.2016, p. 1.

- (47) Since the objective of this Regulation, namely the establishment of CO<sub>2</sub> emissions performance requirements for new passenger cars and new light commercial vehicles, cannot be sufficiently achieved by the Member States, [...] but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

HAVE ADOPTED THIS REGULATION:

### *Article 1*

#### **Subject matter and objectives**

1. This Regulation establishes CO<sub>2</sub> emissions performance requirements for new passenger cars and for new light commercial vehicles to contribute to fulfilling the Union's target of reducing its greenhouse gas emissions [...] as laid down in Regulation (EU) No 2018/...[Effort Sharing Regulation] and to achieving the objectives of the Paris Agreement and to ensure the proper functioning of the internal market.
2. From 1 January 2020, this Regulation sets an EU fleet-wide target of 95 g CO<sub>2</sub>/km for the average emissions of new passenger cars and an EU fleet-wide target of 147 g CO<sub>2</sub>/km for the average emissions of new light commercial vehicles registered in the Union, as measured until 31 December 2020 in accordance with Regulation (EC) No 692/2008 together with Implementing Regulations (EU) 2017/1152 and (EU) 2017/1153, and, from 1 January 2021 measured in accordance with Regulation (EU) 2017/1151.

3. This Regulation will until 31 December 2024 be complemented by additional measures corresponding to a reduction of 10 g CO<sub>2</sub>/km as part of the Union 's integrated approach referred to in the 2007 Communication from the Commission to the Council and the European Parliament<sup>17</sup>.
4. From 1 January 2025 the following EU fleet-wide targets shall apply:
  - (a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a 15% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part A of Annex I;
  - (b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a 15% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part B of Annex I;
5. From 1 January 2030 the following targets shall apply:
  - (a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a [...] 35 % reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part A of Annex I;
  - (b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a 30% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part B of Annex I.

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<sup>17</sup> Communication from the Commission to the Council and the European Parliament of 7 February 2007 Results of the review of the Community Strategy to reduce CO<sub>2</sub> emissions from passenger cars and light-commercial vehicles (COM(2007) 19 final).

## Article 2

### Scope

1. This Regulation shall apply to the following motor vehicles :
  - (a) category M<sub>1</sub> as defined in Annex II to Directive 2007/46/EC ('passenger cars') which are registered in the Union for the first time and which have not previously been registered outside the Union ('new passenger cars');
  - (b) category N<sub>1</sub> as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and category N<sub>1</sub> to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 ('light commercial vehicles') which are registered in the Union for the first time and which have not previously been registered outside the Union ('new light commercial vehicles').
2. A previous registration outside the Union made less than three months before registration in the Union shall not be taken into account.
3. This Regulation shall not apply to special purpose vehicles as defined in point 5 of Part A to Annex II to Directive 2007/46/EC.
4. Article 4, Article 7 (4)(b) and (c), Article 8 and Article 9(1)(a) and (c) shall not apply to a manufacturer which, together with all of its connected undertakings, is responsible for fewer than 1 000 new passenger cars or for fewer than 1 000 new light commercial vehicles registered in the Union in the previous calendar year, unless that manufacturer applies for and is granted a derogation in accordance with Article 10.

### Article 3

#### Definitions

1. For the purposes of this Regulation, the following definitions shall apply:
  - (a) ‘average specific emissions of CO<sub>2</sub>’ means, in relation to a manufacturer, the average of the specific emissions of CO<sub>2</sub> of all new passenger cars or of all new light commercial vehicles of which it is the manufacturer;
  - (b) ‘certificate of conformity’ means the certificate referred to in Article 18 of Directive 2007/46/EC;
  - (c) ‘completed vehicle’ means a light commercial vehicle where type-approval is granted following completion of a process of multi-stage type-approval in accordance with Directive 2007/46/EC;
  - (d) ‘complete vehicle’ means any light commercial vehicle which does not need to be completed in order to meet the relevant technical requirements of Directive 2007/46/EC;
  - (e) ‘base vehicle’ means any light commercial vehicle which is used at the initial stage of a multi-stage type-approval process;
  - (f) ‘manufacturer’ means the person or body responsible to the approval authority for all aspects of the EC type-approval procedure in accordance with Directive 2007/46/EC and for ensuring conformity of production;
  - (g) ‘mass in running order’ means the mass of the passenger car or light commercial vehicle with bodywork in running order as stated in the certificate of conformity and defined in section 2.6 of Annex I to Directive 2007/46/EC;

- (h) ‘specific emissions of CO<sub>2</sub>’ means the CO<sub>2</sub> emissions of a passenger car or a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and its implementing Regulations and specified as the CO<sub>2</sub> mass emission (combined) in the certificate of conformity of the vehicle. For passenger cars or light commercial vehicles which are not type-approved in accordance with Regulation (EC) No 715/2007, ‘specific emissions of CO<sub>2</sub>’ means the CO<sub>2</sub> emissions measured pursuant to Regulation (EC) No 715/2007, notably in accordance with the same measurement procedure as specified in Regulation (EC) No 692/2008 until 31 December 2020, and from 1 January 2021 in Regulation (EU) 2017/1151, or in accordance with procedures adopted by the Commission to establish the CO<sub>2</sub> emissions for such vehicles;
- (i) ‘footprint’ means the average track width multiplied by the wheelbase as stated in the certificate of conformity and defined in Sections 2.1 and 2.3 of Annex I to Directive 2007/46/EC;
- (j) ‘specific emissions target’ means, in relation to a manufacturer, the annual target determined in accordance with Annex I or, if the manufacturer is granted a derogation in accordance with Article 10 the specific emissions target determined according to that derogation;
- (k) ‘EU fleet-wide target’ means the average CO<sub>2</sub> emissions of all new passenger cars or all new light commercial vehicles to be achieved in a given period;
- (l) ‘test mass’ means the test mass of a passenger car or light commercial vehicle as stated in the certificate of conformity and as defined in point 3.2.25 of Annex XXI to Regulation (EU) 2017/1151;

- (m) 'zero- and low-emission vehicle' means a passenger car or a light commercial vehicle with tailpipe emissions from zero up to 50 g CO<sub>2</sub>/km, as determined in accordance with Regulation (EU) 2017/1151.
- (n) 'payload' means the difference between the technically permissible maximum laden mass pursuant to Annex II to Directive 2007/46/EC and the mass of the vehicle.

2. For the purposes of this Regulation 'a group of connected manufacturers' means a manufacturer and its connected undertakings. In relation to a manufacturer, 'connected undertakings' means:

- (a) undertakings in which the manufacturer has, directly or indirectly:
  - (i) the power to exercise more than half the voting rights; or
  - (ii) the power to appoint more than half the members of the supervisory board, board of management or bodies legally representing the undertaking; or
  - (iii) the right to manage the undertaking's affairs;
- (b) undertakings which directly or indirectly have, over the manufacturer, the rights or powers listed in point (a);
- (c) undertakings in which an undertaking referred to in point (b) has, directly or indirectly, the rights or powers listed in point (a);
- (d) undertakings in which the manufacturer together with one or more of the undertakings referred to in points (a), (b) or (c), or in which two or more of the latter undertakings, jointly have the rights or powers listed in point (a);
- (e) undertakings in which the rights or the powers listed in point (a) are jointly held by the manufacturer or one or more of its connected undertakings referred to in points (a) to (d) and one or more third parties.



#### *Article 4*

### **Specific emissions targets**

1. The manufacturer shall ensure that its average specific emissions of CO<sub>2</sub> do not exceed the following specific emissions targets:
  - (a) for calendar year 2020, the specific emissions target determined in accordance with points 1 and 2 of Part A of Annex I in the case of passenger cars, or points 1 and 2 of Part B of Annex I in the case of light commercial vehicles, or where a manufacturer is granted a derogation under Article 10, in accordance with that derogation;
  - (b) for each calendar year from 2021 until 2024, the specific emissions target determined in accordance with points 3 and 4 of Parts A or B of Annex I as appropriate or, where a manufacturer is granted a derogation under Article 10, in accordance with that derogation and point 5 of Parts A or B of Annex I;
  - (c) for each calendar year, starting from 2025, the specific emissions targets determined in accordance with point 6.3 of Parts A or B of Annex I.
2. In the case of light commercial vehicles, where the specific emissions of the completed vehicle are not available, the manufacturer of the base vehicle shall use the specific emissions of the base vehicle for determining its average specific emissions of CO<sub>2</sub>.
3. For the purposes of determining each manufacturer's average specific emissions of CO<sub>2</sub>, the following percentages of each manufacturer's new passenger cars registered in the relevant year shall be taken into account:
  - 95 % in 2020,
  - 100 % from 2021 onwards.

## Article 5

### Super-credits for 95 g CO<sub>2</sub>/km target

In calculating the average specific emissions of CO<sub>2</sub>, each new passenger car with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km shall be counted as:

2 passenger cars in 2020,

1,67 passenger cars in 2021,

1,33 passenger cars in 2022,

1 passenger car from 2023,

for the year in which it is registered in the period from 2020 to 2022, subject to a cap of 7,5 g CO<sub>2</sub>/km over that period for each manufacturer [...] as calculated in accordance with Article 5 of Implementing Regulation (EU) 2017/1153.

