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### Information and Notices

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<sup>(1)</sup> Text with EEA relevance

## III

*(Preparatory acts)*

## EUROPEAN CENTRAL BANK

## OPINION OF THE EUROPEAN CENTRAL BANK

of 24 May 2012

**on a draft Commission delegated regulation supplementing Directive 2011/61/EU of the European Parliament and of the Council with regard to exemptions, general operating conditions, depositaries, leverage, transparency and supervision**

(CON/2012/42)

(2013/C 47/01)

**Introduction and legal basis**

On 18 April 2012, the European Central Bank (ECB) received a request from the Commission for an opinion on a draft Commission delegated regulation supplementing Directive 2011/61/EU of the European Parliament and of the Council with regard to exemptions, general operating conditions, depositaries, leverage, transparency and supervision (hereinafter the 'draft delegated regulation').

The ECB's competence to deliver an opinion is based on Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union since the draft delegated regulation contains provisions affecting the European System of Central Banks' contribution to the smooth conduct of policies relating to the stability of the financial system, as referred to in Article 127(5) of the Treaty. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

**Specific observations****1. Leverage**

- 1.1. The ECB has previously stated that the concept of leverage, as referred to in Directive 2011/61/EU <sup>(1)</sup>, is fundamental to the business model implemented by many alternative investment fund managers (AIFMs) <sup>(2)</sup>. In general, the ECB agrees with the European Securities and Market Authority (ESMA) that information on the level of leverage calculated on the basis of gross exposure is key for the monitoring of systemic risk and that this information should also be provided to investors. While excessive leverage can create significant risks for financial stability, leverage risk is not the only risk for alternative investment funds (AIFs). Therefore, any information about leverage should be supplemented by relevant information about other risk sources. In this context, it is important that requirements aimed at addressing the various sources of risk are kept separate. Such sources of risk include the position risk, i.e. the market and credit risk relating to particular investments, and the leverage of AIFs.

<sup>(1)</sup> Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ L 174, 1.7.2011, p. 1).

<sup>(2)</sup> ECB Opinion CON/2009/81 of 16 October 2009 on a proposal for a Directive of the European Parliament and of the Council on Alternative Investment Fund Managers and amending Directives 2004/39/EC and 2009/.../EC (OJ C 272, 13.11.2009, p. 1). All ECB opinions are published on the ECB's website at <http://www.ecb.europa.eu>

- 1.2. In order to be consistent and to prevent any regulatory arbitrage, the ECB finds it appropriate that the methods for calculation of leverage to be adopted should, to the extent possible, be consistent with the Basel III framework <sup>(1)</sup> and the proposal for a directive of the European Parliament and of the Council on the access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms <sup>(2)</sup> and the proposed regulation of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms <sup>(3)</sup> (hereinafter together the 'proposed CRD IV') <sup>(4)</sup>. For example, this consistency should be ensured by reference to the recognition of hedging transactions and the treatment of cash borrowings. Moreover, cross-reference to the concepts laid down in the proposed CRD IV could also be considered <sup>(5)</sup>.
- 1.3. As stated in paragraph 1.1 above, the ECB is of the view that, when calculating exposures, one should distinguish between: (a) the inherent risks of the assets (portfolios) being purchased by AIFs, i.e. 'position risk'; and (b) the actual leverage involved. Hence the two risk sources should be kept separate when determining the leverage of AIFs. For example, while cash borrowings from external sources that are not invested are indeed neither exposed to market risk nor credit risk, they increase the actual leverage of the AIF. By contrast, the proposed CRD IV does not seem to differentiate between different types of cash borrowings <sup>(6)</sup>.
- 1.4. The draft delegated regulation refers to the application of the gross method and the commitment method <sup>(7)</sup>. It does not include the advanced method <sup>(8)</sup> as this method would not ensure comparability of results. The ECB understands that the advanced method, which relaxes the rules of the commitment method, was designed for AIFMs managing AIFs, for which the commitment method may not be appropriate or may not provide meaningful results. The ECB supports the Commission's Decision not to include the advanced method since the application of the gross method and of the commitment method are sufficient and will provide useful information to both investors and competent supervisory authorities about the leverage of AIFs.

## 2. Risk management

The draft delegated regulation requires AIFMs to separate their risk management function from their operational function and suggests that this will be achieved when an exhaustive list of contingent conditions is fulfilled by the AIFM <sup>(9)</sup>. If these conditions are not satisfied, safeguards shall be applied by the AIFM's governing body to mitigate the conflicts of interest that may pose a risk to the independent performance of risk management activities <sup>(10)</sup>. In this respect, the ECB supports the separation of risk management from operational and management functions. The Commission may consider mandating ESMA to prepare general guidelines setting out objective criteria in order to avoid an inconsistent application across the Union and to monitor their implementation.

<sup>(1)</sup> See 'Basel III: A global regulatory framework for more resilient banks and banking systems', Basel Committee on Banking Supervision, December 2010, revised version June 2011.

<sup>(2)</sup> Also amending Directive 2002/87/EC of the European Parliament and of the Council on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate. COM(2011) 453 final.

<sup>(3)</sup> COM(2011) 452 final.

<sup>(4)</sup> A harmonised definition of leverage would not imply the harmonised calibration of the leverage ratio for credit institutions and AIFs.

<sup>(5)</sup> See the definition of leverage provided by Article 4(86) of the proposed regulation of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms, COM(2011) 452 final.

<sup>(6)</sup> Under the proposed CRD IV, all cash borrowings are recorded on-balance sheet and therefore increase leverage under this framework, regardless of subsequent use of the funds received. Exposure value of on-balance sheet items generally equals their accounting value remaining after specific valuation adjustments, e.g. for credit risk, have been applied; see Article 416(5) in conjunction with Article 106(1) of the proposed regulation of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms, COM(2011) 452 final.

<sup>(7)</sup> Chapter II, Section 2, Articles 9 and 10, of the draft delegated regulation.

<sup>(8)</sup> See ESMA's technical advice to the European Commission on possible implementing measures of the Alternative Investment Fund Managers Directive, 16 November 2011 (hereinafter 'ESMA's Advice'), ESMA/2011/379, p. 459.

<sup>(9)</sup> Article 43 of the draft delegated regulation.

<sup>(10)</sup> Article 44 of the draft delegated regulation.

### 3. *Investment in securitisation positions*

- 3.1. The draft delegated regulation <sup>(1)</sup> provides that AIFMs may invest in securitisation positions provided that they conduct a thorough due diligence of the sponsor and originator. More specifically, the draft delegated regulation provides that, before investing in securitised instruments, the AIFM should: (a) satisfy certain qualitative requirements, e.g. a comprehensive understanding of the risk profile of the investments and appropriate formal policies and procedures <sup>(2)</sup>; and (b) ensure that sponsors, as well as originators, satisfy a number of qualitative requirements including effective risk management requirements, adequate diversification strategies, etc. <sup>(3)</sup>.
- 3.2. The ECB supports the qualitative criteria that foster the AIFMs' awareness of the risks taken prior to investing in securitised products. As regards the provisions under 3.1(b) above, the obligations on AIFMs to ensure that originators and sponsors have proper risk management procedures may be difficult to apply as AIFMs may not be able to directly check criteria pertaining to the internal procedures of the sponsor or originator.
- 3.3. In order to ensure that such requirements do not restrict AIFMs from investing in securitised products, thereby hindering the broader goal of reviving the securitisation market, the draft delegated regulation may provide that ESMA shall give general guidance on the precise documentation to be provided by sponsors or originators to AIFMs regarding the above qualitative requirements.

### 4. *Depositary functions*

- 4.1. The ECB welcomes the comprehensive duties that depositaries will fulfil <sup>(4)</sup> pursuant to the draft delegated regulation. In particular, the ECB believes that the detailed requirements <sup>(5)</sup> will, to a large extent, limit the custody risk for investors in AIFs.
- 4.2. The ECB supports the stringent liability regime introduced by Directive 2011/61/EU and further specified in the draft delegated regulation <sup>(6)</sup>. It notes, however, that this liability regime, together with future amendments (UCITS V) <sup>(7)</sup> to Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings of collective investment in transferable securities (UCITS) <sup>(8)</sup>, could subject depositaries to very substantial liability claims. In the case of some depositaries, such claims could amount to losses sometimes in excess of multiples of their entire capital. The ECB therefore considers it imperative that depositaries manage these risks appropriately, whether they are credit institutions or investment firms or other supervised institutions <sup>(9)</sup>, and that the risks are accounted for under the respective capital requirements rules. The forthcoming UCITS V regulatory process provides a good opportunity to address this subject with respect to UCITS as well as to AIF depositaries.

### 5. *Reporting requirements and exchange of information*

- 5.1. The ECB welcomes the reporting requirements set out in Article 112 of the draft delegated regulation. Under Article 112(7), AIFMs must provide the information in accordance with a pro-forma reporting template set out in the Annex to the draft delegated regulation. In this respect, the ECB supports the data reporting requirements suggested by ESMA in its advice <sup>(10)</sup>, which provides that some information is collected on a monthly basis and suggests the provision of additional information about the historical risk profiles of AIFs. This more granular information is important for the establishment of a comprehensive systemic risk monitoring framework.

<sup>(1)</sup> See Chapter III, Section 5, of the draft delegated regulation.

<sup>(2)</sup> Article 55 of the draft delegated regulation.

<sup>(3)</sup> Article 54 of the draft delegated regulation.

<sup>(4)</sup> See Chapter IV, Section 2, of the draft delegated regulation.

<sup>(5)</sup> See Articles 91, 92, 98, 100 and 101 of the draft delegated regulation.

<sup>(6)</sup> See Chapter IV, Section 3, of the draft delegated regulation.

<sup>(7)</sup> See also the Commission Consultation paper on the UCITS depositary function and on the UCITS managers' remuneration, 14 December 2010.

<sup>(8)</sup> OJ L 302, 17.11.2009, p. 32.

<sup>(9)</sup> See Article 21(3) of Directive 2011/61/EU.

<sup>(10)</sup> See Annex V to ESMA's Advice.

- 5.2. Notwithstanding the above, these reporting requirements to competent authorities, in particular those set out in paragraph 1 of Article 112 of the draft delegated regulation, overlap to a large extent with the statistical reporting requirements set out in Regulation ECB/2007/8 of 27 July 2007 concerning statistics on the assets and liabilities of investment funds <sup>(1)</sup>. Therefore, the ECB considers that there is potential to limit the reporting burden of AIFMs by aligning certain reporting obligations of competent authorities with the ECB's statistical requirements <sup>(2)</sup>. In this respect, the ECB is ready and willing to discuss with the Commission and ESMA how the reporting requirements shall best be aligned.
- 5.3. Lastly, as regard the exchange of information, the draft delegated regulation <sup>(3)</sup> leaves national authorities with significant discretion regarding the conditions under which information relevant for the monitoring of systemic risk <sup>(4)</sup> should be shared with ESMA and the ESRB. The ECB suggests that the above provisions should be clarified in order to avoid uncertainties.

Where the ECB recommends that the draft delegated regulation is amended, specific drafting proposals are set out in the Annex accompanied by explanatory text to this effect.

Done at Frankfurt am Main, 24 May 2012.

*The Vice-President of the ECB*  
Vitor CONSTÂNCIO

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<sup>(1)</sup> OJ L 211, 11.8.2007, p. 8.

<sup>(2)</sup> See paragraph 10 of Opinion CON/2009/81.

<sup>(3)</sup> Article 7(3) and Article 118 of the draft delegated regulation.

<sup>(4)</sup> Compare, in this respect, Article 3(3)(d) and Article 53 of Directive 2011/61/EU and Article 7(3) and Article 118 of the draft delegated regulation.

## ANNEX

## Drafting Proposals

Text drafted by the Commission	Amendments proposed by the ECB (1)
<b>Amendment 1</b> Preamble to the draft delegated regulation (new)	
<p>'Having regard to the Treaty on the Functioning of the European Union,</p> <p>Having regard to Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010, and in particular Article 3(6) [...] and Article 53(3) thereof,</p> <p>Whereas:</p>	<p>'Having regard to the Treaty on the Functioning of the European Union,</p> <p>Having regard to Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010, and in particular Article 3(6) [...] and Article 53(3) thereof,</p> <p><b>Having regard to the opinion of the European Central Bank,</b></p> <p>Whereas:</p>

## Explanation

*In accordance with Article 296 of the Treaty, which provides that legal acts shall refer to any opinions required by the Treaties, the proposed amendment is necessary in order to reflect the fact that the draft delegated regulation is adopted in accordance with Articles 127(4) and 282(5) of the Treaty. These provisions contain the obligation to consult the ECB on any proposed Union act falling within its fields of competence. As regards the ECB's advisory role regarding draft delegated and implementing acts, reference is made to paragraph 4 of ECB Opinion CON/2012/5 of 25 January 2012 on a proposal for a Directive on the access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms and a proposal for a Regulation on prudential requirements for credit institutions and investment firms (2).*

