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Price: EUR 3

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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) No 182/2014

of 17 December 2013

**amending Annex III to Regulation (EU) No 978/2012 of the European Parliament and of the Council
applying a scheme of generalised tariff preferences**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 ⁽¹⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Article 9(1) of Regulation (EU) No 978/2012 establishes specific eligibility criteria for the granting of tariff preferences under the special incentive arrangement for sustainable development and good governance (GSP+) to a requesting country. For that purpose, the country should be considered vulnerable. It should have ratified all the conventions listed in Annex VIII to that Regulation and the most recent available conclusions of the relevant monitoring bodies do not identify a serious failure to effectively implement any of those conventions. In relation to any of the conventions, the country should not have formulated a reservation which is prohibited by that convention or which, for the exclusive purposes of Article 9 of Regulation (EU) No 978/2012, is considered to be incompatible with the object and purpose of that convention. It should accept without reservation the reporting requirements imposed by each convention and give the binding undertakings referred to in points (d), (e) and (f) of Article 9(1) of Regulation (EU) No 978/2012.
- (2) A GSP beneficiary country wishing to benefit from GSP+ has to submit a request accompanied by comprehensive information concerning ratification of the relevant conventions, its reservations and the objections to those reservations made by other parties to the convention, and its binding undertakings.

- (3) The Commission has been empowered to adopt a delegated act in accordance with Article 290 TFEU to establish and amend Annex III in order to grant GSP+ to a requesting country by adding it to the list of GSP+ beneficiary countries.

- (4) The Commission received a request from the Republic of El Salvador, the Republic of Guatemala and the Republic of Panama.

- (5) The Commission has examined the requests made in accordance with the provisions of Article 10(1) of Regulation (EU) No 978/2012, and has established that those countries meet the eligibility criteria. They should therefore be granted GSP+ from the date of entry into force of this Regulation and Annex III to Regulation (EU) No 978/2012 be amended accordingly.

- (6) The Commission will keep under review the status of ratification of the relevant conventions and their effective implementation by the beneficiary countries, as well as their cooperation with the relevant monitoring bodies, in accordance with Article 13,

HAS ADOPTED THIS REGULATION:

Article 1

The following countries and the corresponding alphabetical codes are inserted under columns B and A, respectively, of Annex III to Regulation (EU) No 978/2012:

‘El Salvador	SV
Guatemala	GT
Panama	PA’

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 303, 31.10.2012, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 December 2013.

For the Commission

The President

José Manuel BARROSO

COMMISSION DELEGATED REGULATION (EU) No 183/2014

of 20 December 2013

supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms, with regard to regulatory technical standards for specifying the calculation of specific and general credit risk adjustments

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 ⁽¹⁾, and in particular the third subparagraph of Article 110(4) thereof,

Whereas:

(1) Regulation (EU) No 575/2013 defines credit risk adjustments as the amount of general and specific loan loss provisions for credit risks that have been recognised in the financial statements of the institutions in accordance with the applicable accounting framework but does not lay down specific rules for determining what are specific and general credit risk adjustments.

(2) Rules should be provided in relation to the specification of the amounts that need to be included in the calculation of credit risk adjustments which reflect losses exclusively related to credit risk. The calculation of credit risk adjustments for determining the own funds requirements should be limited to amounts that have reduced the Common Equity Tier 1 (CET1) of the institution.

(3) Losses exclusively related to credit risk recognised under the applicable accounting framework in the current financial year should be recognised as credit risk adjustments provided that the institution recognises the effect in (CET1). This is relevant for situations where such

impairment losses recorded in the course of a financial year occur, in spite of overall interim profits during the year or at year-end that are not approved in accordance with Article 26(2) of Regulation (EU) No 575/2013, and where their recognition as credit risk adjustments would result in an earlier impact on exposure values or on Tier 2 than on CET1. For interim losses as provided in Article 36(1) of Regulation (EU) No 575/2013 such an adjustment is not necessary to the extent that losses for the current financial year under that article are immediately deducted from CET1.

(4) Certain provisions of Regulation (EU) No 575/2013 relating to credit risk adjustments refer explicitly to off-balance sheet items. Where no such distinction is made, the relevant provisions apply to both on- and off-balance sheet items.

(5) Rules should be laid down to cover those losses exclusively related to credit risk that are recognised under the applicable accounting framework by which an institution's Common Equity Tier 1 has been reduced. Those rules should cover impairments and value adjustments for financial assets or provisions for off-balance sheet items, to the extent that they reflect losses exclusively related to credit risk and provided they are recognised in the profit and loss account under the applicable accounting framework. To the extent that those losses relate to financial instruments valued at fair value, those rules should also cover amounts recognised as impairments under the applicable accounting frameworks, or similar adjustments made provided they reflect losses related to a deterioration or a worsening of an asset's or an assets portfolio's credit quality. It is not appropriate at this stage to regulate other amounts that are not an impairment of a financial instrument under the applicable accounting framework, or that do not reflect a concept of a similar nature, even if those changes could include a credit risk component.

(6) In order to ensure full coverage of the calculation it is necessary that any amount that is relevant for the purposes listed in the first subparagraph of Article 110(4) of Regulation (EU) No 575/2013 is assigned either to the calculation of general credit risk adjustments (General Credit Risk Adjustments) or that of specific credit risk adjustments (Specific Credit Risk Adjustments).

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

- (7) In relation to the identification of the amounts that can be included in the calculation of Specific Credit Risk Adjustments, the only criterion provided by Regulation (EU) No 575/2013 is that Specific Credit Risk Adjustments are not eligible for inclusion into Tier 2 capital under the Standardised Approach for credit risk, according to Article 62(c) of Regulation (EU) No 575/2013. Therefore, the distinction of amounts to be included in the calculation of Specific Credit Risk Adjustments or General Credit Risk Adjustments needs to be done consistently with the criteria for identifying what can be included in Tier 2 capital
- (8) Regulation (EU) No 575/2013 implements the internationally-agreed standards of the Basel Committee on Banking Supervision third International Regulatory Framework for banks⁽¹⁾ (hereinafter referred to as 'Basel III'). Therefore, the appropriate rules on credit risk adjustments should also be consistent with the Basel framework which provides that one of the criteria for the distinction between General Credit Risk Adjustments and Specific Credit Risk Adjustments has to be that general provisions or general loan-loss reserves are 'freely available to meet losses which subsequently materialise'. According to Basel III, provisions or loan-loss reserves held against future, presently unidentified losses are freely available to meet losses stemming from credit risk which subsequently materialise and therefore qualify for inclusion within Tier 2 capital. In addition, amounts included in the calculation of General Credit Risk Adjustments should be fully available, with regards to timing and amount, to meet such losses, at least on a gone-concern basis where capital is able to absorb losses in insolvency prior to depositors losing any money.
- (9) It should be possible to apply the rules in this field irrespective of the applicable accounting framework. However, to enable institutions to distinguish between Specific Credit Risk Adjustments and General Credit Risk Adjustments in a common way, criteria for treatment of credit risk losses within an applicable accounting framework for each type of credit risk adjustment should be provided. Whereas the treatment of losses exclusively related to credit risk recognised under applicable accounting frameworks depends on the fulfilment of those criteria, the large majority of those amounts should normally be classified as Specific Credit Risk Adjustments given the restrictive nature of the criteria for General Credit Risk Adjustments.
- (10) International accounting standards are subject to revision which could necessitate changes to the criteria for distinguishing between Specific Credit Risk Adjustments and General Credit Risk Adjustments. In the light of ongoing discussions, particularly with regard to impairment models, it would seem premature to anticipate that model in credit risk adjustment criteria.
- (11) Regulation (EU) No 575/2013 requires the identification of the Specific Credit Risk Adjustments for a single exposure. It is therefore necessary to decide how to treat Specific Credit Risk Adjustments that reflect losses related to the credit risk of a whole group of exposures. Further, it is necessary to decide for which exposures in the group and to what extent the Specific Credit Risk Adjustments should be recognised. The assignment of portions of this amount resulting from such Specific Credit Risk Adjustments to the exposures in the group has to be done proportionally to the risk-weighted exposure amounts. For this purpose, the exposure values should be determined without taking into account any Specific Credit Risk Adjustments.
- (12) For the purpose of the determination of default under point (b) of Article 178(3) of Regulation (EU) No 575/2013, it is necessary to include only Specific Credit Risk Adjustments which are made individually for a single exposure or a single obligor, and not to include Specific Credit Risk Adjustments made for whole groups of exposures. Specific Credit Risk Adjustments made for whole groups of exposures do not identify obligors of exposures belonging to such groups for which a default event is considered to have occurred. In particular, the existence of Specific Credit Risk Adjustments for a group of exposures is not sufficient reason to conclude that default events have occurred for each of the obligor or exposures belonging to this group.
- (13) It is necessary for institutions to be able to demonstrate how the criteria for distinguishing between Specific Credit Risk Adjustments and General Credit Risk Adjustments are used in the context of the applicable accounting framework. Therefore, institutions should document that process.
- (14) This Regulation is based on the draft regulatory technical standards submitted by the European Banking Authority to the Commission.
- (15) The European Banking Authority has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits, in accordance with Article 10 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council⁽²⁾, and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010,

⁽¹⁾ http://www.bis.org/publ/bcbs189_dec2010.pdf

⁽²⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

HAS ADOPTED THIS REGULATION:

Article 1

Identification of General and Specific Credit Risk Adjustments for the purposes of Articles 111, 159, 166, 167, 168, 178, 246 and 266 of Regulation (EU) No 575/2013

1. For the purposes of this Regulation, the amounts required to be included in the calculation of general and specific credit risk adjustments by an institution shall be equal to all amounts by which an institution's Common Equity Tier 1 capital has been reduced in order to reflect losses exclusively related to credit risk according to the applicable accounting framework and recognised as such in the profit or loss account, irrespective of whether they result from impairments, value adjustments or provisions for off-balance sheet items.

Any amounts resulting pursuant to the first subparagraph which have been recognised during the financial year, may only be included in the calculation of general and specific credit risk adjustments if the respective amounts have been deducted from an institution's Common Equity Tier 1 capital, either in accordance with Article 36(1) of Regulation (EU) No 575/2013, or, in the event of interim profits or year-end profits that have not been approved in accordance with Article 26(2) of that Regulation, by way of a corresponding immediate reduction in Common Equity Tier 1 capital for the determination of own funds.

2. The amounts referred to in paragraph 1 shall be included in the calculation of general credit risk adjustments by the institution (General Credit Risk Adjustments) where they fulfil both of the following criteria:

- (a) they are freely and fully available, as regards to timing and amount, to meet credit risk losses that have not yet materialised;
- (b) they reflect credit risk losses for a group of exposures for which the institution has currently no evidence that a loss event has occurred.

3. All other amounts referred to in paragraph 1 shall be included in the calculation of specific credit risk adjustments (Specific Credit Risk Adjustments).

4. Subject to meeting the criteria of Paragraph 2, the institution shall include the following losses in the calculation of General Credit Risk Adjustments:

- (a) losses recognised to cover higher average portfolio loss experience over the last years although there is currently no evidence of loss events supporting these loss level observed in the past;

- (b) losses for which the institution is not aware of a credit deterioration for a group of exposures but where some degree of non-payment is statistically probable based on past experience.