## Article 6

### Pooling

1. Manufacturers , other than manufacturers which have been granted a derogation under Article 10, may form a pool for the purposes of meeting their obligations under Article 4.
2. An agreement to form a pool may relate to one or more calendar years, provided that the overall duration of each agreement does not exceed five calendar years, and must be entered into on or before 31 December in the first calendar year for which emissions are to be pooled. Manufacturers which form a pool shall file the following information with the Commission:
  - (a) the manufacturers who will be included in the pool;

- (b) the manufacturer nominated as the pool manager who will be the contact point for the pool and will be responsible for paying any excess emissions premium imposed on the pool in accordance with Article 8;
  - (c) evidence that the pool manager will be able to fulfil the obligations under point (b);
  - (d) the category of vehicles registered as M<sub>1</sub> or N<sub>1</sub>, for which the pool shall apply.
3. Where the proposed pool manager fails to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8 , the Commission shall notify the manufacturers.
4. Manufacturers included in a pool shall jointly inform the Commission of any change of pool manager or of its financial status, in so far as this may affect its ability to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8 and of any changes to the membership of the pool or the dissolution of the pool.
5. Manufacturers may enter into pooling arrangements provided that their agreements comply with Articles 101 and 102 TFEU and that they allow open, transparent and non-discriminatory participation on commercially reasonable terms by any manufacturer requesting membership of the pool. Without prejudice to the general applicability of Union competition rules to such pools, all members of a pool shall in particular ensure that neither data sharing nor information exchange may occur in the context of their pooling arrangement, except in respect of the following information:
- (a) the average specific emissions of CO<sub>2</sub>;
  - (b) the specific emissions target;
  - (c) the total number of vehicles registered.

6. Paragraph 5 shall not apply where all the manufacturers included in the pool are part of the same group of connected manufacturers.
7. Except where notification is given under paragraph 3, the manufacturers in a pool in respect of which information is filed with the Commission shall be considered as one manufacturer for the purposes of meeting their obligations under Article 4. Monitoring and reporting information in respect of individual manufacturers as well as any pools will be recorded, reported and made available in the central register referred to in Article 7(4).
8. The Commission may specify the detailed conditions that shall apply for a pooling arrangement set up pursuant to paragraph 5 by way of implementing acts to be adopted in accordance with the examination procedure referred to in Article 15(2).

### *Article 7*

#### **Monitoring and reporting of average emissions**

1. For each calendar year, each Member State shall record information for each new passenger car and each new light commercial vehicle registered in its territory in accordance with Parts A of Annexes II and III. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent manner. Each Member State shall ensure that the specific emissions of CO<sub>2</sub> of passenger cars which are not type-approved in accordance with Regulation (EC) No 715/2007 are measured and recorded in the certificate of conformity.
2. By 28 February of each year, each Member State shall determine and transmit to the Commission the information listed in Parts A of Annexes II and III in respect of the preceding calendar year. The data shall be transmitted in accordance with the format specified in Part B of Annex II and Part C of Annex III.

3. On request from the Commission, a Member State shall also transmit the full set of data collected pursuant to paragraph 1.
4. The Commission shall keep a central register of the data reported by Member States under this Article and by 30 June of each year shall provisionally calculate the following for each manufacturer:
  - (a) the average specific emissions of CO<sub>2</sub> in the preceding calendar year;
  - (b) the specific emissions target in the preceding calendar year;
  - (c) the difference between its average specific emissions of CO<sub>2</sub> in the preceding calendar year and its specific emissions target for that year.

The Commission shall notify each manufacturer of its provisional calculation for that manufacturer. The notification shall include data for each Member State on the number of new passenger cars and of new light commercial vehicles registered and their specific emissions of CO<sub>2</sub>.

The register shall be publicly available.

5. Manufacturers may, within three months of being notified of the provisional calculation under paragraph 4, notify the Commission of any errors in the data, specifying the Member State in which it considers that the error occurred.

The Commission shall consider any notifications from manufacturers and shall, by 31 October, either confirm or amend the provisional calculations under paragraph 4.

6. Member States shall designate a competent authority for the collection and communication of the monitoring data in accordance with this Regulation and shall inform the Commission of the competent authority designated .

The competent authorities shall ensure the correctness and completeness of the data transmitted to the Commission, and shall [...] provide a contact point that shall be available to respond quickly to requests from the Commission to address errors and omissions in the transmitted datasets.

7. The Commission shall adopt detailed rules on the procedures for monitoring and reporting of data under paragraphs 1 to 7 and on the application of Annex II by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).

7a. The Commission shall be empowered to adopt delegated acts in accordance with Article 16 in order to amend the data requirements and data parameters set out in Annex II and III.

8. Type approval authorities shall without delay report to the Commission deviations found in the CO<sub>2</sub> emissions of vehicles in service as compared to those values indicated in the certificates of conformity as a result of verifications performed in accordance with the procedure referred to in [Article 11a] of Regulation (EC) No 715/2007.

The Commission shall take those deviations into account for the purpose of calculating the average specific emissions of a manufacturer.

The Commission [...] shall adopt detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific emissions. Those procedures shall be adopted by way of implementing acts in accordance with the examination procedure referred to in Article 15(2).

9. Member States shall also collect and report data, in accordance with this Article, on registrations of vehicles in categories M<sub>2</sub> and N<sub>2</sub> as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and vehicles to which type approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007.

*Article 8*

**Excess emissions premium**

1. In respect of each calendar year , the Commission shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target.
2. The excess emissions premium under paragraph 1 shall be calculated using the following formula:

(Excess emissions × EUR 95) × number of newly registered vehicles.

For the purposes of this Article the following definitions shall apply:

- ‘excess emissions’ means the positive number of grams per kilometre by which a manufacturer's average specific emissions of CO<sub>2</sub>, taking into account CO<sub>2</sub> emissions reductions due to innovative technologies approved in accordance with Article 11, exceeded its specific emissions target in the calendar year or part thereof to which the obligation under Article 4 applies, rounded to the nearest three decimal places, and
  - ‘number of newly registered vehicles’ means the number of new passenger cars or new light commercial vehicles counted separately of which it is the manufacturer and which were registered in that period according to the phase-in criteria as set out in Article 4(3).
3. The Commission shall determine the means for collecting excess emissions premiums under paragraph 1 by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).
  4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union.

## Article 9

### Publication of performance of manufacturers

1. By 31 October of each year, the Commission shall publish by means of implementing acts a list indicating:
  - (a) for each manufacturer, its specific emissions target for the preceding calendar year;
  - (b) for each manufacturer, its average specific emissions of CO<sub>2</sub> in the preceding calendar year;
  - (c) the difference between the manufacturer's average specific emissions of CO<sub>2</sub> in the preceding calendar year and its specific emissions target in that year;
  - (d) the average specific emissions of CO<sub>2</sub> for all new passenger cars and new light commercial vehicles registered in the Union in the previous calendar year;
  - (e) the average mass in running order for all new passenger cars and new light commercial vehicles registered in the Union in the preceding calendar year until 31 December 2020;
  - (f) the average test mass of all new passenger cars and new light commercial vehicles registered in the Union in the preceding calendar year.
2. The list published under paragraph 1 shall also indicate whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.
3. The list referred to in paragraph 1 shall, for the publication by 31 October 2022, indicate the following:
  - (a) the 2025 and 2030 EU fleet-wide targets referred to in Article 1(4) and (5) calculated by the Commission in accordance with points 6.1.1 and 6.1.2 of Parts A and B of Annex I;



- (b) the values for  $a_{2021}$ ,  $a_{2025}$  and  $a_{2030}$  calculated by the Commission in accordance with point 6.2 of Parts A and B of Annex I.

### *Article 10*

#### **Derogations for certain manufacturers**

1. An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer of fewer than 10 000 new passenger cars or 22 000 new light commercial vehicles registered in the Union per calendar year, and which:
  - (a) is not part of a group of connected manufacturers; or
  - (b) is part of a group of connected manufacturers that is responsible in total for fewer than 10 000 new passenger cars or 22 000 new light commercial vehicles registered in the Union per calendar year; or
  - (c) is part of a group of connected manufacturers but operates its own production facilities and design centre.
  
2. A derogation applied for under paragraph 1 may be granted for a maximum period of five calendar years, which is renewable. An application shall be made to the Commission and shall include:
  - (a) the name of, and contact person for, the manufacturer;
  - (b) evidence that the manufacturer is eligible for a derogation under paragraph 1;
  - (c) details of the passenger cars or light commercial vehicles which it manufactures including the test mass and specific emissions of CO<sub>2</sub> of those passenger cars or light commercial vehicles; and

(d) a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO<sub>2</sub> and taking into account the characteristics of the market for the type of passenger car or light commercial vehicle manufactured.