## Amendment 2

Recital 42a of the draft delegated regulation (new)

[No text]	<p><b>'The AIFM's senior management should approve the list of selected prime brokers. The AIFMs should appoint prime brokers from this list. Given that a prime broker may be systemically important, hedge funds should use more than one prime broker chosen from the approved list.'</b></p>
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## Explanation

*Article 27 of the draft delegated regulation establishes detailed requirements for the selection and appointment of prime brokers. The ECB supports such criteria as well as the requirement that the list of selected prime brokers must be approved by the AIFM's senior management. In addition, given that a prime broker may be systemically important for a hedge fund, the draft delegated regulation should also provide that, in principle, AIFMs must use multiple prime brokers, in line with current market practice.*

## Amendment 3

Article 5(6) and (7) of the draft delegated regulation (new)

[No text]	<p><b>'6. The notifications received pursuant to paragraph 3 shall be submitted to ESMA.</b></p> <p><b>7. ESMA may develop guidelines to foster a uniform assessment by competent authorities of the situations of a temporary nature referred to in this Article.'</b></p>
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Text drafted by the Commission	Amendments proposed by the ECB <sup>(1)</sup>
<i>Explanation</i>	
<p>The ECB welcomes the inclusion of Article 5 of the draft delegated regulation, which provides for an exemption from registration for AIFMs that occasionally breach the registration threshold. Nevertheless, some AIFMs might misuse this exemption. It would therefore be appropriate for the competent authorities to be required to submit to ESMA any notifications received from an AIFM concerning the breach of a threshold, in order to foster a common approach between national authorities in evaluating breaches of a temporary nature.</p>	
<b>Amendment 4</b>	
Article 46(3)(c) of the draft delegated regulation	
<p>'3. For the purposes of paragraph 1, the AIFM shall take the following actions for each AIF it manages:</p> <p>[...]</p> <p>(c) conduct, periodic appropriate stress tests and scenario analyses to address risks arising from potential changes in market conditions that might adversely impact the AIF;</p> <p>[...]</p>	<p>'3. For the purposes of paragraph 1, the AIFM shall take the following actions for each AIF it manages:</p> <p>[...]</p> <p>(c) conduct <del>periodic</del> appropriate stress tests and scenario analyses <b>on at least a quarterly basis</b> to address risks arising from potential changes in market conditions that might adversely impact the AIF;</p> <p>[...]</p>
<i>Explanation</i>	
<p>From a financial stability standpoint, the ECB recommends increasing the frequency of stress tests and scenario analyses, so that these are conducted on at least a quarterly basis, in order to assess an AIF's ability to withstand adverse financial, economic and idiosyncratic shocks.</p>	
<b>Amendment 5</b>	
Article 51(2)(e) of the draft delegated regulation	
<p>'2. AIFMs shall regularly conduct stress tests, under normal and exceptional liquidity conditions, which enable them to assess the liquidity risk of each AIF under their management. The stress tests shall:</p> <p>[...]</p> <p>(e) be conducted at a frequency which is appropriate to the nature of the AIF, taking into account the investment strategy, liquidity profile, type of investor and redemption policy of the AIF, but, at a minimum, annually.'</p>	<p>'2. AIFMs shall regularly conduct stress tests, under normal and exceptional liquidity conditions, which enable them to assess the liquidity risk of each AIF under their management. The stress tests shall:</p> <p>[...]</p> <p>(e) be conducted at a frequency which is appropriate to the nature of the AIF, taking into account the investment strategy, liquidity profile, type of investor and redemption policy of the AIF, but, at a minimum, <b>on a quarterly basis</b> <del>annually</del>.'</p>
<i>Explanation</i>	
<p>See explanation to amendment 4 above.</p>	
<b>Amendment 6</b>	
Article 117a of the draft delegated regulation (new)	
<p>[No text]</p>	<p><b>'In order to facilitate the establishment of cooperation arrangements and to ensure uniform application of Article 37 of Directive 2011/61/EU, ESMA may develop guidelines to determine the conditions of application of this Section.'</b></p>
<i>Explanation</i>	
<p>The ECB supports collaboration between the competent authorities in Member States and third countries by means of cooperation agreements. In this respect, coordination between Member States is essential in order to minimise inconsistencies in their policies. The direct involvement of ESMA, in accordance with Article 37(16) and (17) of Directive 2011/61/EU, would help to ensure a consistent approach between Member States towards third countries.</p>	
<p><sup>(1)</sup> Bold in the body of the text indicates where the ECB proposes inserting new text. Strikethrough in the body of the text indicates where the ECB proposes deleting text.  <sup>(2)</sup> OJ C 105, 11.4.2012, p. 1.</p>	



## IV

*(Notices)*

## NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

## COUNCIL

**Notice for the attention of the persons and entities to which restrictive measures provided for in Council Decision 2010/800/CFSP, as amended by Decision 2013/88/CFSP, concerning restrictive measures against the Democratic People's Republic of Korea apply**

(2013/C 47/02)

THE COUNCIL OF THE EUROPEAN UNION,

The following information is brought to the attention of the persons and entities that appear in Annexes II and III to Council Decision 2010/800/CFSP, as amended by Decision 2013/88/CFSP <sup>(1)</sup>, concerning restrictive measures against the Democratic People's Republic of Korea.

The United Nations Security Council has decided that you/your company should be included in the list of persons and entities subject to the measures imposed by UNSCR 2087 (2013).

Those concerned may submit at any time a request to the United Nations Security Council Committee established pursuant to UNSCR 1718 (2006), together with any supporting documentation, for the decisions to include them in the UN list to be reconsidered. Such request should be sent to the following address:

United Nations — Focal point for delisting  
Security Council Subsidiary Organs Branch  
Room S-3055 E  
New York, NY 10017  
UNITED STATES OF AMERICA

For more information, see: <http://www.un.org/sc/committees/751/comguide.shtml>

Further to the UN decision, the Council of the European Union has decided that the persons and entities that appear in the above mentioned Annexes should be included in the list of persons and entities subject to restrictive measures provided for in Decision 2010/800/CFSP concerning restrictive measures against the Democratic People's Republic of Korea. The grounds for designations of those persons and entities appear in the relevant entries in those Annexes.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated on the websites in Annex II to Council Regulation (EC) No 329/2007 <sup>(2)</sup>, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 7 of the Regulation).

