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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II *Acts whose publication is not obligatory*

Council

Acts adopted under Title V of the Treaty on European Union

EN

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1021/2006

of 5 July 2006

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables [1], and in particular Article 4(1) thereof,

Whereas:

(1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

(2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 July 2006.

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

Done at Brussels, 5 July 2006.

For the Commission

J. L. DEMARTY

Director-General for Agriculture and Rural Development

[1] OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 5 July 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	052	67,5
	204	28,7
	999	48,1
0707 00 05	052	81,0
	999	81,0
0709 90 70	052	91,1
	999	91,1
0805 50 10	388	56,4
	528	55,5
	999	56,0
0808 10 80	388	84,2
	400	113,4
	404	102,8
	508	86,5
	512	76,0
	524	54,3
	528	78,9
	720	115,7
	800	145,8
	804	97,3
	999	95,5
0808 20 50	388	112,2
	512	95,3
	528	84,9
	720	39,0
	999	82,9
0809 10 00	052	190,0
	999	190,0
0809 20 95	052	314,6
	068	107,3
	608	218,2
	999	213,4
0809 40 05	624	146,3
	999	146,3

(1) Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1022/2006

of 5 July 2006

amending Regulation (EC) No 1071/2005 laying down detailed rules for applying Council Regulation (EC) No 2826/2000 on information and promotion actions for agricultural products on the internal market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2826/2000 of 19 December 2000 on information and promotion actions for agricultural products on the internal market [1], and in particular Articles 4, 5(1) and 12 thereof,

Whereas:

(1) Article 3 of Regulation (EC) No 2826/2000 lays down the criteria to be used to determine the themes and products for which information and/or promotion actions may be carried out on the internal market. Those themes and products are listed in Annex I to Commission Regulation (EC) No 1071/2005 [2].

(2) Under Article 5 of Regulation (EC) No 2826/2000, guidelines are to be laid down for each sector or product selected, giving a broad outline of the campaigns to be carried out in those sectors. The guidelines for the sectors and products selected are given in Annex II to Regulation (EC) No 1071/2005.

(3) The recent avian influenza crisis has destabilised the poultrymeat sector, leading to a significant fall in consumption and a crisis in consumer confidence. As a result, provision should be made for the possibility of carrying out information and/or promotion measures in that sector to restore lasting consumer confidence, in particular by providing appropriate information.

(4) Poultrymeat should therefore be included in the list of products to be promoted, and guidelines giving a broad outline of the campaigns to be carried out in that sector should be laid down.

(5) Regulation (EC) No 1071/2005 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Joint Management Committee for the Promotion of Agricultural Products,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1071/2005 is amended as follows:

1. the following indent is added to Annex I:

   '— Poultrymeat';

2. the text of the Annex to this Regulation is added to Annex II.

Article 2

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

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

Done at Brussels, 5 July 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

[1] OJ L 328, 23.12.2000, p. 2. Regulation as last amended by Regulation (EC) No 2060/2004 (OJ L 357, 2.12.2004, p. 3).
[2] OJ L 179, 11.7.2005, p. 1.

ANNEX

The following guidelines concerning poultrymeat are added to Annex II to Regulation (EC) No 1071/2005:

'POULTRYMEAT

1. **General analysis of the situation**

The crisis of consumer confidence in poultrymeat resulting from the reports on avian influenza in the media has resulted in a substantial fall in consumption. Consumer confidence in poultrymeat of Community origin should therefore be strengthened.

To achieve this, objective information on Community production systems (marketing standards) and the controls required should be provided in addition to the general legislation on controls and food safety.

2. **Goals**

— The information and promotion campaigns are restricted to products made in the EU.

— The aim is to:

  — ensure that objective and complete information is provided on the rules for the Community and national production systems for the safety of poultrymeat products; in particular consumers must be provided with complete and precise information on marketing standards;

  — inform consumers of the diversity and organoleptic and nutritional properties of poultrymeat;

  — draw consumers' attention to traceability.

3. **Target groups**

— Consumers and consumer associations.

— The person responsible for shopping in the household.

— Institutions (restaurants, hospitals, schools, etc.).

— Distributors and distributors' associations.

— Journalists and opinion formers.

4. **Main messages**

— Poultrymeat marketed on the territory of the EU is governed by Community rules covering the entire chain of production, slaughter and consumption.

— Safety measures are in place, including controls.

— General health advice on the handling of food products of animal origin.

5. **Main channels**

— The Internet.

— PR contacts with the media and advertising (scientific and specialised press, women's press, newspapers and food and cookery magazines).

— Contacts with consumer associations.

— Audiovisual communication.

— Written documentation (folders, brochures, etc.).

— Point-of-sale information.

6. **Duration and extent of the programmes**

The programmes must provide national coverage at least or relate to more than one Member State.

From 12 to 24 months, with a preference for multi-annual programmes with targets laid down for each stage.'

COMMISSION REGULATION (EC) No 1023/2006

of 5 July 2006

amending Regulation (EC) No 958/2003 laying down detailed rules for the application of Council Decision 2003/286/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in the Republic of Bulgaria and amending Regulation (EC) No 2809/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/286/EC of 8 April 2003 on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions [1], and in particular Article 3(2) thereof,

Whereas:

(1) In accordance with Decision 2003/286/EC, the Community has undertaken to establish for each marketing year import tariff quotas at a zero rate of duty for wheat, meslin, wheat gluten and maize originating in the Republic of Bulgaria.

(2) In the light of the experience gained in applying Commission Regulation (EC) No 958/2003 [2], certain provisions of that Regulation should be clarified and simplified.

(3) In order to ensure that the actual quantities being requested by individual traders may be verified, it is necessary to specify that traders must submit only one import licence application per period concerned, and to provide for a penalty in the event of a failure to meet this requirement.

(4) Regulation (EC) No 958/2003 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 958/2003 is hereby amended as follows:

1. The following Article 1a is added:

'*Article 1a*

Traders may submit only one import licence application per period concerned under Article 2(1). Where traders submit more than one application, all their applications shall be rejected and the securities lodged when the applications were submitted shall be taken over by the Member State concerned.'

2. Article 2 is amended as follows:

(a) Paragraph 1 is replaced by the following:

'1. Applications for import licences shall be lodged with the competent authorities of the Member States no later than 13.00 Brussels time on the second Monday of each month.

Applicants shall submit their licence applications to the competent authorities of the Member State in which they are registered for VAT purposes.

Each license application shall be for a quantity not exceeding the quantity available for the import of the relevant product in the marketing year concerned.'

(b) Paragraph 3 is replaced by the following:

'3. If the total of the quantities for each product concerned since the start of the marketing year and the quantity referred to in paragraph 2 exceeds the quota for the marketing year concerned, the Commission shall set, no later than the third working day after the applications were lodged, a single application coefficient to be applied to the quantities requested.'

[1] OJ L 102, 24.4.2003, p. 60.
[2] OJ L 136, 4.6.2003, p. 3. Regulation as last amended by Regulation (EC) No 1046/2005 (OJ L 172, 5.7.2005, p. 79).

(c) Paragraph 4 is replaced by the following:

'4. After applying, where necessary, the application coefficients fixed in accordance with paragraph 3, the competent authorities of the Member States shall issue, on the fourth working day following the day on which the application is submitted, the import licences corresponding to the applications sent to the Commission in accordance with paragraph 2.

No later than 18.00, Brussels time, on the day the import licences are issued, the competent authorities shall notify the Commission electronically, on the basis of the model annexed hereto, of the total quantity resulting from the sum of the quantities for which import licences have been issued on that same day.'

Article 2

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

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

Done at Brussels, 5 July 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 1024/2006

of 5 July 2006

amending Regulation (EC) No 573/2003 laying down detailed rules for the application of Council Decision 2003/18/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in Romania and amending Regulation (EC) No 2809/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/18/EC of 19 December 2002 on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions [1], and in particular Article 3(2) thereof,

Whereas:

(1) In accordance with Decision 2003/18/EC, the Community has undertaken to establish for each marketing year import tariff quotas at a zero rate of duty for wheat and meslin and maize originating in Romania.

(2) In the light of the experience gained in applying Commission Regulation (EC) No 573/2003 [2], certain provisions of that Regulation should be clarified and simplified.

(3) In order to ensure that the actual quantities being requested by individual traders may be verified, it is necessary to specify that traders must submit only one import licence application per period concerned, and to provide for a penalty in the event of a failure to meet this requirement.

(4) Regulation (EC) No 573/2003 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 573/2003 is amended as follows:

1. the following Article 1a is added:

'*Article 1a*

Traders may submit only one import licence application per period concerned under Article 2(1). Where traders submit more than one application, all their applications shall be rejected and the securities lodged when the applications were submitted shall be taken over by the Member State concerned.';

2. Article 2 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Applications for import licences shall be lodged with the competent authorities of the Member States no later than 13.00 Brussels time on the second Monday of each month.

Applicants shall submit their licence applications to the competent authorities of the Member State in which they are registered for VAT purposes.

Each licence application shall be for a quantity not exceeding the quantity available for the import of the relevant product in the marketing year concerned.';

(b) paragraph 3 is replaced by the following:

'3. If the total of the quantities for each product concerned since the start of the marketing year and the quantity referred to in paragraph 2 exceeds the quota for the marketing year concerned, the Commission shall set, no later than the third working day after the applications were lodged, a single application coefficient to be applied to the quantities requested.';

[1] OJ L 8, 14.1.2003, p. 18.
[2] OJ L 82, 29.3.2003, p. 25. Regulation as amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

(c) paragraph 4 is replaced by the following:

'4. After applying, where necessary, the application coefficients fixed in accordance with paragraph 3, the competent authorities of the Member States shall issue, on the fourth working day following the day on which the application is submitted, the import licences corresponding to the applications sent to the Commission in accordance with paragraph 2.

