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ANNEX – PART 12/14

ANNEX

to the

Proposal for a Council Decision

on the signing, on behalf of the European Union, and on provisional application of the Agreement establishing an association between the European Union and the Principality of Andorra and the Republic of San Marino respectively

ANNEX (PART 12/14)

ANNEX XI – SAN MARINO PROTOCOL

ELECTRONIC COMMUNICATION, AUDIOVISUAL SERVICES AND INFORMATION SOCIETY

List provided for in Articles 17 and 24 of the Framework Agreement

TABLE OF CONTENTS

1 Telecommunication services 3
2 Digital Decade 11
3 Roaming 13
4 Radio Spectrum Policy 14
5 Gigabit society 23
6 5G and Cybersecurity 24
7 Artificial Intelligence 25
8 European Cloud Initiative 27
9 Free flow of Data 29
10 Internet Governance 30
11 Cybersecurity 32
12 Audiovisual Media Services Directive 35
13 Electronic Commerce – online platform regulation 37
14 GeoBlocking 39
15 Sector- or content specific acts with specific relevance for the horizontal Digital Services Act and Platform-to-Business Regulation 40

16 Open data and Re-use of Public Sector Information 42
17 Web accessibility 43
18 Electronic identification, authentication and trust services 45
19 Privacy and Data Protection 48
20 eHealth 56
21 Postal Services 58

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

CHAPTER 1

TELECOMMUNICATION SERVICES

ACTS REFERRED TO

1. 32018 L 1972: Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (OJ L 321, 17.12.2018, p. 36), as corrected by OJ L 334, 27.12.2019, p. 164, and OJ L 419, 11.12.2020, p. 36.

2. 32019 R 2243: Commission Implementing Regulation (EU) 2019/2243 of 17 December 2019 establishing a template for the contract summary to be used by providers of publicly available electronic communications services pursuant to Directive (EU) 2018/1972 of the European Parliament and of the Council, as corrected by OJ L 16, 21.1.2020, p. 40 (OJ L 336, 30.12.2019, p. 274).

3. 32021 R 0654: Commission Delegated Regulation (EU) 2021/654 of 18 December 2020 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council by setting a single maximum Union-wide mobile voice termination rate and a single maximum Union-wide fixed voice termination rate (OJ L 137, 22.4.2021, p. 1).

4. 32015 R 2120: Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1), as amended by:

   – 32018 R 1971: Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 (OJ L 321, 17.12.2018, p. 1).

5. 32014 L 0061: Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks (OJ L 155, 23.5.2014, p. 1).

6. 32007 D 0176: Commission Decision of 11 December 2006 establishing a list of standards and/or specifications for electronic communications networks, services and associated facilities and services and replacing all previous versions (notified under document number C (2006) 6364) (2007/176/EC), (OJ L 86 of 27.3.2007, p. 11), as amended by:

   – 32008 D 0286: Commission Decision of 17 March 2008 (OJ L 93 of 4.4.2008, p. 24).

7. 32007 D 0116: Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with '116' for harmonised numbers for harmonised services of social value (OJ L 49, 17.2.2007, p. 30), as amended by:

   – 32007 D 0698: Commission Decision 2007/698/EC of 29 October 2007 (OJ L 284, 30.10.2007, p. 31),

   – 32009 D 0884: Commission Decision 2009/884/EC of 30 November 2009 (OJ L 317, 3.12.2009, p. 46),

   – 32023 D 0468: Commission Implementing Decision (EU) 2023/468 of 25 November 2022 (OJ L 68, 6.3.2023, p. 96).

8. 32009 D 0449 Commission Decision 2009/449/EC of 13 May 2009 on the selection of operators of pan-European systems providing mobile satellite services (MSS) (OJ L 149, 12.6.2009, p. 65).

9. 32018 R 1971: Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 (OJ L 321, 17.12.2018, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Modalities for the association of San Marino in accordance with Article 80(7) of this Agreement:

The national regulatory authorities of San Marino with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services shall participate fully in the work of the Board of Regulators of BEREC, the working groups of BEREC and the Management Board of the BEREC Office.

They shall be represented at an appropriate level in accordance with the provisions of the BEREC Regulation.

To that effect, the national regulatory authorities of San Marino shall have the same rights and obligations as the national regulatory authorities of the EU Member States, except for the right to vote. Members from San Marino shall not be eligible for the Chairmanship of the Board of Regulators and of the Management Board.

BEREC and the BEREC Office shall, as and when appropriate, assist the national regulatory authorities of San Marino in the performance of their tasks.

(b) In Article 4:

(i) the following paragraph shall be inserted:

"1a. The positions of the national regulatory authorities of the Associated State shall be recorded separately by BEREC when issuing opinions in accordance with paragraph 1 point (c)(i) and (ii)."

(ii) in paragraph 4, the words "relevant Union law" shall read "the Association Agreement".

(c) The following paragraph shall be added in Article 25:

"5.San Marino shall participate in the contribution from the EU referred to in paragraph 3 point (a). For this purpose, the procedures laid down in Article 68 of the Association Agreement and the San Marino Protocol shall apply *mutatis mutandis*."

(d) In Article 30, the following subparagraphs shall be added:

"By way of derogation from Articles 12(2)(a) and 82(3)(a) of the Conditions of Employment of Other Servants of the European Union, nationals of San Marino enjoying their full rights as citizens may be engaged under contract by the recruitment authority of the Agency.

By way of derogation from Articles 12(2)(e), 82(3)(e) and 85(3) of the Conditions of Employment of Other Servants of the European Union, the languages referred to in Article 111 of the Association Agreement shall be considered by the Office, in respect of its staff, as languages of the Union referred to in Article 55(1) of the Treaty on European Union.".

(e) The following shall be added in Article 34:

"San Marino shall grant privileges and immunities to the BEREC Office equivalent to those contained in the Protocol on Privileges and Immunities of the European Union."

(f) The following paragraph shall be added in Article 36:

"4.Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of the Regulation, apply to the national regulatory authorities of San Marino in regard to documents prepared by BEREC or the BEREC Office."

(g) In Article 40(2),

the words "Union and national law" shall read "the Association Agreement and national law".

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32010 H 0572: Commission Recommendation 2010/572/EU of 20 September 2010 on regulated access to Next Generation Access Networks (NGA) (OJ L 251, 25.9.2010, p. 35).

2. 32010 H 0167: Commission Recommendation 2010/167/EU of 19 March 2010 on the authorisation of systems for mobile communication services on board vessels (MCV services) (OJ L 72, 20.3.2010, p. 42).

3. 32013 H 0466: Commission Recommendation 2013/466/EU of 11 September 2013 on consistent non¬discrimination obligations and costing methodologies to promote competition and enhance the broadband investment environment (OJ L 251, 21.9.2013, p. 13).

4. 32009 H 0848: Commission Recommendation 2009/848/EC on 'Facilitating the release of the digital dividend in the European Union.' (OJ L 308, 24.11.2009, p. 24).

5. 32009 H 0396: Commission Recommendation 2009/396/EC of 7 May 2009 on the Regulatory Treatment of Fixed and Mobile Termination Rates in the EU (OJ L 124, 20.5.2009, p. 67).

6. 32014H0710: Commission Recommendation 2014/710/EU of 9 October 2014 on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services accompanied by an Explanatory note (OJ C 159, 7.52018, p. 1).

7. 31997Y1209(01): Commission Notice on the definition of relevant market for the purposes of Community competition law (OJ C 372, 9.12.1997, p. 5).

8. 52018XC0507(01): Communication from the Commission (C/2018/2374) Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services) accompanied by a Staff Working Document SWD(2018) 124 final (OJ C 159, 7.5.2018, p. 1).

9. 32005 H 0698: Commission Recommendation 2005/698/EC of 19 September 2005 on accounting separation and cost accounting systems under the regulatory framework for electronic communications (OJ L 266, 11.10.2005, p. 64).

CHAPTER 2

DIGITAL DECADE

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52015 DC 0192: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A Digital Single Market Strategy for Europe (COM/2015/0192 final).

2. 52017 DC 0228: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS on the Mid-Term Review on the implementation of the Digital Single Market Strategy A Connected Digital Single Market for All (COM/2017/0228 final).

3. 52005 DC 0204: Communication from the Commission to the Council, the European Parliament, the European Economic and Social committee and the Committee of the Regions on accelerating the transition from analogue to digital broadcasting (SEC(2005)661, COM/2005/0204 final).

4. 52003 DC 0541: Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on the transition from analogue to digital broadcasting (from digital 'switchover' to analogue 'switch-off') (SEC(2003)992, COM/2003/0541 final).

5. 52021 DC 0118: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS 2030 Digital Compass: the European way for the Digital Decade (COM/2021/118 final).

6. 32022 D 2481: Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 establishing the Digital Decade Policy Programme 2030 (OJ L 323, 19.12.2022, p. 4).

7. 32023 C 0123: European Declaration on Digital Rights and Principles for the Digital Decade (OJ C 23, 23.1.2023, p. 1).

CHAPTER 3

ROAMING

ACTS REFERRED TO:

1. 32022 R 0612: Regulation (EU) 2022/612 of the European Parliament and of the Council of 6 April 2022 on roaming on public mobile communications networks within the Union (recast) (OJ L 115, 13.4.2022, p. 1).

2. 32016 R 2286: Commission Implementing Regulation (EU) 2016/2286 of 15 December 2016 laying down detailed rules on the application of fair use policy and on the methodology for assessing the sustainability of the abolition of retail roaming surcharges and on the application to be submitted by a roaming provider for the purposes of that assessment (OJ L 344, 17.12.2016, p. 46), as amended by:

   – 32019 R 0296: Commission Implementing Regulation (EU) 2019/296 of 20 February 2019 (OJ L 50, 21.2.2019, p. 4).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. BEREC Retail Roaming Guidelines, BoR(22)174, December 2022.

2. BEREC Wholesale Roaming Guidelines, BoR(22)147, September 2022.

CHAPTER 4

RADIO SPECTRUM POLICY

ACTS REFERRED TO:

1. 32012 D 0243: Decision 243/2012 of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme (OJ L 81, 21.3.2012, p. 7).

2. 32013 D 0195: Commission Implementing Decision 2013/195/EU of 23 April 2013 defining the practical arrangements, uniform formats and a methodology in relation to the radio spectrum inventory established by Decision No 243/2012/EU of the European Parliament and of the Council establishing a multiannual radio spectrum policy programme (OJ L 113, 25.4.2013, p. 18).

3. 32017 D 0899: Decision (EU) 2017/899 of the European Parliament and of the Council of 17 May 2017 on the use of the 470-790 MHz frequency band in the Union (OJ L 138, 25.5.2017, p. 131).

4. 32019 D 0612(01): Commission Decision of 11 June 2019 setting up the Radio Spectrum Policy Group and repealing Decision 2002/622/EC (OJ C 196, 12.6.2019, p. 16).

5. 32007 D 0344: Commission Decision 2007/344/EC of 16 May 2007 on harmonised availability of information regarding spectrum use within the Community (OJ L 129, 17.5.2007, p. 67).

6. 32010 D 0267: Commission Decision 2010/267/EU of 6 May 2010 on harmonised technical conditions of use in the 790-862 MHz frequency band for terrestrial systems capable of providing electronic communications services in the European Union (OJ L 117, 11.5.2010, p. 95).

7. 32022 D 0173: Commission Implementing Decision (EU) 2022/173 of 7 February 2022 on the harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing electronic communications services in the Union and repealing Decision 2009/766/EC (OJ L 28, 9.2.2022, p. 29).

8. 32015 D 0750: Commission Implementing Decision (EU) 2015/750 of 8 May 2015 on the harmonisation of the 1 452-1 492 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Union (OJ L 119, 12.5.2015, p. 27), as amended by:

   – 32018 D 0661: Commission Implementing Decision (EU) 2018/661 (OJ L 110, 30.4.2018, p. 127).

9. 32016 D 0339: Commission Implementing Decision (EU) 2016/339 of 8 March 2016 on the harmonisation of the 2 010-2 025 MHz frequency band for portable or mobile wireless video links and cordless cameras used for programme making and special events (OJ L 63, 10.3.2016, p. 5).

10. 32012 D 0688: Commission Implementing Decision 2012/688/EU of 5 November 2012 on the harmonisation of the frequency bands 1920-1980 MHz and 2110-2170 MHz for terrestrial systems capable of providing electronic communications services in the Union, as amended by:

– 32020 D 0667: Commission implementing decision (EU) 2020/667 of 6 May 2020 (OJ L 307, 7.11.2012, p. 84).

11. 32008 D 0477: Commission Decision 2008/477/EC of 13 June 2008 on the harmonisation of the 2500-2690 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community, as amended by:

– 32020D0636: Commission Implementing decision (EU) 2020/636 of 8 May 2020 (OJ L 163, 24.6.2008, p. 37).

12. 32008 D 0411: Commission Decision 2008/411/EC of 21 May 2008 on the harmonisation of the 3 400-3 800 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community (OJ L 144, 4.6.2008, p. 77), as amended by:

– 32014 D 0276: Commission Implementing Decision 2014/276/EU of 2 May 2014 (OJ L 139, 14.5.2014, p. 18),

– 32019 D 0235: Commission Implementing Decision (EU) 2019/235 (OJ L 37, 8.2.2019, p. 135).

13. 32020 D 1426: Commission Implementing Decision (EU) 2020/1426 of 7 October 2020 on the harmonised use of radio spectrum in the 5875 - 5935 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS) and repealing Decision 2008/671/EC (OJ L 328, 9.10.2020, p. 19).

14. 32022 D 0179: Commission Implementing Decision (EU) 2022/179 of 8 February 2022 on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of wireless access systems including radio local area networks and repealing Decision 2005/513/EC (OJ L 29, 10.2.2022, p. 10).

15. 32022 D 2307: Commission Implementing Decision (EU) 2022/2307 of 23 November 2022 amending Implementing Decision (EU) 2022/179 as regards designating and making available the 5150-5250 MHz, 5250-5350 MHz and 5470-5725 MHz frequency bands in accordance with the technical conditions set out in the Annex (OJ L 305, 25.11.2022, p. 63).

16. 32021 D 1067: Commission Implementing Decision (EU) 2021/1067 of 17 June 2021 on the harmonised use of radio spectrum in the 5945-6425 MHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLANs) (OJ L 232, 30.6.2021, p. 1).

17. 32005 D 0050: Commission Decision 2005/50/EC of 17 January 2005 on the harmonisation of the 24 GHz range radio spectrum band for the time-limited use by automotive short-range radar equipment in the Community (OJ L 21, 25.1.2005, p. 15), as amended by:

– 32011 D 0485: Commission Implementing Decision 2011/485/EU of 29 July 2011 (OJ L 198, 30.7.2011, p. 71),

– 32017 D 2077 Commission Implementing Decision (EU) 2017/2077 (OJ L 295, 14.11.2017, p. 75).

18. 32019 D 0784: Commission implementing decision (EU) 2019/784 of 14 May 2019 on harmonisation of the 24,25-27,5 GHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services in the Union (*OJ L 127, 16.5.2019, p. 13)*, as amended by:

– 32020D0590: Commission implementing decision (EU) 2020/590 of 24 April 2020 (OJ L 127, 16.5.2019, p. 13).

19. 32004 D 0545: Commission Decision 2004/545/EC of 8 July 2004 on the harmonisation of radio spectrum in the 79 GHz range for the use of automotive short-range radar equipment in the Community (OJ L 241, 13.7.2004, p. 66).

20. 32006 D 0771(01): Commission Decision 2006/771/EC of 9 November 2006 on harmonisation of the radio spectrum for use by short-range devices (OJ L 312, 11.11.2006, p. 66), as amended by:

– 32008 D 0432: Commission Decision 2008/432/EC of 23 May 2008 (OJ L 151, 11.6.2008, p. 49), as corrected by OJ L 212, 7.8.2008, p. 15,

– 32009 D 0381: Commission Decision 2009/381/EC of 13 May 2009 (OJ L 119, 14.5.2009, p. 32),

– 32010 D 0368: Commission Decision 2010/368/EU of 30 June 2010 (OJ L 166, 1.7.2010, p. 33),

– 32011 D 0829: Commission Implementing Decision 2011/829/EU of 8 December 2011 (OJ L 329, 13.12.2011, p. 10),

– 32013 D 0752: Commission Implementing Decision 2013/752/EU of 11 December 2013 (OJ L 334, 13.12.2013, p. 17),

– 32017 D 1483 Commission Implementing Decision (EU) 2017/1483 of 8 August 2017 (OJ L 214, 18.8.2017, p. 3),

– 32018 D 1538 Commission Implementing Decision (EU) 2018/1538 of 11 October 2018 (OJ L 257, 15.10.2018, p. 57), as amended by:

  – 32022 D 0172: Commission Implementing Decision (EU) 2022/172 of 7 February 2022 amending Implementing Decision (EU) 2018/1538 on the harmonisation of radio spectrum for use by short-range devices within the 874-876 and 915-921 MHz frequency bands (OJ L 28, 9.2.2022, p. 21),

– 32019 D 1345: Commission Implementing Decision (EU) 2019/1345 of 2 August 2019 amending Decision 2006/771/EC updating harmonised technical conditions in the area of radio spectrum use for short-range devices (OJ L 212 of 13.8.2019, p. 53),

– 32022 D 0180: Commission Implementing Decision (EU) 2022/180 of 8 February 2022 amending Decision 2006/771/EC as regards the update of harmonised technical conditions in the area of radio spectrum use for short-range devices (OJ L 29, 10.2.2022, p. 17).

21. 32008 D 0294: Commission Decision 2008/294/EC of 7 April 2008 on harmonised conditions of spectrum use for the operation of mobile communication services on aircraft (MCA services) in the Community (OJ L 98, 10.4.2008, p. 19), as amended by:

– 32013 D 0654: Commission Implementing Decision 2013/654/EU of 12 November 2013 (OJ L 303, 14.11.2013, p. 48), as amended by:

  – 32016 D 2317: Commission Implementing Decision (EU) 2016/2317 of 16 December 2016 (OJ L 345, 20.12.2016, p. 67),

– 32022 D 2324: Commission Implementing Decision (EU) 2022/2324 of 23 November 2022 (OJ L 307, 28.11.2022, p. 262).

22. 32010 D 0166: Commission Decision 2010/166/EU of 19 March 2010 on harmonised conditions of use of radio spectrum for mobile communication services on board vessels (MCV services) in the European Union (OJ L 72, 20.3.2010, p. 38), as amended by:

– 32017 D 0191: Commission Implementing Decision (EU) 2017/191 of 1 February 2017 (OJ L 29, 3.2.2017, p. 63).

23. 32021 D 1730: Commission Implementing Decision (EU) 2021/1730 of 28 September 2021 on the harmonised use of the paired frequency bands 874,4-880,0 MHz and 919,4-925 MHz and of the unpaired frequency band 1 900-1 910 MHz for Railway Mobile Radio (OJ L 346, 30.9.2021, p. 1).

24. 32019 D 0785: Commission Implementing Decision (EU) 2019/785 of 14 May 2019 on the harmonisation of radio spectrum for equipment using ultra-wideband technology in the Union and repealing Decision 2007/131/EC (OJ L 127, 16.5.2019, p. 23).

25. 32014 D 0641: Commission Implementing Decision 2014/641/EU of 1 September 2014 on harmonised technical conditions of radio spectrum use by wireless audio programme making and special events equipment in the Union (OJ L 263, 3.9.2014, p. 29).

26. 32016 D 0687: Commission Implementing Decision (EU) 2016/687 of 28 April 2016 on the harmonisation on the 694-790 MHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services and for flexible national use in the Union (OJ L 118, 4.5.2016, p. 4).

27. 32020 R 1070: Commission implementing regulation (EU) 2020/1070 of 20 July 2020 on specifying the characteristics of small-area wireless access points pursuant to Article 57 paragraph 2 of Directive (EU) 2018/1972 of the European Parliament and the Council establishing the European Electronic Communications Code (OJ L 234, 21.7.2020, p. 11).

CHAPTER 5

GIGABIT SOCIETY

ACTS REFERRED TO:

1. 32021 R 1153: Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014(OJ L 249, 14.7.2021, p. 38).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52010 D C0472: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions. European Broadband: investing in digitally driven growth. COM (2010) 472.

2. 52016 DC 0587: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Connectivity for a Competitive Digital Single Market - Towards a European Gigabit Society (COM/2016/0587 final).

3. 32022 D 2481: Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 establishing the Digital Decade Policy Programme 2030 (Text with EEA relevance) (*OJ L 323, 19.12.2022, p. 4).*

4. 52023 XC 0131(01): Communication from The Commission: Guidelines on State aid for broadband networks 2023/C 36/01, C/2022/9343 (*OJ C 36, 31.1.2023, p. 1).*

CHAPTER 6

5G AND CYBERSECURITY

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: "5G for Europe: An Action Plan" – COM(2016)588.

2. 32019 H 0534: Commission Recommendation (EU) 2019/534 of 26 March 2019 Cybersecurity of 5G networks, C/2019/2335 (OJ L 88, 29.3.2019, p. 42).

3. 52020 DC 0050 Commission Communication COM/2020/50 final. Secure 5G deployment in the EU - Implementing the EU toolbox.

4. Commission Staff Working Document SWD(2020)357 final - Report on the impacts of the Commission Recommendation of 26 March 2019 on the Cybersecurity of 5G networks.

CHAPTER 7

ARTIFICIAL INTELLIGENCE

ACTS REFERRED TO:

1. 32019 R 0947: Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (OJ L 152, 11.6.2019, p. 45).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52018 DC 0237: Communication COM/2018/237 final Artificial Intelligence for Europe.

2. 52018 DC 0795: Communication COM/2018/795 final Coordinated Plan on Artificial Intelligence.

3. 52018 AE 2263: Communication Artificial Intelligence for Europe COM(2018) 137 final (OJ C 367, 10.10.2018, p. 32).

4. 52019 AE 1830: COM(2019) 168 final – Building Trust in Human-Centric Artificial Intelligence (OJ C 47, 11.2.2020, p. 64).

5. 52020 DC 0065: WHITE PAPER COM/2020/65. On Artificial Intelligence. - A European approach to excellence and trust.

6. 52021 DC 0205: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Fostering a European approach to Artificial Intelligence COM/2021/205 final).

CHAPTER 8

EUROPEAN CLOUD INITIATIVE

ACTS REFERRED TO:

1. 32021 R 1173: Council Regulation (EU) 2021/1173 of 13 July 2021 on establishing the European High Performance Computing Joint Undertaking and repealing Regulation (EU) 2018/1488 (OJ L 256, 19.07.2021, p. 3).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52016 DC 0178: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS European Cloud Initiative - Building a competitive data and knowledge economy in Europe COM/2016/0178 final.

2. 52016 SC 0106: COMMISSION STAFF WORKING DOCUMENT Implementation of the Action Plan for the European High-Performance Computing strategy Accompanying the document COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS European Cloud Initiative - Building a competitive data and knowledge economy in Europe.

3. COMMISSION STAFF WORKING DOCUMENT Implementation Roadmap for the European Open Science Cloud, Brussels, 14.3.2018 SWD(2018) 83 final.

CHAPTER 9

FREE FLOW OF DATA

ACTS REFERRED TO:

1. 32018 R 1807: Regulation (EU) 2018/1807 of the European Parliament and of the Council of 14 November 2018 on a framework for the free flow of non-personal data in the European Union (Text with EEA relevance.) (OJ L 303, 28.11.2018, p. 59).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52019 DC 0250: Communication from the Commission to the European Parliament and the Council Guidance on the Regulation on a framework for the free flow of non-personal data in the European Union. COM/2019/250 final.

CHAPTER 10

INTERNET GOVERNANCE

ACTS REFERRED TO:

1. 32019 R 0517: Regulation (EU) 2019/517 of the European Parliament and of the Council of 19 March 2019 on the implementation and functioning of the .eu top-level domain name and amending and repealing Regulation (EC) No 733/2002 and repealing Commission Regulation (EC) No 874/2004 (OJ L 91, 29.3.2019, p. 25).

2. 32020 R 0857: Commission Implementing Regulation (EU) 2020/857 of 17 June 2020 laying down the principles to be included in the contract between the European Commission and the .EU top-level domain Registry in accordance with Regulation (EU) 2019/517 of the European Parliament and of the Council (OJ L 195, 19.6.2020, p. 52).

3. Commission Delegated Regulation (EU) 2020/1083 of 14 May 2020 Supplementing Regulation (EU) 2019/517 of the European Parliament and of the Council by establishing the eligibility and selection criteria and the procedure for the designation of the Registry of the.eu top-level domain name (OJ L 239, 24.7.2020, p. 1).

4. 32021 D 1878: Commission Implementing Decision (EU) 2021/1878 of 25 October 2021 on the designation of the .eu top-level domain Registry (OJ L 378, 26.10.2021, p. 22).

5. Commission Implementing Regulation (EU) 2022/1862 of 4 October 2022 establishing the lists of reserved and blocked domain names under the EU top-level domain in accordance with Regulation (EU) 2019/517 of the European Parliament and of the Council (OJ L 259, 6.10.2022, p. 3).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52014 DC 0072: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Internet Policy and Governance Europe's role in shaping the future of Internet Governance (COM/2014/072 final).

CHAPTER 11

CYBERSECURITY

ACTS REFERRED TO:

1. 32022 L 2555: Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive) (OJ L 333, 27.12.2022, p. 80).

2. 32018 R 0151: Commission Implementing Regulation (EU) 2018/151 of 30 January 2018 laying down rules for application of Directive (EU) 2016/1148 of the European Parliament and of the Council as regards further specification of the elements to be taken into account by digital service providers for managing the risks posed to the security of network and information systems and of the parameters for determining whether an incident has a substantial impact (OJ L 26, 31.1.2018, p. 48).

3. 32019 R 0881: Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) (OJ L 151, 7.6.2019, p. 15).

4. 32021 R 0887: Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres (OJ L 202, 8.6.2021, p. 1).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52009 DC 0149 Commission Communication on Critical Information Infrastructure Protection "Protecting Europe from large scale cyber-attacks and disruptions: enhancing preparedness, security and resilience" (30.3.2009, COM(2009) 149 final).

2. 52011 DC 0163 Commission Communication on Critical Information Infrastructure Protection 'Achievements and next steps: towards global cyber-security' (COM/2011/0163 final).

3. 52013 JC 0001: Joint communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions JOIN/2013/01 final */ Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace.

4. 32017 H 1584: Commission Recommendation (EU) 2017/1584 of 13 September 2017 on coordinated response to large-scale cybersecurity incidents and crises (C/2017/6100) (OJ L 239, 19.9.2017, p. 36).

5. 52020 JC 0018: Joint Communication to the European Parliament and the Council: The EU's cybersecurity strategy for the digital decade (JOIN/2020/18 final).

6. Communication from the Commission C(2021) 7412: Guidelines on the assessment of the capacity of National Coordination Centres to manage funds to fulfil the mission and objectives laid down in Regulation (EU) 2021/887.

CHAPTER 12

AUDIOVISUAL MEDIA SERVICES

ACTS REFERRED TO:

1. 32010 L 0013: Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1), as corrected by OJ L 263, 6.10.2010, p. 15, as amended by:

   - 32018 L 1808: Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 (OJ L 303, 28.11.2018, p. 69).

2. C(2014)462: Commission Decision C(2014)462 of 3.2.2014 on establishing the European Regulators Group for Audiovisual Media Services.

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 51996 DC 0483: Commission's Green Paper of 23 October 1996 on the protection of minors and human dignity in audiovisual and information services (COM(96)0483).

2. 31997 Y 0306(02): Council Conclusions of 17 February 1997 on the Green Paper on the protection of minors and human dignity in the audiovisual and information services (OJ C 70, 6.3.1997, p. 4).

3. 31998 H 0560: Council Recommendation of 24 September 1998 on the development of the competitiveness of the European audiovisual and information services industry by promoting national frameworks aimed at achieving a comparable and effective level of protection of minors and human dignity (OJ L 270, 7.10.1998, p. 48).

4. 52004 XC 0428(01): Commission interpretative communication on certain aspects of the provisions on televised advertising in the "Television without Frontiers" Directive. C (2004) 1450 - 23.04.2004, (OJ C 102 of 28.4.2004).

5. 32005 H 0865: Recommendation 2005/865/EC of the European Parliament and of the Council of 16 November 2005 on film heritage and the competitiveness of related industrial activities (OJ L 323, 9.12.2005, p. 57).

6. 32006 H 0952: Recommendation 2006/952/EC of the European Parliament and of the Council of 20 December 2006 on the protection of minors and human dignity and on the right of reply in relation to the competitiveness of the European audiovisual and on-line information services industry (OJ L 378, 27.12.2006, p. 72).

7. 32011 H 0711: Recommendation 2011/711/EU of 27 October 2011 on the digitisation and online accessibility of cultural material and digital preservation. (OJ L 283, 29.10.2011, p. 39).

CHAPTER 13

ELECTRONIC COMMERCE – ONLINE PLATFORM REGULATION

ACTS REFERRED TO:

1. 398 L 0084: Directive 98/84/EC of the European Parliament and of the Council of 20 November 1998 on the legal protection of services based on, or consisting of, conditional access (OJ L 320, 28.11.1998, p. 54).

2. 32000 L 0031: Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1).

3. 32005 D 0752: Commission Decision 2005/752/EC of 24 October 2005 establishing an expert group on electronic commerce (OJ L 282, 26.10.2005, p. 20).

4. 32015 L 1535: Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).

5. 32019 R 1150: Platform-to-Business Regulation - Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (OJ L 186, 11.7.2019, p. 57).

6. 32022 R 1925: Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) (OJ L 265, 12.10.2022, p. 1).