<sup>(1)</sup> OJ L 46, 19.2.2013, p. 28.

<sup>(2)</sup> OJ L 88, 29.3.2007, p. 1.

The persons and entities concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above mentioned list should be reconsidered, to the following address:

Council of the European Union  
General Secretariat  
DG C 1C — Horizontal Issues  
Rue de la Loi/Wetstraat 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

The attention of the persons and entities concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

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## EUROPEAN COMMISSION

Euro exchange rates <sup>(1)</sup>

18 February 2013

(2013/C 47/03)

## 1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3352	AUD	Australian dollar	1,2946
JPY	Japanese yen	125,24	CAD	Canadian dollar	1,3439
DKK	Danish krone	7,4596	HKD	Hong Kong dollar	10,3538
GBP	Pound sterling	0,86190	NZD	New Zealand dollar	1,5797
SEK	Swedish krona	8,4598	SGD	Singapore dollar	1,6539
CHF	Swiss franc	1,2332	KRW	South Korean won	1 446,43
ISK	Iceland króna		ZAR	South African rand	11,7906
NOK	Norwegian krone	7,4070	CNY	Chinese yuan renminbi	8,3391
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,5863
CZK	Czech koruna	25,388	IDR	Indonesian rupiah	12 923,07
HUF	Hungarian forint	291,97	MYR	Malaysian ringgit	4,1384
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	54,183
LVL	Latvian lats	0,6995	RUB	Russian rouble	40,2300
PLN	Polish zloty	4,1891	THB	Thai baht	39,909
RON	Romanian leu	4,3861	BRL	Brazilian real	2,6279
TRY	Turkish lira	2,3587	MXN	Mexican peso	16,9444
			INR	Indian rupee	72,5080

<sup>(1)</sup> Source: reference exchange rate published by the ECB.

## NOTICES FROM MEMBER STATES

**Summary information communicated by Member States on State aid granted in accordance with Commission Regulation (EC) No 736/2008 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production, processing and marketing of fisheries products**

(2013/C 47/04)

**Aid No:** SA.35846 (12/XF)**Member State:** Italy**Region/Authority granting the aid:** Marche**Title of aid scheme:** avviso pubblico per la concessione di contributi ai sensi della misura 3.3 — *Porti luoghi di sbarco e ripari di pesca* del PO FEP 2007/2013 — Article 39 of Regulation (EC) No 1198/2006.**Legal basis:** Decreto dirigente della Posizione di Funzione Pesca e Zootecnia (oggi *Attività Ittiche e Faunistiche-venatorie*) n. 4 del 5 febbraio 2009.**Annual expenditure planned under the scheme:** In addition to the resources available under Regulation (EC) No 1198/2006 own resources may also be used, depending on the applications for funding received. The amount of own resources that could be used must therefore be established on a case-by-case basis, according to the submission deadlines for each funding application. By way of example, the figure may amount to around EUR 300 000 per year.**Maximum aid intensity:** In line with Annex II to Regulation (EC) No 1198/2006**Date of entry into force:** Following publication of the legal basis in the Official Bulletin of the Marche Region and the registration of the aid scheme by the European Commission**Duration of the scheme (no later than 30 June 2014); indicate:**

— under the scheme — date until which aid may be granted: with regard to the first submission deadline for applications, the aid will be granted in 2009; as for the second submission deadline for applications, the aid will be granted in the first half of 2010.

**Objective of the aid:** Improving services provided in the existing fishing ports, restructuring existing landing sites, improving fishermen's security conditions, within the constraints laid down in Articles 36 and 39 of Regulation (EC) No 1198/2006 and its implementing regulation. The objective is to create an oversubscription of projects that meet the requirements of Regulation (EC) No 1198/2006.**Indicate which of Articles 8 to 24 is used:** Article 19**Activity concerned:** Aid for investments in fishing ports, landing sites and shelters**Name and address of granting authority:**

Regione Marche  
Servizio Agricoltura Forestazione e Pesca  
PF Attività Ittiche e Faunistiche-venatorie (the new title of the former PF Pesca e Zootecnia, since 14 March 2009)  
Via Tiziano 44  
60125 Ancona AN  
ITALIA

**Web address where the full text of the scheme can be found:**

<http://www.pesca.marche.it/web/F-E-P--200/Misura-3-3/index.htm>

**Justification: indicate why a State aid scheme has been established instead of assistance under the European Fisheries Fund:** This aid is the same as that provided by the European Fisheries Fund, supplemented by own resources where appropriate and, as such, it falls under Regulation (EC) No 736/2008. The aid is intended to allow for an oversubscription of projects that meet EFF criteria and the specific criteria laid down in sectoral EU regulations regarding exempted aid schemes. If other resources are used in addition to the EFF, special attention will be given both to compliance with the so-called 'incentive effect' and with the *Deggendorf* principle.

**Communication from the French Government concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons <sup>(1)</sup>**

*(Notice regarding an application for an exclusive licence to prospect for oil and gas, designated the 'Marne Licence')*

**(Text with EEA relevance)**

(2013/C 47/05)

On 25 October 2011, the company Elixir Petroleum (Moselle) Ltd applied for an exclusive five-year licence, designated the 'Marne licence', to prospect for oil and gas in an area of about 2 668 km<sup>2</sup>, covering part of the Haute-Marne, Meuse, Meurthe-et-Moselle and Vosges Departments.

The perimeter of the area covered by this licence consists of the meridian and parallel arcs connecting in turn the points defined below by their geographical coordinates in grads, the meridian of origin being the Paris meridian.

Point	Longitude East	Latitude North
A	3,20	54,10
B	3,70	54,10
C	3,70	53,90
D	4,00	53,90
E	4,00	53,80
F	4,40	53,80
G	4,40	53,60
H	3,00	53,60
I	3,00	53,80
J	3,50	53,80
K	3,50	54,00
L	3,20	54,00

**Submission of applications and criteria for awarding rights**

The initial applicants and competing applicants must prove that they meet the requirements for obtaining the licence, as specified in Articles 4 and 5 of Decree 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Interested companies may, within 90 days of the publication of this notice, submit a competing application in accordance with the procedure summarised in the 'Notice regarding the granting of mining rights for hydrocarbons in France' published in *Official Journal of the European Communities* C 374 of 30 December 1994, page 11, and established by Decree 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Competing applications are to be sent to the Ministry of Ecology, Sustainable Development and Energy at the address indicated below. Decisions on the initial application and competing applications will be taken within two years of the date on which the French authorities received the initial application, i.e. by 8 November 2013 at the latest.

