

Regulation (EU) No 510/2011 of the European Parliament and of the Council
of 11 May 2011 setting emission performance standards for new light
commercial vehicles as part of the Union's integrated approach to reduce CO₂
emissions from light-duty vehicles (Text with EEA relevance) (repealed)

Article 11

Derogations for certain manufacturers

1 An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer of fewer than 22 000 new light commercial vehicles registered in the Union per calendar year, and which:

- a is not part of a group of connected manufacturers; or
- b is part of a group of connected manufacturers that is responsible in total for fewer than 22 000 new light commercial vehicles registered in the Union per calendar year; or
- c is part of a group of connected manufacturers but operates its own production facilities and design centre.

2 A derogation applied for under paragraph 1 may be granted for a maximum period of five calendar years. An application shall be made to the Commission and shall include:

- a the name of, and contact person for, the manufacturer;
- b evidence that the manufacturer is eligible for a derogation under paragraph 1;
- c details of the light commercial vehicles which it manufactures including the mass and specific emissions of CO₂ of those light commercial vehicles; and
- d a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO₂ and taking into account the characteristics of the market for the type of light commercial vehicle manufactured.

3 Where the Commission considers that the manufacturer is eligible for a derogation applied for under paragraph 1 and is satisfied that the specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO₂, and taking into account the characteristics of the market for the type of light commercial vehicle manufactured, the Commission shall grant a derogation to the manufacturer. The derogation shall apply from 1 January of the year following the date of granting of the derogation.

4 A manufacturer which is subject to derogation in accordance with this Article shall notify the Commission immediately of any change which affects or may affect its eligibility for a derogation.

5 Where the Commission considers, whether on the basis of a notification under paragraph 4 or otherwise, that a manufacturer is no longer eligible for the derogation, it shall revoke the derogation with effect from 1 January of the next calendar year and shall notify the manufacturer thereof.

6 Where the manufacturer does not attain its specific emissions target, the Commission shall impose the excess emissions premium on the manufacturer, as set out in Article 9.

7 The Commission shall adopt rules to supplement paragraphs 1 to 6 of this Article, inter alia, on the interpretation of the eligibility criteria for derogations, on the content of applications,

Status: Point in time view as at 11/05/2011. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 510/2011 of the European Parliament and of the Council (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

and on the content and assessment of programmes for the reduction of specific emissions of CO₂, by means of delegated acts in accordance with Article 15, and subject to the conditions laid down in Articles 16 and 17.

8 Applications for a derogation, including the information supporting it, notifications under paragraph 4, revocations under paragraph 5 and any imposition of an excess emissions premium under paragraph 6 and acts adopted pursuant to paragraph 7, shall be made publicly available, subject to 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⁽¹⁾.

Status: Point in time view as at 11/05/2011. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 510/2011 of the European Parliament and of the Council (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

(1) [OJ L 145, 31.5.2001, p. 43.](#)

Status:

Point in time view as at 11/05/2011. This version of this provision has been superseded.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 510/2011 of the European Parliament and of the Council (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations.