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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 07.07.2004
C(2004) 2515/7 final

COMMISSION DECISION

of 7 July 2004

concerning the national allocation plan for the allocation of greenhouse gas emission allowances notified by Sweden in accordance with Directive 2003/87/EC of the European Parliament and of the Council

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(Only the Swedish text is authentic)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC¹, and in particular Article 9(3) thereof,

Whereas:

- (1) The national allocation plan of Sweden for the period 2005-2007, developed under Article 9(1) of Directive 2003/87/EC, was notified to the Commission on 27 April 2004 and registered on 29 April 2004. Sweden submitted additional information completing the notified plan by a letter received on 18 June 2004 in reply to questions from the Commission and a letter received on 30 June 2004.
- (2) The Climate Change Committee has considered the national allocation plan and has called on the Commission to *inter alia* compare the proposed allocation to Sweden's projections for the non-trading and trading sectors, and urged the Commission to compare Sweden's allocation to recent historic and projected emissions and to examine the justification for deviations from recent historic and projected emissions for the trading sector. The views of the Climate Change Committee have been taken into account.
- (3) The national allocation plan, including the total quantity of allowances stated therein, has been evaluated in accordance with the Commission Communication on guidance to assist Member States in the implementation of the criteria listed in Annex III to Directive 2003/87/EC².
- (4) On the basis of the information provided by the Member State, the Commission therefore considers that any potential aid is likely to be compatible with the common market should it be assessed in accordance with Article 88(3) of the Treaty.

¹ OJ L 275, 25.10.2003, p. 32.

² COM(2003)830 final

- (5) This decision is without prejudice to the approval of Sweden's application for the unilateral inclusion of installations included in the Community scheme in accordance with the procedure referred to in Article 23(2) of Directive 2003/87/EC.
- (6) The reports on the implementation of policies and measures and the use of the Kyoto Protocol's mechanisms submitted by Member States pursuant to Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol³ are taken into account for evaluation of the national allocation plans pursuant to criterion 2 of Annex III to Directive 2003/87/EC,

HAS ADOPTED THIS DECISION:

Article 1

No objections are raised to the national allocation plan of Sweden with regard to the criteria of Annex III to the Directive or with regard to Article 10 thereof.

Article 2

The allocations specified in the national allocation plan for installations which Sweden intends to be unilaterally included in the Community scheme in accordance with Article 24 of Directive 2003/87/EC raise no objections for the purpose of this Decision, subject to the approval of that application and the implementation of the requested unilateral inclusion.

Article 3

1. The total quantity of allowances to be allocated by Sweden according to its national allocation plan to installations listed therein and to new entrants shall not be exceeded.
2. The national allocation plan may be amended without prior acceptance by the Commission if the amendment consists in modifications of the allocation of allowances to individual installations within the total quantity resulting from improvements to data quality.
3. Any amendments to the national allocation plan other than those referred to in paragraph 2 of this Article shall be notified to the Commission and accepted in accordance with Article 9(3) of Directive 2003/87/EC.

Article 5

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 7 July 2004

³ OJ L 49, 19.02.2004, p. 1.