

**BOSNIA AND HERZEGOVINA  
DIRECTORATE OF CIVIL  
AVIATION**

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Pursuant to Article 16 and Article 61(2) of the Law on Administration (Official Gazette of BIH 32/02, 102/09 and 72/17) and Article 14(1) of the Aviation Law of Bosnia and Herzegovina (Official Gazette of BIH 39/09 and 25/18), the acting Director General of the Bosnia and Herzegovina Directorate of Civil Aviation has hereby adopted

**RULEBOOK  
LAYING DOWN THE FRAMEWORK FOR THE  
CREATION OF THE SINGLE EUROPEAN SKY**

Article 1

(Scope and objective)

- (1) The scope of this Rulebook is to establish a harmonised regulatory framework for the creation of the single European sky.
- (2) The objective of the single European sky initiative is to enhance current safety standards, contribute to a sustainable development of the air transport system and enhance overall performance of in air traffic management (ATM) and air navigation services (ANS) for general air traffic in Europe, with the aim of meeting the requirements of all airspace users. The single European sky includes a unique pan-European route network, network management and air traffic management systems that are based exclusively on safety, efficiency and technical aspects and are beneficial to all airspace users. In order to achieve this objective, this Rulebook establishes a harmonised regulatory framework for the creation of the single European sky.

Article 2

(Definitions and terms)

- (1) For the purposes of this Rulebook the following definitions and terms shall apply:
  - a) **Air Traffic Control (ATC) Service:** means a service provided for the purpose of:
    - a) preventing collisions:
      - 1) between aircraft, and
      - 2) in the manoeuvring area between aircraft and obstructions; and
    - b) expediting and maintaining an orderly flow of air traffic;
  - b) **Aerodrome Control Service:** means provision of an ATC service for aerodrome traffic;
  - c) **Aeronautical Information Service:** means a service established within the defined area of coverage responsible for the provision of aeronautical information and data necessary for the safety, regularity, and efficiency of air navigation;
  - d) **Air Navigation Services:** means air traffic services; communication, navigation and surveillance services; meteorological services for air navigation; and aeronautical information services;
  - e) **Air Navigation Service Providers:** means any public or private entity providing air navigation services for general air traffic;

- f) **Airspace Block:** means an airspace of defined dimensions, in space and time, within which air navigation services are provided;
- g) **Airspace Management:** means a planning function with the primary objective of maximising the utilisation of available airspace by dynamic time-sharing and, at times, the segregation of airspace among various categories of airspace users on the basis of short-term needs;
- h) **Airspace Users:** means operators of aircraft operating in general air traffic;
- i) **Air Traffic Flow Management:** means a function established with the objective of contributing to a safe, orderly and expeditious flow of air traffic by ensuring that ATC capacity is utilised to the maximum extent possible, and that the traffic volume is compatible with the capacities declared by the appropriate air traffic service providers;
- j) **Air Traffic Management (ATM):** means the aggregation of the airborne and ground-based functions (air traffic services, airspace management and air traffic flow management) required to ensure the safe and efficient movement of aircraft during all phases of operations;
- k) **Air Traffic Services (ATS):** means the various flight information services, alerting services, air traffic advisory services and ATC services (area, approach and aerodrome control services);
- l) **Area Control Service:** means an ATC service established for controlled flights in a control area;
- m) **Approach Control Service:** means an ATC service for arriving or departing controlled flights;
- n) **ATM Master Plan:** means the starting point for the establishment of the to develop the new generation European air traffic management system (SESAR);
- o) **Bundle of services:** means two or more air navigation services;
- p) **Certificate:** means a document issued by the BHDCA in any form complying with the legal system of Bosnia and Herzegovina, which confirms that an air navigation service provider meets the requirements for providing a specific service;
- r) **Communication Services:** means aeronautical fixed and mobile services to enable ground-to-ground, air-to-ground and air-to-air communications for ATC purposes;
- s) **European Air Traffic Management Network (EATMN):** means the collection of systems enabling provision of air navigation services in the European Common Aviation Area, including the interfaces at boundaries with third countries. The collection of the systems includes:
  - 1) Airspace management systems and procedures,
  - 2) Air traffic flow management systems and procedures,
  - 3) Systems and procedures for air traffic services, in particular flight data processing systems, surveillance data processing systems and human-machine interface systems,
  - 4) Ground-to-ground, air-to-ground and air-to-air communication systems and procedures,
  - 5) Navigation systems and procedures,
  - 6) Surveillance systems and procedures,
  - 7) Systems and procedures for aeronautical information services,
  - 8) Systems and procedures for the utilisation of meteorological information;
- t) **Concept of Operation:** means the criteria for the operational use of the EATMN or of part thereof;
- u) **Constituents:** means tangible objects such as hardware and intangible objects such as software upon which the interoperability of the EATMN depends;
- v) **EUROCONTROL:** is the European Organisation for the Safety of Air Navigation set up by the International Convention of 13 December 1960 relating to cooperation in the field of air navigation;
- z) **Flexible Use of Airspace:** means an airspace management concept applied in the European Civil Aviation Conference area, based on the "Airspace Management Handbook for the application of the Concept of the Flexible Use of Airspace" issued by EUROCONTROL;
- aa) **Flight Information Region (FIR):** means those portions of an airspace within which flight information services and alerting services are provided;
- bb) **Flight Information Service:** means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of air traffic;
- cc) **Alerting Service:** a service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations in search and rescue missions;
- dd) **Flight Level:** means a surface of constant atmospheric pressure which is related to the specific pressure datum of 1013,2 hectopascals and is separated from other such surfaces by specific pressure intervals;
- ee) **Functional Airspace Block:** means an airspace block based on operational requirements and established regardless of State boundaries, where the provision of air navigation services and related functions are performance-driven and optimised with a view to introducing, in each functional airspace block, enhanced cooperation among air navigation service providers or, when appropriate, an integrated service provider;
- ff) **General Air Traffic:** means all movements of civil aircraft, as well as all movements of State aircraft

- (including military, customs and police aircraft) when these movements are carried out in conformity with the procedures prescribed by the ICAO;
- gg) **ICAO**: means the International Civil Aviation Organisation, as established by the 1944 Chicago Convention on International Civil Aviation;
- hh) **Interoperability**: means a set of functional, technical and operational properties required of the systems and constituents of the EATMN and of the procedures for its operation, in order to enable its safe, seamless and efficient operation. Interoperability is achieved by making the systems and constituents compliant with the essential requirements;
- ii) **Meteorological Services (MET)**: means those services that provide aircraft with meteorological forecasts, briefs and observations as well as any other meteorological information and data for aeronautical use;
- jj) **Navigation Services**: means those facilities and services that provide aircraft with positioning and timing information;
- kk) **Operational Data**: means information concerning all phases of flight that are required to take operational decisions by air navigation service providers, airspace users, airport operators and other actors involved;
- ll) **Procedure**: means a standard method for either the technical or the operational use of systems, in the context of agreed and validated concepts of operation requiring uniform implementation throughout the EATMN;
- mm) **Putting into service**: means the first operational use after the initial installation or an upgrade of a system;
- nn) **Route Network**: means a network of specified routes for channelling the flow of general air traffic as necessary for the provision of ATC services;
- oo) **Routing**: means the chosen itinerary to be followed by an aircraft during its operation;
- pp) **Seamless Operation**: means the operation of the EATMN in such a manner that from the user's perspective it functions as if it were a single entity;
- rr) **Surveillance Services**: means those facilities and services used to determine the respective positions of aircraft to allow safe separation;
- ss) **System**: means the aggregation of airborne and ground-based constituents, as well as space-based equipment, that provides support for air navigation services for all phases of flight;
- tt) **Upgrade**: means any modification that changes the operational characteristics of a system;
- uu) **Cross-border Services**: means any situation where air navigation services are provided in one ECAA country by a service provider certified in another ECAA country;
- vv) **ECAA agreement** (Multilateral Agreement on the Establishment of a European Common Aviation Area - ECAA): the multilateral agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo (pursuant to Security Council Resolution 1244 of 10 June 1999) on the establishment of a European Common Aviation Area (Official Gazette of BIH 2/07);
- zz) **ECAA country**: a country party to the Multilateral Agreement on the Establishment of a European Common Aviation Area - ECAA): the multilateral agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo (pursuant to Security Council Resolution 1244 of 10 June 1999) on the establishment of a European Common Aviation Area (Official Gazette of BIH 2/07);
- aaa) **Bosnia and Herzegovina Directorate of Civil Aviation - BHDCA**: The National Aviation Authority of Bosnia and Herzegovina / National Supervisory Authority of Bosnia and Herzegovina;
- (2) Notwithstanding paragraph (1) of this Article, certain terms shall for the purposes of this Rulebook be interpreted in accordance with points 2 and 3 of Annex II of the ECAA agreement:
- 'Community' shall read 'European Common Aviation Area',
  - 'Community law', 'Community legislation', 'Community instruments' and 'EC Treaty' shall read 'ECAA Agreement',
  - 'Community Airport' shall read 'airport located in the European Common Aviation Area',
  - 'Official Journal of the European Communities' or 'Official Journal of the European Union' shall read 'Official Journals of the Contracting Parties',
  - 'Community air carrier' shall read 'ECAA air carrier',
  - 'Member State(s)' shall read 'EC Member States and ECAA Partners'.

