
Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 63/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX I

Standard format of the application for a derogation to be submitted by manufacturers meeting the criteria of Article 11(1) of Regulation (EC) No 443/2009

The electronic version of the application shall be sent to the following email address:

EC-CO2-LDV-IMPLEMENTATION@ec.europa.eu

1. Name, address and contact person for the manufacturer or group of connected manufacturers

| Names of manufacturer | Postal address | Contact person name | Contact person email | Contact person telephone number |
|------------------------------|-----------------------|----------------------------|-----------------------------|--|
| | | | | |

2. Eligibility criteria

2.1. Is the applicant part of a group of connected manufacturers?

YES (declaration set out in Annex III to be attached)
NO

2.2. Is the applicant part of a group of connected manufacturers but operates its own production facilities and design centre?

YES (declaration set out in Annex III to be attached; see point 2.3)
NO (see point 2.4 and 2.5)

2.3. Number of registrations in the Union if the application refers to an unconnected manufacturer or connected manufacturer that operates its own production facilities and own design centre:

2.3.1. Official figure in three calendar years preceding the date of application

| Year | | | |
|-----------------------------------|--|--|--|
| Number of EU registrations | | | |

2.3.2. Where the official figure referred to in point 2.3.1 is not available for the period referred to therein, an estimate based on verifiable data

| Year | | | |
|-----------------------------------|--|--|--|
| Number of EU registrations | | | |

2.3.3. Where the figures in point 2.3.1 and 2.3.2 are not available for that period, the figures for the last calendar year for which such data is available

| Year | |
|-------------|--|
| | |

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| | |
|-----------------------------------|--|
| Number of EU registrations | |
|-----------------------------------|--|

- 2.4. If the application refers to a group of connected manufacturers please provide the following:

| Names of manufacturer | Postal address | Contact person name | Contact person e-mail | Contact person telephone number |
|------------------------------|-----------------------|----------------------------|------------------------------|--|
| | | | | |

- 2.5. Number of registrations in the Union of a group of connected manufacturers if the application refers to a group of connected manufacturers and the applicant does not operate its own production facilities and own design centre:

- 2.5.1. Official figure in three calendar years preceding the date of application

| Year | | | |
|-----------------------------------|--|--|--|
| Number of EU registrations | | | |

- 2.5.2. Where the official figure referred to in point 2.5.1 is not available for the period referred to therein, an estimate based on verifiable data

| Year | | | |
|-----------------------------------|--|--|--|
| Number of EU registrations | | | |

- 2.5.3. Where the figures in point 2.5.1 and 2.5.2 are not available for that period, the figure for the last calendar year for which such data is available

| Year | |
|-----------------------------------|--|
| Number of EU registrations | |

3. **Requested duration of the derogation**

| | |
|---|--|
| Number of calendar years (maximum 5) | |
|---|--|

4. **Proposal for a specific emissions target calculated as fleet average for the period of derogation or separate specific emissions targets in case of yearly reductions (in g CO₂/km)**

| Year | | | | | |
|-------------|--|--|--|--|--|
| | | | | | |

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| | | | | | |
|---|--|--|--|--|--|
| Average specific emission target (g CO₂/km) | | | | | |
|---|--|--|--|--|--|

5. Company specific information

5.1. Average specific emissions of CO₂ in 2007 if not included in Annex IV (or if not available in the following calendar year closest to 2007)

5.2. Number of employees in the calendar year preceding the date of application

5.3. Size of the production facility in square metres in the calendar year preceding the application

5.4. Sales volumes for five years preceding the date of application

| | | | | | |
|----------------------|--|--|--|--|--|
| Year | | | | | |
| Sales volumes | | | | | |

5.5. Yearly turnover for five years preceding the date of application

| | | | | | |
|-----------------|--|--|--|--|--|
| Year | | | | | |
| Turnover | | | | | |

5.6. Characteristics of the market

Information on planned products, not available on the market at the time of the application, should be provided in the confidential section of this application.

- (a) the vehicle characteristics;
- (b) the names and price ranges of directly competing vehicles in the year preceding the date of application;
- (c) the price list of vehicles that are to be covered by the derogation in the calendar year preceding the date of application or in the closest year to the date of application.