3. Where the Commission considers that the manufacturer is eligible for a derogation applied for under paragraph 1 and is satisfied that the specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO<sub>2</sub>, and taking into account the characteristics of the market for the type of passenger car or light commercial vehicle manufactured, the Commission shall grant a derogation to the manufacturer. The application shall be submitted at the latest by 31 October of the first year in which the derogation shall apply.

4. An application for a derogation from the specific emissions target calculated in accordance with points 1 to 4 **and point 6.3** of Part A of Annex I may be made by a manufacturer which is responsible, together with all of its connected undertakings, for between 10 000 and 300 000 new passenger cars registered in the Union per calendar year.

Such application may be made by a manufacturer in respect of itself or in respect of itself together with any of its connected undertakings. An application shall be made to the Commission and shall include:

- (a) all of the information referred to in paragraphs 2(a) and (c) including, where relevant, information about any connected undertakings;
- (b) **in relation to applications referring to points 1 to 4 of Part A of Annex I**, a target which is a 45 % reduction on the average specific emissions of CO<sub>2</sub> in 2007 or, where a single application is made in respect of a number of connected undertakings, a 45 % reduction on the average of those undertakings' average specific emissions of CO<sub>2</sub> in 2007;

- (c) **in relation to applications referring to point 6.3 of Part A of Annex I the following details:**
- (i) **a target applicable in the calendar years 2025 to 2029 which is the reduction specified in Article 1(4)(a) on the target calculated in accordance with point (b) of this paragraph taking into account the CO<sub>2</sub> emissions measured pursuant to Regulation (EU) 2017/1151;**
- (ii) **a target applicable in the calendar year 2030 which is the reduction specified in Article 1(5)(a) on the target calculated in accordance with point (b) of this paragraph taking into account the CO<sub>2</sub> emissions measured pursuant to Regulation (EU) 2017/1151.**

Where information on a manufacturer's average specific emissions of CO<sub>2</sub> does not exist for the year 2007, the Commission shall determine an equivalent reduction target based upon the best available CO<sub>2</sub> emissions reduction technologies deployed in passenger cars of comparable mass and taking into account the characteristics of the market for the type of car manufactured. This target shall be used by the applicant for the purposes of point (b).

The Commission shall grant a derogation to the manufacturer where it is demonstrated that the criteria for the derogation referred to in this paragraph have been met.

5. A manufacturer which is subject to a derogation in accordance with this Article shall notify the Commission immediately of any change which affects or may affect its eligibility for a derogation.
6. Where the Commission considers, whether on the basis of a notification under paragraph 5 or otherwise, that a manufacturer is no longer eligible for the derogation, it shall revoke the derogation with effect from 1 January of the next calendar year and shall notify the manufacturer thereof.

7. Where the manufacturer does not attain its specific emissions target, the Commission shall impose the excess emissions premium on the manufacturer, as set out in Article 8.
8. The Commission shall be empowered to adopt delegated acts in accordance with Article 16 laying down rules to supplement paragraphs 1 to 7 of this Article, as regards the interpretation of the eligibility criteria for derogations, the content of the applications, and the content and assessment of programmes for the reduction of specific emissions of CO<sub>2</sub>.

**The Commission shall also be empowered to adopt delegated acts in accordance with Article 16 to amend Part A of Annex I for the purpose of setting out the calculation formulae of the derogation targets referred to in paragraph 4(c).**

9. Applications for a derogation, including the information supporting it, notifications under paragraph 5, revocations under paragraph 6 and any imposition of an excess emissions premium under paragraph 7 and measures adopted pursuant to paragraph 8, shall be made publicly available, subject to Regulation (EC) No 1049/2001 of the European Parliament and of the Council<sup>18</sup>.

#### *Article 11*

#### **Eco-innovation**

1. Upon application by a supplier or a manufacturer, CO<sub>2</sub> savings achieved through the use of innovative technologies or a combination of innovative technologies ('innovative technology packages') shall be considered.

Such technologies shall be taken into consideration only if the methodology used to assess them is capable of producing verifiable, repeatable and comparable results.

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<sup>18</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

The total contribution of those technologies to reducing the average specific emissions of a manufacturer may be up to 7 g CO<sub>2</sub>/km.

The Commission may adjust the cap with effect from 2025 onwards to take into account technological developments. Those adjustments shall be performed by means of delegated acts in accordance with Article 16.

2. The Commission shall adopt, by means of implementing acts, detailed provisions for a procedure to approve the innovative technologies or innovative technology packages referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation. Those detailed provisions shall be based on the following criteria for innovative technologies:
  - (a) the supplier or manufacturer must be accountable for the CO<sub>2</sub> savings achieved through the use of the innovative technologies;
  - (b) the innovative technologies must make a verified contribution to CO<sub>2</sub> reduction;
  - (c) the innovative technologies must not be covered by the standard test cycle CO<sub>2</sub> measurement;
  - (d) the innovative technologies must not be covered by mandatory provisions due to complementary additional measures complying with the 10 g CO<sub>2</sub>/km reduction referred to in Article 1 or be mandatory under other provisions of Union law. With effect from 1 January 2025, this criterion shall not apply with regard to efficiency improvements for air conditioning systems.

3. A supplier or a manufacturer who applies for a measure to be approved as an innovative technology or innovative technology package shall submit a report, including a verification report undertaken by an independent and certified body, to the Commission. In the event of a possible interaction of the measure with another innovative technology or innovative technology package already approved, the report shall mention that interaction and the verification report shall evaluate to what extent that interaction modifies the reduction achieved by each measure.
4. The Commission shall attest the reduction achieved on the basis of the criteria set out in paragraph 2.

## *Article 12*

### **Real world CO<sub>2</sub> emissions and energy consumption**

1. The Commission shall monitor and assess the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined [...] pursuant to Regulation (EC) No 715/2007. It shall ensure that the public is informed of how that representativeness evolves over time.
2. For that purpose, the Commission shall ensure [...] that the following parameters relating to real world CO<sub>2</sub> emissions and energy consumption of passenger cars and light commercial vehicles are made available at regular intervals to the Commission, starting from 1 January 2021, from manufacturers, national authorities or through direct data transfer from vehicles, as the case may be:
  - (a) vehicle identification number;

- (b) fuel and/or electric energy consumed;
- (c) total distance travelled;
- (d) for externally chargeable hybrid electric vehicles, the fuel and electric energy consumed and the distance travelled distributed over the different driving modes.

The Commission shall process the data received to create an anonymised and aggregated dataset for the purposes of paragraph 1. The vehicle identification numbers shall be used only for the purpose of the data processing and shall not be retained longer than needed for that purpose.

3. The Commission [...] shall adopt the [...] detailed procedure for collecting and processing the data referred to in [...] paragraph 2 by means of implementing acts in accordance with the examination procedure referred to in Article 15(2).

### *Article 13*

#### **Adjustment of $M_0$ and $TM_0$**

1. The figures  $M_0$  and  $TM_0$  referred to in Parts A and B of Annex I shall be adjusted as follows:
  - (a) by 31 October 2020, the figure  $M_0$  in points 1 to 5 of Part A of Annex I shall be adjusted to the average mass in running order of new passenger cars in the previous three calendar years 2017, 2018, and 2019. That new  $M_0$  value shall apply from 1 January 2022 until 31 December 2024;
  - (b) by 31 October 2022, the figure  $M_0$  in points 1 to 5 of Part B of Annex I shall be adjusted to the average mass in running order of new light commercial vehicles in the previous three calendar years 2019, 2020 and 2021. That new  $M_0$  shall apply in 2024;

- (c) by 31 October 2022, the indicative  $TM_0$  for 2025 shall be determined as the respective average test mass of new passenger cars and new light commercial vehicles in 2021;
  - (d) by 31 October 2024, and every second year thereafter, the figures  $TM_0$  in Parts A and B of Annex I shall be adjusted to the respective average test mass of new passenger cars and new light commercial vehicles in the preceding two calendar years starting with 2022 and 2023. The new respective  $TM_0$  shall apply from 1 January of the calendar year following the date of the adjustment.
2. The Commission shall, by means of delegated acts, adopt the measures referred to in paragraph 1 in accordance with Article 16.

