



EUROPEAN COMMISSION

Brussels, 23.9.2011  
COM(2011) 566 final

2011/0243 (COD)

Proposal for a

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

**on the accelerated phasing-in of double-hull or equivalent design requirements for  
single-hull oil tankers**

**(Recast)**

## EXPLANATORY MEMORANDUM

1. On 1 April 1987 the Commission decided<sup>1</sup> to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that their provisions are clear and readily understandable.
2. The codification of Regulation (EC) No 417/2002 of the European Parliament and of the Council of 18 February 2002 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers and repealing Council Regulation (EC) No 2978/94<sup>2</sup> has been initiated by the Commission. The new Regulation was to have superseded the various acts incorporated in it<sup>3</sup>.
3. In the meantime the Lisbon Treaty entered into force. Article 290 of the Treaty on the Functioning of the European Union allows the legislator to delegate to the Commission the power to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. Legal acts adopted by the Commission in this way are referred to in the terminology used by the new Treaty as "delegated acts" (Article 290(3)).
4. Regulation (EC) No 417/2002 contains a provision with regard to which such a delegation of power would be opportune. It is therefore appropriate to transform the codification of Regulation (EC) No 417/2002 into a recast in order to incorporate the necessary amendments.
5. The recast proposal was drawn up on the basis of a preliminary consolidation, in all official languages, of Regulation (EC) No 417/2002 and the instruments amending it, carried out by the Publications Office of the European Union, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table set out in Annex II to the recast Regulation.

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<sup>1</sup> COM(87) 868 PV.

<sup>2</sup> OJ L 64, 7.3.2002, p. 1.

<sup>3</sup> See Annex I to this proposal.

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↓ 417/2002 (adapted)

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Proposal for a

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

**on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers**

**(Recast)**

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  100  (2) 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<sup>4</sup>,

Having regard to the opinion of the Committee of the Regions<sup>5</sup>,

Acting in accordance with the ordinary legislative procedure,

Whereas:

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↓ new

(1) Regulation (EC) No 417/2002 of the European Parliament and of the Council of 18 February 2002 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers and repealing Council Regulation (EC) No 2978/94<sup>6</sup> has been substantially amended several times<sup>7</sup>. Since further amendments are to be made, it should be recast in the interests of clarity.

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↓ 417/2002 recital 1 (adapted)

(2) Within the framework of the common transport policy, measures  should  be taken to enhance safety and prevent pollution in maritime transport.

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<sup>4</sup> OJ C [...], [...], p. [...].

<sup>5</sup> OJ C [...], [...], p. [...].

<sup>6</sup> OJ L 64, 7.3.2002, p. 1.

<sup>7</sup> See Annex I.

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↓ 417/2002 recital 2 (adapted)

- (3) The ~~EU~~ Union ~~is~~ is seriously concerned by the shipping accidents involving oil tankers and the associated pollution of its coast-lines and harm to its fauna and flora and other marine resources.
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↓ 417/2002 recital 3

- (4) In its communication 'a common policy on safe seas, the Commission underlined the request of the extraordinary Council on Environment and Transport of 25 January 1993 to support the action in the International Maritime Organisation (IMO) on the reduction of the safety gap between new and existing ships by upgrading and/or phasing out existing ships.
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↓ 417/2002 recital 4

- (5) In its Resolution on a common policy on safe seas<sup>8</sup>, the European Parliament welcomed the Commission communication and called in particular for action to be taken to improve tanker safety standards.
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↓ 417/2002 recital 5

- (6) By its Resolution of 8 June 1993 on a common policy on safe seas<sup>9</sup>, the Council fully supported the objectives of the Commission communication.
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↓ 417/2002 recital 6

- (7) In its Resolution on the oil slick off the French coast adopted on 20 January 2000, the European Parliament welcomed any efforts by the Commission to bring forward the date by which oil tankers will be obliged to have a double-hull construction.
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↓ 1726/2003 recital 9

- (8) The European Parliament in its Resolution on the 'Prestige' oil tanker disaster off the coast of Galicia of 21 November 2002 called for stronger measures that can enter into force more rapidly, and stated that this new disaster has again underlined the need for effective action at international and EU level in order significantly to improve maritime safety.
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↓ 417/2002 recital 7

- (9) The IMO has established, in the International Convention for the Prevention of Pollution from Ships, 1973 and the Protocol of 1978 related thereto (MARPOL 73/78), internationally agreed pollution prevention rules affecting the design and operation of oil tankers. Member States are Parties to MARPOL 73/78.
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<sup>8</sup> OJ C 91, 28.3.1994, p. 301.

