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## Legislation

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

# 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

(Non-legislative acts)

## DECISIONS

**COUNCIL DECISION (CFSP) 2019/535****of 29 March 2019****amending Decision (CFSP) 2015/778 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED operation SOPHIA)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 42(4) and 43(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 18 May 2015, the Council adopted Decision (CFSP) 2015/778 <sup>(1)</sup> on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED operation SOPHIA).
- (2) On 21 December 2018, the Council adopted Decision (CFSP) 2018/2055 <sup>(2)</sup>, extending Decision (CFSP) 2015/778 until 31 March 2019.
- (3) On 27 March 2019, the Political and Security Committee agreed to extend the mandate of EUNAVFOR MED operation SOPHIA until 30 September 2019.
- (4) Decision (CFSP) 2015/778 should be amended accordingly.
- (5) In accordance with Article 5 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Consequently, Denmark is not participating in the adoption of this Decision, is neither bound by it nor subject to its application, and does not participate in the financing of this operation,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision (CFSP) 2015/778 is amended as follows:

- (1) in Article 11, the following paragraph is added:

'6. For the period from 1 April 2019 to 30 September 2019, the reference amount for the common costs of EUNAVFOR MED operation Sophia shall be EUR 2 761 200. The percentage of the reference amount referred to in Article 25(1) of Decision (CFSP) 2015/528 shall be 0 % for commitments and 0 % for payments.';

<sup>(1)</sup> Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED operation SOPHIA) (OJ L 122, 19.5.2015, p. 31).

<sup>(2)</sup> Council Decision (CFSP) 2018/2055 of 21 December 2018 amending Decision (CFSP) 2015/778 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED operation SOPHIA) (OJ L 327I, 21.12.2018, p. 9).

(2) in Article 13, the second paragraph is replaced by the following:

‘EUNAVFOR MED operation SOPHIA shall end on 30 September 2019.’

*Article 2*

This Decision shall enter into force on the date of its adoption.

It shall take effect on 1 April 2019.

Done at Brussels, 29 March 2019.

*For the Council*  
*The President*  
G. CIAMBA

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**COMMISSION IMPLEMENTING DECISION (EU) 2019/536****of 29 March 2019****amending Implementing Decision 2014/908/EU as regards the lists of third countries and territories whose supervisory and regulatory requirements are considered equivalent for the purposes of the treatment of exposures in accordance with Regulation (EU) No 575/2013 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 <sup>(1)</sup>, and in particular Articles 107(4), 114(7), 115(4), 116(5) and 142(2) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/908/EU <sup>(2)</sup> lays down lists of third countries and territories whose supervisory and regulatory arrangements are found equivalent to the corresponding supervisory and regulatory arrangements applied in the Union in accordance with Regulation (EU) No 575/2013.
- (2) The Commission has conducted further assessments of the supervisory and regulatory arrangements applicable to credit institutions in third countries and territories. These assessments have enabled the Commission to evaluate the equivalence of these arrangements for the purposes of determining the treatment of the relevant categories of exposures mentioned in Articles 107, 114, 115, 116 and 142 of Regulation (EU) No 575/2013.
- (3) The equivalence has been determined by an outcome-based analysis of the third country's regulatory and supervisory arrangements which tests their ability to achieve the same general objectives as the Union's supervisory and regulatory arrangements. The objectives refer, in particular, to the stability and integrity of both the domestic and the global financial system in its entirety; the effectiveness and adequacy of protection of depositors and other consumers of financial services; the cooperation between different actors of the financial system, including regulators and supervisors; the independence and the effectiveness of supervision; and the effective implementation and enforcement of relevant internationally agreed standards. In order to achieve the same general objectives of the Union's supervisory and regulatory arrangements, the supervisory and regulatory arrangements of the third country should comply with a series of operational, organisational and supervisory standards reflecting the essential elements of the Union's supervisory and regulatory requirements applicable to relevant categories of financial institutions.
- (4) In its assessments, the Commission has considered relevant developments in the supervisory and regulatory framework since the adoption of Commission Implementing Decision (EU) 2016/2358 <sup>(3)</sup> and taken into account available sources of information, including the assessment made by the European Banking Authority, which recommended that the supervisory and regulatory frameworks applicable to credit institutions in Argentina should be considered as equivalent to the Union legal framework for the purposes of Articles 107(4), 114(7), 115(4), 116(5) and Article 142(1)(4)(b) of Regulation (EU) No 575/2013.
- (5) The Commission has concluded that Argentina has in place supervisory and regulatory arrangements which comply with a series of operational, organisational and supervisory standards reflecting the essential elements of the Union's supervisory and regulatory arrangements applicable to credit institutions. Therefore, it is appropriate to consider the supervisory and regulatory requirements applied to credit institutions located in Argentina as at least equivalent to those applied in the Union for the purposes of Articles 107(4), 114(7), 115(4), 116(5) and Article 142(1)(4)(b) of Regulation (EU) No 575/2013.