#### *Article 14*

#### **Review and report**

1. The Commission shall in 2023 **thoroughly review** [...] the effectiveness of this Regulation [...], **including the functioning of the incentive mechanism for zero- and low-emission vehicles and other aspects of this Regulation and** [...] **submit a report to the European Parliament and to the Council with the result of this review.**



- 1a. In [...] the report referred to in paragraph 1 [...] the Commission shall consider, inter alia, the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined [...] pursuant to Regulation (EC) No 715/2007, the deployment on the Union market of zero- and low-emission vehicles and the roll-out of recharging and refuelling infrastructure reported under Directive 2014/94/EU of the European Parliament and of the Council<sup>19</sup>, including their financing, [...] **the potential contribution of the use of synthetic and advanced alternative fuels produced with renewable energy to emission reductions, the emissions reduction actually observed at the existing fleet level, the feasibility of pooling between passenger cars and light-commercial vehicles, the effects of the transitional measure in Annex I, A 6.3,** as well as aspects to further facilitate an economically viable and socially fair transition towards clean, competitive and affordable mobility in the Union. The Commission shall also identify a clear pathway for further CO<sub>2</sub> emission reductions for passenger cars and light commercial vehicles beyond 2030 in order to significantly [...] contribute to achieving the long-term goal of the Paris Agreement.
- 1b. The report referred to in paragraph 1 shall, where appropriate, be accompanied by a proposal for amending this Regulation, in particular [...] the possible **revision of the EU fleet-wide targets for 2030 in light of the elements mentioned in paragraph 1a and the introduction of binding** emission reduction targets for **2035 and 2040 onwards** for passenger cars and light-duty vehicles. **The Commission shall consult Member States during the review and, where appropriate, when developing an amendment.**
2. The Commission shall take into account the assessments performed pursuant to Article 12 and may, where appropriate, review the procedures for measuring CO<sub>2</sub> emissions as set out under Regulation (EC) No 715/2007. The Commission shall, in particular, make appropriate proposals to adapt those procedures to reflect adequately the real world CO<sub>2</sub> emissions of cars and light commercial vehicles.

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<sup>19</sup> Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1)

3. The Commission shall, by means of implementing acts, determine the correlation parameters necessary in order to reflect any change in the regulatory test procedure for the measurement of specific CO<sub>2</sub> emissions referred to in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008 and, where applicable, Regulation (EU) 2017/1151. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation.
- 3a. The Commission shall be empowered to adopt delegated acts in accordance with Article 16 in order to adapt the formulae set out in Annex I, using the methodology adopted pursuant to [...] paragraph 3 of this Article, while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.

#### *Article 15*

#### **Committee procedure**

1. The Commission shall be assisted by the [...] Climate Change Committee established by [Article 37] of [Regulation (EU) [...]] of the European Parliament and of the Council<sup>20</sup>. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>21</sup>.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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<sup>20</sup> Regulation (EU) [...] of the European Parliament and the Council on the Governance of the Energy union (OJ L ...,...).

<sup>21</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

### *Article 16*

#### **Exercise of the delegation**

1. The power to adopt delegated acts referred to in [...] Article 7(7a), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and [...] Article 14(3a) shall be conferred on the Commission for [...] a period of six years from [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the six-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
2. The delegation of power referred to in [...] Article 7(7a), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and [...] Article 14(3a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
3. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

4. A delegated act adopted pursuant to [...] Article 7(7a), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and the [...] Article 14(3a) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Article 17*

**Amendment to Regulation (EC) No 715/2007**

The following Article 11a shall be inserted in Regulation (EC) No 715/2007:

*"Article 11a*

**In-service conformity of CO<sub>2</sub> emissions and fuel consumption**

1. Subject to the adoption and entry into force of the procedures referred to in paragraph 2, type approval authorities shall, on the basis of appropriate and representative samples, verify that vehicles that have entered into service and for which they granted type approval conform to the CO<sub>2</sub> emission and fuel consumption values recorded in the certificates of conformity.
2. The Commission shall adopt implementing acts in accordance with Article 15 (2) in order to determine the procedures for verifying the in-service conformity of light duty vehicles in respect of the certified CO<sub>2</sub> and fuel consumption values."

*Article 18*

**Repeal**

Regulations (EC) No 443/2009 and (EU) No 510/2011 are repealed with effect from 1 January 2020.

References to the repealed Regulations shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex V.

*Article 19*

**Entry into force**

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

It shall apply from 1 January 2020.

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

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

ANNEX I

**PART A. SPECIFIC EMISSIONS TARGETS FOR PASSENGER CARS**

1. For the calendar year 2020 the specific emissions of CO<sub>2</sub> for each new passenger car, shall, be determined in accordance with the following formula:

$$\text{Specific emission of CO}_2 = 95 + a \cdot (M - M_0)$$

Where:

M	=	Mass in running order of the vehicle in kilograms (kg)
M <sub>0</sub>	=	1 379.88
a	=	0.0333

2. The specific emissions target for a manufacturer in 2020 shall be calculated as the average of the specific emissions of CO<sub>2</sub> of each new passenger car registered in that calendar year of which it is the manufacturer.

3. The specific emission reference target for a manufacturer in 2021 shall be calculated as follows:

$$\text{WLTP specific emission reference target} = \text{WLTP}_{\text{CO}_2} \cdot \left( \frac{\text{NEDC}_{2020 \text{ target}}}{\text{NEDC}_{\text{CO}_2}} \right)$$

Where:

WLTP <sub>CO2</sub>	is the average specific emissions of CO <sub>2</sub> in 2020 determined in accordance with Annex XXI to Commission Regulation (EU) 2017/1151 <sup>22</sup> and calculated in accordance with the second indent Article 4(3) of this Regulation, without including CO <sub>2</sub> savings resulting from the application of Articles 5 and 11 of this Regulation;
NEDC <sub>CO2</sub>	is the average specific emissions of CO <sub>2</sub> in 2020 determined in accordance with Commission Implementing Regulation (EU) 2017/1153 <sup>23</sup> and calculated in accordance with the second indent of Article 4(3) of this Regulation, without including CO <sub>2</sub> savings resulting from the application of Articles 5 and 11 of this Regulation
NEDC <sub>2020target</sub>	is the 2020 specific emissions target calculated in accordance with points 1 and 2 of this Annex.

4. For the calendar years 2021 to 2024, the specific emissions target for a manufacturer shall be calculated as follows:

$$\text{Specific emissions target} = \text{WLTP}_{\text{reference target}} + a [(M_{\emptyset} - M_0) - (M_{\emptyset 2020} - M_{0,2020})]$$

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<sup>22</sup> Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

<sup>23</sup> Commission Implementing Regulation (EU) 2017/1152 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure with regard to light commercial vehicles and amending Implementing Regulation (EU) No 293/2012 (OJ L 175, 7.7.2017, p. 644).

Where:

$WLTP_{\text{reference target}}$  is the 2021 WLTP specific emission reference target calculated in accordance with point 3;

$a$  is 0.0333;

$M_{\emptyset}$  is the average of the mass in running order ( $M$ ) of the new registered vehicles in the target year in kilograms (kg);

$M_0$  is 1379.88 in 2021, and as defined in Article 13(1)(a) for the period 2022, 2023 and 2024;

$M_{\emptyset 2020}$  is the average of the mass in running order ( $M$ ) of the new registered vehicles in 2020 in kilograms (kg);

$M_{0,2020}$  is 1379.88

5. For a manufacturer that has been granted a derogation with regard to a specific NEDC based emissions target in 2021, the WLTP based derogation target shall be calculated as follows:

$$\text{Derogation target}_{2021} = WLTP_{CO_2} \cdot \left( \frac{NEDC_{2021\text{target}}}{NEDC_{CO_2}} \right)$$

Where:

$WLTP_{CO_2}$  is as defined in point 3;

$NEDC_{CO_2}$  is as defined in point 3;

$NEDC_{2021\text{target}}$  is the 2021 specific emissions target granted by the Commission pursuant to Article 10 of this Regulation.

6. From 1 January 2025, the EU fleet-wide targets and the specific emissions targets of CO<sub>2</sub> for a manufacturer shall be calculated as follows:



## 6.0. EU fleet-wide target<sub>2021</sub>

EU fleet-wide target<sub>2021</sub> is the average, weighted by the number of newly registered cars, of the reference-values<sub>2021</sub> determined for each individual manufacturer for which a specific emissions target applies in accordance with point 4.

The reference-value<sub>2021</sub> shall be determined, for each manufacturer, as follows:

reference-value<sub>2021</sub> = WLTP<sub>CO<sub>2</sub>,measured</sub> ·

$$\left( \frac{NEDC_{2020target}}{NEDC_{CO_2}} \right) + a [(M_{\emptyset 2021} - M_0) - (M_{\emptyset 2020} - M_{0,2020})]$$

Where,

WLTP<sub>CO<sub>2</sub>,measured</sub> is the average, for each manufacturer, of the measured CO<sub>2</sub> emissions combined of each new passenger car registered in 2020 as determined and reported in accordance with Article 7(a)(1)(b) of Implementing Regulation (EU) 2017/1153;

NEDC<sub>2020target</sub> and NEDC<sub>CO<sub>2</sub></sub> are as defined in point 3;

M<sub>∅2021</sub> is the average of the mass in running order of the new registered passenger cars of the manufacturer in 2021 in kilograms (kg);

M<sub>0</sub> is 1379.88<sup>24</sup>

a, M<sub>∅2020</sub>, M<sub>0,2020</sub> are as defined in point 4.

## 6.1. EU fleet-wide targets for 2025 and 2030

### 6.1.1. EU fleet-wide target for 2025 to 2029

EU fleet-wide target<sub>2025</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2025</sub>)

Where,

EU fleet-wide target<sub>2021</sub> [...] as defined in point 6.0.

Reduction factor<sub>2025</sub> is the reduction specified in Article 1(4)(a)

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<sup>24</sup> also as set out in point 4.