<sup>9</sup> OJ C 271, 7.10.1993, p. 1.

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↓ 417/2002 recital 8

- (10) According to Article 3.3 of MARPOL 73/78, that Convention does not apply to warships, naval auxiliary or other ships owned or operated by a State and used only for government non-commercial services.
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↓ 417/2002 recital 9

- (11) Comparison of tanker age and accident statistics shows increasing accident rates for older ships. It has been internationally agreed that the adoption of the 1992 amendments to MARPOL 73/78 requiring the application of the double-hull or equivalent design standards to existing single-hull oil tankers when they reach a certain age will provide those tankers with a higher degree of protection against accidental oil pollution in the event of collision or stranding.
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↓ 417/2002 recital 10 (adapted)

- (12) It is in the ☒ Union's ☒ interest to adopt measures to ensure that oil tankers entering into ports and offshore terminals ☒ or anchoring in an area ☒ under the jurisdiction of Member States and oil tankers flying the flags of Member States comply with Regulation ☒ 20 ☒ of Annex I of MARPOL 73/78 as revised in ☒ 2004 ☒ by Resolution MEPC ☒ 117(52) adopted by the IMO's Marine Environment Protection Committee (MEPC) ☒ in order to reduce the risk of accidental oil pollution in European waters.
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↓ 457/2007 recital 4 (adapted)

- (13) ☒ Resolution MEPC 114(50), adopted on 4 December 2003, introduced a new Regulation 21 into Annex I to MARPOL 73/78 on the prevention of oil pollution from oil tankers when carrying heavy grade oil (HGO) which bans the carriage of HGO in single-hull tankers. ☒ Paragraphs 5, 6 and 7 of Regulation ☒ 21 ☒ provide for the possibility of exemptions from the application of certain provisions of ☒ that ☒ Regulation. The statement by the Italian Presidency of the European Council on behalf of the European Union, recorded in the official report of the MEPC on its fiftieth session (MEPC 50/3), expresses a political commitment to refrain from making use of these exemptions.
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↓ 417/2002 recital 11 (adapted)

- (14) Amendments to MARPOL 73/78 adopted by the IMO on 6 March 1992 entered into force on 6 July 1993. These measures impose double-hull or equivalent design requirements for oil tankers delivered on or after 6 July 1996 aimed at preventing oil pollution in the event of collision or stranding. Within these amendments, a phasing-out scheme for single-hull oil tankers delivered before that date took effect from 6 July 1995 requiring tankers delivered before 1 June 1982 to comply with the double-hull or equivalent design standards not later than 25 years and, in some cases, 30 years after the date of their delivery. Such existing single-hull oil tankers would not be allowed to operate beyond ☒ 2005 ☒ and, in some cases, 2012 unless they comply with the double-hull or equivalent design requirements of Regulation ☒ 19 ☒ of

Annex I of MARPOL 73/78. For existing single-hull oil tankers delivered after 1 June 1982 or those delivered before 1 June 1982 and which have been converted to comply with the requirements of MARPOL 73/78 on segregated ballast tanks and their protective location, this deadline will be reached at the latest in 2026.

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↓ 417/2002 recital 12 (adapted)

- (15) Important amendments to Regulation 20 of Annex I of MARPOL 73/78 were adopted on 27 April 2001 by the 46<sup>th</sup> session of the MEPC by Resolution MEPC 95(46) and on 4 December 2003 by Resolution MEPC 111(50) in which a new accelerated phasing-out scheme for single-hull oil tankers was introduced. The respective final dates by which tankers must comply with Regulation 19 of Annex I of MARPOL 73/78 depend on the size and age of the ship. Oil tankers in that scheme are therefore divided into three categories according to their tonnage, construction and age. All these categories, including the lowest one, Category 3, are important for trade within the Union.
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↓ 417/2002 recital 13 (adapted)

