Official Journal of the European Union

C 210

English edition

Information and Notices

Volume 62

21 June 2019

Contents

EN

[1] Text with EEA relevance.

IV *Notices*

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

Council

European Commission

NOTICES FROM MEMBER STATES

V *Announcements*

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

European Commission

([1]) Text with EEA relevance.

I

(Resolutions, recommendations and opinions)

RECOMMENDATIONS

COUNCIL

COUNCIL RECOMMENDATION

of 14 June 2019

with a view to correcting the significant observed deviation from the adjustment path towards the medium-term budgetary objective in Romania

(2019/C 210/01)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 121(4) thereof,

Having regard to Council Regulation (EC) No 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies [1], and in particular the second subparagraph of Article 10(2) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

(1) In accordance with Article 121 of the Treaty, Member States are to promote sound public finances over the medium term through the coordination of economic policies and multilateral surveillance in order to avoid the occurrence of excessive government deficits.

(2) The Stability and Growth Pact (SGP) is based on the objective of sound government finances as a means of strengthening the conditions for price stability and for strong sustainable growth conducive to employment creation.

(3) In June 2017 and June 2018 the Council found in accordance with Article 121(4) of the Treaty that in 2016 and 2017, respectively, there had been a significant observed deviation from Romania's medium-term budgetary objective or from the adjustment path towards it. In view of those established significant deviations, the Council issued Recommendations of 16 June 2017 [2] and 22 June 2018 [3], recommending that Romania take the policy measures necessary to address those deviations. The Council subsequently found that Romania had not taken effective action in response to those Recommendations. In its most recent Recommendation, adopted on 4 December 2018 [4], the Council recommended that Romania take the necessary measures to ensure that the nominal growth rate of net primary government expenditure [5] does not exceed 4,5 % in 2019, corresponding to an annual structural adjustment of 1 % of gross domestic product (GDP).

(1) OJ L 209, 2.8.1997, p. 1.

(2) Council Recommendation of 16 June 2017 with a view to correcting the significant observed deviation from the adjustment path toward the medium-term budgetary objective in Romania (OJ C 216, 6.7.2017, p. 1).

(3) Council Recommendation of 22 June 2018 with a view to correcting the significant observed deviation from the adjustment path toward the medium-term budgetary objective in Romania (OJ C 223, 27.6.2018, p. 3).

(4) Council Recommendation of 4 December 2018 with a view to correcting the significant observed deviation from the adjustment path toward the medium-term budgetary objective in Romania (OJ C 460, 21.12.2018, p. 1).

(5) Net primary government expenditure is comprised of total government expenditure excluding interest expenditure, expenditure on Union programmes fully matched by Union funds revenue and non-discretionary changes in unemployment benefit expenditure. Nationally financed gross fixed capital formation is smoothed over a four-year period. Discretionary revenue measures or revenue increases mandated by law are factored in. One-off measures on both the revenue and expenditure sides are netted out.

(4) In 2018, based on the Commission 2019 spring forecast and the 2018 outturn data validated by Eurostat, the growth of net primary government expenditure was well above the expenditure benchmark, pointing to a significant deviation by a large margin (deviation of 2,4 % of GDP). The structural deficit was not reduced, remaining broadly stable at around 3 % of potential GDP, also pointing to a significant deviation from the recommended structural adjustment (a deviation of 0,8 % of GDP). The size of the deviation indicated by the structural balance is negatively impacted by a revenue windfall, by a higher GDP deflator and by a higher underlying estimate of potential GDP growth as compared to the medium-term average underlying the expenditure benchmark. However, the size of the deviation indicated by the structural balance is positively impacted by low public investment expenditures, which are smoothed out in the expenditure benchmark. Irrespective of that difference, both indicators confirm a significant deviation from the requirements of the preventive arm of the SGP in 2018.

(5) On 5 June 2019, following an overall assessment, the Commission found that a significant observed deviation from the adjustment path towards the medium-term budgetary objective exists in Romania and issued a warning to Romania in accordance with Article 121(4) of the Treaty and the first subparagraph of Article 10(2) of Regulation (EC) No 1466/97.

(6) In accordance with the second subparagraph of Article 10(2) of Regulation (EC) No 1466/97, the Council is to address a recommendation to the Member State concerned to take the necessary policy measures. Regulation (EC) No 1466/97 provides that the recommendation is to set a deadline of no more than five months for the Member State to address the deviation. On that basis, a deadline of 15 October 2019 for Romania to address the deviation appears appropriate. Within that deadline, Romania should report on action taken in response to this Recommendation.

(7) Based on the output gap projections of the Commission 2019 spring forecast, Romania will remain in normal economic times in 2019 and 2020. Romania's general government debt ratio is below the 60 %-of-GDP threshold. Therefore, the minimum required structural effort prescribed by Regulation (EC) No 1466/97 and the commonly agreed adjustment matrix under the preventive arm of the SGP, which factors in the prevailing economic circumstances and possible sustainability concerns, amounts to at least 0,5 % of GDP for both 2019 and 2020.

(8) Romania's structural deficit has gradually increased, from 0,1 % of GDP in 2015 to 1,7 % of GDP in 2016, 2,9 % of GDP in 2017 and 3 % of GDP in 2018. An additional and persistent effort, necessary to correct for the cumulated deviation and to bring Romania back on an appropriate adustment path following the persistent slippages accumulated since 2016, should complement the minimum adjustment requirement. An additional effort of 0,5 % of GDP in 2019 and 0,25 % of GDP in 2020 seems appropriate given the magnitude of the observed significant deviation from the recommended adjustment path towards the medium-term budgetary objective. Such an effort would be in line with the adjustment recommended for 2019 by the Council on 4 December 2018. It will accelerate the adjustment back towards the medium-term budgetary objective.

(9) The required improvement of the structural balance by 1 % of GDP in 2019 and 0,75 % of GDP in 2020 is consistent with the nominal growth rate of net primary government expenditure not exceeding 4,5 % in 2019 and 5,1 % in 2020.

(10) The Commission 2019 spring forecast projects a further deterioration of the structural balance by 0,7 % of GDP in 2019 and by a further 1,2 % of GDP in 2020. Therefore, the required structural improvement translates into the need to adopt measures with a total structural yield of 1,7 % of GDP in 2019 and additonal measures with a structural yield of 1,95 % of GDP in 2020 compared to the current baseline in the Commission 2019 spring forecast.

(11) The Commission 2019 spring forecast projects a general government deficit of 3,5 % of GDP in 2019 and 4,7 % of GDP in 2020, which is above the 3 %-of-GDP Treaty reference value. The required structural adjustment also seems appropriate to ensure that Romania respects the 3 %-of-GDP Treaty reference value in 2019 and 2020 with a margin.

(12) The failure to act upon earlier recommendations to correct the observed significant deviations and the risk of exceeding the Treaty reference value of the corrective arm of the SGP call for urgent action to put Romania's fiscal policy back on a prudent path.

(13) In order to achieve the recommended budgetary targets, it is crucial that Romania adopt and strictly implement the necessary measures and monitor the development of current expenditure closely.

(14) Romania should report to the Council on action taken in response to this Recommendation by 15 October 2019.

(15) It is appropriate for this Recommendation to be made public,

HEREBY RECOMMENDS THAT ROMANIA:

(1) take the measures necessary to ensure that the nominal growth rate of net primary government expenditure does not exceed 4,5 % in 2019 and 5,1 % in 2020, corresponding to an annual structural adjustment of 1 % of GDP in 2019 and 0,75 % in 2020, thereby putting Romania on an appropriate adjustment path towards the medium-term budgetary objective;

(2) use any windfall gains for deficit reduction; budgetary consolidation measures should secure a lasting improvement in the general government structural balance in a growth-friendly manner;

(3) report to the Council by 15 October 2019 on action taken in response to this Recommendation; the report should include sufficiently specified and credibly announced measures, including the budgetary impact of each of them, with a view to complying with the required adjustment path, as well as updated and detailed budgetary projections for 2019-2020.

This Recommendation is addressed to Romania.

Done at Luxembourg, 14 June 2019.

For the Council

The President

E.O. TEODOROVICI

COUNCIL RECOMMENDATION

of 14 June 2019

with a view to correcting the significant observed deviation from the adjustment path towards the medium-term budgetary objective in Hungary

(2019/C 210/02)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 121(4) thereof,

Having regard to Council Regulation (EC) No 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies [1], and in particular the second subparagraph of Article 10(2) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

(1) In accordance with Article 121 of the Treaty, Member States are to promote sound public finances over the medium term through the coordination of economic policies and multilateral surveillance in order to avoid the occurrence of excessive government deficits.

(2) The Stability and Growth Pact (SGP) is based on the objective of sound government finances as a means of strengthening the conditions for price stability and for strong sustainable growth conducive to employment creation.