No later than 18.00, Brussels time, on the day the import licences are issued, the competent authorities shall notify the Commission electronically, on the basis of the model annexed hereto, of the total quantity resulting from the sum of the quantities for which import licences have been issued on that same day.'

Article 2

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

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

Done at Brussels, 5 July 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 1025/2006

of 5 July 2006

fixing the definitive rate of refund and the percentage of system B export licences to be issued in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [1],

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables [2], and in particular Article 6(7) thereof,

Whereas:

(1) Commission Regulation (EC) No 557/2006 [3] fixed the indicative quantities for the issue of B system export licences.

(2) The definitive rate of refund for tomatoes, oranges, lemons and apples covered by licences applied for under system B between 16 May and 30 June 2006, should be fixed at the indicative rate, and the percentage of licences to be issued for the quantities applied for should be laid down,

HAS ADOPTED THIS REGULATION:

Article 1

For applications for system B export licences submitted pursuant to Article 1 of Regulation (EC) No 557/2006 between 16 May and 30 June 2006, the percentages of licences to be issued and the rates of refund applicable are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 July 2006.

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

Done at Brussels, 5 July 2006.

For the Commission

J. L. DEMARTY

Director-General for Agriculture and Rural Development

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[1] OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

[2] OJ L 268, 9.10.2001, p. 8. Regulation as amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

[3] OJ L 98, 6.4.2006, p. 65.

ANNEX

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 16 May to 30 June 2006 (tomatoes, oranges, lemons and apples)

Product	Rate of refund (EUR/t net)	Percentages of licences to be issued for the quantities applied for
Tomatoes	30	100 %
Oranges	39	100 %
Lemons	60	100 %
Apples	33	100 %

COMMISSION REGULATION (EC) No 1026/2006

of 5 July 2006

laying down the allocation coefficient to be applied under the Community tariff quota for imports of maize from third countries provided for by Regulation (EC) No 969/2006

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals [1],

Having regard to Commission Regulation (EC) No 969/2006 of 29 June 2006 opening and providing for the administration of a Community tariff quota for imports of maize from third countries [2], and in particular Article 4(3) thereof,

Whereas:

(1) Regulation (EC) No 969/2006 opens an annual tariff quota of 242 074 tonnes of maize (serial number 09.4131).

(2) Article 11 of Regulation (EC) No 969/2006 fixes a quantity of 242 074 tonnes for tranche 2 for the period from 1 July to 31 December 2006.

(3) The quantities applied for by 13.00 (Brussels time) on Monday 3 July 2006 in accordance with Article 4(1) of Regulation (EC) No 969/2006 exceed the quantities available. The extent to which licences may be issued should therefore be determined and the allocation coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for an import licence for the maize quota lodged by 13.00 (Brussels time) on Monday 3 July 2006 and forwarded to the Commission in accordance with Article 4(1) and (2) of Regulation (EC) No 969/2006 shall be accepted at a rate of 0,46439 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 6 July 2006.

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

Done at Brussels, 5 July 2006.

For the Commission

J. L. DEMARTY

Director-General for Agriculture and Rural Development

[1] OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

[2] OJ L 176, 30.6.2006, p. 44.

REGULATION (EC) No 1027/2006 OF THE EUROPEAN CENTRAL BANK

of 14 June 2006

on statistical reporting requirements in respect of post office giro institutions that receive deposits from non-monetary financial institution euro area residents

(ECB/2006/8)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank [1], and in particular Article 5(1) and Article 6(4) thereof,

Whereas:

(1) Regulation (EC) No 2533/98 provides in Article 2(1) that, for the fulfilment of its statistical reporting requirements, the European Central Bank (ECB), assisted by the national central banks (NCBs), shall have the right to collect statistical information within the limits of the reference reporting population and of what is necessary to carry out the tasks of the European System of Central Banks. Article 2(2)(b) further provides that post office giro institutions (POGIs) are part of the reference reporting population, to the extent necessary to fulfil the ECB's statistical reporting requirements in, *inter alia*, the field of money and banking statistics.

(2) Regulation (EC) No 2423/2001 of the European Central Bank of 22 November 2001 concerning the consolidated balance sheet of the monetary financial institutions sector (ECB/2001/13) [2] was adopted on the basis of Regulation (EC) No 2533/98. Under Article 2(1) of Regulation (EC) No 2423/2001 (ECB/2001/13), the actual reporting population consists of the monetary financial institutions (MFIs) resident in the territory of the participating Member States.

(3) The euro area monetary aggregates and their counterparts are derived mainly from the MFI balance sheet data collected under Regulation (EC) No 2423/2001 (ECB/2001/13). However, the euro area monetary aggregates include not only monetary liabilities of MFIs *vis-à-vis* non-MFI euro area residents excluding central government but also monetary liabilities of central government *vis-à-vis* non-MFI euro area residents excluding central government. Therefore, supplementary statistical information on central government deposit liabilities and central government holdings of cash and securities issued by MFIs is currently collected under Guideline ECB/2003/2 of 6 February 2003 concerning certain statistical reporting requirements of the European Central Bank and the procedures for reporting by the national central banks of statistical information in the field of money and banking statistics [3].

(4) In some of the participating Member States, POGIs no longer belong to the central government sector under the European system of national and regional accounts in the Community (the ESA 95) [4], and they are not limited to receiving deposits solely on behalf of their national Treasuries, but may receive deposits on their own account. It is therefore no longer possible for statistical information on such deposits to be reported within the framework of Guideline ECB/2003/2.

(5) POGIs that receive deposits are in this respect performing similar activities to those performed by MFIs. Both types of entity should therefore be subject to similar statistical reporting requirements in so far as such requirements are relevant to their business.

(6) To ensure such harmonised treatment and to safeguard the availability of statistical information on deposits received by POGIs, it is necessary to adopt a new regulation that imposes reporting requirements on these entities,

HAS ADOPTED THIS REGULATION:

Article 1

Definitions

For the purposes of this Regulation:

— the terms 'participating Member State', 'reporting agents' and 'resident' have the same meaning as defined in Article 1 of Regulation (EC) No 2533/98;

[1] OJ L 318, 27.11.1998, p. 8.
[2] OJ L 333, 17.12.2001, p. 1. Regulation as last amended by Regulation (EC) No 2181/2004 (ECB/2004/21) (OJ L 371, 18.12.2004, p. 42).
[3] OJ L 241, 26.9.2003, p. 1. Guideline as last amended by Guideline ECB/2005/4 (OJ L 109, 29.4.2005, p. 6).
[4] As adopted by the Council of the European Union in its Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community (OJ L 310, 30.11.1996, p. 1). Regulation as last amended by Regulation (EC) No 1267/2003 of the European Parliament and of the Council (OJ L 180, 18.7.2003, p. 1).

— 'POGI' means a post office that belongs to the sector 'non-financial corporations' (Sector 11 of the ESA 95), and, as a complement to postal services, receives deposits from non-MFI euro area residents with a view to providing money transfer services for its depositors.

Article 2

Actual reporting population

1. The actual reporting population shall consist of the POGIs resident in the territory of the participating Member States.

2. The Executive Board of the ECB may establish and maintain a list of POGIs subject to this Regulation. The NCBs and the ECB shall make this list and its updates accessible to the POGIs concerned in an appropriate way, including via electronic means, the Internet or, at the request of the POGIs concerned, in paper form. The list shall be for information only. However, in the event that the latest accessible version of the list is incorrect, the ECB shall not impose sanctions on any POGI which has not properly fulfilled its reporting requirements to the extent that it relied in good faith on the incorrect list.

3. NCBs may grant POGIs a derogation from the requirement to report statistical information under this Regulation, provided that the required statistical information is already collected from other available sources. NCBs shall check the fulfilment of this condition in good time in order to grant or withdraw, if necessary, any derogation with effect from the start of each year, in agreement with the ECB.

Article 3

Statistical reporting requirements

1. The actual reporting population shall report monthly statistical information relating to its end-of-month balance sheet, in terms of stocks, to the NCB of the participating Member State in which the POGI is resident.

2. The statistical information required under this Regulation relates to business carried out by a POGI on its own account and is specified in Annexes I and II.

3. The statistical information required under this Regulation shall be reported in accordance with the minimum standards for transmission, accuracy, conceptual compliance and revisions set out in Annex III.

4. The NCBs shall define and implement the reporting arrangements to be followed by the actual reporting population in accordance with national characteristics. The NCBs shall ensure that these reporting arrangements provide the statistical information required under this Regulation and allow accurate checking of compliance with the minimum standards for transmission, accuracy, conceptual compliance and revisions set out in Annex III.

5. In the event of a merger, a division or any other reorganisation that might affect the fulfilment of its statistical obligations, the reporting agent involved shall inform the relevant NCB, once the intention to implement such operation has become public and in due time before the merger, the division or the reorganisation takes effect, of the procedures that are planned to fulfil the statistical reporting requirements set out in this Regulation.

Article 4

Timeliness

The NCBs shall transmit the statistical information reported pursuant to Article 3(1) and (2) to the ECB by close of business on the 15th working day following the end of the month to which they relate. The NCBs shall decide when they need to receive data from reporting agents in order to meet this deadline.

Article 5

Accounting rules

1. Subject to paragraphs 2 and 3, the accounting rules followed by POGIs for the purposes of reporting under this Regulation shall be those laid down in the national transposition of Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions [1], as well as in any other international accounting standards, in each case insofar as they apply to POGIs. Without prejudice to accounting practices and netting arrangements prevailing in the participating Member States, all financial assets and liabilities shall be reported on a gross basis for statistical purposes.