- (16) The final date by which a single-hull oil tanker is to be phased out is the anniversary of the date of delivery of the ship, according to a schedule starting in 2003 until 2005 for Category 1 oil tankers, and until 2010 for Category 2 and 3 oil tankers.
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↓ 417/2002 recital 15 (adapted)

- (17) Regulation 20 of Annex I to MARPOL 73/78 introduces a requirement that all single-hull oil tankers may only continue to operate subject to compliance with a Condition Assessment Scheme (CAS), adopted on 27 April 2001 by Resolution MEPC 94(46) as amended by Resolution MEPC 99(48) of 11 October 2002 and by Resolution MEPC 112(50) of 4 December 2003. The CAS imposes an obligation that the flag State administration issues a Statement of Compliance and is involved in the CAS survey procedures. The CAS is designed to detect structural weaknesses in ageing oil tankers and should apply to all oil tankers above the age of 15 years.
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↓ 417/2002 recital 16 (adapted)

- (18) Regulation 20.5 of Annex I to MARPOL 73/78 allows for an exception for Category 2 and 3 oil tankers to operate, under certain circumstances, beyond the time-limit of their phasing-out. Regulation 20.8.2 of the same Annex gives the right for Parties to MARPOL 73/78 to deny entry into the ports or offshore terminals under their jurisdiction to oil tankers allowed to operate under this exception. Member States have declared their intention to use this right. Decision to have recourse to this right should be communicated to the IMO.
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↓ 417/2002 recital 17

- (19) It is important to ensure that the provisions in this Regulation do not endanger the safety of crew or oil tankers in search of a safe haven or a place of refuge.

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↓ 417/2002 recital 18

- (20) In order to allow shipyards in Member States to repair single-hull oil tankers, Member States may make exceptions to allow entry into their ports of such vessels, provided they are not carrying any cargo.
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↓ 219/2009 Art 1, Annex pt. 7.4  
⇒ new

- (21) ⇒ The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty for the purpose of amending ⇐ certain references to the relevant Regulations in MARPOL 73/78 and to Resolutions MEPC 111(50) and 94(46), in order to align the references with amendments to those Regulations and Resolutions adopted by the IMO, in so far as such amendments do not broaden the scope of this Regulation. ~~Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EC) No 417/2002, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.<sup>40</sup>~~
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↓ 417/2002 (adapted)  
→<sub>1</sub> 1726/2003 Art. 1 pt. 1

HAVE ADOPTED THIS REGULATION:

### *Article 1*

#### **Purpose**

The purpose of this Regulation is to establish an accelerated phasing-in scheme for the application of the double-hull or equivalent design requirements of MARPOL 73/78 ☒, as defined in Article 3, ☒ to single-hull oil tankers →<sub>1</sub>, and to ban the transport to or from ports of the Member States of heavy grades of oil in single-hull oil tankers ←.

### *Article 2*

#### **Scope**

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↓ 1726/2003 Art. 1 pt. 2 (adapted)

1. This Regulation shall apply to oil tankers of 5 000 tonnes deadweight and above:

- ☒ (a) which fly the flag of a Member State; ☒
- ☒ (b) irrespective of their flag, which enter or leave a port or offshore terminal or anchor in an area under the jurisdiction of a Member State. ☒

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<sup>40</sup> OJ L 184, 17.7.1999, p. 23.

For the purpose of Article 4(3), this Regulation shall apply to oil tankers of 600 tonnes deadweight and above.

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↓ 417/2002

2. This Regulation shall not apply to any warship, naval auxiliary or other ship, owned or operated by a State and used, for the time being, only on government non-commercial service. Member States shall, so far as is reasonable and practicable, endeavour to respect this Regulation for the ships referred to in this paragraph.