### 6.1.2. EU fleet-wide target for 2030 onwards

EU fleet-wide target<sub>2030</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2030</sub>)

Where,

EU fleet-wide target<sub>2021</sub> [...] as defined in point 6.0.

Reduction factor<sub>2030</sub> is the reduction specified in Article 1(5)(a)

## 6.2. Specific emissions reference targets from 2025 onwards

### 6.2.1. 2025 to 2029

The specific emissions reference target = EU fleet-wide target<sub>2025</sub> + a<sub>2025</sub> · (TM-TM<sub>0</sub>)

Where,

EU fleet-wide target<sub>2025</sub> is as determined in accordance with point 6.1.1

a<sub>2025</sub> is  $\frac{a_{2021} \cdot \text{EU fleet-wide target}_{2025}}{\text{Average emissions}_{2021}}$

where,

a<sub>2021</sub> is the slope of the best fitting straight line established by applying the linear least squares fitting method to the test mass (explanatory variable) and the specific CO<sub>2</sub> emissions (dependent variable) of each individual vehicle in the 2021 EU fleet

average emissions<sub>2021</sub> is the average of the specific emissions of CO<sub>2</sub> of all newly registered vehicles in 2021 of those manufacturers for which a specific emissions target is calculated in accordance with point 4

TM is the average test mass in kilograms of all newly registered vehicles of the manufacturer in the relevant calendar year

TM<sub>0</sub> is the value determined in accordance with Article 13(1)(d)

## 6.2.2. 2030 onwards

The specific emissions reference target = EU fleet-wide target<sub>2030</sub> + a<sub>2030</sub> · (TM-TM<sub>0</sub>)

Where,

EU fleet-wide target<sub>2030</sub> is as determined in accordance with point 6.1.2

a<sub>2030</sub> is  $\frac{a_{2021} \cdot \text{EU fleet-wide target}_{2030}}{\text{Average emissions}_{2021}}$

where,

a<sub>2021</sub> is the slope of the best fitting straight line established by applying the linear least squares fitting method to the test mass (explanatory variable) and the specific CO<sub>2</sub> emissions (dependent variable) of each individual vehicle in the 2021 EU fleet

average emissions<sub>2021</sub> is the average of the specific emissions of CO<sub>2</sub> of all newly registered vehicles in 2021 of those manufacturers for which a specific emissions target is calculated in accordance with point 4

TM is the average test mass in kilograms of all newly registered vehicles of the manufacturer in the relevant calendar year

TM<sub>0</sub> is the value determined in accordance with Article 13(1)(d)

### 6.3. The specific emissions target from 2025 onwards

Specific emissions target = specific emissions reference target · ZLEV factor

Where,

Specific emissions reference target is the specific emissions reference target of CO<sub>2</sub> determined in accordance with point 6.2.1 for the period 2025 to 2029 and 6.2.2 for 2030 onwards

ZLEV factor is  $(1+y-x)$ , unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be

Where,

y is the share of zero- and low-emission vehicles in the manufacturer's fleet of newly registered passenger cars calculated as the total number of zero- and low-emission vehicles, where each of them is counted as  $ZLEV_{specific}$  in accordance with the formula below, divided by the total number of passenger cars registered in the relevant calendar year

$$ZLEV_{specific} = 1 - \left( \frac{specific\ emissions \cdot 0,5}{50} \right)$$

**For newly registered passenger cars in Member States with a share of zero- and low-emission vehicles in their fleet below 60% of the EU average in the year 2021<sup>25</sup>,  $ZLEV_{specific}$  shall, until and including 2030, be calculated as follows:**

$$ZLEV_{specific} = \left( 1 - \left( \frac{specific\ emissions \cdot 0,5}{50} \right) \right) \cdot 2$$

x is 15% in the years 2025 to 2029 and [...] 35% [...] from 2030 onwards.

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<sup>25</sup> **Calculated as the total number of zero and low emission vehicles registered in 2021 divided by the total number of newly registered passenger cars.**

## PART B. SPECIFIC CO<sub>2</sub> EMISSIONS TARGETS FOR LIGHT COMMERCIAL VEHICLES

1. In 2020 the specific emissions of CO<sub>2</sub> for each light commercial vehicle, shall be determined in accordance with the following formula:

$$\text{Specific emissions of CO}_2 = 147 + a \cdot (M - M_0)$$

where:

M	=	mass in running order of the vehicle in kilograms (kg)
M <sub>0</sub>	=	1 766.4
a	=	0.096.

2. The specific emissions target for a manufacturer in 2020 shall be calculated as the average of the specific emissions of CO<sub>2</sub> of each new light commercial vehicle registered in that calendar year of which it is the manufacturer.

3. The specific emission reference target for a manufacturer in 2021 shall be calculated as follows:

$$\text{WLTP specific emission reference target} = \text{WLTP}_{\text{CO}_2} \cdot \left( \frac{\text{NEDC}_{2020\text{target}}}{\text{NEDC}_{\text{CO}_2}} \right)$$

Where:

WLTP<sub>CO<sub>2</sub></sub> is the average specific emissions of CO<sub>2</sub> in 2020 determined in accordance with Annex XXI to Commission Regulation (EU) 2017/1151 without including CO<sub>2</sub> savings resulting from the application of Article 11 of this Regulation;

NEDC<sub>CO<sub>2</sub></sub> is the average specific emissions of CO<sub>2</sub> in 2020 determined in accordance with Implementing Regulation (EU) 2017/1152, without including CO<sub>2</sub> savings resulting from the application of Article 11 of this Regulation;

NEDC<sub>2020target</sub> is the 2020 specific emissions target calculated in accordance with point 1 and 2 of this Annex.

4. For the calendar years 2021 to 2024, the specific emissions target for a manufacturer shall be calculated as follows:

$$\text{Specific emissions target} = \text{WLTP}_{\text{reference target}} + a [(M_{\theta} - M_0) - (M_{\theta 2020} - M_{0,2020})]$$

Where:

$\text{WLTP}_{\text{reference target}}$  is the 2021 WLTP specific emission reference target calculated in accordance with point 3;

$a$  is 0.096;

$M_{\theta}$  is the average of the mass in running order (M) of the new registered light commercial vehicles in the relevant target year in kilograms (kg);

$M_0$  is 1 766.4 in 2020 and, for the period 2021, 2022 and 2023, the value adopted pursuant to Article 13(5) of Regulation (EU) No 510/2011, and for 2024 the value adopted pursuant to Article 13(1)(b) of this Regulation;

$M_{\theta 2020}$  is the average of the mass in running order (M) of the new registered light commercial vehicles in 2020 in kilograms (kg);

$M_{0,2020}$  is 1 766.4.

5. For a manufacturer that has been granted a derogation with regard to a specific NEDC based emissions target in 2021, the WLTP based derogation target shall be calculated as follows:

$$\text{Derogation target}_{2021} = \text{WLTP}_{\text{CO}_2} \cdot \left( \frac{\text{NEDC}_{2021 \text{ target}}}{\text{NEDC}_{\text{CO}_2}} \right)$$

Where:

$\text{WLTP}_{\text{CO}_2}$  is  $\text{WLTP}_{\text{CO}_2}$  as defined in point 3;

$\text{NEDC}_{\text{CO}_2}$  is  $\text{NEDC}_{\text{CO}_2}$  as defined in point 3;

$\text{NEDC}_{2021 \text{ target}}$  is the 2021 specific emissions target granted by the Commission pursuant to Article 10 of this Regulation.

6. From 1 January 2025, the EU fleet-wide targets and the specific emissions target of CO<sub>2</sub> for a manufacturer shall be calculated as follows:

#### 6.0. EU fleet-wide target<sub>2021</sub>

The EU fleet-wide target<sub>2021</sub> is the average, weighted by the number of newly registered light commercial vehicles, of the reference-values<sub>2021</sub> determined for each individual manufacturer for which a specific emissions target applies in accordance with point 4.

The reference-value<sub>2021</sub> shall be determined, for each manufacturer, as follows:

reference-value<sub>2021</sub> = WLTP<sub>CO<sub>2</sub>,measured</sub> ·

$$\left( \frac{NEDC_{2020target}}{NEDC_{CO_2}} \right) + a [(M_{\emptyset 2021} - M_0) - (M_{\emptyset 2020} - M_{0,2020})]$$

Where,

WLTP<sub>CO<sub>2</sub>,measured</sub> is the average, for each manufacturer, of the measured CO<sub>2</sub> emissions combined of each new light commercial vehicle registered in 2020 as determined and reported in accordance with Article 7(a)(1)(b) of Implementing Regulation (EU) 2017/1152;

NEDC<sub>2020target</sub> and NEDC<sub>CO<sub>2</sub></sub> are as defined in point 3;

M<sub>∅2021</sub> is the average of the mass in running order of the new registered light commercial vehicles of the manufacturer in 2021 in kilograms (kg);

M<sub>0</sub> is the value M<sub>0</sub> as defined in point 4 for the year 2021;

a, M<sub>∅2020</sub>, M<sub>0,2020</sub> are as defined in point 4.

