# Commission Regulation (EU) No 109/2013 of 29 January 2013 amending Regulation (EC) No 748/2009 on the list of aircraft operators that performed an aviation activity listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council on or after 1 January 2006 specifying the administering Member State for each aircraft operator also taking into consideration the expansion of the Union emission trading scheme to EEA-EFTA countries (Text with EEA relevance)

## COMMISSION REGULATION (EU) No 109/2013

## of 29 January 2013

## amending Regulation (EC) No 748/2009 on the list of aircraft operators that performed an aviation activity listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council on or after 1 January 2006 specifying the administering Member State for each aircraft operator also taking into consideration the expansion of the Union emission trading scheme to EEA-EFTA countries

## (Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC[(1)], and in particular Article 18a(3)(b) thereof,

Whereas:

(1) Directive 2008/101/EC of the European Parliament and of the Council[(2)] amended Directive 2003/87/EC to include aviation activities in the scheme for greenhouse gas emission allowance trading within the European Union.

(2) Commission Regulation (EC) No 748/2009[(3)] establishes a list of aircraft operators which had performed an aviation activity as defined in Annex I to Directive 2003/87/EC on or after 1 January 2006.

(3) That list aims to reduce the administrative burden on aircraft operators by providing information on which Member State will be regulating a particular aircraft operator.

(4) The inclusion in the Union's emissions trading scheme is dependent upon the performance of an aviation activity as set out in Annex I to Directive 2003/87/EC and is not dependent on the inclusion in the list of aircraft operators established by the Commission on the basis of Article 18a(3) of that Directive.

(5) Directive 2008/101/EC was incorporated into the Agreement on the European Economic Area by Decision of the EEA Joint Committee No 6/2011 of 1 April 2011, amending Annex XX (Environment) to the EEA Agreement[(4)].

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Regulation (EU) No 109/2013. (See end of Document for details)*

(6) The expansion of the aviation provisions of the Union emission trading scheme to EEA-EFTA countries and the criteria set under Article 18a(1) of Directive 2003/87/EC to determine aircraft operator's administering Member State imply that certain aircraft operators should be administered by EEA-EFTA countries.

(7) Regulation (EC) No 748/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 748/2009 is replaced by the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 29 January 2013.

*For the Commission*

*The President*

José Manuel BARROSO

ANNEX

LIST OF AIRCRAFT OPERATORS THAT PERFORMED AN AVIATION ACTIVITY LISTED IN ANNEX I TO DIRECTIVE 2003/87/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON OR AFTER 1 JANUARY 2006 SPECIFYING THE ADMINISTERING MEMBER STATE FOR EACH AIRCRAFT OPERATOR ALSO TAKING INTO CONSIDERATION THE EXPANSION OF THE UNION EMISSION TRADING SCHEME TO EEA-EFTA COUNTRIES

| **BELGIUM** | | |
|---|---|---|
| **CRCO Identification no.** | **Operator Name** | **State of the Operator** |
| 123 | Abelag Aviation | BELGIUM |
| 7649 | AIRBORNE EXPRESS | UNITED STATES |
| 33612 | ALLIED AIR LIMITED | NIGERIA |
| 30020 | AVIASTAR-TU CO. | RUSSIAN FEDERATION |
| 31416 | AVIA TRAFFIC COMPANY | RUSSIAN FEDERATION |
| 908 | BRUSSELS AIRLINES | BELGIUM |
| 25996 | CAIRO AVIATION | EGYPT |
| 4369 | CAL CARGO AIRLINES | ISRAEL |
| 29517 | CAPITAL AVTN SRVCS | NETHERLANDS |
| f11336 | CORPORATE WINGS LLC | UNITED STATES |
| 32909 | CRESAIR INC | UNITED STATES |
| 32432 | EGYPTAIR CARGO | EGYPT |
| f12977 | EXCELLENT INVESTMENT LLC | UNITED STATES |
| f11102 | FedEx Express Corporate Aviation | UNITED STATES |
| 13457 | Flying Partners CVBA | BELGIUM |
| 29427 | Flying Service N.V. | BELGIUM |
| 32486 | FAYARD ENTERPRISES | UNITED STATES |
| 24578 | GAFI GENERAL AVIAT | SWITZERLAND |
| 32737 | GREAT ALLIANCE WORLD | UNITED KINGDOM |
| f12983 | GREEN DIESEL LLC | UNITED STATES |
| 29980 | HAINAN AIRLINES (2) | CHINA |
| 23700 | HEWA BORA AIRWAYS | CONGO |
| 27232 | Internet JET | NETHERLANDS |
| 28582 | INTER-WETALL | SWITZERLAND |
| 9542 | INTL PAPER CY | UNITED STATES |

