Commission Regulation (EU) No 82/2010 of 28 January 2010 amending Regulation (EC) No 748/2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC on or after 1 January 2006 specifying the administering Member State for each aircraft operator (Text with EEA relevance)

COMMISSION REGULATION (EU) No 82/2010

of 28 January 2010

amending Regulation (EC) No 748/2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC on or after 1 January 2006 specifying the administering Member State for each aircraft operator

(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)(a) thereof,

Whereas:

(1) Directive 2003/87/EC, as amended by Directive 2008/101/EC[(2)], includes 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 within the meaning of Annex I to Directive 2003/87/EC on or after 1 January 2006.

(3) The list of aircraft operators established by Regulation (EC) No 748/2009 aims to reduce the administrative burden on aircraft operators by providing for a single Member State to be responsible for each aircraft operator, so that each operator knows which Member State it will be regulated by and each Member State is clear on which operators it should regulate.

(4) The inclusion in the Union's emissions trading scheme, including the obligation to surrender allowances, is dependent upon the performance of an aviation activity in Annex I of Directive 2003/87/EC and is not dependent on the inclusion in the list of aircraft operators established by Regulation (EC) No 748/2009.

(5) A number of aircraft operators employ management or service companies to file flight plans and pay route charges on their behalf. Consequently the International Civil Aviation Organization (ICAO) designator of the management or service company often appears in the flight plan, notwithstanding that such companies may not be aircraft

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 82/2010. (See end of Document for details)*

operators. The best means to identify an aircraft operator or aircraft owner is the presence of the ICAO designator or registration marking in the flight plan, and it is therefore often not possible to identify with certainty the relevant operator unless the operator provides Eurocontrol with a fleet declaration containing data on the aircraft it operates. In establishing the updated list of aircraft operators, the Commission has taken account of the fleet list declarations provided to it by operators and management and service companies. However, a number of management or service companies and aircraft registration markings appear in the updated list due to a lack of information provided.

(6) 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, 28 January 2010.

For the Commission

The President

José Manuel BARROSO

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 82/2010. (See end of Document for details)*

ANNEX

List of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC on or after 1 January 2006 specifying the administering Member State for each aircraft operator

BELGIUM		
Code	Aircraft operator	State of the operator
123	ABELAG	BELGIUM
7649	AIRBORNE EXPRESS	UNITED STATES
34572	AIRSPEED IRELAND	IRELAND
23987	ALROSA-AVIA	RUSSIAN FEDERATION
30020	AVIASTAR-TU CO.	RUSSIAN FEDERATION
908	BRUSSELS AIRLINES	BELGIUM
35163	BUDDY 4, LLC	UNITED STATES
25996	CAIRO AVIATION	EGYPT
4369	CAL CARGO AIRLINES	ISRAEL
29517	CAPITAL AVTN SRVCS	NETHERLANDS
30434	CLEOPATRA GROUP	EGYPT
32909	CRESAIR INC	UNITED STATES
985	EAT	BELGIUM
32432	EGYPTAIR CARGO	EGYPT
31497	EXELLAIR	LUXEMBOURG
32486	FAYARD ENTERPRISES	UNITED STATES
13457	FLYING PARTNERS	BELGIUM
34194	FORREST GEORGE	CONGO
24578	GAFI GENERAL AVIAT	SWITZERLAND
32737	GREAT ALLIANCE WORLD	LUXEMBOURG
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

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31737	MATRACO	BELGIUM
1084	MIL BELGIUM	BELGIUM
31565	MONTE CARLO AVTN	BELGIUM
26688	NEWELL RUBBERMAID	UNITED STATES
31207	N604FJ 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
35334	SONOCO PRODUCTS CO	UNITED STATES
26784	SOUTHERN AIR	UNITED STATES
27977	TECHNOMAG	SWITZERLAND
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
31794	UTAIR CARGO	RUSSIAN FEDERATION
13603	VF CORP	UNITED STATES
20065	V L M	BELGIUM

BULGARIA		
Code	Aircraft operator	State of the operator
27359	AEROTRANS KAZAKSTAN	KAZAKHSTAN
33329	AERO POWER LTD	UNITED KINGDOM
23962	AIR BAN	BULGARIA
26520	AIR LIBYA 2	LIBYA
11775	AIR VIA BULGARIAN	BULGARIA
33225	AIR VICTORY	GEORGIA
34357	AIR WEST GEORGIA	GEORGIA
33785	ALEXANDROV AIR LTD	BULGARIA
31007	ANIKAY AIR MIDDLE E	JORDAN

28818	ASIAN SPIRIT	PHILIPPINES
21448	ATLANT SOYUZ	RUSSIAN FEDERATION
30991	AVB 2004 JSC	BULGARIA
f10077	BASIC CAPITAL MAJESTIC	UNITED STATES
33459	BAHRAIN AIR	BAHRAIN
32131	BEIBARS CJSC	KAZAKHSTAN
28445	BH AIR	BULGARIA
27538	BULGARIAN AIR CHRTR.	BULGARIA
26313	BULGARIAN MIN.TRANSP	BULGARIA
29056	BULGARIA AIR	BULGARIA
34245	BUSINESS AIR BULGARI	BULGARIA
25981	CARGO AIR LTD.	BULGARIA
32313	EAST WING KAZAKHSTAN	KAZAKHSTAN
10165	HEMUS AIR	BULGARIA
25134	INTERNAL MINISTRY UU	RUSSIAN FEDERATION
32009	INTER AIR SOFIA	BULGARIA
28505	IRANIAN AIR TRANSPOR	IRAN
31721	JORDAN INT AIR CARGO	JORDAN
27345	KHORIV AVIA	UKRAINE
28246	KOKSHETAU AIRLINE	KAZAKHSTAN
32034	KOMIAVIAVIATRANS 2	RUSSIAN FEDERATION
31019	KREMENCHUK FLIGHT	UKRAINE
30622	PMT AIR	CAMBODIA
27203	ROSAVIA AIR COMPANY	UKRAINE
29085	RUBYSTAR	BELARUS
32835	SAYAT AIR KAZAKSTAN	KAZAKHSTAN
1830	SENEGALAIR	SENEGAL
34818	SERTUR AVIATION	TURKEY
32037	SKY JET KAZAKHSTAN	KAZAKHSTAN
32664	STARLINE KZ JSC	KAZAKHSTAN
32347	TABAN AIR	IRAN
31648	VIP-AVIA	GEORGIA