## 6.1. The EU fleet-wide targets for 2025 and 2030

### 6.1.1. EU fleet-wide target for 2025 to 2029

EU fleet-wide target<sub>2025</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2025</sub>)

Where,

EU fleet-wide target<sub>2021</sub> [...] as defined in point 6.0.

Reduction factor<sub>2025</sub> is the reduction specified in Article 1(4)(b)

### 6.1.2. EU fleet-wide target for 2030 onwards

EU fleet-wide target<sub>2030</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2030</sub>)

Where,

EU fleet-wide target<sub>2021</sub> [...] as defined in point 6.0.

Reduction factor<sub>2030</sub> is the reduction specified in Article 1(5)(b)



## 6.2. The specific emissions reference target from 2025 onwards

### 6.2.1. 2025 to 2029

The specific emissions reference target = EU fleet-wide target<sub>2025</sub> +  $\alpha \cdot (TM - TM_0)$

Where,

EU fleet-wide target<sub>2025</sub>

is as determined in accordance with point 6.1.1

$\alpha$

is  $a_{2025}$  where the average test mass of a manufacturer's newly registered vehicles is equal to or lower than  $TM_0$  determined in accordance with Article 13(1)(d) and  $a_{2021}$  where the average test mass of a manufacturer's newly registered vehicles is higher than  $TM_0$  determined in accordance with Article 13(1)(d),

where,

$a_{2025}$

is  $\frac{a_{2021} \cdot \text{EU fleet-wide target}_{2025}}{\text{Average emissions}_{2021}}$

$a_{2021}$

is the slope of the best fitting straight line established by applying the linear least squares fitting method to the test mass (explanatory variable) and the specific CO<sub>2</sub> emissions (dependent variable) of each newly registered vehicle in the 2021 EU fleet

average emissions<sub>2021</sub>

is the average of the specific emissions of CO<sub>2</sub> of all newly registered vehicles in 2021 of those manufacturers for which a specific emissions target is calculated in accordance with point 4

TM

is the average test mass in kilograms of all newly registered vehicles of the manufacturer in the relevant calendar year

TM<sub>0</sub>

is the value determined in accordance with Article 13(1)(d)

## 6.2.2. 2030 onwards

The specific emissions reference target = EU fleet-wide target<sub>2030</sub> +  $\alpha$  · (TM-TM<sub>0</sub>)

Where,

EU fleet-wide target<sub>2030</sub>

is as determined in accordance with point 6.1.2

$\alpha$

is  $a_{2030}$  where the average test mass of a manufacturer's newly registered vehicles is equal to or lower than TM<sub>0</sub> determined in accordance with Article 13(1)(d) and  $a_{2021}$  where the average test mass of a manufacturer's newly registered vehicles is higher than TM<sub>0</sub> determined in accordance with Article 13(1)(d),

where,

$a_{2030}$

is  $\frac{a_{2021} \cdot \text{EU fleet-wide target}_{2030}}{\text{Average emissions}_{2021}}$

$a_{2021}$

is the slope of the best fitting straight line established by applying the linear least squares fitting method to the test mass (explanatory variable) and the specific CO<sub>2</sub> emissions (dependent variable) of each newly registered vehicle in the 2021 EU fleet

average emissions<sub>2021</sub>

is the average of the specific emissions of CO<sub>2</sub> of all newly registered vehicles in 2021 of those manufacturers for which a specific emissions target is calculated in accordance with point 4

TM

is the average test mass in kilograms of all newly registered vehicles of the manufacturer in the relevant calendar year

TM<sub>0</sub>

is the value determined in accordance with Article 13(1)(d)

### 6.3. Specific emissions targets from 2025 onwards

#### 6.3.1. From 2025 to 2029

The specific emissions target = (specific emissions reference target – ( $\emptyset_{\text{targets}}$  – EU fleet-wide target<sub>2025</sub>)) · ZLEV factor

Where,

Specific emissions reference target is the specific emissions reference target for the manufacturer determined in accordance with point 6.2.1

$\emptyset_{\text{targets}}$  is the average, weighted on the number of newly registered light commercial vehicles of each individual manufacturer, of all the specific emissions reference targets determined in accordance with point 6.2.1

ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be

Where,

y is the share of zero- and low-emission vehicles in the manufacturer's fleet of newly registered light commercial vehicles calculated as the total number of zero- and low-emission vehicles, where each of them is counted as  $ZLEV_{\text{specific}}$  in accordance with the formula below, divided by the total number of light commercial vehicles registered in the relevant calendar year

$$ZLEV_{\text{specific}} = 1 - \left( \frac{\text{specific emissions}}{50} \right)$$

x is 15%

### 6.3.2. From 2030 onwards

The specific emissions target = (specific emissions reference target – ( $\emptyset_{\text{targets}}$  – EU fleet-wide target<sub>2030</sub>)) · ZLEV factor

Where,

Specific emissions reference target is the specific emissions reference target for the manufacturer determined in accordance with point 6.2.2

$\emptyset_{\text{targets}}$  is the average, weighted on the number of newly registered light commercial vehicles of each individual manufacturer, of all the specific emissions reference targets determined in accordance with point 6.2.2

ZLEV factor is  $(1+y-x)$ , unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be

Where,

y is the share of zero- and low-emission vehicles in the manufacturer's fleet of newly registered light commercial vehicles calculated as the total number of zero- and low-emission vehicles, where each of them is counted as  $ZLEV_{\text{specific}}$  in accordance with the formula below, divided by the total number of light commercial vehicles registered in the relevant calendar year

$$ZLEV_{\text{specific}} = 1 - \left( \frac{\text{specific emissions}}{50} \right)$$

x is 30%

## ANNEX II

### **MONITORING AND REPORTING EMISSIONS FROM NEW PASSENGER CARS**

#### ***PART A — Collection of data on new passenger cars and determination of CO<sub>2</sub> monitoring information***

1. Member States shall, for each calendar year, record the following detailed data for each new passenger car registered as an M1 vehicle in their territory:

- (a) the manufacturer;
- (b) the type-approval number with its extension;
- (c) the type, variant, and version (where applicable);
- (d) make and commercial name;
- (e) category of vehicle type-approved;
- (f) total number of new registrations;
- (g) mass in running order;
- (h) the specific emissions of CO<sub>2</sub> (NEDC and WLTP);
- (i) footprint: the wheel base, the track width steering axle and the track width other axle;
- (j) the fuel type and fuel mode;
- (k) engine capacity;
- (l) electric energy consumption;
- (m) code for the innovative technology or group of innovative technologies and the CO<sub>2</sub> emissions reduction due to that technology (NEDC and WLTP);
- (n) maximum net power;
- (o) vehicle identification number;
- (p) WLTP test mass;
- (q) deviation and verification factors referred to in point 3.2.8 of Annex I to Implementing Regulation (EU) 2017/1153;
- (r) category of vehicle registered;

- (s) vehicle family identification number;
- (t) electric range, where applicable.

Member States shall make available to the Commission, in accordance with Article 7 all parameters listed in this point as specified in the format in Section 2 of Part B.

2. The detailed data referred to in point 1 shall be taken from the certificate of conformity of the relevant passenger car. In the case of bi-fuelled vehicles (petrol/gas), the certificates of conformity of which bear specific CO<sub>2</sub> emissions figures for both types of fuel, Member States shall use only the figure measured for gas.

3. Member States shall, for each calendar year, determine:

- (a) the total number of new registrations of new passenger cars subject to EC type-approval;
- (b) the total number of new registrations of new individually approved passenger cars;
- (c) the total number of new registrations of new passenger cars approved nationally in small series.

**PART B — Format for the transmission of data**

For each year, Member States shall report the information specified in points 1 and 3 of Part A in the following formats:

**Section 1 - Aggregated monitoring data**

Member State <sup>26</sup>	
Year	
Total number of new registrations of new passenger cars subject to EC type-approval	
Total number of new registrations of new individually approved passenger cars	
Total number of new registrations of new passenger cars approved nationally in small series	

<sup>26</sup> ISO 3166 alpha-2 codes with the exception of Greece and the United Kingdom for which the codes are 'EL' and 'UK' respectively.

Section 2 – Detailed monitoring data – one vehicle record

Reference to Point 1 of Part A	Detailed data per vehicle registered
(a)	Manufacturer name EU standard denomination
	Manufacturer name OEM declaration
	Manufacturer name in Member State registry <sup>1</sup>
(b)	Type approval number and its extension
(c)	Type
	Variant
	Version
(d)	Make and commercial name
(e)	Category of vehicle type approved
(f)	Total number of new registrations
(g)	Mass in running order
(h)	Specific CO <sub>2</sub> emissions (combined)  NEDC value until 31 December 2020 except for vehicles that fall within the scope of Article 5 for which the NEDC value shall be determined until 31 December 2022 in accordance with Article 5 of Implementing Regulation (EU) 2017/1153
	Specific CO <sub>2</sub> emissions (combined)  WLTP value
(i)	Wheel base
	Track width steering axle (Axle 1)
	Track width other axle (Axle 2)

(j)	Fuel type
	Fuel mode
(k)	Engine capacity (cm <sup>3</sup> )
(l)	Electric energy consumption (Wh/km)
(m)	Code of the eco-innovation(s)
	Total NEDC CO <sub>2</sub> emissions savings due to the eco-innovation(s) until 2020 inclusive
	Total WLTP CO <sub>2</sub> emissions savings due to the eco-innovation(s)
(n)	Maximum net power
(o)	Vehicle identification number
(p)	WLTP test mass
(q)	Deviation factor De (where available)
	Verification factor (where available)
(r)	Category of vehicle registered
(s)	Vehicle family identification number
(t)	Electric range, where applicable

**Notes:**

<sup>1</sup> In the case of the national small series approvals (NSS) or the individual approvals (IVA), the manufacturer name shall be provided in the column "Manufacturer name in Member State registry" whilst in the column "Manufacturer name EU standard denomination" either of the following shall be indicated: "AA-NSS" or "AA-IVA" as the case may be.