2. Deposit liabilities and loans shall be reported at the nominal amount outstanding at the end of the month and on a gross basis. Nominal amount means the amount of principal that a debtor is contractually obliged to repay to a creditor.

[1] OJ L 372, 31.12.1986, p. 1.

3. NCBs may allow the reporting of provisioned loans net of provisions and the reporting of purchased loans at the price agreed at the time of their acquisition, provided that such reporting practices are applied by all resident reporting agents and are necessary to maintain continuity in the statistical valuation of loans with the data reported for periods prior to January 2005.

Article 6

Verification and compulsory collection

The right to verify or to compulsorily collect the information which reporting agents shall provide in compliance with the statistical reporting requirements set out in this Regulation shall be exercised by the NCBs, without prejudice to the right of the ECB to exercise these rights itself. This right shall be exercised in particular when a POGI included in the actual reporting population does not fulfil the minimum standards for transmission, accuracy, conceptual compliance and revisions as set out in Annex III.

Article 7

Final provisions

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

Done at Frankfurt am Main, 14 June 2006.

For the Governing Council of the ECB
The President of the ECB
Jean-Claude TRICHET

ANNEX I

STATISTICAL REPORTING REQUIREMENTS

Table

(Stocks)

Data required to be provided at monthly frequency

BALANCE SHEET ITEMS	A. Domestic									B. Other participating Member States									C. Rest of the world	D. Not allocated
	MFIs		Non-MFIs							MFIs		Non-MFIs								
		of which credit institutions subject to RRs, ECB and NCBs	General government		Other resident sectors						of which credit institutions subject to RRs, ECB and NCBs	General government		Other resident sectors						
			Central Government	Other general government	Total	Other financial intermediaries + financial auxiliaries (S. 123 + S. 124)	Insurance corporations and pension funds (S. 125)	Non-financial corporations (S. 11)	Households + non-profit institutions serving households (S. 14 + S. 15)			Central government	Other general government	Total	Other financial intermediaries + financial auxiliaries (S. 123 + S. 124)	Insurance corporations and pension funds (S. 125)	Non-financial corporations (S. 11)	Households + non-profit institutions serving households (S. 14 + S. 15)		
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)
LIABILITIES																				
8. **Currency in circulation**																				
9. **Deposits**																				
up to 1 year																				
over 1 year																				
9e. **Euro**																				
9.1e. **Overnight**																				
9.2e. **With agreed maturity**																				
up to 1 year																				
over 1 and up to 2 years																				
over 2 years																				
9.3e. **Redeemable at notice**																				
up to 3 months ([1])																				
over 3 months																				
of which over 2 years																				
9.4e. **Repos**																				
9x. **Foreign currencies**																				
9.1x. **Overnight**																				

BALANCE SHEET ITEMS	A. Domestic									B. Other participating Member States									C. Rest of the world	D. Not allocated
	MFIs		Non-MFIs							MFIs		Non-MFIs								
		of which credit institutions subject to RRs, ECB and NCBs	General government		Other resident sectors						of which credit institutions subject to RRs, ECB and NCBs	General government		Other resident sectors						
			Central Government	Other general government	Total	Other financial intermediaries + financial auxiliaries (S. 123 + S. 124)	Insurance corporations and pension funds (S. 125)	Non-financial corporations (S. 11)	Households + non-profit institutions serving households (S. 14 + S. 15)			Central government	Other general government	Total	Other financial intermediaries + financial auxiliaries (S. 123 + S. 124)	Insurance corporations and pension funds (S. 125)	Non-financial corporations (S. 11)	Households + non-profit institutions serving households (S. 14 + S. 15)		
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)
9.2x. **With agreed maturity**																				
up to 1 year																				
over 1 and up to 2 years																				
over 2 years																				
9.3x. **Redeemable at notice**																				
up to 3 months [1]																				
over 3 months																				
of which over 2 years																				
9.4x. **Repos**																				
10. **MMFs shares/units**																				
11. **Debt securities issued**																				
11e. Euro																				
up to 1 year																				
over 1 and up to 2 years																				
over 2 years																				
11x. Foreign currencies																				
up to 1 year																				
over 1 and up to 2 years																				
over 2 years																				
12. **Capital and reserves**																				
13. **Remaining liabilities**																				

BALANCE SHEET ITEMS	A. Domestic									B. Other participating Member States									C. Rest of the world	D. Not allocated
	MFIs	Non-MFIs								MFIs	Non-MFIs									
		General government	Other resident sectors								General government	Other resident sectors								
			Total	Other financial intermediaries + financial auxiliaries (S. 123 + S. 124)	Insurance corporations and pension funds (S. 125)	Non-financial corporations (S. 11)	Households + non-profit institutions serving households (S. 14 + S. 15)					Total	Other financial intermediaries + financial auxiliaries (S. 123 + S. 124)	Insurance corporations and pension funds (S. 125)	Non-financial corporations (S. 11)	Households + non-profit institutions serving households (S. 14 + S. 5)				
							Consumer credit	Lending for house purchase	Other (residual)							Consumer credit	Lending for house purchase	Other (residual)		
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)
ASSETS																				
1. **Cash**																				
1e. of which euro																				
2. **Loans**																				
up to 1 year																				
over 1 year and up to 5 years																				
over 5 years																				
2e. of which euro																				
3. **Securities other than shares**																				
3e. Euro																				
up to 1 year																				
over 1 and up to 2 years																				
over 2 years																				
3x. Foreign currencies																				
up to 1 year																				
over 1 and up to 2 years																				
over 2 years																				
4. **MMF shares/units**																				
5. **Shares and other equity**																				
6. **Fixed assets**																				
7. **Remaining assets**																				

([1]) Including non-transferable sight savings deposits.

General note:
cells with borders are reported.

ANNEX II

DEFINITIONS RELATING TO THE STATISTICAL REPORTING REQUIREMENTS

General definitions

POGIs consolidate for statistical purposes the business of all their offices (registered or head office and/or branches) located within the same national territory. No consolidation for statistical purposes is permitted across national boundaries.

When a parent company and its subsidiaries are POGIs located in the same national territory, the parent company is permitted to consolidate in its statistical returns the business of these subsidiaries. Subsidiaries are separate incorporated entities in which another entity has a majority or full participation, whereas branches are unincorporated entities (without independent legal status) totally owned by the parent.

If a POGI has branches located within the territories of the other participating Member States, the registered or head office located in a given participating Member State must consider the positions towards all these branches as positions towards residents in the other participating Member States. Conversely, a branch located in a given participating Member State must consider the positions towards the registered or head office or towards other branches of the same institution located within the territories of the other participating Member States as positions towards residents in the other participating Member States.

If a POGI has branches located outside the territory of the participating Member States, the registered or head office in a given participating Member State must consider the positions towards all these branches as positions towards residents of the rest of the world. Conversely, a branch located in a given participating Member State must consider the positions towards the registered or head office or towards other branches of the same institution located outside the participating Member States as positions towards residents of the rest of the world.

POGIs located in offshore financial centres are treated statistically as residents of the territories in which the centres are located.

Definitions of sectors

The ESA 95 provides the standard for sector classification. Counterparties of POGIs located in the territory of the participating Member States are identified according to their domestic sector or institutional classification in accordance with the list of MFIs for statistical purposes and the guidance for the statistical classification of customers provided in the ECB's Money and Banking Sector Manual ('Guidance for the statistical classification of customers'), which follows classification principles that are consistent with the ESA 95 as far as possible.

'MFIs' comprise the following sectors and subsectors:

— *monetary financial institutions (MFI):* resident credit institutions as defined in Community law, and other resident financial institutions whose business is to receive deposits and/or close substitutes for deposits from entities other than MFIs and, for their own account (at least in economic terms), to grant credits and/or make investments in securities,

— *credit institutions:* as defined in Community law [1], (a) an undertaking whose business is to receive deposits or other repayable funds from the public [2] and to grant credits for its own account; or (b) an electronic money institution within the meaning of Directive 2000/46/EC of the European Parliament and of the Council of 18 September 2000 on the taking up, pursuit and prudential supervision of the business of electronic money institutions [3],

— *central banks:* the national central banks of the participating Member States and the ECB,

— *money market funds:* those collective investment undertakings of which the units are, in terms of liquidity, close substitutes for deposits and which primarily invest in money market instruments and/or in MMF shares/units and/or in other transferable debt instruments with a residual maturity of up to and including one year, and/or in bank deposits, and/or which pursue a rate of return that approaches the interest rates on money market instruments,

— *other monetary financial institutions:* other resident financial institutions which fulfil the MFI definition, irrespective of the nature of their business.

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[1] Article 1(1) of Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions (OJ L 126, 26.5.2000, p. 1). Directive as last amended by Directive 2006/29/EC (OJ L 70, 9.3.2006, p. 50), and as it may be amended from time to time.

[2] Including the proceeds arising from the sale of bank bonds to the public.

[3] OJ L 275, 27.10.2000, p. 39. Directive as it may be amended from time to time.

Banking institutions located outside the Member States are referred to as 'banks' rather than as MFIs. Similarly, the term 'non-MFI' refers only to the Member States; for other countries the term 'non-banks' is appropriate. 'Non-MFIs' comprise the following sectors and subsectors:

— *general government:* resident units which are principally engaged in the production of non-market goods and services, intended for individual and collective consumption and/or in the redistribution of national income and wealth (the ESA 95, paragraphs 2.68 to 2.70),

— *central government:* administrative departments of the State and other central agencies whose competence extends over the whole economic territory, except for the administration of social security funds (the ESA 95, paragraph 2.71),

— *state government:* separate institutional units exercising some of the functions of government at a level below that of central government and above that of local government, except for the administration of social security funds (the ESA 95, paragraph 2.72),

— *local authorities:* public administration whose competence extends only to a local part of the economic territory, excluding local agencies of social security funds (the ESA 95, paragraph 2.73),

— *social security funds:* central, state and local institutional units whose principal activity is to provide social benefits (the ESA 95, paragraph 2.74).