<sup>(1)</sup> OJ L 164, 30.6.1994, p. 3.

**Conditions and requirements regarding performance of the activity and cessation thereof**

Applicants are referred to Articles 79 and 79.1 of the French Mining Code and to Decree 2006-649 of 2 June 2006 (as amended) on mining and underground storage operations and the regulations governing mining and underground storage (*Official Journal of the French Republic*, 3 June 2006).

For further information please contact:

Ministère de l'écologie, du développement durable et de l'énergie, direction de l'énergie, Bureau exploration et production des hydrocarbures, Grande Arche, Paroi Nord, 92055 La Défense cedex, France, Tel. +33 140819527

The abovementioned laws and regulations can be consulted on the Légifrance website: <http://www.legifrance.gouv.fr>

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**Communication from the French Government concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons <sup>(1)</sup>**

*(Notice regarding applications for exclusive licences to prospect for oil and gas, designated the 'Guiana UDO Licence' and 'Guiana Maritime SHELF Licence')*

**(Text with EEA relevance)**

(2013/C 47/06)

On 18 August 2011, Total E&P Guyane Française SAS, a company with registered offices at 2, place Jean Millier, La Défense, 92400 Courbevoie (France), applied for two exclusive five-year licences, designated respectively the 'Guiana Maritime UDO Licence' and the 'Guiana Maritime SHELF Licence', whose areas are yet to be defined, to prospect for oil and gas on the continental shelf off the French overseas department of Guiana.

The perimeters of the areas covered by these licences are made up of the meridian and parallel arcs successively joining the vertices defined below by their geographical coordinates, the original meridian being that of Greenwich and the geographical coordinate system used being the World Geodetic System, as revised in 1984 (WGS84).

**Location of the UDO Licence**

Point	Longitude west	Latitude north
A	Point at which the dividing line between the French and Surinamese continental shelves intersects the French exclusive economic zone, to be determined	
B	Point at which the French exclusive economic zone intersects the parallel 8° 26' 05" N	
C	51° 10' 12"	7° 21' 06"
D	Point at which the parallel 6° 50' 00" N intersects the dividing line between the French and Brazilian continental shelves	
E	Point at which the dividing line between the French and Brazilian continental shelves intersects the 3 000-metre bathymetric contour	
F	Point at which the 3 000-metre bathymetric contour intersects the parallel 6° 55' 00" N	
G	52° 40' 00"	6° 55' 00"
H	52° 40' 00"	7° 30' 00"
I	52° 20' 00"	7° 30' 00"
J	52° 20' 00"	7° 45' 00"
K	52° 25' 00"	7° 45' 00"
L	Point at which the meridian of 52° 25' 00" W intersects the 3 000-metre bathymetric contour	
M	Point at which the 3 000-metre bathymetric contour intersects the parallel 8° 10' 00" N	
N	Point at which the parallel 8° 10' 00" N intersects the dividing line between the French and Surinamese continental shelves, to be determined	

A to B: limits of the French exclusive economic zone;

D to E: dividing line between the French and Brazilian continental shelves;

E to F and L to M: 3 000-metre bathymetric contour;

N to A: dividing line between the French and Surinamese continental shelves, to be determined.

<sup>(1)</sup> OJ L 164, 30.6.1994, p. 3.

## Location of the SHELF Licence

Point	Longitude west	Latitude north
A	Point at which the parallel 6° 45' 00" N intersects the dividing line between the French and Surinamese continental shelves, to be determined	
B	53° 00' 00"	6° 45' 00"
C	53° 00' 00"	6° 40' 00"
D	52° 55' 00"	6° 40' 00"
E	52° 55' 00"	6° 35' 00"
F	52° 35' 00"	6° 35' 00"
G	52° 35' 00"	6° 30' 00"
H	52° 30' 00"	6° 30' 00"
I	52° 30' 00"	6° 25' 00"
J	52° 19' 48"	6° 25' 00"
K	52° 19' 48"	6° 19' 48"
L	52° 10' 01"	6° 19' 48"
M	52° 10' 01"	6° 15' 00"
N	52° 05' 00"	6° 15' 00"
O	52° 05' 00"	6° 10' 01"
P	52° 00' 00"	6° 10' 01"
Q	52° 00' 00"	6° 05' 00"
R	51° 50' 00"	6° 05' 00"
S	51° 50' 00"	6° 00' 00"
T	51° 35' 00"	6° 00' 00"
U	51° 35' 00"	5° 55' 00"
V	51° 30' 00"	5° 55' 00"
W	51° 30' 00"	5° 50' 00"
X	51° 19' 48"	5° 50' 00"
Y	51° 19' 48"	5° 45' 00"
Z	51° 15' 00"	5° 45' 00"
AA	51° 15' 00"	5° 40' 12"
AB	51° 10' 12"	5° 40' 12"
AC	51° 10' 12"	5° 35' 00"
AD	51° 00' 00"	5° 35' 00"
AE	51° 00' 00"	5° 30' 00"
AF	Point at which the parallel 5° 30' 00" N intersects the dividing line between the French and Brazilian continental shelves	
AG	Point at which the dividing line between the French and Brazilian continental shelves intersects the 12 nautical mile limit off the French coast	
AH	Point at which the 12 nautical mile limit off the French coast intersects the dividing line between the French and Surinamese continental shelves, to be determined	

AF to AG: dividing line between the French and Brazilian continental shelves;



AG to AH: limit of the French territorial waters, 12 nautical miles off the coast;

AH to A: dividing line between the French and Surinamese continental shelves, to be determined.

#### **Submission of applications and criteria for awarding rights**

The initial applicants and competing applicants must prove that they comply with the requirements for obtaining licences set out in Articles 4 and 5 of Decree No 2006-648 of 2 June 2006 on mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Interested companies may, within 90 days of the publication of this notice, submit a competing application in accordance with the procedure summarised in the 'Notice regarding the granting of mining rights for hydrocarbons in France' published in *Official Journal of the European Communities* C 374 of 30 December 1994, p. 11, and established by Decree No 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Competing applications are to be sent to the Ministry of Ecology, Sustainable Development and Energy at the address indicated below. Decisions on the initial applications and competing applications will be taken within two years of the date on which the French authorities received the initial applications, i.e. by 29 July 2013 at the latest.

#### **Conditions and requirements regarding performance of the activity and cessation thereof**

Applicants are referred to Articles 79 and 79.1 of the French Mining Code and to Decree No 2006-649 of 2 June 2006 on mining and underground storage operations and the regulations governing mining and underground storage (*Official Journal of the French Republic*, 3 June 2006).