| | | |
|---|---|---|
| 27709 | KALITTA AIR | UNITED STATES |
| 28087 | LAS VEGAS CHARTER | UNITED STATES |
| 32303 | MASTER TOP LINHAS | BRAZIL |
| 37066 | MERIDIAN (AIRWAYS) | BELGIUM |
| 1084 | MIL BELGIUM | BELGIUM |
| 26688 | NEWELL RUBBERMAID | UNITED STATES |
| 31207 | N604FJ LLC | UNITED STATES |
| f11462 | N907WS AVIATION LLC | UNITED STATES |
| f10341 | OfficeMax Inc | UNITED STATES |
| 31660 | RIPPLEWOOD AVTN | UNITED STATES |
| 2344 | SAUDIA | SAUDI ARABIA |
| 27769 | SEA-AIR | BELGIUM |
| 27975 | SIA CARGO PTE LTD | SINGAPORE |
| 29222 | SILVERBACK CARGO | RWANDA |
| 39079 | SOLARIUS AVIATION | UNITED STATES |
| 35334 | SONOCO PRODUCTS CO | UNITED STATES |
| 26784 | SOUTHERN AIR | UNITED STATES |
| 38995 | STANLEY BLACK&DECKER | UNITED STATES |
| 28453 | THOMAS COOK ARL BELG | BELGIUM |
| 27011 | TNT AIRWAYS | BELGIUM |
| 34920 | TRIDENT AVIATION SVC | UNITED STATES |
| 30011 | TUI AIRLINES — JAF | BELGIUM |
| 27911 | ULTIMATE ACFT SERVIC | UNITED STATES |
| 13603 | VF CORP | UNITED STATES |
| 36269 | VF INTERNATIONAL | SWITZERLAND |
| 37064 | VIPER CLASSICS LTD | UNITED KINGDOM |
| 20065 | V L M | BELGIUM |
| f11467 | WILSON & ASSOCIATES OF DELAWARE LLC | UNITED STATES |
| 37549 | YILTAS GROUP | TURKEY |
| a11534 | Operator using TAIL NB: VPBDV | Unknown |
| a11549 | Operator using TAIL NB: VQBHA | Unknown |

| **BULGARIA** | | |
|---|---|---|
| **CRCO Identification no.** | **Operator Name** | **State of the Operator** |
| 27359 | AEROTRANS KAZAKSTAN | KAZAKHSTAN |
| 27698 | AEROVISTA | UNITED ARAB EMIRATES |
| 33329 | AERO POWER LTD | UNITED KINGDOM |
| 23962 | AIR BAN | BULGARIA |
| 35743 | AIR IBERIA LTD. | GEORGIA |
| 26520 | AIR LIBYA 2 | LIBYA |
| 11775 | AIR VIA BULGARIAN | BULGARIA |
| 33225 | AIR VICTORY | GEORGIA |
| 34357 | AIR WEST GEORGIA | GEORGIA |
| 31007 | ANIKAY AIR MIDDLE E | JORDAN |
| 36020 | ARARAT INTERNATIONAL | ARMENIA |
| 28818 | ASIAN SPIRIT | PHILIPPINES |
| 34563 | ASIA AIRWAYS | UNITED ARAB EMIRATES |
| 24508 | BALTIC AIRLINES UU | RUSSIAN FEDERATION |
| 32131 | BEIBARS CJSC | KAZAKHSTAN |
| 28445 | BH AIR | BULGARIA |
| 27538 | BULGARIAN AIR CHRTR. | BULGARIA |
| 29056 | BULGARIA AIR | BULGARIA |
| 25981 | CARGO AIR LTD. | BULGARIA |
| 32313 | EAST WING KAZAKHSTAN | KAZAKHSTAN |
| 36884 | FLY ADJARA | GEORGIA |
| 36995 | GR AVIA S.A. | GUINEA |
| 10165 | HEMUS AIR | BULGARIA |
| 25134 | INTERNAL MINISTRY UU | RUSSIAN FEDERATION |
| 28505 | IRANIAN AIR TRANSPOR | IRAN, ISLAMIC REPUBLIC OF |
| 31721 | JORDAN INT AIR CARGO | JORDAN |
| 27345 | KHORIV AVIA | UKRAINE |
| 28246 | KOKSHETAU AIRLINE | KAZAKHSTAN |
| 32034 | KOMIAVIAVIATRANS 2 | RUSSIAN FEDERATION |
| 31019 | KREMENCHUK FLIGHT | UKRAINE |