The other resident sectors, i.e. non-MFI residents other than the general government, comprise:

— *other financial intermediaries + financial auxiliaries:* non-monetary financial corporations and quasi-corporations (excluding insurance corporations and pension funds) principally engaged in financial intermediation by incurring liabilities in forms other than currency, deposits and/or close substitutes for deposits from institutional units other than MFIs (the ESA 95, paragraphs 2.53 to 2.56). Also included are financial auxiliaries consisting of all financial corporations and quasi-corporations that are principally engaged in auxiliary financial activities (the ESA 95, paragraphs 2.57 to 2.59),

— *insurance corporations and pension funds:* non-monetary financial corporations and quasi-corporations principally engaged in financial intermediation as the consequence of the pooling of risks (the ESA 95, paragraphs 2.60 to 2.67),

— *non-financial corporations:* corporations and quasi-corporations not engaged in financial intermediation but principally in the production of market goods and non-financial services (the ESA 95, paragraphs 2.21 to 2.31),

— *households:* individuals or groups of individuals as consumers, and producers of goods and non-financial services exclusively for their own final consumption, and as producers of market goods and non-financial and financial services provided that their activities are not those of quasi-corporations. Included are non-profit institutions which serve households and which are principally engaged in the production of non-market goods and services intended for particular groups of households (the ESA 95, paragraphs 2.75 to 2.88).

For the sector classification of non-MFI counterparties located outside the domestic territory, further guidance may be found in the ECB's Money and Banking Statistics Sector Manual.

Definitions of instrument categories

Definitions of the categories of assets and liabilities take account of the features of different financial systems. Certain categories of assets and liabilities are broken down according to their maturity at issue. Maturity at issue (original maturity) refers to the fixed period of life of a financial instrument before which it cannot be redeemed (e.g. debt securities) or before which it can be redeemed only with some kind of penalty (e.g. some types of deposits). The period of notice corresponds to the time between the moment the holder gives notice of an intention to redeem the instrument and the date on which the holder is allowed to convert it into cash without incurring a penalty. Financial instruments are classified according to the period of notice only when there is no agreed maturity.

The following tables provide a detailed standard description of the instrument categories, which NCBs transpose into categories applicable at the national level in accordance with this Regulation [1].

[1] In other words, these tables are not lists of individual financial instruments.

Detailed description of instrument categories of the monthly aggregated balance sheet

ASSET CATEGORIES

Category	Description of main features
1. Cash	Holdings of euro and foreign banknotes and coins in circulation that are commonly used to make payments
2. Loans	For the purposes of the reporting scheme, this consists of funds lent by reporting agents to borrowers, which are not evidenced by documents or are represented by a single document (even if it has become negotiable). It includes assets in the form of deposits — deposits placed with MFIs — bad debt loans that have not yet been repaid or written off Bad debt loans are considered to be loans in respect of which repayment is overdue or otherwise identified as being impaired. NCBs define whether bad loans are to be recorded gross or net of provisions — holdings of non-negotiable securities Holdings of securities other than shares and other equity which are not negotiable and cannot be traded on secondary markets, see also 'traded loans' — traded loans Loans that have de facto become negotiable are to be classified under the asset item 'loans' provided that they continue to be evidenced by a single document and are, as a general rule, only traded occasionally — subordinated debt in the form of deposits or loans Subordinated debt instruments provide a subsidiary claim on the issuing institution that can only be exercised after all claims with a higher status (e.g. deposits/loans) have been satisfied, giving them some of the characteristics of 'shares and other equity'. For statistical purposes, subordinated debt is to be treated according to the nature of the financial instrument, i.e. classified as either 'loans' or 'securities other than shares'. Where POGI holdings of all forms of subordinated debt are currently identified as a single figure for statistical purposes, this figure is to be classified under the item 'securities other than shares', on the grounds that subordinated debt is predominately constituted in the form of securities, rather than as loans — claims under reverse repos Counterpart of cash paid out in exchange for securities purchased by reporting agents The following item is **not** treated as a loan: — loans granted on a trust basis Loans granted on a trust basis ('trust loans'/'fiduciary loans') are loans made in the name of one party ('the trustee') on behalf of a third party ('the beneficiary'). For statistical purposes, trust loans are not to be recorded on the balance sheet of the trustee where the risks and rewards of ownership of the funds remain with the beneficiary. The risks and rewards of ownership remain with the beneficiary where: (i) the beneficiary assumes the credit risk of the loan (i.e. the trustee is responsible only for the administrative management of the loan); or (ii) the beneficiary's investment is guaranteed against loss, should the trustee go into liquidation (i.e. the trust loan is not part of the assets of the trustee that can be distributed in the event of bankruptcy)

Category	Description of main features
3. Securities other than shares	Holdings of securities other than shares or other equity, which are negotiable and usually traded on secondary markets or can be offset on the market, and which do not grant the holder any ownership rights over the issuing institution. This item includes: — holdings of securities which give the holder the unconditional right to a fixed or contractually determined income in the form of coupon payments and/or a stated fixed sum at a specific date (or dates) or starting from a date defined at the time of issue — negotiable loans that have been restructured into a large number of identical documents and that can be traded on secondary markets (see also 'traded loans' in category 2) — subordinated debt in the form of debt securities (see also 'subordinated debt in the form of deposits or loans' in category 2) — in order to maintain consistency with the treatment of repo-type operations, securities lent out under securities lending operations remain on the original owner's balance sheet (and are not to be transferred to the balance sheet of the temporary acquirer) where there is a firm commitment to reverse the operation (and not simply an option to do so)
3a. Securities other than shares of up to and including one year's original maturity	— Holdings of negotiable debt securities (evidenced or not by documents) of original maturity of up to and including one year — Negotiable loans of original maturity of up to and including one year that are restructured into a large number of identical documents and that are traded on secondary markets — Subordinated debt in the form of debt securities of original maturity of up to and including one year
3b. Securities other than shares of over one year and up to and including two years' original maturity	— Holdings of negotiable debt securities (evidenced or not by documents) of over one year and up to and including two years' original maturity — Negotiable loans of over one year and up to and including two years' original maturity that are restructured into a large number of identical documents and that are traded on secondary markets — Subordinated debt in the form of debt securities of over one year and up to and including two years' original maturity
4. Money market fund shares/ units	This asset item includes holdings of shares/units issued by MMFs. MMFs are collective investment undertakings the shares/units of which are, in terms of liquidity, close substitutes for deposits, and which primarily invest in money market instruments and/or in MMF shares/units and/or in other transferable debt instruments with a residual maturity of up to and including one year, and/or in bank deposits, and/or which pursue a rate of return that approaches the interest rates of money market instruments

LIABILITY CATEGORIES

Category	Description of main features
9. Deposits	Amounts owed to creditors by reporting agents, other than those arising from the issue of negotiable securities. For the purposes of the reporting scheme, this category is broken down into overnight deposits, deposits with agreed maturity, deposits redeemable at notice and repurchase agreements 'Deposits' also cover 'loans' as liabilities of MFIs. In conceptual terms, loans represent amounts received by POGIs that are not structured in the form of 'deposits'. The ESA 95 distinguishes between 'loans' and 'deposits' on the basis of the party that takes the initiative (if this is the borrower, then it constitutes a loan, but if this is the lender, then it constitutes a deposit), although in practice the relevance of this distinction will vary according to the national financial structure. Within the reporting scheme, 'loans' are not recognised as a separate category on the liabilities side of the balance sheet. Instead, balances that are considered as 'loans' are to be classified indistinguishably under the item 'deposit liabilities', unless they are represented by negotiable instruments. This is in line with the definition of 'deposit liabilities' above Non-negotiable debt instruments issued by reporting agents are generally to be classified as 'deposit liabilities'. Instruments may be referred to as being 'non-negotiable' in the sense that there are restrictions on the transfer of legal ownership of the instrument that means that they cannot be marketed or, although technically negotiable, they cannot be traded owing to the absence of an organised market. Non-negotiable instruments issued by reporting agents that subsequently become negotiable and that can be traded on secondary markets should be reclassified as 'debt securities' Margin deposits (margins) made under derivative contracts should be classified as 'deposit liabilities', where they represent cash collateral deposited with POGIs and where they remain in the ownership of the depositor and are repayable to the depositor when the contract is closed out. On the basis of current market practice, it is also suggested that margins received by the reporting agent should only be classified as 'deposit liabilities' to the extent that the POGI is provided with funds that are freely available for on-lending. Where a part of the margin received by the POGI has to be passed to another derivatives market participant (e.g. the clearing house), only that part which remains at the disposal of the POGI should in principle be classified as 'deposit liabilities'. The complexities of current market practice may make it difficult to identify those margins that are truly repayable, because different types of margin are placed indistinguishably within the same account, or those margins that provide the POGI with resources for on-lending. In these cases, it is acceptable to classify these margins under 'remaining liabilities' or as 'deposit liabilities', according to national practice 'Earmarked balances related to e.g. leasing contracts' are classified as deposit liabilities under 'deposits with agreed maturity' or 'deposits redeemable at notice' depending on the maturity/provisions of the underlying contract Funds (deposits) received on a trust basis are not to be recorded on the POGI statistical balance sheet (see 'Loans granted on a trust basis' under category 2)
9.1. Overnight deposits	Deposits which are convertible into currency and/or which are transferable on demand by cheque, banker's order, debit entry or similar means, without significant delay, restriction or penalty. Balances representing prepaid amounts in the context of electronic money, either in the form of 'hardware based' e-money (e.g. prepaid cards) or 'software based' e-money, issued by POGIs are included under this item. This item excludes non-transferable deposits which are technically withdrawable on demand but which are subject to significant penalties — balances (interest-bearing or not) which are transferable by cheque, banker's order, debit entry or the like, without any significant penalty or restriction — balances (interest-bearing or not) which are immediately convertible into currency on demand or by close of business on the day following that on which the deposit was made, without any significant penalty or restriction, but which are not transferable — balances (interest-bearing or not) representing prepaid amounts in the context of 'hardware-based' (e.g. prepaid cards) or 'software-based' e-money — loans to be repaid by close of business on the day following that on which the loan was granted
9.2. Deposits with agreed maturity	Non-transferable deposits which cannot be converted into currency before an agreed fixed term or that can only be converted into currency before that agreed term provided that the holder is charged some kind of penalty. This item also includes administratively regulated savings deposits where the maturity related criterion is not relevant (classified in the maturity band 'over two years'). Financial products with roll-over provisions must be classified according to the earliest maturity. Although deposits with agreed maturity may feature the possibility of earlier redemption after prior notification, or may be redeemable on demand subject to certain penalties, these features are not considered to be relevant for classification purposes

