

Commission Delegated Regulation (EU) No 114/2013 of 6 November 2012 supplementing Regulation (EU) No 510/2011 of the European Parliament and of the Council with regard to rules for the application for a derogation from the specific CO₂ emissions targets for new light commercial vehicles (Text with EEA relevance)

Article 5

**Specific emissions target and reduction potential
pursuant to Article 11(2) of Regulation (EU) No 510/2011**

1 The applicant shall provide the average specific CO₂ emissions of its new light commercial vehicles registered in 2010, unless the average specific CO₂ emissions for that year are listed in Annex III. Where this information is not available, the applicant shall provide the average specific CO₂ emissions of its new light commercial vehicles registered in the following calendar year closest to 2010.

2 The applicant shall provide the following information on its activities:

- a for the calendar year preceding the date of application, the number of employees and the size of the production facility in square meters;
- b the operational model of the production facility specifying which design and production activities are performed by the applicant and which are outsourced;
- c in the case of a connected undertaking, if the technology is shared by the manufacturers, and which activities are outsourced;
- d for five calendar years preceding the date of application, the sales volumes, yearly turnover, net profit, and research and development spending on CO₂-reducing technologies, and in the case of a connected undertaking, the net transfers to the parent company;
- e the characteristics of its market;
- f the price list for all versions of light commercial vehicles to be covered by the derogation in the calendar year preceding the date of application, and the expected price list for the light commercial vehicles planned to be launched and to be covered by the derogation.

The information referred to in point (d) of the first subparagraph shall be accompanied by the official certified accounts, or shall be certified by an independent auditor.

3 The applicant shall provide the following information on its technological potential to reduce its specific emissions of CO₂:

- a the list of CO₂ reducing technologies used in its light commercial vehicles deployed on the market in 2010 or, where those data are not available, for the following year closest to 2010, or in case of manufacturers planning to enter the market, for the year in which the derogation starts to apply;
- b the list of CO₂ reducing technologies used in its light commercial vehicles under the programme for the reduction of specific emissions of CO₂ and the additional costs of these technologies for each vehicle version covered by the application.

4 The applicant shall, in accordance with its reduction potential, propose one of the following targets:

- a a specific emissions target that ensures that the average specific emissions of CO₂ at the expiry of the derogation period are reduced in comparison to the average specific emissions of CO₂ referred to in paragraph 1;

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- b a yearly specific emissions target for each year of the derogation period that is determined so that the average specific CO₂ emissions during the whole derogation period are reduced in comparison to the average specific emissions of CO₂ referred to in paragraph 1.

5 The specific emissions target or yearly specific emissions targets proposed by the applicant shall be accompanied by a programme for the reduction of specific emissions of CO₂ for the new fleet.

The programme for the reduction of specific emissions of CO₂ shall specify the following:

- a the timetable for introduction of CO₂ reducing technologies in the applicant's fleet;
- b the estimated new light commercial vehicles registered in the Union per year for the period of the derogation and the expected average specific emissions of CO₂ and average mass;
- c in the case of yearly specific emissions targets, yearly improvement of specific CO₂ emissions of the vehicle versions for which CO₂ reducing technologies are introduced.

6 The applicant's compliance with a specific emissions target or yearly specific emissions targets shall be assessed in accordance with Article 9 of Regulation (EU) No 510/2011 each year during the derogation period.

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Changes and effects yet to be applied to :

- Regulation revoked by [S.I. 2023/1394 art. 114\(1\)](#)
- Art. 5(1) words omitted by [S.I. 2019/550 reg. 31\(3\)\(a\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/550 reg. 31\(7\)](#)
- Art. 4(b) words substituted by [S.I. 2019/550 reg. 31\(2\)](#)
- Art. 5(2)(f) words substituted by [S.I. 2023/1394 art. 114\(3\)\(a\)\(i\)](#)
- Art. 5(3)(b) words substituted by [S.I. 2023/1394 art. 114\(3\)\(a\)\(ii\)](#)
- Art. 5(5)(b) words substituted by [S.I. 2019/550 reg. 31\(3\)\(b\)](#)