7. 32022 R 2065: Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. ST 8601 2018 INIT: Presidency discussion paper: Regulation on Platforms-to-business relations.

2. Commission Decision of 26 April 2018 on setting up the group of experts for the Observatory on the Online Platform Economy (C(2018) 2393 final).

3. 32018 H 0334: Commission Recommendation (EU) 2018/334 of 1 March 2018 on measures to effectively tackle illegal content online (C/2018/1177) (OJ L 63, 6.3.2018, p. 50).

4. 52020 XC 1208(01): Commission Notice Guidelines on ranking transparency pursuant to Regulation (EU) 2019/1150 of the European Parliament and of the Council 2020/C 424/01 (OJ C 424, 8.12.2020, p. 1).

CHAPTER 14

GEOBLOCKING

ACTS REFERRED TO:

1. 32018 R 0302: Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulations (EC) No 2006/2004 and (EU) 2017/2394 and Directive 2009/22/EC (Text with EEA relevance.) (OJ L 60I, 2.3.2018, p. 1).

CHAPTER 15

SECTOR- OR CONTENT-SPECIFIC ACTS WITH SPECIFIC RELEVANCE FOR THE HORIZONTAL DIGITAL SERVICES ACT AND PLATFORM-TO-BUSINESS REGULATION

ACTS REFERRED TO:

1. 32021 R 0784: Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online (OJ L 172, 17.5.2021, p. 79).

2. 32019 L 0770: Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services (OJ L 136, 22.5.2019, p. 1).

3. 32019 L 0771: Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC.

4. 32017 R 2394: Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (Text with EEA relevance) (OJ L 345, 27.12.2017, p. 1).

5. 32018 R 0644: Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services (OJ L 112, 2.5.2018, p. 19).

6. 32018 R 1263: Commission Implementing Regulation (EU) 2018/1263 of 20 September 2018 establishing the forms for the submission of information by parcel delivery service providers pursuant to Regulation (EU) 2018/644 of the European Parliament and of the Council (OJ L 238, 21.9.2018, p. 65).

7. 32017 L 2455: Council Directive (EU) 2017/2455 of 5 December 2017 amending Directive 2006/112/EC and Directive 2009/132/EC as regards certain value added tax obligations for supplies of services and distance sales of goods (OJ L 348, 29.12.2017, p. 7).

8. 32017 R 2459: Council Implementing Regulation (EU) 2459/2017 of 5 December 2017 amending Implementing Regulation (EU) No 282/2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax (OJ L 348, 29.12.2017, p. 32).

CHAPTER 16

OPEN DATA AND RE-USE OF PUBLIC SECTOR INFORMATION

ACTS REFERRED TO:

1. 32019 L 1024: Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).

2. 32023 R 0138: Commission Implementing Regulation (EU) 2023/138 of 21 December 2022 laying down a list of specific high-value datasets and the arrangements for their publication and re-use (Text with EEA relevance) (OJ L 19, 20.1.2023, p. 43).

3. 32022 R 0868: Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act) (OJ L 152, 3.6.2022, p. 1).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52011 DC 0882: Commission Communication COM (2011) 882 final of 12.12.2011 "Open data – an engine for innovation, growth and transparent governance.

2. 52020 DC 0066: Commission Communication (COM (2020) 66 final) of 19.02.2020 "A European strategy for data".

CHAPTER 17

WEB ACCESSIBILITY

ACTS REFERRED TO:

1. 32008 D 1351: Decision No 1351/2008/EC of the European Parliament and of the Council establishing a multiannual Community programme on protecting children using the internet and other communication technologies (Safer Internet Programme 2009-2013) (OJ L 348, 24.12.2008, p. 118).

2. 32014 D 0554: Decision No 554/2014/EU of the European Parliament and of the Council of 15 May 2014 on the participation of the Union in the Active and Assisted Living Research and Development Programme jointly undertaken by several Member States (OJ L 169, 7.6.2014, p. 14).

3. 32016 L 2102: Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1).

4. 32018 D 1523: Commission Implementing Decision (EU) 2018/1523 of 11 October 2018 establishing a model accessibility statement in accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies (OJ L 256, 12.10.2018, p. 103).

5. 32018 D 1524: Commission Implementing Decision (EU) 2018/1524 of 11 October 2018 establishing a monitoring methodology and the arrangements for reporting by Member States in accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies (OJ L 256, 12.10.2018, p. 108).

6. 32018 D 2048 Commission Implementing Decision (EU) 2018/2048 of 20 December 2018 on the harmonised standard for websites and mobile applications drafted in support of Directive (EU) 2016/2102 of the European Parliament and of the Council (OJ L 327, 21.12.2018, p. 84), as amended by:

   – 32021 D 1339: Commission Implementing Decision (EU) 2021/1339 of 11 August 2021 (OJ L 289, 12.8.2021, p. 53).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52012 DC 0196 Commission Communication (COM (2012) 196 final) of 02.05.2012 "European Strategy for a Better Internet for Children".

2. 52010 DC 0743 Commission Communication (COM (2010) 743 final) of 15 December 2010 "The European eGovernment Action Plan 2011-2015 - Harnessing ICT to promote smart, sustainable & innovative Government".

3. 52016 DC 0179: Communication COM/2016/0179 final. EU eGovernment Action Plan 2016-2020, Accelerating the digital transformation of government 2017 Ministerial Declaration on eGovernment - the Tallinn Declaration, including Annex: User-centricity principles for design and delivery of digital public services.

CHAPTER 18

ELECTRONIC IDENTIFICATION, AUTHENTICATION AND TRUST SERVICES

ACTS REFERRED TO:

1. 32014 R 0910: Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

2. 32015 R 0806: Commission Implementing Regulation (EU) 2015/806 of 22 May 2015 laying down specifications relating to the form of the EU trust mark for qualified trust services (OJ L 128, 23.5.2015, p. 13).

3. 32015 D 1505: Commission Implementing Decision (EU) 2015/1505 of 8 September 2015 laying down technical specifications and formats relating to trusted lists pursuant to Article 22(5) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 235, 9.9.2015, p. 26).

4. 32015 D 1506: Commission Implementing Decision (EU) 2015/1506 of 8 September 2015 laying down specifications relating to formats of advanced electronic signatures and advanced seals to be recognised by public sector bodies pursuant to Articles 27(5) and 37(5) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 235, 9.9.2015, p. 37).

5. 32016 D 0650: Commission Implementing Decision (EU) 2016/650 of 25 April 2016 laying down standards for the security assessment of qualified signature and seal creation devices pursuant to Articles 30(3) and 39(2) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 109, 26.4.2016, p. 40).

6. 32015 D 0296: Commission Implementing Decision (EU) 2015/296 of 24 February 2015 establishing procedural arrangements for cooperation between Member States on electronic identification pursuant to Article 12(7) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 53, 25.2.2015, p. 14).

7. 32015 R 1501: Commission Implementing Regulation (EU) 2015/1501 of 8 September 2015 on the interoperability framework pursuant to Article 12(8) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 235, 9.9.2015, p. 1).

8. 32015 R 1502: Commission Implementing Regulation (EU) 2015/1502 of 8 September 2015on setting out minimum technical specifications and procedures for assurance levels for electronic identification means pursuant to Article 8(3) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 235, 9.9.2015, p. 7).

9. 32015 D 1984: Commission Implementing Decision (EU) 2015/1984 of 3 November 2015 defining the circumstances, formats and procedures of notification pursuant to Article 9(5) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 289, 5.11.2015, p. 18).

CHAPTER 19

PRIVACY AND DATA PROTECTION

ACTS REFERRED TO:

1. 32002 L 0058: Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37), as amended by:

   – 32009L0136: Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 (OJ L 337, 18.12.2009); as corrected by: OJ L 241, 10.9.2013, p. 9,

   – 32021R1232: Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (OJ L 274, 30.7.2021, p. 41).

2. 32013 R 0611: Commission Regulation (EU) No 611/2013 of 24 June 2013 on the measures applicable to the notification of personal data breaches under Directive 2002/58/EC on the European Parliament and of the Council on privacy and electronic communications (OJ L 173, 26.6.2013, p. 2).

3. 32016 L 0680: Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

4. 32016 R 0679: Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1), as corrected by OJ L 127, 23.5.2018, p. 2.

5. 32000 D 0518: Commission Decision 2000/518/EC of 26 July 2000 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data provided in Switzerland (OJ L 215, 25.8.2000, p. 1), as amended by:

   – 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

6. 32001 D 0497: Commission Decision 2001/497/EC of 15 June 2001 on standard contractual clauses for the transfer of personal data to third countries, under Directive 95/46/EC (OJ L 181, 4.7.2001, p. 19), as corrected by OJ L 253, 21.9.2001, p. 34, as amended by:

   – 32004 D 0915: Commission Decision 2004/915/EC of 27 December 2004 (OJ L 385, 29.12.2004, p. 74),

   – 32016 D 2297: Commission Implementing Decision (EU) 2016/2297 of 16 December 2016 (OJ L 344, 17.12.2016, p. 100).

7. 32002 D 0002: Commission Decision 2002/2/EC of 20 December 2001 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data provided by the Canadian Personal Information Protection and Electronic Documents Act (OJ L 2, 4.1.2002, p. 13), as amended by:

   – 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

8. 32010 D 0087: Commission Decision 2010/87/EU of 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Council (OJ L 39, 12.2.2010, p. 5), as amended by:

   – 32016 D 2297: Commission Implementing Decision (EU) 2016/2297 of 16 December 2016 (OJ L 344, 17.12.2016, p. 100).

9. 32003 D 0490: Commission Decision 2003/490/EC of 30 June 2003 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data in Argentina (OJ L 168, 5.7.2003, p. 19), as amended by:

   – 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

10. 32003 D 0821: Commission Decision 2003/821/EC of 21 November 2003 on the adequate protection of personal data in Guernsey (OJ L 308, 25.11.2003, p. 27), as amended by:

   – 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

11. 32004 D 0411: Commission Decision 2004/411/EC of 28 April 2004 on the adequate protection of personal data in the Isle of Man (OJ L 151, 30.4.2004, p. 48), as corrected by OJ L 208, 10.6.2004, p. 47, as amended by:

   – 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

12. 32008 D 0393: Commission Decision 2008/393/EC of 8 May 2008 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data in Jersey (OJ L 138, 28.5.2008, p. 21), as amended by:

   – 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

14. 32010 D 0146: Commission Decision 2010/146/EU of 5 March 2010 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection provided by the Faeroese Act on processing of personal data (OJ L 58, 9.3.2010, p. 17), as amended by:

– 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

15. 32010 D 0625: Commission Decision 2010/625/EU of 19 October 2010 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data in Andorra (OJ L 277, 21.10.2010, p. 27), as amended by:

– 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

16. 32011 D 0061: Commission Decision 2011/61/EU of 31 January 2011 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data by the State of Israel with regard to automated processing of personal data (OJ L 27, 1.2.2011, p. 39), as amended by:

– 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

17. 32012 D 0484: Commission Implementing Decision 2012/484/EU of 21 August 2012 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data by the Eastern Republic of Uruguay with regard to automated processing of personal data (OJ L 227, 23.8.2012, p. 11), as amended by:

– 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

18. 32013 D 0065: Commission Implementing Decision 2013/65/EU of 19 December 2012 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data by New Zealand (OJ L 28, 30.1.2013, p. 12), as amended by:

– 32016 D 2295: Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).

19. 32016 D 1250: Commission Implementing Decision (EU) 2016/1250 of 12 July 2016 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequacy of the protection provided by the EU-U.S. Privacy Shield (OJ L 207, 1.8.2016, p. 1).

20. 32019 D 0419: Commission Implementing Decision (EU) 2019/419 of 23 January 2019 pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by Japan under the Act on the Protection of Personal Information (OJ L 76, 19.3.2019, p. 1).

21. 32018 D 0743: Commission Implementing Decision (EU) 2018/743 of 16 May 2018 on a pilot project to implement the administrative cooperation provisions set out in Regulation (EU) 2016/679 of the European Parliament and of the Council by means of the Internal Market Information System (OJ L 123, 18.5.2018, p. 115).

22. 32021 D 1772: Commission Implementing Decision (EU) 2021/1772 of 28 June 2021 pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by the United Kingdom (OJ L 360, 11.10.2021, p. 1), as corrected by OJ L 382, 28.10.2021, p. 55.

23. 32022 D 0254: Commission Implementing Decision (EU) 2022/254 of 17 December 2021 pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by the Republic of Korea under the Personal Information Protection Act (OJ L 44, 24.2.2022, p. 1).

24. 32021 D 0914: Commission Implementing Decision (EU) 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council (OJ L 199, 7.6.2021, p. 31).

25. 32021 D 0915: Commission Implementing Decision (EU) 2021/915 of 4 June 2021 on standard contractual clauses between controllers and processors under Article 28(7) of Regulation (EU) 2016/679 of the European Parliament and of the Council and Article 29(7) of Regulation (EU) 2018/1725 of the European Parliament and of the Council (OJ L 199, 7.6.2021, p. 18).

26. 32022 D 2519: Commission Implementing Decision (EU) 2022/2519 of 20 December 2022 on the technical specifications and standards for the e-CODEX system, including for security and methods for integrity and authenticity verification (OJ L 326, 21.12.2022, p. 25).

27. 32022 D 2520: Commission Implementing Decision (EU) 2022/2520 of 20 December 2022 on the specific arrangements for the handover and takeover process of the e-CODEX system (OJ L 326, 21.12.2022, p. 34).

28. 32022 R 0868: Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act) (OJ L 152, 3.6.2022, p. 1).

29. 32022 R 0850: Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), and amending Regulation (EU) 2018/1726 (OJ L 150, 1.6.2022, p. 1).

30. 32023D0117: Commission Implementing Decision (EU) 2023/117 of 13 January 2023 on the service level requirements for the activities to be carried out by eu-LISA concerning the e-CODEX system, C/2023/197 (OJ L 15, 17.1.2023, p. 17).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32021H1970: Commission Recommendation (EU) 2021/1970 of 10 November 2021 on a common European data space for cultural heritage (OJ L 401, 12.11.2021, p. 5).

CHAPTER 20

E-HEALTH

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32008 H 0594 Commission Recommendation 2008/594/EC of 2 July 2008 on cross-border interoperability of electronic health record systems (OJ L 190, 18.7.2008, p. 37).

2. 52012 DC 0736: Commission Communication COM(2012) 736 on eHealth Action Plan 2012-2020 - Innovative healthcare for the 21st century.

3. 32019 H 0243: Commission Recommendation C(2019) 800 on a European Electronic Health Record exchange format (and Annex) (OJ L 39, 11.2.2019, p. 18).

4. 52018 DC 0233: Commission Communication COM(2018) 233 on enabling the digital transformation of health and care in the Digital Single Market; empowering citizens and building a healthier society.

5. Commission Staff Working Document SWD(2018) 126 on enabling the digital transformation of health and care in the Digital Single Market; empowering citizens and building a healthier society.

6. Council conclusions on "Safe and efficient healthcare through eHealth" adopted on 1 December 2009.

7. Council conclusions on "Personalised medicine for patients", adopted on 7 December 2015.

8. Council conclusions on "Health in the digital society – making progress in data-driven innovation in the field of health", adopted on 8 December 2017.

9. Council Conclusions on "Encouraging Member States driven Voluntary Cooperation between Health Systems", adopted on 16 June 2017.

10. Green Paper on mobile health ("mHealth") COM(2014) 219.

CHAPTER 21

POSTAL SERVICES

ACTS REFERRED TO:

1. 31997 L 0067: Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 15, 21.1.1998, p. 14), as amended by:

   – 32002 L 0039: Directive 2002/39/EC of the European Parliament and of the Council of 10 June 2002 (OJ L 176, 5.7.2002, p. 21),

   – 32008 L 0006: Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 (OJ L 52, 2008).

   The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

   (a) By way of derogation from Article 7(1), San Marino may temporarily, and to the extent necessary to ensure the maintenance of universal service, continue to reserve services to universal service providers. Those services shall be limited to the clearance, sorting, transport and delivery of items of domestic correspondence and incoming cross-border correspondence, whether by accelerated delivery or not, within both of the following weight and price limits. The weight limit shall be 100 grams from two years of the date of entry into force, and 50 grams from four years of the date of entry into force of this Agreement.

These weight limits shall not apply as from two years of the date of entry into force of this Agreement if the price is equal to, or more than, three times the public tariff for an item of correspondence in the first weight step of the fastest category, and, as from four years of the date of entry into force of this Agreement, if the price is equal to, or more than, two and a half times this tariff.

(b) In Article 5(2), the words "Treaty, in particular Articles 30 and 46 thereof" shall read "Agreement, in particular Articles 9 and 19 thereof".

(c) In Article 7(1) the word "Treaty" shall read "Agreement".

(d) Articles 10 and 11 shall not apply.

2. 32018 R 0644: Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services (OJ L 112, 2.5.2018, p. 19).

FREE MOVEMENT OF CAPITAL

List provided for in Article 29 of the Framework Agreement

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

The arrangement contained in Appendix 6 of the San Marino Protocol shall apply.

ACTS REFERRED TO

1. 31988 L 0361: Council Directive 88/361/EEC of 24 June 1988 for the implementation of Article 67 of the Treaty (OJ L 178, 8.7.1988, p. 5).

2. 32011 L 0007: Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions (OJ L 48, 23.2.2011, p. 1).

   The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 3 of Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Protocol 1 shall be three years from the date of entry into force of this Agreement.

3. 32021 R 1230: Regulation (EU) No 2021/1230 of the European Parliament and of the Council of 14 July 2021 on cross-border payments in the Union, repealing Regulation (EC) No 924/2009 (OJ L 274, 30.7.2021, p. 20).

4. 32012 R 0260: Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22), as amended by:

   – 32014 R 0248: Regulation (EU) No 248/2014 of the European Parliament and of the Council of 26 February 2014 (OJ L 84, 20.3.2014, p. 1).

5. 32002 L 0047: Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements (OJ L 168, 27.6.2002, p. 43), as amended by:

   – 32009 L 0044: Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 (OJ L 146, 10.6.2009, p. 37),

   – 32014 L 0059: Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 (OJ L 173, 12.6.2014, p. 190).

ANNEX XIII – SAN MARINO PROTOCOL

TRANSPORT

List provided for in Article 13(c) of the Framework Agreement

TABLE OF CONTENTS

1 Combined Transport - Clean vehicles - ITS 2
2 Road Transport 9
3 Rail Transport 46
4 Inland Waterway Transport 65
5 Maritime Transport 73
6 General Measures 94
7 Passenger Rights 96
8 Trans-European Networks 98
9 Other 100

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

CHAPTER 1

COMBINED TRANSPORT – CLEAN VEHICLES – ITS

1. 31992 L 0106: Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p. 38), as amended by:

   – 11994 NN 01/06/A: Act concerning the conditions of accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded, ANNEX I - List referred to in Article 29 of the Act of Accession - VI. TRANSPORT - A. INLAND TRANSPORT (OJ C 241, 29.8.1994, p. 165).

– 12003 TN 02/08/C: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded - Annex II: List referred to in Article 20 of the Act of Accession - 8. Transport policy - C. Road transport (*OJ L 236, 23.9.2003, p. 449).*

– 32006 L 0103: Council Directive 2006/103/EC of 20 November 2006 adapting certain Directives in the field of transport policy, by reason of the accession of Bulgaria and Romania (OJ L 363, 20.12.2006, p. 344),

– 32013 L 0022: Council Directive 2013/22/EU of 13 May 2013 adapting certain directives in the field of transport policy, by reason of the accession of the Republic of Croatia (OJ L 158, 10.6.2013, p. 356).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 6(1) shall not apply.

(b) To Article 6(3) shall be added:

– "San Marino: tassa di circolazione".

2. 32009 L 0033: Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles (OJ L 120, 15.5.2009, p. 5), as amended by:

– 32019 L 1161: Directive (EU) 2019/1161 of the European Parliament and of the Council of 20 June 2019 (OJ L 188, 12.7.2019, p. 116).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 10(2) of the Directive shall not apply.

(b) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

During the suspension referred to in Article 3(2) of Framework Protocol 1, targets or any other terms and conditions introduced by the contracting authorities and contracting entities of EU Member States in their procurement in compliance with those Member States' obligations under this Directive shall be compatible with this Agreement.

3. 32014 L 0094: Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1[1]), as amended by:

   – 32019 R 1745: Commission Delegated Regulation (EU) 2019/1745 of 13 August 2019 (OJ L 207, 6.8.2010, p. 1).

4. 32010 L 0040: Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1), as amended by:

   – 32017 D 2380: Decision (EU) 2017/2380 of the European Parliament and of the Council of 12 December 2017 (OJ L 340, 20.12.2017, p. 1).

5. 32011 D 0453: Commission Implementing Decision 2011/453/EU of 13 July 2011 adopting guidelines for reporting by the Member States under Directive 2010/40/EU of the European Parliament and of the Council (OJ L 193, 23.7.2011, p. 48).

6. 32013 R 0305: Commission Delegated Regulation (EU) 305/2013 of 26 November 2012 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the harmonised provision for an interoperable EU-wide eCall (OJ L 91, 3.4.2013, p.1).

[1] Directive 2014/94/EU has been repealed by Regulation (EU) 2023/1804 of the European Parliament and of the Council of 13 September 2023 on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU.

7. 32013 R 0885: Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles (OJ L 247, 18.9.2013, p. 1).

   The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not introduce and/or authorise services nor shall put in function infrastructure on roads falling under the scope of this Regulation under national rules other than those provided for in the Regulation.

8. 32013 R 0886: Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users (OJ L 247, 18.9.2013, p. 6).

   The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not introduce and/or authorise services nor shall put in function infrastructure on roads falling under the scope of this Regulation under national rules other than those provided for in the Regulation.

9. 32015 R 0962: Commission Delegated Regulation (EU) 2015/962 of 18 December 2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (OJ L 157, 23.6.2015, p. 21).

   The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not introduce and/or authorise services nor shall put in function infrastructure on roads falling under the scope of this Regulation under national rules other than those provided for in the Regulation.

10. 32014 D 0585: Decision No 585/2014/EU of the European Parliament and of the Council of 15 May 2014 on the deployment of the interoperable EU-wide eCall service (OJ L 164, 3.6.2014, p. 6).

11. 32017 R 1926: Commission Delegated Regulation (EU) 2017/1926 of 31 May 2017 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services (OJ L 272, 21.10.2017, p. 1).

12. 32022 R 0670: Commission Delegated Regulation (EU) 2022/670 of 2 February 2022 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (OJ L 122, 25.4.2022, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall end on 1 January 2025.

(b) Until 31 December 2027, San Marino shall not be bound by the obligations related to data types under Council Directive 92/106/EEC, Directive 2014/94/EU, Regulation (EU) 2020/1056 and Directive (EU) 2019/520 with respect to roads other than the comprehensive trans-European road network, other motorways and primary roads.

13. 32020 R 1056: Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information (OJ L 249, 31.7.2020, p. 33).

CHAPTER 2

ROAD TRANSPORT

1. 32019 L 0520: Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union (OJ L 91, 29.3.2019, p. 45), as amended by:

   – 32022 L 0362: Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 (OJ L 69, 4.3.2022, p. 1),

   The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not put in place electronic road toll systems within its territory under national rules other than those provided for in the Directive.

2. 32020 R 0203: Commission Delegated Regulation (EU) 2020/203 of 28 November 2019 on classification of vehicles, obligations of European Electronic Toll Service users, requirements for interoperability constituents and minimum eligibility criteria for notified bodies (OJ L 43, 17.2.2020, p. 41).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not put in place electronic road toll systems within its territory under national rules other than those provided for in the Directive.

3. 32020 R 0204: Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 on detailed obligations of European Electronic Toll Service providers, minimum content of the European Electronic Toll Service domain statement, electronic interfaces, requirements for interoperability constituents and repealing Decision 2009/750/EC (OJ L 43, 17.2.2020, p. 49).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not put in place electronic road toll systems within its territory under national rules other than those provided for in the Directive.

4. 31999 L 0062: Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures (OJ L 187, 20.7.1999, p. 42), amended by:

– 12003T / ACT: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33),

– 32006 L 0038: Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 (OJ L 157, 9.6.2006, p. 8),

– 32006 L 0103: Council Directive 2006/103/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 344),

– 32011 L 0076: Directive 2011/76/EU of the European Parliament and of the Council of 27 September 2011 (OJ L 269, 14.10.2011, p. 1),

– 32013 L 0022: Council Directive 2013/22/EU of 13 May 2013 (OJ L 158, 10.6.2013, p. 356),

– 52020XC0707(01): Update of Annex II and of Tables 1 and 2 of Annex IIIb with respect to applicable euro values in accordance with Article 10a of Directive 1999/62/EC of the European Parliament and of the Council, as amended by Directive 2011/76/EU of the European Parliament and of the Council (OJ C 223, 7.7.2020, p. 1),

– 32022 L 0362: Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 (OJ L 69, 4.3.2022, p. 1).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 4 of Framework Protocol 1 to this Agreement shall apply to Chapter III of the Directive. During the suspension referred to in Article 4(2) of Framework Protocol 1 to this Agreement, San Marino shall not put in place tolls or user charges within its territory under national rules other than those provided for in the Directive.

(b) The following shall be added to Article 3(1) of the Directive:

"– San Marino: Tassa di circolazione".

(c) Article 6 of the Directive shall be replaced by the following:

"San Marino shall continue to apply their existing provisions referred to in Article 3(1) so as to ensure that competition is not distorted, i.e. that the rate for each vehicle category or subcategory referred to in Annex I to the Directive is not lower than the minimum laid down in Annex I to the Directive."

(d) Without prejudice to Article 6 of Council Directive 92/106/EEC of 7 December 1992, San Marino may not grant any exemption from, or reduction of, the taxes referred to in Article 3 which would distort competition, i.e. which would render the chargeable tax lower than the minimum referred to in the previous paragraph (c).

5. 32009 R 1071: Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L 300, 14.11.2009, p. 51), as amended by:

– 32012 R 0613: Commission Regulation (EU) No 613/2012 of 9 July 2012 (OJ L 178, 10.7.2012, p. 6),

– 32013 R 0517: Council Regulation (EU) No 517/2013 of 13 May (OJ L 158, 10.6.2013, p. 1),

– 32020 R 1055: Regulation (EU) 2020/1055 of the European Parliament and of the Council of 15 July 2020 (OJ L 249, 31.7.2020, p. 17).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 3 of Framework Protocol 1 to this Agreement shall apply to the Regulation and to its supplementing and implementing acts. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

(b) The date of "4 December 2009" in Article 9 of the Regulation shall be read as the date referred to in Article 3(4) of Framework Protocol 1 to this Agreement.

(c) Notwithstanding Article 5(1)(b) and (g) of the Regulation, the operating centre of an undertaking established in San Marino may be located in the territory of Italy no further than 50 kilometres as the crow flies from the land border and provided that Article 5 of the Regulation is complied with and there is an actual connection between San Marino's authorities and the undertaking concerned. Letterbox companies are not allowed.

(d) San Marino may choose not to organise the examinations referred to in Article 8(1) of the Regulation. In such case, San Marino shall allow the person or persons concerned to take those examinations in the neighbouring EU Member State(s).

(e) San Marino shall recognise the certificates of professional competence issued by EU Member States in accordance with Article 21 of the Regulation. For the purposes of such recognition, in the provisions of the certificate set out in Annex III to the Regulation, references to "Member State(s)" shall be read as references to "EU Member State(s) and San Marino".

(f) In Annex I of the Regulation, the reference to Council Decision 85/368/EEC shall be replaced by a reference to Recommendation 2008/C 111/01 of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning.

(g) Annex III of the Regulation shall be replaced by Annex 1, Appendix 1 to this Annex. The EU and its Member States shall recognise the certificates issued by San Marino in accordance with Annex 1, Appendix 1 to this Annex.

6. 32016 R 0403: Commission Regulation (EU) 2016/403 of 18 March 2016 supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator, and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council (OJ L 74, 19.03.2016, p. 8), as amended by:

   – 32022 R 0694: Commission Implementing Regulation (EU) 2022/694 of 2 May 2022 (OJ L 129, 3.5.2022, p. 22).

7. 32009 D 0992: Commission Decision (EU) No 2009/992 of 17 December 2009 on minimum requirements for the data to be entered in the national electronic register of road transport undertakings (2009/992/EU) (OJ L 339, 22.12.2009, p. 36).

8. 32016 R 0480: Commission Implementing Regulation (EU) 2016/480 of 1 April 2016 establishing common rules concerning the interconnection of national electronic registers on road transport undertakings and repealing Regulation (EU) No 1213/2010 (OJ L 87, 2.4.2016, p. 4), as amended by:

   – 32017 R 1440: Commission Implementing Regulation (EU) 2017/1440 of 8 August 2017 (OJ L 206, 9.8.2017, p. 3).

9. 32009 R 1072: Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L 300, 14.11.2009, p. 72), amended by:

   – 32012 R 0612: Commission Regulation (EU) No 612/2012 of 9 July 2012 (OJ L 178, 10.7.2012, p. 5),

– 32013 R 0517: Council Regulation (EU) No 517/2013 of 13 May 2013 (OJ L 158, 10.6.2013, p. 1),

– 32020 R 1055: Regulation (EU) 2020/1055 of the European Parliament and of the Council of 15 July 2020 (OJ L 249, 31.7.2020, p. 17).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

(b) Article 1(2) shall be replaced by the following:

"In the event of carriage from an Associated Party to a third country and vice versa, Regulation (EC) No 1072/2009 shall not apply to that part of any journey carried out within the territory of an Associated Party of loading or unloading."

(c) Article 1(3) shall not apply.

(d) In Article 5(1)(b) and 5(2) of the Regulation, the words "within the meaning of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents", "within the meaning of Directive 2003/109/EC" and "within the meaning of that Directive" shall not apply.

(e) Chapter III of the Regulation shall not apply.

(f) Annexes II and III to the Regulation shall be replaced by Appendices 2 and 3 to Annex 1 to the present Annex. The EU and its Member States shall recognise the licences and driver attestations issued by San Marino in accordance with these provisions.

(g) San Marino shall recognise the Community licences and driver attestations issued by EU Member States in accordance with the Regulation as adapted in this Annex. For the purposes of such recognition, in the General Provisions of the Community licence, as set out in Annex II to the Regulation, as adapted by Appendix 2 to Annex 1 to the present Annex, and of the driver attestation, as set out in Annex III to the Regulation, as adapted by Appendix 3 to Annex 1 to the present Annex, references to "Community" shall read "Community and San Marino." and references to "Member States" shall read "EU Member State(s) and San Marino."

10. 32009 R 1073: Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p. 88) as corrected by OJ L 272, 16.10.2015, p. 15, as amended by:

– 32012 R 0611: Commission Regulation (EU) No 611/2012 of 9 July 2012 (OJ L 178, 10.7.2012, p. 4),

– 32013 R 0517: Council Regulation (EU) No 517/2013 of 13 May 2013 (OJ L 158, 10.6.2013, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

(b) Article 1(2) shall be replaced by the following:

"In the event of carriage from an Associated Party to a third country and vice versa, this Regulation shall not apply to that part of any journey carried out within the territory of the Associated Party of picking up or setting down, unless otherwise agreed by the Associated Parties."

(c) Article 1(3) shall not apply.

(d) Annex II of the Regulation shall be replaced by Appendix 1 to Annex 2 to the present Annex.

(e) San Marino shall recognise the Community licence issued by EU Member States in accordance with this Regulation. For the purposes of such recognition, in the provisions of the Community licence set out in Annex II to the Regulation, as adapted by Appendix 1 to Annex 2 to the present Annex, references to "Member State(s) " shall read "EU Member State(s) and San Marino. "

(f) The EU and its Member States shall recognise the licences issued by San Marino in accordance with the Regulation as adapted for the purposes of this Agreement in Annex 2, Appendix 4 to this Annex.

(g) The text of Article 16(1)(e) of the Regulation shall be replaced by the following: "VAT (value added tax) or turnover tax on transport services. "

11. 32014 R 0361: Commission Regulation (EU) No 361/2014 of 9 April 2014 laying down detailed rules for the application of Regulation (EC) No 1073/2009 as regards documents for the international carriage of passengers by coach and bus and repealing Commission Regulation (EC) No 2121/98 (OJ L 107, 10.4.2014, p. 39), as corrected by OJ L 258, 3.10.2015, p. 11.

The provisions of Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

(b) The EU and San Marino shall mutually recognise the documents for international carriage of passengers by coach and bus issued in accordance with Article 8 of Regulation (EC) No 1073/2009.

(c) In Article 7, the words "the Union legislation" shall read "the legislation applicable pursuant to the Association Agreement".

(d) In the documents set out in Annexes II to VI of the Regulation, the words "Member State(s) " shall read "EU Member State(s) or San Marino", the words "Union legislation" and "relevant Union legislation" shall read "the Association Agreement", the words "the Community legislation" shall read "the legislation applicable pursuant to the Association Agreement" and the words "Community licence" shall read "licence".

(e) The text of point 1(v) in part C of the document set out in Annex II of the Regulation shall read "the value added tax (VAT) or turnover tax on the transport services. "

(f) In the documents set out in Annexes II, III, IV, V and VI of the Regulation, the words "San Marino (RSM) " shall be added to any list of international distinguishing signs and the words ", as adapted for the purposes of the Association Agreement with San Marino" shall be added after the words "Regulation (EC) No 1073/2009" and after the words "Regulation (EC) No 1073/2009 of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006".

(g) Annexes to Regulation (EC) No 1073/2009 shall be replaced by Annex 2 to this Annex.

(h) The EU shall recognise the documents issued by San Marino in accordance with Annex 2 to this Annex.

(i) In the table of the document set out in Annex VI of the Regulation, the abbreviation "RSM" shall be inserted, as indicated in Annex 2, Appendix 7 to this Annex.

12. 31992 R 3912: Council Regulation (EEC) No 3912/92 of 17 December 1992 on controls carried out within the Community in the field of road and inland waterway transport in respect of means of transport registered or put into circulation in a third country (OJ L 395, 31.12.1992, p. 6).

13. 31990 R 3916: Council Regulation (EEC) No 3916/90 of 21 December 1990 on measures to be taken in the event of a crisis in the market in the carriage of goods by road (OJ L 375, 31.12.1990, p. 10).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) In situations referred to in Article 4:

(i) If the European Commission receives a request from an EU Member State or San Marino to adopt safeguard measures, the Joint Committee shall without delay be notified thereof and be provided with all relevant information.

(ii) At the request of an Associated Party, consultations shall take place within the Joint Committee. Such consultations may also be requested in the case of prolongation of the safeguard measures.

(iii) Once the European Commission has adopted a decision, it shall immediately notify the measures taken to the Joint Committee.

(iv) If any of the Associated Parties considers that the safeguard measures would create an imbalance between the rights and obligations of the Associated Parties, Article 97(7) of this Agreement shall apply *mutatis mutandis*.

(b) With regard to Article 5 of this Regulation, San Marino shall be associated with the work of the Advisory Committee as regards its general tasks of following the situation on the transport market and giving advice as to the collection of the data necessary to monitor the market and detect a crisis.

14. 31960 R 0011: Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community (OJ L 52, 16.08.1960 p. 1121), amended by:

– 31984 R 3626: Council Regulation (EEC) No 3626/84 of 19 December 1984 (OJ L 335, 22.12.1984, p. 4),

– 32008 R 0569: Council Regulation (EC) No 569/2008 of 12 June 2008 (OJ L 161, 20.6.2008, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Articles 11 to 26 of this Regulation shall be applied in accordance with the Framework Protocol 4 to this Agreement.

15. 32009 R 0169: Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (Codified version) (OJ L 61, 5.3.2009, p. 1).

Listed here for purposes of information only. For application, see Annex XIV on Competition.

16. 31974 R 2988: Council Regulation (EEC) No 2988/74 of 26 November 1974 concerning limitation periods in proceedings and the enforcement of sanctions under the rules of the European Economic Community relating to transport and competition (OJ L 319, 29.11.1974, p. 1), amended by:

– 32003 R 0001: Council Regulation (EC) No 1/2003 of 16 December 2002 (OJ L 1, 4.1.2003, p. 1).

Listed here for purposes of information only. For application, see the Framework Protocol 4 to this Agreement.

17. 31989 R 4058: Council Regulation (EEC) No 4058/89 of 21 December 1989 on the fixing of rates for the carriage of goods by road between Member States (OJ L 390, 30.12.1989, p. 1).

18. 32006 R 0561: Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1), as corrected by OJ L 195, 20.7.2016, p. 83, as amended by:

– 32009 R 1073: Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 (OJ L 300, 14.11.2009, p. 88),

– 32014 R 0165: Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 (OJ L 60, 28.2.2014, p. 1),

– 32020 R 1054: Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 (OJ L 249, 31.7.2020, p. 1).

19. 32010 R 0581: Commission Regulation (EU) No 581/2010 of 1 July 2010 on the maximum periods for the downloading of relevant data from vehicle units and from driver cards (OJ L 168, 2.7.2010, p. 16).

20. C(2011)3759/F1: Commission Implementing Decision of 7.6.2011 on the calculation of daily driving time in accordance with Regulation (EC) No 561/2006 of the European Parliament and of the Council (not published in the OJ, see: https://transport.ec.europa.eu/system/files/2016-09/2011_3759_en.pdf).

21. 32017 D 1013: Commission Implementing Decision (EU) 2017/1013 of 30 March 2017 drawing up the standard reporting form referred to in Article 17 of Regulation (EC) No 561/2006 of the European Parliament and of the Council (notified under document C(2017) 1927) (OJ L 153, 16.6.2017, p. 28).

22. 32022 R 1012: Commission Delegated Regulation (EU) 2022/1012 of 7 April 2022 supplementing Regulation (EC) No 561/2006 of the European Parliament and of the Council with regard to the establishment of standards detailing the level of service and security of safe and secure parking areas and to the procedures for their certification (OJ L 170, 28.6.2022, p. 27).

23. 32014 R 0165: Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1), as amended by:

   – 32020 R 1054: Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 (OJ L 249, 31.7.2020, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Notwithstanding Article 3(1) and the third and last subparagraphs of Article 8(1), at the latest two years from the date of entry into force of this Agreement, all vehicles registered in San Marino falling within the scope of this Regulation and engaged exclusively in national transport shall be fitted with a digital tachograph compliant with this Regulation.

(b) In Annex II, chapter I, point 1(a), the following shall be added in the list of distinguishing numbers or letters for the country which has issued the approval:

"San Marino 57".

24. 32016 R 0068: Commission Implementing Regulation (EU) 2016/68 of 21 January 2016 on common procedures and specifications necessary for the interconnection of electronic registers of driver cards (OJ L 15, 22.1.2016, p. 51), as amended by:

– 32017 R 1503: Commission Implementing Regulation (EU) 2017/1503 of 25 August 2017 (OJ L 221, 26.8.2017, p. 10).

25. 32016 R 0799: Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ L 139, 26.5.2016, p. 1), as corrected by OJ L 146, 3.6.2016, p. 31, as amended by:

– 32018 R 0502: Commission Implementing Regulation (EU) 2018/502 of 28 February 2018 (OJ L 85, 28.3.2018, p. 1),

– 32020 R 0158: Commission Implementing Regulation (EU) 2020/158 of 5 February 2020 (OJ L 34, 6.2.2020, p. 20),

– 32021 R 1228: Commission Implementing Regulation (EU) 2021/1228 of 16 July 2021 (OJ L 273, 30.7.2021, p. 1), as amended by:

  – 32023 R 0980: Commission Implementing Regulation (EU) 2023/980 of 16 May 2023 (OJ L 134, 22.5.2023, p. 28).

– 32023 R 0980: Commission Implementing Regulation (EU) 2023/980 of 16 May 2023 (OJ L 134, 22.5.2023, p. 28).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) In Annex 1C, Section 4.1, the following paragraph shall be added after the table on distinguishing signs in requirement (229):

‘the distinguishing sign of San Marino, printed in black surrounded by a black ellipsis. The distinguishing sign shall be as follows:

"San Marino RSM".

(b) In Annex II, chapter I, point 1(a), the following shall be added in the list of distinguishing numbers of letters for the country which has issued the approval:

"San Marino 57".

26. 32017R0548: Commission Implementing Regulation (EU) 2017/548 of 23 March 2017 laying down a standard form for the written statement on the removal or breakage of a tachograph (OJ L 79, 24.3.2017, p. 1).

27. 32006 L 0022: Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35), as amended by:

– 32009 L 0004: Commission Directive 2009/4/EC of 23 January 2009 (OJ L 21, 24.1.2009, p. 39),

– 32009 L 0005: Commission Directive 2009/5/EC of 30 January 2009 (OJ L 29, 31.1.2009, p. 45), as corrected by OJ L 256, 29.9.2009, p. 38,

– 32016 R 0403: Commission Regulation (EU) 2016/403 of 18 March 2016 (OJ L 74, 19.3.2016, p. 8),

– 32020 L 1057: Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 (OJ L 249, 31.7.2020, p. 49),

28. 32007 D 0230: Commission Decision 2007/230/EC of 12 April 2007 on a form concerning social legislation relating to road transport activities (OJ L 99, 14.4.2007, p. 14), as amended by:

– 32009 D 0959: Commission Decision of 14 December 2009 (OJ L 330, 16.12.2009, p. 80),

29. 32022 R 0695: Commission Implementing Regulation (EU) 2022/695 of 2 May 2022 laying down rules for the application of Directive 2006/22/EC of the European Parliament and of the Council as regards the common formula for calculating the risk rating of transport undertakings (OJ L 129, 3.5.2022, p 33).

30. 32020 L 1057: Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49).

31. 32021 R 2179: Commission Implementing Regulation (EU) 2021/2179 of 9 December 2021 on the functionalities of the public interface connected to the Internal Market Information System for posting drivers in the road transport sector (OJ L 443, 10.12.2021, p. 68).

32. 32002 L 0015: Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35), as corrected by OJ L 57, 24.2.2007, p. 28.

33. 32010 L 0035: Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165, 30.6.2010, p. 1).

34. 32014 L 0045: Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC OJ L 127, 29.4.2014, p. 51, as corrected by OJ L 219, 22.8.2019, p. 25, as amended by:

– 32021 L 1717: Commission Delegated Directive (EU) 2021/1717 of 9 July 2021 (OJ L 342, 27.9.2021, p. 48),

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

During the suspension referred to in Article 3(2) of Framework Protocol 1, Article 8(3) of the Directive shall apply as regards the recognition by San Marino of roadworthiness certificates issued by an EU Member State in case of re-registration in San Marino of a vehicle registered in the certifying State.

35. 32021 R 0621: Commission Implementing Regulation (EU) 2019/621 of 17 April 2019 on the technical information necessary for roadworthiness testing of the items to be tested, on the use of the recommended test methods, and establishing detailed rules concerning the data format and the procedures for accessing the relevant technical information (OJ L 108, 23.4.2019, p. 5).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

36. 32014 L 0047: Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (OJ L 127, 29.4.2014, p. 134), as corrected by OJ L 197, 4.7.2014, p. 87 and OJ L 219, 22.8.2019, p. 77, as amended by:

– 32021 L 1716: Commission Delegated Directive (EU) 2021/1716 of 29 June 2021 (OJ L 342, 27.9.2021, p. 45),

37. 32017 R 2205: Commission Implementing Regulation (EU) 2017/2205 of 29 November 2017 on detailed rules concerning the procedures for the notification of commercial vehicles with major or dangerous deficiencies identified during a technical roadside inspection (OJ L 314, 30.11.2017, p. 3).

38. 31992 L 0006: Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27), as amended by:

– 32002 L 0085: Directive 2002/85/EC of the European Parliament and of the Council of 5 November 2002 (OJ L 327, 4.12.2002, p. 4).

39. 31991 L 0671: Council Directive 91/671/EEC of 16 December 1991 on the approximation of the laws of the Member States relating to the compulsory use of safety belts and child-restraint systems in vehicles (OJ L 373, 31.12.1991, p. 26), as amended by:

– 32003 L 0020: Directive 2003/20/EC of the European Parliament and of the Council of 8 April 2003 (OJ L 115, 9.5.2003, p. 63),

– 32014 L 0037: Commission Implementing Directive 2014/37/EU of 27 February 2014 (OJ L 59, 28.2.2014, p. 32).

40. 32007 L 0038: Directive 2007/38/EC of the European Parliament and of the Council of 11 July 2007 on the retrofitting of mirrors to heavy goods vehicles registered in the Community (OJ L 184, 14.7.2007, p. 25).

41. 31999 L 0037: Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ L 138, 1.6.1999, p. 57), as amended by:

– 32003 L 00127: Commission Directive 2003/127/EC of 23 December 2003 (OJ L 10, 16.1.2004, p. 29),

– 32006 L 00103: Council Directive 2006/103/EC of 20 November 2006 (OJ L 363, 20.12.2006, p 344),

– 32013 L 0022: Council Directive 2013/22/EU of 13 May 2013 (OJ L 158, 10.6.2013, p. 356),

– 32014 L 0046: Directive 2014/46/EU of the European Parliament and of the Council of 3 April 2014 (OJ L 127, 29.4.2014, p. 129),

– 32022 L 0362: Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 (OJ L 69, 4.3.2022, p. 1).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

San Marino shall issue registration certificates based on the model described in Annex I to the Directive or based on the models described in Annexes I and II to the Directive and adapted as follows:

(a) in Point II.4, second indent of Annex I, the following shall be added:

1. "RSM: San Marino".

(b) in Point II.4, fourth indent of Annex I, the words "other languages of the European Community" shall be replaced by "languages of the EU and of San Marino".

(c) in Point II.4, second indent of Annex II, the following shall be added:

1. "RSM: San Marino".

(d) in Point II.4, fourth indent of Annex II, the words "other languages of the European Community" shall be replaced by "languages of the EU and of San Marino".

(e) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

During the suspension referred to in Article 3(2) of Framework Protocol 1, Articles 4 and 5 of this Directive shall apply with regard to registration certificates issued by an EU Member State for the identification of the vehicle in international traffic in the territory of San Marino or for its re-registration in San Marino.

42. 32006 L 0001: Directive 2006/1/EC of the European Parliament and of the Council of 18 January 2006 on the use of vehicles hired without drivers for the carriage of goods by road (OJ L 33, 4.2.2006, p. 82), as amended by:

– 32022 L 0738: Directive (EU) 2022/738 of the European Parliament and of the Council of 6 April 2022 (OJ L 137, 16.5.2022, p. 1).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

43. 31998 R 2411: Council Regulation (EC) No 2411/98 of 3 November 1998 on the recognition in intra-Community traffic of the distinguishing sign of the Member State in which motor vehicles and their trailers are registered (OJ L 299, 10.11.1998, p. 1).

44. 32022 L 2561: Directive (EU) 2022/2561 of the European Parliament and of the Council of 14 December 2022 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers (OJ L 330, 23.12.2022, p. 46).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) The following paragraph shall be added to Article 9:

"Drivers referred to in Article 1 having their normal residence and working in San Marino are alternatively entitled to obtain the initial qualification referred to in Article 5 and undergo periodic training referred to in Article 7 in an EU Member State, as long as the training provided there fully complies with this Directive."

(b) In point 2 (c) of Annex II regarding side 1 of the card, the following shall be added after the entry for Sweden:

"the distinguishing sign of San Marino encircled by the ellipse as referred to in Article 37 of the U.N. Convention on road traffic of 8 November 1968 (with the same background as the card); the distinguishing sign shall be as follows:

RSM: San Marino"

(c) In point 2(e) of Annex II regarding side 1 of the card, the words "European Union model" shall be replaced by "Model corresponding to the EU model".

(d) In point 2(e) of Annex II regarding side 1 of the card, San Marino shall use its official language.

(e) Point 2(f) of Annex II regarding side 1 of the card shall not apply to San Marino.

45. 32006 L 0126: Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (Recast) (OJ L 403, 30.12.2006, p. 18), as amended by:

– 32009 L 0113: Commission Directive 2009/113/EC of 25 August 2009 (OJ L 223, 26.8.2009, p. 31),

– 32011 L 0094: Commission Directive 2011/94/EU of 28 November 2011 (OJ L 314, 29.11.2011, p. 31),

– 32012 L 0036: Commission Directive 2012/36/EU of 19 November 2012 (OJ L 321, 20.11.2012, p. 54), as corrected by OJ L 81, 28.3.2017, p. 20,

– 32013 L 0022: Council Directive 2013/22/EU of 13 May 2013 (OJ L 158, 10.6.2013, p. 356),

– 32013 L 0047: Commission Directive 2013/47/EU of 2 October 2013 (OJ L 261, 3.10.2013, p. 29),

– 32014 L 0085: Commission Directive 2014/85/EU of 1 July 2014 (OJ L 194, 2.7.2014, p. 10),

– 32015 L 0653: Commission Directive (EU) 2015/653 of 24 April 2015 (OJ L 107, 25.4.2015 p. 68), as corrected by OJ L 89, 1.4.2017, p. 18,

– 32016 L 1106: Commission Directive (EU) 2016/1106 of 7 July 2016 amending Directive 2006/126/EC of the European Parliament and of the Council on driving licences (OJ L 183, 8.7.2016, p. 59),

– 32018 L 0645: Directive (EU) 2018/645 of the European Parliament and of the Council of 18 April 2018 (OJ L 112, 2.5.2018, p. 29),

– 32018 L 0933: Commission Directive (EU) 2018/933 of 29 June 2018 (OJ L 165, 2.7.2018, p. 35),

– 32020 L 0612: Commission Directive (EU) 2020/612 of 4 May 2020 (OJ L 141, 5.5.2020, p. 9).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) The second sentence of Article 1(1) shall be replaced by the following:

"The driving licences of San Marino shall contain the following distinguishing sign: "RSM (San Marino)"."

(b) In point 3 of Annex I, the introductory sentence in letter (c) regarding page 1 of the licence shall be replaced by the following:

"the distinguishing sign of San Marino encircled by the ellipse referred to in Article 37 of the U.N. Convention on road traffic of 8 November 1968 (with the same background as the driving licence); the distinguishing sign shall be as follows:"

(c) In point 3 of Annex I, the following shall be added in letter (c) regarding page 1 of the licence:

"RSM: San Marino".

(d) In point 3 of Annex I, the words "European Union model" in letter (e) regarding page 1 of the licence shall be replaced by "Model corresponding to the EU model".

(e) In point 3 of Annex I, letter (f) regarding page 1 of the licence shall not apply to San Marino.

(f) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

46. 32012 R 0383: Commission Regulation (EU) No 383/2012 of 4 May 2012 laying down technical requirements with regard to driving licences which include a storage medium (microchip) (OJ L 120, 5.5.2012, p. 1), as amended by:

– 32014 R 0575: Commission Regulation (EU) No 575/2014 of 27 May 2014 (OJ L 159, 28.5.2014, p. 47).

The provisions of this Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

(a) In point III.4.2 of Annex III, the following shall be added to letter (a) regarding the distinguishing numbers:

– "57 for San Marino".

(b) Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not issue driving licences including a microchip under national rules other than those laid down in in this Regulation.

47. 32016 D 1945: Commission Decision (EU) 2016/1945 of 14 October 2016 on equivalences between categories of driving licences (OJ L 302, 9.11.2016, p. 62).

48. 32015 L 0413: Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information on road-safety-related traffic offences (OJ L 68, 13.3.2015, p. 9).

49. 32008 L 0068: Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13), as amended by:

– 32009 D 0240: Commission Decision 2009/240/EC of 4 March 2009 (OJ L 71, 17.3.2009, p. 23),

– 32010 D 0187: Commission Decision 2010/187/EU of 25 March 2010 (OJ L 83, 30.3.2010, p. 24),

– 32010 L 0061: Commission Directive 2010/61/EU of 2 September 2010 (OJ L 233, 3.9.2010, p. 27),

– 32011 D 0026: Commission Decision 2011/26/EU of 14 January 2011 (OJ L 13, 18.1.2011, p. 64),

– 32012 L 0045: Commission Directive 2012/45/EU of 3 December 2012 (OJ L 332, 4.12.2012, p. 18),

– 32014 L 0103: Commission Directive 2014/103/EU of 21 November 2014 (OJ L 335, 22.11.2014, p. 15),

– 32015 D 0217: Commission Implementing Decision (EU) 2015/217 of 10 April 2014 (OJ L 44, 18.2.2015, p. 1),

– 32015 D 0974: Commission Implementing Decision (EU) 2015/974 of 17 June 2015 (OJ L 157, 23.6.2015, p. 53),

– 32016 D 0629: Commission Implementing Decision (EU) 2016/629 of 20 April 2016 (OJ L 106, 22.4.2016, p. 26),

– 32016 L 2309: Commission Directive (EU) 2016/2309 of 16 December 2016 (OJ L 345, 20.12.2016, p. 48),

– 32017 D 0695: Commission Implementing Decision (EU) 2017/695 of 7 April 2017 (OJ L 101, 13.4.2017, p. 37),

– 32018 L 0217: Commission Directive (EU) 2018/217 of 31 January 2018 (OJ L 42, 15.2.2018, p. 52),

– 32018 D 0936: Commission Implementing Decision (EU) 2018/936 of 29 June 2018 (OJ L 165, 2.7.2018, p. 42),

– 32018 L 1846: Commission Directive (EU) 2018/1846 of 23 November 2018 (OJ L 299, 26.11.2018, p. 58),

– 32019 D 1094: Commission Implementing Decision (EU) 2019/1094 of 17 June 2019 (OJ L 173, 27.6.2019, p. 52),

– 32020 L 1833: Commission Delegated Directive (EU) 2020/1833 of 2 October 2020 (OJ L 408, 4.12.2020, p. 1),

– 32020 D 1241: Commission Implementing Decision (EU) 2020/1241 of 28 August 2020 (OJ L 284, 1.9.2020, p. 9),

– 32022 D 1095: Commission Implementing Decision (EU) 2022/1095 of 29 June 2022 (*OJ L 176, 1.7.2022, p. 33),*

– 32022 L 2407: Commission Delegated Directive (EU) 2022/2407 of 20 September 2022 (OJ L 317, 9.12.2022, p. 64).

50. 32022 L 1999: Directive (EU) 2022/1999 of the European Parliament and of the Council of 19 October 2022 on uniform procedures for checks on the transport of dangerous goods by road (codification) (OJ L 274, 24.10.2022, p. 1).

51. 32004 L 0054: Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the trans-European road network (OJ L 201, 7.6.2004, p. 56), as corrected by OJ L 201, 7.6.2004, p. 56.

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, San Marino shall not authorise the construction on its territory of any tunnels with lengths of over 500 m under national rules other than those laid down in this Directive and shall apply the provisions of this Directive to the respective tunnels.

52. 32008 L 0096: Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ L 319, 29.11.2008, p. 59), as amended by:

– 32019 L 1936: Directive (EU) 2019/1936 of the European Parliament and of the Council of 23 October 2019 (OJ L 305, 26.11.2019, p. 1).

The provisions of this Directive shall, for the purpose of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be two years from the date of entry into force of this Agreement.

53. 31996 L 0053: Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59), as amended by:

– 32002 L 0007: Directive 2002/7/EC of the European Parliament and of the Council of 18 February 2002 (OJ L 67, 9.3.2002, p. 47),

– 32015 L 0719: Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 (OJ L 115, 6.5.2015, p. 1), as corrected by OJ L 277, 27.10.2022, p. 314,

– 32019 D 0984: Decision (EU) 2019/984 of the European Parliament and of the Council of 5 June 2019 (OJ L 164, 20.6.2019, p. 30),

– 32019 R 1242: Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 202),

54. 32019 R 1213: Commission Implementing Regulation (EU) 2019/1213 of 12 July 2019 laying down detailed provisions ensuring uniform conditions for the implementation of interoperability and compatibility of on-board weighing equipment pursuant to Council Directive 96/53/EC (OJ L 192, 18.7.2019, p. 1).

55. 31989 L 0459: Council Directive 89/459/EEC of 18 July 1989 on the approximation of the laws of the Member States relating to the tread depth of tyres of certain categories of motor vehicles and their trailers (OJ L 226, 3.8.1989, p. 4).

CHAPTER 3

RAIL TRANSPORT

The provisions of the following EU legal acts listed in this Chapter shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 4 of Framework Protocol 1 to this Agreement shall apply to:

(i) Directive 2012/34/EU, with the exceptions of Chapter I (Articles 1-3), Chapter III (Article 16 to 25) and Chapter V (Articles 58-67);

(ii) The EU legal acts listed below under Points 3. to 56..

(b) During the suspension period referred to in Article 4(2) of Framework Protocol 1:

(i) San Marino shall not authorise the establishment or putting into service of any railway system falling under the scope of those acts within its territory:

(ii) San Marino shall not authorise the establishment of a licensing authority, training centres or introduce conditions and procedures for the certification of train drivers operating locomotives and trains on the railway system under national rules other than those laid down in the EU legal acts listed below under points 19. to 22.;

(iii) San Marino shall not authorise the placing on the market or putting into service of rail equipment in respect of the design, construction, upgrading, renewal, operation and maintenance of such equipment under national rules other than those laid down in the EU legal acts listed below under points 23. to 44..

1. 31960 R 0011: Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community (OJ 52, 16.08.1960 p. 1121), as amended by:

   – 31984 R 3626: Council Regulation (EEC) No 3626/84 of 19 December 1984 (OJ L 335, 22.12.1984, p. 4),

   – 32008 R 0569: Council Regulation (EC) No 569/2008 of 12 June 2008 (OJ L 161, 20.6.2008, p. 1).

2. 32012 L 0034: Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343, 14.12.2012, p. 32), as corrected by OJ L 67, 12.3.2015, p. 32, as amended by:

   – 32016 L 2370: Directive (EU) 2016/2370 of the European Parliament and of the Council of 14 December 2016 (OJ L 352, 23.12.2016, p. 1),

   – 32017 D 2075: Commission Delegated Decision (EU) 2017/2075 of 4 September 2017 (OJ L 295, 14.11.2017, p. 69).

3. 32015 R 0010: Commission Implementing Regulation (EU) 2015/10 of 6 January 2015 on criteria for applicants for rail infrastructure capacity and repealing Implementing Regulation (EU) No 870/2014 (OJ L 3, 7.1.2015, p. 34).

4. 32015 R 0171: Commission Implementing Regulation (EU) 2015/171 of 4 February 2015 on certain aspects of the procedure of licensing railway undertakings (OJ L 29, 5.2.2015, p. 3).

5. 32015 R 0429: Commission Implementing Regulation (EU) 2015/429 of 13 March 2015 setting out the modalities to be followed for the application of the charging for the cost of noise effects (OJ L 70, 14.3.2015, p. 36).

6. 32015 R 0909: Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service (OJ L 148, 13.6.2015, p. 17).

7. 32015 R 1100: Commission Implementing Regulation (EU) 2015/1100 of 7 July 2015 on the reporting obligations of the Member States in the framework of rail market monitoring (OJ L 181, 9.7.2015, p. 1).

8. 32016 R 0545: Commission Implementing Regulation (EU) 2016/545 of 7 April 2016 on procedures and criteria concerning framework agreements for the allocation of rail infrastructure capacity (OJ L 94, 8.4.2016, p. 1).

9. 32017 R 2177: Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services (OJ L 307, 23.11.2017, p. 1).