5.7. Brief description of the operational model of the production facility

CONFIDENTIAL SECTION OF THE APPLICATION

5.8. Net profit for five years preceding the date of application

| | | | | | |
|-------------------|--|--|--|--|--|
| Year | | | | | |
| Net profit | | | | | |

5.9. R & D spending over five years preceding the date of application

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| | | | | | |
|---------------------------|--|--|--|--|--|
| Year | | | | | |
| R & D spending | | | | | |

5.10. Net financial transfers to the parent company in case of connected undertakings during five years preceding the date of application

| | | | | | |
|----------------------|--|--|--|--|--|
| Year | | | | | |
| Net transfers | | | | | |

6. **Details of the passenger cars to be launched on the Union market for which the applicant will be responsible**

6.1. Characteristics of the market

6.1.1. Vehicle characteristics;

6.1.2. Names and price ranges of directly competing vehicles in the year preceding the date of application;

6.1.3. Expected price list of vehicles to be covered by the derogation.

7. **Applicant's technological potential**

7.1. List of CO₂ reducing technologies deployed in the applicant's fleet in 2007;

7.2. Where the list referred to in point 7.1 is not available, the list for the following year closest to 2007;

7.3. In case of applicants planning to enter the Union market, the list referred to in point 7.1 should be provided for the first year of the derogation.

8. **Applicant's reduction programme**

8.1. Timetable for deployment of CO₂ reducing technologies in the fleet;

8.2. Expected fleet average during the period of derogation:

8.2.1. Union registrations per year during the period of derogation

8.2.2. Expected average mass of vehicles to be launched on the Union market

8.2.3. Expected average specific CO₂ emissions of vehicles to be launched on the Union market

8.3. CO₂ reducing technologies to be deployed in the applicant's fleet under the reduction programme;

8.4. The additional costs per vehicle version of the technologies to be deployed as part of the programme;

8.5. In the case of yearly targets, yearly improvement of specific CO₂ emissions of the vehicle versions for which CO₂ reducing technologies are introduced.

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ANNEX II

Standard format of the application for derogation to be submitted by manufacturers meeting the criteria of Article 11(4) of Regulation (EC) No 443/2009
PUBLIC SECTION OF THE APPLICATION

1. **Name, address and contact person for the manufacturer or group of connected manufacturers**

| Names of manufacturer | Postal address | Contact person name | Contact person e-mail | Contact person telephone number |
|------------------------------|-----------------------|----------------------------|------------------------------|--|
| | | | | |

2. **Eligibility criteria**

2.1. Is the applicant part of a group of connected manufacturers?

YES (declaration set out in Annex III to be attached; see point 2.3)
NO (see point 2.2)

2.2. Number of registrations in the Union if the application refers to unconnected manufacturer:

2.2.1. Official figure in the last calendar year preceding the date of application

| | |
|-----------------------------------|--|
| Year | |
| Number of EU registrations | |

2.2.2. Where the official figure referred to in point 2.2.1 is not available for the period referred to therein, an estimate based on verifiable data

| | |
|-----------------------------------|--|
| Year | |
| Number of EU registrations | |

2.2.3. Where the figures in point 2.2.1 and 2.2.2 are not available for that period, the figure for the last calendar year for which such data is available

| | |
|-----------------------------------|--|
| Year | |
| Number of EU registrations | |

2.3. If the application refers to a group of connected manufacturers:

2.3.1. The names of connected manufacturers

.....

2.3.2. The number of registrations in the Union in the calendar year preceding the date of application of a group of connected manufacturers

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| | |
|-----------------------------------|--|
| Year | |
| Number of EU registrations | |

2.3.3. Where the figure referred to in point 2.3.2 is not available, the figure or an estimate based on verifiable data for the last calendar year for which such data is available

| | |
|-----------------------------------|--|
| Year | |
| Number of EU registrations | |

3. **Details of the passenger cars for which the applicant is responsible**

Information on planned products, not available on the market at the time of the application, should be provided in the confidential section of this application.

3.1. Average specific CO₂ emissions in 2007 if not included in Annex IV to this Regulation

3.2. If data for 2007 is not available, the following:

- (a) registrations in the Union, or an estimate based on verifiable data if official figures not available at the time of application, in the calendar year closest to 2007;
- (b) the vehicle characteristics for all types of cars;
- (c) the list of cars grouped per vehicle class as set out in Annex V.