5. The institution shall always include the following losses in the calculation of Specific Credit Risk Adjustments referred to in Paragraph 3:

- (a) losses recognised in the profit or loss account for instruments measured at fair value that represent credit risk impairment under the applicable accounting framework;
- (b) losses as a result of current or past events affecting a significant individual exposure or exposures that are not individually significant which are individually or collectively assessed;
- (c) losses for which historical experience, adjusted on the basis of current observable data, indicates that the loss has occurred but the institution is not yet aware which individual exposure has suffered these losses.

Article 2

Assigning Specific Credit Risk Adjustments for a group of exposures to the exposures within the group

1. Where a Specific Credit Risk Adjustment reflects losses related to the credit risk of a group of exposures, institutions shall assign that Specific Credit Risk Adjustment to all single exposures of that group proportionally to the risk-weighted exposure amounts. For that purpose, the exposure values shall be determined without taking into account any Specific Credit Risk Adjustments.

2. For the treatment of expected loss amounts referred to in Article 159 of Regulation (EU) No 575/2013 for a group of non-defaulted exposures, institutions shall not be required to assign a Specific Credit Risk Adjustment to the single exposures of the group.

3. Where a Specific Credit Risk Adjustment relates to a group of exposures the credit risk own funds requirements of which are calculated partially under the Standardised Approach and partially under the Internal Ratings Based Approach, the institution shall assign that Specific Credit Risk Adjustment to the group of exposures covered by each of the Approaches proportionally to the risk weighted exposure amounts of the group before applying the actions referred to in paragraphs 1 and 2. For that purpose, the exposure values shall be determined without taking into account any Specific Credit Risk Adjustments.

4. When assigning the Specific Credit Risk Adjustments to exposures, institutions shall ensure that the same portion is not assigned twice to different exposures.

Article 3

Calculation credit risk adjustments for the purpose of determining the exposure value according to Articles 111, 166, 167, 168, 246 and 266 of Regulation (EU) No 575/2013

For the purposes of determining the exposure value according to Articles 111, 166 to 168, 246 and 266 of Regulation (EU) No 575/2013, institutions shall calculate Specific Credit Risk Adjustments related to an exposure as the amounts of Specific Credit Risk Adjustments for that single exposure, or as the amounts of Specific Credit Risk Adjustments that the institution has assigned to that exposure according to Article 2.

Article 4

Calculation of general and specific credit risk adjustments for the purposes of the treatment of expected loss amounts according to Article 159 of Regulation (EU) No 575/2013

1. For the purposes of the treatment of expected loss amounts according to Article 159 of Regulation (EU) No 575/2013, the institution shall calculate the total General Credit Risk Adjustments related to the exposures included in the treatment of expected loss amounts as the sum of those amounts, identified as General Credit Risk Adjustments according to Article 1 of this Regulation, that the institution has assigned pursuant to Article 110(3) of Regulation (EU) No 575/2013.

2. For the purposes of the treatment of expected loss amounts according to Article 159 of Regulation (EU) No 575/2013, the calculation of total Specific Credit Risk Adjustments related to the exposures included in the treatment of expected loss amounts shall be the sum of the amounts of points (a) and (b), excluding exposures in default:

(a) amounts identified as Specific Credit Risk Adjustments according to Article 1 which are related to the credit risk of a single exposure;

(b) amounts identified as Specific Credit Risk Adjustments according to Article 1 which are related to the credit risk of a group of exposures and which have been assigned according to Article 2.

3. The total Specific Credit Risk Adjustments related to an exposure in default shall be calculated as the sum of all amounts of Specific Credit Risk Adjustments for that single exposure, or as the amounts of Specific Credit Risk Adjustments that the institution has assigned to that exposure according to Article 2.

Article 5

Calculation of Specific Credit Risk Adjustments for own funds requirements for the purposes of the determination of default according to Article 178 of Regulation (EU) No 575/2013

For the purposes of determining default according to Article 178 of Regulation (EU) No 575/2013, Specific Credit Risk Adjustments shall be calculated as the amounts of Specific Credit Risk Adjustments related to the credit risk of a single exposure or single obligor.

Article 6

Documentation

Institutions shall document the identification and calculation of General Credit Risk Adjustments and Specific Credit Risk Adjustments.

Article 7

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 2013.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 184/2014

of 25 February 2014

laying down pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund, the terms and conditions applicable to the electronic data exchange system between the Member States and the Commission and adopting pursuant to Regulation (EU) No 1299/2013 of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal, the nomenclature of the categories of intervention for support from the European Regional Development Fund under the European territorial cooperation goal

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 ⁽¹⁾, and in particular Article 74(4) thereof,

Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal ⁽²⁾, and in particular the second subparagraph of Article 8(2) thereof,

Whereas:

- (1) The provisions in this Regulation are closely linked, since they all deal with aspects required for the preparation of operational programmes under the Investment for growth and jobs goal and under the European territorial cooperation goal. To ensure coherence between those provisions, which should enter into force at the same time, and to facilitate a comprehensive view and compact access to them by all Union residents, it is desirable to include provisions on categories of intervention for the European territorial cooperation goal into this implementing act as the procedure with regard to the consultation of the Coordination Committee for the European Structural and Investment Funds established by Article 150(1) of Regulation (EU) No 1303/2013 is the same as for the other provisions

covered by this implementing act, whereas categories of intervention for the Investment for growth and jobs goal are subject to a different procedure.

- (2) Pursuant to Article 74(4) of Regulation (EU) No 1303/2013 all official exchanges of information between the Member State and the Commission shall be carried out using an electronic data exchange system. It is therefore necessary to establish the terms and conditions with which that electronic data exchange system should comply.
- (3) The modalities of exchange of information between the Member State and the Commission should be considered distinct from those established for the exchanges of information between beneficiaries and relevant authorities pursuant to Article 122(3) of Regulation (EU) No 1303/2013 and which are subject to a different implementing act. In order to guarantee enhanced quality of information on the implementation of operational programmes, improved usefulness of the system and simplification, it is necessary to specify basic requirements for the form and scope of the information to be exchanged.
- (4) It is necessary to specify principles, as well as applicable rules for operation of the system with regard to the identification of the party responsible for uploading the documents and making any updates thereto.
- (5) In order to guarantee the reduction of the administrative burden for the Member States and the Commission while ensuring the efficient and effective electronic exchange of information, it is necessary to establish technical characteristics for the system.
- (6) Member States and the Commission should also have a possibility to encode and transfer data in two different ways to be specified. It is also necessary to provide for rules in the event of *force majeure* hindering the use of the electronic data exchange system, to ensure that both Member States and the Commission can continue to exchange information by alternative means.

⁽¹⁾ OJ L 347, 20.12.2013, p. 320.

⁽²⁾ OJ L 347, 20.12.2013, p. 259.

- (7) Member States and the Commission should ensure that transfer of data through the electronic data exchange system is performed in a secured manner allowing for availability, integrity, authenticity, confidentiality and non-repudiation of information. Therefore rules on security should be set out.
- (8) This Regulation should respect the fundamental rights and observe the principles recognised by the Charter of Fundamental Rights of the European Union, and notably the right to protection of personal data. This Regulation should therefore be applied in accordance with these rights and principles. Concerning personal data processed by Member States, Directive 95/46/EC of the European Parliament and of the Council ⁽¹⁾ applies. Concerning the processing of personal data by the Union institutions and bodies and the free movement of such data, Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽²⁾ applies.
- (9) Pursuant to the second subparagraph of Article 8(2) of Regulation (EU) No 1299/2013, it is necessary to specify common categories of intervention for programmes under the European territorial cooperation goal to enable Member States to submit to the Commission consistent information on the programmed use of the European Regional Development Fund (ERDF), as well as information on the cumulative allocation and expenditure of the ERDF by category and the number of operations throughout the application period of a programme. This is to enable the Commission to inform the other Union institutions and citizens of the Union in an appropriate manner about the use of the ERDF.
- (10) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (11) The measures provided for in this Regulation are in accordance with the first subparagraph of Article 150(3) of Regulation (EU) No 1303/2013, as the Coordination Committee for the European Structural and Investment Funds established by Article 150(1) of that Regulation delivered an opinion,

⁽¹⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

⁽²⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

HAS ADOPTED THIS REGULATION:

CHAPTER I

Provisions implementing Regulation (EU) No 1303/2013 with regard to the ESI Funds

ELECTRONIC DATA EXCHANGE SYSTEM

(Empowerment under Article 74(4) of Regulation (EU) No 1303/2013)

Article 1

Establishment of electronic data exchange system

The Commission shall establish an electronic data exchange system for all official exchanges of information between the Member State and the Commission.

Article 2

Content of electronic data exchange system

1. The electronic data exchange system (hereinafter referred to as 'SFC2014') shall contain at least information specified in the models, formats and templates established in accordance with Regulation (EU) No 1303/2013, Regulation (EU) No 1299/2013, Regulation (EU) No 1305/2013 of the European Parliament and of the Council ⁽³⁾ and the future Union legal act establishing the conditions for the financial support for maritime and fisheries policy for the programming period 2014-2020 (the 'EMFF Regulation').

2. The information provided in the electronic forms embedded in SFC2014 (hereinafter referred to as 'structured data') may not be replaced by non-structured data, including the use of hyperlinks or other types of non-structured data such as attachment of documents or images. Where a Member State transmits the same information in the form of structured data and non-structured data, the structured data shall be used in case of inconsistencies.

Article 3

Operation of SFC2014

1. The Commission, the authorities designated by the Member State pursuant to Article 59(3) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽⁴⁾, Article 123 of Regulation (EU) No 1303/2013 and Article 65(2) of Regulation (EU) No 1305/2013 as well as the bodies to which tasks of those authorities have been delegated shall enter into SFC2014 the information for the transmission of which they are responsible and any updates thereto.

⁽³⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

⁽⁴⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

2. Any transmission of information to the Commission shall be verified and submitted by a person other than the person who entered the data for that transmission. This separation of tasks shall be supported by SFC2014 or by Member State's management and control information systems connected automatically with SFC2014.

3. Member States shall appoint, at national or regional level or at both national and regional levels, a person or persons responsible for managing access rights to SFC2014 who shall fulfil the following tasks:

- (a) identifying users requesting access, making sure those users are employed by the organisation;
- (b) informing users about their obligations to preserve the security of the system;
- (c) verifying the entitlement of users to the required privilege level in relation to their tasks and their hierarchical position;
- (d) requesting the termination of access rights when those access rights are no longer needed or justified;
- (e) promptly reporting suspicious events that may bring prejudice to the security of the system;
- (f) ensuring the continued accuracy of user identification data by reporting any changes;
- (g) taking the necessary data protection and commercial confidentiality precautions in accordance with Union and national rules;
- (h) informing the Commission of any changes affecting the capacity of the Member State authorities or users of SFC2014 to carry out the responsibilities referred to in paragraph 1 or their personal capacity to carry out responsibilities referred to in points (a)-(g).

4. Exchanges of data and transactions shall bear a compulsory electronic signature within the meaning of Directive 1999/93/EC of the European Parliament and of the Council⁽¹⁾. The Member States and the Commission shall recognise the legal effectiveness and admissibility of the electronic signature used in SFC2014 as evidence in legal proceedings.

Information processed through SFC2014 shall respect the protection of privacy and personal data for individuals and commercial confidentiality for legal entities in accordance with Directive 2002/58/EC of the European Parliament and of the Council⁽²⁾, Directive 2009/136/EC of the European Parliament

and of the Council⁽³⁾, Directive 1995/46/EC of the European Parliament and of the Council⁽⁴⁾ and Regulation (EC) No 45/2001.