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↓ 1163/2009 Art. 1 pt. 1

### *Article 3*

#### **Definitions**

For the purpose of this Regulation, the following definitions shall apply:

1. 'MARPOL 73/78' means the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the Protocol of 1978 relating thereto, in their up-to-date versions;
2. 'oil tanker' means an oil tanker as defined in Regulation 1.5 of Annex I to MARPOL 73/78;
3. 'deadweight' means deadweight as defined in Regulation 1.23 of Annex I to MARPOL 73/78;
4. 'Category 1 oil tanker' means an oil tanker of 20 000 tonnes deadweight or above and carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo or of 30 000 tonnes deadweight or above and carrying oil other than the above and which does not comply with the requirements in Regulations 18.1 to 18.9, 18.12 to 18.15, 30.4, 33.1, 33.2, 33.3, 35.1, 35.2 and 35.3 of Annex I to MARPOL 73/78;
5. 'Category 2 oil tanker' means an oil tanker of 20 000 tonnes deadweight or above and carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo or of 30 000 tonnes deadweight or above and carrying oil other than the above and which complies with the requirements in Regulations 18.1 to 18.9, 18.12 to 18.15, 30.4, 33.1, 33.2, 33.3, 35.1, 35.2 and 35.3 of Annex I to MARPOL 73/78 and is fitted with segregated ballast tanks protectively located (SBT/ PL);
6. 'Category 3 oil tanker' means an oil tanker of 5 000 tonnes deadweight or above but less than that specified in definitions 4 and 5;
7. 'single-hull oil tanker' means an oil tanker which does not comply with the double-hull or equivalent design requirements in Regulations 19 and 28.6 of Annex I to MARPOL 73/78;
8. 'double-hull oil tanker' means an oil tanker:

- (a) of 5 000 tonnes deadweight or above, complying with the double-hull or equivalent design requirements in Regulations 19 and 28.6 of Annex I to MARPOL 73/78 or the requirements in Regulation 20.1.3 thereof; or
  - (b) of 600 tonnes deadweight or above but less than 5 000 tonnes deadweight, fitted with double-bottom tanks or spaces complying with Regulation 19.6.1 of Annex I to MARPOL 73/78 and wing tanks or spaces arranged in accordance with Regulation 19.3.1 thereof and complying with the requirement as to distance *w* in Regulation 19.6.2 thereof;
9. 'age' means the age of the ship, expressed in number of years from its date of delivery;
10. 'heavy diesel oil' means diesel oil as defined in Regulation 20 of Annex I to MARPOL 73/78;
11. 'fuel oil' means heavy distillates of crude oil or residues therefrom or blends of such materials as defined in Regulation 20 of Annex I to MARPOL 73/78;
12. 'heavy grades of oil' means:
- (a) crude oils of a density at 15°C of over 900 kg/m<sup>3</sup><sup>11</sup>;
  - (b) oils other than crude oils and of a density at 15°C of over 900 kg/m<sup>3</sup> or a kinematic viscosity at 50°C of over 180 mm<sup>2</sup>/s<sup>12</sup>;
  - (c) bitumen and tar and emulsions thereof.

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↓ 417/2002 (adapted)

#### *Article 4*

### **Compliance with the double-hull or equivalent design requirements by single-hull oil tankers**

1. No oil tanker shall be allowed to operate under the flag of a Member State, nor shall any oil tanker, irrespective of its flag, be allowed to enter into ports or offshore terminals under the jurisdiction of a Member State unless such tanker is a double-hull oil tanker.

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↓ 1726/2003 Art. 1 pt. 4(c)  
(adapted)  
→<sub>1</sub> 1163/2009 Art. 1(2)

2. Notwithstanding paragraph 1, oil tankers of Category 2 or 3 which are equipped only with double bottoms or double sides not used for the transport of oil and extending for the whole length of the cargo tank, or with double-hulled spaces not used for the transport of oil and extending for the whole length of the cargo tank, but which do not meet the conditions for

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<sup>11</sup> Corresponding to an API grade of less than 25,7.  
<sup>12</sup> Corresponding to a kinematic viscosity of over 180 cSt.

exemption from the provisions of →<sub>1</sub> Regulation 20.1.3 of Annex I to MARPOL 73/78 ←, may continue to be operated, but not beyond the anniversary of the date of delivery of the ship in the year 2015 or the date on which the ship reaches the age of 25 years from its date of delivery, whichever is the sooner.

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↓ 457/2007 Art. 1

3. No oil tanker carrying heavy grades of oil shall be allowed to fly the flag of a Member State unless such tanker is a double-hull oil tanker.

