


**I. Commission Regulation (EC) No 1702/2003
Notification up to 05/02/2007 (ref. TREN F3/MT/rbu/D(2007)302861)**

Member States	Derogation possibility	
	Art. 5.2	Art. 5.3
Austria	YES	-
Belgium	YES	YES
Cyprus	-	YES
Czech Republic	-	-
Denmark	YES	YES
Estonia	-	-
Finland	NO	YES
France	-	-
Germany	YES	-
Greece	YES	YES
Hungary	YES	YES
Iceland	YES	YES
Ireland	YES	YES
Italy	YES	YES
Latvia	YES	YES
Lithuania	-	-
Luxembourg	-	-
Malta	NO	YES
Netherlands	YES	YES
Norway	YES	YES
Poland	YES	YES
Portugal	NO	YES
Slovakia	YES	YES
Slovenia	-	-
Spain	NO	-
Sweden	YES	YES
United Kingdom	-	-

“YES” : means the State has notified the use of this “opt-out” provision

“NO” : means the State has not included in its notification the use of this “opt-out” provision

“-“ : means the Agency has received no information on the use of this “opt-out” provision

 : has been extended till 28th September 2007 (see Commission Regulation (EC) 706/2006)

N.B.: Article 5(4) to Commission Regulation (EC) No 1702/2003 states that “When a Member State makes use of the provisions of paragraphs 2 or 3 it shall notify the Commission and the Agency”.