Article 4

Characteristics of SFC2014

In order to ensure the efficient and effective electronic exchange of information, SFC2014 shall have the following characteristics:

- (a) interactive forms or forms pre-filled by the system on the basis of the data already recorded in the system previously;
- (b) automatic calculations, where they reduce the encoding effort of users;
- (c) automatic embedded controls to verify internal consistency of transmitted data and consistency of this data with applicable rules;
- (d) system generated alerts warning SFC2014 users that certain actions can or cannot be performed;
- (e) online status tracking of the treatment of information entered into the system;
- (f) availability of historical data in respect of all information entered for an operational programme.

Article 5

Transmission of data through SFC2014

1. SFC2014 shall be accessible to the Member States and the Commission either directly through an interactive user-interface (i.e. a web-application) or via a technical interface using pre-defined protocols (i.e. web-services) that allows for automatic synchronisation and transmission of data between Member States information systems and SFC2014.

2. The date of electronic transmission of the information by the Member State to the Commission and vice versa shall be considered to be the date of submission of the document concerned.

3. In the event of *force majeure*, a malfunctioning of SFC2014 or a lack of a connection with SFC2014 exceeding one working day in the last week before a regulatory deadline for the submission of information or in the period from 23 to 31 December, or five working days at other times, the information exchange between the Member State and the Commission may take place in paper form using the models, formats and templates referred to in Article 2(1) of this Regulation.

⁽¹⁾ Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures (OJ L 13, 19.1.2000, p. 12).

⁽²⁾ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

⁽³⁾ Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 337, 18.12.2009, p. 11).

⁽⁴⁾ Directive 1995/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

When the electronic exchange system ceases to malfunction, the connection with that system is re-established or the cause of *force majeure* ceases, the party concerned shall enter without delay the information already sent in paper form also into SFC2014.

4. In cases referred to in paragraph 3 the date stamped by the post shall be considered to be the date of submission of the document concerned.

Article 6

Security of data transmitted through SFC2014

1. The Commission shall establish an information technology security policy (hereinafter referred to as 'SFC IT security policy') for SFC2014 applicable to personnel using SFC2014 in accordance with relevant Union rules, in particular Commission Decision C(2006) 3602 ⁽¹⁾ and its implementing rules. The Commission shall designate a person or persons responsible for defining, maintaining and ensuring the correct application of the security policy to SFC2014.

2. Member States and European institutions other than the Commission, who have received access rights to SFC2014, shall comply with the IT security terms and conditions published in the SFC2014 portal and the measures that are implemented in SFC2014 by the Commission to secure the transmission of data, in particular in relation to the use of the technical interface referred to in Article 5(1) of this Regulation.

3. Member States and the Commission shall implement and ensure the effectiveness of the security measures adopted to protect the data they have stored and transmitted through SFC2014.

4. Member States shall adopt national, regional or local information security policies covering access to SFC2014 and automatic input of data into it, ensuring a minimum set of security requirements. These national, regional or local IT security policies can refer to other security documents. Each Member State shall ensure that these IT security policies apply to all authorities using SFC2014.

5. These national, regional or local IT security policies shall include:

- (a) the IT security aspects of the work performed by the person or persons responsible for managing the access rights referred to in Article 3(3) of this Regulation in case of application of direct use;
- (b) in case of national, regional or local computer systems connected to SFC2014, through a technical interface referred to in Article 5(1) of this Regulation the security measures for those systems allowing to be aligned with SFC2014 security requirements.

For the purposes of point (b) of the first subparagraph, the following aspects shall be covered, as appropriate:

- (a) physical security;
- (b) data media and access control;
- (c) storage control;
- (d) access and password control;
- (e) monitoring;
- (f) interconnection with SFC2014;
- (g) communication infrastructure;
- (h) human resources management prior to employment, during employment and after employment;
- (i) incident management.

6. These national, regional or local IT security policies shall be based on a risk assessment and the measures described shall be proportionate to the risks identified.

7. The documents setting out the national, regional or local IT security policies shall be made available to the Commission upon request.

8. Member States shall designate, at a national or regional level, a person or persons responsible for maintaining and ensuring the application of the national, regional or local IT security policies. That person or these persons shall act as a contact point with the person or persons designated by the Commission and referred to in Article 6(1) of this Regulation.

9. Both the SFC IT security policy and the relevant national, regional and local IT security policies shall be updated in the event of technological changes, the identification of new threats or other relevant developments. In any event, they shall be reviewed on an annual basis to ensure that they continue to provide an appropriate response.

CHAPTER II

Provisions implementing Regulation (EU) No 1299/2013

NOMENCLATURE OF CATEGORIES OF INTERVENTION

(Empowerment under the second subparagraph of Article 8(2) of Regulation (EU) No 1299/2013)

Article 7

Categories of intervention for the European territorial cooperation goal

The nomenclature for categories of intervention referred to in the second subparagraph of Article 8(2) of Regulation (EU) No 1299/2013 is set out in the Annex to this Regulation.

⁽¹⁾ Commission Decision C(2006) 3602 of 16 August 2006 concerning the security of information systems used by the European Commission.

CHAPTER III

FINAL PROVISION

Article 8

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 February 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

Nomenclature for the categories of intervention of the European Regional Development Fund under the European territorial cooperation goal

TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION

1. INTERVENTION FIELD	
I. Productive investment:	
001	Generic productive investment in small and medium – sized enterprises ('SMEs')
002	Research and innovation processes in large enterprises
003	Productive investment in large enterprises linked to the low-carbon economy
004	Productive investment linked to the cooperation between large enterprises and SMEs for developing information and communication technology ('ICT') products and services, e-commerce and enhancing demand for ICT
II. Infrastructure providing basic services and related investment:	
<i>Energy infrastructure</i>	
005	Electricity (storage and transmission)
006	Electricity (TEN-E storage and transmission)
007	Natural gas
008	Natural gas (TEN-E)
009	Renewable energy: wind
010	Renewable energy: solar
011	Renewable energy: biomass
012	Other renewable energy (including hydroelectric, geothermal and marine energy) and renewable energy integration (including storage, power to gas and renewable hydrogen infrastructure)
013	Energy efficiency renovation of public infrastructure, demonstration projects and supporting measures
014	Energy efficiency renovation of existing housing stock, demonstration projects and supporting measures
015	Intelligent Energy Distribution Systems at medium and low voltage levels (including smart grids and ICT systems)
016	High efficiency co-generation and district heating
<i>Environmental infrastructure</i>	
017	Household waste management, (including minimisation, sorting, recycling measures)
018	Household waste management, (including mechanical biological treatment, thermal treatment, incineration and landfill measures)

019	Commercial, industrial or hazardous waste management
020	Provision of water for human consumption (extraction, treatment, storage and distribution infrastructure)
021	Water management and drinking water conservation (including river basin management, water supply, specific climate change adaptation measures, district and consumer metering, charging systems and leak reduction)
022	Waste water treatment
023	Environmental measures aimed at reducing and/or avoiding greenhouse gas emissions (including treatment and storage of methane gas and composting)
<i>Transport infrastructure</i>	
024	Railways (TEN-T Core)
025	Railways (TEN-T comprehensive)
026	Other Railways
027	Mobile rail assets
028	TEN-T motorways and roads — core network (new build)
029	TEN-T motorways and roads — comprehensive network (new build)
030	Secondary road links to TEN-T road network and nodes (new build)
031	Other national and regional roads (new build)
032	Local access roads (new build)
033	TEN-T reconstructed or improved road
034	Other reconstructed or improved road (motorway, national, regional or local)
035	Multimodal transport (TEN-T)
036	Multimodal transport
037	Airports (TEN-T) ⁽¹⁾
038	Other airports ⁽¹⁾
039	Seaports (TEN-T)
040	Other seaports
041	Inland waterways and ports (TEN-T)
042	Inland waterways and ports (regional and local)
<i>Sustainable transport</i>	
043	Clean urban transport infrastructure and promotion (including equipment and rolling stock)

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| 044 | Intelligent transport systems (including the introduction of demand management, tolling systems, IT monitoring, control and information systems) |
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Information and communication technology (ICT) infrastructure

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| 045 | ICT: Backbone/backhaul network |
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| 046 | ICT: High-speed broadband network (access/local loop; ≥ 30 Mbps) |
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| 047 | ICT: Very high-speed broadband network (access/local loop; ≥ 100 Mbps) |
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| 048 | ICT: Other types of ICT infrastructure/large-scale computer resources/equipment (including e-infrastructure, data centres and sensors; also where embedded in other infrastructure such as research facilities, environmental and social infrastructure) |
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III. Social, health and education infrastructure and related investment:

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| 049 | Education infrastructure for tertiary education |
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| 050 | Education infrastructure for vocational education and training and adult learning |
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| 051 | Education infrastructure for school education (primary and general secondary education) |
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| 052 | Infrastructure for early childhood education and care |
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| 053 | Health infrastructure |
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| 054 | Housing infrastructure |
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| 055 | Other social infrastructure contributing to regional and local development |
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IV. Development of endogenous potential:

Research and development and innovation

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| 056 | Investment in infrastructure, capacities and equipment in SMEs directly linked to research and innovation activities |
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| 057 | Investment in infrastructure, capacities and equipment in large companies directly linked to research and innovation activities |
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| 058 | Research and innovation infrastructure (public) |
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| 059 | Research and innovation infrastructure (private, including science parks) |
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| 060 | Research and innovation activities in public research centres and centres of competence including networking |
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| 061 | Research and innovation activities in private research centres including networking |
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| 062 | Technology transfer and university-enterprise cooperation primarily benefiting SMEs |
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| 063 | Cluster support and business networks primarily benefiting SMEs |
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| 064 | Research and innovation processes in SMEs (including voucher schemes, process, design, service and social innovation) |
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065	Research and innovation infrastructure, processes, technology transfer and cooperation in enterprises focusing on the low carbon economy and on resilience to climate change
<i>Business development</i>	
066	Advanced support services for SMEs and groups of SMEs (including management, marketing and design services)
067	SME business development, support to entrepreneurship and incubation (including support to spin offs and spin outs)
068	Energy efficiency and demonstration projects in SMEs and supporting measures
069	Support to environmentally-friendly production processes and resource efficiency in SMEs
070	Promotion of energy efficiency in large enterprises
071	Development and promotion of enterprises specialised in providing services contributing to the low carbon economy and to resilience to climate change (including support to such services)
072	Business infrastructure for SMEs (including industrial parks and sites)
073	Support to social enterprises (SMEs)
074	Development and promotion of tourism assets in SMEs
075	Development and promotion of tourism services in or for SMEs
076	Development and promotion of cultural and creative assets in SMEs
077	Development and promotion of cultural and creative services in or for SMEs
<i>Information and communication technology (ICT) — demand stimulation, applications and services</i>	
078	e-Government services and applications (including e-Procurement, ICT measures supporting the reform of public administration, cyber-security, trust and privacy measures, e-Justice and e-Democracy)
079	Access to public sector information (including open data e-Culture, digital libraries, e-Content and e-Tourism)
080	e-Inclusion, e-Accessibility, e-Learning and e-Education services and applications, digital literacy
081	ICT solutions addressing the healthy active ageing challenge and e-Health services and applications (including e-Care and ambient assisted living)
082	ICT Services and applications for SMEs (including e-Commerce, e-Business and networked business processes), living labs, web entrepreneurs and ICT start-ups)
<i>Environment</i>	
083	Air quality measures
084	Integrated pollution prevention and control (IPPC)
085	Protection and enhancement of biodiversity, nature protection and green infrastructure
086	Protection, restoration and sustainable use of Natura 2000 sites

