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II

(Information)

INTERINSTITUTIONAL AGREEMENTS

EUROPEAN COMMISSION

Memorandum of Understanding between the European Commission and the European Molecular Biology Laboratory

(2012/C 271/01)

The European Commission, hereinafter referred to as 'the Commission', and the European Molecular Biology Laboratory, the headquarters of which are at Heidelberg, Germany, hereinafter referred to as 'EMBL' (jointly hereinafter referred to as 'the two Sides'),

CONSIDERING:

- The Treaty on the Functioning of the European Union whereby cooperation in the field of research, technological development and demonstration with third countries and international organisations is promoted,
- The Agreement establishing the European Molecular Biology Laboratory signed on 30 May 1973 (¹); based on this Agreement the signatories have entrusted performance of basic research in molecular biology, training of scientists, students and visitors at all levels, offering vital services to scientists in the member states that are signatories, developing new instruments and methods in the life sciences and engaging in technology transfer activities, to EMBL,
- The Administrative Arrangement for scientific and technological cooperation between the Commission and the EMBL signed on 18 January 1995,
- The Statement of Intent between the Commission and the EIROforum Organisations, signed on 24 June 2010,
- The Framework Programmes of the European Community for research, technological development and demonstration activities,
- The 2007 Green Paper on new perspectives for the European Research Area (ERA) (²), which calls for greater cooperation and strengthened partnership with intergovernmental research organisations such as EMBL, notably as regards research programming, training and mobility of researchers, research infrastructures, intellectual property and international cooperation,
- The ERA International Cooperation Communication of 2008 (3) which confirms the usefulness of a strengthened partnership between the European Community and European intergovernmental research organisations, notably the EIROforum Organisations to help assemble the critical mass needed to provide an effective response to policy challenges that are increasingly global,

⁽¹⁾ http://www.embl.de/aboutus/general_information/organisation/hostsite_agreement/un_agreement.pdf

⁽²⁾ The Green Paper on the European Research Area refers to the Commission Green Paper European Research Area: New Perspectives', adopted on 4 April 2007 (COM(2007) 161 final).

^{(3) &#}x27;A strategic European Framework for international science and technology cooperation', 24 September 2008 (COM(2008) 588).

- The ERA Vision 2020, endorsed on 2 December 2008 by the Council of the European Union (EU) (1); which stipulates that by 2020 all players will fully benefit from the 5th freedom across ERA (2),
- The 'Strategy Europe 2020: a strategy for a smart, sustainable and inclusive growth' (3), endorsed on 17 June 2010 by the European Council, the related Flagship Initiative 'A Digital Agenda for Europe' adopted by the European Commission on 19 May 2010 (4) and the related Flagship initiative 'Innovation Union', adopted by the European Commission on 6 October 2010 (5),

RECOGNISING:

The respective responsibilities of the two Sides in the aforementioned areas which are mutually reinforcing,

The long-standing excellent cooperation between EMBL and the Commission based on the precedent Administrative Arrangement,

HAVE AGREED AS FOLLOWS:

- 1. The two Sides intend to cooperate, with due regard to their respective competences, to consolidate and further develop the European Research Area, notably concerning research programming, training and mobility of researchers, research infrastructures, management of intellectual property and international collaboration. For this purpose, they may develop joint activities in the area of molecular life sciences.
- 2. With due regard to their respective competences, institutional settings and operational frameworks, the two Sides will inform and consult each other, as appropriate, on issues of mutual interest, in particular in relation to the consolidation and further development of the European Research Area.
- 3. The observer status granted in 1995 to the Commission at the EMBL Council is maintained (6).
- 4. The Commission will grant EMBL the right to propose candidates for membership of relevant expert and advisory bodies. These experts will be nominated by the Commission subject to its own rules and procedures.
- 5. The two Sides will establish contact points and mechanisms for communication to reach the aim foreseen by the present Memorandum of Understanding.
- 6. The two Sides will meet when necessary and at least annually to take stock of progress and possibly discuss further ways to enhance mutual collaboration, including joint activities, or explore potential synergies.
- 7. The two Sides will agree on the questions related to the interpretation and implementation of the present Memorandum of Understanding.
- 8. The Administrative Arrangement of 18 January 1995 is replaced by the present Memorandum of Understanding.

