

Commission Regulation (EU) No 63/2011 of 26 January 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)

Article 1	Subject matter
Article 2	Definitions
Article 3	Application for a derogation pursuant to Article 11(1) and (4) of Regulation (EC) No 443/2009
Article 4	Information on eligibility criteria
Article 5	Specific emissions target and reduction potential pursuant to Article 11(2) of Regulation (EC) No 443/2009
Article 6	Reduction target for a derogation pursuant to Article 11(4) of Regulation (EC) No 443/2009
Article 7	Assessment by the Commission
Article 8	Public access to information
Article 9	Entry into force
	Signature

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

1. Name, address and contact person for the manufacturer or group...
2. Eligibility criteria
 - 2.1. Is the applicant part of a group of connected manufacturers?...
 - 2.2. Is the applicant part of a group of connected manufacturers...
 - 2.3. Number of registrations in the Union if the application refers...
 - 2.3.1. Official figure in three calendar years preceding the date of...
 - 2.3.2. Where the official figure referred to in point 2.3.1 is...
 - 2.3.3. Where the figures in point 2.3.1 and 2.3.2 are not...
 - 2.4. If the application refers to a group of connected manufacturers...
 - 2.5. Number of registrations in the Union of a group of...
 - 2.5.1. Official figure in three calendar years preceding the date of...
 - 2.5.2. Where the official figure referred to in point 2.5.1 is...
 - 2.5.3. Where the figures in point 2.5.1 and 2.5.2 are not...
3. Requested duration of the derogation
4. Proposal for a specific emissions target calculated as fleet average...
5. Company specific information
 - 5.1. Average specific emissions of CO₂ in 2007 if not included...
 - 5.2. Number of employees in the calendar year preceding the date...
 - 5.3. Size of the production facility in square metres in the...
 - 5.4. Sales volumes for five years preceding the date of application...
 - 5.5. Yearly turnover for five years preceding the date of application...
 - 5.6. Characteristics of the market
 - 5.7. Brief description of the operational model of the production facility...

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

CONFIDENTIAL SECTION OF THE APPLICATION

- 5.8. Net profit for five years preceding the date of application...
- 5.9. R & D spending over five years preceding the date...
- 5.10. Net financial transfers to the parent company in case of...
6. Details of the passenger cars to be launched on the...
 - 6.1. Characteristics of the market
 - 6.1.1. Vehicle characteristics;
 - 6.1.2. Names and price ranges of directly competing vehicles in the...
 - 6.1.3. Expected price list of vehicles to be covered by the...
7. Applicant's technological potential
 - 7.1. List of CO₂ reducing technologies deployed in the applicant's fleet...
 - 7.2. Where the list referred to in point 7.1 is not...
 - 7.3. In case of applicants planning to enter the Union market,...
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...
 - 8.2.3. Expected average specific CO₂ emissions of vehicles to be launched...
 - 8.3. CO₂ reducing technologies to be deployed in the applicant's fleet...
 - 8.4. The additional costs per vehicle version of the technologies to...
 - 8.5. In the case of yearly targets, yearly improvement of specific...

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...
2. Eligibility criteria
 - 2.1. Is the applicant part of a group of connected manufacturers?...
 - 2.2. Number of registrations in the Union if the application refers...
 - 2.2.1. Official figure in the last calendar year preceding the date...
 - 2.2.2. Where the official figure referred to in point 2.2.1 is...
 - 2.2.3. Where the figures in point 2.2.1 and 2.2.2 are not...
 - 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...
 - 2.3.3. Where the figure referred to in point 2.3.2 is not...
3. Details of the passenger cars for which the applicant is...
 - 3.1. Average specific CO₂ emissions in 2007 if not included in...
 - 3.2. If data for 2007 is not available, the following:
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...
 - 5.1. Vehicle characteristics of all cars
 - 5.2. List of cars grouped per vehicle class as set out...
 - 5.3. Expected EU registrations of vehicles in the first year of...

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 III

Standard format of the declaration stating the structure of ownership

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

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

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

ANNEX IV

ANNEX V

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

Mass in running order as defined in Regulation (EC) No...

The mass classes correspond to the following (rounded to the...)

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- (1) [OJ L 140, 5.6.2009, p. 1.](#)
- (2) [OJ L 49, 19.2.2004, p. 1.](#)

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.

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Changes and effects yet to be applied to :

- Regulation revoked by S.I. 2023/1394 art. 114(1)
- 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 1 point 6 words substituted by S.I. 2023/1394 art. 114(2)(b)(i)
- Annex 1 point 8.2.2 words substituted by S.I. 2023/1394 art. 114(2)(b)(ii)
- Annex 1 point 8.2.3 words substituted by S.I. 2023/1394 art. 114(2)(b)(iii)
- 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 2 point 5 words substituted by S.I. 2023/1394 art. 114(2)(c)
- 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(3)(b) words substituted by [S.I. 2023/1394 art. 114\(2\)\(a\)](#)
- Art. 5(5)(b) words substituted by [S.I. 2019/550 reg. 4\(3\)\(b\)](#)