(3) On 22 June 2018 the Council found in accordance with Article 121(4) of the Treaty that a significant observed deviation from the medium-term budgetary objective occurred in Hungary in 2017. In view of that established significant deviation, on 22 June 2018 the Council issued a Recommendation [2], recommending that Hungary take the necessary measures to ensure that the nominal growth rate of net primary government expenditure [3] did not exceed 2,8 % in 2018, corresponding to an annual structural adjustment of 1 % of gross domestic product (GDP). It also recommended that Hungary use any windfall gains for deficit reduction, thereby putting the country on an appropriate adjustment path towards the medium-term budgetary objective. On 4 December 2018 the Council concluded that Hungary had not taken effective action in response to its Recommendation of 22 June 2018. On that basis, on 4 December 2018 the Council issued a revised Recommendation [4] for Hungary to take the necessary measures to ensure that the nominal growth rate of net primary government expenditure does not exceed 3,3 % in 2019, corresponding to an annual structural adjustment of 1 % of GDP.

(4) In 2018, based on the Commission 2019 spring forecast and the 2018 outturn data validated by Eurostat, the growth of net primary government expenditure was well above the expenditure benchmark, pointing to a significant deviation (deviation of 1,3 % of GDP). The structural balance deteriorated to -3,7 % of GDP from -3,4 % of GDP in 2017, also pointing to a significant deviation from the recommended structural adjustment (deviation of 1,3 % of GDP). The size of the deviation indicated by the structural balance is negatively impacted by substantial revenue shortfalls as well as higher investment expenditures amidst an economy in good times, while it is estimated to have marginally benefitted from falling interest expenditure. The expenditure benchmark is strongly negatively impacted by the medium-term potential GDP growth applied in its calculation, which includes very low potential GDP growth in the aftermath of the crisis. In addition, the GDP deflator underlying the expenditure benchmark does not seem to account properly for the increased cost pressures affecting government spending. After adjusting for those factors, the expenditure benchmark appears to adequately reflect the fiscal effort and still points to a significant deviation. Taking into account those factors, both indicators confirm a significant deviation from the requirements of the preventive arm of the SGP in 2018.

[1] OJ L 209, 2.8.1997, p. 1.

[2] Council Recommendation of 22 June 2018 with a view to correcting the significant observed deviation from the adjustment path toward the medium-term budgetary objective in Hungary (OJ C 223, 27.6.2018, p. 1).

[3] Net primary government expenditure is comprised of total government expenditure excluding interest expenditure, expenditure on Union programmes fully matched by Union funds revenue and non-discretionary changes in unemployment benefit expenditure. Nationally financed gross fixed capital formation is smoothed over a four-year period. Discretionary revenue measures or revenue increases mandated by law are factored in. One-off measures on both the revenue and expenditure sides are netted out.

[4] Council Recommendation of 4 December 2018 with a view to correcting the significant observed deviation from the adjustment path toward the medium-term budgetary objective in Hungary (OJ C 460, 21.12.2018, p. 4).

(5) On 5 June 2019, following an overall assessment, the Commission found that a significant observed deviation from the adjustment path towards the medium-term budgetary objective exists in Hungary and issued a warning to Hungary in accordance with Article 121(4) of the Treaty and the first subparagraph of Article 10(2) of Regulation (EC) No 1466/97.

(6) In accordance with the second subparagraph of Article 10(2) of Regulation (EC) No 1466/97, within one month of the date of the adoption of the warning, the Council is to address a recommendation to the Member State concerned to take the necessary policy measures. Regulation (EC) No 1466/97 provides that the recommendation is to set a deadline of no more than five months for the Member State to address the deviation. On that basis a deadline of 15 October 2019 for Hungary to address the deviation appears appropriate. Within that deadline, Hungary should report on action taken in response to this Recommendation.

(7) Based on the output gap projections of the Commission 2019 spring forecast, Hungary will remain in good economic times in 2019 and 2020. While in 2019 real GDP is estimated to grow in line with potential GDP (at 3,7 %), in 2020 real GDP growth (at 2,8 %) is forecast to be lower than the growth potential (at 3,6 %). Hungary's general government debt ratio is above the 60 %-of-GDP threshold. Therefore, the minimum required structural effort prescribed by Regulation (EC) No 1466/97 and the commonly agreed adjustment matrix under the preventive arm of the SGP, which factors in the prevailing economic circumstances and possible sustainability concerns, amounts to at least 0,75 % of GDP for both 2019 and 2020.