4. **Specific emissions target of 25 % reduction from the 2007 baseline**

.....
CONFIDENTIAL SECTION OF THE APPLICATION

5. **Details of the passenger cars to be launched on the Union market by the applicant (concerns manufacturers not included in Annex IV)**

5.1. Vehicle characteristics of all cars

5.2. List of cars grouped per vehicle class as set out in Annex V

5.3. Expected EU registrations of vehicles in the first year of the derogation

ANNEX III

Standard format of the declaration stating the structure of ownership

Article 11(1)(a) of Regulation (EC) No 443/2009

I hereby declare that I am legally empowered to represent [name] (the manufacturer) applying for a derogation as foreseen in Article 11(1) of Regulation (EC) No 443/2009 which is not part of a group of connected manufacturers as defined in Article 3(2) thereof. To the best of my knowledge the [name] (the manufacturer) is eligible to apply for a derogation as foreseen in Article 11(1) of Regulation (EC) No 443/2009 and that the information contained in the application is true and accurate. Information on the ownership structure of [name] (the manufacturer) is annexed.

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| | |
|----------------------------|------|
| Signature | Date |
| Director of [manufacturer] | |

Article 11(1)(b) or 11(4)(a) of Regulation (EC) No 443/2009

I hereby declare that I am legally empowered to represent [name] (the manufacturer) applying for a derogation as foreseen in Article 11[(1)] [(4)]⁽¹⁾ of Regulation (EC) No 443/2009 which is part of a group of connected manufacturers as defined in Article 3(2) thereof. To the best of my knowledge the [name] (the manufacturer) is eligible to apply for a derogation as foreseen in Article 11[(1)] [(4)]⁽¹⁾ of Regulation (EC) No 443/2009 and that the information contained in the application is true and accurate. Information on the ownership structure of [name] (the manufacturer) is annexed.

| | |
|----------------------------|------|
| Signature | Date |
| Director of [manufacturer] | |

Article 11(1)(c) of Regulation (EC) No 443/2009

I hereby declare that I am legally empowered to represent [name] (the manufacturer) applying for a derogation as foreseen in Article 11 of Regulation (EC) No 443/2009 which is part of a group of connected manufacturers as defined in Article 3(2) thereof but operates its own production facilities and design centre as defined in Article 2 of Commission Regulation (EC) No 000 To the best of my knowledge the [name] (the manufacturer) is eligible to apply for a derogation as foreseen in Article 11[(1)] of Regulation (EC) No 443/2009 and that the information contained in the application is true and accurate. Information on the ownership structure of [name] (the manufacturer) is annexed.

| | |
|----------------------------|------|
| Signature | Date |
| Director of [manufacturer] | |

ANNEX IV

LIST OF UNION AVERAGE SPECIFIC CO₂ EMISSIONS IN 2007 PER MANUFACTURER

| Manufacturer | Average emissions [g/km] |
|---------------------|---------------------------------|
| AIXAM | 164,0 |
| ALPINA | 219,932 |
| AM GENERAL | 357,0 |
| ASTON MARTIN | 377,86 |
| AUDI | 184,752 |
| AUSTIN | 450,0 |
| AUTOMOBILES DANGEL | 153,0 |

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| | |
|-----------------------|--------------------------|
| AVTOVAZ | 216,632 |
| BEAUFORD | 208,0 |
| BENTLEY | 411,664 |
| BMW | 171,684 |
| BRABUS | 246,0 |
| BRONTO | 233,0 |
| BUGATTI | 577,667 |
| CATERHAM | 236,088 |
| CHRYSLER | 226,141 |
| CITROEN | 142,536 |
| DACIA | 154,65 |
| DAIHATSU | 153,07 |
| DAIMLER | 182,524 |
| DIAMOND | 260,0 |
| DONKERVOORT | 194,0 |
| DR MOTOR COMPANY | 193,048 |
| FERRARI | 434,86 |
| FIAT | 141,496 |
| FORD | 149,343 |
| FUJI HEAVY INDUSTRIES | 219,488 |
| GEELY | 183,0 |
| GENERAL MOTORS | [^{F1} 283,689] |
| GM DAEWOO | 160,071 |
| GUMPERT | 342,0 |
| GWM | 253,48 |
| HC & E | 220,0 |
| HONDA | 157,613 |
| HYUNDAI | 162,046 |
| ISUZU | 176,133 |
| IVECO | 224,77 |
| JAGUAR | 208,219 |
| KIA | 157,239 |
| LAMBORGHINI | 424,087 |
| LAND ROVER | 250,399 |