## ANNEX III

### **MONITORING AND REPORTING OF EMISSIONS FROM LIGHT COMMERCIAL VEHICLES**

#### **A. Collection of data on light commercial vehicles and determination of CO<sub>2</sub> monitoring information**

##### *1. Detailed data*

##### **1.1. Complete vehicles registered as N<sub>1</sub>**

In the case of EC type-approved complete vehicles registered as N<sub>1</sub>, Member States shall, for each calendar year, record the following detailed data for each new light commercial vehicle the first time that it is registered in their territory:

- (a) the manufacturer;
- (b) the type-approval number with its extension;
- (c) the type, variant, and version;
- (d) make;
- (e) category of vehicle type-approved;
- (f) category of vehicle registered;
- (g) the specific emissions of CO<sub>2</sub> (NEDC and WLTP) ;
- (h) mass in running order;
- (i) technically permissible maximum laden mass;
- (j) footprint: the wheel base, the track width steering axle and the track width other axle;
- (k) the fuel type and fuel mode;
- (l) engine capacity;
- (m) electric energy consumption;
- (n) code of the innovative technology or group of innovative technologies and the CO<sub>2</sub> emissions reduction due to that technology (NEDC and WLTP);

- (o) the vehicle identification number;
- (p) WLTP test mass;
- (q) Deviation and verification factors referred to in point 3.2.8 of Annex I to Implementing Regulation (EU) 2017/1152;
- (r) Vehicle family identification number determined in accordance with point 5.0 of Annex XXI to Regulation (EU) 2017/1151;
- (s) electric range, where applicable.

Member States shall make available to the Commission, in accordance with Article 7, all parameters listed in this point as specified in the format of Section 2 of Part C of this Annex.

## 1.2. Vehicles approved in a multi-stage process and registered as N<sub>1</sub> vehicles

In the case of multi-stage vehicles registered as N<sub>1</sub> vehicles, Member States shall, for each calendar year, record the following detailed data with regard to:

- (a) the base (incomplete) vehicle: the data specified in points (a), (b), (c), (d), (e), (g), (h), (i), (n) and (o) of point 1.1, or, instead of the data specified in (h) and (i), the default added mass provided as part of the type-approval information specified in point 2.17.2 of Annex I to Directive 2007/46/EC;
- (b) the base (complete) vehicle: the data specified in points (a), (b), (c), (d), (e), (g), (h), (i), (n) and (o) of point 1.1;
- (c) the completed vehicle: the data specified in points (a), (f), (g), (h), (j), (k), (l), (m) and (o) specified in point 1.1.

Where any of the data referred to in points (a) and (b) of this point cannot be provided for the base vehicle, the Member State shall provide data with regard to the completed vehicle instead.

The format set out in Section 2 of Part C shall be used for completed N<sub>1</sub> vehicles.

The vehicle identification number referred to in point (o) of point 1.1 shall not be made public.

- 2. The details referred to in point 1 shall be taken from the certificate of conformity. In the case of bi-fuelled vehicles (petrol/gas) the certificates of conformity of which bear specific CO<sub>2</sub> emission figures for both types of fuel, Member States shall use only the figure measured for gas.

3. Member States shall, for each calendar year, determine:
- (a) the total number of new registrations of new light commercial vehicles subject to EC type-approval;
  - (b) the total number of new registrations of new light commercial vehicles subject to multi-stage type-approval, where available;
  - (c) the total number of new registrations of new individually approved light commercial vehicles;
  - (d) the total number of new registrations of new light commercial vehicles approved nationally in small series.

**B. Methodology for determining CO<sub>2</sub> monitoring information for new light commercial vehicles**

Monitoring information which Member States are required to determine in accordance with points 1 and 3 of Part A of this Annex shall be determined in accordance with the methodology in this Part.

*1. Number of new light commercial vehicles registered*

Member States shall determine the number of new light commercial vehicles registered within their territory in the respective monitoring year divided into vehicles subject to EC type-approval, individual approvals and national approvals of small series and, where available, the number of multi-stage vehicles.

*2. Completed vehicles*

In the case of multi-stage vehicles, the specific emissions of CO<sub>2</sub> of completed vehicles shall be allocated to the manufacturer of the base vehicle.

In order to ensure that the values of CO<sub>2</sub> emissions, fuel efficiency and mass of completed vehicles are representative, without placing an excessive burden on the manufacturer of the base vehicle, the Commission shall come forward with a specific monitoring procedure and shall where appropriate make the necessary amendments to the relevant type-approval legislation.

Notwithstanding that for the purpose of the calculation of the 2020 target in accordance with point 2 of Part B of Annex I the default added mass shall be taken from Part C of this Annex, where that mass value cannot be determined, the mass in running order of the completed vehicle may be used for the provisional calculation of the specific emissions target referred to in Article 7 (4).

Where the base vehicle is a complete vehicle, the mass in running order of that vehicle shall be used for the calculation of the specific emissions target. However, where that mass value cannot be determined, the mass in running order of the completed vehicle may be used for the provisional calculation of the specific emissions target.

### C. Formats for transmission of data

For each year, Member States shall report the information specified in points 1 and 3 of Part A in the following format:

<i>Section 1 — Aggregated monitoring data</i>	
Member State <sup>27</sup>	
Year	
Total number of new registrations of new light commercial vehicles subject to EC type-approval	
Total number of new registrations of individually approved new light commercial vehicles	
Total number of new registrations of new light commercial vehicles approved as national small series	
Total number of new registrations of new light commercial vehicles subject to multi-stage type-approval (where available)	

<sup>27</sup> ISO 3166 alpha-2 codes with the exception of Greece and the United Kingdom for which the codes are ‘EL’ and ‘UK’ respectively.

*Section 2 — Detailed monitoring data — one vehicle record*

Reference to Section 1.1 of Part A	Detailed data per vehicle registered <sup>(1)</sup>
(a)	Manufacturer name EU standard denomination <sup>(2)</sup>
	Manufacturer name OEM declaration COMPLETE VEHICLE/BASE VEHICLE <sup>(3)</sup>
	Manufacturer name OEM declaration COMPLETED VEHICLE <sup>(3)</sup>
	Manufacturer name in Member State registry <sup>(2)</sup>
(b)	Type-approval number and its extension
(c)	Type
	Variant
	Version
(d)	Make
(e)	Category of vehicle type-approved
(f)	Category of vehicle registered
(g)	Specific CO <sub>2</sub> emissions (combined) NEDC value until 31 December 2020
	Specific CO <sub>2</sub> emissions (combined) WLTP value
(h)	Mass in running order BASE VEHICLE
	Mass in running order COMPLETED VEHICLE/COMPLETE VEHICLE
(i) <sup>(4)</sup>	Technically permissible maximum laden mass

(j)	Wheel base
	Axle width steering axle (Axle 1)
	Axle width other axle (Axle 2)
(k)	Fuel type
	Fuel mode
(l)	Engine capacity (cm <sup>3</sup> )
(m)	Electric energy consumption (Wh/km)
(n)	Code of the eco-innovation(s)
	Total NEDC CO <sub>2</sub> emissions savings due to the eco-innovation(s) until 31 December 2020
	Total WLTP CO <sub>2</sub> emissions savings due to the eco-innovation(s)
(o)	Vehicle identification number
(p)	WLTP test mass
(q)	Deviation factor De (where available)
	Verification factor (where available)
(r)	Vehicle family identification number
(s)	electric range, where available
Point 2.17.2 of Annex I to Directive 2007/46/EC <sup>28</sup>	Default added mass (where applicable in the case of multi-stage vehicles)

<sup>28</sup> In the case of multi-stage vehicles, the mass in running order and the technically permissible maximum laden mass of the base vehicle may be replaced by the default added mass specified in the type-approval information in accordance with point 2.17.2 of Annex I to Directive 2007/46/EC.