No oil tanker carrying heavy grades of oil, irrespective of its flag, shall be allowed to enter or leave ports or offshore terminals or to anchor in areas under the jurisdiction of a Member State, unless such tanker is a double-hull oil tanker.

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↓ 1726/2003 Art. 1 pt. 4(e)  
(adapted)

4. Oil tankers operated exclusively in ports and inland navigation may be exempted from the obligation under paragraph 3 provided that they are duly certified under inland waterway legislation.

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↓ 1726/2003 Art. 1 pt. 5 (adapted)

#### *Article 5*

#### **Compliance with the Condition Assessment Scheme**

Irrespective of its flag, a single-hull oil tanker above 15 years of age shall not be allowed to enter or leave ports or offshore terminals or anchor in areas under the jurisdiction of a Member State unless it complies with the Condition Assessment Scheme referred to in Article 6.

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↓ 1726/2003 Art. 1 pt. 6 (adapted)  
→<sub>1</sub> 2172/2004 Art. 1 pt. 2

#### *Article 6*

#### **Condition Assessment Scheme**

For the purposes of Article 5, the Condition Assessment Scheme adopted by →<sub>1</sub> Resolution MEPC 94(46) of 27 April 2001 as amended by Resolution MEPC 99(48) of 11 October 2002 and by Resolution MEPC 112(50) of 4 December 2003 ←, shall apply.

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↓ 417/2002 (adapted) → <sub>1</sub> 1163/2009 Art. 1(3)
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### Article 7

#### Final date

After the anniversary of the date of delivery of the ship in 2015 ☒ , the following shall no longer be allowed: ☒

- (a) the continued operation, in accordance with →<sub>1</sub> Regulation 20.5 of Annex I to MARPOL 73/78 ←, of Category 2 and Category 3 oil tankers under the flag of a Member State;
- (b) the entry into the ports or offshore terminals under the jurisdiction of a Member State of other Category 2 and Category 3 oil tankers, irrespective of the fact that they continue to operate under the flag of a third State in accordance with →<sub>1</sub> Regulation 20.5 of Annex I to MARPOL 73/78 ← .

### Article 8

#### Exemptions for ships in difficulty or for ships to be repaired

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↓ 1726/2003 Art. 1 pt. 7
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By way of derogation from Articles 4, 5 and 7, the competent authority of a Member State may, subject to national provisions, allow, under exceptional circumstances, an individual ship to enter or leave a port or offshore terminal or anchor in an area under the jurisdiction of that Member State, when:

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↓ 417/2002 (adapted) → <sub>1</sub> 1163/2009 Art. 1(4)(a)(i) → <sub>2</sub> 1163/2009 Art. 1(4)(a)(ii) → <sub>3</sub> 1163/2009 Art. 1(4)(b)
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- (a) an oil tanker is in difficulty and in search of a place of refuge;
- (b) an unloaded oil tanker is proceeding to a port of repair.

### Article 9

#### Notification to the IMO

1. Each Member State shall inform the IMO of its decision to deny entry to oil tankers, pursuant to Article 7 of this Regulation, operating in accordance with →<sub>1</sub> Regulation 20.5 of Annex I to MARPOL 73/78 ← into the ports or offshore terminals under its jurisdiction, on the basis of →<sub>2</sub> Regulation 20.8.2 of Annex I to MARPOL 73/78 ← .

2. Each Member State shall notify the IMO if it allows, suspends, withdraws or declines the operation of a Category 1 or a Category 2 oil tanker entitled to fly its flag, in accordance with Article 5, on the basis of →<sub>3</sub> Regulation 20.8.1 of Annex I to MARPOL 73/78 ←.

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↓ 417/2002

### Article 10

#### Amendment procedure

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↓ 219/2009 Annex pt. 7.4.2  
(adapted)  
⇒ new

The Commission may ⇒ adopt delegated acts in accordance with Article 11 for the purpose of amending ⇐ the references in this Regulation to the Regulations of Annex I to MARPOL 73/78, as well as to Resolutions MEPC 111(50) and 94(46) as amended by Resolutions MEPC 99(48) and 112(50), in order to align the references with amendments to those Regulations and Resolutions adopted by the IMO, in so far as such amendments do not broaden the scope of this Regulation. ~~Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 10(2).~~

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↓ 2099/2002 Art. 11 pt. 3  
(adapted)

The amendments to ☒ MARPOL 73/78 ☒ may be excluded from the scope of this Regulation, pursuant to Article 5 of Regulation (EC) No 2099/2002.