Category	Description of main features
9.2a. Deposits of up to and including one year's agreed maturity	— Balances placed with a fixed term to maturity of no more than one year (excluding deposits with an original maturity of one day) that are non-transferable and cannot be converted into currency before that maturity — Balances placed with a fixed term to maturity of no more than one year that are non-transferable but can be redeemed before that term after prior notification; where notification has been given, these balances should be classified in 9.3a — Balances placed with a fixed term to maturity of no more than one year that are non-transferable but can be redeemed on demand subject to certain penalties — Margin payments made under derivative contracts to be closed out within one year, representing cash collateral placed to protect against credit risk but remaining in the ownership of the depositor and being repayable to the depositor when the contract is closed out — Loans evidenced by a single document of up to and including one year's original maturity — Non-negotiable debt securities issued by POGIs (evidenced or not by documents) of original maturity of up to and including one year — Subordinated debt issued by POGIs in the form of deposits or loans of original maturity of up to and including one year
9.2b. Deposits of over one year and up to and including two years' agreed maturity	— Balances placed with a fixed term to maturity of between one and two years that are non-transferable and cannot be converted into currency before that maturity — Balances placed with a fixed term to maturity of between one and two years that are non-transferable but can be redeemed before that term after prior notification; where notification has been given, these balances should be classified in 9.3a — Balances placed with a fixed term to maturity of between one and two years that are non-transferable but can be redeemed on demand subject to certain penalties — Margin payments made under derivative contracts to be closed out within between one and two years, representing cash collateral placed to protect against credit risk but remaining in the ownership of the depositor and being repayable to the depositor when the contract is closed out — Loans evidenced by a single document of between one and two years' original maturity — Non-negotiable debt securities issued by POGIs (evidenced or not by documents) of original maturity of over one year and up to and including two years — Subordinated debt issued by POGIs in the form of deposits or loans of original maturity of over one year and up to and including two years
9.3. Deposits redeemable at notice	Non-transferable deposits without any agreed maturity which cannot be converted into currency without a period of prior notice, before the term of which the conversion into cash is not possible or possible only with a penalty. They include deposits which, although perhaps legally withdrawable on demand, would be subject to penalties and restrictions according to national practice (classified in the maturity band 'up to and including three months'), and investment accounts without period of notice or agreed maturity, but which contain restrictive drawing provisions (classified in the maturity band 'over three months')
9.3a. Deposits redeemable at up to and including three months notice	— Balances placed without a fixed maturity that can be withdrawn only subject to a pre-announcement of up to and including three months; if redemption prior to that notice period (or even on demand) is possible, it involves the payment of a penalty — Non-transferable sight savings deposits and other types of retail deposits which, although legally redeemable on demand, are subject to significant penalties — Balances placed with a fixed term to maturity that are non-transferable but that have been subject to a notification of less than three months for an earlier redemption

ANNEX III

MINIMUM STANDARDS TO BE APPLIED BY THE ACTUAL REPORTING POPULATION

Reporting agents must fulfil the following minimum standards to meet the ECB's statistical reporting requirements.

1. **Minimum standards for transmission**

(a) Reporting to the NCBs must be timely and within the deadlines set by them;

(b) statistical reports must take the form and format from the technical reporting requirements set by the NCBs;

(c) the contact person(s) within the reporting agent must be identified;

(d) the technical specifications for data transmission to NCBs must be followed.

2. **Minimum standards for accuracy**

(e) The statistical information must be correct:

— all linear constraints must be fulfilled (e.g. subtotals must add up to totals);

— data must be consistent across frequencies;

(f) reporting agents must be able to provide information on the developments implied by the data supplied;

(g) all statistical information must be complete: gaps should be acknowledged, explained to NCBs and, where applicable, bridged as soon as possible;

(h) the statistical information must not contain continuous and structural gaps;

(i) reporting agents must follow the dimensions and decimals set by the NCBs for the technical transmission of the data;

(j) reporting agents must follow the rounding policy set by the NCBs for the technical transmission of the data.

3. **Minimum standards for conceptual compliance**

(k) The statistical information must comply with the definitions and classifications contained in this Regulation;

(l) In the event of deviations from these definitions and classifications, where applicable, reporting agents must monitor on a regular basis and quantify the difference between the measure used and the measure contained in this Regulation;

(m) Reporting agents must be able to explain breaks in the data supplied compared with the previous periods' figures.

4. **Minimum standards for revisions**

(n) The revisions policy and procedures set by the ECB and the NCBs must be followed. Revisions deviating from regular revisions must be accompanied by explanatory notes.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 5 May 2006

on the signing and provisional application of the Agreement between the European Community and New Zealand on certain aspects of air services

(2006/466/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2), in conjunction with Article 300(2), first sentence of the first subparagraph thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Council authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

(2) On behalf of the Community, the Commission has negotiated an Agreement with New Zealand on certain aspects of air services hereinafter referred to as 'the Agreement' in accordance with the mechanisms and directives in the Annex to the Council Decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

(3) The Agreement should be signed and provisionally applied, subject to its possible conclusion at a later date,

HAS DECIDED AS FOLLOWS:

Article 1

The signing of the Agreement between the European Community and New Zealand on certain aspects of air services is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community subject to its conclusion.

Article 3

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.

Article 4

The President of the Council is hereby authorised to make the notification provided in Article 8(2) of the Agreement.

Done at Brussels, 5 May 2006.

For the Council
The President
K.-H. GRASSER

AGREEMENT

between the European Community and New Zealand on certain aspects of air services

THE EUROPEAN COMMUNITY,

of the one part, and

NEW ZEALAND,

of the other part,

(hereinafter referred to as the Contracting Parties)

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and New Zealand containing provisions that have been found contrary to Community law,

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between that Member State and third countries,

HAVING REGARD to the agreements between the European Community and specified third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that provisions of the bilateral air service agreements between Member States of the European Community and New Zealand, which have been found contrary to European Community law, must be brought into full conformity with it in order to establish a sound legal basis for air services between the European Community and New Zealand and to preserve the continuity of such air services,

NOTING that it is not a purpose of the European Community in this Agreement to increase the total volume of air traffic between the European Community and New Zealand, to affect the balance between Community air carriers and air carriers of New Zealand, or to amend the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

Article 1

General provisions

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community; 'Contracting Party' shall mean a contracting party to this Agreement; 'party' shall mean the contracting party to the relevant bilateral air services agreement; 'air carrier' shall also mean airline; 'territory of the European Community' shall mean territories of the Member States to which the Treaty establishing the European Community applies.

2. References in each of the Agreements listed in Annex I to nationals of the Member State that is a party to that Agreement shall be understood as referring to nationals of the Member States of the European Community.

3. References in each of the Agreements listed in Annex I to air carriers or airlines of the Member State that is a party to that Agreement shall be understood as referring to air carriers or airlines designated by that Member State.

Article 2

Designation, authorisation and revocation

1. The provisions in paragraphs 3 and 4 of this Article shall prevail over the corresponding provisions in the Articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by New Zealand, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

2. The provisions in paragraph 3 and 4 of this Article shall prevail over the corresponding provisions in the Articles listed in Annex II(a) and (b) to this Agreement respectively, in relation to the designation of air carriers by New Zealand, its authorisations and permissions granted by the Member State concerned, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

3. On receipt of such a designation, and of applications from the designated air carrier(s), in the form and manner prescribed for operating authorisations and technical permissions, the other party shall, subject to paragraphs 4 and 5 grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

(a) in the case of an air carrier designated by a Member State:

(i) the air carrier, is established, under the Treaty establishing the European Community; in the territory of the designating Member State and has a valid Operating Licence from a Member State in accordance with European Community law; and

(ii) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and

(iii) the air carrier has its principal place of business in the territory of the Member State from which it has received the operating licence; and

(iv) the air carrier is owned directly or through majority ownership and effectively controlled by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States.

(b) in the case of an air carrier designated by New Zealand:

(i) New Zealand has and maintains effective regulatory control of the air carrier; and

(ii) it has its principal place of business and place of incorporation in New Zealand.