087	Adaptation to climate change measures and prevention and management of climate related risks e.g. erosion, fires, flooding, storms and drought, including awareness raising, civil protection and disaster management systems and infrastructures
088	Risk prevention and management of non-climate related natural risks (i.e. earthquakes) and risks linked to human activities (e.g. technological accidents), including awareness raising, civil protection and disaster management systems and infrastructures
089	Rehabilitation of industrial sites and contaminated land
090	Cycle tracks and footpaths
091	Development and promotion of the tourism potential of natural areas
092	Protection, development and promotion of public tourism assets
093	Development and promotion of public tourism services
094	Protection, development and promotion of public cultural and heritage assets
095	Development and promotion of public cultural and heritage services
	<i>Other</i>
096	Institutional capacity of public administrations and public services related to implementation of the ERDF or actions supporting ESF institutional capacity initiatives
097	Community-led local development initiatives in urban and rural areas
098	Outermost regions: compensation of any additional costs due to accessibility deficit and territorial fragmentation
099	Outermost regions: specific action to compensate additional costs due to size market factors
100	Outermost regions: support to compensate additional costs due to climate conditions and relief difficulties
101	Cross-financing under the ERDF (support to ESF-type actions necessary for the satisfactory implementation of the ERDF part of the operation and directly linked to it)
V. Promoting sustainable and quality employment and supporting labour mobility:	
102	Access to employment for job-seekers and inactive people, including the long-term unemployed and people far from the labour market, also through local employment initiatives and support for labour mobility
103	Sustainable integration into the labour market of young people, in particular those not in employment, education or training, including young people at risk of social exclusion and young people from marginalised communities, including through the implementation of the Youth Guarantee
104	Self-employment, entrepreneurship and business creation including innovative micro, small and medium sized enterprises
105	Equality between men and women in all areas, including in access to employment, career progression, reconciliation of work and private life and promotion of equal pay for equal work
106	Adaptation of workers, enterprises and entrepreneurs to change
107	Active and healthy ageing

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| 108 | Modernisation of labour market institutions, such as public and private employment services, and improving the matching of labour market needs, including through actions that enhance transnational labour mobility as well as through mobility schemes and better cooperation between institutions and relevant stakeholders |
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VI. Promoting social inclusion, combating poverty and any discrimination:

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| 109 | Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability |
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| 110 | Socio-economic integration of marginalised communities such as the Roma |
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| 111 | Combating all forms of discrimination and promoting equal opportunities |
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| 112 | Enhancing access to affordable, sustainable and high-quality services, including health care and social services of general interest |
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| 113 | Promoting social entrepreneurship and vocational integration in social enterprises and the social and solidarity economy in order to facilitate access to employment |
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| 114 | Community-led local development strategies |
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VII. Investing in education, training and vocational training for skills and lifelong learning:

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| 115 | Reducing and preventing early school-leaving and promoting equal access to good quality early-childhood, primary and secondary education including formal, non-formal and informal learning pathways for re-integrating into education and training |
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| 116 | Improving the quality and efficiency of, and access to, tertiary and equivalent education with a view to increasing participation and attainment levels, especially for disadvantaged groups |
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| 117 | Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences |
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| 118 | Improving the labour market relevance of education and training systems, facilitating the transition from education to work, and strengthening vocational education and training systems and their quality, including through mechanisms for skills anticipation, adaptation of curricula and the establishment and development of work-based learning systems, including dual learning systems and apprenticeship schemes |
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VIII. Enhancing institutional capacity of public authorities and stakeholders and efficient public administration:

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| 119 | Investment in institutional capacity and in the efficiency of public administrations and public services at the national, regional and local levels with a view to reforms, better regulation and good governance |
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| 120 | Capacity building for all stakeholders delivering education, lifelong learning, training and employment and social policies, including through sectoral and territorial pacts to mobilise for reform at the national, regional and local levels |
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IX. Technical assistance:

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| 121 | Preparation, implementation, monitoring and inspection |
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| 122 | Evaluation and studies |
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| 123 | Information and communication |
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(¹) Restricted to investments related to environmental protection or accompanied by investments necessary to mitigate or reduce its negative environmental impact.

TABLE 2: CODES FOR THE FORM OF FINANCE DIMENSION

2. FORM OF FINANCE	
01	Non-repayable grant
02	Repayable grant
03	Support through financial instruments: venture and equity capital or equivalent
04	Support through financial instruments: loan or equivalent
05	Support through financial instruments: guarantee or equivalent
06	Support through financial instruments: interest rate subsidy, guarantee fee subsidy, technical support or equivalent
07	Prize

TABLE 3: CODES FOR THE TERRITORIAL DIMENSION

3. TERRITORY TYPE	
01	Large Urban areas (densely populated > 50 000 population)
02	Small Urban areas (intermediate density > 5 000 population)
03	Rural areas (thinly populated)
04	Macro regional cooperation area
05	Cooperation across national or regional programme areas in national context
06	ESF transnational cooperation
07	Not applicable

TABLE 4: CODES FOR THE TERRITORIAL DELIVERY MECHANISMS DIMENSION

4. TERRITORIAL DELIVERY MECHANISMS	
01	Integrated Territorial Investment — Urban
02	Other integrated approaches to sustainable urban development
03	Integrated Territorial Investment — Other
04	Other integrated approaches to sustainable rural development
05	Other integrated approaches to sustainable urban/rural development
06	Community-led local development initiatives
07	Not applicable

TABLE 5: CODES FOR THEMATIC OBJECTIVE DIMENSION

5. THEMATIC OBJECTIVE (ERDF and the Cohesion Fund)	
01	Strengthening research, technological development and innovation
02	Enhancing access to, and use and quality of, information and communication technologies
03	Enhancing the competitiveness of small and medium-sized enterprises,
04	Supporting the shift towards a low-carbon economy in all sectors
05	Promoting climate change adaptation, risk prevention and management
06	Preserving and protecting the environment and promoting resource efficiency
07	Promoting sustainable transport and removing bottlenecks in key network infrastructures
08	Promoting sustainable and quality employment and supporting labour mobility
09	Promoting social inclusion and combating poverty and any discrimination
10	Investing in education, training and vocational training for skills and lifelong learning
11	Enhancing the institutional capacity of public authorities and stakeholders and an efficient public administration
12	Not applicable (Technical assistance only)

TABLE 6: CODES FOR THE ECONOMIC ACTIVITY DIMENSION

6. ECONOMIC ACTIVITY	
01	Agriculture and forestry
02	Fishing and aquaculture
03	Manufacture of food products and beverages
04	Manufacture of textiles and textile products
05	Manufacture of transport equipment
06	Manufacture of computer, electronic and optical products
07	Other unspecified manufacturing industries
08	Construction
09	Mining and quarrying (including mining of energy producing materials)
10	Electricity, gas, steam, hot water and air conditioning
11	Water supply, sewerage, waste management and remediation activities
12	Transport and storage

13	Information and communication activities, including telecommunication, information service activities, computer programming, consultancy and related activities
14	Wholesale and retail trade
15	Tourism, accommodation and food service activities
16	Financial and insurance activities
17	Real estate, renting and business activities
18	Public administration
19	Education
20	Human health activities
21	Social work activities, community, social and personal services
22	Activities linked to the environment and to climate change
23	Arts, entertainment, creative industries and recreation
24	Other unspecified services

TABLE 7: CODES FOR THE LOCATION DIMENSION

7. LOCATION (2)	
Code	Location
	Code of region or area where operation is located/carried out, as set out in the Classification of Territorial Units for Statistics (NUTS) in the Annex to Regulation (EC) No 1059/2003 of the European Parliament and of the Council ⁽¹⁾

⁽¹⁾ Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

COMMISSION REGULATION (EU) No 185/2014**of 26 February 2014****correcting Bulgarian language version of Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) ⁽¹⁾, and in particular Article 5(2) and Article 6(1)(b)(ii) and the second subparagraph of Article 6(1), the second subparagraph of Article 6(2), Article 11(2)(b) and (c) and the second subparagraph of Article 11(2), Article 15(1)(b), (d), (e), (h) and (i) and the second subparagraph of Article 15(1), Articles 17(2) and 18(3), Article 19(4)(a), (b) and (c) and the second subparagraph of Article 19(4), Article 20(10) and (11), Article 21(5) and (6), Articles 22(3) and 23(3), Article 27(a), (b), (c) and (e) to (h) and the second subparagraph of Article 27, Articles 31(2) and 32(3), Article 40, the first and third subparagraph of Article 41(3), Article 42, Articles 43(3), 45(4), 47(2) and 48(2), Article 48(7)(a) and (8)(a) and the second subparagraph of Article 48(8) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 16(3) thereof,

Whereas:

- (1) There is an error in the Bulgarian language version of Commission Regulation (EU) No 142/2011 ⁽³⁾ which should be corrected. The other language versions are not affected.
- (2) Regulation (EU) No 142/2011 should therefore be corrected accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health, and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Concerns only the Bulgarian language version.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 300, 14.11.2009, p. 1.

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

⁽³⁾ OJ L 54, 26.2.2011, p. 1.

COMMISSION REGULATION (EU) No 186/2014**of 26 February 2014****amending Regulation (EU) No 823/2012 as regards the expiry dates of the approval of the active substances ethoxysulfuron, oxadiargyl and warfarin****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC⁽¹⁾, and in particular the second paragraph of Article 17 thereof,

Whereas:

(3) Since no such applications were submitted it is appropriate to set the expiry date at the earliest date possible after the original date of expiry as set before the adoption of Regulation (EU) No 823/2012.

(4) Regulation (EU) No 823/2012 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendments to Regulation (EU) No 823/2012**

Article 1 of Regulation (EU) No 823/2012 is amended as follows:

(a) point (1) is replaced by the following:

(1) For the active substances ethoxysulfuron, oxadiargyl and warfarin, Commission Regulation (EU) No 823/2012⁽²⁾ postponed the expiry of the approval period, as set out in Commission Implementing Regulation (EU) No 540/2011⁽³⁾ to 31 July 2016 in order to enable applicants to give the three years' notice required under Article 15(1) of Regulation (EC) No 1107/2009.

(2) No applications for renewal of the approval of the active substances ethoxysulfuron, oxadiargyl and warfarin were submitted which respect the three years' notice period.

'(1) 31 July 2016, as regards the active substances: ethofumesate (entry 29), imazamox (entry 41), oxasulfuron (entry 42), foramsulfuron (entry 44), cyazofamid (entry 46), linuron (entry 51), pendimethalin (entry 53), trifloxystrobin (entry 59), carfentrazone ethyl (entry 60), mesotrione (entry 61), fenamidone (entry 62) and isoxaflutole (entry 63);'

(b) the following point (4) is added:

'(4) 31 March 2014, as regards the active substances: ethoxysulfuron (entry 43), oxadiargyl (entry 45) and warfarin (entry 120).'