Notes:

- ( 1 ) Where, in the case of multi-stage vehicles, data cannot be provided for the base vehicle, the Member State shall as a minimum provide the data specified in this format for the completed vehicle.
- ( 2 ) In the case of the national small series approvals (NSS) or the individual approvals (IVA), the manufacturer name shall be provided in the column 'Manufacturer name in Member State registry' whilst in the column 'Manufacturer name EU standard denomination' either of the following shall be indicated: 'AA-NSS' or 'AA-IVA' as the case may be.
- ( 3 ) In the case of multi-stage vehicles indicate the base (incomplete/complete) vehicle manufacturer. If the base vehicle manufacturer is not available indicate the manufacturer of the completed vehicle only.
- ( 4 ) In the case of multi-stage vehicles indicate the technically permissible maximum laden mass of the base vehicle.
- ( 5 ) In the case of multi-stage vehicles, the mass in running order and the technically permissible maximum laden mass of the base vehicle may be replaced by the default added mass specified in the type-approval information in accordance with point 2.17.2 of Annex I to Directive [2007/46/EC](#).

## ANNEX IV

### **Repealed Regulations with lists of their successive amendments**

Regulation (EC) No 443/2009 of the European Parliament and of the Council	(OJ L 140, 5.6.2009, p. 1)
Commission Regulation (EU) No 397/2013	(OJ L 120, 1.5.2013, p. 4)
Regulation (EU) No 333/2014 of the European Parliament and of the Council	(OJ L 103, 5.4.2014, p. 15)
Commission Delegated Regulation (EU) 2015/6	(OJ L 003, 7.1.2015, p. 1)
Commission Delegated Regulation (EU) 2017/1502	(OJ L 221, 26.8.2017, p. 4)
Regulation (EU) No 510/2011 of the European Parliament and of the Council	(OJ L 145, 31.5.2011, p. 1)
Commission Delegated Regulation (EU) No 205/2012	(OJ L 072, 10.3.2012, p. 2)
Regulation (EU) No 253/2014 of the European Parliament and of the Council	(OJ L 084, 20.3.2014, p. 38)
Commission Delegated Regulation (EU) No 404/2014	(OJ L 121, 24.4.2014, p. 1)
Commission Delegated Regulation (EU) 2017/748	(OJ L 113, 29.4.2017, p. 9)
Commission Delegated Regulation (EU) 2017/1499	(OJ L 219, 25.8.2017, p. 1)

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## ANNEX V

### CORRELATION TABLE

Regulation (EC) No 443/2009	Regulation (EU) No 510/2011	This Regulation
Article 1, first subparagraph	Article 1(1)	Article 1(1)
Article 1, second subparagraph	Article 1(2)	Article 1(2)
Article 1, third subparagraph	–	Article 1(3)
–	–	Article 1(4)
Article 2(1)	Article 2(1)	Article 2(1)
Article 2(2)	Article 2(2)	Article 2(2)
Article 2(3)	Article 2(3)	Article 2(3)
Article 2(4)	Article 2(4)	Article 2(4)
Article 3(1), introductory wording	Article 3(1), introductory wording	Article 3(1), introductory wording
Article 3(1), points a and b	Article 3(1), points a and b	Article 3(1), points a and b
–	Article 3(1), points c, d and e	Article 3(1), points c, d and e
Article 3(1), points c and d	Article 3(1), points f and g	Article 3(1), points f and g
Article 3(1), point e	Article 3(1), point j	–
Article 3(1), points f and g	Article 3(1), points h and i	Article 3(1), points h and i
–	–	Article 3(1), points j, k and l
Article 3(1), point k	–	–
Article 3(2)	Article 3(2)	Article 3(2)
Article 4(1)	–	–

–	–	Article 4(1), introductory wording
–	–	Article 4(1), point a
–	Article 4, first subparagraph	Article 4(1), point b
–	–	Article 4(1), point c
–	Article 4, second subparagraph	Article 4(2)
Article 4, second subparagraph	Article 4, third subparagraph	Article 4(3)
Article 5	Article 5	–
Article 5a	–	Article 5
Article 6	Article 6	–
Article 7(1)	Article 7(1)	Article 6(1)
Article 7(2), points a, b and c	Article 7(2), points a, b and c	Article 6(2), points a, b and c
–	–	Article 6(2), point d
Article 7(3)	Article 7(3)	Article 6(3)
Article 7(4)	Article 7(4)	Article 6(4)
Article 7(5)	Article 7(5)	Article 6(5)
Article 7(6)	Article 7(6)	Article 6(6)
Article 7(7)	Article 7(7)	Article 6(7)
Article 8(1)	Article 8(1)	Article 7(1)
Article 8(2)	Article 8(2)	Article 7(2)
Article 8(3)	Article 8(3)	Article 7(3)
Article 8(4), first and second subparagraphs	Article 8(4), first and second subparagraphs	Article 7(4), first and second subparagraphs

Article 8(4), third subparagraph	–	Article 7(4), third subparagraph
Article 8(5), first subparagraph	Article 8(5)	Article 7(5) first subparagraph
Article 8(5), second subparagraph	Article 8(6)	–
Article 8(6)	Article 8(7)	–
Article 8(7)	–	Article 7(6), first subparagraph
–	–	Article 7(6), second subparagraph
–	Article 8(8)	–
Article 8(8)	–	–
Article 8(9)	Article 8(9)	Article 7(7)
–	–	Article 7(8)
–	Article 8(10)	Article 7(9)
Article 9(1)	Article 9(1)	Article 8(1)
Article 9(2), first subparagraph, introductory wording	Article 9(2), first subparagraph, introductory wording	Article 8(2)
Article 9(2), first subparagraph, point a	Article 9(2), first subparagraph, point a	–
Article 9(2), first subparagraph, point b	Article 9(2), first subparagraph, point b	Article 8(2)
Article 9(2), second subparagraph	Article 9(2), second subparagraph	Article 8(2), second subparagraph
Article 9(3)	Article 9(3)	Article 8(3)
Article 9(4)	Article 9(4)	Article 8(4)
Article 10(1), introductory wording	Article 10(1), introductory wording	Article 9(1), introductory wording

Article 10(1), points a, b, c, d and e	Article 10(1), points a, b, c, d and e	Article 9(1), points a, b, c, d and e
–	–	Article 9(1), point f
Article 10(2)	Article 10(2)	Article 9(2)
Article 11(1)	Article 11(1)	Article 10(1)
Article 11(2)	Article 11(2)	Article 10(2)
Article 11(3)	Article 11(3)	Article 10(3)
Article 11(4), first subparagraph	–	Article 10(4), first subparagraph
Article 11(4), second subparagraph, introductory wording	–	Article 10(4), second subparagraph, introductory wording
Article 11(4), second subparagraph, point a	–	Article 10(4), second subparagraph, point a
Article 11(4), second subparagraph, point b	–	–
Article 11(4), second subparagraph, point c	–	Article 10(4), second subparagraph, point b
Article 11(4), third and fourth subparagraphs	–	Article 10(4), third and fourth subparagraphs
Article 11(5)	Article 11(4)	Article 10(5)
Article 11(6)	Article 11(5)	Article 10(6)
Article 11(7)	Article 11(6)	Article 10(7)
Article 11(8)	Article 11(7)	Article 10(8)
Article 11(9)	Article 11(8)	Article 10(9)
Article 12(1), first subparagraph	Article 12(1), first subparagraph	Article 11(1), first subparagraph
Article 12(1), second subparagraph	–	Article 11(1), second subparagraph

Article 12(1), third subparagraph	Article 12(1), second subparagraph	Article 11(1), third subparagraph
–	–	Article 11(1), fourth subparagraph
Article 12(2)	Article 12(2)	Article 11(2)
Article 12(3)	Article 12(3)	Article 11(3)
Article 12(4)	Article 12(4)	Article 11(4)
–	–	Article 12(1)
–	–	Article 12(2)
–	–	Article 12(3)
Article 13(1)	–	–
–	–	Article 13, title
–	–	Article 13(1), first subparagraph, introductory wording
Article 13(2), first subparagraph	–	Article 13(1), point a
–	Article 13(2)	Article 13(1), points b
		Article 13(1), points c and d
Article 13(2), second subparagraph	–	–
Article 13(2), third subparagraph	–	Article 13(2)
–	Article 13(1)	Article 14(1)
–	Article 13(4)	–
–	Article 13(5)	–
Article 13(3)	Article 13(6)	Article 14(2)
Article 13(4)	–	–
Article 13(5)	–	–

Article 13(6)	Article 13(3)	–
Article 13(7)	–	Article 14(3)
Article 14(1)	Article 14(1)	Article 15(1)
Article 14(2)	Article 14(2)	Article 15(2)
Article 14(3)	Article 14(3)	Article 15(3)
Article 14a(1)	Article 15(3)	Article 16(1)
Article 14a(2)	Article 15(1)	Article 16(2)
Article 14a(3)	Article 16	Article 16(3)
Article 14a(4)	Article 15(2)	–
Article 14a(5)	Article 17	–
–	–	Article 17
Article 15	–	Article 17
Article 16	Article 18	Article 18
Annex I	–	Annex I, part A
–	Annex I	Annex I, part B
Annex II, part A	–	Annex II, part A
Annex II, parts B	–	–
Annex II, part C	–	Annex II, part B
–	Annex II	Annex III
–	–	Annex IV
–	–	Annex V