Done in duplicate at Heidelberg, 4 March 2011.

For the European Commission

For the European Molecular Biology Laboratory

(EMBL)

Máire GEOGHEGAN-QUINN

Iain W. MATTAJ

Commissioner for Research, Innovation and Science

Director-General

⁽¹⁾ Competitiveness Council Conclusions 16767/08 on '2020 Vision for the European Research Area', 1-2 December 2008.

⁽²⁾ ERA includes the EU and the countries associated to the Framework Programme for Research.

⁽³⁾ Commission Communication COM(2010) 2020 of 3 March 2010 and European Council Conclusions from 17 June 2010 (http://ec.europa.eu/eu2020/pdf/115346.pdf).

⁽⁴⁾ Commission Communication COM(2010) 245 of 19 May 2010.

⁽⁵⁾ Commission Communication COM(2010) 546 of 6 October 2010.

⁽⁶⁾ An observer status was granted to the Commission in the Administrative Arrangement signed on 18 January 1995.

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Non-opposition to a notified concentration (Case COMP/M.6463 — Marquard & Bahls/Bominflot)

(Text with EEA relevance)

(2012/C 271/02)

On 19 March 2012, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (http://ec.europa.eu/competition/mergers/cases/). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (http://eur-lex.europa.eu/en/index.htm) under document number 32012M6463. EUR-Lex is the on-line access to the European law.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates (1) 7 September 2012

(2012/C 271/03)

1 euro =

	Currency	Exchange rate		Currency	Exchange rate
USD	US dollar	1,2706	AUD	Australian dollar	1,2279
JPY	Japanese yen	100,26	CAD	Canadian dollar	1,2472
DKK	Danish krone	7,4521	HKD	Hong Kong dollar	9,8546
GBP	Pound sterling	0,79670	NZD	New Zealand dollar	1,5787
SEK	Swedish krona	8,4865	SGD	Singapore dollar	1,5739
CHF	Swiss franc	1,2128	KRW	South Korean won	1 435,34
ISK	Iceland króna	-,	ZAR	South African rand	10,4434
NOK	Norwegian krone	7,3730	CNY	Chinese yuan renminbi	8,0604
	_	,	HRK	Croatian kuna	7,4355
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	12 168,59
CZK	Czech koruna	24,587	MYR	Malaysian ringgit	3,9478
HUF	Hungarian forint	287,00	PHP	Philippine peso	52,870
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	40,3911
LVL	Latvian lats	0,6963	THB	Thai baht	39,643
PLN	Polish zloty	4,1224	BRL	Brazilian real	2,5769
RON	Romanian leu	4,4805	MXN	Mexican peso	16,5019
TRY	Turkish lira	2,2918	INR	Indian rupee	70,2450

⁽¹⁾ Source: reference exchange rate published by the ECB.

Administrative agreement with the Council of Europe regarding the use of the European emblem by third parties

(2012/C 271/04)

1. General principle

Any natural or legal person ('user') may use the European emblem or any of its elements, subject to the following conditions of use.

2. Conditions of use

The use of the European emblem and/or any of its elements is allowed, irrespective of whether the use is of a non-profit or commercial nature, unless:

- (a) the use creates the incorrect impression or assumption that there is a connection between the user and any of the institutions, bodies, offices, agencies and organs of the European Union or the Council of Europe;
- (b) the use leads the public to believe erroneously that the user benefits from the support, sponsorship, approval or consent of any of the institutions, bodies, offices, agencies and organs of the European Union or the Council of Europe;
- (c) the use is in connection with any objective or activity which is incompatible with the aims and principles of the European Union or of the Council of Europe, or which would be otherwise unlawful.