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Regulation (EU) No 823/2012 of 14 September 2012 derogating from Implementing Regulation (EU) No 540/2011 as regards the expiry dates of the approval of the active substances 2,4-DB, benzoic acid, beta-cyfluthrin, carfentrazone ethyl, *Coniothyrium minitans* Strain CON/M/91-08 (DSM 9660), cyazofamid, cyfluthrin, deltamethrin, dimethenamid-P, ethofumesate, ethoxysulfuron, fenamidone, flazasulfuron, flufenacet, flurtamone, foramsulfuron, fosthiazate, imazamox, iodosulfuron, iprodione, isoxaflutole, linuron, maleic hydrazide, mecoprop, mecoprop-P, mesosulfuron, mesotrione, oxadiargyl, oxasulfuron, pendimethalin, picoxystrobin, propiconazole, propineb, propoxycarbazon, propyzamide, pyraclostrobin, silthiofam, trifloxystrobin, warfarin and zoxamide (OJ L 250, 15.9.2012, p. 13).

⁽³⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

*Article 2***Entry into force**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 2014.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 187/2014**of 26 February 2014****amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance methiocarb****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular the second alternative of Article 21(3) and Article 78(2) thereof,

Whereas:

(1) Commission Directive 2007/5/EC ⁽²⁾ included methiocarb as active substance in Annex I to Council Directive 91/414/EEC ⁽³⁾ under the condition that the Member States concerned ensure that the notifier at whose request methiocarb was included in that Annex provides further confirmatory information on the risk for birds, mammals and non-target arthropods.

(2) Active substances included in Annex I of Directive 91/414/EEC are deemed to be approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁴⁾.

(3) The notifier submitted additional information taking the form of studies with a view to confirm the risk assessment for birds, mammals and non-target arthropods to the rapporteur Member State the United Kingdom within the time period provided for its submission.

(4) The United Kingdom assessed the additional information submitted by the notifier. It submitted its assessment, in the form of an addendum to the draft assessment report,

to the other Member States, the Commission and the European Food Safety Authority, hereinafter 'the Authority', on 5 April 2011.

(5) The Commission consulted the Authority which presented its opinion on the risk assessment of methiocarb on 1 June 2012 ⁽⁵⁾. The draft assessment report, the addendum and the opinion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 13 December 2013 in the format of the Commission review report for methiocarb.

(6) In the light of the additional information provided by the notifier, the Commission considered that the further confirmatory information required had not been provided.

(7) The Commission invited the notifier to submit its comments on the review report for methiocarb.

(8) The Commission has come to the conclusion that a high risk for birds, mammals and non-target arthropods cannot be excluded, even when further risk mitigation measures were to be imposed.

(9) It is confirmed that the active substance methiocarb is to be deemed to have been approved under Regulation (EC) No 1107/2009. In order to preclude the exposure of birds, mammals and non-target arthropods, it is appropriate to further restrict the uses of this active substance and to withdraw the use as a molluscicide.

(10) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.

(11) Member States should be provided with time to amend or withdraw authorisations for plant protection products containing methiocarb.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2007/5/EC of 7 February 2007 amending Council Directive 91/414/EEC to include captan, folpet, formetanate and methiocarb as active substances (OJ L 35, 8.2.2007, p. 11).

⁽³⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

⁽⁵⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of confirmatory data submitted for the active substance methiocarb. EFSA Journal 2012;10(6):2758. [14 pp.] doi:10.2903/j.efsa.2012.2758. Available online: www.efsa.europa.eu/efsajournal.htm

(12) For plant protection products containing methiocarb, where Member States grant any grace period in accordance with Article 46 of Regulation (EC) No 1107/2009, this period should expire at the latest 18 months after the entry into force of this Regulation.

(13) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

**Amendment to Implementing Regulation (EU)
No 540/2011**

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

Article 2

Transitional measures

Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary amend or withdraw existing authorisations for plant protection products containing methiocarb as active substance by 19 September 2014.

Article 3

Grace period

Any grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall be as short as possible and shall expire on 19 September 2015 at the latest.

Article 4

Entry into force

This Regulation shall enter into force the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

The column 'Specific provisions' of row 148, methiocarb, of Part A of the Annex to Implementing Regulation (EU) No 540/2011 is replaced by the following:

PART A

Only uses as repellent in seed treatment and insecticide may be authorised.

PART B

In assessing applications to authorise plant protection products containing methiocarb for uses other than seed treatment in maize Member States shall pay particular attention to the criteria in Article 4(3) of Regulation (EC) No 1107/2009, and shall ensure that any necessary data and information is provided before such an authorisation is granted.

For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on methiocarb, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 29 September 2006 shall be taken into account.

In this overall assessment Member States shall pay particular attention to:

- the protection of birds, mammals and non-target arthropods, ensuring that the conditions of authorisation include risk mitigation measures, where appropriate;
 - the operator and bystander safety, ensuring that the conditions of use prescribe the application of adequate personal protective equipment;
 - the dietary exposure of consumers.'
-

COMMISSION IMPLEMENTING REGULATION (EU) No 188/2014**of 26 February 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 2014.

*For the Commission,
On behalf of the President,*

*Jerzy PLEWA
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	54,9
	TN	71,0
	TR	99,2
	ZZ	75,0
0707 00 05	EG	182,1
	JO	188,1
	MA	114,7
	TR	155,9
	ZZ	160,2
0709 91 00	EG	72,9
	ZZ	72,9
0709 93 10	MA	29,5
	TR	103,8
	ZZ	66,7
0805 10 20	EG	53,5
	IL	67,5
	MA	48,5
	TN	52,2
	TR	69,8
	ZA	63,5
	ZZ	59,2
0805 20 10	IL	133,5
	MA	91,9
	TR	110,6
	ZZ	112,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	140,9
	MA	107,5
	PK	46,0
	TR	72,8
	US	122,9
	ZZ	98,0
0805 50 10	EG	57,3
	TR	60,0
	ZZ	58,7
0808 10 80	CN	115,6
	MK	30,8
	US	157,0
	ZZ	101,1
0808 30 90	AR	132,9
	CL	195,7
	CN	53,3
	TR	146,4
	US	197,4
	ZA	99,1
	ZZ	137,5

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

DECISION OF THE EUROPEAN CENTRAL BANK

of 20 December 2013

on the accreditation procedures for manufacturers of euro secure items and euro items and amending Decision ECB/2008/3**(ECB/2013/54)**

(2014/106/EU)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 128(1) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, in particular Article 12.1, Article 16 and Article 34.3 thereof,

Having regard to Council Regulation (EC) No 2532/98 of 23 November 1998 concerning the powers of the European Central Bank to impose sanctions ⁽¹⁾, in particular Article 2 thereof,

Whereas:

- (1) Article 128(1) of the Treaty and Article 16 of the Statute of the European System of Central Banks and of the European Central Bank (hereinafter the 'Statute of the ESCB') provide that the European Central Bank (ECB) has the exclusive right to authorise the issue of euro banknotes within the Union. This right includes the competence to take measures to protect the integrity of euro banknotes as a means of payment.
- (2) The ECB adopted Decision ECB/2008/3 of 15 May 2008 on security accreditation procedures for manufacturers of euro secure items for euro banknotes ⁽²⁾, establishing a security accreditation procedure which confirms whether manufacturers comply with the ECB minimum security requirements for the production, processing, storage and transport of euro banknotes and their components, and other related materials and information requiring security protection, the loss, theft or publication of which could damage the integrity of euro banknotes or contribute to the production of counterfeit euro banknotes or their components. In addition, Decision ECB/2008/3 established procedures to ensure ongoing compliance with the abovementioned security requirements.
- (3) The ECB adopted Decision ECB/2010/22 of 25 November 2010 on the quality accreditation procedure for manufacturers of euro banknotes ⁽³⁾, to ensure that only

manufacturers conforming with the ECB minimum quality requirements for the production of euro banknotes and euro banknote raw materials are accredited to produce such banknotes and materials.

- (4) In line with Articles 9 and 11 of the Treaty, the ECB adopted Decision ECB/2011/8 of 21 June 2011 on the environmental and health and safety accreditation procedures for the production of euro banknotes ⁽⁴⁾, to ensure that only manufacturers that conform with the ECB minimum environmental and health and safety requirements are accredited to perform a euro banknote production activity.
- (5) Following the experience gained by the ECB in applying Decisions ECB/2008/3, ECB/2010/22 and ECB/2011/8, it is necessary to implement an efficient single accreditation system to prevent any substantive and procedural discrepancies arising from the application of the abovementioned Decisions, such as disproportionate diversity in the validity of accreditations, their procedures and terminology.
- (6) To address the abovementioned issues and alleviate the administrative burden on manufacturers, it is necessary to put in place a single accreditation system, which will: (a) allow for the assessment of manufacturers' compliance with relevant security, quality, environmental, and health and safety requirements, as laid down by the ECB; (b) assess compliance with these requirements on the basis of a harmonised inspection procedure; (c) provide for appropriate and proportionate types of penalties, including financial penalties, in the event of non-compliance with the abovementioned requirements; and (d) ensure that euro secure items may only be delivered to NCBs and future Eurosystem NCBs, subject to a decision of the Governing Council, other accredited manufacturers and/or the ECB.
- (7) This new single accreditation system should revolve around a several-stage assessment procedure where a manufacturer seeking accreditation is assessed as to whether it fully complies with all aspects of the relevant accreditation requirements laid down in this Decision.

⁽¹⁾ OJ L 318, 27.11.1998, p. 4.⁽²⁾ OJ L 140, 30.5.2008, p. 26.⁽³⁾ OJ L 330, 15.12.2010, p. 14.⁽⁴⁾ OJ L 176, 5.7.2011, p. 52.

- (8) To facilitate this assessment, including any subsequent assessment of an accredited manufacturer's ongoing compliance, a streamlined inspection regime needs to be put in place, which allows the ECB to perform on-site and off-site inspections.
- (9) To avoid the current multiplicity of individual accreditations, the grant of a single provisional accreditation should be provided for, with the possibility of conversion into a single accreditation, where the relevant manufacturer has demonstrated its compliance with all accreditation requirements, also during production, following an official order by an accredited manufacturer, the ECB or an NCB in line with its provisional accreditation.
- (10) To maintain the flexibility of the accreditation process, the ECB should have discretion on how to organise the assessment stages in relation to the initiation request for provisional accreditation.
- (11) In order to ensure better administration in the context of the accreditation procedure, a provisional accreditation and accreditation should have continuous validity unless a manufacturer is found to be non-compliant with the relevant accreditation requirements. For the same purpose, the ECB shall be competent to convert a provisional accreditation to an accreditation where the relevant manufacturer has produced euro secure items and/or euro items following an official order by the ECB or an NCB over an uninterrupted period of 36 months. The ECB will also have the competence to downgrade an accreditation to a provisional accreditation on its own initiative, where a manufacturer has not produced euro secure items and/or euro items over an uninterrupted period of 36 months.
- (12) Therefore, Decisions ECB/2008/3, ECB/2010/22 and ECB/2011/8 need to be repealed and replaced by this Decision. To ensure a smooth transition from the current accreditation regimes to a single accreditation system under this Decision, a transitional period of one year from the adoption of this Decision should be put in place. This will allow manufacturers with individual security, quality, environmental, and health and safety accreditations to make all necessary arrangements to comply with the relevant accreditation requirements under this Decision,
2. 'euro items activity' means the production of euro items;
3. 'euro secure items' means the items listed in the substantive security requirements, including euro banknotes that are: (a) in circulation, (b) being developed to replace euro banknotes in circulation, or (c) withdrawn from circulation, together with their components and related information, which require security protection because their loss, theft or unauthorised publication could damage the integrity of euro banknotes as a means of payment;
4. 'euro secure activity' means any of the following: origination, production, processing, destruction, storage, internal movement within a manufacturing site or transport of euro secure items;
5. 'origination' means the transformation of the basic design of the euro banknotes under development into layouts, colour separation, line work and printing plates and the preparation of layouts and prototypes for components proposed in those basic designs;
6. 'manufacturer' means any entity that is, or wishes to be, involved in a euro secure activity and/or euro items activity, with the exception of entities that are only, or only wish to be, involved in the transport of euro secure items or provision of specialist destruction facilities;
7. 'manufacturing site' means any premises that a manufacturer uses or wishes to use, for the origination, production, processing, destruction, and storage of euro secure items and/or euro items;
8. 'accreditation requirements' means the ECB's substantive requirements, the accreditation procedure and location requirements as well as the continuing obligations laid down in this Decision, which a manufacturer must comply with to be granted or to retain its provisional accreditation or accreditation;
9. 'accredited manufacturer' means a manufacturer with a provisional accreditation or accreditation;
10. 'substantive requirements' means the relevant security, quality, environmental, and health and safety requirements, as separately laid down by the ECB, which a manufacturer has to comply with to be able to perform a euro secure activity and/or euro items activity;
11. 'arrangements' means the security, quality, environmental or health and safety measures taken by a manufacturer to comply with the relevant substantive requirements;