10. 32018 R 1795: Commission Implementing Regulation (EU) 2018/1795 of 20 November 2018 laying down procedure and criteria for the application of the economic equilibrium test pursuant to Article 11 of Directive 2012/34/EU of the European Parliament and of the Council (OJ L 294, 21.11.2018, p. 5).

11. 32010 R 0913: Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight (OJ L 276, 20.10.2010, p. 22), as amended by:

   – 32013 R 1316: Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 (OJ L 348, 20.12.2013, p. 129).

12. 32015 D 1111: Commission Implementing Decision (EU) 2015/1111 of 7 July 2015 on the compliance of the joint proposal submitted by the Member States concerned for the extension of the North Sea-Baltic rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council concerning a European rail network for competitive freight (OJ L 181, 9.7.2015, p. 82).

13. 32017 D 0177: Commission Implementing Decision (EU) 2017/177 of 31 January 2017 on the compliance with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council of the joint proposal to establish the ‘Amber’ rail freight corridor (OJ L 28, 2.2.2017, p. 69).

14. 32017 D 0178: Commission Implementing Decision (EU) 2017/178 of 31 January 2017 amending Implementing Decision (EU) 2015/1111 on the compliance of the joint proposal of the Member States concerned to extend the North Sea-Baltic rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council concerning a European rail network for competitive freight (OJ L 28, 2.2.2017, p. 71).

15. 32018 D 0300: Commission Implementing Decision (EU) 2018/300 of 11 January 2018 on the compliance of the joint proposal submitted by the Member States concerned for the extension of the Atlantic rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council (OJ L 56, 28.2.2018, p. 60).

16. 32018 D 0491: Commission Implementing Decision (EU) 2018/491 of 21 March 2018 on the compliance of the joint proposal submitted by the Member States concerned for the extension of the North Sea Mediterranean rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council (OJ L 81, 23. 3.2018, p. 23).

17. 32018 D 0500: Commission Implementing Decision (EU) 2018/500 of 22 March 2018 on the compliance of the proposal to establish the Alpine-Western Balkan rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council (OJ L 82, 26.3.2018, p. 13).

18. 32020 D 2168: Commission Implementing Decision (EU) 2020/2168 of 17 December 2020 on the compliance of the joint proposal submitted by the Member States concerned for the extension of the North Sea-Baltic rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council concerning a European rail network for competitive freight (OJ L 431, 21.12.2020, p. 72).

19. 32007 L 0059: Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ L 315, 3.12.2007, p. 51), as amended by:

– 32014 L 0082: Commission Directive 2014/82/EU of 24 June 2014 (OJ L 184, 25.6.2014, p. 11),

– 32016 L 0882: Commission Directive (EU) 2016/882 of 1 June 2016 (OJ L 146, 3.6.2016, p. 22),

– 32019 R 0554: Commission Regulation (EU) 2019/554 of 5 April 2019 (OJ L 97, 8.4.2019, p. 1).

20. 32010 R 0036: Commission Regulation (EU) No 36/2010 of 3 December 2009 on Community models for train driving licences, complementary certificates, certified copies of complementary certificates and application forms for train driving licences, under Directive 2007/59/EC of the European Parliament and the Council (OJ L 13, 19.1.2010, p. 1), as corrected by OJ L 286, 4.11.2010, p. 22, as amended by:

– 32013 R 0519: Commission Regulation (EU) No 519/2013 of 21 February 2013 (OJ L 158, 10.6.2013, p. 74).

21. 32010 D 0017: Commission Decision 2010/17/EC of 29 October 2009 on the adoption of basic parameters for registers of train driving licences and complementary certificates provided for under Directive 2007/59/EC of the European Parliament and of the Council (OJ L 8, 13.1.2010, p. 17).

22. 32011 D 0765: Commission Decision 2011/765/EU of 22 November 2011 on criteria for the recognition of training centres involved in the training of train drivers, on criteria for the recognition of examiners of train drivers and on criteria for the organisation of examinations in accordance with Directive 2007/59/EC of the European Parliament and of the Council (OJ L 314, 29.11.2011, p. 36).

23. 32016 L 0797: Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (recast) (OJ L 138, 26.5.2016, p. 44), as amended by:

– 32020 L 0700: Directive (EU) 2020/700 of the European Parliament and of the Council of 25 May 2020 (OJ L 165, 27.5.2020, p. 27).

24. 32017 D 1474: Commission Delegated Decision (EU) 2017/1474 of 8 June 2017 supplementing Directive (EU) 2016/797 of the European Parliament and of the Council with regard to specific objectives for the drafting, adoption and review of technical specifications for interoperability (OJ L 210, 15.8.2017, p. 5).

25. 32018 R 0545: Commission Implementing Regulation (EU) 2018/545 of 4 April 2018 establishing practical arrangements for the railway vehicle authorisation and railway vehicle type authorisation process pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council (OJ L 90, 6.4.2018, p. 66).

26. 32018 D 1614: Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53).

27. 32019 R 0250: Commission Implementing Regulation (EU) 2019/250 of 12 February 2019 on the templates for ‘EC’ declarations and certificates for railway interoperability constituents and subsystems, on the model of declaration of conformity to an authorised railway vehicle type and on the ‘EC’ verification procedures for subsystems in accordance with Directive (EU) 2016/797 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 201/2011 (OJ L 42, 13.2.2019, p. 9).

28. 32019 R 0776: Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 amending Commission Regulations (EU) No 321/2013, (EU) No 1299/2014, (EU) No 1301/2014, (EU) No 1302/2014, (EU) No 1303/2014 and (EU) 2016/919 and Commission Implementing Decision 2011/665/EU as regards the alignment with Directive (EU) 2016/797 of the European Parliament and of the Council and the implementation of specific objectives set out in Commission Delegated Decision (EU) 2017/1474 (OJ L 139I, 27.5.2019, p. 108).

29. 32009 D 0965: Commission Decision 2009/965/EC of 30 November 2009 on the reference document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community (OJ L 341, 22.12.2009, p. 1), as amended by:

– 32015 D 2299: Commission Implementing Decision (EU) 2015/2299 of 17 November 2015 (OJ L 324, 10.12.2015, p. 15).

30. 32014 R 1299: Commission Regulation (EU) No 1299/2014 of 18 November 2014 on the technical specifications for interoperability relating to the ‘infrastructure’ subsystem of the rail system in the European Union (OJ L 356, 12.12.2014, p. 1), as amended by:

– 32019 R 0776: Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 108).

31. 32014 R 1300: Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, p. 110), as amended by:

– 32019 R 0772: Commission Implementing Regulation (EU) 2019/772 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 1),

– 32022 R 0721: Commission Implementing Regulation (EU) 2022/721 of 10 May 2022 (OJ L 134, 11.5.2022, p. 14),

– 32023 R 0062: Commission Implementing Regulation (EU) 2023/62 of 5 January 2023 (OJ L 5, 6.1.2023, p. 31).

32. 32014 R 1301: Commission Regulation (EU) No 1301/2014 of 18 November 2014 on the technical specifications for interoperability relating to the ‘energy’ subsystem of the rail system in the Union (OJ L 356, 12.12.2014, p. 179), as corrected by OJ L 13, 20.1.2015, p. 13, as amended by:

– 32018 R 0868: Commission Implementing Regulation (EU) 2018/868 of 13 June 2018 (OJ L 149, 14.6.2018, p. 16),

– 32019 R 0776: Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 108).

33. 32014 R 1302: Commission Regulation (EU) No 1302/2014 of 18 November 2014 concerning a technical specification for interoperability relating to the ‘rolling stock — locomotives and passenger rolling stock’ subsystem of the rail system in the European Union (OJ L 356, 12.12.2014, p. 228), as corrected by OJ L 10, 16.1.2015, p. 45, as amended by:

– 32016 R 0919: Commission Regulation (EU) 2016/919 of 27 May 2016 (OJ L 158, 15.6.2016, p. 1),

– 32018 R 0868: Commission Implementing Regulation (EU) 2018/868 of 13 June 2018 (OJ L 149, 14.6.2018, p. 16),

– 32019 R 0776: Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 108),

– 32020 R 0387: Commission Implementing Regulation (EU) 2020/387 of 9 March 2020 (OJ L 73, 10.3.2020, p. 6).

34. 32014 R 1303: Commission Regulation (EU) 1303/2014 of 18 November 2014 concerning the technical specification for interoperability relating to ‘safety in railway tunnels’ of the rail system of the European Union (OJ L 356, 12.12.2014, p. 394), as amended by:

– 32016 R 0912: Commission Regulation (EU) 2016/912 of 9 June 2016 (OJ L 153, 10.6.2016, p. 28),

– 32019 R 0776: Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 108).

35. 32014 R 1304: Commission Regulation (EU) 1304/2014 of 26 November 2014 on the technical specification for interoperability relating to the subsystem ‘rolling stock — noise’ amending Decision 2008/232/EC and repealing Decision 2011/229/EU (OJ L 356, 12.12.2014, p. 421), as amended by:

– 32019 R 0774: Commission Implementing Regulation (EU) 2019/774 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 89).

36. 32014 R 1305: Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006 (OJ L 356, 12.12.2014, p. 438), as amended by:

– 32018 R 0278: Commission Implementing Regulation (EU) 2018/278 of 23 February 2018 (OJ L 54, 24.2.2018, p. 11),

– 32019 R 0778: Commission Implementing Regulation (EU) 2019/778 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 356),

– 32021 R 0541: Commission Implementing Regulation (EU) 2021/541 of 26 March 2021 (OJ L 108, 29.3.2021, p. 19).

37. 32011 D 0665: Commission Implementing Decision 2011/665/EU of 4 October 2011 on the European register of authorised types of railway vehicles (notified under document C(2011) 6974) (OJ L 264, 8.10.2011, p. 32), as amended by:

– 32019 R 0776: Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 108),

– 32021 D 0701: Commission Implementing Decision (EU) 2021/701 of 27 April 2021 (OJ L 145, 28.4.2021, p. 37).

38. 32019 R 0773: Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757/EU (OJ L 139I, 27.5.2019, p. 5).

– 32020 R 0778: Commission Implementing Regulation (EU) 2020/778 of 12 June 2020 (OJ L 188, 15.6.2020, p. 4),

– 32021 R 2238: Commission Implementing Regulation (EU) 2021/2238 of 15 December 2021 (OJ L 450, 16.12.2021, p. 57).

39. 32011 R 0454: Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem ‘telematics applications for passenger services’ of the trans-European rail system (OJ L 123, 12.5.2011, p. 11), as amended by:

– 32012 R 0665: Commission Regulation (EU) No 665/2012 of 20 July 2012 (OJ L 194, 21.7.2012, p. 1),

– 32013 R 1273: Commission Regulation (EU) No 1273/2013 of 6 December 2013 (OJ L 328, 7.12.2013, p. 72),

– 32015 R 0302: Commission Regulation (EU) 2015/302 of 25 February 2015 (OJ L 55, 26.2.2015, p. 2),

– 32016 R 0527: Commission Regulation (EU) 2016/527 of 4 April 2016 (OJ L 88, 5.4.2016, p. 26),

– 32019 R 0775: Commission Implementing Regulation (EU) 2019/775 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 103).

40. 32013 R 0321: Commission Regulation (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem ‘rolling stock — freight wagons’ of the rail system in the European Union and repealing Decision 2006/861/EC (OJ L 104, 12.4.2013, p. 1), as amended by:

– 32013 R 1236: Commission Regulation (EU) No 1236/2013 of 2 December 2013 (OJ L 322, 3.12.2013, p. 23),

– 32015 R 0924: Commission Regulation (EU) 2015/924 of 8 June 2015 (OJ L 150, 17.6.2015, p. 10),

– 32019 R 0776: Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 (OJ L 139I, 27.5.2019, p. 108),

– 32020 R 0387: Commission Implementing Regulation (EU) 2020/387 of 9 March 2020 (OJ L 73, 10.3.2020, p. 6).

41. 32010 D 0713: Commission Decision 2010/713/EU of 9 November 2010 on modules for the procedures for assessment of conformity, suitability for use and EC verification to be used in the technical specifications for interoperability adopted under Directive 2008/57/EC of the European Parliament and of the Council (OJ L 319, 4.12.2010, p. 1).

42. 32011 D 0155: Commission Decision 2011/155/EU of 9 March 2011 on the publication and management of the reference document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community (OJ L 63, 10.3.2011, p. 22).

43. 32020 R 0387: Commission Implementing Regulation (EU) 2020/387 of 9 March 2020 amending Regulations (EU) No 321/2013, (EU) No 1302/2014 and (EU) 2016/919 as regards the extension of the area of use and transition phases (OJ L 73, 10.3.2020, p. 6).

44. 32020 R 0424: Commission Implementing Regulation (EU) 2020/424 of 19 March 2020 on submitting information to the Commission as regards non-application of technical specifications for interoperability in accordance with Directive (EU) 2016/797 (OJ L 84, 20.3.2020, p. 20).

45. 32016 R 0796: Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (OJ L 138, 26.5.2016, p. 1).

46. 32018 R 0867: Commission Implementing Regulation (EU) 2018/867 of 13 June 2018 laying down the rules of procedure of the Board(s) of Appeal of the European Union Agency for Railways (OJ L 149, 14.6.2018, p. 3),

47. 32018 R 0764: Commission Implementing Regulation (EU) 2018/764 of 2 May 2018 on the fees and charges payable to the European Union Agency for Railways and their conditions of payment (OJ L 129, 25.5.2018, p. 68).

48. 32016 L 0798: Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (recast) (OJ L 138, 26.5.2016, p. 102), as corrected by OJ L 59, 7.3.2017, p. 41 and by OJ L 317, 9.12.2019, p. 114, as amended by:

– 32020 L 0700: Directive (EU) 2020/700 of the European Parliament and of the Council of 25 May 2020 (OJ L 165, 27.5.2020, p. 27).

– 32020 R 1530: Regulation (EU) 2020/1530 of the European Parliament and of the Council of 21 October 2020 (OJ L 352, 22.10.2020, p. 1).

49. 32018 R 0763: Commission Implementing Regulation (EU) 2018/763 of 9 April 2018 establishing practical arrangements for issuing single safety certificates to railway undertakings pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council, and repealing Commission Regulation (EC) No 653/2007 (OJ L 129, 25.5.2018, p. 49),

50. 32012 D 0226: Commission Decision 2012/226/EU of 23 April 2012 on the second set of common safety targets as regards the rail system (OJ L 115, 27.4.2012, p. 27), as amended by:

– 32013 D 0753: Commission Implementing Decision 2013/753/EU of 11 December 2013 (OJ L 334, 13.12.2013, p. 37).

51. 32013 R 0402: Commission Implementing Regulation (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009 (OJ L 121, 3.5.2013, p. 8), as amended by:

– 32015 R 1136: Commission Implementing Regulation (EU) 2015/1136 of 13 July 2015 (OJ L 185, 14.7.2015, p. 6).

52. 32018 R 0762: Commission Delegated Regulation (EU) 2018/762 of 8 March 2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010 (OJ L 129, 25.5.2018, p. 26), as amended by:

– 32020 R 0782: Commission Delegated Regulation (EU) 2020/782 of 12 June 2020 (OJ L 188, 15.6.2020, p. 14).

53. 32012 R 1078: Commission Regulation (EU) No 1078/2012 of 16 November 2012 on a common safety method for monitoring to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation and by entities in charge of maintenance (OJ L 320, 17.11.2012, p. 8).

54. 32018 R 0761: Commission Delegated Regulation (EU) 2018/761 of 16 February 2018 establishing common safety methods for supervision by national safety authorities after the issue of a single safety certificate or a safety authorisation pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 1077/2012 (OJ L 129, 25.5.2018, p. 16), as amended by:

– 32020 R 0782: Commission Delegated Regulation (EU) 2020/782 of 12 June 2020 (OJ L 188, 15.6.2020, p. 14).

55. 32019 R 0779: Commission Implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011 (OJ L 139I, 27.5.2019, p. 360), as amended by:

– 32020 R 0780: Commission Implementing Regulation (EU) 2020/780 of 12 June 2020 (OJ L 188, 15.6.2020, p. 8).

56. 32020 R 0572: Commission Implementing Regulation (EU) 2020/572 of 24 April 2020 on the reporting structure to be followed for railway accident and incident investigation reports (OJ L 132, 27.4.2020, p. 10).

57. 32003 R 0693: Council Regulation (EC) No 693/2003 of 14 April 2003 establishing a specific Facilitated Transit Document (FTD), a Facilitated Rail Transit Document (FRTD) and amending the Common Consular Instructions and the Common Manual on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 99, 17.4.2003, p. 8).

58. 32003 R 0694: Council Regulation (EC) No 694/2003 of 14 April 2003 on uniform formats for Facilitated Transit Documents (FTD) and Facilitated Rail Transit Documents (FRTD) provided for in Regulation (EC) No 693/2003 (OJ L 99, 17.4.2003, p. 15).

59. 32010 L 0035: Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165, 30.6.2010, p. 1).

60. 32003 L 0088: Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9).

61. 32005 L 0047: Council Directive 2005/47/EC of 18 July 2005 on the Agreement between the Community of European Railways (CER) and the European Transport Workers' Federation (ETF) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services in the railway sector - Agreement concluded by the European Transport Workers' Federation (ETF) and the Community of European Railways (CER) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services (OJ L 195, 27.07.2005 p. 15).

62. 32021 R 2085: Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014 (OJ L 427, 30.11.2021, p. 17).

63. 32015 D 0214: Council Decision (EU) 2015/214 of 10 February 2015 endorsing the Shift2Rail Master Plan (OJ L 36, 12.2.2015, p. 7).

CHAPTER 4

INLAND WATERWAY TRANSPORT

The provisions of the following EU legal acts listed in this Chapter shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 4 of Framework Protocol 1 to this Agreement shall apply to the EU legal acts listed under Points 1. to 12., 14. to 19., and 21. to 26. below.

(b) During the suspension period referred to in Article 4(2) of Framework Protocol 1, San Marino shall not involve itself in any activity related to inland navigation, including establishing a register of inland waterway vessels or companies for hiring of crew for inland waterway transport within its territory.

1. 31996 R 1356: Council Regulation (EC) No 1356/96 on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services (OJ L 175, 13.7.1996, p. 7).

2. 31991 R 3921: Council Regulation (EEC) No 3921/91 laying down the conditions under which non-resident carriers may transport goods or passengers by inland waterway within a Member State (OJ L 373, 31.12.1991, p. 1).

3. 31999 R 0718: Council Regulation (EC) No 718/1999 of 29 March 1999, on a Community fleet capacity policy to promote inland waterway transport (OJ L 90, 2.4.1999, p. 1), as amended by:

   – 32014 R 0546: Regulation (EU) No 546/2014 of the European Parliament and of the Council of 15 May 2014 (OJ L 163, 29.5.2014, p. 15).

4. 31996 L 0075: Council Directive (EC) No 96/75 of 19 November 1996 on the systems of chartering and pricing in national and international inland waterway transport in the Community (OJ L 304, 27.11.1996, p. 12).

5. 32018 R 0974: Regulation (EU) 2018/974 of the European Parliament and of the Council of 4 July 2018 on statistics of goods transport by inland waterways (codification) (*OJ L 179, 16.7.2018, p. 14).*

6. 32009 R 0169: Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (OJ L 61, 5.3.2009, p. 1).

7. 31985 R 2919: Council Regulation (EEC) No 2919/85 of 17 October 1985 laying down the conditions for access to the arrangements under the Revised Convention for the navigation of the Rhine relating to vessels belonging to the Rhine Navigation (OJ L 280, 22.10.1985, p. 4).

8. 32008 R 0181: Commission Regulation (EC) No 181/2008 of 28 February 2008 laying down certain measures for implementing Council Regulation (EC) No 718/1999 on a Community fleet capacity policy to promote inland waterway transport (Codified version), (OJ L 56, 29.2.2008, p. 8).

9. 31987 L 0540: Council Directive 87/540/EEC of 9 November 1987 on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation (OJ L 322, 12.11.1987, p. 20).

10. 32017 L 2397: Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland navigation and repealing Council Directives 91/672/EEC and 96/50/EC (OJ L 345, 27.12.2017, p. 53), as amended by:

    – 32021 L 1233: Directive (EU) 2021/1233 of the European Parliament and of the Council of 14 July 2021 (OJ L 274, 30.7.2021, p. 52),

    – 32022 R 0184: Commission Delegated Regulation (EU) 2022/184 of 22 November 2021 (OJ L 30, 11.2.2022, p. 3).

11. 32020 L 0012: Commission Delegated Directive (EU) 2020/12 of 2 August 2019 supplementing Directive (EU) 2017/2397 of the European Parliament and of the Council as regards the standards for competences and corresponding knowledge and skills, for the practical examinations, for the approval of simulators and for medical fitness (OJ L 6, 10.1.2020, p. 15).

12. 32020 R 0182: Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 on models in the field of professional qualifications in inland navigation (OJ L 38, 11.2.2020, p. 1).

13. 32014 L 0112: Council Directive 2014/112/EU of 19 December 2014 implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport, concluded by the European Barge Union (EBU), the European Skippers Organisation (ESO) and the European Transport Workers' Federation (ETF) (OJ L 367, 23.12.2014, p. 86).

14. 32009 L 0100: Directive 2009/100/EC of the European Parliament and of the Council of 16 September 2009 on reciprocal recognition of navigability licences for inland waterway vessels (OJ L 259, 2.10.2009, p. 8), as amended by:

– 32016 L 1629: Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 (OJ L 252, 16.9.2016, p. 118).

15. Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC (OJ L 252, 16.9.2016, p. 118), as corrected by OJ L 181, 5.7.2019, p. 123, as amended by:

– 32018 L 0970: Commission Delegated Directive (EU) 2018/970 of 18 April 2018 (OJ L 174, 10.7.2018, p. 15),

– 32019 R 1668: Commission Delegated Regulation (EU) 2019/1668 of 26 June 2019 (OJ L 256, 7.10.2019, p. 1),

– 32021 R 1308: Commission Delegated Regulation (EU) 2021/1308 of 28 April 2021 (OJ L 284, 9.8.2021, p. 1),

– 32023 R 2477: Commission Delegated Regulation (EU) 2023/2477 of 30 August 2023 (OJ L, 2023/2477, 7.11.2023).

16. 32013 L 0049: Commission Directive 2013/49/EU of 11 October 2013 amending Annex II to Directive 2006/87/EC of the European Parliament and of the Council laying down technical requirements for inland waterway vessels (OJ L 272, 12.10.2013, p. 41).

17. 32012 D 0064: Commission Implementing Decision 2012/64/EU of 2 February 2012 on the recognition of the RINA SpA (Italian Register of Shipping) as a classification society for inland waterway vessels (notified under document C(2012) 402) (OJ L 33, 4.2.2012, p. 6).

18. 32012 D 0065: Commission Implementing Decision 2012/65/EU of 2 February 2012 on the recognition of the Russian Maritime Register of Shipping as a classification society for inland waterway vessels (notified under document C(2012) 429) (OJ L 33, 4.2.2012, p. 7).

19. 32012 D 0066: Commission Implementing Decision 2012/66/EU of 2 February 2012 on the recognition of the Polski Rejestr Statków S.A. (Polish Register of Shipping) as a classification society for inland waterway vessels (notified under document C(2012) 431) (OJ L 33, 4.2.2012, p. 8).

20. 32010 L 0035: Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165, 30.6.2010, p. 1).

21. 32005 L 0044: Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (OJ L 255, 30.9.2005, p. 152), as amended by:

– 32009 R 0219: Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009 (OJ L 87, 31.3.2009, p. 109),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

22. 32013 R 0909: Commission Implementing Regulation (EU) No 909/2013 of 10 September 2013 on the technical specifications for the electronic chart display and information system for inland navigation (Inland ECDIS) referred to in Directive 2005/44/EC of the European Parliament and of the Council (OJ L 258, 28.9.2013, p. 1), as amended by:

– 32018 R 1973: Commission Implementing Regulation (EU) 2018/1973 of 7 December 2018 (OJ L 324, 19.12.2018, p. 1).

23. 32019 R 1744: Commission Implementing Regulation (EU) 2019/1744 of 17 September 2019 on technical specifications for electronic ship reporting in inland navigation and repealing Regulation (EU) No 164/2010 (OJ L 273, 25.10.2019, p. 1).

24. 32007 R 0416: Commission Regulation (EC) No 416/2007 of 22 March 2007 concerning the technical specifications for Notices to Skippers as referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonised river information services (RIS) on inland waterways in the Community (OJ L 105, 23.4.2007, p. 88), as amended by:

– 32018 R 2032: Commission Implementing Regulation (EU) 2018/2032 of 20 November 2018 (OJ L 332, 28.12.2018, p. 1).

25. 32019 R 0838: Commission Implementing Regulation (EU) 2019/838 of 20 February 2019 on technical specifications for vessel tracking and tracing systems and repealing Regulation (EC) No 415/2007 (OJ L 138, 24.5.2019, p. 31).

26. 32007 R 0414: Commission Regulation (EC) No 414/2007 of 13 March 2007 concerning the technical guidelines for the planning, implementation and operational use of river information services (RIS) referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonised river information services (RIS) on inland waterways in the Community (OJ L 105, 23.4.2007, p. 1).

27. 32009 L 0030: Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC (OJ L 140, 5.6.2009, p. 88).

Listed here for purposes of information only. For application see Annex II, Chapter 14 on Environment Protection.

28. 32016 R 1628: Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (OJ L 252, 16.9.2016, p. 53),), as corrected by OJ L 231, 6.9.2019, p. 29, as amended by:

– 32020 R 1040: Regulation (EU) 2020/1040 of the European Parliament and of the Council of 15 July 2020 (OJ L 231, 17.7.2020, p. 1),

– 32021 R 1068: Regulation (EU) 2021/1068 of the European Parliament and of the Council of 24 June 2021 (OJ L 230, 30.6.2021, p. 1),

– 32022 R 0992: Regulation (EU) 2022/992 of the European Parliament and of the Council of 8 June 2022 (OJ L 169, 27.6.2022, p. 43).

Listed here for purposes of information only. For application, see Annex II, Chapter 21 on Machinery.

CHAPTER 5

MARITIME TRANSPORT

The provisions of the following EU legal acts listed in this Chapter shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 3 of Framework Protocol 1 to this Agreement shall apply to all EU legal acts listed in this Chapter, except for those listed under Points 20. to 26., 28. to 31., 50., 58., and 60. below. The period referred to in Article 3(2) of Framework Protocol 1 shall be five years from the date of entry into force or, as the case may be, the provisional application of this Agreement.

(b) Article 4 of Framework Protocol 1 to this Agreement shall apply to the EU legal acts listed under Points 20. to 26., 28. to 31., 50., 58., and 60. below.

(c) San Marino shall take the necessary steps to become party to the following conventions within five years from the date of entry into force or, as the case may be, the provisional application of this Agreement:

(i) the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (the HNS Convention);

(ii) the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992, and, as the case may be, the underlying instruments;

(iii) the United Nations Convention on a Code of Conduct for Liner Conferences;

(iv) the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (the Bunkers Convention);

(v) the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974;

(vi) the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977.

1. 31986 R 4055: Council Regulation (EEC) No 4055/86 of 22 December 1986 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries (OJ L 378, 31.12.1986, p. 1), as amended by:

   – 31990 R 3573: Council Regulation (EEC) No 3573/90 of 4 December 1990 (OJ L 353, 17.12.1990, p. 16).

2. 31986 R 4058: Council Regulation (EEC) No 4058/86 of 22 December 1986 concerning coordinated action to safeguard free access to cargoes in ocean trades (OJ L 378, 31.12.1986, p. 21).

3. 31992 R 3577: Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) (OJ L 364, 12.12.1992, p. 7), as amended by:

   – 12012J / ACT: Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, Annex V, 7 (OJ L 112, 24.4.2012, p. 74).

4. 32004 R 0789: Regulation (EC) No 789/2004 of the European Parliament and of the Council of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community and repealing Council Regulation (EEC) No 613/91 (OJ L 138, 30.4.2004, p. 19), as amended by:

   – 32009 R 0219: Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009 (OJ L 87, 31.3.2009, p. 109),

   – 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

5. 31986 R 4057: Council Regulation (EEC) No 4057/86 of 22 December 1986 on unfair pricing practices in maritime transport (OJ L 378, 31.12.1986, p. 14).

6. 31977 D 0587: Council Decision 77/587/EEC of 13 September 1977 setting up a consultation procedure on relations between Member States and third countries in shipping matters and on action relating to such matters in international organizations (OJ L 239, 17.9.1977, p. 23).

7. 32006 D 0167: Decision No 167/2006/EC of the European Parliament and of the Council of 18 January 2006 concerning the activities of certain third countries in the field of cargo shipping (codified version) (OJ L 33, 4.2.2006, p. 18).

8. 31992 D 0143: Council Decision 92/143/EEC of 25 February 1992 on radionavigation systems for Europe (OJ L 59, 4.3.1992, p. 17).

9. 32009 L 0015: Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (OJ L 131, 28.5.2009, p. 47), as amended by:

   – 32014 L 0111: Commission Implementing Directive 2014/111/EU of 17 December 2014 (OJ L 366, 20.12.2014, p. 83),

   – 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

10. 32009 D 0491: Commission Decision 2009/491/EC of 16 June 2009 on criteria to be followed in order to decide when the performance of an organisation acting on behalf of a flag State can be considered an unacceptable threat to safety and the environment (OJ L 162, 25.6.2009, p. 6).