Article 3  
(Scope)

- (1) The application of this Rulebook shall be without prejudice to the sovereignty of Bosnia and Herzegovina over its airspace and to the requirements of Bosnia and Herzegovina relating to public order, public security and defence matters, as set out in Article 6 of this Rulebook. This Rulebook does not cover military operations and training.
- (2) The application of this Rulebook shall be without prejudice to the rights and obligations of Bosnia and Herzegovina set forth in the 1944 Convention on International Civil Aviation (Chicago Convention). In this context, an additional objective of this Rulebook is, in the fields it covers, to assist Bosnia and Herzegovina in fulfilling its obligations under the Chicago Convention, by providing a basis for a common interpretation and uniform implementation of its provisions, and by ensuring that

these provisions are duly taken into account in this Rulebook and in the rules drawn up for its implementation.

#### Article 4

##### (Responsibilities of the BHDCA)

- (1) The responsibility for the implementation of this Rulebook shall rest with the Bosnia and Herzegovina Directorate of Civil Aviation (hereinafter: BHDCA) within the responsibilities that have been conferred upon it pursuant to the Aviation Law of Bosnia and Herzegovina and regulations adopted on the basis of that law.
- (2) Pursuant to Article 5 of the Aviation Law, the responsibilities and functions between the BHDCA and the air navigation service provider in Bosnia and Herzegovina have been separated.
- (3) The BHDCA shall perform its responsibilities impartially, independently and transparently. This is achieved through the implementation of appropriate administrative and supervisory mechanisms, including their implementation within the administrative bodies of Bosnia and Herzegovina. However, this does not prevent the BHDCA from performing its tasks within the rules of organisation of the BHDCA or any other administrative body of Bosnia and Herzegovina.
- (4) The Aviation Law of Bosnia and Herzegovina defines the organisation and sources of financing of the BHDCA with the aim of efficient and timely discharge of tasks assigned to the BHDCA by this Rulebook.
- (5) The BHDCA shall inform the Joint Committee of the name and address of the national competent authority, as well as of changes to this information, and of the measures taken to ensure compliance with paragraphs (2), (3) and (4) of this Article.

#### Article 5

##### (Consultation of stakeholders)

Pursuant to Article 14(1) of the Aviation Law of Bosnia and Herzegovina, the BHDCA shall, prior to enacting regulations, make consultations with stakeholders for the purpose of implementing the single European sky.

Such stakeholders may include:

- a) air navigation service providers,
- b) aerodrome operators,
- c) relevant airspace users or relevant groups representing airspace users,
- d) military authorities,
- e) manufacturers, and
- f) professional staff representative bodies.