3. Trade mark and related issues

The use of the European emblem in accordance with the conditions in the previous section does not mean consent to registration of the emblem or an imitation thereof as a trade mark or any other IP right. The European Commission and the Council of Europe will continue the monitoring of applications for registration of the European emblem or part thereof as (part of) IP rights, in accordance with the applicable legal provisions.

4. Legal responsibility

Any user that intends to use the European emblem or elements of it may do so on its own legal responsibility. The users will be liable for any abusive use and possible prejudice following from such use under the laws of the Member States or any third country applicable to them.

5. Right to pursue any abuse

The Commission reserves the right to pursue on its own initiative or on request by the Council of Europe:

- any use which does not comply with the conditions set out herein, or
- any use which the Commission or the Council of Europe deem abusive in the courts of the Member States or any third country.

NOTICES FROM MEMBER STATES

List of registered and certified credit rating agencies

(2012/C 271/05)

The credit rating agencies listed below have been registered or certified in accordance with Regulation (EC) No 1060/2009 of the European Parliament and of the Council of 16 September 2009 on credit rating agencies (the Credit Rating Agencies Regulation).

The list is published by ESMA in accordance with Article 18(3) of the Credit Rating Agencies Regulation and is updated within five working days of adoption of a registration or certification decision. The European Commission republishes the list in the *Official Journal of the European Union* within 30 days of any update. There may therefore be differences between the list published by ESMA and the list available in the Official Journal during that period.

Registered or certified CRAs

Last update: 30 July 2012

Name of CRA	Country of residence	Registering competent authority of home Member State	Status	Effective date
Euler Hermes Rating GmbH	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	16 November 2010
Japan Credit Rating Agency Ltd	Japan	Autorité des marchés financiers (AMF)	Certified	6 January 2011
Feri EuroRating Services AG	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	14 April 2011
Bulgarian Credit Rating Agency AD	Bulgaria	Financial Supervision Commission (FSC)	Registered	6 April 2011
Creditreform Rating AG	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	18 May 2011
Scope Credit Rating GmbH (formerly PSR Rating GmbH)	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	24 May 2011
ICAP Group SA	Greece	Hellenic Capital Market Commission (HCMC)	Registered	7 July 2011
GBB-Rating Gesellschaft für Bonitätsbeurteilung GmbH	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	28 July 2011
ASSEKURATA Assekuranz Rating-Agentur GmbH	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	16 August 2011
Companhia Portuguesa de Rating, SA (CPR)	Portugal	Comissão do Mercado de Valores Mobiliários (CMVM)	Registered	26 August 2011
AM Best Europe — Rating Services Ltd. (AMBERS)	United Kingdom	Financial Services Authority (FSA)	Registered	8 September 2011
DBRS Ratings Limited	United Kingdom	Financial Services Authority (FSA)	Registered	31 October 2011
		•		