HAS ADOPTED THIS DECISION:

SECTION I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Decision:

1. 'euro items' means euro banknotes, partly printed euro banknotes and paper, ink, foil and thread used to produce euro banknotes or partly printed euro banknotes;

12. 'old regime accreditations' means valid temporary or full accreditations, in particular security, quality, environmental or health and safety accreditations granted by the ECB to a manufacturer to carry out euro secure activity and/or euro items activity in accordance with Decisions ECB/2008/3, ECB/2010/22 and ECB/2011/8;
13. 'repealed ECB accreditation decisions' means collectively Decisions ECB/2008/3, ECB/2010/22 and ECB/2011/8;
14. 'NCB' means the national central bank of a Member State whose currency is the euro;
15. 'future Eurosystem NCB' means the national central bank of a Member State with a derogation that has fulfilled the conditions set for the adoption of the euro and in relation to which a decision on the abrogation of the derogation, pursuant to Article 140(2) of the Treaty, has been taken;
16. 'certification authority' means an independent certification authority which evaluates a manufacturer's quality, environmental or health and safety management systems and is entitled to certify that the manufacturer fulfils the requirements of the ISO 9001 or ISO 14000 or OHSAS 18000 series of standards;
17. 'working day' means an ECB working day from Monday to Friday, excluding the ECB public holidays, as published on the ECB website;
18. 'inspection' means an accreditation procedure aimed at assessing a manufacturer's compliance with the accreditation requirements, taking the form of either an on-site inspection or an off-site inspection, and ending with the finalisation of a relevant inspection report on the outcome of this assessment;
19. 'on-site inspection' means a visit by an ECB inspection team to a manufacturing site to assess whether the arrangements put in place at the manufacturing site comply with the relevant accreditation requirements;
20. 'off-site inspection' means an assessment by the ECB of the documentation submitted by a manufacturer in the context of an inspection, performed away from its manufacturing site to identify whether the manufacturer complies with the relevant accreditation requirements;
21. 'specific NCB security checks' mean the performance of stock-checks, checks on destruction or checks on transport by an ordering NCB at an accredited manufacturing site in relation to the official production order given to an accredited manufacturer in accordance with Article 11;
22. 'stock-check' means a visit by an ordering NCB to an accredited manufacturing site to assess the accuracy of the stock inventories of euro secure items held by the relevant manufacturer;
23. 'check on destruction' means a visit by an ordering NCB to an accredited manufacturing site to monitor the destruction of euro secure items and to conduct stock-checks during the destruction of euro secure items in accordance with Article 11;
24. 'check on transport' means an assessment of compliance with respect to the arrangements for the transport of euro banknotes and/or euro banknote paper put in place by an accredited manufacturer with the relevant transport security requirements;
25. 'production' means the manufacturing of euro secure items or euro items in accordance with an official order by another accredited manufacturer, an NCB or the ECB, excluding manufacturing for R & D and test purposes, where the deliverables are not intended for issuance, and excluding manufacturing for internal stocks.

Article 2

General accreditation principles

1. A manufacturer may only perform a euro secure activity and/or euro items activity in respect of a euro secure item and/or euro item at the manufacturing site for which the ECB has granted it an accreditation or provisional accreditation.
2. Where a manufacturer has not performed production, the ECB may grant it a provisional accreditation for the relevant euro secure activity and/or euro items activity in accordance with the procedure laid down in Articles 4, 5 and 6.
3. A provisional accreditation may be converted into an accreditation where a manufacturer has passed the relevant inspections during production in accordance with the procedure laid down in Article 7.
4. Where an accredited manufacturer has not performed production for an uninterrupted period of 36 months, the ECB may convert its accreditation into a provisional accreditation, as laid down in Article 8.
5. In order to receive and maintain a provisional accreditation or accreditation from the ECB, a manufacturer shall, in addition to the requirements laid down in this Decision, comply with:

(a) the relevant substantive requirements, which are minimum requirements. Manufacturers may adopt and implement stricter security, quality, environmental, health and safety arrangements;

(b) the following location requirements:

(i) where it is not a printing works, its manufacturing site is located in a Member State of the European Union or in a Member State of the European Free Trade Association; or

(ii) where it is a printing works, its manufacturing site is located in a Member State of the European Union.

6. The Executive Board may, where so justified by the circumstances, grant an exemption from the location requirement set out in paragraph 5(b) above. Where the Executive Board grants such an exemption, it shall provide relevant reasons for doing so.

7. Manufacturers with a provisional accreditation or accreditation shall be equally eligible to participate in tenders.

8. An accredited manufacturer may only produce and/or supply euro secure items to meet an official order placed by one of the following:

(a) another accredited manufacturer that requires the euro secure items for its euro secure activity;

(b) an NCB;

(c) subject to a decision of the Governing Council, a future Eurosystem NCB; and

(d) the ECB.

9. A manufacturer shall bear any costs and associated losses incurred in connection with the application of this Decision.

Article 3

Decisions taken by the Executive Board

1. The Executive Board shall be competent to take all decisions relating to a manufacturer's accreditation under Articles 6, 16 to 18 and 20.

2. The Executive Board may decide to sub-delegate the powers to grant a provisional accreditation under Article 6 to one or more of its members.

SECTION II

ACCREDITATION PROCEDURE

Article 4

Initiation request for a provisional accreditation

1. A manufacturer without any type of accreditation which wishes to perform a euro secure activity and/or euro items

activity shall submit a written request to the ECB to initiate the provisional accreditation procedure.

2. This initiation request shall:

(a) specify the euro secure activity and the euro secure item(s) and/or euro items activity and the euro item(s) as well as the exact address of the manufacturing site for which a provisional accreditation is sought;

(b) include a declaration by the requesting manufacturer that it will keep the content of the substantive requirements confidential;

(c) include a written undertaking that it shall comply with all applicable provisions of this Decision.

3. Where a manufacturer is requesting to perform a euro items activity, the manufacturer shall provide the ECB with copies of the ISO 9001, ISO 14001 and OHSAS 18001 certificates issued by competent certification authorities, attesting that it conforms with the relevant standards at the relevant manufacturing site for the planned euro items activity.

4. The ECB shall assess the information and documentation provided by the manufacturer in its initiation request and may request additional information or clarifications where necessary.

5. The ECB may reject the initiation request where it remains incomplete following an ECB request for additional information or clarifications under paragraph 4 or where the manufacturer does not comply with Article 2(5)(b).

Article 5

Preliminary assessment of substantive requirements

1. Upon acceptance of the initiation request, the ECB shall provide the manufacturer with a copy of the relevant substantive requirements. The ECB shall further provide documentation, in which the manufacturer shall indicate how its arrangements would comply with the relevant substantive requirements. The manufacturer shall complete and return this documentation to enable the ECB to make a preliminary assessment as to whether the manufacturer may meet the relevant substantive requirements.

2. Where a manufacturer requesting a provisional accreditation for a euro secure activity is required under its national law to use specialist destruction facilities, and where it is not possible to make these facilities available at the manufacturing site, it shall also provide information on the specialist destruction facility it proposes to use, including full details of:

- (a) the relevant national law provisions and an explanation as to why it is not possible to locate destruction facilities at the manufacturing site;
- (b) the specialist destruction facility that the manufacturer proposes to use;
- (c) the euro secure item(s) that the manufacturer proposes to destroy at the relevant specialist destruction facility;
- (d) the security arrangements proposed for the protection of the euro secure item(s) during the complete process of transport to and from the facility and destruction at the facility.

3. The ECB shall assess the information and documentation provided by the manufacturer referred to in paragraphs 1 and 2 and may request additional information or clarifications. The ECB may reject any request for a provisional accreditation which remains incomplete following an ECB request for additional information or clarifications, or which fails to comply with this Article.

Article 6

Grant of a provisional accreditation

1. The ECB may grant a manufacturer a provisional accreditation provided that the manufacturer has successfully demonstrated, prior to commencing a euro secure activity and/or euro items activity, that it has established the procedures and the infrastructure necessary to comply with the relevant accreditation requirements at the manufacturing site.
2. In accordance with Article 9, the ECB shall perform inspections to assess whether a manufacturer complies with all accreditation requirements.
3. A manufacturer that requests a provisional accreditation for a planned euro secure activity shall first be inspected for compliance with the security requirements. No other inspections shall commence until the manufacturer has successfully passed the security inspection.

Article 7

Conversion of a provisional accreditation into an accreditation

The ECB may convert a manufacturer's provisional accreditation into an accreditation, provided that the manufacturer has successfully passed the relevant inspections during production and in doing so has demonstrated that during the actual performance of the relevant euro secure activity and/or euro items activity it has established the required procedures and infrastructure and complies effectively with the relevant accreditation requirements at the manufacturing site.

Article 8

Conversion of an accreditation into a provisional accreditation

The ECB may convert a manufacturer's accreditation into a provisional accreditation where a manufacturer has not performed production under an official order by the ECB or an NCB over an uninterrupted period of 36 months.

SECTION III

INSPECTIONS AND SPECIFIC NCB SECURITY CHECKS

Article 9

Inspections

1. The ECB shall assess whether a manufacturer complies with the relevant accreditation requirements by means of inspections. These can take the form of on-site inspections and/or off-site inspections.
2. Off-site inspection(s) shall be performed in relation to any documentation provided by a manufacturer which is relevant for assessing its compliance with the accreditation requirements.
3. On-site inspection(s) shall assess a manufacturer's compliance with the relevant substantive requirements at the manufacturing site, in particular with regards to the security and quality requirements. The ECB may decide to conduct such on-site inspections whenever it considers this necessary but at least every 36 months with respect to the substantive security and quality requirements for a euro items activity and/or a euro secure activity.
4. On-site inspections in relation to the substantive security and quality requirements may be announced in advance. On-site inspections for security and quality that have been announced shall commence on the date that has been mutually agreed between the manufacturer and the ECB. Once a manufacturer has started performing a euro secure activity and/or a euro items activity, security and quality on-site inspections may also be unannounced.
5. No later than 10 working days before the date on which an announced on-site inspection is to commence, the ECB may provide the manufacturer with pre-on-site inspection documentation for completion by the manufacturer. The manufacturer shall return such documentation to the ECB at least five working days before the date on which the on-site inspection is due to commence.
6. If a manufacturer is required to use a specialist destruction facility pursuant to its national law, the on-site inspection team may also visit this facility to assess whether the arrangements proposed by the manufacturer are sufficient to protect the integrity of the euro secure items concerned.