4. Either party may refuse, revoke, suspend or limit the operating authorisation or technical permissions of an air carrier designated by the other party where:

(a) in the case of an air carrier designated by a Member State:

(i) the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating Member State or does not have a valid Operating Licence from a Member State in accordance with European Community law; or

(ii) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operator's Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or

(iii) the air carrier does not have its principal place of business in the territory of the Member State from which it has received the Operating Licence; or

(iv) the air carrier is not owned and effectively controlled directly or through majority ownership by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States; or

(v) the air carrier is already authorised to operate under a bilateral agreement between New Zealand and another Member State and New Zealand can demonstrate that, by exercising traffic rights under this Agreement on a route that includes a point in that other Member State, it would be circumventing restrictions on the traffic rights imposed by that other agreement; or

(vi) the air carrier designated holds an Air Operator's Certificate issued by a Member State and there is no bilateral air services agreement between New Zealand and that Member State and that Member State has denied traffic rights to the air carrier designated by New Zealand;

(b) in the case of an air carrier designated by New Zealand:

(i) New Zealand is not maintaining effective regulatory control of the air carrier; or

(ii) it does not have its principal place of business and place of incorporation in New Zealand.

5. In exercising its right under paragraph 4, and without prejudice to its rights under paragraph 4(a)(v) and (vi) of this Article, New Zealand shall not discriminate between air carriers of Member States on the grounds of nationality.

Article 3

Rights with regard to regulatory control

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of New Zealand under the safety provisions of the agreement between the Member State that has designated the air carrier and New Zealand shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

Article 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the Articles listed in Annex II(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the Agreements listed in Annex II(d) shall prevent Member States or New Zealand from imposing on a non-discriminatory basis taxes, levies, duties, fees or charges on fuel supplied in their respective territories for use in an aircraft of a designated air carrier of a Member State or New Zealand that operates between two points within the respective territories of the Contracting Parties.

Article 5

Tariffs

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(e).

2. The tariffs to be charged by the air carrier(s) designated by New Zealand under an agreement listed in Annex I containing a provision listed in Annex II(e) for carriage wholly within the European Community shall be subject to European Community law. European Community law is applied on a non-discriminatory basis.

3. The tariffs to be charged by the air carriers designated by Member States under an Agreement listed in Annex 1 containing a provision listed in Annex II(e) for carriage wholly within New Zealand shall be subject to New Zealand law. New Zealand law is applied on a non discriminatory basis.

Article 6

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 7

Revision or amendment

The Contracting Parties may, at any time, revise or amend this Agreement by mutual consent.

Article 8

Entry into force

1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.

2. Notwithstanding paragraph 1, the Contracting Parties agree to apply this Agreement provisionally from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.

3. Agreements and other arrangements between Member States and New Zealand which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b). This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.

Article 9

Termination

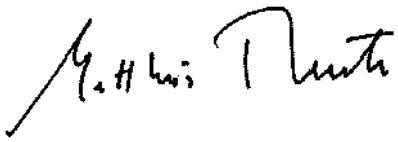
1. In the event that an agreement listed in Annex I is terminated, all provisions of this Agreement that relate to the agreement listed in Annex I concerned shall terminate at the same time.

2. In the event that all agreements listed in Annex I are terminated, this Agreement shall terminate at the same time.

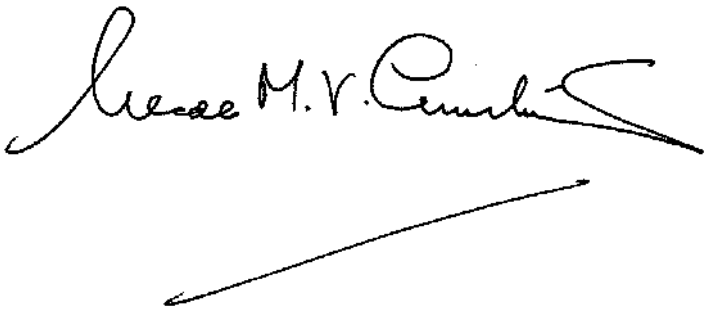
IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at Brussels in duplicate, on this twenty-first day of June in the year two thousand and six, in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, and Swedish languages. In the case of divergence the English text shall prevail over the other language texts.

Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
Az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
För Europeiska gemenskapen



Por Nueva Zelanda
Za Nový Zéland
For New Zealand
Für Neuseeland
Uus-Meremaa nimel
Για τη Νέα Ζηλανδία
For New Zealand
Pour la Nouvelle-Zélande
Per la Nuova Zelanda
Jaunzēlandes vārdā
Naujosios Zelandijos vardu
Új-Zéland részéről
Għan-New Zealand
Voor Nieuw-Zeeland
W imieniu Nowej Zelandii
Pela Nova Zelândia
Za Nový Zéland
Za Novo Zelandijo
Uuden-Seelannin puolesta
För Nya Zeeland



ANNEX I

List of Agreements referred to in Article 1 of this Agreement

(a) Air services agreements between New Zealand and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally:

— Air Transport Agreement between the Austrian Federal Government and the Government of New Zealand done at Vienna on 14 March 2002; (hereinafter referred to as New Zealand-Austria Agreement),

— Agreement between the Government of the Kingdom of Belgium and the Government of New Zealand relating to Air services done at Wellington on 4 June 1999; (hereinafter referred to as New Zealand-Belgium Agreement),

— Air Services Agreement between the Kingdom of Denmark and New Zealand done at Wellington on 7 February 2001; (hereinafter referred to as New Zealand-Denmark Agreement, supplemented by the Agreement on the Cooperation between the Scandinavian Countries regarding Scandinavian Airlines System (SAS), signed at Wellington on 7 February 2001),

— Agreement between the Government of the French Republic and the Government of New Zealand relating to Air Services done at Paris on 9 November 1967; (hereinafter referred to as New Zealand-France Agreement, last modified by Exchange of Notes both dated 9 August 1971),

— Air Transport Agreement between the Federal Republic of Germany and New Zealand signed at Bonn on 2 November 1987 as amended; (hereinafter referred to as New Zealand-Germany Agreement),

— Air Services Agreement between the Government of Ireland and the Government of New Zealand done at Dublin on 27 May 1999 (hereinafter referred to as New Zealand-Ireland Agreement),

— Agreement between the Government of New Zealand and the Government of the Italian Republic concerning Air Services signed at Rome in September 2001; (hereinafter referred to as New Zealand-Italy Agreement),

— Agreement between the Government of the Grand-Duchy of Luxembourg and the Government of New Zealand on Air Services; done at Wellington on 2 November 1992 (hereinafter referred to as New Zealand-Luxembourg Agreement),

— Draft Agreement between the Government of New Zealand and the Government of the Kingdom of the Netherlands for Air Services between and beyond their respective territories as annexed to the Memorandum of Understanding signed at the Hague on 11 May 1999; (hereinafter referred to as Draft New Zealand-Netherlands Agreement),

— Air Transport Agreement between the Kingdom of Spain and New Zealand done at Madrid on 6 May 2002; (hereinafter referred to as New Zealand-Spain Agreement),

— Air Services Agreement between the Kingdom of Sweden and New Zealand; done at Wellington on 7 February 2001; (hereinafter referred to as New Zealand-Sweden Agreement, supplemented by the Agreement on the Cooperation between the Scandinavian Countries regarding Scandinavian Airlines System (SAS), signed at Wellington on 7 February 2001).

(b) Air services agreements and other arrangements initialled or signed between New Zealand and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally.

ANNEX II

List of Articles in the Agreements listed in Annex I and referred to in Articles 2 to 5 of this Agreement

(a) Designation by a Member State:

— Article 3 of the New Zealand-Austria Agreement,

— Article 4 of the New Zealand-Belgium Agreement,

— Article 3 of the New Zealand-Denmark Agreement,

— Article 3 of the New Zealand-Germany Agreement (*),

— Article 3 of the New Zealand-Ireland Agreement (*),

— Article 4 of the New Zealand-Italy Agreement (*),

— Article 3 of the New Zealand-Luxembourg Agreement (*),

— Article 4 of the Draft New Zealand-Netherlands Agreement (*),

— Article 3 of the New Zealand-Spain Agreement,

— Article 3 of the New Zealand-Sweden Agreement.

(b) Refusal, revocation, suspension or limitation of authorisation or permissions:

— Article 4 of the New Zealand-Austria Agreement,

— Article 5 of the New Zealand-Belgium Agreement,

— Article 4 of the New Zealand-Denmark Agreement,

— Article 8 of the New Zealand-France Agreement (*),

— Article 4 of the New Zealand-Germany Agreement (*),

— Article 4 of the New Zealand-Ireland Agreement (*),

— Article 5 of the New Zealand-Italy Agreement (*),

— Article 4 of the New Zealand-Luxembourg Agreement (*),

— Article 5 of the Draft New Zealand-Netherlands Agreement (*),

— Article 4 of the New Zealand-Spain Agreement,

— Article 4 of the New Zealand-Sweden Agreement.

(c) Regulatory control:

— Article 6 of the New-Zealand-Austria Agreement,

— Article 7 of the New Zealand-Belgium Agreement,

— Article 13 of the New Zealand-Denmark Agreement,

— Article 11a of the New Zealand-Germany Agreement,

— Article 6 of the New Zealand-Ireland Agreement,

— Article 11 of the New Zealand-Italy Agreement,

— Article 6 of the New Zealand-Luxembourg Agreement,

— Article 12 of the Draft New Zealand-Netherlands Agreement,

— Article 11 of the New Zealand-Spain Agreement,

— Article 13 of the New Zealand-Sweden Agreement.

(*) Article 2(2) of this Agreement does not apply to these provisions.