<sup>(1)</sup> OJ L 176, 27.6.2013, p. 1.

<sup>(2)</sup> Commission Implementing Decision 2014/908/EU of 12 December 2014 on the equivalence of the supervisory and regulatory requirements of certain third countries and territories for the purposes of the treatment of exposures according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 359, 16.12.2014, p. 155).

<sup>(3)</sup> Commission Implementing Decision (EU) 2016/2358 of 20 December 2016 amending Implementing Decision 2014/908/EU as regards the lists of third countries and territories whose supervisory and regulatory requirements are considered equivalent for the purposes of the treatment of exposures according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 348, 21.12.2016, p. 75).

- (6) Implementing Decision 2014/908/EU should therefore be amended to include Argentina in the relevant lists of third countries and territories whose supervisory and regulatory requirements are considered equivalent to the Union's regime for the purposes of the treatment of exposures in accordance with Regulation (EU) No 575/2013.
- (7) The lists of third countries and territories considered to be equivalent for the purposes of the relevant provisions of Regulation (EU) No 575/2013 are not exhaustive. The Commission, with the assistance of the European Banking Authority, will continue monitoring on a regular basis the evolution of the supervisory and regulatory arrangements of third countries and territories with a view to updating, as appropriate and at least every 5 years, the lists of third countries and territories set out in Decision 2014/908/EU in light, in particular, of the constant developments of supervisory and regulatory arrangements, in the Union and at global level, and taking into account new available sources of relevant information.
- (8) The regular review of the prudential and supervisory requirements applicable in the third countries and territories listed in the Annexes to Decision 2014/908/EU should be without prejudice to the possibility for the Commission to undertake a specific review relating to an individual third country or territory at any time outside the general review, where relevant developments make it necessary for the Commission to re-assess the recognition granted by Decision 2014/908/EU. Such re-assessment could lead to the withdrawal of the recognition of equivalence.
- (9) The measures provided for in this Decision are in accordance with the opinion of the European Banking Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

Implementing Decision 2014/908/EU is amended as follows:

- (1) Annex I is replaced by the text set out in Annex I to this Decision;
- (2) Annex IV is replaced by the text set out in Annex II to this Decision;
- (3) Annex V is replaced by the text set out in Annex III to this Decision.

*Article 2*

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

Done at Brussels, 29 March 2019.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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ANNEX I

'ANNEX I

**List of third countries and territories for the purposes of Article 1 (credit institutions)**

- (1) Argentina
  - (2) Australia
  - (3) Brazil
  - (4) Canada
  - (5) China
  - (6) Faroe Islands
  - (7) Greenland
  - (8) Guernsey
  - (9) Hong Kong
  - (10) India
  - (11) Isle of Man
  - (12) Japan
  - (13) Jersey
  - (14) Mexico
  - (15) Monaco
  - (16) New Zealand
  - (17) Saudi Arabia
  - (18) Singapore
  - (19) South Africa
  - (20) Switzerland
  - (21) Turkey
  - (22) USA'
-

## ANNEX II

## 'ANNEX IV

**List of third countries and territories for the purposes of Article 4 (credit institutions)**

- (1) Argentina
  - (2) Australia
  - (3) Brazil
  - (4) Canada
  - (5) China
  - (6) Faroe Islands
  - (7) Greenland
  - (8) Guernsey
  - (9) Hong Kong
  - (10) India
  - (11) Isle of Man
  - (12) Japan
  - (13) Jersey
  - (14) Mexico
  - (15) Monaco
  - (16) New Zealand
  - (17) Saudi Arabia
  - (18) Singapore
  - (19) South Africa
  - (20) Switzerland
  - (21) Turkey
  - (22) USA'
-