#### Article 6

##### (Safeguards)

Notwithstanding the provisions of this Rulebook, the Ministry of Defense of Bosnia and Herzegovina, the Ministry of Communications and Transport of Bosnia and Herzegovina, the BHDCA and other competent administrative bodies in the civil aviation system in Bosnia and Herzegovina may apply measures, to the extent necessary, to safeguard key security interests or defense policy interests. Such measures are in particular those that are necessary:

- a) for the surveillance of airspace that is under the responsibility of Bosnia and Herzegovina in accordance with ICAO Regional Air Navigation agreements, including the capability to detect, identify and evaluate all aircraft using such airspace, with a view to safeguard safety of flights and to take action to ensure security and defence needs;
- b) in the event of serious internal disturbances affecting the maintenance of law and order;

- c) in the event of war or serious international tension constituting a threat of war;
- d) for the fulfilment of Bosnia and Herzegovina's international obligations in relation to the maintenance of peace and international security;
- e) in order to conduct military operations and training, including the necessary possibilities for military exercises.

#### Article 7

##### (Cooperation with the European Aviation Safety Agency)

In implementing this Rulebook, the BHDCA shall, in accordance with its competencies and concluded working arrangements in the field of aviation safety, cooperate with the European Aviation Safety Agency (EASA) to ensure that all safety aspects are properly represented.

#### Article 8

##### (Harmonisation)

This Rulebook transposes the provisions of Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (Framework Regulation) and the provisions of Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the efficiency and sustainability of the European aviation system.

#### Article 9

##### (Inapplicable provisions)

- (1) The inapplicable provisions of Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 establishing a framework for the creation of the single European sky (Framework Regulation) and the provisions of Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the efficiency and sustainability of the European aviation system and the inapplicable provisions of Annex I of the ESAA Agreement are listed in Annex I to this Rulebook.
- (2) The provisions of paragraph (1) of this Article shall apply after the end of the first transitional period until Bosnia and Herzegovina has fulfilled all the conditions set out in Article 2 paragraph (1) of Protocol II to the ECAA Agreement.

#### Article 10

##### (Repeal)

The entry into force of this Rulebook shall repeal the Rulebook establishing the framework for the creation of the single European sky (Official Gazette of BiH No 45/10 of 1 June 2010).

#### Article 11

##### (Entry into force)

This Rulebook shall enter into force on the eighth day from the day of its publication in the Official Gazette of BiH.

Ref. number: 1-3-02-2-371-5/20

24 June 2020  
Banja Luka

Acting Director General  
**Čedomir Šušnjar**, sgd.

## ANNEX I INAPPLICABLE PROVISIONS

### Article 1 (Scope and objective)

- (4) The application of this Regulation to the airport of Gibraltar

is understood to be without prejudice to the respective legal positions of the Kingdom of Spain and the United Kingdom of Great Britain and Northern Ireland with regard to the dispute over sovereignty over the territory in which the airport is situated.

#### Article 3

(Fields for action by the Community)

- (1) This Regulation establishes a harmonised regulatory framework for the creation of the single European sky in conjunction with:
  - a) Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the Single European Sky (the airspace Regulation),
  - b) Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the Single European Sky (the service provision Regulation),
  - c) Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation), and with the implementing rules adopted by the Commission on the basis of this Regulation and the regulations referred to above.
- (2) The measures referred to in paragraph (1) shall apply subject to the provisions of this Regulation.

#### Article 5

(Committee procedure)

- (1) The Commission shall be assisted by the Single Sky Committee, hereinafter referred to as "the Committee", composed of two representatives of each Member State and chaired by a representative of the Commission. The Committee shall ensure an appropriate consideration of the interests of all categories of users.
- (2) Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- (3) Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The period referred to in Article 5(6) of Decision 1999/468/EC shall be set at one month.
- (4) Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- (5) Where reference is made to this paragraph, Article 5a paragraphs (1), (2), (4), (6) and Article 7 of Decision 1999/468/EC, having regard to the provisions of Article 8 thereof.

#### Article 6

(Industry consultation body)

Without prejudice to the role of the Committee and of Eurocontrol, the Commission shall establish an "industry consultation body", to which air navigation service providers, associations of airspace users, airport operators, manufacturers and professional staff representative bodies shall belong.