Further information can be obtained from the Ministry of Ecology, Sustainable Development and Energy at the following address:

Direction générale de l'énergie et du climat, Direction de l'énergie, Bureau exploration et production des hydrocarbures, Grande Arche, Paroi Nord, 92055 La Défense cedex, France (tel. +33 140819529).

The abovementioned laws and regulations can be consulted on the Légifrance website: <http://www.legifrance.gouv.fr>

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**Communication from the French Government concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons <sup>(1)</sup>**

*(Notice regarding applications for exclusive licences to prospect for liquid and gaseous hydrocarbons, designated the 'Montagne de Reims Licence')*

**(Text with EEA relevance)**

(2013/C 47/07)

By request of 24 January 2011, Bluebach Ressources Sarl, with registered offices at 178, boulevard Haussmann, 75008 Paris, France, applied for an exclusive five-year licence ('Montagne de Reims Licence') to prospect for liquid and gaseous hydrocarbons covering part of the Marne department.

The perimeter of the area covered by this licence consists of the meridian and parallel arcs connecting in turn the points defined below by their geographical coordinates in grads, the meridian of origin being the Paris meridian.

Point	Longitude East	Latitude North
A	1,70	54,70
B	2,20	54,70
C	2,20	54,50
D	1,70	54,50

The area as defined above is about 658 km<sup>2</sup>.

**Submission of applications and criteria for awarding rights**

The initial applicants and competing applicants must prove that they meet the requirements for obtaining the licence, as specified in Articles 4 and 5 of Decree 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Interested companies may, within 90 days of the publication of this notice, submit a competing application in accordance with the procedure summarised in the 'Notice regarding the granting of mining rights for hydrocarbons in France' published in *Official Journal of the European Communities* C 374 of 30 December 1994, page 11, and established by Decree 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Competing applications must be sent to the French Ministry of Ecology, Sustainable Development and Energy (Directorate for Energy, Department for Prospecting and Production of Hydrocarbons), Grande Arche, Paroi Nord, 92055 La Défense cedex, France.

**Conditions and requirements regarding performance of the activity and cessation thereof**

Applicants are referred to Articles 79 and 79(1) of the French Mining Code and to Decree 2006-649 of 2 June 2006 (as amended) on mining and underground storage operations and the regulations governing mining and underground storage (*Official Journal of the French Republic*, 3 June 2006).

For further information please contact the French Ministry of Ecology, Sustainable Development and Energy at:

Ministère de l'écologie, du développement durable et de l'énergie, direction de l'énergie — Bureau exploration et production des hydrocarbures, Grande Arche, Paroi Nord, 92055 La Défense cedex, France, (Tel. +33 140819529).

The abovementioned laws and regulations can be consulted on the Légifrance website: <http://www.legifrance.gouv.fr>

<sup>(1)</sup> OJ L 164, 30.6.1994, p. 3.

**Communication from the French Government concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons <sup>(1)</sup>**

*(Notice regarding applications for exclusive licences to prospect for liquid and gaseous hydrocarbons, designated the 'Rouffy Licence')*

**(Text with EEA relevance)**

(2013/C 47/08)

By request of 12 December 2011, San Leon Energy Plc, with registered offices at 1 Berkeley Street, Mayfair, London W1J 8DJ, United Kingdom, applied for an exclusive five-year licence ('Rouffy Licence') to prospect for liquid and gaseous hydrocarbons covering part of the Aisne and Marne departments.

The perimeter of the area covered by this licence consists of the meridian and parallel arcs connecting in turn the points defined below by their geographical coordinates in grads, the meridian of origin being the Paris meridian.

Point	Longitude East	Latitude North
A	1,70	54,30
B	2,00	54,30
C	2,00	54,40
D	1,80	54,40
E	1,80	54,20
F	1,70	54,20

The area as defined above is about 159 km<sup>2</sup>.

**Submission of applications and criteria for awarding rights**

The initial applicants and competing applicants must prove that they meet the requirements for obtaining the licence, as specified in Articles 4 and 5 of Decree 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Interested companies may, within 90 days of the publication of this notice, submit a competing application in accordance with the procedure summarised in the 'Notice regarding the granting of mining rights for hydrocarbons in France' published in *Official Journal of the European Communities* C 374 of 30 December 1994, page 11, and established by Decree 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Competing applications must be sent to the French Ministry of Ecology, Sustainable Development and Energy (Directorate for Energy, Department for Prospecting and Production of Hydrocarbons), Grande Arche, Paroi Nord, 92055 La Défense cedex, France.

**Conditions and requirements regarding performance of the activity and cessation thereof**

Applicants are referred to Articles 79 and 79(1) of the French Mining Code and to Decree 2006-649 of 2 June 2006 (as amended) on mining and underground storage operations and the regulations governing mining and underground storage (*Official Journal of the French Republic*, 3 June 2006).

<sup>(1)</sup> OJ L 164, 30.6.1994, p. 3.

For further information please contact the French Ministry of Ecology, Sustainable Development and Energy at:

Ministère de l'écologie, du développement durable et de l'énergie, direction de l'énergie — Bureau exploration et production des hydrocarbures, Grande Arche, Paroi Nord, 92055 La Défense cedex, France, Tel. +33 140819529.

The abovementioned laws and regulations can be consulted on the Légifrance Website: <http://www.legifrance.gouv.fr>

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**Communication from the French Government concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons <sup>(1)</sup>**

*(Notice regarding applications for exclusive licences to prospect for oil and gas, designated the 'Brive Licences')*

**(Text with EEA relevance)**

(2013/C 47/09)

On 20 September 2010, Hexagon Gaz Pte Ltd, a company with registered offices at 192 Waterloo Street, 05-1 Skyline Building, Singapore 187966, applied for an exclusive five-year licence, designated the 'Brive Licence', to prospect for oil and gas in an area of about 1 777 km<sup>2</sup>, covering the departments of Corrèze, Dordogne and Lot.

The perimeter of the area covered by this licence consists of the meridian and parallel arcs connecting in turn the points defined below by their geographical coordinates in grads, the meridian of origin being the Paris meridian.