Name of CRA	Country of residence	Registering competent authority of home Member State	Status	Effective date
Fitch France S.A.S.	France	Autorité des marchés financiers (AMF)	Registered	31 October 2011
Fitch Deutschland GmbH	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	31 October 2011
Fitch Italia SpA	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	Registered	31 October 2011
Fitch Polska SA	Poland	Komisja Nadzoru Finansowego (KNF)	Registered	31 October 2011
Fitch Ratings España S.A.U.	Spain	Comisión Nacional del Mercado de Valores (CNMV)	Registered	31 October 2011
Fitch Ratings Limited	United Kingdom	Financial Services Authority (FSA)	Registered	31 October 2011
Fitch Ratings CIS Limited	United Kingdom	Financial Services Authority (FSA)	Registered	31 October 2011
Moody's Investors Service Cyprus Ltd	Cyprus	Cyprus Securities and Exchange Commission (CySEC)	Registered	31 October 2011
Moody's France S.A.S.	France	Autorité des marchés financiers (AMF)	Registered	31 October 2011
Moody's Deutschland GmbH	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Registered	31 October 2011
Moody's Italia S.r.l.	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	Registered	31 October 2011
Moody's Investors Service España SA	Spain	Comisión Nacional del Mercado de Valores (CNMV)	Registered	31 October 2011
Moody's Investors Service Ltd	United Kingdom	Financial Services Authority (FSA)	Registered	31 October 2011
Standard & Poor's Credit Market Services France S.A.S.	France	Autorité des marchés financiers (AMF)	Registered	31 October 2011
Standard & Poor's Credit Market Services Italy S.r.l.	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	Registered	31 October 2011
Standard & Poor's Credit Market Services Europe Limited	United Kingdom	Financial Services Authority (FSA)	Registered	31 October 2011
CRIF SpA	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	Registered	22 December 2011
Capital Intelligence (Cyprus) Ltd	Cyprus	Cyprus Securities and Exchange Commission (CySEC)	Registered	8 May 2012
European Rating Agency, a.s.	Slovakia	National Bank of Slovakia	Registered	30 July 2012

V

(Announcements)

ADMINISTRATIVE PROCEDURES

EUROPEAN COMMISSION

CALL FOR PROPOSALS — EACEA/26/12

Action 4.1 — Support for bodies active at European level in the field of youth

(2012/C 271/06)

1. Objective

This call for proposals concerns structural support, referred to as operating grant, to bodies active at European level in the field of youth and pursuing an aim which is of general European interest.

The aim is to support bodies, which through their permanent, usual and regular activities contribute to the objectives of the 'Youth in action' programme.

These activities must help encourage young people to participate as citizens in public life, in society and in the development and implementation of European cooperation actions in the broadly defined field of youth.

The call for proposals aims at the selection of organisations for the conclusion of annual operating grant agreements covering the budget year 2013. It does not concern organisations having concluded a framework partnership agreement with the Executive Agency for 2011-2013.

2. Eligible applicants

2.1. Eligible bodies

This call for proposals is open to:

- 1. European non-governmental organisations:
 - (a) European umbrella organisations having branches in at least eight eligible countries;
 - (b) European networks having statutory/formal member organisations in at least eight eligible countries;
- 2. informal European networks: composed of independent organisations in at least eight eligible countries.

To be eligible for an operating grant, a body must:

- be non-profit-making,
- be non-governmental,
- have been legally registered for at least one year on the date of submission of applications,

- be a youth body or one having a broader scope but including a section dedicated to youth,
- involve young people in managing activities developed with them in mind,
- have at least one (salaried or non-salaried) permanent member of staff. An exception is granted to bodies that have never received grants under this action and that intend to employ a permanent member of staff if this grant is awarded.

2.2. Eligible countries

Bodies established in any one of the following countries are eligible to apply:

- the Member States of the European Union,
- the countries of the European Free Trade Association (EFTA): Iceland, Liechtenstein, Norway and Switzerland,
- the countries applying for membership of the European Union and benefiting from a pre-accession strategy: Croatia and Turkey,
- the countries of the western Balkans: Albania, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Kosovo (under UNSC Resolution 1244/1999), Montenegro and Serbia,
- the following east European countries: Belarus, Moldova, Russian Federation and Ukraine.

3. Eligible activities

Organisations must schedule within their annual programme a series of activities which comply with the principles underpinning European Union action in the field of youth.

The activities likely to contribute towards strengthening and improving the efficiency of European Union action are as follows:

- group 1: representing the views and interests of young people in their diversity at European level,
- group 2: youth exchanges and voluntary services,
- group 3: non-formal and informal learning and activity programmes targeted at young people,
- group 4: promoting intercultural learning and understanding,
- group 5: debate on European matters, EU policies or youth policies,
- group 6: dissemination of information on European Union action,
- group 7: actions promoting participation and initiative by young people.