11. 32009 R 0391: Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations (recast) (OJ L 131, 28.05.2009, p. 11), as corrected by OJ L 74, 22.3.2010, p. 1, as amended by:

   – 32014 R 1355: Commission Implementing Regulation (EU) No 1355/2014 of 17 December 2014 (OJ L 365, 19.12.2014, p. 82),

   – 32019 R 0492: Regulation (EU) 2019/492 of the European Parliament and of the Council of 25 March 2019 (OJ L 85I, 27.3.2019, p. 5),

   – 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

12. 32013 D 0765: Commission Implementing Decision 2013/765/EU of 13 December 2013 amending the recognition of Det Norske Veritas pursuant to Regulation (EC) No 391/2009 of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (OJ L 338, 17.12.2013, p. 107).

13. 32014 D 0281: Commission Implementing Decision 2014/281/EU of 14 May 2014 granting EU recognition to the Croatian Register of Shipping pursuant to Regulation (EC) No 391/2009 of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (OJ L 145, 16.5.2014, p. 43).

14. 32015 D 0668: Commission Implementing Decision (EU) 2015/668 of 24 April 2015 on amending the recognitions of certain organisations in accordance with Article 16 of Regulation (EC) No 391/2009 of the European Parliament and of the Council (OJ L 110, 29.4.2015, p. 22).

15. 32015 D 0669: Commission Decision (EU) 2015/669 of 24 April 2015 repealing Decision 2007/421/EC on the publication of the list of recognised organisations which have been notified by Member States in accordance with Council Directive 94/57/EC (OJ L 110, 29.4.2015, p. 24).

16. 32016 D 1327: Commission Implementing Decision (EU) 2016/1327 of 1 August 2016 granting EU recognition to the Indian Register of Shipping in accordance with Regulation (EC) No 391/2009 of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (OJ L 209, 3.8.2016, p. 15).

17. 32014 R 0788: Commission Regulation (EU) No 788/2014 of 18 July 2014 laying down detailed rules for the imposition of fines and periodic penalty payments and the withdrawal of recognition of ship inspection and survey organisations pursuant to Articles 6 and 7 of Regulation (EC) No 391/2009 of the European Parliament and of the Council (OJ L 214, 19.7.2014, p. 12), as corrected by OJ L 234, 7.8.2014, p. 15.

18. 32009 D 0728: Commission Decision 2009/728/EC of 30 September 2009 extending without limitations the Community recognition of the Polish Register of Shipping (OJ L 258, 1.10.2009, p. 34).

19. 32009 L 0021: Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements (OJ L 131, 8.05.2009, p. 132).

20. 32009 L 0016: Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ L 131, 28.5.2009, p. 57), as corrected by OJ L 32, 1.2.2013, p. 23, as amended by:

– 32013 L 0038: Directive 2013/38/EU of the European Parliament and of the Council of 12 August 2013 (OJ L 218, 14.8.2013, p. 1),

– 32013 R 1257: Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 (OJ L 330, 10.12.2013, p. 1),

– 32015 R 0757: Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 (OJ L 123, 19.5.2015, p. 55),

– 32017 L 2110: Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 61).

21. 32010 R 0428: Commission Regulation (EU) No 428/2010 of 20 May 2010 implementing Article 14 of Directive 2009/16/EC of the European Parliament and of the Council as regards expanded inspections of ships (OJ L 125, 21.5.2010, p. 2).

22. 32010 R 0801: Commission Regulation (EU) No 801/2010 of 13 September 2010 implementing Article 10(3) of Directive 2009/16/EC of the European Parliament and of the Council as regards the flag State criteria (OJ L 241, 14.9.2010, p. 1).

23. 32010 R 0802: Commission Regulation (EU) No 802/2010 of 13 September 2010 implementing Article 10(3) and Article 27 of Directive 2009/16/EC of the European Parliament and of the Council as regards company performance (OJ L 241, 14.9.2010. R 801/10 EEE, JOL 341 22.12.2011, p.84), as amended by:

– 32012 R 1205: Commission Implementing Regulation (EU) No 1205/2012 of 14 December 2012 (OJ L 347, 15.12.2012, p. 10).

24. 31996 L 0040: Commission Directive 96/40/EC of 25 June 1996 establishing a common model for an identity card for inspectors carrying out port State control (OJ L 196, 7.8.1996, p. 8).

25. 32002 L 0059: Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 05.08.2002, p. 10), as amended by:

– 32009 L 0017: Directive 2009/17/EC of the European Parliament and of the Council of 23 April 2009 (OJ L 131, 28.05.2009, p. 101),

– 32009 L 0018: Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 (OJ L 131, 28.5.2009, p. 114),

– 32011 L 0015: Commission Directive 2011/15/EU of 23 February 2011 (OJ L 49, 24.2.2011, p. 33),

– 32014 L 0100: Commission Directive 2014/100/EU of 28 October 2014 (OJ L 308, 29.10.2014, p. 82),

26. 32016 D 0566: Commission Decision (EU) 2016/566 of 11 April 2016 on establishing the high-level steering group for governance of the digital maritime system and services and repealing Decision 2009/584/EC (OJ L 96, 12.4.2016, p. 46).

27. 32006 R 0336: Regulation (EC) 336/2006 of the European Parliament and of the Council of 15 February 2006 (OJ L 64, 4.03.2006, p. 1), as amended by:

– 32008 R 0540: Commission Regulation (EC) No 540/2008 of 16 June 2008 (OJ L 157, 17.6.2008, p. 15),

– Commission Decision of 21 February 2011 establishing a harmonised form for reports in accordance with Regulation (EC) 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) no 3051/95 (not published).

28. 31979 L 0115: Council Directive 79/115/EEC of 21 December 1978 concerning pilotage of vessels by deep-sea pilots in the North Sea and English Channel (OJ L 33, 8.2.1979, p. 32).

29. 32010 L 0065: Directive 2010/65/EU of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC (OJ L 35, 6.2.2010, p. 18), as amended by:

– 32017 L 2109: Directive (EU) 2017/2109 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 52),

– 32019 L 0883: Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 (OJ L 151, 7.6.2019, p. 116).

30. 32017 R 0352: Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 (OJ L 57, 3.3.2017, p. 1), as amended by:

– 32020 R 0697: Regulation (EU) 2020/697 of the European Parliament and of the Council of 25 May 2020 (OJ L 165, 27.5.2020, p. 7).

31. 32019 R 1239: Regulation (EU) 2019/1239 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 64).

32. 32023 R 0204: Commission Implementing Regulation (EU) 2023/204 of 28 October 2022 laying down technical specifications, standards and procedures for the European Maritime Single Window environment pursuant to Regulation (EU) 2019/1239 of the European Parliament and of the Council (OJ L 33, 3.2.2023, p. 1).

33. 32023 R 0205: Commission Delegated Regulation (EU) 2023/205 of 7 November 2022 supplementing Regulation (EU) 2019/1239 of the European Parliament and of the Council as regards the establishment of the European Maritime Single Window environment data set and amending its Annex (OJ L 33, 3.2.2023, p. 24).

34. 32014 L 0090: Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC (OJ L 257, 28.8.2014, p. 146), as corrected by OJ L 146, 11.6.2018, p. 8, as amended by:

– 32021 L 1206: Commission Delegated Directive (EU) 2021/1206 of 30 April 2021 (OJ L 261, 22.7.2021, p. 45).

35. 32017 L 2110: Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).

36. 32003 L 0025: Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 (OJ L 123, 17.05.2003, p 22), as amended by:

– 32005 L 0012: Commission Directive 2005/12/EC of 18 February 2005 (OJ L 48, 19.02.2005, p. 19),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

37. 32009 R 0392: Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents (OJ L 131, 28.05.2009, p. 24), as amended by:

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

38. 31998 L 0041: Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community (OJ L 188, 2.7.1998, p. 35), as amended by:

– 32002 L 0084: Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 (OJ L 324, 29.11.2002 p. 53),

– 32017 L 2109: Directive (EU) 2017/2109 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 52).

39. 32016 D 1109: Commission Implementing Decision (EU) 2016/1109 of 6 July 2016 on a request for derogation by Italy in accordance with Article 9(4) of Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community (OJ L 183, 8.7.2016, p. 66),

40. 32017 D 0711: Commission Implementing Decision (EU) 2017/711 of 18 April 2017 on a request for derogation by the Kingdom of Denmark and the Federal Republic of Germany in accordance with Article 9(4) of Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community (OJ L 104, 20.4.2017, p. 26),

41. 32017 D 0729: Commission Implementing Decision (EU) 2017/729 of 20 April 2017 on a request for derogation by the Republic of Croatia in accordance with Article 9(4) of Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community (OJ L 107, 25.4.2017, p. 35).

42. 32009 L 0045: Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (Recast) (OJ L 163, 25.6.2009, p. 1), as amended by:

– 32010 L 0036: Commission Directive 2010/36/EU of 1 June 2010 (OJ L 162, 29.6.2010, p. 1),

– 32016 L 0844: Commission Directive (EU) 2016/844 of 27 May 2016 (OJ L 141, 28.5.2016, p. 51), as corrected by OJ L 193, 19.7.2016, p. 117,

– 32017 L 2108: Directive (EU) 2017/2108 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 40),

– 32020 R 0411: Commission Delegated Regulation (EU) 2020/411 of 19 November 2019 (OJ L 83, 19.3.2020, p. 1),

– 32022 R 1180: Commission Delegated Regulation (EU) 2022/1180 of 11 January 2022 (OJ L 184, 11.7.2022, p. 1).

43. 31997 L 0070: Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over (OJ L 34, 9.2.1998, p. 1), as amended by:

– 31999 L 0019: Commission Directive 1999/19/EC of 18 March 1999 (OJ L 83, 27.3.1999, p. 48),

– 32002 L 0035: Commission Directive 2002/35/EC of 25 April 2002 (OJ L 112, 27.4.2002, p. 21),

– 32002 L 0084: Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 (OJ L 324, 29.11.2002 p. 53),

– 32009 R 0219: Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009 (OJ L 87, 31.3.2009, p. 109).

44. 32012 R 0530: Regulation (EU) No 530/2012 of the European Parliament and of the Council of 13 June 2012 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers (recast) (OJ L 172, 30.6.2012, p. 3).

45. 32001 L 0096: Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised equipments and procedures for the safe loading and unloading of bulk carriers (OJ L 13, 16.1.2002, p. 9), as amended by:

– 32002 L 0084: Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 (OJ L 324, 29.11.2002 p. 53).

46. 32009 L 0018: Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council (OJ L 131, 28.05.2009, p. 114).

47. 32011 R 0651: Commission Implementing Regulation (EU) No 651/2011 of 5 July 2011 adopting the rules of procedure of the permanent cooperation framework established by Member States in cooperation with the Commission pursuant to Article 10 of Directive 2009/18/EC of the European Parliament and of the Council (OJ L 177, 6.7.2011, p. 18).

48. 32011 R 1286: Commission Regulation (EU) No 1286/2011 of 9 December 2011 adopting a common methodology for investigating marine casualties and incidents developed pursuant to Article 5(4) of Directive 2009/18/EC of the European Parliament and of the Council (OJ L 328, 10.12.2011, p 36).

49. 32009 L 0020: Directive 2009/20/EC of the European Parliament and of the Council of 23 April 2009 on the insurance of shipowners for maritime claims (OJ L 131, 28.05.2009, p. 128).

50. 32005 L 0035: Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences (OJ L 255, 30.9.2005, p. 11), as amended by:

– 32009 L 0123: Directive 2009/123/EC of the European Parliament and of the Council of 21 October 2009 (OJ L 280, 27.10.2009, p. 52).

51. 32019 L 0883: Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).

52. 32022 R 0089: Commission Implementing Regulation (EU) 2022/89 of 21 January 2022 laying down rules for the application of Directive (EU) 2019/883 of the European Parliament and of the Council as regards the method to be used for the calculation of sufficient dedicated storage capacity (OJ L 15, 24.1.2022, p. 1).

53. 32022 R 0090: Commission Implementing Regulation (EU) 2022/90 of 21 January 2022 laying down rules for the application of Directive (EU) 2019/883 of the European Parliament and of the Council as regards the method to be used for the calculation of sufficient dedicated storage capacity (OJ L 15, 24.1.2022, p. 7).

54. 32022 R 0091: Commission Implementing Regulation (EU) 2022/91 of 21 January 2022 defining the criteria for determining that a ship produces reduced quantities of waste and manages its waste in a sustainable and environmentally sound manner in accordance with Directive (EU) 2019/883 of the European Parliament and of the Council (OJ L 15, 24.1.2022, p. 12).

55. 32022 R 0092: Commission Implementing Regulation (EU) 2022/92 of 21 January 2022 laying down rules for the application of Directive (EU) 2019/883 of the European Parliament and of the Council as regards monitoring data methodologies and the format for reporting passively fished waste (OJ L 15, 24.1.2022, p. 16).

56. 32003 R 0782: Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships (OJ L 115, 9.5.2003, p. 1), as amended by:

– 32008 R 0536: Commission Regulation (EC) No 536/2008 of 13 June 2008 (OJ L 156, 14.6.2008, p. 10).

57. 32004 R 0725: Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004, p. 6), as amended by:

– 32009 D 0083: Commission Decision 2009/83/EC of 23 January 2009 (OJ L 29, 31.1.2009, p. 53).

– 32009 R 0219: Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009 (OJ L 87, 31.3.2009, p. 109).

58. 32005 L 0065: Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security (OJ L 310, 25.11.2005, p. 28), as amended by:

– 32009 R 0219: Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009 (OJ L 87, 31.3.2009, p. 109),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

59. 32008 R 0324: Commission Regulation (EC) No 324/2008 of 9 April 2008 (OJ L 98, 10.4.2008, p. 5), as amended by:

– 32016 R 0462: Commission Implementing Regulation (EU) 2016/462 of 30 March 2016 (OJ L 80, 31.3.2016, p. 28).

60. 32002 R 1406: Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1), as amended by:

– 32003 R 1644: Regulation (EC) No 1644/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245, 29.9.2003, p. 10),

– 32004 R 0724: Regulation (EC) No 724/2004 of the European Parliament and of the Council of 31 March 2004 (OJ L 129, 29.4.2004, p. 1),

– 32006 R 2038: Regulation (EC) No 2038/2006 of the European Parliament and of the Council of 18 December 2006 (OJ L 394, 30.12.2006, p. 1), as corrected by OJ L 30, 3.2.2007, p. 12,

– 32013 R 0100: Regulation (EU) No 100/2013 of the European Parliament and of the Council of 15 January 2013 (OJ L 39, 9.2.2013, p. 30),

– 32016 R 1625: Regulation (EU) 2016/1625 of the European Parliament and of the Council of 14 September 2016 (OJ L 251, 16.9.2016, p. 77).

61. 32002 R 2099: Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 (OJ L 324, 29.11.2002, p. 1), as amended by:

– 32004 R 0415: Commission Regulation (EC) No 415/2004 of 5 March 2004 (OJ L 68, 6.3.2004, p. 10),

– 32007 R 0093: Commission Regulation (EC) No 93/2007 of 30 January 2007 (OJ L 22, 31.1.2007, p. 12),

– 32016 R 0103: Commission Regulation (EU) 2016/103 of 27 January 2016 (OJ L 21, 28.1.2016, p. 67),

62. 32022 L 0993: Directive (EU) 2022/993 of the European Parliament and of the Council of 8 June 2022 on the minimum level of training of seafarers (codification) (OJ L 169, 27.6.2022, p. 45).

63. 32022 D 1973: Commission Implementing Decision (EU) 2022/1973 of 11 October 2022 on the recognition of the United Kingdom pursuant to Directive (EU) 2022/993 as regards the system for training and certification of seafarers (OJ L 270, 18.10.2022, p. 99).

64. 32011 D 0259: Commission Decision 2011/259/EU of 27 April 2011 on the recognition of Tunisia as regards education, training and certification of seafarers for the recognition of certificates of competency (OJ L 110, 29.4.2011, p. 34).

65. 32010 D 0361: Commission Decision 2010/361/EU of 28 June 2010 on the recognition of Israel as regards education, training and certification of seafarers for the recognition of certificates of competency (OJ L 161, 29.06.2010, p. 9).

66. 32010 D 0363: Commission Decision 2010/363/EU of 28 June 2010 on the recognition of Algeria as regards education, training and certification of seafarers for the recognition of certificates of competency (OJ L 163, 30.06.2010, p. 42).

67. 32011 D 0385: Commission Decision 2011/385/EU of 28 June 2011 on the recognition of Ecuador pursuant to Directive 2008/106/EC of the European Parliament and of the Council as regards the systems for the training and certification of seafarers (OJ L 170, 30.6.2011, p. 38).

68. 32010 D 0704: Commission Decision 2010/704/EU of 22 November 2010 on the recognition of Sri Lanka as regards education, training and certification of seafarers for the recognition of certificates of competency (OJ L 306, 23.11.2010, p. 77).

69. 32010 D 0705: Commission Decision 2010/705/EU of 22 November 2010 on the withdrawal of the recognition of Georgia as regards education, training and certification of seafarers for the recognition of certificates of competency (OJ L 306, 23.11.2010, p. 78).

70. 52002XC0629(02): List of appropriate certificates recognised under the procedure laid down in Article 18, paragraph 3 of Directive 2001/25/EC of the European Parliament and of the Council on the minimum level of training of seafarers (Situation on 22 May 2002) (2002/C 155/03) (OJ C 155, 29.6.2002, p. 11).

71. 52003XC1107(01): List of appropriate certificates recognised under the procedure laid down in Article 18, paragraph 3 of Directive 2001/25/EC on the minimum level of training of seafarers (Situation on 17 February 2003) (2003/C 268/04) (OJ C 268, 7.11.2003, p. 7).

72. 52005XC0407(01): List of appropriate certificates recognised under the procedure laid down in Article 18(3) of Directive 2001/25/EC on the minimum level of training of seafarers (Situation on 31 December 2004) (2005/C 85/04) (OJ C 85, 7.4.2005, p. 8).

73. 32013 L 0054: Directive 2013/54/EU of the European Parliament and of the Council of 20 November 2013 concerning certain flag State responsibilities for compliance with and enforcement of the Maritime Labour Convention, 2006 (OJ L 329, 10.12.2013, p. 1).

74. 31999 L 0063: Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) (OJ L 167, 2.7.1999, p. 33), as corrected by OJ L 244, 16.6.1999, p. 64 (1999/63/EC), as amended by:

– 32009 L 0013: Council Directive 2009/13/EC of 16 February 2009 (OJ L 124, 20.5.2009, p. 30).

75. 31999 L 0095: Directive 1999/95/EC of the European Parliament and of the Council of 13 December 1999 concerning the enforcement of provisions in respect of seafarers' hours of work on board ships calling at Community ports (OJ L 14, 20.1.2000, p. 29).

CHAPTER 6

GENERAL MEASURES

1. 32012 D 0286: Commission Decision of 31 May 2012 on the creation of an Expert Group on Land Transport Security (2012/286/EU) (OJ L 142, 1.6.2012, p. 47).

2. 32009 D 0357: Decision No 357/2009/EC of the European Parliament and of the Council of 22 April 2009 on a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States (Codified version) (OJ L 109, 30.4.2009, p. 37).

3. 32000 L 0084: Directive 2000/84/EC of the European Parliament and of the Council of 19 January 2001 on summer-time arrangements (OJ L 31, 2.2.2001, p. 21).

4. 32007 R 1370: Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ L 315, 3.12.2007, p. 1), as amended by:

   – 32016 R 2338: Regulation (EU) 2016/2338 of the European Parliament and of the Council of 14 December 2016 (OJ L 354, 23.12.2016, p. 22).

5. 31960 R 0011: Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community (OJ 52, 16.8.1960, p. 1121), as amended by:

– 31984 R 3626: Council Regulation (EEC) No 3626/84 of 19 December 1984 (OJ L 335, 22.12.1984, p. 4),

– 32008 R 0569: Council Regulation (EC) No 569/2008 of 12 June 2008 (OJ L 161, 20.6.2008, p. 1).

CHAPTER 7

PASSENGER RIGHTS

1. 32010 R 1177: Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1).

   The provisions of this Regulation shall, insofar as it applies to the inland waterways sector, and for the purposes of this Agreement, be read with the following adaptation:

   Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension period referred to in Article 4(2) of Framework Protocol 1, San Marino shall not involve itself in any activity related to inland navigation, including establishing a register of inland waterway vessels or companies for hiring of crew for inland waterway transport within its territory.

2. 32009 R 0392: Regulation (EC) No 392/2009 on the liability of carriers of passengers by sea in the event of accidents (OJ L 131, 28.5.2009, p. 24).

3. 32021 R 0782: Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1).

4. 32011 R 0181: Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

5. 32009 L 0103: Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability (OJ L 263, 7.10.2009, p. 11)

CHAPTER 8

TRANS-EUROPEAN NETWORKS

1. 32013 R 1315: Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1), as amended by:

– 32014 R 0473: Commission Delegated Regulation (EU) No 473/2014 of 17 January 2014 (OJ L 136, 9.5.2014, p. 10),

– 32016 R 0758: Commission Delegated Regulation (EU) 2016/758 of 4 February 2016 (OJ L 126, 14.5.2016, p. 3),

– 32017 R 0849: Commission Delegated Regulation (EU) 2017/849 of 7 December 2016 (OJ L 128I, 19.5.2017, p. 1),

– 32019 R 0254: Commission Delegated Regulation (EU) 2019/254 of 9 November 2018 (OJ L 43, 14.2.2019, p. 1),

– 32023 R 1176: Commission Delegated Regulation (EU) 2023/1176 of 14 July 2022 (OJ L 156, 19.6.2023, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply.

2. 32017 R 0006: Commission Implementing Regulation (EU) 2017/6 of 5 January 2017 on the European Rail Traffic Management System European deployment plan (OJ L 3, 6.1.2017, p. 6).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply.

CHAPTER 9

OTHER

1. 32021 D 0173: Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU (OJ L 50, 15.2.2021, p. 9).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32001 H 0115: Commission Recommendation 2001/115/EC of 17 January 2001 on the maximum permitted blood alcohol content (BAC) for drivers of motorised vehicles (OJ L 43, 14.2.2001, p. 31).

2. 32004 H 0345: Commission Recommendation 2004/345/EC of 6 April 2004 on enforcement in the field of road safety (OJ L 111, 17.4.2004, p. 75).

3. 32009 H 0060: Commission Recommendation of 23 January 2009 on guidelines for best enforcement practice concerning checks of recording equipment to be carried out at roadside checks and by authorised workshops (OJ L 21, 24.1.2009, p. 87).

4. 32010 H 0019: Commission Recommendation 2010/19/EU of 13 January 2010 on the secure exchange of electronic data between Member States to check the uniqueness of driver cards that they issue (OJ L 9, 14.1.2010, p. 10).

5. 32010 H 0378: Commission Recommendation 2010/378/EU of 5 July 2010 on the assessment of defects during roadworthiness testing in accordance with Directive 2009/40/EC of the European Parliament and of the Council on roadworthiness tests for motor vehicles and their trailers (OJ L 173, 8.7.2010, p. 74).

6. 32010 H 0379: Commission Recommendation 2010/379/EU of 5 July 2010 on the risk assessment of deficiencies detected during technical roadside inspections (of commercial vehicles) in accordance with Directive 2000/30/EC of the European Parliament and of the Council (OJ L 173, 8.7.2010, p. 97).

7. 32011 H 0750: Commission Recommendation 2011/750/EU of 8 September 2011 on support for an EU-wide eCall service in electronic communication networks for the transmission of in-vehicle emergency calls based on 112 (‘eCalls’) (OJ L 303, 22.11.2011, p. 46).

8. 32023 H 0688: Commission Recommendation (EU) 2023/688 of 20 March 2023 on particle number measurement for the periodic technical inspection of vehicles equipped with compression ignition engines (OJ L 90, 28.3.2023, p. 46).

9. 32010 H 0159: Commission Recommendation of 11 March 2010 on measures for self-protection and the prevention of piracy and armed robbery against ships (OJ L 67, 17.3.2010, p. 13).

10. 32011 H 0766: Commission Recommendation of 22 November 2011 on the procedure for recognition of training centres and of examiners of train drivers in accordance with Directive 2007/59/EC of the European Parliament and of the Council (OJ L 314, 29.11.2011, p. 41).

11. 32004 H 0358: Commission Recommendation of 7 April 2004 on the use of a common European format for licence documents issued in accordance with Council Directive 95/18/EC on the licensing of railway undertakings (OJ L 113/37 of 20.4.2004, p. 37).

12. 32019 H 0780: Commission Recommendation (EU) 2019/780 of 16 May 2019 on practical arrangements for issuing safety authorisations to infrastructure managers (OJ L 139I, 27.5.2019, p. 390).

ANNEX 1

GOODS TRANSPORT BY ROAD

Appendix 1

Model of the certificate of professional competence equivalent to the European Community model ([2])

SAN MARINO

(Colour Pantone stout fawn, format DIN A 4 cellulose paper 100 g/m^2 or more)

(Text in the official language of the carriers of San Marino issuing the certificate)

Distinguishing sign of the Member State concerned ([3]) Name of the authorised authority or body ([4])

CERTIFICATE OF PROFESSIONAL COMPETENCE IN ROAD HAULAGE/PASSENGER TRANSPORT ([5])

No …….

We ……

hereby certify that ([6]) ……

born on …….… in ……

has successfully passed the tests for the examination (year: ……..; session: ……..) ([7]) necessary for the award of the certificate of professional competence in road haulage/passenger transport ([3]) in accordance with Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator as adapted for the purposes of the Association Agreement with San Marino.

This certificate constitutes the sufficient proof of professional competence referred to in Article 21 of Regulation (EC) No 1071/2009.

Issued at …, on … ([8])

---

2 On the basis of the Association Agreement between the European Union and San Marino.

3 The distinguishing sign of the Associated State is: (RSM) San Marino.

4 Authority or body designated in advance for this purpose by each Member State of the European Community or San Marino to issue this certificate.

5 Delete as appropriate

6 Surname and forename; place and date of birth.

7 Identification of the examination.

8 Seal and signature of the authorised authority or body issuing the certificate.

Appendix 2

Model equivalent to the European Community licence model

[SAN MARINO [1]]

(a)

(Colour Pantone light blue 290, or as close as possible to this colour, format DIN A4 cellulose paper 100g/m^2 or more)

Distinguishing sign of San Marino ([2]) issuing the licence

(First page of the licence)

(Text in the official language of San Marino issuing the licence)

Name of the competent authority or body

LICENCE No …

(or)

CERTIFIED TRUE COPY No

for the international carriage of goods by road for hire or reward

This licence entitles ([3]) ..……
…….
…….
to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys carried out for hire or reward within the territory of the Community and San Marino, as laid down in Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market, as adapted for the purposes of the Association Agreement with San Marino, and in accordance with the general provisions of this licence.

This licence does not give San Marino any rights to carry out cabotage operations referred to in Articles 8 to 10 of Regulation (EC) 1072/2009, as adapted for the purposes of the Association Agreement with San Marino.

Particular remarks: …..……..…
……..…….…….

[1] This model shall apply to San Marino after two years from the date of entry into force of the Association Agreement. It shall not allow carriers from San Marino to carry out cabotage operations under Regulation (EC) 1072/2009, as adapted for the purposes of the Association Agreement with San Marino.

[2] The distinguishing sign of San Marino: RSM (San Marino).

[3] Name or business name and full address of the haulier.

This licence is valid from …….…..….	to……..……
Issued in …….....,	on ……..
…… ([4])	

(b)

(Second page of the licence)

(Text in the official language of San Marino)

GENERAL PROVISIONS

This licence is issued under Regulation (EC) No 1072/2009, as adapted for the purposes of the Association Agreement with San Marino.

It entitles the holder to engage in the international carriage of goods by road for hire or reward by any route for journeys or parts of journeys carried out within the territory of the Community and San Marino and, where appropriate, subject to the conditions laid down herein:

— where the point of departure and the point of arrival are situated in two different States which are either EU Member States or San Marino, with or without transit through one or more EU Member States or San Marino or third countries,

— from an EU Member State or San Marino to a third country or vice versa, with or without transit through one or more EU Member States or San Marino or third countries,

— between third countries with transit through the territory of one or more EU Member States or San Marino,

and unladen journeys in connection with such carriage.

In the case of carriage from an EU Member State or San Marino to a third country or vice versa, this licence is not valid for that part of the journey carried out in the EU Member State or San Marino of loading or unloading.

The licence is personal to the holder and is non-transferable.

It may be withdrawn by the competent authority of San Marino which issued it, notably where the holder has:

— not complied with all the conditions for using the licence,

— supplied incorrect information with regard to the data needed for the issue or extension of the licence.

The original of the licence must be kept by the haulage undertaking.

A certified copy of the licence must be kept in the vehicle ([5]). In the case of a coupled combination of vehicles it must accompany the motor vehicle. It covers the coupled combination of vehicles even if the trailer or semi-trailer is not registered or authorised to use the roads in the name of the licence holder or if it is registered or authorised to use the roads in another State.

The licence must be presented at the request of any authorised inspecting officer.

Within the territory of each EU Member State and San Marino, the holder must comply with the laws, regulations and administrative provisions in force in that State, in particular with regard to transport and traffic.

This licence does not allow San Marino to carry out cabotage operations in accordance with Articles 8 to 10 of the Chapter III of the Regulation.

---

[4] Signature and seal of the issuing competent authority or body.

[5] 'Vehicle' means a motor vehicle registered in San Marino or a coupled combination of vehicles the motor vehicle of which at least is registered in San Marino, used exclusively for the carriage of goods.

Appendix 3

Driver attestation model equivalent to the Community driver attestation model

SAN MARINO

(a)

(Colour Pantone pink 182, or as close as possible to this colour, format DIN A4 cellulose paper 100 g/m^2 or more)

Distinguishing sign of San Marino ([1]) issuing the licence

(First page of the attestation)

(Text in the official language of San Marino issuing the attestation)

Name of the competent authority or body

DRIVER ATTESTATION No …

for the carriage of goods by road for hire or reward under the licence equivalent to the Community licence issued by San Marino

(Regulation (EC) 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market, as adapted for the purposes of the Association Agreement with San Marino)

This attestation certifies that on the basis of the documents presented by:

…….