Point	Longitude west	Latitude north
A	1,50	50,20
B	0,80	50,20
C	0,80	50,10
D	0,70	50,10
E	0,70	50,00
F	0,60	50,00
G	0,60	49,90
H	1,30	49,90
I	1,30	49,60
J	1,50	49,60
K	1,50	49,90
L	1,30	49,90
M	1,30	50,00
N	1,20	50,00
O	1,20	50,10
P	1,50	50,10

**Submission of applications and criteria for awarding rights**

The initial applicants and competing applicants must prove that they meet the requirements for obtaining the licence, as specified in Articles 4 and 5 of Decree No 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

Interested companies may, within 90 days of the publication of this notice, submit a competing application in accordance with the procedure summarised in the 'Notice regarding the granting of mining rights for hydrocarbons in France' published in *Official Journal of the European Communities* C 374 of 30 December 1994, p. 11, and established by Decree No 2006-648 of 2 June 2006 (as amended) concerning mining rights and underground storage rights (*Official Journal of the French Republic*, 3 June 2006).

<sup>(1)</sup> OJ L 164, 30.6.1994, p. 3.

Competing applications are to be sent to the Ministry of Ecology, Sustainable Development and Energy (direction de l'énergie, bureau exploration et production des hydrocarbures), Grande Arche — Paroi Nord, 92055 La Défense cedex, France.

**Conditions and requirements regarding performance of the activity and cessation thereof**

Applicants are referred to Articles 79 and 79.1 of the French Mining Code and to Decree No 2006-649 of 2 June 2006 (as amended) on mining and underground storage operations and the regulations governing mining and underground storage (*Official Journal of the French Republic*, 3 June 2006).

For further information, please contact:

Ministère de l'écologie, du développement durable et de l'énergie, direction de l'énergie, Bureau exploration et production des hydrocarbures, Grande Arche — Paroi Nord, 92055 La Défense cedex, France, tel. +33 140819529.

The abovementioned laws and regulations can be consulted on the Légifrance website: <http://www.legifrance.gouv.fr>

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## V

(Announcements)

## ADMINISTRATIVE PROCEDURES

## EUROPEAN COMMISSION

**LIFE+ call for proposals 2013**

(2013/C 47/10)

The Commission invites entities registered in the European Union or in Croatia to present proposals for the LIFE+ call for proposals 2013.

**Applications**

The application guides that include detailed explanations in regard to eligibility and procedures can be obtained from the Commission's website on the following address:

<http://ec.europa.eu/environment/life/funding/lifeplus.htm>

Proposals should only be created and submitted by using the online application tool 'eProposal'. The link to 'eProposal' will be communicated in due time via the abovementioned website.

**Beneficiaries**

Proposals must be presented by entities registered in the Member States of the European Union or in Croatia being public and/or private bodies, actors and institutions.

**The following themes are covered by this announcement**

## 1. LIFE+ Nature and Biodiversity

*Principal objective:* to protect, conserve, restore, monitor and facilitate the functioning of natural systems, natural habitats, wild flora and fauna, with the aim of halting the loss of biodiversity, including diversity of genetic resources, within the EU.

## 2. LIFE+ Environment Policy and Governance

*Principal objectives:*

- **Climate change:** to stabilise greenhouse gas concentration at a level that prevents global warming above 2 °C,
- **Water:** to contribute to enhanced water quality by developing cost-effective measures to achieve good ecological status in view of developing river basin management plans under Directive 2000/60/EC (Water Framework Directive),
- **Air:** to achieve levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment,
- **Soil:** to protect and ensure the sustainable use of soil by preserving soil functions, preventing threats to soil, mitigating their effects and restoring degraded soils,
- **Urban environment:** to contribute to improving the environmental performance of Europe's urban areas,

- **Noise:** to contribute to policy development and implementation on environmental noise,
- **Chemicals:** to improve the protection of environment and health from risks posed by chemicals by 2020 by implementing chemicals legislation, in particular Regulation (EC) No 1907/2006 (REACH) and the thematic strategy on the sustainable use of pesticides,
- **Environment and health:** to develop the information base for policy on the environment and health (the Environment and Health Action Plan),
- **Natural resources and waste:** to develop and implement policies designed to ensure sustainable management of natural resources and wastes, and to improve the environmental performances of products, sustainable production and consumption patterns, waste prevention, recovery and recycling. To contribute to the effective implementation of the thematic strategy on the prevention and recycling of waste,
- **Forests:** to provide, especially through an EU coordination network, a concise and comprehensive basis for policy-relevant information on forests in relation to climate change (impact on forest ecosystems, mitigation, substitution effects), biodiversity (baseline information and protected forest areas), forest fires, forest conditions and the protective functions of forests (water, soil and infrastructure) as well as contributing to the protection of forests against fires,
- **Innovation:** to contribute to developing and demonstrating innovative policy approaches, technologies, methods and instruments to assist in the implementation of the Environmental Technologies Action Plan (ETAP),
- **Strategic approaches:** to promote effective implementation and enforcement of Union environmental legislation and improve the knowledge base for environmental policy; to improve the environmental performance of SMEs.

### 3. LIFE+ Information and Communication

*Principal objective:* to disseminate information and raise awareness on environmental issues, including forest fire prevention; and to provide support for accompanying measures, such as information, communication actions and campaigns, conferences and training, including training on forest fire prevention.

### EU co-financing rates

#### 1. LIFE+ Nature and Biodiversity projects

- The rate of the Union financial support shall be a maximum of 50 % of the eligible costs.
- Exceptionally, a maximum co-financing rate up to 75 % is applicable to proposals which target priority habitats/species of the Birds' and Habitats' Directives.

#### 2. LIFE+ Environment Policy and Governance

- The rate of the Union financial support shall be a maximum of 50 % of the eligible costs.

#### 3. LIFE+ Information and Communication

- The rate of the Union financial support shall be a maximum of 50 % of the eligible costs.

### Deadline

Project proposals shall be validated and submitted via 'eProposal' to the national competent authorities by **25 June 2013** at 16.00, local Brussels time. Project proposals shall be forwarded via 'eProposal' to the national authority of the Member State (or Croatia) in which the beneficiary is registered. Proposals will then be submitted via 'eProposal' by the national authorities to the Commission by **5 July 2013** at 23.59, local Brussels time.

### Budget involved

The overall budget for project action grants under LIFE+ in 2013 is EUR 278 000 000. At least 50 % of this amount shall be allocated to measures to support the conservation of nature and biodiversity.