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↓ new

### Article 11

#### Exercise of the delegation

1. The powers to adopt the delegated acts referred to in the first subparagraph of Article 10 shall be conferred on the Commission for an indeterminate period of time.
2. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
3. The powers to adopt delegated acts are conferred on the Commission subject to the conditions laid down in Articles 12 and 13.

### Article 12

#### Revocation of the delegation

1. The delegation of powers referred to in the first subparagraph of Article 10 may be revoked at any time by the European Parliament or by the Council.

2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of powers shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.

3. The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the *Official Journal of the European Union*.

### Article 13

#### Objections to delegated acts

1. The European Parliament and the Council may object to a delegated act within a period of two months from the date of notification.

At the initiative of the European Parliament or the Council that period shall be extended by one month.

2. If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act it shall be published in the *Official Journal of the European Union* and shall enter into force at the date stated therein.

The delegated act may be published in the *Official Journal of the European Union* and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

3. If the European Parliament or the Council objects to a delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

↓ 417/2002 (adapted)

### Article 14

#### Repeal

Regulation (EC) No 417/2002 is repealed.

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

*Article 15*

**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*.

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

Done at

*For the European Parliament*  
*The President*

*For the Council*  
*The President*



## **ANNEX I**

### **Repealed Regulation with list of its successive amendments** (referred to in Article 14)

Regulation (EC) No 417/2002 of the European Parliament  
and of the Council  
(OJ L 64, 7.3.2002, p. 1)

Regulation (EC) No 2099/2002 of the European Parliament    Only Article 11  
and of the Council  
(OJ L 324, 29.11.2002, p. 1)

Regulation (EC) No 1726/2003 of the European Parliament  
and of the Council  
(OJ L 249, 1.10.2003, p. 1)

Commission Regulation (EC) No 2172/2004  
(OJ L 371, 18.12.2004, p. 26)

Regulation (EC) No 457/2007 of the European Parliament  
and of the Council  
(OJ L 113, 30.4.2007, p. 1)

Regulation (EC) No 219/2009 of the European Parliament    Only point 7.4 of the Annex  
and of the Council  
(OJ L 87, 31.3.2009, p. 109)

Commission Regulation (EC) No 1163/2009  
(OJ L 314, 1.12.2009, p. 13)

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## ANNEX II

### CORRELATION TABLE

Regulation (EC) No 417/2002	This Regulation
Article 1	Article 1
Article 2(1), introductory words	Article 2(1), introductory words
Article 2(1), first subparagraph, first indent	Article 2(1), first subparagraph, point (b)
Article 2(1), first subparagraph, second indent	Article 2(1), first subparagraph, point (a)
Article 2(1), second subparagraph	Article 2(1), second subparagraph
Article 2(2)	Article 2(2)
Article 3	Article 3
Article 4(1) introductory words	Article 4(1)
Article 4(1), point (a)	-
Article 4(1), point (b)	-
Article 4(2)	Article 4(2)
Article 4(3)	Article 4(3)
Article 4(4)	Article 4(4)
Article 4(5)	-
Article 4(6)	-
Article 5	Article 5
Article 6	Article 6
Article 7, introductory words	Article 7, introductory words
Article 7, first indent	Article 7(a)
Article 7, second indent	Article 7(b)
Article 7, final words	Article 7, introductory words
Article 8(1), introductory wording	Article 8, introductory wording
Article 8(1), first indent	Article 8(a)

Article 8(1), second indent

Article 8(2)

Article 9(1)

Article 9(2)

Article 9(3)

Article 10

Article 11

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Article 12

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Article 13

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Article 8(b)

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Article 9(1)

Article 9(2)

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Article 10

Article 11

Article 12

Article 13

Article 14, first paragraph

Article 14, second paragraph

Article 15

Annex I

Annex II