(8) Hungary's structural deficit increased by 1,6 % of GDP in 2017 and by 0,3 % of GDP in 2018, to 3,7 % of GDP in 2018. It is projected in the Commission 2019 spring forecast to decrease as of 2019. An additional effort, necessary to correct for the cumulated deviations and to bring Hungary back on an appropriate consolidation path following the slippages since 2017, should complement the minimum adjustment requirement in 2019. An additional effort compared to that resulting from the commonly agreeed adjustment matrix under the preventive arm of the SGP of 0,25 % of GDP in 2019 seems appropriate given the magnitude of the observed significant deviation from the recommended adjustment path towards the medium-term objective and will accelerate adjustment back towards the medium-term budgetary objective. The required effort for 2019 is in line with the adjustment recommended by the Council on 4 December 2018. For 2020, the minimum adjustment requirement of 0,75 % of GDP seems appropriate, contingent on compliance with the requested adjustment in 2019.

(9) The required improvement in the structural balance by 1 % of GDP in 2019 and 0,75 % of GDP in 2020 is consistent with the nominal growth rate of net primary government expenditure not exceeding 3,3 % in 2019 and 4,7 % in 2020.

(10) The Commission 2019 spring forecast projects an improvement in the structural balance by 0,4 % of GDP in 2019 and by a further 0,6 % of GDP in 2020. Therefore, a structural improvement of 1 % of GDP in 2019 and 0,75 % of GDP in 2020 translates into the need to adopt measures with a total structural yield of 0,6 % of GDP in 2019 and additonal measures with a structural yield of 0,2 % of GDP in 2020 compared to the current baseline in the Commission 2019 spring forecast.

(11) The failure to act upon earlier recommendations to correct the observed significant deviation calls for urgent action to put Hungary's fiscal policy back on a prudent path.

(12) In order to achieve the recommended budgetary targets, it is crucial that Hungary adopt and strictly implement the necessary measures and monitor the development of current expenditure closely.

(13) Hungary should report to the Council on action taken in response to this Recommendation by 15 October 2019.

(14) It is appropriate for this Recommendation to be made public,

HEREBY RECOMMENDS THAT HUNGARY:

(1) take the measures necessary to ensure that the nominal growth rate of net primary government expenditure does not exceed 3,3 % in 2019 and 4,7 % in 2020, corresponding to an annual structural adjustment of 1 % of GDP in 2019 and 0,75 % of GDP in 2020, thereby putting Hungary on an appropriate adjustment path towards the medium-term budgetary objective;

(2) use any windfall gains for deficit reduction; budgetary consolidation measures should secure a lasting improvement in the general government structural balance in a growth-friendly manner;

(3) report to the Council by 15 October 2019 on action taken in response to this Recommendation; the report should include sufficiently specified and credibly announced measures, including the budgetary impact of each of them, with a view to complying with the required adjustment path, as well as updated and detailed budgetary projections for 2019-2020.

This Recommendation is addressed to Hungary.

Done at Luxembourg, 14 June 2019.

For the Council

The President

E.O. TEODOROVICI

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Non-opposition to a notified concentration

(Case M.8934 — Danske Bank/DNB/Nordea Bank/SEB/Svenska Handelsbanken/Swedbank/KYC Utility)

(Text with EEA relevance)

(2019/C 210/03)

On 13 June 2019, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 [1]. 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/homepage.html?locale=en) under document number 32019M8934. EUR-Lex is the online access to European law.

[1] OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration

(Case M.9364 — Stoa/InfraVia II Invest/SBI Crypto Investment/Tiger Infrastructure Europe/Etix Group)

(Text with EEA relevance)

(2019/C 210/04)

On 22 May 2019, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 [1]. 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/homepage.html?locale=en) under document number 32019M9364. EUR-Lex is the online access to European law.

[1] OJ L 24, 29.1.2004, p. 1.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

The EU list of non-cooperative jurisdictions for tax purposes

(2019/C 210/05)

1. **American Samoa**

American Samoa does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

2. **Belize**

Belize has not yet amended or abolished one harmful preferential tax regime.

Belize's commitment to amend or abolish its newly identified harmful preferential tax regime by the end of 2019 will be monitored.

3. **Fiji**

Fiji has not yet amended or abolished its harmful preferential tax regimes.

Fiji's commitment to comply with criteria 1.2, 1.3 and 3.1 by the end of 2019 will continue to be monitored.

4. **Guam**

Guam does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

5. **Marshall Islands**

Marshall Islands facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not yet resolved this issue.

Marshall Islands' commitment to comply with criterion 1.2 will continue to be monitored: it is waiting for a supplementary review by the Global Forum.