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| | |
|------------------|---------|
| LOTUS | 208,399 |
| MAGYAR SUZUKI | 156,28 |
| MASERATI | 354,687 |
| MAZDA | 172,568 |
| MG | 186,801 |
| MICHALAK | 117,0 |
| MICROCAR | 178,0 |
| MITSUBISHI | 174,649 |
| MK SPORTSCARS | 117,0 |
| MORGAN | 202,324 |
| NETHERLANDS CAR | 141,061 |
| NISSAN | 168,408 |
| OPEL | 153,699 |
| OSV | 135,915 |
| PERODUA | 138,135 |
| PEUGEOT | 142,205 |
| PGO | 201,767 |
| PILGRIM | 193,0 |
| PORSCHE | 287,71 |
| PROTON | 155,185 |
| QUADZILLA | 176,0 |
| QUATTRO | 290,774 |
| RENAULT | 146,893 |
| ROLLS ROYCE | 394,526 |
| ROVER | 188,399 |
| RUF | 327,0 |
| SAAB | 190,444 |
| SALVADOR CAETANO | 224,0 |
| SANTANA | 165,965 |
| SEAT | 151,184 |
| SHUANGHUAN | 270,0 |
| SKODA | 149,387 |
| SOVAB | 233,822 |
| SSANGYONG | 223,43 |

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| | |
|------------|---------|
| SUZUKI | 166,012 |
| TATA | 168,31 |
| TIGER | 244,0 |
| TOYOTA | 150,634 |
| TVR | 397,5 |
| UAZ | 314,0 |
| VM | 185,0 |
| VOLKSWAGEN | 162,152 |
| VOLVO | 189,616 |
| WIESMANN | 310,0 |

Textual Amendments

- F1** Substituted by Commission Delegated Regulation (EU) 2019/248 of 13 November 2018 correcting Regulation (EU) No 63/2011 laying down detailed provisions for the application for a derogation from the specific CO₂ emission targets pursuant to Article 11 of Regulation (EC) No 443/2009 of the European Parliament and of the Council (Text with EEA relevance).

ANNEX V

Baseline emissions based on the 2007 best available technology and 25 % reduction target of specific emissions of CO₂ for each vehicle class

| Vehicle class | Mass ^a class | Power to mass class | Baseline emissions [g/km] | CO ₂ target [g/km] |
|---------------|-------------------------|---------------------|---------------------------|-------------------------------|
| 1 | 1 | low | 108 | 81 |
| 2 | 1 | medium | 118 | 89 |
| 3 | 1 | high | 153 | 115 |
| 4 | 2 | low | 119 | 89 |
| 5 | 2 | medium | 138 | 104 |
| 6 | 2 | high | 153 | 115 |
| 7 | 3 | low | 121 | 91 |
| 8 | 3 | medium | 136 | 102 |
| 9 | 3 | high | 150 | 113 |
| 10 | 4 | low | 131 | 98 |
| 11 | 4 | medium | 144 | 108 |

^a Mass in running order as defined in Regulation (EC) No 443/2009.

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| | | | | |
|----|---|--------|-----|-----|
| 12 | 4 | high | 162 | 122 |
| 13 | 5 | low | 147 | 110 |
| 14 | 5 | medium | 152 | 114 |
| 15 | 5 | high | 179 | 134 |

a Mass in running order as defined in Regulation (EC) No 443/2009.

— The mass classes correspond to the following (rounded to the nearest integer):

| Mass class | Range [kg] |
|------------|----------------|
| 1 | 0-1 225 kg |
| 2 | 1 226-1 375 kg |
| 3 | 1 376-1 475 kg |
| 4 | 1 476-1 625 kg |
| 5 | 1 626+ kg |

— The power to mass classes correspond to the following (rounded to the nearest integer):

| Power to mass class | Range [W/kg] |
|---------------------|--------------|
| Low | 0-65 W/kg |
| Medium | 66-85 W/kg |
| High | 86+ |

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- (1) Identify the applicable paragraph.