4. Award criteria

Eligible applications will be assessed on the basis of the following criteria:

- relevance to the objectives and priorities of the 'Youth in action' programme and of the call for proposals (30 %),
- quality of the work plan and of the working methods that it comprises (50 %),
- profile and number of participants and number of countries involved in the activities (20 %).

5. Budget available

The total budget allocated for cofinancing the operation of bodies active at European level in the field of youth under the present call for proposals is estimated at EUR 800 000.

Financial contribution from the Union budget cannot exceed 80 % of the provisional expenses (for applicants using the budget-based grant calculation, this refers to 80 % of the eligible costs (1)).

The maximum grant for each body will be EUR 35 000 for an annual agreement.

The Agency reserves the right not to distribute all the funds available.

6. Submission of applications

Grant applications must be drawn up in one of the official EU languages, using the electronic form specifically designed for this purpose.

The forms can be obtained on the Internet at the following address:

http://eacea.ec.europa.eu/youth/index_en.htm

The electronic application form duly completed must be submitted by 12.00 CET (mid-day) on 15 November 2012.

A paper version of the application must also be sent by 15 November 2012 to the following address:

Education, Audiovisual and Culture Executive Agency Youth Unit (P6) — Grant application — Action 4.1 — 2013 BOUR 4/29 Avenue du Bourget/Bourgetlaan 1 1140 Bruxelles/Brussel BELGIQUE/BELGIË

- by post (date of postmark),
- by courier service (date of receipt by the courier service delivering the application to the Executive Agency).

Applications sent by fax or e-mail will not be accepted.

7. Additional information

Applications must comply with the provisions contained in the Application Guidelines — Call for proposals EACEA/26/12, be submitted on the application form provided for this purpose and contain the relevant annexes.

The said documents can be found on the Internet at the following address:

http://eacea.ec.europa.eu/youth/index_en.htm

⁽¹⁾ See point 8.3 of the Application Guidelines 2013 for the description of the grant calculation methods.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration (Case COMP/M.6613 — Watson/Actavis)

(Text with EEA relevance)

(2012/C 271/07)

- 1. On 31 August 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (¹) by which Watson Pharmaceuticals, Inc. ('Watson', USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Actavis Pharma Holding 4 ehf., Actavis Sàrl and Actavis Inc. (together 'Actavis', Switzerland) by way of purchase of shares.
- 2. The business activities of the undertakings concerned are:
- Watson: development, manufacturing, sale and distribution of generic, brand and biologic pharmaceutical products,
- Actavis: development, manufacture and sale of generic pharmaceuticals.
- 3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. However, the final decision on this point is reserved.
- 4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6613 — Watson/Actavis, to the following address:

European Commission Directorate-General for Competition Merger Registry J-70 1049 Bruxelles/Brussel BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

Prior notification of a concentration

(Case COMP/M.6599 — Comsa Rail Transport/Naviland Cargo/Grupo Logístico Sesé/Target) Candidate case for simplified procedure

(Text with EEA relevance)

(2012/C 271/08)

- 1. On 3 September 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (¹) by which the undertakings Comsa Rail Transport, SAU ('CRT', Spain) belonging to the Spanish Comsa-EMTE group, Naviland Cargo, SA ('Naviland', France), belonging to the French SNCF group and Grupo Logístico Sesé SL ('Sesé', Spain) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of an undertaking ('Joint Venture') by way of purchase of shares in a newly created company.
- 2. The business activities of the undertakings concerned are:
- for CRT: rail logistics and transport services,
- for Naviland: rail and intermodal freight transport services and operation of intermodal transport terminals,
- for Sesé: road transport, intermodal transport, forwarding and logistics services,
- for the Joint Venture: freight transport by land between Portugal and Germany.
- 3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the EC Merger Regulation (²) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.
- 4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6599 — Comsa Rail Transport/Naviland Cargo/Grupo Logístico Sesé/Target, to the following address:

European Commission Directorate-General for Competition Merger Registry J-70 1049 Bruxelles/Brussel BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

⁽²⁾ OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').

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