(d) Taxation of aviation fuel:

— Article 7 of the New Zealand-Austria Agreement,

— Article 10 of the New Zealand-Belgium Agreement,

— Article 5 of the New Zealand-Denmark Agreement,

— Article 6 of the New Zealand-France Agreement,

— Article 6 of the New Zealand-Germany Agreement,

— Article 9 of the New Zealand-Ireland Agreement,

— Article 6 of the New Zealand-Italy Agreement,

— Article 8 of the New Zealand-Luxembourg Agreement,

— Article 10 of the Draft New Zealand-Netherlands Agreement,

— Article 5 of the New Zealand-Spain Agreement,

— Article 5 of the New Zealand-Sweden Agreement.

(e) Tariffs for carriage within the European Community:

— Article 11 of the New Zealand-Austria Agreement,

— Article 13 of the New Zealand-Belgium Agreement,

— Article 9 of the New Zealand-Denmark Agreement,

— Article 10 of the New Zealand-France Agreement,

— Article 10 of the New Zealand-Germany Agreement,

— Article 12 of the New Zealand–Ireland Agreement,

— Article 8 of the New Zealand-Italy Agreement,

— Article 10 of the New Zealand-Luxembourg Agreement,

— Article 6 of the Draft New Zealand-Netherlands Agreement,

— Article 7 of the New Zealand-Spain Agreement,

— Article 9 of the New Zealand-Sweden Agreement.

ANNEX III

List of other States referred to in Article 2 of this Agreement

(a) The Republic of Iceland (under the Agreement on the European Economic Area);

(b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);

(c) The Kingdom of Norway (under the Agreement on the European Economic Area);

(d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL DECISION

of 21 November 2005

concerning the conclusion of the Agreement between the European Union and the Republic of Iceland on security procedures for the exchange of classified information

(2006/467/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 24 and 38 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

(1) At its meeting on 27 and 28 November 2003, the Council decided to authorise the Presidency, assisted by the Secretary-General/High Representative for the Common Foreign and Security Policy (SG/HR), to open negotiations in accordance with Articles 24 and 38 of the Treaty on European Union with certain third states, in order for the European Union to conclude with each of them an Agreement on security procedures for the exchange of classified information.

(2) Following this authorisation to open negotiations, the Presidency, assisted by the SG/HR, negotiated an Agreement with the Republic of Iceland on security procedures for the exchange of classified information.

(3) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Union and the Republic of Iceland on security procedures for the exchange of classified information is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Union.

Article 3

This Decision shall take effect on the date of its adoption.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 21 November 2005.

For the Council
The President
J. STRAW

AGREEMENT

between the Republic of Iceland and the European Union on security procedures for the exchange of classified information

THE REPUBLIC OF ICELAND,

of the one part, and

THE EUROPEAN UNION, hereafter referred to as 'the EU', represented by the Presidency of the Council of the European Union,

of the other part,

hereafter referred to as the 'Parties',

CONSIDERING THAT the Republic of Iceland and the EU share the objectives of strengthening their own security in all ways and to provide their citizens with a high level of safety within an area of security,

CONSIDERING THAT the Republic of Iceland and the EU agree that consultations and cooperation should be developed between them on questions of common interest relating to security,

CONSIDERING THAT, in this context, a permanent need therefore exists to exchange classified information between the Republic of Iceland and the EU,

RECOGNISING THAT full and effective consultation and cooperation may require access to Iceland and EU classified information and material, as well as the exchange of classified information and related material between the Republic of Iceland and the EU,

CONSCIOUS THAT such access to, and exchange of, classified information and related material require appropriate security measures,

HAVE AGREED AS FOLLOWS:

Article 1

In order to fulfil the objectives of strengthening the security of each of the Parties in all ways, this Agreement shall apply to classified information or material in any form either provided or exchanged between the Parties.

Article 2

For the purposes of this Agreement, classified information shall mean any information (namely, knowledge that can be communicated in any form) or material determined to require protection against unauthorised disclosure and which has been so designated by a security classification (hereafter classified information).

Article 3

For the purposes of this Agreement, 'EU' shall mean the Council of the European Union (hereafter Council), the Secretary-General/High Representative and the General Secretariat of the Council, and the Commission of the European Communities (hereafter European Commission).

Article 4

Each Party shall:

(a) protect and safeguard classified information subject to this Agreement provided or exchanged by the other Party;

(b) ensure that classified information subject to this Agreement provided or exchanged keeps the security classification given to it by the providing Party. The receiving Party shall protect and safeguard the classified information according to the provisions set out in its own security regulations for information or material holding an equivalent security classification, as specified in the Security Arrangements to be established pursuant to Articles 11 and 12;

(c) not use such classified information subject to this Agreement for purposes other than those established by the originator and those for which the information is provided or exchanged;

(d) not disclose such classified information subject to this Agreement to third parties, or to any EU institution or entity not mentioned in Article 3, without the prior consent of the originator.

Article 5

1. Classified information may be disclosed or released, in accordance with the principle of originator control, by one Party, 'the providing Party', to the other Party, 'the receiving Party'.

2. For release to recipients other than the Parties to this Agreement, a decision on disclosure or release of classified information shall be made by the receiving Party following the consent of the providing Party, in accordance with the principle of originator control as defined in its security regulations.

3. In implementing paragraphs 1 and 2, no generic release shall be possible unless procedures are established and agreed between the Parties regarding certain categories of information, relevant to their operational requirements.

Article 6

Each of the Parties, and entities thereof as defined in Article 3, shall have a security organisation and security programmes, based upon such basic principles and minimum standards of security which shall be implemented in the security systems of the Parties to be established pursuant to Articles 11 and 12, to ensure that an equivalent level of protection is applied to classified information subject to this Agreement.

Article 7

1. The Parties shall ensure that all persons who, in the conduct of their official duties require access, or whose duties or functions may afford access, to classified information provided or exchanged under this Agreement are appropriately security cleared before they are granted access to such information.

2. The security clearance procedures shall be designed to determine whether an individual can, taking into account his or her loyalty, trustworthiness and reliability, have access to classified information.

Article 8

The parties shall provide mutual assistance with regard to security of classified information subject to this Agreement and matters of common security interest. Reciprocal security consultations and inspections shall be conducted by the authorities as defined in Article 11 to assess the effectiveness of the Security Arrangements within their respective responsibility to be established pursuant to Articles 11 and 12.

Article 9

1. For the purpose of this Agreement:

(a) As regards the EU:

all correspondence shall be sent to the Council at the following address:

Council of the European Union

Chief Registry Officer
Rue de la Loi/Wetstraat 175
B-1048 Brussels

All correspondence shall be forwarded by the Chief Registry Officer of the Council to the Member States and to the European Commission subject to paragraph 2.

(b) As regards The Republic of Iceland:

all correspondence shall be addressed to the Director of the Political Department of the Ministry for Foreign Affairs of the Republic of Iceland and forwarded, where appropriate, via the Mission of Iceland to the European Union, at the following address:

Mission of Iceland to the European Union

Registry Officer
Rond Point Schuman 11
B-1040 Brussels

2. Exceptionally, correspondence from one Party which is only accessible to specific competent officials, organs or services of that Party may, for operational reasons, be addressed and only be accessible to specific competent officials, organs or services of the other Party specifically designated as recipients, taking into account their competencies and according to the need to know principle. As far as the EU is concerned, this correspondence shall be transmitted through the Chief Registry Officer of the Council.

Article 10

The Permanent Secretary of State of the Ministry for Foreign Affairs of the Republic of Iceland and the Secretaries-General of the Council and of the European Commission shall oversee the implementation of this Agreement.

Article 11

In order to implement this Agreement:

1. The Ministry for Foreign Affairs of the Republic of Iceland, acting in the name of the Government of the Republic of Iceland and under its authority, shall be responsible for developing security arrangements for the protection and safeguarding of classified information provided to the Republic of Iceland under this Agreement.

2. The General Secretariat of the Council Security Office (hereafter GSC Security Office), under the direction and on behalf of the Secretary-General of the Council, acting in the name of the Council and under its authority shall be responsible for developing Security Arrangements for the protection and safeguarding of classified information provided to the EU under this Agreement.

3. The European Commission Security Directorate, acting in the name of the European Commission and under its authority, shall be responsible for developing Security Arrangements for the protection of classified information provided or exchanged under this Agreement within the European Commission and its premises.

Article 12

The Security Arrangements to be established pursuant to Article 11 in agreement between the three responsible security authorities concerned will lay down the standards of the reciprocal security protection for classified information subject to this Agreement. For the EU, these standards shall be subject to approval by the Council Security Committee.

Article 13

The responsible security authorities defined in Article 11 shall establish procedures to be followed in the case of proven or suspected compromise of classified information subject to this Agreement.

Article 14

Prior to the provision of classified information subject to this Agreement between the Parties, the responsible security authorities defined in Article 11 must agree that the receiving Party is able to protect and safeguard the information subject to this Agreement in a way consistent with the arrangements to be established pursuant to Articles 11 and 12.

Article 15

This Agreement shall in no way prevent the Parties from concluding other agreements relating to the provision or exchange of classified information subject to this Agreement provided that they do not conflict with the provisions of this Agreement.

Article 16

All differences between the EU and the Republic of Iceland arising out of the interpretation or application of this Agreement shall be dealt with by negotiation between the Parties.

Article 17

1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal procedures necessary for this purpose.

2. This Agreement may be reviewed for consideration of possible amendments at the request of either Party.

3. Any amendment to this Agreement shall only be made in writing and by common agreement of the Parties. It shall enter into force upon mutual notification as provided under paragraph 1.

Article 18

This Agreement may be denounced by one Party by written notice given to the other Party. Such denunciation shall take effect six months after receipt of notification by the other Party, but shall not affect obligations already contracted under the provisions of this Agreement. In particular, all classified information provided or exchanged pursuant to this Agreement shall continue to be protected in accordance with the provisions set forth herein.