Changes to legislation:

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Changes and effects yet to be applied to :

- Annex 1 word substituted by S.I. 2021/1242 reg. 5(3)
- Annex 1 point 5.1 words omitted by S.I. 2019/550 reg. 4(9)(f)
- Annex 1 words substituted by S.I. 2019/550 reg. 4(9)(a)
- Annex 1 point 2.3 words substituted by S.I. 2019/550 reg. 4(9)(b)
- Annex 1 point 2.3.1 words substituted by S.I. 2019/550 reg. 4(9)(c)
- Annex 1 point 2.3.2 words substituted by S.I. 2019/550 reg. 4(9)(c)
- Annex 1 point 2.3.3 words substituted by S.I. 2019/550 reg. 4(9)(c)
- Annex 1 point 2.5 words substituted by S.I. 2019/550 reg. 4(9)(d)
- Annex 1 point 2.5.1 words substituted by S.I. 2019/550 reg. 4(9)(e)
- Annex 1 point 2.5.2 words substituted by S.I. 2019/550 reg. 4(9)(e)
- Annex 1 point 2.5.3 words substituted by S.I. 2019/550 reg. 4(9)(e)
- Annex 1 point 6 words substituted by S.I. 2019/550 reg. 4(9)(g)
- Annex 1 point 7.3 words substituted by S.I. 2019/550 reg. 4(9)(h)
- Annex 1 point 8.2.1 words substituted by S.I. 2019/550 reg. 4(9)(i)
- Annex 1 point 8.2.2 words substituted by S.I. 2019/550 reg. 4(9)(i)
- Annex 1 point 8.2.3 words substituted by S.I. 2019/550 reg. 4(9)(i)
- Annex 5 heading word substituted by S.I. 2022/1361 reg. 5(4)
- Annex 2 point 4 word substituted by S.I. 2022/1361 reg. 5(3)
- Annex 2 point 3.1 words omitted by S.I. 2019/550 reg. 4(10)(e)
- Annex 2 point 5 heading words omitted by S.I. 2019/550 reg. 4(10)(g)
- Annex 2 point 2.2 words substituted by S.I. 2019/550 reg. 4(10)(a)
- Annex 2 point 2.2.1 words substituted by S.I. 2019/550 reg. 4(10)(b)
- Annex 2 point 2.2.2 words substituted by S.I. 2019/550 reg. 4(10)(b)
- Annex 2 point 2.2.3 words substituted by S.I. 2019/550 reg. 4(10)(b)
- Annex 2 point 2.3.2 words substituted by S.I. 2019/550 reg. 4(10)(c)
- Annex 2 point 2.3.2 words substituted by S.I. 2019/550 reg. 4(10)(d)
- Annex 2 point 2.3.3 words substituted by S.I. 2019/550 reg. 4(10)(d)
- Annex 2 point 3.2(a) words substituted by S.I. 2019/550 reg. 4(10)(f)
- Annex 2 point 5 heading words substituted by S.I. 2019/550 reg. 4(10)(g)
- Annex 2 point 5.3 words substituted by S.I. 2019/550 reg. 4(10)(h)
- Annex 4 omitted by S.I. 2019/550 reg. 4(11)
- Art. 5(1) words omitted by S.I. 2019/550 reg. 4(3)(a)
- Art. 6(1) words omitted by S.I. 2019/550 reg. 4(4)(a)
- Art. 6(3) words substituted by S.I. 2019/550 reg. 4(4)(b)
- Art. 6(4) word substituted by S.I. 2022/1361 reg. 5(2)
- Art. 7 heading words substituted by S.I. 2019/550 reg. 4(5)(a)
- Art. 7(1) words substituted by S.I. 2019/550 reg. 4(5)(b)
- Art. 7(2) words substituted by S.I. 2019/550 reg. 4(5)(c)
- Art. 7(2) words substituted by S.I. 2021/1242 reg. 5(2)
- Art. 8 omitted by S.I. 2019/550 reg. 4(6)
- Art. 9 omitted by S.I. 2019/550 reg. 4(7)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/550 reg. 4(8)
- Art. 4(1)(b) words substituted by S.I. 2019/550 reg. 4(2)

– Art. 5(5)(b) words substituted by [S.I. 2019/550 reg. 4\(3\)\(b\)](#)