6. **Oman**

Oman does not apply any automatic exchange of financial information, has not signed and ratified the OECD Multilateral Convention on Mutual Administrative Assistance as amended, and has not yet resolved these issues.

7. **Samoa**

Samoa has a harmful preferential tax regime and did not commit to addressing this issue.

Furthermore, Samoa committed to comply with criterion 3.1 by the end of 2018 but has not resolved this issue.

8. **Trinidad and Tobago**

Trinidad and Tobago has a ‘Non-Compliant’ rating by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request.

Trinidad and Tobago’s commitment to comply with criteria 1.1, 1.2, 1.3 and 2.1 by the end of 2019 will be monitored.

9. **United Arab Emirates**

United Arab Emirates facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not yet resolved this issue.

10. **US Virgin Islands**

US Virgin Islands does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

11. **Vanuatu**

Vanuatu facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not yet resolved this issue.

ANNEX

State of play of the cooperation with the EU with respect to commitments taken to implement tax good governance principles

1. Transparency

1.1. *Commitment to implement the automatic exchange of information, either by signing the Multilateral Competent Authority Agreement or through bilateral agreements*

The following jurisdictions are committed to implement automatic exchange of information by end 2019:

Palau and Turkey

1.2. *Membership of the Global Forum on transparency and exchange of information for tax purposes ('Global Forum') and satisfactory rating in relation to exchange of information on request*

The following jurisdictions, which committed to have a sufficient rating by end 2018, are waiting for a supplementary review by the Global Forum:

Anguilla and Curaçao.

The following jurisdictions are committed to become member of the Global Forum and/or have a sufficient rating by end 2019:

Jordan, Namibia, Palau, Turkey and Vietnam.

1.3. *Signatory and ratification of the OECD Multilateral Convention on Mutual Administrative Assistance (MAC) or network of agreements covering all EU Member States*

The following jurisdictions are committed to sign and ratify the MAC or to have in place a network of agreements covering all EU Member States by end 2019:

Armenia, Bosnia and Herzegovina, Botswana, Cabo Verde, Eswatini, Jordan, Maldives, Mongolia, Montenegro, Morocco, Namibia, Republic of North Macedonia, Palau, Serbia, Thailand and Vietnam.

2. Fair Taxation

2.1. *Existence of harmful tax regimes*

The following jurisdictions, which committed to amend or abolish their harmful tax regimes covering manufacturing activities and similar non-highly mobile activities by end 2018 and demonstrated tangible progress in initiating these reforms in 2018, were granted until end 2019 to adapt their legislation:

Costa Rica and Morocco.

The following jurisdictions, which committed to amend or abolish their harmful tax regimes by end 2018 but were prevented from doing so due to genuine institutional or constitutional issues despite tangible progress in 2018, were granted until end 2019 to adapt their legislation:

Cook Islands, Maldives and Switzerland.

The following jurisdiction is committed to amend or abolish the identified harmful tax regimes by 9 November 2019:

Namibia.

The following jurisdictions are committed to amend or abolish harmful tax regimes by end 2019:

Antigua and Barbuda, Australia, Curaçao, Mauritius, Morocco, Saint Kitts and Nevis, Saint Lucia and Seychelles.

The following jurisdictions are committed to amend or abolish harmful tax regimes by end 2020:

Jordan.

2.2. *Existence of tax regimes that facilitate offshore structures which attract profits without real economic activity*

The following jurisdictions, which committed to addressing the concerns relating to economic substance in the area of collective investment funds, have engaged in a positive dialogue with the Group and have remained cooperative, were granted until end 2019 to adapt their legislation:

Bahamas, Bermuda, British Virgin Islands and Cayman Islands.

The following jurisdiction is committed to addressing the concerns related to economic substance by end 2019:

Barbados.

3. Anti-BEPS Measures

3.1. *Membership of the Inclusive Framework on BEPS or commitment to implementation of OECD anti-BEPS minimum standards*

The following jurisdictions are committed to become member of the Inclusive Framework on BEPS or implement OECD anti-BEPS minimum standards by end 2019:

Albania, Bosnia and Herzegovina, Eswatini, Jordan, Montenegro and Namibia.

The following jurisdictions are committed to become member of the Inclusive Framework on BEPS or implement OECD anti-BEPS minimum standards if and when such commitment will become relevant:

Nauru, Niue and Palau.