……..... ([2])

the following driver:

Name and forename …..……..…	
Date and place of birth ……..……	Nationality ……..
Type and reference number of identity paper …….…….……..……	
Date of issue …..…….....	Place of issue ……...
Driving licence number ……..	
Date of issue …..…….....	Place of issue ……...
Social security number ……...	

is employed, in accordance with the laws, regulations or administrative provisions and, as appropriate, the collective agreements, in accordance with the rules applicable in San Marino, on the conditions of employment and of vocational training of drivers applicable in San Marino to carry out road transport operations in San Marino:

…… ([3])

[1] The distinguishing sign of San Marino is: RSM (San Marino).

[2] Name or business name and full address of the haulier.

Particular remarks ……..……

This attestation is valid from ……..….	to …….
Issued in ……..…	on ……
…….([4])	

…….....

[3] Name of the haulier's State of establishment (San Marino).
[4] Signature and seal of the issuing competent authority or body.

(b)

(Second page of the attestation)

(Text in the official language of San Marino issuing the attestation)

GENERAL PROVISIONS

This attestation is issued under Regulation (EC) No 1072/2009, as adapted for the purposes of the Association Agreement with San Marino.

It certifies that the driver named therein is employed, in accordance with the laws, regulations or administrative provisions and, as appropriate, the collective agreements, in accordance with the rules applicable in San Marino mentioned on the attestation, on the conditions of employment and of vocational training of drivers applicable in San Marino to carry out road operations in San Marino.

The driver attestation shall belong to the haulier, who puts it at the disposal of the driver designated therein when that driver drives a vehicle ([5]) engaged in carriage using a Community licence or an equivalent licence by San Marino issued to that haulier. The driver attestation is not transferable. The driver attestation shall be valid only as long as the conditions under which it was issued are still satisfied and must be returned immediately by the haulier to the issuing authorities if these conditions are no longer met.

It may be withdrawn by the competent authority of San Marino which issued it, in particular where the holder has:

— not complied with all the conditions for using the attestation,

— supplied incorrect information with regard to the data needed for the issue or extension of the attestation.

A certified true copy of the attestation must be kept by the haulage undertaking.

An original attestation must be kept in the vehicle and must be presented by the driver at the request of any authorised inspecting officer.

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[5] 'Vehicle' means a motor vehicle registered in San Marino, or a coupled combination of vehicles the motor vehicle of which at least is registered in San Marino, used exclusively for the carriage of goods.

ANNEX 2

CARRIAGE OF PASSENGERS BY ROAD

Appendix 1

Model equivalent to the Community licence model

SAN MARINO

(a)

(Colour Pantone light blue 290, or as close as possible to this colour, format DIN A4 cellulose paper 100g/m^2 or more)

safe

Distinguishing sign of San Marino([6]) issuing the licence

(First page of the licence)

(Text in the official language of San Marino issuing the licence)

Name of the competent authority or body

LICENCE No …

(or)

CERTIFIED TRUE COPY No

for the international carriage of passengers by coach and bus for hire or reward

The holder of this licence ([7]) …….……
…….
…….
is authorised to carry out international carriage of passengers by road for hire or reward in the territory of the Community, and San Marino, pursuant to the conditions laid down by Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus service, as adapted for the purposes of the Association Agreement with San Marino, and in accordance with the general provisions of this licence.

Comments: ……..……..…	
……..…….…….	
This licence is valid from …….…..….	to……..……
Issued in …….....,	on ……...
…… ([8])	

6 The distinguishing sign is: RSM (San Marino).
7 Full name or business name and full address of the carrier.
8 Signature and seal of the competent authority or body issuing the licence.

(b)

(Second page of the licence)

(Text in the official language of San Marino issuing the licence)

GENERAL PROVISIONS

1. This licence is issued pursuant to Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino,

2. This licence is issued by the competent authorities of San Marino of establishment of the carrier for hire or reward who:

   (a) is authorised in San Marino to undertake carriage by means of regular services, including special regular services, or occasional services by coach and bus;

   (b) satisfies the conditions laid down in accordance with Community rules, as adapted for the purposes of the Association Agreement with San Marino, on admission to the occupation of road passenger transport operator in national and international transport operations;

   (c) meets legal requirements regarding the standards for drivers and vehicles.

3. This licence permits the international carriage of passengers by coach and bus for hire or reward on all transport links for journeys carried out in the territory of the Community and San Marino:

   (a) where the point of departure and point of arrival are situated in two different States which are either EU Member States or San Marino, with or without transit through one or more EU Member States or San Marino or third countries;

   (b) where the point of departure and the point of arrival are in the same EU Member State or San Marino, while the picking up or setting down of passengers is in another EU Member State or San Marino or in a third country;

   (c) from an EU Member State or San Marino to a third country and vice versa, with or without transit through one or more EU Member States or San Marino or third countries;

   (d) between third countries crossing the territory of one or more EU Member States or San Marino in transit;

   and empty journeys in connection with transport operations under the conditions laid down by Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino.

   In the case of a transport operation from an EU Member State or San Marino to a third country or vice versa, this licence shall not apply to that part of the journey carried out in the EU Member State or San Marino of picking up or setting down.

4. This licence is personal and non-transferable.

5. This licence may be withdrawn by the competent authority of San Marino in particular where the carrier:

   (a) no longer satisfies the conditions laid down in Article 3(1) of Regulation (EC) No 1073/2009; as adapted for the purposes of the Association Agreement with San Marino

   (b) has supplied inaccurate information regarding the data required for the issue or renewal of the licence;

(c) has committed a serious infringement or infringements of Community road transport legislation, as adapted for the purposes of the Association Agreement with San Marino, in any EU Member State or in San Marino, in particular with regard to the rules applicable to vehicles, driving and rest periods for drivers and the provision, without authorisation, of parallel or temporary services as referred to in the fifth subparagraph of Article 5(1) of Regulation (EC) No 1073/2009 as adapted for the purposes of the Association Agreement with San Marino. The competent authorities of San Marino may in the case the carrier who committed the infringement may, inter alia, withdraw the licence or make temporary or permanent withdrawals of some or all of the certified true copies of the licence.

These penalties are determined in accordance with the seriousness of the breach committed by the holder of the licence and with the total number of certified true copies that he possesses in respect of his international transport services.

6. The original of the licence must be kept by the carrier. A certified true copy of the licence must be carried on the vehicle carrying out an international transport operation.

7. This licence must be presented at the request of any authorised inspecting officer.

8. The holder must, on the territory of each EU Member State or San Marino, comply with the laws, regulations and administrative measures in force in San Marino, particularly with regard to transport and traffic.

9. ‘Regular services’ means services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points, and which are open to all, subject, where appropriate, to compulsory reservation.

The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

Regular services require authorisation.

‘Special regular services’ means regular services, by whomsoever organised, which provide for the carriage of specified categories of passengers, to the exclusion of other passengers, at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points.

Special regular services shall include:

(a) the carriage of workers between home and work;

(b) carriage of school pupils and students to and from the educational institution.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

Special regular services do not require authorisation if they are covered by a contract between the organiser and the carrier.

The organisation of parallel or temporary services, serving the same public as existing regular services, requires authorisation.

‘Occasional services’ means services which do not fall within the definition of regular services, including special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself. The organisation of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorisation in accordance with the procedure laid down in Chapter III of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement

with San Marino. These services shall not cease to be occasional services solely on the grounds that they are provided at certain intervals.

Occasional services do not require authorisation.

Appendix 2

Model equivalent to the European Union model of a journey form

SAN MARINO ([1])

JOURNEY FORM No ..... of Book No .....

(Colour Pantone 358 (light green), or as close as possible to this colour, format DIN A4 uncoated paper)

INTERNATIONAL OCCASIONAL SERVICES and CABOTAGE OPERATIONS IN THE FORM OF OCCASIONAL SERVICES

(Each item, if necessary, can be supplemented on a separate sheet)

1	Registration number of the coach	..... Place, date and signature of the carrier
2	Carrier and, where appropriate, subcontractor or group of carriers	1. ..... 2. ..... 3. .....
3	Name of driver(s)	1. ..... 2. ..... 3. .....
4	Organisation or person responsible for the occasional service	1. ..... 3. ..... 2. ..... 4. .....
5	**Type of service**	☐ International occasional service ☐ Cabotage operation in the form of occasional service ☐ Cabotage operations in the form of special regular services — monthly statement Month ..... Year .....
6	Place of departure of service: ..... Country: ..... Place of destination of service: ..... Country:	

	Journey	Route/Daily stages and/or passenger pick-up or set-down points				
	Dates	from →	to	number of passengers	empty (mark with an X)	Planned km
7						

	Connection points, if any, with another carrier in the same group	Number of passengers set down	Final destination of the passengers set down	Carrier picking up the passengers
8				

	Local excursions				
9	Date	Planned km	Place of departure	Place of excursion	No of passengers

	Unforeseen changes
10	....

[1] .

Appendix 3

Cover page

(Format DIN A4 uncoated paper 100 g/m^2 or more)

To be worded in the official language of San Marino

ISSUING STATE Competent Authority

International distinguishing sign ([2]) …….

Book No …….

of journey forms:

(a) **For international occasional services by coach and bus between Member States and San Marino, issued on the basis of Regulation (EC) No 1073/2009 as adapted for the purposes of the Association Agreement with San Marino;**

(b) **for cabotage operations in the form of occasional services carried out in a Member State or San Marino other than that in which the carrier is established, issued on the basis of Regulation No (EC) 1073/2009, as adapted for the purposes of the Association Agreement with San Marino;**

to: ……

(Surname and first name or trade name of carrier)

……..

……

(Full address, telephone and fax number)

……. ……

(Place and date of issue) *(Signature and stamp of issuing authority or agency)*

[2] San Marino (RSM).

(Second page)

To be worded in the official language of San Marino

IMPORTANT NOTICE

A. GENERAL PROVISIONS

1. Article 12(1), the second paragraph of Article 5(3) and Article 17(1) of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino, state that occasional services shall be carried out under cover of a control document (journey form detached from the book of journey forms issued to a carrier).

2. Article 2(4) of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino, defines occasional services as services 'which do not fall within the definition of regular services, including special regular services, and the main characteristic of which is the carriage of groups of passengers constituted on the initiative of a customer or the carrier himself'.

Regular services are defined in Article 2(2) of Regulation (EC) No 1073/2009 (as adapted for the purposes of the Association Agreement with San Marino) as 'services which provide for the carriage of passengers at specified intervals along specified routes, passengers being picked up and set down at predetermined stopping points.' Regular services are open to all, subject, where appropriate, to compulsory reservation.

The regular nature of the service is not affected by any adjustment to the service operating conditions.

Services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, are deemed to be regular services. Such services are called 'special regular services' and include:

(a) the carriage of workers between home and work,

(b) the carriage of school pupils and students to and from the educational institution. The fact that a special service may be varied according to the needs of users does not affect its classification as a regular service.

3. The journey form is valid for the entire journey.

4. The Community licence and the journey form entitle the holder to carry out:

(i) international occasional services by coach and bus between two or more Member States;

(ii) cabotage operations in the form of occasional services in a Member State other than that in which the carrier is established.

5. The journey form is completed in duplicate, either by the carrier or by the driver before the beginning of each service. The copy of the journey form remains in the undertaking. The driver keeps the original on board the vehicle throughout the journey and presents it on request to enforcement officials.

6. The driver returns the journey form to the undertaking which delivered it at the end of the journey in question. The carrier is responsible for keeping the documents. They are filled in legibly and indelibly.

(Third page)

B. PROVISIONS SPECIFIC TO INTERNATIONAL OCCASIONAL SERVICES

1. The second subparagraph of Article 5(3) of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino, states that the organisation of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorisation.

2. Carriers may carry out local excursions in a Member State other than that in which they are established within the framework of an international occasional service. Such services are intended for non-resident passengers previously transported by the same carrier in the framework of an international occasional service. They are transported in the same vehicle or another vehicle belonging to the same carrier or group of carriers.

3. In the case of local excursions, the journey form is completed before the departure of the vehicle on the excursion in question.

4. In the case of an international occasional service operated by a group of carriers acting on behalf of the same customer and possibly involving the passengers catching a connection en route with a different carrier of the same group, the original of the journey form is kept in the vehicle carrying out the service. A copy of the journey form is kept at the base of each carrier involved.

C. PROVISIONS SPECIFIC TO CABOTAGE OPERATIONS IN THE FORM OF OCCASIONAL SERVICES

1. Cabotage operations in the form of occasional services shall be subject, save as otherwise provided in Union legislation, to the laws, regulations and administrative measures in force in the host Member State with regard to the following:

(i) the conditions governing the transport contract;

(ii) the weights and dimensions of the road vehicles;

(iii) the requirements relating to the carriage of certain categories of passenger, namely schoolchildren, children and persons with reduced mobility;

(iv) the driving time and rest periods;

(v) the value added tax (VAT) or turnover tax on the transport services. In this area, Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ([1]1), in particular Article 48 read in conjunction with Articles 193 and 194 shall apply to the services referred in Article 1 of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino.

2. The technical standards for construction and equipment which the vehicles used to carry out the cabotage transport operations must meet are those laid down for vehicles put into circulation in international transport.

3. Member States apply the national provisions referred to in points 1 and 2 above to non-resident carriers under the same conditions as those imposed on carriers established in the host Member State, in order to prevent any discrimination on grounds of nationality or place of establishment.

4. In the case of cabotage operations in the form of occasional services, the journey forms are returned by the carrier to the competent authority or body of the Member State of establishment in accordance with procedures to be laid down by that authority or body ([2]).

5. In the case of cabotage operations in the form of special regular services, the journey forms shall be filled out in the form of a monthly statement and returned by the carrier to the competent authority or body of the Member State of establishment in accordance with procedures to be laid down by that authority or body.----------

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[1] OJ L 347, 11.12.2006, p. 1.

[2] Member States' competent authorities may supplement point 4 with personnel of the agency responsible for collecting the journey forms and the procedure for forwarding the information.

Appendix 4

Cover page

(Format DIN A4 uncoated paper)

To be worded in the official language of the carrier's Union Member State or Associated State (San Marino) of establishment

APPLICATION ([1]):

TO START A REGULAR SERVICE □

TO START A SPECIAL REGULAR SERVICE ([2]) □

TO RENEW AN AUTHORISATION FOR A SERVICE ([3]) □

TO ALTER THE CONDITIONS OF AN AUTHORISED SERVICE ([4]) □

carried out by coach and bus between Member States and San Marino in accordance with Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino

to: ……..…

(Competent authority)

1. Name and first name or trade name and address, telephone, fax and/or e-mail of the applicant and, where appropriate, of the managing carrier in the case of an association (pool):

…….....

…….....

2. Service(s) carried out ([1])

by an undertaking □	as a member of an association (pool) □	as a subcontractor □

3. Names and addresses of the:

Carrier, associated carrier(s), or subcontractor(s) ([4]) ([5])

3.1 ……..……tel. ……..……

3.2 ……..……tel. ……..……

3.3 ……..……tel. ……..……

3.4 ……..……tel. ……..……

[1] Tick or complete as appropriate.
[2] Special regular services not covered by a contract between the organiser and the carrier
[3] In the context of Article 9 of Regulation (EC) No 1073/2009.
[4] Indicate in each case whether a member of an association or a subcontractor is concerned.
[5] Attach list if applicable.

(Second page of the application for authorisation or for renewal of authorisation)

4. In the case of a special regular service

4.1 Category of passengers: ……..

5. Duration of authorisation requested or date on which the service ends:

……

……

……

……

6. Principal route of service (underline passenger pick-up points)

……

……

……

……

7. Period of operation

……

……

……

8. Frequency (daily, weekly, etc.):

……

9. Fares: ……..… Annex attached

10. Enclose a driving schedule to permit verification of compliance with the Union legislation on driving and rest periods

11. Number of authorisations or of copies of authorisations requested ([6]):

……

12. Any additional information:

……

……

……

13.	…….	……..
	(Place and date)	*(Signature of the applicant)*

[6] The attention of the applicant is drawn to the fact that, since the authorisation has to be kept on board the vehicle, the number of authorisations which the applicant must have should correspond to the number of vehicles needed for carrying out the service requested at the same time.

(Third page of the application for authorisation or for renewal of authorisation)

IMPORTANT NOTICE

1. The following is attached to the application, as appropriate:
   (a) the timetable;
   (b) fare scales;
   (c) a certified true copy of the Community licence for the international carriage of passengers by road for hire or reward provided for in Article 4 of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino;
   (d) information concerning the type and volume of the service that the applicant plans to provide in the case of a new service, or that has been provided in the case of renewal of an authorisation;
   (e) a map on an appropriate scale on which are marked the route and the stopping points at which passengers are to be taken up or set down;
   (f) a driving schedule to permit verification of compliance with the Union legislation on driving and rest periods.
2. Applicants shall provide any additional information in support of their application which they consider relevant or which is requested by the issuing authority.
3. In accordance with Article 5 of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino, the following services are subject to authorisation:
   (a) regular services, services which provide for the carriage of passengers at specified intervals along specified routes, passengers being picked up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation. The regular nature of the service shall not be affected by any adjustment to the service operating conditions;
   (b) special regular services not covered by a contract between the organiser and the carrier. Services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers shall be deemed to be regular services. Such services are called ”special regular services” and include:
      (i) the carriage of workers between home and work;
      (ii) the carriage of school pupils and students to and from the educational institution.

      The fact that a special service may be varied according to the needs of users shall not affect its classification as a special regular service.
4. The application shall be made to the competent authority of the Member State from which the service departs, namely one of the service termini.
5. The maximum period of validity of the authorisation is five years.

Appendix 5

(First page of the authorisation)

(Colour Pantone 182 (pink), or as close as possible to this colour, format DIN A4 uncoated paper 100 g/m^2 or more)

To be worded in the official language of San Marino

ISSUING STATE

Competent authority

International distinguishing sign ([1])

…….

AUTHORISATION No …

for a regular service ([2])

for a special regular service

by coach and bus between Member States and San Marino in accordance with

Chapter III of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino

to: ……

(Surname, first name or trade name of carrier or of managing carrier in the case of an association of undertakings (pool))

……..

Address: ……

Tel., fax and/or e-mail: ……

Name, address, telephone and fax numbers and/or e-mail of associates or members of the association of undertakings (pool) and subcontractors:

(1) ……..

(2) ……...

(3) ……...

(4) …….....

(5) …….

List attached, if appropriate.

Expiry date of authorisation: ……..

……. ……..

(Place and date of issue) *(Signature and stamp of issuing authority or agency)*

[1] San Marino (RSM)

[2] Delete as appropriate.

(Second page of authorisation No ……)

1. Route:

   (a) Place of departure of the service: …….

   (b) Place of destination of service: ……

   (c) Principal itinerary, with passenger pick-up and set-down points underlined: …….

……

……

……

……

2. Periods of operation: ……

---

3. Frequency: ……

4. Timetable ……..……

5. Special regular service:

   — Category of passengers: ……

6. Other conditions or special points (e.g., authorised cabotage operations ([1]):

……..……

……..……

……..……

……..……

……..……

……..……

……..

(Stamp and or signature of authority issuing the authorisation)

[1] As agreed by the host Member State and communicated to the authorising authority, within the period defined in Article 8.2 of Regulation (EC) No 1073/2009.

(Third page of the authorisation)

To be worded in the official language of San Marino

IMPORTANT NOTICE

1. This authorisation is valid for the entire journey. It may only be used by a party or parties whose name is indicated thereon.
2. The authorisation or a true copy certified by the issuing authority is kept in the vehicle for the duration of the journey and is presented to enforcement officials on request.
3. A true certified copy of the Community licence is kept on board the vehicle.

Appendix 6

(First page of the certificate)

(Colour Pantone 100 (yellow), or as close as possible to this colour, format DIN A4 uncoated paper 100 g/m2 or more)

To be worded in the official language of San Marino

ISSUING STATE

International distinguishing sign ([1])

Competent authority

..…….

CERTIFICATE

issued for own-account transport operations by coach and bus between Member States and San Marino on the basis of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino

---

(Part for the person or entity carrying out the own-account transport operations)

The undersigned ……

responsible for the undertaking, non-profit-making body or other (describe)

…….

(Surname and first name or official name, full address)

certifies that:

— the transport service provided is non-profit-making and non-commercial

— transport is only an ancillary activity for the person or entity

— the coach or bus registration No ……is the property of the person or entity or has been obtained by them on deferred terms or has been the subject of a long-term leasing contract.

— the coach or bus will be driven by a member of staff of the undersigned person or entity or by the undersigned in person or by personnel employed by, or put at the disposal of, the undertaking under a contractual obligation.

…….

(Signature of the person or representative of the entity)

(Part for the competent authority)

This constitutes a certificate within the meaning of Article 5(5) of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino.

…….

(Period of validity)

……..

(Place and date of issue)

…….

(Signature and stamp of the competent authority)

[1] San Marino (RSM).

(Second page of the certificate)

To be worded in the official language of San Marino

GENERAL PROVISIONS

1. Article 2(5) of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino, states that 'own-account transport operations means operations carried out for non-commercial and non-profit-making purposes by a natural or legal person, whereby:
   - the transport activity is only an ancillary activity for that natural or legal person, and
   - the vehicles used are the property of that natural or legal person or have been obtained by that person on deferred terms or have been the subject of a long-term leasing contract and are driven by a member of the staff of the natural or legal person or by the natural person himself or by personnel employed by, or put at the disposal of, the undertaking under a contractual obligation'.
2. Own-account carriers are permitted, under Article 3(2) of Regulation (EC) No 1073/2009, as adapted for the purposes of the Association Agreement with San Marino, to carry out this type of transport operation without discrimination on grounds of nationality or place of establishment provided that they:
   - are authorised in the Member State of establishment to undertake carriage by coach and bus in accordance with the market-access conditions laid down in national legislation,
   - meet legal requirements on road safety concerning drivers and vehicles, as laid down, in relevant Union legislation.
3. The own-account transport operations referred to in point 1 are subject to a system of certificates.
4. The certificate entitles the holder to carry out international transport operations by coach and bus for own-account. It is issued by the competent authority of the Member State or San Marino where the vehicle is registered and is valid for the entire journey, including any transit journeys.
5. The relevant parts of this certificate are completed in indelible letters in triplicate by the person or the representative of the entity carrying out the operation and by the competent authority. One copy is kept by the administration and one by the person or entity. The driver keeps the original or a certified true copy on board the vehicle for the entire duration of any international journeys. It is presented to the enforcement authorities on request. The person or entity, as appropriate, is responsible for keeping the certificates.
6. The certificate is valid for a maximum of five years.

Appendix 7

MODEL COMMUNICATION

(Referred to in Article 28(2) of Regulation (EC) No 1073/2009 of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006) as adapted for the purposes of the Association Agreement with San Marino

Number of authorisations issued for cabotage transport operations in the form of regular services carried out in

…… (2-year period)

in …….. (name of the host Member State or Associated State)

Country where the operator is established	Number of authorisations issued
B	
BG	
CZ	
DK	
D	
EST	
GR	
E	
F	
IRL	
HR	
I	
CY	
LV	
LT	
L	
H	
M	
NL	
A	
PL	

P	
RO	
RSM	
SLO	
SK	
FIN	
S	
Total	

Annex 3 ([1])

POUR MÉMOIRE

385R3821: Council Regulation (EEC) No 3821/85 on recording equipment in road transport, OJ L 370, 31.12.1985, p. 8.

N,B, 1: This Regulation has been repealed but the technical specifications in its Annex IB remain in force, under the AETR as well as for the older vehicles in the EU. However, for vehicles engaged in international operations and cabotage, this Annex IB will only be applicable until 18 August 2025.

N.B 2: According to Article 1(a)(3) of Commission Implementing Regulation (EU) 2018/502 of 28 February 2018 amending Implementing Regulation (EU) 2016/799 laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components, OJ L 85, 28.3.2018, p. 1:

> "Tachographs other than smart tachographs shall continue, as regards construction, testing, installation, inspection, operation and repair, to comply with the requirements of either Annex I to Regulation (EU) No 165/2014 or Annex IB to Council Regulation (EEC) No 3821/85, as applicable."

N.B. 3: According to amending Regulation (EU) 2020/1054 (32020R1054), as from 21 August 2023, newly registered vehicles under the scope of Regulation (EU) No 165/2014 must be equipped with the version 2 of the smart tachograph.

N.B. 4: Annex 1B of the Regulation remains in force for circulation of vehicles with tachographs specified in that Annex. Regulation (EU) 2020/1054 (32020R1054) provides for the retrofit of an older version of the tachograph with the second version of smart tachograph, in all EU and the Associated States' vehicles engaged in international transport operations or cabotage, by 31 December 2024 if the vehicle is equipped with an analogue or first generation digital tachograph, and by 18 August 2025 if the vehicle is equipped with a first version of the smart tachograph. Nevertheless, Annex 1B tachographs may still be fitted in vehicles that are not engaged in international transport after these dates.

[1] This Annex will not appear in the final text of the Agreement. it is attached here for explanatory purposes only.

ANNEX XIV – SAN MARINO PROTOCOL

COMPETITION

List provided for in Article 41 of the Framework Agreement

TABLE OF CONTENTS

1 Block exemptions 2
2 Agriculture 5
3 Insurance Sector 7
4 Transport 8
5 Information and Communication Technologies 10

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

CHAPTER 1

BLOCK EXEMPTIONS

1. 32014 R 0316: Commission Regulation (EU) No 316/2014 of 21 March 2014 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements (TTBER) (OJ L 93, 28.3.2014, p. 17).

2. 32010 R 1218: Commission Regulation (EU) No 1218/2010 of 14 December 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements (OJ L 335, 18.12.2010, p. 43) as amended by:

   – 32022 R 2456: Commission Regulation (EU) 2022/2456 of 8 December 2022 amending Regulation (EU) No 1218/2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements (OJ L 321, 15.12.2022, p. 3).

3. 32010 R 1217: Commission Regulation (EU) No 1217/2010 of 14 December 2010 on application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of research and development agreements (OJ L 335, 18.12.2010, p. 36) as amended by:

   – 32022 R 2455: Commission Regulation (EU) 2022/2455 of 8 December 2022 amending Regulation (EU) No 1217/2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of research and development agreements (OJ L 321, 15.12.2022, p. 1).

4. 32022 R 0720: Commission Regulation (EU) 2022/720 of 10 May 2022 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices, (OJ L 134, 11.5.2022, p. 4).

5. 32010 R 0461: Commission Regulation (EU) No 461/2010 of 27 May 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices in the motor vehicle sector (OJ L 129, 28.5.2010, p. 52).

6. 31971 R 2821: Regulation (EEC) No 2821/71 of the Council of 20 December 1971 on the application of Article 85(3) of the Treaty to categories of agreements, decisions and concerted practices (OJ L 285, 29.12.1971, p. 46) as amended by:

   – 31972 R 2743: Regulation (EEC) No 2743/72 of the Council of 19 December 1972 amending Regulation (EEC) No 2821/71 on the application of Article 85(3) of the Treaty to categories of agreements, decisions and concerted practices (OJ L 291, 28.12.1972, p. 144),

– 32003 R 0001: Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ L 1, 4.1.2003, p. 1).

7. 31965 R 0019: Council Regulation (EC) No 19/65/EEC of 2 March 1965 on application of Article 85 (3) of the Treaty to certain categories of agreements and concerted practices (OJ 36, 6.3.1965, p. 533) as amended by:

– 31999 R 1215: Council Regulation (EC) No 1215/1999 of 10 June 1999 amending Regulation No 19/65/EEC on the application of Article 81(3) of the Treaty to certain categories of agreements and concerted practices (OJ L 148, 15.6.1999, p. 1),

– 32003 R 0001: Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ L 1, 4.1.2003, p. 1).

CHAPTER 2

AGRICULTURE

1. 32013 R 1308: Regulation (EU) 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671), as amended by:

   – 32013 R 1310: Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 (OJ L 347, 20.12.2013, p. 865),

   – 32016 R 0791: Regulation (EU) 2016/791 of the European Parliament and of the Council of 11 May 2016 (OJ L 135, 24.5.2016, p. 1),

   – 32016 R 1166: Commission Delegated Regulation (EU) 2016/1166 of 17 May 2016 (OJ L 193, 19.7.2016, p. 17),

   – 32016 R 1226: Commission Delegated Regulation (EU) 2016/1226 of 4 May 2016 (OJ L 202, 28.7.2016, p. 5),

   – 32017 R 2393: Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 (OJ L 350, 29.12.2017, p. 15),

   – 32020 R 2220: Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 (OJ L 437, 28.12.2020, p. 1).

– 32021 R 2117: Regulation (EU) 2021/2117 of the European Parliament and of the Council of 2 December 2021 (OJ L 435, 6.12.2021, p. 262).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

Only the following provisions of the Regulation shall apply: Articles 125, 149, 152, 164, 166a, 167, 167a, 206 to 210a, and 222.

2. 32013 R 1379: Regulation (EU) 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1), as amended by:

– 32013 R 1385 Council Regulation (EU) No 1385/2013 of 17 December 2013 *(OJ L 354, 28.12.2013, p. 86),*

– 32015 R 0812: Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015 *(OJ L 133, 29.5.2015, p. 1),*

– 32020 R 0560 Regulation (EU) 2020/560 of the European Parliament and of the Council of 23 April 2020 *(OJ L 130, 24.4.2020, p. 11).*

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Only the following provisions of the Regulation shall apply: Articles 40 and 41.