The role of this body shall be solely to advise the Commission on the implementation of the single European sky.

#### Article 7

(Relations with European third countries)

The Community and its member states shall aim at and support the extension of the single European sky to countries which are not members of the European Union. To that end, they shall endeavour, either within the framework of agreements concluded with neighbouring third countries, or within the framework of agreements on functional airspace blocks, to extend the scope of this Regulation, and of the measures referred to in Article 3, to those countries.

#### Article 8

(Implementing rules)

- (1) For the development of implementing rules, the Commission may issue mandates to Eurocontrol or, where appropriate, to another body, setting out the tasks to be performed and the timetable for this and taking into account the relevant deadlines laid down in this Regulation. The Commission shall act in accordance with the advisory procedure referred to in Article 5(2) of this Regulation.
- (2) When the Commission intends to issue a mandate in accordance with paragraph (1) of this Article, it shall endeavour to make the best use of existing arrangements for the involvement and consultation of all interested parties, where these arrangements correspond to Commission practices on transparency and consultation procedures and do not conflict with its institutional obligations.

#### Article 9

(Penalties)

The penalties that Member States shall lay down for infringements of this Regulation and of the measures referred to in Article 3 in particular by airspace users and service providers shall be effective, proportionate and dissuasive.

#### Article 10

(Consultation of stakeholders)

- (2) The Commission shall establish a consultation mechanism at Community level. The specific Sectoral Dialogue Committee set up under Decision 98/500/EC shall be involved in the consultation.
- (3) Consultation of stakeholders shall cover, in particular, the development and introduction of new concepts and technologies in the European Air Traffic Management Network (EATMN).

#### Article 11

(Performance scheme)

- (1) To improve the performance of air navigation services and network functions in the single European sky, a performance scheme for air navigation services and network functions shall be set up. It shall include:
  - a) Community-wide performance targets on the key performance areas of safety, the environment, capacity and cost-efficiency;
  - b) national plans or plans for functional airspace blocks, including performance targets, ensuring consistency with the Community-wide performance targets; and
  - c) periodic reviews, monitoring and benchmarking of the performance of air navigation services and network functions.
- (2) In accordance with the regulatory procedure referred to in Article 5(3), the Commission may designate EUROCONTROL or another impartial and competent body to act as a "performance review body". The role of the performance review body shall be to assist the Commission, in coordination with the national supervisory authorities, and to assist the national supervisory authorities on request in the implementation of the performance scheme referred to in paragraph (1) of this Article. The Commission shall ensure that the performance review body acts independently when carrying out the tasks entrusted to it by the Commission.
  - (3) a) The Community-wide performance targets for the air traffic management network shall be adopted by the Commission in accordance with the regulatory procedure referred to in Article 5(3), after taking into account the relevant inputs from national supervisory authorities at national level or at the level of functional airspace blocks.
  - b) The national or functional airspace block plans referred to in point b) of paragraph (1) shall be

drawn up by national supervisory authorities and adopted by the Member State(s). These plans shall include national targets or targets at the level of functional airspace blocks and an appropriate incentive scheme as adopted by the Member State(s). Drafting of the plans shall be subject to consultation with air navigation service providers, airspace users' representatives, and, where relevant, airport operators and airport coordinators.