EUROPEAN COMMISSION

Euro exchange rates [1]

20 June 2019

(2019/C 210/06)

1 euro =

	Currency	Exchange rate		Currency	Exchange rate
USD	US dollar	1,1307	CAD	Canadian dollar	1,4886
JPY	Japanese yen	121,71	HKD	Hong Kong dollar	8,8379
DKK	Danish krone	7,4661	NZD	New Zealand dollar	1,7158
GBP	Pound sterling	0,89155	SGD	Singapore dollar	1,5336
SEK	Swedish krona	10,6348	KRW	South Korean won	1 312,25
CHF	Swiss franc	1,1142	ZAR	South African rand	16,1309
ISK	Iceland króna	141,50	CNY	Chinese yuan renminbi	7,7502
NOK	Norwegian krone	9,6678	HRK	Croatian kuna	7,4035
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	16 036,15
CZK	Czech koruna	25,619	MYR	Malaysian ringgit	4,6901
HUF	Hungarian forint	323,58	PHP	Philippine peso	58,159
PLN	Polish zloty	4,2556	RUB	Russian rouble	71,4393
RON	Romanian leu	4,7262	THB	Thai baht	34,978
TRY	Turkish lira	6,5291	BRL	Brazilian real	4,3407
AUD	Australian dollar	1,6323	MXN	Mexican peso	21,3960
			INR	Indian rupee	78,5065

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

Withdrawal of Commission proposals

(2019/C 210/07)

List of withdrawn proposals

Document	Inter-institutional procedure	Title
Economic & Financial Affairs, Taxation & Customs		
SEC(2008) 2302		Recommendation for a Council Decision authorising the Commission to negotiate an agreement with the Kingdom of Norway for the application of measures equivalent to those laid down in Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments
COM(2009) 644	2008/0234 (CNS)	Amended Proposal for a Council Decision on the signing, on behalf of the European Union, and provisional application of the Cooperation Agreement between the European Union and its Member States, of the one part, and the Principality of Liechtenstein, of the other part, to combat fraud and any other illegal activity to the detriment of their financial interests and to ensure exchange of information on tax matters
COM(2009) 648	2008/0234 (CNS)	Amended Proposal for a Council Decision on the conclusion, on behalf of the European Union, of the Cooperation Agreement between the European Union and its Member States, of the one part, and the Principality of Liechtenstein, of the other part, to combat fraud and any other illegal activity to the detriment of their financial interests and to ensure exchange of information on tax matters
Maritime Affairs & Fisheries		
COM(2012) 021	2012/0013 (COD)	Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks
Security and Migration		
COM(2016) 491	2016/0236 (COD)	Proposal for a Regulation of the European Parliament and of the Council establishing a Union certification system for aviation security screening equipment
COM(2015) 452	2015/0211 (COD)	Proposal for a Regulation of the European Parliament and of the Council establishing an EU common list of safe countries of origin for the purposes of Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, and amending Directive 2013/32/EU
COM(2014) 382	2014/0202 (COD)	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 604/2013 as regards determining the Member State responsible for examining the application for international protection of unaccompanied minors with no family member, sibling or relative legally present in a Member State

Document	Inter-institutional procedure	Title
COM (2015) 450	2015/0208 (COD)	Proposal for a Regulation of the European Parliament and of the Council establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third country national or a stateless person
COM(2018) 167		Proposal for a Council Decision authorising the Commission to approve, on behalf of the Union, the Global Compact for Safe, Orderly and Regular Migration in the field of development cooperation
COM(2018) 168		Proposal for a Council Decision authorising the Commission to approve, on behalf of the Union, the Global Compact for Safe, Orderly and Regular Migration in the area of immigration policy

NOTICES FROM MEMBER STATES

United Kingdom Government notice concerning European Parliament and Council Directive 94/22/EC on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons

(Text with EEA relevance)

(2019/C 210/08)

Announcement of a United Kingdom Offshore Out of Round Licensing offer

OIL AND GAS AUTHORITY

The Petroleum Act 1998

Offshore Out of Round Licensing offer

1. The Oil and Gas Authority (the OGA) invites interested persons to apply for Seaward Production Licences in respect of certain acreage on the United Kingdom Continental Shelf.

2. Full details of the offer, including lists and maps of the acreage on offer and guidance about licences, the terms which those licences will include, and how to apply, are available on the OGA website (see below).