*Article 10***Findings letter and inspection report**

1. If any instance of non-compliance with the relevant accreditation requirements is identified during the course of an inspection, the ECB shall send a findings letter to the manufacturer, specifying the instance(s) of non-compliance in question, within the following time periods:

(a) 15 working days from the date on which the relevant on-site inspection was completed;

(b) 40 working days following the ECB's receipt of any relevant documentation pursuant to an off-site inspection, in particular with respect to the continuing obligations laid down in Article 12;

(c) 15 working days following receipt of the NCB's report to the ECB where specific NCB security checks have been carried out pursuant to Article 11.

2. The manufacturer shall have 15 working days from receipt of the findings letter to communicate with the ECB in writing, providing its comments and details of any arrangements or improvements it intends in relation to the content of the findings letter.

3. The ECB shall prepare a draft inspection report within 25 working days following: (a) finalisation of an inspection, where no instance of non-compliance was identified; (b) the ECB's receipt of the manufacturer's written comments on the findings letter; or (c) the expiry of the deadline for making such comments, where comments have not been received. This draft inspection report shall include the inspection findings and the relevant comments received from the manufacturer. The draft inspection report shall further draw conclusions on whether the manufacturer is in compliance with the accreditation requirements.

4. The manufacturer shall have 15 working days from receipt of the draft inspection report to communicate to the ECB in writing, providing its comments and details of any arrangements or improvements it intends in relation to the contents of the draft inspection report. Following receipt of the manufacturer's comments or on expiry of the deadline for provision of such comments, the ECB shall, within 30 working days, finalise the draft inspection report and submit it to the relevant manufacturer.

5. Additional on-site inspections may be conducted to verify whether, following the implementation of such arrangements or improvements, the manufacturer complies with the relevant accreditation requirements. Additional on-site inspections may delay the finalisation of the draft inspection report.

6. In case of major non-compliances with the accreditation requirements that require an urgent ECB decision and that could

reasonably be considered to warrant a suspension decision pursuant to Article 17 or a revocation decision pursuant to Article 18, the ECB may decide to shorten the process described in paragraphs 1, 2 and 3, whereby the manufacturer shall have a maximum of five working days to comment on the relevant non-compliance. The ECB shall provide the reasons for such urgency.

7. The ECB may decide to extend the deadlines mentioned in this Article.

*Article 11***Specific NCB security checks**

1. Any NCB that has placed an official order for the production of euro banknotes may, in relation to such orders, conduct stock-checks and checks on destruction of euro secure items at the manufacturing site where the euro banknotes are being produced or at any other manufacturing site where components for those euro banknotes are being produced, processed, stored or destroyed.

2. The NCB referred to in paragraph 1 may also conduct checks on the transport of euro banknotes and euro banknote paper.

3. The NCB shall send a written report to the ECB within three working days of the completion of the checks if the manufacturer is found in breach of the ECB transport rules under the substantive requirements or if any discrepancy is discovered during the stock-checks or checks on destruction.

4. The ECB may appoint a specific security on-site inspection team to conduct on-site inspections at the manufacturing site to verify the breaches or discrepancies identified by the NCB. Any findings made by the ECB based on the outcome of the specific security inspection team's inspection shall be reported pursuant to Article 10.

SECTION IV

CONTINUING OBLIGATIONS*Article 12***Continuing obligations of accredited manufacturers**

1. An accredited manufacturer shall, for the relevant manufacturing site, provide the ECB with a copy of the relevant certificate referred to in Article 4(3) each time any such certificate is renewed or changed within three months from the relevant date of continuation or change.

2. An accredited manufacturer shall immediately inform the ECB if any of the required certificates are revoked.

3. An accredited manufacturer shall immediately inform the ECB in writing of any of the following:

- (a) commencement of any procedure for the winding-up or reorganisation of the manufacturer or any analogous procedure;
- (b) appointment of a liquidator, receiver, administrator or similar officer in relation to the manufacturer;
- (c) any intention to subcontract or to involve third parties in a euro items activity or euro secure activity for which the manufacturer has accreditation;
- (d) any change in the arrangements at the manufacturing site that occurs after accreditation has been granted and affects, or may affect, the compliance with the relevant accreditation requirements, including changes to the details under Article 5(2)(a) to (d);
- (e) any intention to change control of the accredited manufacturer or change its ownership structure;
- (f) the lapse of an uninterrupted period of 34 months since its last production.

4. An accredited manufacturer shall not transfer or assign its accreditations to a third party, including any of its subsidiaries and associated companies.

5. An accredited manufacturer shall not transfer any part of the euro secure activity or the euro items activity or any euro secure items or euro items to another site owned, leased or otherwise within the control of the manufacturer unless that site has been granted the appropriate accreditation in accordance with Article 2 and the ECB has given prior written consent for the transfer.

6. An accredited manufacturer shall not outsource or transfer any part of the euro secure activity or euro items activity or any euro secure items or euro items to any third party, including the manufacturer's subsidiaries and associated companies, unless that third party has been granted the appropriate accreditation in accordance with Article 2 and the ECB has given prior written consent for the outsourcing or transfer.

7. The ECB's prior written consent shall be required for an accredited manufacturer to outsource any part of euro secure activity or euro items activity to another manufacturing site.

8. A manufacturer with provisional accreditation shall immediately inform the ECB when it receives an official order to produce from another accredited manufacturer, an NCB or the ECB, so that relevant inspections can take place as soon as possible. The notification shall include information about the official order to produce and the planned start and end date of production.

9. A manufacturer with a provisional accreditation shall provide the ECB with the information on environmental, health and safety aspects as required in the relevant substantive requirements.

10. If an accredited manufacturer is a printing works, it shall arrange for the conduct of analysis on the chemical substances of finished euro banknotes and shall report to the ECB in accordance with the relevant environmental, health and safety requirements.

11. An accredited manufacturer shall keep the substantive requirements confidential.

Article 13

Continuing obligations of the ECB

The ECB shall inform accredited manufacturers of any updates to the substantive requirements that concern the euro secure activity and/or euro items activity for which they have been granted an accreditation or provisional accreditation.

SECTION V

CONSEQUENCES OF NON-COMPLIANCE

Article 14

Instances of non-compliance

1. Any of the following acts of a manufacturer shall constitute an instance of non-compliance:

- (a) failure to meet the relevant accreditation requirements;
- (b) failure to implement improvements as agreed with the ECB;
- (c) refusal to grant immediate access to the manufacturing site to an on-site inspection team or to personnel appointed by an NCB to conduct stock-checks, checks on destruction or checks on transport;
- (d) submission of a false or misleading declaration or a falsified document to the ECB and, where applicable, to an NCB, pursuant to any of the procedures under this Decision;
- (e) breach of its obligation to keep the content of the substantive requirements confidential.

2. Any instance of non-compliance with the relevant accreditation requirements shall be notified to the non-compliant manufacturer in accordance with Article 10(4) or otherwise notified to the non-compliant manufacturer. Any instance of non-compliance must be corrected within an agreed period. This period shall be proportionate to the seriousness of the non-compliance.

3. A major non-compliance is an instance that has or had an immediate and serious adverse impact on the security of the euro secure activity and/or an immediate and serious adverse impact on the quality, environmental or health and safety aspects of a euro items activity.

4. The ECB may issue a recommendation to a manufacturer, which is a suggestion for improving an arrangement that nevertheless complies with the accreditation requirements.

Article 15

ECB decisions on non-compliance

1. The ECB shall take any of the decisions referred to in Articles 16 to 18 and 20 in written form. These decisions shall include:

- (a) the instance of non-compliance and the comments provided by the manufacturer, where applicable;
- (b) the manufacturing site, the euro secure item and/or euro item and the euro secure activity and/or euro items activity to which the decision relates;
- (c) the date on which the decision will become effective;
- (d) the time limit for remedying the non-compliance, where applicable;
- (e) the reasons for the decision.

2. In all cases where the ECB takes a decision pursuant to Articles 16 to 18 and 20, it shall be proportionate to the seriousness of the non-compliance and to the track record of the manufacturer as regards the occurrences and corrections of any other instances of non-compliance.

3. The ECB may inform the NCBs and all accredited manufacturers of any decision taken pursuant to this Article, its scope and duration and, in such case, shall specify that the NCBs will be notified if there is any further change in the manufacturer's status.

Article 16

Warning decision

1. The ECB may take a warning decision in relation to an accredited manufacturer in the event of:

- (a) a major non-compliance with regard to security aspects of a euro secure activity, or the quality, environmental or health and safety aspects of a euro items activity;

- (b) a recurrent pattern of instances of non-compliance;

- (c) failure of timely and effective correction of any instance of non-compliance.

2. The ECB shall take into account all relevant explanations provided by that manufacturer.

3. A warning decision may also state that if the non-compliance has not been remedied within the specified time limit, Articles 17 or 18 will apply.

4. If the ECB assesses that a warning decision alone would not be justified given the seriousness of the identified instance of non-compliance, it may take a decision pursuant to Article 17 or 18.

Article 17

Suspension in relation to new orders

1. The ECB may take a suspension decision in relation to an accredited manufacturer with the effect that the manufacturer may finish any on-going production order but cannot accept new orders until the suspension decision has been lifted. A suspension decision may be taken in the event of:

- (a) a major non-compliance with an immediate and serious adverse impact on the security of the euro secure activity but where the manufacturer was able to demonstrate that no loss or theft of euro secure items or unauthorised publication of information, which could damage the integrity of euro secure items, has occurred;
- (b) a manufacturer failing to remedy the non-compliance specified in a warning decision.

2. The ECB shall take into account all relevant explanations provided by that manufacturer.

3. A suspension decision may also state that if the non-compliance has not been remedied within the specified time limit, Article 18 will apply.

4. If the ECB assesses that a suspension decision alone would not be justified given the seriousness of the identified instance of non-compliance, it may take a revocation decision pursuant to Article 18.

5. A suspension decision can only be lifted if all relevant instances of non-compliance have been corrected and assessed as corrected by an inspection.

*Article 18***Revocation of accreditation**

1. The ECB may take a revocation decision in the event of:

- (a) a manufacturer's failure to follow up on a suspension decision;
- (b) a manufacturer's failure to comply with Article 19;
- (c) a non-compliance with the requirement to immediately inform the ECB about any of the circumstances referred to in Article 12(3)(c) to(f);
- (d) a request from an accredited manufacturer to transfer all or part of its euro secure activity and/or euro items activity to a new manufacturing site. The scope of such revocation shall include the old manufacturing site from which the relevant activity is being transferred;
- (e) a request from an accredited manufacturer to withdraw its provisional accreditation or accreditation.