The indicative national financial allocations for 2013 are as follows:

Member State	Allocation 2013 (EUR)	Member State	Allocation 2013 (EUR)	Member State	Allocation 2013 (EUR)
AT	5 378 449	FI	7 391 124	MT	2 626 260
BE	5 789 478	FR	28 105 725	NL	8 529 214
BG	9 216 194	GR	9 860 131	PL	18 465 604
CY	2 693 799	HU	7 168 515	PT	7 426 037
CZ	5 927 881	IE	4 232 251	RO	11 723 542
DK	4 804 784	IT	24 438 282	SE	9 186 386
DE	31 502 629	LT	3 052 947	SI	5 624 774
EE	3 656 191	LU	3 035 736	SK	6 395 315
ES	27 346 823	LV	2 672 600	UK	21 749 329
				Total	278 000 000

Pursuant to the Conference on Accession to the European Union — Croatia document CONF-HR 17, and subject to the entering into force of the EU-Croatia Accession Treaty, and the allocation of the corresponding funds in the EU budget, the indicative allocation for Croatia is EUR 1 250 000.

#### More information

More information including the application guidelines and application forms can be found on the LIFE website:

<http://ec.europa.eu/environment/life/funding/lifeplus.htm>

It is also possible to contact the relevant national authorities:

<http://ec.europa.eu/environment/life/contact/nationalcontact/index.htm>

**CALL FOR PROPOSALS — EACEA/45/12**  
**INTRA-ACP academic mobility scheme**  
**Africa (Mwalimu Nyerere) and the Caribbean and Pacific**  
(2013/C 47/11)

### 1. Objectives and description

The general objective of the programme is to promote sustainable development and poverty alleviation by increasing the availability of trained and qualified high-level professional manpower in African, Caribbean and Pacific countries.

The programme's specific objective is to strengthen cooperation between higher education institutions (HEIs) in Africa, the Caribbean and the Pacific in view of increasing access to quality education that will encourage and enable students to undertake postgraduate studies, and to promote student retention in the region along with mobility of staff (academic and administrative) while increasing competitiveness and attractiveness of the institutions themselves.

More specifically, the programme aims to:

- (a) provide access to higher education for students including those from disadvantaged groups;
- (b) facilitate cooperation on recognition of studies and qualifications;
- (c) contribute to the improvement of the quality of higher education through the promotion of internationalisation, and harmonisation of programmes and curricula within participating institutions;
- (d) enhance the international cooperation capacity of HEIs in African, Caribbean and Pacific countries;
- (e) promote cooperation between sending and hosting institutions;
- (f) enable students, academics and staff to benefit linguistically, culturally and professionally from the experience gained in the context of mobility to another country;
- (g) enhance, in the medium term, the political, cultural, educational and economic links between the participating countries.

### 2. Eligible applicants and partnership composition

Eligible applicants are higher education institutions (HEIs) in Africa, the Caribbean and the Pacific that provide courses at the graduate and/or doctoral level of higher education, recognised by the competent authorities in their own country. Only African, Caribbean and Pacific national HEIs accredited by relevant national authorities in Africa, in the Caribbean and in the Pacific are eligible. Branches of HEIs from outside Africa, the Caribbean and the Pacific are not eligible.

The partnership will be constituted between 3 and 12 HEIs.

### 3. Eligible activities and duration

The project will entail the organisation and implementation of student and staff mobility in high-quality master and doctoral programmes, as well as the provision of education/training and other services to foreign students and teaching/training and research assignments and other services to staff from the country(ies) covered by the project. Mobility must take place in one of the eligible countries covered by this call for proposals.

The duration of the project must be between 48 and 60 months, based on planned activities.

### 4. Award criteria

All applications will undergo assessments by external independent experts according to the three award criteria listed below:

Criteria	Weight
1. Relevance	20 %
2. Quality	70 %
2.1. Academic quality	15 %
2.2. Partnership composition and cooperation mechanisms	20 %
2.3. Organisation and implementation of the mobility	20 %
2.4. Students'/staff facilities and follow-up	15 %
3. Sustainability	10 %
<b>Total</b>	<b>100 %</b>

### 5. Budget and grant amounts

The overall indicative amount made available under this call for proposals is EUR 23,45 million for the following geographical windows and should allow around 800 mobility flows:

This call for proposals is divided into two lots:

Lot	Geographical windows	Indicative global amount (EUR)
Lot 1	Africa	17,85 million
Lot 2	Caribbean and Pacific	5,6 million

### 6. Submission of proposals and deadline

Only grant applications submitted on the correct form and accompanied by its annexes, duly completed will be accepted. The grant application has to be dated and signed in original by the person authorised to enter into legally binding commitments on behalf of the applicant organisation.

All additional information considered necessary by the applicant can be included on separate sheets.

The grant application and its annexes must be sent by **10 June 2013** as evidenced by the postmark or the date of the deposit slip. In the case of hand-deliveries, the deadline for receipt is at 16.00 local time as evidenced by the signed and dated deposit slip.

The grant applications must be sent by registered mail to or hand-delivered at the following address:

Education, Audiovisual and Culture Executive Agency  
 Call for proposals EACEA/45/12 — 'INTRA-ACP academic mobility scheme'  
 BOUR 02/29  
 Avenue du Bourget/Bourgetlaan 1  
 1140 Bruxelles/Brussel  
 BELGIQUE/BELGIË

The grant application must be sent also by electronic version to the following mailbox:

EACEA-INTRA-ACP@ec.europa.eu

Only applications submitted by the deadline and in accordance with the requirements specified on the grant application form will be accepted. Applications submitted by fax or e-mail only will not be accepted.

All the necessary documents are available at the following address:

[http://eacea.ec.europa.eu/intra\\_acp\\_mobility](http://eacea.ec.europa.eu/intra_acp_mobility)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

EUROPEAN COMMISSION

**Prior notification of a concentration**

**(Case COMP/M.6849 — Enel Green Power/Seci Energia/Powercrop)**

**Candidate case for simplified procedure**

**(Text with EEA relevance)**

(2013/C 47/12)

1. On 11 February 2013, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which Enel Green Power SpA ('EGP', Italy), controlled by Enel SpA, and Seci Energia SpA ('Seci Energia', Italy) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over Powercrop Srl ('Powercrop', Italy), by way of a purchase of shares. Powercrop is currently wholly-owned by Seci Energia.

2. The business activities of the undertakings concerned are:

- for EGP: global operator in the field of energy generation from renewable sources,
- for Seci Energia: energy generation from renewable energy,
- for Powercrop: development, promotion and implementation of industrial projects in the field of renewable energy.

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 <sup>(2)</sup> 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.6849 — Enel Green Power/Seci Energia/Powercrop, to the following address:

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

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

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





PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

**European Commission**

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<sup>(1)</sup> Text with EEA relevance

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