3. All applications will be determined where applicable in accordance with the terms of the Hydrocarbons Licensing Directive Regulations 1995 (S.I. 1995 No 1434), the Petroleum Licensing (Applications) Regulations 2015 (SI 2015 No 766) and the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015 (SI 2015 No 385). The Secretary of State's functions in this regard were transferred to the Oil and Gas Authority on 1 October 2016 by virtue of The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (http://www.legislation.gov.uk/uksi/2016/912/pdfs/uksi_20160912_en.pdf), which provided that anything done (or having effect as if done) by or in relation to the Secretary of State in connection with such transferred functions now has effect, so far as is necessary for continuing its effect after the 1 October 2016, as if done by or in relation to the Oil and Gas Authority. Determinations will be made against a background of the continuing need for expeditious, thorough, efficient and safe exploration to identify the United Kingdom's oil and gas resources with due regard to environmental considerations.

'Innovate' Framework

4. Licence applications will be considered in light of an innovative approach being taken for Initial Term Work Programmes ('Work Programmes') for licences. These Work Programmes will incorporate a flexible combination of up to three Phases (A, B and C) in the Initial Term. This will help to ensure Work Programmes for the block(s) that are being applied for are appropriate to the geotechnical and other challenges that must be addressed in an area, whilst optimising the factors listed in Paragraph 3. The flexibility afforded by the combination of up to three phases also enables applicants to design a Work Programme which is appropriate for their own particular plans and requirements.

5. Phase A of the Work Programme comprises a period in which Geotechnical Studies and Geophysical Data Reprocessing will be undertaken; Phase B of the Work Programme will be a period in which New Seismic data will be Shot; Phase C of the Work Programme will be for exploratory and/or appraisal drilling. Applicants may decide the Phase combination, whether all three Phases, straight to Phase B followed by Phase C, straight to Phase C, or Phase A direct to Phase C.

6. Phase A and Phase B are not mandatory and may not be appropriate in particular circumstances, but every application must propose a Phase C, except where the applicant doesn't think any exploration is needed and proposes to go straight to development (i.e. 'straight to Second Term'). Where that is the case, Applications should be made in accordance with the guidance available on the OGA website.

7. Licences awarded in this round can have an Initial Term of up to a maximum of 9 years duration. The licence duration and phasing will require justification in the context of the proposed work programme, and will be the subject of discussion at the time of Application.

8. Applications where the starting Phase is Phase A or B will be judged on the basis of the following criteria:

   (a) The financial viability of the applicant;

   (b) The technical capability of the applicant which will be assessed in part as demonstrated by the quality of analysis related to the block;

   (c) The way in which the applicant proposes to carry out the activities that would be permitted under the licence, including the quality of the Work Programme submitted for evaluating the full potential of the area applied for;

   (d) Safety and environmental capability. Under the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015, all prospective offshore licensees, i.e. including all partners within an applicant group, must provide information relating to their safety and environmental capability in support of the licence application. Further guidance in relation to all the safety and environmental requirements can be found at http://www.hse.gov.uk/osdr/assets/docs/appendix-c.pdf; and

   (e) Where the applicant holds or has held a licence granted under or treated as having been granted under the Petroleum Act 1998, any lack of efficiency and responsibility displayed by the applicant in operations under that licence.

9. Licences with a Phase B will specify a time period so the licence will expire at the end of this phase if the Licensee has not satisfied the OGA of its technical and financial capability to complete the Work Programme. For licences with a Phase A but no Phase B, the licence will also specify a period so the licence will expire at the end of this phase if the Licensee has not satisfied the OGA of its technical and financial capability to complete the Work Programme.

10. Applications where the starting Phase is Phase C will be judged on the basis of the following criteria:

   (a) The financial viability of the applicant and its financial capacity to carry out the activities that would be permitted under the licence during the Initial Term including the Work Programme submitted for evaluating the full potential of the area within the block;

   (b) The technical capability of the proposed operator to supervise operations and in particular drilling operations

   (c) The way in which the applicant proposes to carry out the activities that would be permitted under the licence, including the quality of the Work Programme submitted for evaluating the full potential of the area applied for;

   (d) Safety and environmental capability. Under the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015, all prospective offshore licensees, i.e. including all partners within an applicant group, must provide information relating to their safety and environmental capability in support of the licence application. Further guidance in relation to all the safety and environmental requirements can be found at http://www.hse.gov.uk/osdr/assets/docs/appendix-c.pdf; and

   (e) Where the applicant holds or has held a licence granted under or treated as having been granted under the Petroleum Act 1998, any lack of efficiency and responsibility displayed by the applicant in operations under that licence.

Guidance

11. Further guidance can be viewed on the OGA website: https://www.ogauthority.co.uk/licensing-consents/licensing-rounds/

Licence Offers

12. Unless an Appropriate Assessment in relation to a particular Block is required (see Para. 15 below), any offer by the Oil and Gas Authority of a licence pursuant to this invitation, will be made within eighteen months of the date of this Notice.

