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EUROPEAN COMMISSION

Brussels, 20.5.2011
C(2011) 2611 final

COMMISSION DECISION

of 20.5.2011

on exemptions under Article 14 of Commission Regulation (EC) N° 29/2009

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of 20.5.2011

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Commission Regulation (EC) N° 29/2009 of 16 January 2009 laying down requirements on data link services for the single European sky¹, and in particular Article 14(2) thereof,

Whereas:

- (1) The Commission may grant exemptions for aircraft types reaching the end of their production life and being produced in limited numbers, and also for aircraft types for which re-engineering cost required would be disproportionate.
- (2) In order to fulfil the obligations of Article 3(2) of Regulation (EC) N° 29/2009, the selection of another avionics supplier for some specific aircraft types would lead to disproportionate re-engineering costs.
- (3) Temporary exemptions before the application date of Regulation (EC) N° 29/2009 should not impact on the provision of data link services.
- (4) Permanent exemptions should not endanger the objective of 75% of flights equipped with data link services capability.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS DECISION:

Article 1

Operators of the aircraft types specified in Annex I have a permanent exemption concerning the provisions of Regulation (EC) N° 29/2009.

¹ OJ L 13, 17.1.2009, p. 3.

Article 2

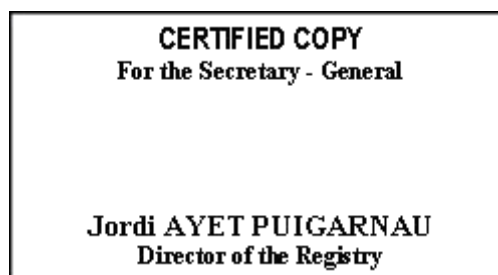
1. Operators of the aircraft types specified in Annex II have a temporary exemption concerning the provisions of Article 3(2) of Regulation (EC) N° 29/2009.
2. The validity of the temporary exemptions of paragraph 1 is limited to the specific dates indicated in Annex II.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20.5.2011

For the Commission
Siim KALLAS
Vice-President



ANNEX I
Exemptions referred to in Article 1

Model	ICAO Identifier	Marketing Name
Antonov 12	AN12BP	AN-12BK-2
Bombardier CL-600-2B19	CRJ1/M and CRJ2/M	CRJ440
Cessna 525	C525	Citation CJ1+
Cessna 560	C560	Citation Encore+
Cessna 750	C750	Citation X
Embraer EMB-135BJ	E135	LEGACY 600
Embraer EMB-135EJ	E135	LEGACY 650
Embraer EMB-135ER	E135	ERJ-135
Embraer EMB-135KE	E135	ERJ-140
Embraer EMB-135KL	E135	ERJ-140
Embraer EMB-135LR	E135	ERJ-135
Embraer EMB-145	E145	ERJ-145
Embraer EMB-145EP	E145	ERJ-145
Embraer EMB-145ER	E145	ERJ-145
Embraer EMB-145EU	E145	ERJ-145
Embraer EMB-145LR	E145	ERJ-145
Embraer EMB-145LU	E145	ERJ-145
Embraer EMB-145MK	E145	ERJ-145
Embraer EMB-145MP	E145	ERJ-145
Embraer EMB-145MR	E145	ERJ-145
Embraer EMB-145XR	E45X	ERJ-145XR
Fokker 100	F100	Fokker 100
Fokker 70	F70	Fokker 70
Gulfstream G200	G200	G200