CHAPTER 3

INSURANCE SECTOR

1. 31991 R 1534: Council Regulation (EEC) No 1534/91 of 31 May 1991 on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector (OJ L 143, 7.6.1991, p. 1).

CHAPTER 4

TRANSPORT

1. 32009 R 0906: Commission Regulation (EC) No 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (OJ L 256, 29.9.2009, p. 31), as amended by:

   – 32014 R 0697: Commission Regulation (EU) No 697/2014 of 24 June 2014 (OJ L 184, 25.6.2014, p. 3),

   – 32020 R 0436: Commission Regulation (EU) 2020/436 of 24 March 2020 (OJ L 90, 25.3.2020, p. 1).

   The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 4 of Framework Protocol 1 to this Agreement shall apply.

2. 32009 R 0246: Council Regulation (EC) No 246/2009 of 26 February 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (Codified version) (OJ L 79, 25.3.2009, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply.

3. 32009 R 0169: Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (OJ L 61, 5.3.2009, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply to the rules of competition regarding transport by rail and inland waterway.

CHAPTER 5

INFORMATION AND COMMUNICATION TECHNOLOGIES

1. 32018 L 1972: Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast) (OJ L 321, 17.12.2018, p. 36).

2. 32008 L 0063: Commission Directive 2008/63/EC of 20 June 2008 on competition in the markets in telecommunications terminal equipment (Codified version) (OJ L 162, 21.6.2008, p. 20).

3. 32002 L 0077: Commission Directive 2002/77/EC of 16 September 2002 on competition in the markets for electronic communications networks and services (OJ L 249, 17.9.2002, p. 21).

ACTS WHICH THE COMMISSION AND THE NATIONAL AUTHORITIES OF SAN MARINO SHALL TAKE INTO ACCOUNT

In the application of Articles 38 to 43 of this Agreement and the provisions referred to in this Annex, the Commission and the national authorities of San Marino shall take into account the principles and rules contained in the following acts:

1. 52014 XC 0328(01): Communication from the Commission – Guidelines on the application of Article 101 of the Treaty on the Functioning of the European Union to technology transfer agreements (OJ C 89, 28.3.2014, p. 3).

2. 52011 XC 0114(04): Communication from the Commission – Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements (OJ C 11, 14.1.2011, p. 1 and corrigenda OJ C 33, 2.2.2011, p. 20).

3. 52022 XC 0630(01): Guidelines on Vertical Restraints ("Vertical Guidelines") Commission Notice – Guidelines on vertical restraints 2022/C 248/01, C/2022/4238, (OJ C 248, 30.6.2022).

4. 52010 XC 0528(01): Commission notice – Supplementary guidelines on vertical restraints in agreements for the sale and repair of motor vehicles and for the distribution of spare parts for motor vehicles (OJ C 138, 28.5.2010, p. 16).

5. 52004 XC 0427(07): Communication from the Commission – Notice – Guidelines on the application of Article 81(3) of the Treaty (OJ C 101, 27.4.2004, p. 97).

6. 52009 XC 0224(01): Communication from the Commission – Guidance on the Commission's enforcement priorities in applying Article 82 of the EC Treaty to abusive exclusionary conduct by dominant undertakings (OJ C 45, 24.2.2009, p. 7).

7. 52004 XC 0427(06): Commission Notice – Guidelines on the effect on trade concept contained in Articles 81 and 82 of the Treaty (OJ C 101, 27.4.2004, p. 81).

8. 52014 XC 0830(01): Communication from the Commission – Notice on agreements of minor importance which do not appreciably restrict competition under Article 101(1) of the Treaty on the Functioning of the European Union (*De Minimis* Notice) (OJ C 291, 30.8.2014, p. 1).

9. Guidance on restrictions of competition "by object" for the purpose of defining which agreements may benefit from the *De Minimis* Notice, SWD (2014) 198 final.

10. 31979 Y 0103(01): Commission notice of 18 December 1978 concerning its assessment of certain subcontracting agreements in relation to Article 85(1) of the EEC Treaty (OJ C 1, 3.1.1979, p. 2).

11. 52010 XC 0330(02): Communication from the Commission on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of agreements, decisions and concerted practices in the insurance sector (OJ C 82, 30.3.2010, p. 20).

12. 31998 Y 0206(01): Notice from the Commission on the application of the competition rules to the postal sector and on the assessment of certain State measures relating to postal services (OJ C 39, 6.2.1998, p. 2).

13. 31997 Y 0930(01): Clarification of the Commission recommendations on the application of the competition rules to new transport infrastructure projects (OJ C 298, 30.9.1997, p. 5).

14. 52018 XC 0507(01): Communication from the Commission – Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services (OJ C 159, 7.5.2018, p. 1).

ANNEX XV – SAN MARINO PROTOCOL

STATE AID

List provided for in Article 47 of the Framework Agreement

TABLE OF CONTENTS

1 Procedural rules 2
2 Block exemption Regulations 4
3 *De minimis* aid 6
4 Transparency of financial relations between Member States and public undertakings 8

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

CHAPTER 1

PROCEDURAL RULES

1. 32015 R 1589: Council Regulation (EU) 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union (OJ L 248, 24.9.2015, p. 9).

2. 32004 R 0794: Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EU) 2015/1589 (OJ L 140, 30.4.2004, p. 1), as amended by:

   – 32006 R 1627: Commission Regulation (EC) No 1627/2006 of 24 October 2006 (OJ L 302, 1.11.2006, p. 10),

   – 32008 R 0271: Commission Regulation (EC) No 271/2008 of 30 January 2008 (OJ L 82, 25.3.2008, p. 1),

– 32009 R 0257: Commission Regulation (EC) No 257/2009 of 24 March 2009 (OJ L 81, 27.3.2009, p. 15),

– 32014 R 0372: Commission Regulation (EU) No 372/2014 of 9 April 2014 (OJ L 109, 12.4.2014, p. 14),

– 32015 R 2282: Commission Regulation (EU) 2015/2282 of 27 November 2015 (OJ L 325, 10.12.2015, p. 1),

– 32016 R 0246: Commission Regulation (EU) 2016/246 of 3 February 2016 (OJ L 51, 26.2.2016, p. 1),

– 32016 R 2105: Commission Regulation (EU) 2016/2105 of 1 December 2016 (OJ L 327, 2.12.2016, p. 19).

CHAPTER 2

BLOCK EXEMPTION REGULATIONS

1. 32015 R 1588: Council Regulation (EU) N°2015/1588 of 13 July 2015 (OJ L 248, 24.9.2015, p. 1), as amended by:

   – 32018 R 1911: Commission Regulation (EU) 2018/1911 of 26 November 2018 (OJ L 311, 7.12.2018, p. 8).

2. 32014 R 0651: Commission Regulation (EU) N°651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014, p. 1), as amended by:

   – 32017 R 1084: Commission Regulation (EU) 2017/1084 of 14 June 2017 (OJ L 156, 20.6.2017, p. 1),

   – 32020 R 0972: Commission Regulation (EU) 2020/972 of 2 July 2020 (OJ L 215, 7.7.2020, p. 3),

   – 32021 R 0452: Commission Regulation (EU) 2021/452 of 15 March 2021(OJ L 89, 16.3.2021, p. 1),

   – 32021 R 1237: Commission Regulation (EU) 2021/1237 of 23 July 2021 (OJ L 270, 29.7.2021, p. 39).

3. 32007 R 1370: Regulation (EC) No 1370/2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ L 315, 3.12.2007, p. 1), as amended by:

   – 32016 R 2338: Regulation (EU) 2016/2338 of the European Parliament and of the Council of 14 December 2016 (OJ L 354, 23.12.2016, p. 22).

4. 32022 R 2472: Commission Regulation (EU) 2022/2472 of 14 December 2022 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 327, 21.12.2022, p. 1).

5. 32022 R 2473: Commission Regulation (EU) 2022/2473 of 14 December 2022 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 327, 21.12.2022, p. 82).

6. 32010 D 0787: Council Decision on State aid to facilitate the closure of uncompetitive coal mines (OJ L 336, 21.12.2010, p. 24).

   The provisions of this Decision shall, for the purposes of the Agreement, be read with the following adaptations:

   This Decision shall not apply to San Marino.

CHAPTER 3

DE MINIMIS AID

1. 32013 R 1407: Commission Regulation (EC) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (OJ L 352, 24.12.2013, p. 1), as amended by:

   – 32020 R 0972: Commission Regulation (EU) 2020/972 of 2 July 2020 (OJ L 215, 7.7.2020, p. 3).

2. 32012 R 0360: Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest (OJ L 114, 26.4.2012, p. 8), as amended by:

   – 32018 R 1923: Commission Regulation (EU) 2018/1923 of 7 December 2018 (OJ L 313, 10.12.2018, p. 2),

   – 32020 R 1474: Commission Regulation (EU) 2020/1474 of 13 October 2020 (OJ L 337, 14.10.2020, p. 1).

3. 32013 R 1408: Commission Regulation (EU) No 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector (OJ L 352, 24.12.2013, p. 9), as amended by:

   – 32019 R 0316: Commission Regulation (EU) 2019/316 of 21 February 2019 (OJ L 511, 22.2.2019, p. 1).

4. 32014 R 0717: Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the fishery and aquaculture sector (OJ L 190, 28.6.2014, p. 45), as amended by:

   – 32020 R 2008: Commission Regulation (EU) 2020/2008 of 8 December 2020 (OJ L 414, 9.12.2020, p. 15),

   – 32022 R 2514: Commission Regulation (EU) 2022/2514 of 14 December 2022 (OJ L 326, 21.12.2022, p. 8).

CHAPTER 4

TRANSPARENCY OF FINANCIAL RELATIONS BETWEEN MEMBER STATES AND PUBLIC UNDERTAKINGS

1. 32006 L 0111: Commission Directive 2006/111/EC of 16 November 2006 on the transparency of financial relations between Member States and public undertakings as well as on financial transparency within certain undertakings (OJ L 318, 17.11.2006, p. 17).

ACTS WHICH THE ASSOCIATED PARTIES SHALL TAKE INTO ACCOUNT

1. 52019 XC 0723(01): Commission Notice on the recovery of unlawful and incompatible State aid - C/2019/5396 (OJ C 247, 23.07.2019, p. 1).

2. 52009 XC 05409(01): Commission notice on the enforcement of State aid law by national courts (OJ C 85, 9.4.2009, p. 1).

3. 52008 XC 0119(01): Communication from the Commission on the revision of the method for setting the reference and discount rates (OJ C 14, 19.1.2008, p. 6).

4. 52018 XC 0719(01): Commission Notice on a Best Practices Code on the conduct of State aid control proceedings - C/2018/4412 (OJ C 253, 19.7.2018, p.14).

5. 52003 XC 1209(02): Commission communication C (2003) 4582 of 1 December 2003 on professional secrecy in State aid decisions (OJ C 297, 09.12.2003, p. 6).

6. 52016 XC 0719(05): Commission Notice on the notion of State aid (OJ C 262, 19.7.2016, p. 1).

7. 52012 XC 0111(02): Communication from the Commission on the application of the European Union State aid rules to compensation granted for the provision of services of general economic interest (OJ C 8, 11.1.2012, p. 4).

8. 52008 XC 0620(02): Commission Notice on the application of Articles 87 and 88 of the EC Treaty to State aid in the form of guarantees (OJ C 155, 20.6.2008, p. 10).

9. 52021 XC 1230(02): Communication from the Commission – Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest (OJ C 528, 30.12.2021, p. 10).

10. 52021 XC 0429(01): Guidelines on regional State aid (OJ C 153, 29.4.2021, p.1).

11. 52022 XC 1028(03): Communication from the Commission Framework for State aid for Research and Development and Innovation (OJ C 414, 28.10.2022, p. 1).

12. 52021 XC 1216(04): Communication from the Commission – Guidelines on State aid to promote risk finance investments (OJ C 508, 16.12.2021, p. 1).

13. 52014 XC 0731(01): Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty (OJ C 249, 31.07.2014, p.1), as prolonged.

14. 52009 XC 0811(01): Communication from the Commission - Criteria for the compatibility analysis of training state aid cases subject to individual notification (OJ C 188, 11.8.2009, p. 1).

15. 52009 XC 0811(02): Communication from the Commission - Criteria for the compatibility analysis of state aid to disadvantaged and disabled workers subject to individual notification, Official Journal C 188 of 11.8.2009, p.6.

16. 52020 XC 0320(03): Communication from the Commission – Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91I, 20.3.2020, p. 1), as amended by:

– Commission Communication C(2020) 2215 (OJ C 112I, 4.4.2020, p. 1),

– Commission Communication C(2020) 3156 (OJ C 164, 13.5.2020, p. 3),

– Commission Communication C(2020) 4509 (OJ C 218, 2.7.2020, p. 3),

– Commission Communication C(2020) 7127 (OJ C 340I, 13.10.2020, p. 1),

– Commission Communication C(2021) 564 (OJ C 34, 1.2.2021, p. 6).

17. 52009 XC 0115(01): Communication from the Commission – The recapitalisation of financial institutions in the current financial crisis: limitation of aid to the minimum necessary and safeguards against undue distortions of competition, (OJ C 10, 15.1.2009, p. 2).

18. 52009 XC 0326(01): Communication from the Commission on the treatment of impaired assets in the Community banking sector, (OJ C 72, 26.3.2009, p. 1).

19. 52009 XC 0819(03): Commission communication on the return to viability and the assessment of restructuring measures in the financial sector in the current crisis under the State aid rules, (OJ J C 195, 19.8.2009, p. 9).

20. 52010 XC 1207(04): Communication from the Commission on the application, from 1 January 2011, of State aid rules to support measures in favour of banks in the context of the financial crisis, (OJ C 329, 7.12.2010, p. 7).

21. 52011 XC 1206(02): Communication from the Commission on the application, from 1 January 2012, of State aid rules to support measures in favour of banks in the context of the financial crisis, (OJ C 356, 6.12.2011, p. 7).

22. 52013 XC 0730(01): Communication from the Commission on the application, from 1 August 2013, of State aid rules to support measures in favour of banks in the context of the financial crisis ('Banking Communication'), (OJ C 216, 30.7.2013, p. 1).

23. 52012 XC 1219(01): Communication from the Commission to the Member States on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to short-term export-credit insurance (OJ C 224, 8.7.2020, p. 2).

24. 52022 XC 0218(03): Communication from the Commission – Guidelines on State aid for climate, environmental protection and energy 2022 (OJ C 80, 18.2.2022, p. 1).

25. 52020 XC0925(01): Guidelines on certain State aid measures in the context of the system for greenhouse gas emission allowance trading post 2021 (OJ C 317, 25.09.2020, p. 5).

26. Commission Communication relating to the methodology for analysis of State aid linked to stranded costs of 26 July 2001 and communicated to Member States by letter ref. SG(2001) D/290869, 6 August 2001 (http://ec.europa.eu/competition/state_aid/legislation/stranded_costs_en.pdf).

27. 52002 XC 0626(02): Communication from the Commission concerning certain aspects of the treatment of competition cases resulting from the expiry of the ECSC Treaty (OJ C 152, 26.6.2002, p. 5).

28. 31998 Y 0206(01): Notice from the Commission on the application of the competition rules to the postal sector and on the assessment of certain State measures relating to postal services (OJ C 39, 6.2.1998, p. 2).

29. 52013 XC 1115(01): Communication from the Commission on State aid for films and other audiovisual works (OJ C 332, 15.11.2013, p. 1).

30. 52009 XC 1027(01): Communication from the Commission on the application of State aid rules to public service broadcasting (OJ C 257, 27.10.2009, p. 1).

31. 52023 XC 0131(01): Communication From The Commission Guidelines on State aid for broadband networks (OJ C 36, 31.1.2023, p. 1).

32. 52008 XC 0722(04): Communication from the Commission – Community guidelines on State aid for railway undertakings (OJ C 184, 22.7.2008, p. 13).

33. 52004 XC 0117(01): Community guidelines on State aid to maritime transport (OJ C 13, 17.1.2004, p. 3).

34. C2008/317/08: Communication from the Commission providing guidance on State aid complementary to Community funding for the launching of the motorways of the sea (OJ C 317, 12.12.2008, p. 10).

35. 52009 XC 0611(01): Communication from the Commission providing guidance on State aid to ship-management companies (OJ C 132, 11.6.2009, p. 6).

36. 52012 XC 0111(03): Communication from the Commission - European Union framework for State aid in the form of public service compensation (OJ C 8, 11.1.2012, p. 15).

37. 52014 XC 0329(01): Communication from the Commission on interpretative guidelines concerning Regulation (EC) No 1370/2007 on public passenger transport services by rail and by road (OJ C 92, 29.3.2014, p. 1).

38. 32012 D 0021: 2012/21/EU: Commission Decision on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest (OJ L 7, 11.1.2012, p. 3).

39. 52014 XC 0627(01): Commission Communication on transparency (OJ C 198, 27.6.2014, p. 1).

40. DG Competition Working Paper on State Aid and Tax Rulings, 3.6.2016 (https://competition-policy.ec.europa.eu/system/files/2021-04/specific_aid_instruments_working_paper_tax_rulings.pdf).

41. Commission staff working document on common methodology for state aid evaluation (SWD (2014) 179 final).

42. 52022 XC 1221(01): Communication from the Commission - Guidelines for State aid in the agricultural and forestry sectors and in rural areas (OJ C 485, 21.12.2022, p. 1).

ANNEX XVI – SAN MARINO PROTOCOL

PROCUREMENT

List provided for in Article 49 of the Framework Agreement

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

1. 32014 L 0023: Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1), as corrected by OJ L 114, 5.5.2015, p. 24, as amended by:

   – 32017 R 2366: Commission Delegated Regulation (EU) 2017/2366 of 18 December 2017 (OJ L 337, 19.12.2017, p. 21),

   – 32019 R 1827: Commission Delegated Regulation (EU) 2019/1827 of 30 October 2019 (OJ L 279, 31.10.2019, p. 23),

   – 32021 R 1951: Commission Delegated Regulation (EU) 2021/1951 of 10 November 2021 (OJ L 398, 11.11.2021, p. 21).

2. 32014 L 0024: Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65), as amended by:

   – 32017 R 2365: Commission Delegated Regulation (EU) 2017/2365 of 18 December 2017 (OJ L 337, 19.12.2017, p. 19),

   – 32019 R 1828: Commission Delegated Regulation (EU) 2019/1828 of 30 October 2019 (OJ L 279, 31.10.2019, p. 25),

– 32021 R 1952: Commission Delegated Regulation (EU) 2021/1952 of 10 November 2021 (*OJ L 398, 11.11.2021, p. 23).*

3. 32016 R 0007: Commission Implementing Regulation (EU) 2016/7 of 5 January 2016 establishing the standard form for the European Single Procurement Document (OJ L 3, 6.1.2016, p. 16).

4. 32014 L 0025: Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243), as amended by:

   – 32017 R 2364: Commission Delegated Regulation (EU) 2017/2364 of 18 December 2017 (OJ 337, 19.12.2017, p. 17),

   – 32019 R 1829: Commission Delegated Regulation (EU) 2019/1829 of 30 October 2019 (OJ L 279, 31.10.2019, p. 27),

   – 32021 R 1953: Commission Delegated Regulation (EU) 2021/1953 of 10 November 2021 (OJ L 398, 11.11.2021, p. 25).

5. 389 L 0665: Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ No L 395, 30.12.1989, p. 33), as corrected by OJ L 63, 10.3.2016, p. 44, as amended by:

   – 32007 L 0066: Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 (OJ L 335, 20.12.2007, p. 31),

   – 32014 L 0023: Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 94, 28.3.2014, p. 1), as corrected by OJ L 114, 5.5.2015, p. 24.

6. 392 L 0013: Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ No L 76, 23.3.1992, p. 14), as amended by:

   – 32007 L 0066: Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 (OJ L 335, 20.12.2007, p. 31),

   – 32014 L 0023: Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 94, 28.3.2014, p. 1), as corrected by OJ L 114, 5.5.2015, p. 24.

7. 32009 L 0081: Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76), as amended by:

– 32009 R 1177: Commission Regulation (EC) No 1177/2009 of 30 November 2009 (OJ L 314, 1.12.2009, p. 64),

– 32011 R 1251: Commission Regulation (EU) No 1251/2011 of 30 November 2011 (OJ L 319, 2.12.2011, p. 43),

– 32013 L 0016: Council Directive 2013/16/EU of 13 May 2013 (OJ L 158, 10.6.2013, p. 184),

– 32013 R 1336: Commission Regulation (EU) No 1336/2013 of 13 December 2013 (OJ L 335, 14.12.2013, p. 17),

– 32017 R 2367: Commission Regulation (EU) 2017/2367 of 18 December 2017 (OJ L 337, 19.12.2017, p. 22),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241),

– 32019 R 1830: Commission Delegated Regulation (EU) 2019/1830 of 30 October 2019 (OJ L 279, 31.10.2019, p. 29),

– 32021 R 1950: Commission Delegated Regulation (EU) 2021/1950 of 10 November 2021 (OJ L 398, 11.11.2021, p. 19).

8. 371 R 1182: Regulation (EEC/Euratom) No 1182 of 3 June 1971 determining the rules applicable to periods, dates and time limits (OJ L 124, 8.6.1971, p. 1).

9. 32002 R 2195: Regulation (EC) No 2195/2002 of the European Parliament and of the Council of 5 November 2002 on the Common Procurement Vocabulary (CPV) (OJ L 340, 16.12.2002, p. 1), as amended by:

– 32003 R 2151: Commission Regulation (EC) No 2151/2003 of 16 December 2003 (OJ L 329, 17.12.2003, p. 1), as corrected by OJ L 330, 18.12.2003, p. 34,

– 32008 R 0213: Commission Regulation (EC) No 213/2008 of 28 November 2007 (OJ L 74, 15.3.2008, p. 1),

– 32022 R 0943: Commission Regulation (EU) 2022/943 of 17 June 2022 (OJ L 164, 20.6.2022, p. 6).

10. 32014 L 0055: Directive 2014/55/EU of the European Parliament and of the Council of 16 April 2014 on electronic invoicing in public procurement (OJ L 133, 6.5.2014, p. 1).

11. 32019 R 1780: Commission Implementing Regulation (EU) 2019/1780 of 23 September 2019 establishing standard forms for the publication of notices in the field of public procurement and repealing Implementing Regulation (EU) 2015/1986 (eForms) (OJ L 272, 25.10.2019, p. 7), as amended by:

   – 32022 R 2303: Commission Implementing Regulation (EU) 2022/2303 of 24 November 2022 amending Implementing Regulation (EU) 2019/1780 establishing standard forms for the publication of notices in the field of public procurement (OJ L 305, 25.11.2022, p. 12).

12. 32016 D 1804: Commission Implementing Decision (EU) 2016/1804 of 10 October 2016 on the detailed rules for the application of Articles 34 and 35 of Directive 2014/25/EU of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services sectors (OJ L 275, 12.10.2016, p. 39).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32015 D 1302: Commission Decision (EU) 2015/1302 of 28 July 2015 on the identification of Integrating the Healthcare Enterprise profiles for referencing in public procurement (OJ L 199, 29.7.2015, p. 43).

2. 32016 D 1765: Commission Implementing Decision (EU) 2016/1765 of 3 October 2016 on the identification of ICT Technical Specifications for referencing in public procurement (OJ L 269, 4.10.2016, p. 20).

3. 32017 H 1805: Commission Recommendation (EU) 2017/1805 of 3 October 2017 on the professionalisation of public procurement – Building an architecture for the professionalisation of public procurement (OJ L 259, 7.10.2017, p. 28).

4. 32017 D 1870: Commission Implementing Decision (EU) 2017/1870 of 16 October 2017 on the publication of the reference of the European standard on electronic invoicing and the list of its syntaxes pursuant to Directive 2014/55/EU of the European Parliament and of the Council (OJ L 266, 17.10.2017, p. 19).

5. 52006 X C0801(01): Commission interpretative communication on the Community law applicable to contract awards not or not fully subject to the provisions of the Public Procurement Directives (OJ C 179, 1.8.2006, p. 2).

6. 52019 X C0813(01): Communication from the Commission – Guidance on the participation of third-country bidders and goods in the EU procurement market (OJ C 271, 13.8.2019, p. 43).

7. 32022 R 1031: Regulation (EU) 2022/1031 of the European Parliament and of the Council of 23 June 2022 on the access of third-country economic operators, goods and services to the Union's public procurement and concession markets and procedures supporting negotiations on access of Union economic operators, goods and services to the public procurement and concession markets of third countries (International Procurement Instrument – IPI) (OJ L 173, 30.6.2022, p. 1).

8. 32022 R 2560: Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market (OJ L 330, 23.12.2022, p. 1).

9. 32018 H 0624: Commission Recommendation (EU) 2018/624 of 20 April 2018 on cross-border market access for sub-suppliers and SMEs in the defence sector (OJ L 102, 23.4.2018, p. 87).

10. 52019 XC 0508(01): Commission notice on guidance on cooperative procurement in the fields of defence and security (Defence and Security Procurement Directive 2009/81/EC).

Appendix 1

LISTS OF CENTRAL GOVERNMENT AUTHORITIES
REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 2(1)
OF DIRECTIVE 2014/24/EU

ANNEX I OF DIRECTIVE 2014/24/EU
CENTRAL GOVERNMENT AUTHORITIES
SAN MARINO

- Dipartimento Affari Esteri.
- Dipartimento Affari Istituzionali e Giustizia.
- Dipartimento Finanze e Bilancio.
- Dipartimento Economia.
- Dipartimento Territorio e Ambiente.
- Dipartimento Istruzione.
- Dipartimento Cultura e Turismo.
- Dipartimento Funzione Pubblica.
- Azienda Autonoma di Stato per i Lavori Pubblici (AASLP).
- Azienda Autonoma di Stato per i Servizi Pubblici (AASS).
- Istituto per la Sicurezza Sociale (ISS).
- Ente Autorità per l'Aviazione Civile e la Navigazione Marittima (AACNM).
- Comitato Olimpico Nazionale Sammarinese (CONS).
- Università degli Studi (UNIRSM).
- UO Approvvigionamenti, Contratti e Protezione dei dati personali.
- UO Ufficio Registro Automezzi e Trasporti – URAT
- UO Ufficio Informatica, Tecnologia, Dati e Statistica

Appendix 2

LISTS OF PRODUCTS
REFERRED TO IN ARTICLE 4(b) OF DIRECTIVE 2014/24/EU
WITH REGARD TO CONTRACTS AWARDED BY
CONTRACTING AUTHORITIES IN THE FIELD OF DEFENCE

ANNEX III OF DIRECTIVE 2014/24/EU

Appendix 3

REGISTERS REFERRED TO IN ARTICLE 58(2) OF DIRECTIVE 2014/24/EU

ANNEX XI OF DIRECTIVE 2014/24/EU
REGISTERS

The relevant professional and trade registers and corresponding declarations and certificates for Associated Parties:

– in San Marino, Registro Unico per appalti pubblici di lavori, servizi e forniture complementari alle opere pubbliche e per fornitura o somministrazione di beni e servizi al Settore Pubblico Allargato.

ANNEX XVII – SAN MARINO PROTOCOL

INTELLECTUAL PROPERTY

List provided for in Article 49 of the Framework Agreement

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

1. 31987 L 0054: Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products (OJ L 24, 27.1.1987, p. 36).

   The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

   (a) in Article 1(c), the reference to Article 223(1)(b) of the EEC Treaty (today Article 346 TFEU) shall be replaced by reference to Article 102 of the Association Agreement.

   (b) Article 3(6) to 3(8) shall not apply.

   (c) The text of Article 5(5) shall be replaced by the following:

   "The exclusive rights to authorise or prohibit the acts specified in paragraph 1(b) shall not apply to any such act committed after the topography or the semiconductor product has been put on the market in San Marino or in an EU Member State by the person entitled to authorise its marketing or with its consent.".

2. 31993 D 0016: Council Decision 93/16/EEC of 21 December 1992 on the extension of the legal protection of topographies of semiconductor products to persons from the United States of America and certain territories (OJ L 11, 19.1.1993, p. 20), as amended by:

   – 31993 D 0520: Council Decision 93/520/EEC of 27 September 1993 (OJ L 246, 2.10.1993, p. 31).

3. 31994 D 0700: Council Decision 94/700/EC of 24 October 1994 on the extension of the legal protection of topographies of semiconductor products to persons from Canada (OJ L 284, 1.11.1994, p. 61).

4. 31994 D 0824: Council Decision 94/824/EC of 22 December 1994 on the extension of the legal protection of topographies of semiconductor products to persons from a Member of the World Trade Organisation (OJ L 349, 31.12.1994, p. 201).

5. 31996 D 0644: Council Decision 96/644/EC of 11 November 1996 on the extension of the legal protection of topographies of semiconductor products to persons from the Isle of Man (OJ L 293, 16.11.1996, p. 18).

6. 31996 R 1610: Regulation (EC) No 1610/96 of the European Parliament and of the Council of 23 July 1996 concerning the creation of a supplementary protection certificate for plant protection products (OJ L 193, 8.8.1996, p. 30), as amended by:

   – 1 03 T: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33),

   – 1 2005 SA: Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded, adopted on 25 April 2005 (OJ L 157, 21.6.2005, p. 203),

– 1 2012 J003: Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, adopted on 9 December 2011 (OJ L 112, 24.4.2012, p. 21).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) In Article 3(1)(b), the following shall be added:

"; for the purposes of this subparagraph and the Articles which refer to it, an authorisation to place the product on the market granted in accordance with the national legislation of San Marino shall be treated as an authorisation granted in accordance with Directive 91/414/EEC or an equivalent provision of national law of an EU Member State."

(b) Article 20 shall not apply.

7. 32019 R 0933: Regulation (EU) 2019/933 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EC) No 469/2009 concerning the supplementary protection certificate for medicinal products (OJ L 153, 11.6.2019, p. 1).