## ANNEX III

## 'ANNEX V

**List of third countries and territories for the purposes of Article 5 (credit institutions and investment firms)**

## Credit institutions:

- (1) Argentina
- (2) Australia
- (3) Brazil
- (4) Canada
- (5) China
- (6) Faroe Islands
- (7) Greenland
- (8) Guernsey
- (9) Hong Kong
- (10) India
- (11) Isle of Man
- (12) Japan
- (13) Jersey
- (14) Mexico
- (15) Monaco
- (16) New Zealand
- (17) Saudi Arabia
- (18) Singapore
- (19) South Africa
- (20) Switzerland
- (21) Turkey
- (22) USA

## Investment firms:

- (1) Australia
- (2) Brazil
- (3) Canada
- (4) China
- (5) Hong Kong
- (6) Indonesia
- (7) Japan (limited to Type I Financial Instruments Business Operators)
- (8) Mexico
- (9) South Korea

(10) Saudi Arabia

(11) Singapore

(12) South Africa

(13) USA'

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BEMP	Intensive dairy (*)	Extensive dairy	Intensive beef (*)	Extensive beef	Sheep	Intensive pigs (*)	Intensive poultry (*)	Extensive pig & poultry	Cereals and oils	Root crops	Field fruit & vegetables	Covered fruit & vegetables
3.5.1												
3.5.2												
3.5.3												
3.5.4												
3.6.1												
3.6.2												
3.6.3												
3.6.4												
3.6.5												
3.6.6												
3.6.7												
3.7.1												
3.7.2												
3.7.3												
3.7.4												
3.7.5												
3.7.6												
3.7.7												
3.8.1												
3.8.2												
3.8.3												
3.8.4												
3.9.1												
3.9.2												
3.10.1												
3.10.2												
3.10.3												
3.10.4												

(\*) Best practices for arable crop production may apply to areas of the farm for feed production, or to farms receiving pig and poultry manure in terms of slurry application.

**Corrigendum to Commission Implementing Decision (EU) 2019/235 of 24 January 2019 on amending Decision 2008/411/EC as regards an update of relevant technical conditions applicable to the 3 400-3 800 MHz frequency band**

*(Official Journal of the European Union L 37 of 8 February 2019)*

On page 138, in the Annex, section A 'Definitions', the fifth paragraph:

$$\text{for: } TRP \stackrel{\text{def}}{=} \frac{1}{4\pi} \int_0^{2\pi} \int_0^{\pi} P(\theta, \varphi) \sin(\theta) d\theta d\varphi$$

where  $P(\vartheta, \varphi)$  is the power radiated by an antenna array system in direction  $(\vartheta, \varphi)$  given by the formula:

$$P(\vartheta, \varphi) = P_{Tx} g(\vartheta, \varphi)$$

where  $P_{Tx}$  denotes the conducted power (measured in Watts), which is input to the array system, and  $g(\vartheta, \varphi)$  denotes the array systems directional gain along the  $(\vartheta, \varphi)$  direction.'

$$\text{read: } TRP \stackrel{\text{def}}{=} \frac{1}{4\pi} \int_0^{2\pi} \int_0^{\pi} P(\theta, \varphi) \sin(\theta) d\theta d\varphi$$

where  $P(\theta, \varphi)$  is the power radiated by an antenna array system in direction  $(\theta, \varphi)$  given by the formula:

$$P(\theta, \varphi) = P_{Tx} g(\theta, \varphi)$$

where  $P_{Tx}$  denotes the conducted power (measured in Watts), which is input to the array system, and  $g(\theta, \varphi)$  denotes the array systems directional gain along the  $(\theta, \varphi)$  direction.'

On page 139, the fourth paragraph:

*for:* 'In Tables 3, 4, and 7 the power limits are determined relative to a fixed upper limit by means of the formula  $\text{Min}(P_{Max} - A, B)$ , which sets the lower (or stricter) of two values: (1)  $(P_{Max} - A)$  expressing the maximum carrier power  $P_{Max}$  minus a relative offset A, and (2) the fixed upper limit B.'

*read:* 'In Tables 3, 4, and 7 the power limits are determined relative to a fixed upper limit by means of the formula  $\text{Min}(P_{Max} - A, B)$ , which sets the lower (or stricter) of two values: (1)  $(P_{Max} - A)$  expressing the maximum carrier power  $P_{Max}$  minus a relative offset A, and (2) the fixed upper limit B.'





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