- c) The consistency of the national or functional airspace block targets with the Community-wide performance targets shall be assessed by the Commission using the assessment criteria referred to in point (d) of paragraph 6. In the event that the Commission identifies that one or more national or functional airspace block targets do not meet the assessment criteria, it may decide, in accordance with the advisory procedure referred to in Article 5(2), to issue a recommendation that the national supervisory authorities concerned propose revised performance targets. The Member States concerned shall adopt revised performance targets and appropriate measures which shall be notified to the Commission in due time.
- Where the Commission finds that the revised performance targets and appropriate measures are not adequate, it may decide, in accordance with the regulatory procedure referred to in Article 5(3), that the Member States concerned shall take corrective measures.
- Alternatively, the Commission may decide, with adequate supporting evidence, to revise the Community-wide performance targets in accordance with the regulatory procedures referred to in Article 5(3).
- d) The reference period for the performance scheme shall cover a minimum of three years and a maximum of five years. During this period, in the event that the national or functional airspace block targets are not met, the Member States and/or the national supervisory authorities shall apply the appropriate measures they have defined. The first reference period shall cover the first three years following the adoption of the implementing rules referred to in paragraph (6).
- e) The Commission shall carry out regular assessments of the achievement of the performance targets and present the results to the Single Sky Committee.
- (4) The following procedures shall apply to the performance scheme referred to in paragraph (1) of this Article:
- a) collection, validation, examination, evaluation and dissemination of relevant data related to the performance of air navigation services and network functions from all relevant parties, including air navigation service providers, airspace users, airport operators, national supervisory authorities, Member States and EUROCONTROL;
- b) selection of appropriate key performance areas on the basis of ICAO Document No 9854 'Global air traffic management operational concept', and consistent with those identified in the Performance Framework of the ATM Master Plan, including safety, the environment, capacity and cost-efficiency areas, adapted where necessary in order to take into account the specific needs of the single European sky and relevant objectives for these areas and definition of a limited set of key performance indicators for measuring performance;

- c) establishment of Community-wide performance targets that shall be defined taking into consideration inputs identified at national level or at the level of functional airspace blocks;
- d) assessment of the national or functional airspace block performance targets on the basis of the national or functional airspace block plan; and
- e) monitoring of the national or functional airspace block performance plans, including appropriate alert mechanisms.

The Commission may add to the list of procedures referred to in this paragraph. These measures designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 5(4) of this Regulation.

- (5) The establishment of the performance scheme shall take into account that en route services, terminal services and network functions are different and should be treated accordingly, if necessary also for performance-measuring purposes.
- (6) For the detailed functioning of the performance scheme, the Commission shall by 4 December 2011 and within a suitable time-frame with a view to meeting the relevant deadlines laid down in this Regulation, adopt implementing rules in accordance with the regulatory procedure referred to in Article 5(3) of this Regulation. These implementing rules shall cover the following:
- a) the content and timetable of the procedures referred to in paragraph 4 of this Article;
- b) the reference period and intervals for the assessment of the achievement of performance targets and setting of new targets;
- c) criteria for the setting up by the national supervisory authorities of the national or functional airspace block performance plans, containing the national or functional airspace block performance targets and the incentive scheme. The performance plans shall:
- (i) be based on the business plans of the air navigation service providers,
- (ii) address all cost components of the national or functional airspace block cost base,
- (iii) include binding performance targets consistent with the Community-wide performance targets.
- d) criteria to assess whether the national or functional airspace block targets are consistent with the Community-wide performance targets during the reference period and to support alert mechanisms;
- e) general principles for the setting up by Member States of the incentive scheme;
- f) principles for the application of a transitional mechanism necessary for the adaptation to the functioning of the performance scheme not exceeding 12 months following the adoption of the implementing rules.

#### Article 12

(Supervision, monitoring and methods of impact assessment)

- (1) The supervision, monitoring and methods of impact assessment shall be based on the submission of annual reports by the Member States on implementation of the actions taken pursuant to this Regulation and to the measures referred to in Article 3 of this Regulation.
- The Commission shall periodically review the application of this Regulation and of the measures referred to in Article 3, and shall report to the European Parliament and to the Council, on the first occasion by 4 June 2011, and thereafter at the end of each reference period referred to in Article 11(3)d). For this purpose, the Commission may request from the Member States information additional to

the information contained in the reports submitted by them in accordance with paragraph (1) of this Article.

- (2) For the purpose of drafting the reports referred to in paragraph (2), the Commission shall request the opinion of the Committee.
  - (3) The reports shall contain an evaluation of the results achieved by the actions taken pursuant to this Regulation including appropriate information about developments in the sector, in particular concerning economic, social, employment and technological aspects, as well as about quality of service, in the light of the original objectives and with a view to future needs.
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