8. 31993 L 0083: Council Directive 93/83/EEC of 27 September 1993 on the co-ordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmissions (OJ L 248, 6.10.1993, p. 15).

9. 31996 L 0009: European Parliament and Council Directive 96/9/EC of 11 March 1996 on the legal protection of databases (OJ L 77, 27.3.1996, p. 20).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 11(3) shall read:

"The term of any protection extended to databases by virtue of agreements concluded by San Marino or an EU Member State extending the right provided for in Article 7 to databases made in third countries and falling outside the provisions of paragraphs 1 and 2 shall not exceed that available pursuant to Article 10".

10. 31998 L 0071: Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs (OJ L 289, 28.10.1998, p. 28).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

The text of Article 15 shall be replaced by the following:

"The rights conferred by a design right upon registration shall not extend to acts relating to a product in which a design included within the scope of protection of the design right is incorporated or to which it is applied, when the product has been put on the market in San Marino or an EU Member State by the holder of the design right or with his/her consent."

11. 32001 L 0084: Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art (OJ L 272, 13.10.2001, p. 32).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

San Marino shall be invited to send representatives to the meetings of the Contact Committee.

12. 31998 L 0044: Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions (OJ L 213, 30.7.1998, p. 13).

13. 32001 L 0029: Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 167, 22.6.2001, p. 10), as corrected by OJ L 6, 10.1.2002, p. 70.

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

San Marino shall be invited to send representatives to the meetings of the Contact Committee.

14. 32009 L 0024: Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs (codified version) (OJ L 111, 5.5.2009, p. 16).

15. 32006 L 0115: Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version) (OJ L 376, 27.12.2006, p. 28).

16. 32006 L 0116: Directive 2006/116/EC of the European Parliament and of the Council of 12 December 2006 on the term of protection of copyright and certain related rights (codified version) (OJ L 372, 27.12.2006, p. 12), as amended by:

– 32011 L 0077: Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 (OJ L 265, 11.10.2011, p. 1).

17. 32015 L 2436: Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks (OJ L 336, 23.12.2015, p. 1). as corrected by OJ L 110, 26.4.2016, p. 5.

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) In Articles 4(1) (i) and 4(1)(l), the term "national law of the Member State concerned" shall be understood to be the trade mark law applicable in San Marino or an EU Member State. The words “international agreements to which the Member State concerned is party” shall be understood as “international agreements to which San Marino or an EU Member State is party".

(b) In Article 4(3)(a) the words "law other than trade mark law of the Member State concerned" are replaced by "law other than trade mark law applicable of San Marino or an EU Member State concerned".

(c) In Articles 5(2)(a)(i), (2)(b) and (3)(a), Article 6, Article 18(2), Article 44(3) and Article 46(5), the provisions concerning the EU trade mark shall not apply to San Marino unless the EU trade mark extends to San Marino.

(d) In Article 5(3)(c), the words "the law of the Member State concerned" are replaced by "the law of San Marino or an EU Member State concerned".

(e) Article 10(4) shall not apply.

18. 32012 L 0028: Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works (OJ L 299, 27.10.2012, p. 5).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) San Marino shall participate in the single publicly accessible online database established by the Office for Harmonization in the Internal Market referred to in Article 3(6).

(b) The date of application referred to in Article 8 shall be the day of entry into force of this Agreement.

19. 32014 L 0026: Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market (OJ L 84, 20.3.2014, p. 72).

20. 32004 L 0048R(01): Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (OJ L 195, 2.6.2004, p. 16).

21. 32009 R 0469: Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) (OJ L 152, 16.6.2009, p. 1).

22. 32016 L 0943: Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) In Article 1(1), the term "TFEU" shall be read as "Association Agreement".

(b) The reference in Article 1(2)(a) and Article 5(a) to "the right to freedom of expression and information as set out in the Charter" shall be read as "the fundamental right to freedom of expression and information".

(c) In Article 1(2)(b) and (c), the term "Union or national rules" shall be read as "EU rules or national rules of San Marino".

(d) The reference in Article 1(2)(c) to "Union institutions and bodies" shall be read as including "San Marino institutions and bodies".

(e) In Article 1(2)(c) and (3)(c), Article 3(2) and Article 5(c) and (d), the term "Union or national law" shall be read as "EU law or San Marino's national law".

(f) In Article 1(2)(d) and Article 3(1)(c), the term "Union law and national laws and practices" shall be read as "EU law and San Marino's national laws and practices".

23. 32017 L 1564: Directive (EU) 2017/1564 of the European Parliament and of the Council of 13 September 2017 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 242, 20.9.2017, p. 6).

24. 32017 R 1563: Regulation (EU) 2017/1563 of the European Parliament and of the Council of 13 September 2017 on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled (OJ L 242, 20.9.2017, p. 1).

25. 32017 R 1128: Regulation (EU) 2017/1128 of the European Parliament and of the Council of 14 June 2017 on cross-border portability of online content services in the internal market (OJ L 168, 30.6.2017, p. 1).

26. 32019 L 0790: Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (OJ L 130, 17.5.2019, p. 92).

27. 32019 L 0789: Directive (EU) 2019/789 of the European Parliament and of the Council of 17 April 2019 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes, and amending Council Directive 93/83/EEC (OJ L 130, 17.5.2019, p. 82).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 31992 Y 0528(01): Council Resolution 92/C 138/01 of 14 May 1992 on increased protection for copyright and neighbouring rights (OJ C 138, 28.5.1992, p. 1).

2. 52017DC0712: Commission Communication of 29 November 2017 setting out the EU approach to Standard Essential Patents COM/2017/0712.

ANNEX XVIII – SAN MARINO PROTOCOL

HEALTH AND SAFETY AT WORK, LABOUR LAW, AND EQUAL TREATMENT FOR MEN AND WOMEN, FOR PERSONS WITH DISABILITIES, FOR LGBTIQ PERSONS AND BETWEEN PERSONS IRRESPECTIVE OF RACIAL OR ETHNIC ORIGIN, RELIGION AND AGE

List provided for in Articles 51 to 54 of the Framework Agreement

TABLE OF CONTENTS

1 Health and safety at work 2

2 Equal treatment for men and women, for persons with disabilities, for LGBTIQ persons and between persons irrespective of racial or ethnic origin, religion and age 15

3 Labour law 20

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

CHAPTER 1

HEALTH AND SAFETY AT WORK

ACTS REFERRED TO

1. 31989 L 0391: Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1), as corrected by OJ L 275, 5.10.1990, p. 42, as amended by:

   – 32003 R 1882: Regulation (EC) No 1882/2003 of the European Parliament and of the Council 29 September 2003 (OJ L 284, 31.10.2003, p. 1),

   – 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

   – 32008 R 1137: Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008 (OJ L 311, 21.11.2008, p. 1).

2. 31989 L 0654: Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 1), as amended by:

   – 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

   – 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

3. 32009 L 0104: Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (codified version) (OJ L 260, 3.10.2009, p. 5).

   The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 3 of Framework Protocol 1 to this Agreement shall apply with regard to Directive 2009/104/EC. The period referred to in Article 3(2) of Framework Protocol 1 shall be one year from the date of entry into force of the Association Agreement

4. 31989 L 0656: Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at workplace (third individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 18), as amended by:

   – 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21).

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241),

– 32019 R 1832: Regulation (EU) 2019/1832 of the European Parliament and of the Council of 24 October 2019 (OJ L 279, 31.10.2019, p. 35).

5. 31990 L 0269: Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 156, 21.6.1990, p. 9), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

6. 31990 L 0270: Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16(1) of Directive 87/391/EEC) (OJ L 156, 21.6.1990, p. 14), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

7. 31992 L 0058: Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 245, 26.8.1992, p. 23), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32014 L 0027: Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 65, 5.3.2014, p. 1),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

8. 31992 L 0057: Council Directive 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 245, 26.8.1992, p. 6), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

9. 31992 L 0091: Council Directive 92/91/EEC of 3 November 1992 concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (eleventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992, p. 9), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21).

10. 31992 L 0104: Council Directive 92/104/EEC of 3 December 1992 on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 404, 31.12.1992, p. 10), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21).

11. 31992 L 0029: Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels (OJ L 113, 30.4.1992, p. 19), as amended by:

– 32003 R 1882: Regulation (EC) No 1882/2003 of the European Parliament and of the Council 29 September 2003 (OJ L 284, 31.10.2003, p. 1),

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32008 R 1137: Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008 (OJ L 311, 21.11.2008, p. 1),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241),

– 32019 L 1834: Commission Directive (EU) 2019/1834 of 24 October 2019 (OJ L 279, 31.10.2019, p. 80).

12. 31993 L 0103: Council Directive 93/103/EC of 23 November 1993 concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 307, 13.12.1993, p. 1), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32019 L 1832: Commission Directive 2019/1832 of 24 October 2019 amending Annexes I, II and III to Council Directive 89/656/EEC as regards purely technical adjustments (OJ L 279, 31.10.2019, p. 35).

13. 32000 L 0054: Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 262, 17.10.2000, p. 21) as amended by:

– 32019 L 1833: Commission Directive (EU) 2019/1833 of 24 October 2019 (OJ L 279, 31.10.2019, p. 54),

– 32020 L 0739: Commission Directive (EU) 2020/739 of 3 June 2020 (OJ L 175, 4.6.2020, p. 11).

14. 31999 L 0092: Directive 1999/92/EC of the European Parliament and of the Council of 16 December 1999 on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (15th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 23, 28.1.2000, p. 57), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21).

15. 32002 L 0044: Directive 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 177, 6.7.2002, p. 13), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32008 R 1137: Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008 (OJ L 311, 21.11.2008, p. 1),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

16. 32003 L 0010: Directive 2003/10/EC of the European Parliament and of the Council of 6 February 2003 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise) (Seventeenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 42, 15.2.2003, p. 38), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32008 R 1137: Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008 (OJ L 311, 21.11.2008, p. 1),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

17. 32006 L 0025: Directive 2006/25/EC of the European Parliament and of the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 114, 27.4.2006, p. 38), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32008 R 1137: Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008 (OJ L 311, 21.11.2008, p. 1),

– 32013 L 0064: Council Directive 2013/64/EU of 17 December 2013 (OJ L 353, 28.12.2013, p. 8),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

18. 32010 L 0032: Council Directive 2010/32/EU of 10 May 2010 implementing the Framework Agreement on prevention from sharp injuries in the hospital and healthcare sector concluded by HOSPEEM and EPSU (OJ L 134, 1.6.2010, p. 66).

19. 32013 L 0035: Directive 2013/35/EU of the European Parliament and of the Council of 26 June 2013 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (20th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) and repealing Directive 2004/40/EC (OJ L 179, 29.6.2013, p. 1).

20. 31991 L 0322: Commission Directive 91/322/EEC of 29 May 1991 on establishing indicative limit values by implementing Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work (OJ L 177, 5.7.1991, p. 22), as amended by:

– 32006 L 0015: Commission Directive 2006/15/EC of 7 February 2006 (OJ L 38, 9.2.2006, p.36),

– 32017 L 164: Commission Directive (EU) 2017/164 of 31 January 2017 (OJ L 27, 1.2.2017, p. 115).

21. 31998 L 0024: Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 131, 5.5.1998, p. 11), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

– 32014 L 0027: Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 65, 5.3.2014, p. 1),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

22. 32000 L 0039: Commission Directive 2000/39/EC of 8 June 2000 establishing a first list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC on the protection of the health and safety of workers from the risks related to chemical agents at work (OJ L 142, 16.6.2000, p. 47), as amended by:

– 32006 L 0015: Commission Directive 2006/15/EC of 7 February 2006 establishing a second list of indicative occupational exposure limit values (OJ L 38, 9.2.2006, p. 36),

– 32009 L 0161: Commission Directive 2009/161/EU of 17 December 2009 establishing a third list of indicative occupational exposure limit values (OJ L 338, 19.12.2009, p. 87),

– 32017 L 0164: Directive 2017/164/EU of 31 January 2017 establishing a fourth list of indicative occupational exposure limit values (OJ L 27, 1.2.2017, p. 115),

– 32019 L 1831: Commission Directive (EU) 2019/1831 of 24 October 2019 establishing a fifth list of indicative occupational exposure limit values (OJ L 279, 31.10.2019, p. 31).

23. 32004 L 0037: Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50), as corrected by OJ L 229, 29.6.2004, p. 23., as amended by:

– 32014 L 0027: Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 65, 5.3.2014, p. 1),

– 32017 L 2398: Directive 2017/2398/EU of the European Parliament and of the Council of 12 December 2017 amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (OJ L 345, 27.12.2017, p. 87),

– 32019 L 0130: Directive (EU) 2019/130 of the European Parliament and of the Council of 16 January 2019 (OJ L 30, 31.1.2019, p. 112),

– 32019 L 0983: Directive (EU) 2019/983 of the European Parliament and of the Council of 5 June 2019 (OJ L 164, 20.6.2019, p. 23),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241),

– 32022 L 0431: Directive (EU) 2022/431 of the European Parliament and of the Council of 9 March 2022 amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (OJ L 88, 16.3.2022, p. 1).

24. 32009 L 0148: Directive 2009/148/EC of the European Parliament and of the Council of 30 November 2009 on the protection of workers from the risks related to exposure to asbestos at work (codified version) (OJ L 330, 16.12.2009, p. 28), as amended by:

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

25. 31991 L 0383: Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed-duration employment relationship or a temporary employment relationship (OJ L 206, 29.7.91, p. 19), as amended by:

– 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 52000 DC 0466: Communication from the Commission on the Guidelines on the assessment of the chemical, physical and biological agents and industrial processes considered hazardous for the safety or health of pregnant workers and workers who have recently given birth or are breastfeeding (Council Directive 92/85/EEC) (COM(2000) 466 final, as corrected by COM(2000) 466 final/2).

2. 32003 H 0134: Council Recommendation 2003/134/EC of 18 February 2003 concerning the improvement of the protection of the health and safety at work of self-employed workers (OJ L 53, 28.2.2003, p. 45).

3. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU strategic framework on health and safety at work 2021-2027 Occupational safety and health in a changing world of work of 28 June 2021 (COM/2021/323 final).

4. Commission Recommendation (EU) 2022/2337 of 28 November 2022 concerning the European schedule of occupational diseases (OJ L 309, 30.11.2022, p. 12).

CHAPTER 2

EQUAL TREATMENT FOR MEN AND WOMEN, FOR PERSONS WITH DISABILITIES, FOR LGBTIQ PERSONS AND BETWEEN PERSONS IRRESPECTIVE OF RACIAL OR ETHNIC ORIGIN, RELIGION AND AGE

ACTS REFERRED TO

1. 31979 L 0007: Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security (OJ L 6, 10.1.1979, p. 24).

2. 32010 L 0041: Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC (OJ L 180, 15.7.2010, p. 1).

3. 32006 L 0054: Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (OJ L 204, 26.7.2006, p. 23).

4. 32004 L 0113: Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (OJ L 373, 21.12.2004, p. 37).

5. 32019 L 1158: Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU (OJ L 188, 12.7.2019, p. 79).

6. 31992 L 0085: Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992, p.1), as amended by:

   – 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

   – 32014 L 0027: Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 65, 5.3.2014, p. 1),

   – 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

7. 32000 L 0078: Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16).

8. 32019 L 0882: Directive 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 115, 7.6.2019, p 70).

9. 32000 L 0043: Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180, 19.7.2000, p. 22).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32010 D 0048: COUNCIL DECISION of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (2010/48/EC).

2. 52020 DC 0620: Communication from the Commission: A Union of Equality: EU Roma strategic framework for equality, inclusion and participation (COM/2020/620 final).

3. 32021 H 0319: Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation (2021/C 93/01).

4. 32018 H 0951: Commission Recommendation of 22 June 2018 on standards for equality bodies (notified under document number C(2018) 3850) (OJ L 167, 4.7.2018, p. 28).

5. 52020 DC 0698: Communication from the Commission of 12 November 2020: Union of Equality: LGBTIQ Equality Strategy 2020-2025 (COM(2020) 698 final).

6. 52021 DC 0101: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030, COM/2021/101 final.

7. 52020 DC 0565: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A Union of equality: EU anti-racism action plan 2020-2025, COM/2020/565 final.

8. 52021 DC 0615: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU Strategy on Combating Antisemitism and Fostering Jewish Life (2021-2030), COM/2021/615 final.

9. 52020 DC 0152: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A Union of Equality: Gender Equality Strategy 2020-2025, COM/2020/152 final.

CHAPTER 3

LABOUR LAW

ACTS REFERRED TO

1. 31998 L 0059: Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies (OJ L 225, 12.8.1998, p. 16), as amended by:

   – 32015 L 1794: Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers (OJ L 263, 8.10.2015, p. 1).

2. 32008 L 0094: Directive 2008/94/EC of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer (Codified version) (OJ L 283, 28.10.2008, p. 36),), as amended by:

   – 32015 L 1794: Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers (OJ L 263, 8.10.2015, p. 1)

3. 32015 L 1794: Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers (OJ L 263, 8.10.2015, p. 1).

4. 32019 L 1152: Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105).

5. 32009 L 0038: Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) (OJ L 122, 16.5.2009, p. 28), as amended by:

   – 32015 L 1794: Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers (OJ L 263, 8.10.2015, p. 1).

6. 31994 L 0033: Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.8.1994, p. 12), as amended by:

   – 32007 L 0030: Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 (OJ L 165, 27.6.2007, p. 21),

   – 32014 L 0027: Directive 2014/27/EU of the European Parliament and of the Council of 26February 2014 (OJ L 65, 5.3.2014, p. 1),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

7. 31996 L 0071: Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1), as amended by:

– 32018 L 0957: Directive 2018/957/EU of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (OJ L 173, 9.7.2018, p. 16).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply with regard to Article 1 of this Directive. The period referred to in Article 3(2) of Framework Protocol 1 shall be as follows:

(a) one year from the date of entry into force of the Agreement for Article 1(3)(b);

(b) two years from the date of entry into force of the Agreement for Article 1(3)(a);

(c) five years from the date of entry into force of the Agreement for Article 1(3)(c), with the exception of posting of workers to a user undertaking established or operating in the territory of a Member State belonging to the same production cycle for which the period referred to in Article 3(2) of Framework Protocol 1 shall be three years.

8. 32014 L 0067: Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative co-operation through the Internal Market Information System ("the IMI Regulation") (OJ L 159, 28.5.2014, p. 11).

   The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

   Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be one year from the date of entry into force of this Agreement.

9. 31997 L 0081: Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC (OJ L 14, 20.1.1998, p. 9), as amended by:

   – 31998 L 0023: Council Directive 98/23/EC of 7 April 1998 (OJ L 131, 5.5.1998, p. 10).

10. 31999 L 0070: Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175, 10.7.1999, p. 43), as corrected by OJ L 244, 16.9.1999, p. 64.

11. 31999 L 0063: Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) (OJ L 167, 2.7.1999, p. 33), as corrected by OJ L 244, 16.9.1999, p. 64, as amended by:

   – 32009 L 0013: Council Directive 2009/13/EC of 16 February 2009 (OJ L 124, 20.5.2009, p. 30).

12. 32000 L 0079: Council Directive 2000/79/EC of 27 November 2000 concerning the European Agreement on the organization of Working Time of Mobile Workers in Civil Aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA) (OJ L 302, 1.12.2000, p. 57).

13. 32001 L 0023: Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses (OJ L 82, 22.3.2001, p. 16), as corrected by OJ L 181, 9.7.2015, p. 84,), as amended by:

   – 32015 L 1794: Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers (OJ L 263, 8.10.2015, p. 1).

14. 32001 L 0086: Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees (OJ L 294, 11.10.2001, p. 22).

15. 32002 L 0014: Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community (OJ L 80, 23.3.2002, p. 29),) Directive 2002/14/EC, as amended by:

    – 32015 L 1794: Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers (OJ L 263, 8.10.2015, p. 1).

16. 32003 L 0072: Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees (OJ L 207, 18.8.2003, p. 25).

17. 32003 L 0088: Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9).

18. 32005 L 0047: Council Directive 2005/47/EC of 18 July 2005 on the Agreement between the Community of European Railways (CER) and the European Transport Workers' Federation (ETF) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services in the railway sector (OJ L 195, 27.7.2005, p. 15).

19. 32002 L 0015: Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35).

20. 32009 L 0013: Council Directive 2009/13/EC of 16 February 2009 implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC (OJ L 124, 20.5.2009, p. 30),), as amended by:

– 32018 L 0131: Council Directive (EU) 2018/131 of 23 January 2018 implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) to amend Directive 2009/13/EC in accordance with the amendments of 2014 to the Maritime Labour Convention, 2006, as approved by the International Labour Conference on 11 June 2014, (OJ L 22, 26.1.2018, p. 28).

21. 32017 L 0159: Council Directive (EU) 2017/159 of 19 December 2016 implementing the Agreement concerning the implementation of the Work in Fishing Convention, 2007 of the International Labour Organisation, concluded on 21 May 2012 between the General Confederation of Agricultural Cooperatives in the European Union (Cogeca), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises in the European Union (Europêche) (OJ L 25, 31.1.2017, p. 12).

22. 32008 L 0104: Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be five years from the date of entry into force of this Agreement.

23. 32014 L 0112: Council Directive 2014/112/EU of 19 December 2014 implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport, concluded by the European Barge Union (EBU), the European Skippers Organisation (ESO) and the European Transport Workers' Federation (ETF) (OJ L 367, 23.12.2014, p. 86).

24. 32016 D 0344: Decision (EU) 2016/344 of the European Parliament and of the Council of 9 March 2016 on establishing a European Platform to enhance cooperation in tackling undeclared work (OJ L 65, 11.03.2016, p. 12).

25. 32019 L 1937: Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (OJ L 305, 26.11.2019, p. 17), as amended by:

– 32020 R 1503: Regulation (EU) 2020/1503 of the European Parliament and of the Council of 7 October 2020 on European crowdfunding service providers for business, and amending Regulation (EU) 2017/1129 and Directive (EU) 2019/1937 (OJ L 347, 20.10.2020, p. 1),

– 32022 R 1925: Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) (OJ L 265, 12.10.2022, p. 1).

26. 32022 L 2041: Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275, 25.10.2022, p. 33).

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 41995 Y 1110(01): Resolution 95/C 296/06 of the Council and of the representatives of the Governments of the Member States, meeting within the Council, of 5 October 1995, on the image of women and men portrayed in advertising and the media (OJ C 296, 10.11.1995, p. 15).

2. 31995 Y 0704(02): Council Resolution 95/C 168/02 of 27 March 1995 on the balanced participation of men and women in decision-making (OJ C 168, 4.7.1995, p. 3).

3. 31996 H 0694: Council Recommendation 96/694/EC of 2 December 1996 on the balanced participation of men and women in the decision-making process (OJ L 319, 10.12.1996, p. 11).

4. 52013 DC 0882: Communication of the Commission of 13 December 2013 on an EU Quality Framework for anticipation of change and restructuring (COM(2013)882 final).

5. 32014 H 0327 (01): Council recommendation of 10 March 2014 on a Quality Framework for Traineeships (OJ C 88, 27.3.2014, p. 1).

6. 52017 X C0524(01): Interpretative Communication C(2017)2601 on Directive 2003/88/EC of the European Parliament and of the Council concerning certain aspects of the organisation of working time (*OJ C 165, 24.5.2017, p. 1)*.

7. 52017 DC 0254: Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee Report on the implementation by Member States of Directive 2003/88/EC concerning certain aspects of the organisation of working time (COM/2017/0254 final).

8. 32021 H 0402: Commission Recommendation (EU) 2021/402 of 4 March 2021 on an effective active support to employment following the COVID-19 crisis (EASE) (OJ L 80, 8.3.2021, p. 1).

ANNEX XIX – SAN MARINO PROTOCOL

CONSUMER PROTECTION

List provided for in Article 56 of the Framework Agreement

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

– recitals;

– the addressees of the EU legal acts;

– references to territories or languages of the EU;

– references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

– references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

1. 31998 L 0006: Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers (OJ L 80, 18.3.1998, p. 27), as amended by:

   – 32019 L 2161: Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 (OJ L 328, 18.12.2019, p. 7).

2. 32006 L 0114: Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (codified version) (OJ L 376, 27.12.2006, p. 21).

3. 31987 L 0357: Council Directive 87/357/EEC of 25 June 1987 on the approximation of the laws of the Member States concerning products which, appearing to be other than they are, endanger the health or safety of consumers (OJ L 192, 11.7.1987, p. 49).

   The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

   In Article 4(2), the reference to Decision 84/133/EEC shall be read as a reference to Decision 89/45/EEC.

4. 31993 L 0013: Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p.29), as amended by:

   – 32011 L 0083: Directive 2011/83/EU of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64),

   – 32019 L 2161: Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 (OJ L 328, 18.12.2019, p. 7).

5. 32008 L 0122: Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ L 33, 3.2.2009, p. 10).

6. 32020 L 1828: Directive (EU) 2020/1828 of the European Parliament and of the Council of 25 November 2020 on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC (OJ L 409, 4.12.2020, p. 1), as amended by:

   – 32022 R 1925: Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 (OJ L 265, 12.10.2022, p. 1).

7. 32020 D 0369: Commission Decision (EU) 2020/369 of 4 March 2020 conferring the power to issue an external alert on entities representing consumer and trader interests at a Union level pursuant to Regulation (EU) 2017/2394 of the European Parliament and of the Council (OJ L 67, 5.3.2020, p. 139).

8. 32011 L 0083: Directive 2011/83/EU of the European Parliament and of the Council Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64), as amended by:

   – 32019 L 2161: Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 (OJ L 328, 18.12.2019, p. 7).

9. 32019 L 0770: Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services (OJ L 136, 22.5.2019, p. 1).

10. 32019 L 0771: Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136, 22.5.2019, p. 28).

11. 32018 R 2394: Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (OJ L 345, 24.12.2017 p.1), as amended by:

   – 32018 R 0302: Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 (OJ L 345, 27.12.2017, p. 1).

12. 32019 D 2213: Commission Implementing Decision (EU) 2019/2213 of 20 December 2019 laying down the practical and operational arrangements for the functioning of the electronic database established pursuant to Regulation (EU) 2017/2394 of the European Parliament and of the Council as respects certain communications under that Regulation (OJ L 332, 23.12.2019, p. 163).

13. 32019 D 2212: Commission Implementing Decision (EU) 2019/2212 of 20 December 2019 on a pilot project to implement certain administrative cooperation provisions set out in Regulation (EU) 2017/2394 of the European Parliament and of the Council on cooperation between authorities responsible for the enforcement of consumer protection laws by means of the Internal Market Information System (OJ L 332, 23.12.2019, p. 159) [2].

14. 32005 L 0029: Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') (OJ L 149, 11.6.2005, p. 22), as amended by:

   – 32019 L 2161: Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 (OJ L 328, 18.12.2019, p. 7).

[2] Certain administrative cooperation provisions set out in Regulation (EU) 2017/2394 are subject to a pilot project using the Internal Market Information System established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49 /EC ('the IMI Regulation') (OJ L 316, 14.11.2012, p. 1). A separate implementing decision has been adopted for this purpose under Article 4 of the IMI Regulation.

15. 32008 L 0048: Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ L 133, 2.5.2008, p. 66), as amended by:

– 32011 L 0090: Commission Directive 2011/90/EU of 14 November 2011 (OJ L 296, 15.11.2011, p. 35),

– 32014 L 0017: Directive 2014/17/EU of the European Parliament and of the Council (OJ L 60, 28.2.2014, p. 34),

– 32016 R 1011: Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 (OJ L 171, 29.6.2016, p. 1),

– 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 3 to this Agreement shall apply with regard to Article 9 of this Directive. The abovementioned Article shall only apply from the moment San Marino has obtained access to the banking segment referred to in Article 4(1) of Framework Protocol 3.

16. 32013 R 0524: Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (OJ L 165, 18.6.2013, p. 1).

17. 32015 R 1051: Commission Implementing Regulation (EU) 2015/1051 of 1 July 2015 on the modalities for the exercise of the functions of the online dispute resolution platform, on the modalities of the electronic complaint form and on the modalities of the cooperation between contact points provided for in Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes (OJ L 171, 2.7.2015, p. 1).

18. 32013 L 0011: Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (OJ L 165, 18.6.2013, p. 63).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) References to other acts in the Directive shall be considered relevant to the extent and in the form that those acts are incorporated into this Agreement.

(b) Article 11(2) shall read as follows:

"2. For the purposes of this Article, 'habitual residence' shall be determined in accordance with the following:

(a) The habitual residence of companies and other bodies, corporate or unincorporated, shall be the place of central administration.

The habitual residence of a natural person acting in the course of its business activity shall be its principal place of business;

(b) Where the contract is concluded in the course of the operations of a branch, agency or any other establishment, or if, under the contract, performance is the responsibility of such a branch, agency or establishment, the place where the branch, agency or any other establishment is located shall be treated as the place of habitual residence;

(c) For the purposes of determining the habitual residence, the relevant point in time shall be the time of the conclusion of the contract.".

(c) In Article 18(2), the following shall be added:

"The Commission shall include on that list competent authorities and single points of contact designated by San Marino."

(d) In Article 20(4), the following shall be inserted after the words "notified to the Commission.":

"The Commission shall include on that list the ADR entities established in San Marino and listed in accordance with paragraph 2.".

19. 32015 L 2302: Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

In Article 14(4), the words "the Union" shall read "San Marino".

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 41986 X 0723(06): Council Resolution and the Ministers for Education meeting within the Council of 9 July 1986 on consumer education in primary and secondary schools (OJ C 184, 23.7.1986, p. 21).

2. 32010 H 0304: Commission Recommendation 2010/304/EU of 12 May 2010 on the use of a harmonised methodology for classifying and reporting consumer complaints and enquiries (OJ L 136, 2.6.2010, p. 1).