2. The ECB may take a revocation decision where it assesses that such revocation is proportionate to:

- (a) the gravity of the instance(s) of non-compliance;
- (b) the magnitude of actual or potential loss, theft or of any consequential financial and reputational damage of unauthorised publication of information related to euro secure items;
- (c) the adequacy of the manufacturer's response, capacity and capability to mitigate the non-compliance.

3. The ECB shall take into account all relevant explanations provided by the respective manufacturer.

4. Where the possession of euro secure items by the manufacturer after revocation could put the integrity of euro banknotes as a means of payment at risk, the ECB may require the manufacturer to take measures, such as delivery to the ECB or an NCB of specified euro secure items or destruction thereof, to ensure that the manufacturer does not possess any such euro secure items after the revocation becomes effective.

5. A revocation decision shall specify the date after which a manufacturer may re-apply for a provisional accreditation. Such date will be determined on the basis of the circumstances leading to the revocation and shall be at least one year after the date of the revocation decision.

*Article 19***Immediate stop of euro secure activity**

1. In exceptional circumstances, where a major non-compliance is identified that could result in the loss or theft of euro secure items or unauthorised publication of information which could damage the integrity of euro banknotes as means of payment unless immediate remedial action is taken, the on-site inspection team may require the non-compliant manufacturer to stop the relevant euro secure activity with immediate effect until the non-compliance has been remedied. In such a case, the manufacturer may not resume this activity without the prior written approval of the ECB.

2. Such manufacturer shall provide the ECB with information concerning any other manufacturer which may, as a customer or supplier, be indirectly affected by the stopped euro secure activity or euro items activity. The on-site inspection team may also require the accredited manufacturer to take the measures referred to in Article 18(4) to ensure that it does not possess specified euro secure items in the period for which the euro secure activity has been stopped.

3. If a euro secure activity of an accredited manufacturer is stopped under paragraph 1, the ECB shall inform any potentially affected third party manufacturers referred to in paragraph 2 and in such case shall specify that the potentially affected third party manufacturers will be notified if there is a change in the manufacturer's status.

4. As soon as possible after the ECB's on-site inspection team has required a euro secure activity to be stopped and without prejudice to any other decisions taken pursuant to Articles 16 to 18, the ECB shall promptly lift such a stop if a subsequent inspection concludes that the relevant non-compliance has been remedied.

*Article 20***Financial penalties in case of discrepancies in quantities of euro banknotes or banknote paper**

1. A manufacturer performing production of euro banknote paper or euro banknotes shall report to the ECB, in accordance with the substantive security requirements, any discrepancy in quantities of euro banknote paper or in quantities of partly or fully printed euro banknotes identified during any euro secure activity at its accredited manufacturing site.

2. If such a manufacturer identifies a discrepancy in a quantity of euro banknote paper or in quantities of partly or fully printed euro banknotes during euro secure activity at the accredited manufacturing site and fails to report it in accordance with the substantive security requirements and the discrepancy is brought to the attention of the ECB by other means, the ECB shall impose on the manufacturer a financial penalty of not less than EUR 50 000. If the equivalent face value of the discrepancy exceeds EUR 50 000, the ECB shall impose on the manufacturer a financial penalty of that equivalent face value, up to a maximum penalty of EUR 500 000.

3. If a manufacturer reports to the ECB a discrepancy in a quantity of euro banknote paper or in quantities of partly or fully printed euro banknotes identified during euro secure activity at the accredited manufacturing site but then fails to identify and report to the ECB the cause of the discrepancy within the timescales laid down by the substantive security requirements, the ECB shall consider the imposition of a minimum financial penalty of EUR 50 000. If the equivalent face value of the discrepancy exceeds EUR 50 000, the ECB shall impose on the manufacturer a financial penalty of that equivalent face value, up to a maximum penalty of EUR 500 000.

4. If a manufacturer fails to identify a discrepancy in a quantity of euro banknote paper or partly or fully printed euro banknotes during euro secure activity at the accredited manufacturing site and the discrepancy is identified and brought to the attention of the ECB by other means, the ECB shall impose on the manufacturer a financial penalty of not less than EUR 50 000. If the equivalent face value of the discrepancy exceeds EUR 50 000, the ECB shall impose on the manufacturer a financial penalty of that equivalent face value, up to a maximum penalty of EUR 500 000.

5. The seriousness of the discrepancy shall be considered in each specific case when deciding on the amount of the financial penalty and shall justify a financial penalty above or below the amount of EUR 50 000. The seriousness of the discrepancy shall be evidenced by the equivalent face value of the relevant discrepancy. The financial penalties shall under no circumstances exceed EUR 500 000.

6. Decisions on financial penalties shall follow the procedures laid down in Regulation (EC) No 2532/98 and Regulation (EC) No 2157/1999 of the European Central Bank of 23 September 1999 on the powers of the European Central Bank to impose sanctions (ECB/1999/4) ⁽¹⁾. In addition to the financial penalties, the ECB may decide to issue a warning decision, or revoke or suspend the provisional accreditation or accreditation.

Article 21

Review procedure

1. The ECB shall assess any request and information provided by the manufacturer related to this Decision and

inform the manufacturer in writing of its decision to accept or reject the request or validity of the information received within 50 working days from the receipt of:

- (a) the initiation request; or
- (b) any additional information or clarifications requested by the ECB.

2. Where the ECB has taken a decision:

- (a) to reject a request for the initiation of any accreditation procedure;
- (b) to refuse to: (i) grant any provisional accreditation; (ii) convert a provisional accreditation into an accreditation; or (iii) convert an accreditation into a provisional accreditation;
- (c) to convert an old regime accreditation into a provisional accreditation or accreditation;
- (d) pursuant to Articles 16 to 19,

the manufacturer may, within 30 working days of notification of such decision, submit a written request to the Governing Council to review the decision. The manufacturer shall include its reasons for such request and all supporting information.

3. The review shall not have suspensive effect. If the manufacturer explicitly so requests in its review request, giving reasons therefore, the Governing Council may suspend the application of the decision that is being reviewed.

4. The Governing Council shall review the decision in the light of the manufacturer's review request. If the Governing Council considers that the decision infringes this Decision it shall either order that the procedure in question is repeated or take a final decision. Otherwise the manufacturer's review request shall be rejected. The manufacturer shall be notified of the outcome of the review in writing within 60 working days of receipt of the review request. The Governing Council's decision shall state the reasons on which it is based.

5. The Court of Justice of the European Union shall have exclusive jurisdiction in any dispute between the ECB and a manufacturer relating to this Decision. If a review procedure is available under paragraph 2 the manufacturer shall await the ECB's decision on the review before bringing the matter before the Court of Justice. Time limits set out in the Treaty shall begin to run from receipt of the review decision.

⁽¹⁾ OJ L 264, 12.10.1999, p. 21.

6. By way of derogation from paragraphs 1 to 4, the review procedure for decisions on financial penalties under Article 20 shall be carried out in compliance with the procedure laid down in Regulation (EC) No 2532/98 and Regulation (EC) No 2157/1999 (ECB/1999/4).

Article 22

ECB accreditation register

1. The ECB shall keep a register of accreditations:
 - (a) listing all manufacturers which have been granted a provisional accreditation or accreditation;
 - (b) indicating, in respect of each manufacturing site, the euro secure activity and/or the euro items activity, the euro secure items and the euro items for which a provisional accreditation or accreditation has been granted.
2. The ECB shall make information from the accreditation register available to all NCBs, future Eurosystem NCBs and accredited manufacturers. The ECB shall regularly update the accreditation register in accordance with the information provided by the accredited manufacturers and the NCBs under this Decision. For the purpose of making regular updates of the accreditation register, the ECB may collect from accredited manufacturers, the NCBs and future Eurosystem NCBs further relevant information, which the ECB deems necessary for maintaining the accuracy and correctness of the information in the accreditation register.
3. If the ECB takes a suspension decision under Article 17, it shall record the scope and duration of the measure and all changes in the manufacturer's status relating to its name, the affected manufacturing site and the euro secure items, euro items, euro secure activity and euro items activity concerned in compliance with the terms of such a suspension decision.
4. If the ECB takes a revocation decision pursuant to Article 18, it shall remove the name of the manufacturer, manufacturing site, euro secure item and euro secure activity and/or the euro item and euro items activity from the accreditation register in compliance with the terms of such a revocation decision.

SECTION VI

AMENDMENT, TRANSITIONAL AND FINAL PROVISIONS

Article 23

Amendment

Article 1(c) of Decision ECB/2008/3 is replaced by the following:

‘(c) “euro secure items” means the items listed in the security rules, including euro banknotes that are: (a) in

circulation, (b) being developed to replace euro banknotes in circulation, or (c) withdrawn from circulation, together with their components and related information, which require security protection because their loss, theft or unauthorised publication could damage the integrity of euro banknotes as a means of payment;’.

Article 24

Repeal

Decisions ECB/2008/3, ECB/2010/22 and ECB/2011/8 shall be repealed on the date specified in Article 26(3). References to Decisions ECB/2008/3, ECB/2010/22 and ECB/2011/8 shall be understood as meaning references to this Decision.

Article 25

Transitional provisions

1. Manufacturers with old regime accreditations shall be entitled to perform euro secure activity and/or euro items activity until the date indicated in Article 26(3).
2. Two months before the date indicated in Article 26(3), manufacturers with old regime accreditations shall inform the ECB whether they have performed euro secure activity and/or euro items activity in the preceding 36 months.
3. Old regime accreditations granted under the repealed ECB accreditation decisions shall either be converted in accordance with paragraphs 4 and 5 or expire after the date indicated in Article 26(3) regardless of their remaining validity periods or permanent status.
4. A manufacturer with valid security, quality, environmental, and health and safety accreditations that has produced euro secure items and/or euro banknote raw materials in accordance with the repealed ECB accreditation decisions during the 36 months before the date indicated in Article 26(3) shall have its accreditations converted into an accreditation in line with Article 7 of this Decision and the relevant accreditation requirements thereof.
5. A manufacturer with valid security, quality, environmental, health and safety accreditations that has not produced euro secure items and/or euro banknote raw materials in accordance with the repealed ECB accreditation decisions during the 36 months before the date indicated in Article 26(3) shall have its accreditations converted into a provisional accreditation in line with Article 8 of this Decision and the relevant accreditation requirements thereof.
6. All initiated or ongoing procedures under the repealed ECB accreditation decisions in relation to old regime accreditations, in particular:

- (a) initial or follow-up security inspections, including quality audits or quality pre-audits;
- (b) grant of accreditation(s);
- (c) issuance of a warning decision, suspension or revocation of accreditation(s); or
- (d) review of actions or decisions under subparagraphs (a) to (c),

shall be finalised in accordance with the provisions of the repealed ECB accreditation decisions for the period until the date indicated in Article 26(3).

7. From the 2016 production of euro banknotes, NCBs shall not validate any printed euro banknotes with chemical substances exceeding the acceptance limits referred to in the environmental, and health and safety requirements.

Article 26

Final provisions

1. This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.

2. Articles 23 and 25 shall apply from the day following the publication of this Decision in the *Official Journal of the European Union*.

3. The remaining provisions of this Decision shall apply from 12 months following the day of its publication in the *Official Journal of the European Union*.

Article 27

Addressees

This Decision is addressed to manufacturers of euro secure items and euro items and the NCBs, whenever the latter perform stock-checks, checks on destruction or checks on transport.

Done at Frankfurt am Main, 20 December 2013.

The President of the ECB
Mario DRAGHI

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