IN WITNESS WHEREOF the undersigned, respectively duly authorised, have signed this Agreement.

Done at Luxembourg, this twelfth day of June two thousand and six in two copies each in the English language.

For The Republic of Iceland *For the European Union*

COUNCIL JOINT ACTION 2006/468/CFSP

of 5 July 2006

renewing and revising the mandate of the Special Representative of the European Union for Sudan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular Articles 14, 18(5) and 23(2) thereof,

Whereas

(1) On 18 July 2005 the Council adopted Joint Action 2005/556/CFSP appointing a Special Representative of the European Union for Sudan [1].

(2) The European Union has been actively involved at diplomatic and political level since the beginnings of the international efforts to contain and resolve the Darfur crisis.

(3) The Union wishes to strengthen its political role in a crisis with a multitude of local, regional and international actors and to maintain coherence between the Union's assistance to the crisis management in Darfur, led by the African Union (AU), on the one hand, and overall political relations with Sudan, including implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan Peoples Liberation Movement/Army (SPLM/A), on the other.

(4) On 5 May 2006, the Darfur Peace Agreement (DPA) was concluded in Abuja by the Government of Sudan and the Sudan Liberation Movement/Army (SLM/A). The Union will work for the full and rapid implementation of the DPA as a precondition for lasting peace and security and an end to the suffering of millions of the people in Darfur. The functions of the Special Representative of the European Union (EUSR) should take full account of the role of the EU as regards the implementation of the DPA, including in relation to the Darfur-Darfur Dialogue and Consultation process.

(5) The Union has provided a significant amount of assistance to the AU mission in the Darfur region of Sudan (AMIS) in terms of planning and management support, funding and logistics.

(6) The AU has stated the need to increase significantly the strength of AMIS in light of the additional tasks to be performed by the Mission with respect to the implementation of the DPA, implying the enhancement of AMIS in terms of additional military and civilian police personnel, logistics and overall capacity. On 15 May 2006 the Council agreed to extend the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan. Commensurate political engagement with the AU and the Government of Sudan, and specific coordination capacity, therefore continues to be required.

(7) On 31 March 2005 the UN Security Council adopted Resolution 1593(2005) on the report of the International Commission of Inquiry on violations of international humanitarian law and human rights law in Darfur.

(8) The establishment of a permanent presence in Khartoum would allow for a strengthening of the contacts of the EUSR with the Government of Sudan, the Sudanese political parties, the AMIS Mission Headquarters, the United Nations and its agencies, and diplomatic missions, as well as a closer monitoring of, and participation in, the activities of the Assessment and Evaluation Committee and related working groups or commissions. It would also make it possible to follow more closely the situation in Eastern Sudan as well as to maintain regular contacts with the Government of South Sudan and the SPLM.

(9) The mandate of the EUSR for Sudan should therefore be revised and renewed, and its duration aligned with the mandates of other EUSRs. Consequently, Joint Action 2005/556/CFSP should be repealed.

(10) The EUSR will implement his mandate in the context of a situation which may deteriorate and could harm the objectives of the CFSP as set out in Article 11 of the Treaty,

HAS ADOPTED THIS JOINT ACTION:

Article 1

The mandate of Mr Pekka HAAVISTO as European Union Special Representative (EUSR) for Sudan shall be renewed until 28 February 2007.

Article 2

The mandate of the EUSR shall be based on the policy objectives of the European Union in Sudan, notably as regards:

(a) efforts, as part of the international community and in support of the African Union (AU) and the UN, to assist the Sudanese parties, the AU and the UN to implement the Darfur Peace Agreement (DPA) as well as to facilitate the implementation of the Comprehensive Peace Agreement (CPA) and to promote South-South dialogue, with due regard to the regional ramifications of these issues and to the principle of African ownership; and

[1] OJ L 188, 20.7.2005, p. 43.

(b) ensuring maximum effectiveness and visibility of the Union's contribution to the AU mission in the Darfur region of Sudan (AMIS).

Article 3

1. In order to achieve the policy objectives the EUSR's mandate shall be to:

(a) liaise with the AU, the Government of Sudan, the Darfur armed movements and other Sudanese parties as well as non-governmental organisations and maintain close collaboration with the UN and other relevant international actors, with the aim of pursuing the Union's policy objectives;

(b) represent the Union at the Darfur-Darfur dialogue, at high-level meetings of the Joint Commission, as well as other relevant meetings as requested;

(c) represent the Union, whenever possible, at the CPA and DPA Assessment and Evaluation Commissions;

(d) follow developments regarding talks between the Government of the Sudan and the Eastern Front, and represent the Union at such talks, if requested by the parties and the mediation;

(e) ensure coherence between the Union's contribution to crisis management in Darfur and the overall political relationship of the Union with Sudan;

(f) with regard to human rights, including the rights of children and women, and the fight against impunity in Sudan, follow the situation and maintain regular contacts with the Sudanese authorities, the AU and the UN, in particular with the Office of the High Commissioner for Human Rights, the human rights observers active in the region and the Office of the Prosecutor of the International Criminal Court.

2. For the purpose of the fulfilment of his mandate, the EUSR shall, *inter alia*:

(a) maintain an overview of all activities of the Union;

(b) ensure coordination and coherence of the Union's contributions to AMIS;

(c) support the political process and activities relating to the implementation of the CPA and the DPA; and

(d) follow up and report on compliance by the Sudanese parties with the relevant UN Security Council Resolutions, notably 1556(2004), 1564(2004), 1591(2005), 1593(2005), 1672(2006) and 1679(2006).

Article 4

1. The EUSR shall be responsible for the implementation of the mandate acting under the authority and operational direction of the Secretary-General/High Representative (SG/HR). The EUSR shall be accountable to the Commission for all expenditure.

2. The Political and Security Committee (PSC) shall maintain a privileged link with the EUSR and shall be the primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political input within the framework of the mandate.

3. The EUSR shall regularly report to the PSC on the situation in Darfur, in particular on the implementation of the Darfur Peace Agreement and of the Union's assistance to AMIS, as well as on the situation in Sudan as a whole.

Article 5

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 18 July 2006 until 28 February 2007 shall be EUR 1 030 000.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the budget of the European Union with the exception that any pre-financing shall not remain the property of the Community.

3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. Expenditure shall be eligible as from 18 July 2006.

4. The Presidency, the Commission, and/or Member States, as appropriate, shall provide logistical support in the region.

Article 6

1. Within the limits of his mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting his team in consultation with the Presidency, assisted by the Secretary-General/High Representative, and in full association with the Commission. The EUSR shall inform the Presidency and the Commission of the final composition of his team.

2. Member States and institutions of the European Union may propose the secondment of staff to work with the EUSR. The remuneration of personnel who might be seconded by a Member State or an institution of the European Union to the EUSR shall be covered by the Member State or the institution of the European Union concerned respectively.

3. All A-type posts which are not covered by secondment shall be advertised as appropriate by the General Secretariat of the Council and notified to Member States and institutions of the European Union in order to recruit the bestqualified applicants.

4. The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR and the members of his staff shall be defined with the parties. Member States and the Commission shall grant all necessary support to such effect.

Article 7

1. In the coordination of the Union's contributions to AMIS, the EUSR shall be assisted by the ad hoc Coordination Cell (EUSR Office) established in Addis Ababa, acting under his authority, as referred to in Article 5(2) of Joint Action 2005/557/CFSP of 18 July 2005 on the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan [1].

2. The EUSR Office in Addis Ababa shall comprise a political advisor, a senior military advisor and a police advisor.

3. The police and military advisors in the EUSR Office shall act as advisors to the EUSR respectively regarding the police and military components of the Union's supporting action referred to in paragraph 1. In that capacity, they shall report to the EUSR.

4. The police and military advisors shall not receive instructions from the EUSR regarding the management of expenditure in relation respectively to the police and military components of the Union's supporting action referred to in paragraph 1. The EUSR shall bear no responsibility in this respect.

5. An Office of the EUSR shall be established in Khartoum, comprising a Political Advisor and the necessary administrative and logistic support staff. The Office in Khartoum shall draw on the technical expertise of the EUSR Office in Addis Ababa regarding military and police matters, whenever required.

Article 8

As a rule, the EUSR shall report in person to the SG/HR and to the PSC and may report also to the relevant Working Group. Regular written reports shall be circulated to the SG/HR, the Council and the Commission. The EUSR may report to the General Affairs and External relations Council on the recommendation of the SG/HR and the PSC.

Article 9

To ensure the consistency of the external action of the European Union, the activities of the EUSR shall be coordinated with those of the SG/HR, the Presidency and the Commission. The EUSR shall provide regular briefings to Member States' missions and Commission delegations. In the field, close liaison shall be maintained with the Presidency, the Commission and Heads of Mission who shall make best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with other international and regional actors in the field.

Article 10

The implementation of this Joint Action and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present to the SG/HR, Council and Commission a comprehensive mandate implementation report by mid-November 2006. This report shall form a basis for evaluation of this Joint Action in the relevant Working Groups and by the PSC. In the context of overall priorities for deployment, the SG/HR shall make recommendations to the PSC concerning the Council's decision on renewal, amendment or termination of the mandate.

Article 11

This Joint Action shall enter into force on the day of its adoption. It shall apply as from 18 July 2006.

Joint Action 2005/556/CFSP is hereby repealed with effect from 18 July 2006.

Article 12

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 5 July 2006.

For the Council
The President
P. LEHTOMÄKI

[1] OJ L 188, 20.7.2005, p. 46.