Model	ICAO Identifier	Marketing Name
Hawker Beechcraft 400A	BE40	Hawker 400XP

ANNEX II

Exemptions referred to in Article 2

Model	ICAO Identifier	Marketing Name	Date
AIRBUS 320-232	A320	A320	31/12/2012
Boeing B737-600	B736	B737	31/12/2011
Boeing B737-700	B737	B737	31/12/2012
Boeing B737-700IGW	B737	B737	31/12/2011
Boeing B737-800	B738	B737	31/12/2012
Boeing B737-900ER	B739	B737	31/12/2011
Boeing 737NG	B737	B737	31/12/2012
Boeing B767-300	B763	B767	31/12/2011
Bombardier BD-100-1A10	CL30/M	Challenger 300	30/9/2011
Bombardier BD-700-1A10	GLEX/M	Global Express	31/12/2012
Bombardier BD-700-1A11	GL5T/M	Global 5000	31/12/2012
Bombardier CL-600-2B16	CL60/M	Challenger 605 Variant	30/9/2011
Bombardier CL-600-2C10	CL7/M	CRJ702	30/9/2011
Bombardier CL-600-2D24	CL9/M	CRJ700/900	30/9/2011
Bombardier CL-600-2E25	Not yet certified	CRJ1000	30/9/2011
Bombardier LEARJET 60	LJ60	LEARJET 60XR	31/12/2011
Bombardier LEARJET 45	LJ45	LEARJET 40, 40XR, 45 and 45XR	31/3/2012
Cessna 510	C510	Citation Mustang	31/12/2012
Model	ICAO Identifier	Marketing Name	Date

Cessna 525A	C25A	Citation CJ2+	30/6/2011
Cessna 525B	C25B	Citation CJ3	30/6/2011
Cessna 525C	C25C	Citation CJ4	30/6/2011
Cessna 560XL	C56X	Citation XLS+	30/6/2011
Cessna 680	C680	Citation Sovereign	31/12/2012
Dassault Falcon 2000Ex EASy Falcon 2000DX Falcon 2000LX	F2TH	Falcon 2000Ex EASy Falcon 2000DX Falcon 2000LX	31/12/2012
Dassault Falcon 900EX EASy Falcon 900DX Falcon 900LX	F900	Falcon 900EX EASy Falcon 900DX Falcon 900LX	31/12/2012
Dassault Falcon 7X	FA7X	Falcon 7X	31/12/2012
Embraer EMB-500	E50P	Phenom 100	31/12/2012
Embraer EMB-505	E55P	Phenom 300	31/12/2012
Embraer ERJ 170-100 LR	E170	Embraer 170	30/6/2012
Embraer ERJ 170-100 STD	E170	Embraer 170	30/6/2012
Embraer ERJ 170-200 LR	E170	Embraer 175	30/6/2012
Embraer ERJ 170-200 STD	E170	Embraer 175	30/6/2012

Model	ICAO Identifier	Marketing Name	Date
Embraer ERJ 190-100 ECJ	E190	Lineage 1000	30/6/2012
Embraer ERJ 190-100 IGW	E190	Embraer 190	30/6/2012
Embraer ERJ 190-100 LR	E190	Embraer 190	30/6/2012
Embraer ERJ 190-100 SR	E190	Embraer 190	30/6/2012
Embraer ERJ 190-100 STD	E190	Embraer 190	30/6/2012
Embraer ERJ 190-200 IGW	E190	Embraer 195	30/6/2012
Embraer ERJ 190-200 LR	E190	Embraer 195	30/6/2012
Embraer ERJ 190-200 STD	E190	Embraer 195	30/6/2012
Gulfstream G150	G150	G150	31/12/2012
Hawker Beechcraft 390	PRM1	Premier 1/1A	30/6/2012
Hawker Beechcraft 750	H25B	Hawker 750	30/6/2011
Hawker Beechcraft 900XP	H25B	Hawker 900XP	30/6/2011
Hawker Beechcraft 4000	HA4T	Hawker 4000	31/12/2012
Hawker Beechcraft B200/B200C	BE20	Super King Air	30/6/2011
Hawker Beechcraft B200CGT	BE20	King Air B200GT	30/6/2011
Hawker Beechcraft B300	B350	King Air 350	30/6/2011

Model	ICAO Identifier	Marketing Name	Date
Hawker Beechcraft B300C	B350	King Air 350i	30/6/2011
Hawker Beechcraft C90GTI	BE9L	King Air C90GTx	30/6/2011
Ilyushin 76	IL76TD	Il-76-8	31/12/2012
SOCATA Variant T700N	TBM7	TBM700N	31/12/2012