13. The Oil and Gas Authority accepts no liability for any costs incurred by the applicant in considering or making its application.

Environmental Assessments

14. The Secretary of State has conducted a Strategic Environmental Assessment (SEA) pursuant to Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment of all of the areas to be offered in this Round. The findings of that SEA can be found at the gov.uk offshore energy SEA website:

    https://www.gov.uk/offshore-energy-strategic-environmental-assessment-sea-an-overview-of-the-sea-process

15. Licences pursuant to this invitation will only be offered if, in accordance with the Habitats Directive (Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora):

    (a) the activities to be carried out under the licence are not likely to have a significant effect on the management of a Special Area of Conservation(SAC) or Special Protection Area (SPA), or if

    (b) an Appropriate Assessment has ascertained that the activities will have no adverse effects on the integrity of such SACs or SPAs; or

    (c) in a case where the activities are assessed as likely to cause such adverse effects, subject to

        (i) there being imperative reasons of overriding public interest for awarding the licence;

        (ii) the taking of appropriate compensatory measures; and

        (iii) there being no alternative solutions.

16. Contact:

Duncan Bruce
Oil and Gas Authority
21 Bloomsbury Street
London WC1B 3HF
UNITED KINGDOM

Tel. +44 3000671675

The Oil and Gas Authority website: https://www.ogauthority.co.uk/licensing-consents/licensing-rounds/

Commission information notice pursuant to Article 17(5) of Regulation (EC) No 1008/2008 of the European Parliament and of the Council on common rules for the operation of air services in the Community

Invitation to tender in respect of the operation of scheduled air services in accordance with public service obligations

(Text with EEA relevance)

(2019/C 210/09)

Member State	Finland
Route concerned	Mariehamn (MHQ) — Stockholm Arlanda (ARN)
Period of validity of the contract	1.3.2020-29.2.2024
Deadline for submission of applications and tenders	15.9.2019 https://www.e-avrop.com/portaler/Alandsportalen/Default.aspx
Address where the text of the invitation to tender and any relevant information and/or documentation related to the public tender and the public service obligation can be obtained free of charge.	Further information: ÅLANDS LANDSKAPSREGERING Address: P.O.B. 1060 AX-22111 MARIEHAMN Åland, FINLAND Tel. +358 1825000 Email: registrator@regeringen.ax Internet: https://www.e-avrop.com/portaler/Alandsportalen/Default.aspx

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9406 — Lone Star — Stark Group/Saint-Gobain BDD)

(Text with EEA relevance)

(2019/C 210/10)

1. On 14 June 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Lone Star (USA),

— Stark Group Holding Germany GmbH (Germany) ('Stark'), controlled by Lone Star,

— Saint-Gobain Building Distribution Deutschland GmbH (Germany) ('SGBDD'), belonging to Compagnie de Saint-Gobain S.A. (France).

Lone Star, through its subsidiary Stark, indirectly acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of SGBDD.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Lone Star is a private equity firm that invests globally in real estate, equity, credit and other financial assets,

— Stark is a retailer and distributor of building materials,

— SGBDD is a building materials merchant that operates a network of physical retail outlets in Germany and sells mostly third-party products to SME and larger construction companies and, to a smaller part, to private and DIY consumers.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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. The following reference should always be specified:

M.9406 — Lone Star — Stark Group/Saint-Gobain BDD

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

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

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

Prior notification of a concentration

(Case M.9227 — Rockwell/Schlumberger/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2019/C 210/11)

1. On 17 June 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]) by which the companies Rockwell Automation, Inc. ('Rockwell', United States) and Schlumberger Limited ('Schlumberger', United States) acquire, within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation, joint control over a newly-created company constituting a joint venture ('JV') by way of purchase of shares and contribution of assets and associated personnel.

2. The business activities of the undertakings concerned are:

— Rockwell is a global company dedicated to industrial automation and control solutions,

— Schlumberger is a global supplier of technology, integrated project management and information solutions to customers in the oil and gas industry,

— The JV will be active in the provision of fully integrated and digitally enabled surface automation and control solutions to customers in the global oil and gas industry.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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 Council Regulation (EC) No 139/2004 ([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. The following reference should always be specified:

M.9227 — Rockwell/Schlumberger/JV

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

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

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

ISSN 1977-091X (electronic edition)
ISSN 1725-2423 (paper edition)

Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN