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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1025

of 18 June 2019

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications 'Pruneaux d'Agen'/ 'Pruneaux d'Agen mi-cuits' (PGI)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ([1]), and in particular Article 52(2) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected geographical indication 'Pruneaux d'Agen'/'Pruneaux d'Agen mi-cuits', registered under Commission Regulation (EC) No 2066/2002 ([2]). These amendments include changing the name 'Pruneaux d'Agen'/'Pruneaux d'Agen mi-cuits' to 'Pruneaux d'Agen'.

(2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ([3]) as required by Article 50(2)(a) of that Regulation.

(3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Pruneaux d'Agen'/'Pruneaux d'Agen mi-cuits' (PGI) are hereby approved.

Article 2

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

([1]) OJ L 343, 14.12.2012, p. 1.
([2]) Commission Regulation (EC) No 2066/2002 of 21 November 2002 supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the Register of protected designations of origin and protected geographical indications provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (Carne de Bovino Cruzado dos Lameiros do Barroso, Pruneaux d'Agen — Pruneaux d'Agen mi-cuits, Carciofo romanesco del Lazio, Aktinidio Pierias, Milo Kastorias, Welsh Beef) (OJ L 318, 22.11.2002, p. 4).
([3]) OJ C 36, 29.1.2019, p. 5.

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

Done at Brussels, 18 June 2019.

For the Commission,

On behalf of the President,

Phil HOGAN

Member of the Commission

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1026

of 21 June 2019

on technical arrangements for developing, maintaining and employing electronic systems for the exchange of information and for the storage of such information under the Union Customs Code

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and the Council of 9 October 2013 laying down the Union Customs Code ([1]), and in particular Articles 8(1)(b) and 17 thereof,

Whereas:

(1) Article 6(1) of Regulation (EU) No 952/2013 ('the Code') requires that all exchanges of information, such as declarations, applications or decisions, between customs authorities and between economic operators and customs authorities, and the storage of that information, as required under the customs legislation, are made by using electronic data-processing techniques.

(2) Commission Implementing Decision (EU) 2016/578 ([2]) establishes the Work Programme for the implementation of the electronic systems required for the application of the Code, which are to be developed through projects listed in section II of the Annex to that Decision.

(3) Important technical arrangements for the functioning of the electronic systems should be specified, such as arrangements for development, testing and deployment as well as for maintenance and for changes to be introduced in the electronic systems. Further arrangements should be specified concerning data protection, updating of data, limitation of data processing and systems ownership and security.

(4) In order to safeguard the rights and interests of the Union, Member States and economic operators, it is important to lay down the procedural rules and provide for alternative solutions to be implemented in the event of a temporary failure of the electronic systems.

(5) The Customs Decisions system, developed through the UCC Customs Decisions project referred to in Implementing Decision (EU) 2016/578, pursues the objective of harmonising the processes for the application for a customs decision, for the decision taking and the decision management in the whole of the Union using only electronic data-processing techniques. It is therefore necessary to lay down the rules governing that electronic system. The scope of the system should be determined by reference to the customs decisions which are to be applied for, taken and managed using that system. Detailed rules should be set out for the system's common components (EU trader portal, central customs decisions management system and customer reference services) and national components (national trader portal and national customs decisions management system), by specifying their functions and their interconnections.

(6) Furthermore, rules have to be put in place concerning the data relating to authorisations that are already stored in existing electronic systems, such as the Regular Shipping Service system (RSS), and national systems and that have to be migrated to the Customs Decisions System.

(7) The Uniform User Management and Digital Signature system, developed through the Direct Trader Access to the European Information Systems (Uniform User Management & Digital Signature) project referred to in Implementing Decision (EU) 2016/578, is to manage the authentication and access verification process for economic operators and other users. Detailed rules need to be set out regarding the scope and characteristics of

([1]) OJ L 269, 10.10.2013, p. 1.
([2]) Commission Implementing Decision (EU) 2016/578 of 11 April 2016 establishing the Work Programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code (OJ L 99, 15.4.2016, p. 6).

the system by defining the different components (common and national components) of the system, their functions and interconnections. However, the 'Digital Signature' functionality is not yet available as part of the Uniform User Management and Digital Signature system. No detailed rules could therefore be laid down regarding that functionality in this Regulation.

(8) The European Binding Tariff Information (EBTI) system, as upgraded through the UCC Binding Tariff Information (BTI) project referred to in Implementing Decision (EU) 2016/578, is aimed at aligning the processes for applying for, taking and managing BTI decisions with the requirements of the Code using only electronic data-processing techniques. It is therefore necessary to lay down rules governing that system. Detailed rules should be laid down for the system's common components (EU trader portal, central EBTI system and BTI usage monitoring) and national components (national trader portal and national BTI system), by specifying their functions and interconnections. Moreover, the project aims to facilitate the monitoring of compulsory BTI usage and the monitoring and management of BTI extended usage.

(9) The Economic Operator Registration and Identification (EORI) system, as upgraded through the UCC Economic Operator Registration and Identification system (EORI 2) project referred to in Implementing Decision (EU) 2016/578, is aimed at upgrading the existing trans-European EORI system, which enables the registration and identification of economic operators of the Union and of third country economic operators and other persons for the purposes of applying the customs legislation of the Union. It is therefore necessary to lay down rules governing the system by specifying the components (central EORI system and national EORI systems) and the use of the EORI system.

(10) The Authorised Economic Operator (AEO) system, as upgraded through the UCC Authorised Economic Operator (AEO) project referred to in Implementing Decision (EU) 2016/578, is aimed at improving the business processes relating to AEO applications and authorisations and their management. The system is also aimed at implementing the electronic form to be used for AEO applications and decisions, and providing economic operators with an EU Harmonised Trader Interface (e-AEO Direct Trader Access) through which to submit AEO applications and receive AEO decisions electronically. Detailed rules should be laid down for the system's common components.

(11) Commission Implementing Regulation (EU) 2017/2089 ([3]) sets out technical arrangements for developing, maintaining and employing electronic systems for the exchange of information and for the storage of such information under the Code. That Implementing Regulation currently covers the Customs Decisions and the Uniform User Management and Digital Signature systems, which became operational in October 2017. Three other systems (EBTI, EORI and AEO) will soon become operational and, therefore, technical arrangements should also be specified for them. Given the number of changes to Implementing Regulation (EU) 2017/2089 that would be necessary, and for reasons of clarity, that Regulation should be repealed and replaced.

(12) This Regulation respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union, and notably the right to protection of personal data. Where for the purposes of the application of the customs legislation of the Union it is necessary to process personal data in the electronic systems, those data must be processed in accordance with Regulations (EU) 2016/679 ([4]) and (EU) 2018/1725 ([5]) of the European Parliament and of the Council. The personal data of economic operators and other persons processed by the electronic systems are restricted to the dataset as defined in Annex A, Title I, Chapter 1, Group 3 — Parties and Annex A, Title I, Chapter 2, Group 3 — Parties and Annex 12-01 to Commission Delegated Regulation (EU) 2015/2446 ([6]).

(13) The measures provided for in this Implementing Regulation are in accordance with the opinion of the Customs Code Committee,

([3]) Commission Implementing Regulation (EU) 2017/2089 of 14 November 2017 on technical arrangements for developing, maintaining and employing electronic systems for the exchange of information and for the storage of such information under the Union Customs Code (OJ L 297, 15.11.2017, p. 13).

([4]) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).

([5]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

([6]) Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

This Regulation shall apply to the following electronic systems as developed or upgraded through the following projects referred to in the Annex to Implementing Decision (EU) 2016/578:

(a) the Customs Decisions system (CDS), as developed through the UCC Customs Decisions project;

(b) the Uniform User Management and Digital Signature (UUM&DS) system, as developed through the Direct Trader Access to the European Information Systems (Uniform User Management & Digital Signature) project;

(c) the European Binding Tariff Information (EBTI) system, as upgraded through the UCC Binding Tariff Information (BTI) project;

(d) the Economic Operator Registration and Identification (EORI) system, as upgraded in line with the requirements of the Code through the EORI2 project;

(e) the Authorised Economic Operator (AEO) system, as upgraded in line with the requirements of the Code through the Authorised Economic Operator (AEO)project.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

(1) 'common component' means a component of the electronic systems developed at Union level, which is available to all Member States;

(2) 'national component' means a component of the electronic systems developed at national level, which is available in the Member State that created it.

Article 3

Contact points for the electronic systems

The Commission and the Member States shall designate contact points for each of the electronic systems for the purposes of exchanging information to ensure a coordinated development, operation and maintenance of those electronic systems.

They shall communicate the details of those contact points to each other and inform each other immediately of any changes to those details.

CHAPTER II

CUSTOMS DECISIONS SYSTEM

Article 4

Object and structure of the CDS

1. The CDS shall enable communication between the Commission, Member States, economic operators and other persons for the purposes of submitting and processing applications and decisions referred to in Article 5(1), as well as the management of decisions related to the authorisations, namely, amendments, revocations, annulments and suspensions.

2. The CDS shall consist of the following common components:

(a) an EU trader portal;

(b) a central customs decisions management system ('central CDMS');

(c) customer reference services.

3. Member States may create the following national components:

(a) a national trader portal;

(b) a national customs decisions management system ('national CDMS').

Article 5

Use of the CDS

1. The CDS shall be used for the purposes of submitting and processing applications for the following authorisations, as well as the management of decisions related to the applications or authorisations:

(a) authorisation for the simplification of the determination of amounts being part of the customs value of the goods, as referred to in Article 73 of the Code;

(b) authorisation for the provision of a comprehensive guarantee, including possible reduction or waiver, as referred to in Article 95 of the Code;

(c) authorisation of deferment of the payment of the duty payable, as far as the permission is not granted in relation to a single operation, as referred to in Article 110 of the Code;

(d) authorisation for the operation of temporary storage facilities, as referred to in Article 148 of the Code;

(e) authorisation to establish regular shipping services, as referred to in Article 120 of Delegated Regulation (EU) 2015/2446;

(f) authorisation for the status of authorised issuer, as referred to in Article 128 of Delegated Regulation (EU) 2015/2446;

(g) authorisation for the regular use of a simplified declaration, as referred to in Article 166(2) of the Code;

(h) authorisation for centralised clearance, as referred to in Article 179 of the Code;

(i) authorisation to lodge a customs declaration through an entry of data in the declarant's records, including for the export procedure, as referred to in Article 182 of the Code;

(j) authorisation for self-assessment, as referred to in Article 185 of the Code;

(k) authorisation for the status of an authorised weigher of bananas, as referred to in Article 155 of Delegated Regulation (EU) 2015/2446;

(l) authorisation for the use of the inward processing procedure, as referred to in Article 211(1)(a) of the Code;

(m) authorisation for the use of the outward processing procedure, as referred to in Article 211(1)(a) of the Code;

(n) authorisation for the use of the end-use procedure, as referred to in Article 211(1)(a) of the Code;

(o) authorisation for the use of the temporary admission procedure, as referred to in Article 211(1)(a) of the Code;

(p) authorisation for the operation of storage facilities for customs warehousing of goods, as referred to in Article 211(1)(b) of the Code;

(q) authorisation for the status of an authorised consignee for TIR operation, as referred to in Article 230 of the Code;

(r) authorisation for the status of an authorised consignor for Union transit, as referred to in Article 233(4)(a) of the Code;

(s) authorisation for the status of an authorised consignee for Union transit, as referred to in Article 233(4)(b) of the Code;

(t) authorisation to use of seals of a special type, as referred to in Article 233(4)(c) of the Code;

(u) authorisation to use a transit declaration with a reduced dataset, as referred to in Article 233(4)(d) of the Code;

(v) authorisation for the use of an electronic transport document as a customs declaration, as referred to in Article 233(4)(e) of the Code.

2. The common components of the CDS shall be used with respect to applications and authorisations referred to in paragraph 1, as well as the management of decisions related to those applications and authorisations where those authorisations or decisions may have an impact in more than one Member State.

3. A Member State may decide that the common components of the CDS may be used with respect to applications and authorisations referred to in paragraph 1, as well as the management of decisions related to those applications and authorisations where those authorisations or decisions have an impact only in that Member State.

4. The CDS shall not be used with respect to applications, authorisations or decisions other than those listed to in paragraph 1.

Article 6

Authentication and access to the CDS

1. The authentication and access verification of economic operators and other persons for the purposes of access to the common components of the CDS shall be effected using the Uniform User Management and Digital Signatures (UUM&DS) system referred to in Article 14.

For customs representatives to be authenticated and be able to access the common components of the CDS, their empowerment to act in that capacity must be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 18.

2. The authentication and access verification of Member States' officials for the purposes of access to the common components of the CDS shall be effected using the network services provided by the Commission.

3. The authentication and access verification of Commission's staff for the purposes of access to the common components of the CDS shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 7

EU trader portal

1. The EU trader portal shall be an entry point to the CDS for economic operators and other persons.

2. The EU trader portal shall interoperate with the central CDMS as well as with national CDMS where created by Member States.

3. The EU trader portal shall be used for applications and authorisations referred to in Article 5(1), as well as the management of decisions related to those applications and authorisations where those authorisations or decisions may have an impact in more than one Member State.

4. A Member State may decide that the EU trader portal may be used for applications and authorisations referred to in Article 5(1), as well as the management of decisions related to those applications and authorisations where those authorisations or decisions have an impact only in that Member State.

Where a Member State takes a decision to use the EU trader portal for authorisations or decisions that have an impact only in that Member State, it shall inform the Commission thereof.

Article 8

Central CDMS

1. The central CDMS shall be used by the customs authorities for processing of the applications and authorisations referred to in Article 5(1), as well as the management of decisions related to those applications and authorisations for the purposes of verifying whether the conditions for the acceptance of an application and for taking a decision are fulfilled.

2. The central CDMS shall interoperate with the EU trader portal, the customer reference services and with the national CDMS, where created by the Member States.

Article 9

Consultation between the customs authorities using the CDS

A customs authority of a Member State shall use the central CDMS when it needs to consult a customs authority of another Member State before taking a decision regarding the applications or authorisations referred to in Article 5(1).

Article 10

Customer reference services

The customer reference services shall be used for the central storage of data relating to the authorisations referred to in Article 5(1), as well as decisions related to those authorisations, and shall enable the consultation, replication and validation of those authorisations by other electronic systems established for the purposes of Article 16 of the Code.

Article 11

National trader portal

1. The national trader portal, where created, shall be an additional entry point to the CDS for economic operators and other persons.

2. With respect to applications and authorisations referred to in Article 5(1), as well as the management of decisions related to those applications and authorisations where those authorisations or decisions may have an impact in more than one Member State, economic operators and other persons may choose to use the national trader portal, where created, or the EU trader portal.

3. The national trader portal shall interoperate with the national CDMS, where created.

4. Where a Member State creates a national trader portal, it shall inform the Commission thereof.

Article 12

National CDMS

1. A national CDMS, where created, shall be used by the customs authority of the Member State which created it for processing the applications and authorisations referred to in Article 5(1), as well as the management of decisions related to those applications and authorisations for the purposes of verifying whether the conditions for the acceptance of an application and for taking a decision are fulfilled.

2. The national CDMS shall interoperate with the central CDMS for the purposes of consultation between the customs authorities as referred to in Article 9.

Article 13

Migration of data relating to authorisations to the CDS

1. The data relating to authorisations referred to in Article 5(1) where those authorisations were issued as of 1 May 2016 or granted according to Article 346 of Commission Implementing Regulation (EU) 2015/2447 ([7]) and may have an impact in more than one Member State, shall be migrated and stored in the CDS if such authorisations are valid on the date of migration. The migration shall take place by 1 May 2019 at the latest.

A Member State may decide to apply the first subparagraph also to authorisations referred to in Article 5(1) that have an impact only in that Member State.

2. The customs authorities shall ensure that the data to be migrated in accordance with paragraph 1 comply with the data requirements laid down in Annex A to Delegated Regulation (EU) 2015/2446 and Annex A to Implementing Regulation (EU) 2015/2447. For that purpose, they may request the necessary information from the holder of the authorisation.

([7]) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

CHAPTER III

UNIFORM USER MANAGEMENT AND DIGITAL SIGNATURE SYSTEM

Article 14

Object and structure of the UUM&DS system

1. The UUM&DS system shall enable the communication between the Commission and the Member States' identity and access management systems referred to in Article 18 for the purposes of providing secure authorised access to the electronic systems to the Commission's staff, economic operators and other persons.

2. The UUM&DS system shall consist of the following common components:

(a) an access management system;

(b) an administration management system;

3. A Member State shall create an identity and access management system as a national component of the UUM&DS system.

Article 15

Use of the UUM&DS system

The UUM&DS system shall be used to ensure the authentication and access verification of:

(a) economic operators and other persons for the purposes of having access to the common components of the CDS, the EBTI system and the AEO system;

(b) the Commission's staff for the purposes of having access to the common components of the CDS, the EBTI system, the EORI system and AEO system and for the purposes of maintenance and management of the UUM&DS system.

Article 16

Access management system

The Commission shall set up the access management system to validate the access requests submitted by economic operators and other persons within the UUM&DS system by interoperating with the Member States' identity and access management systems referred to in Article 18.

Article 17

Administration management system

The Commission shall set up the administration management system to manage the authentication and authorisation rules for validating the identification data of economic operators and other persons for the purposes of allowing access to the electronic systems.

Article 18

Member States' identity and access management systems

The Member States shall set up an identity and access management system to ensure:

(a) a secure registration and storage of identification data of economic operators and other persons;

(b) a secure exchange of signed and encrypted identification data of economic operators and other persons.

CHAPTER IV

EUROPEAN BINDING TARIFF INFORMATION SYSTEM

Article 19

Object and structure of the EBTI system

1. The EBTI system shall in accordance with Articles 33 and 34 of the Code enable the following:

(a) communication between the Commission, Member States, economic operators and other persons for the purposes of submitting and processing BTI applications and BTI decisions;

(b) the management of any subsequent event which may affect the original application or decision;

(c) the monitoring of the compulsory use of BTI decisions;

(d) the monitoring and management of the extended use of BTI decisions.

2. The EBTI system shall consist of the following common components:

(a) an EU trader portal;

(b) a central EBTI system;

(c) capability to monitor the usage of BTI decisions.

3. Member States may create, as a national component, a national binding tariff information system ('national BTI system') together with a national trader portal.

Article 20

Use of the EBTI system

1. The EBTI system shall be used for the submission, process, exchange and storage of information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision as referred to in Article 21(1) of Implementing Regulation (EU) 2015/2447.

2. The EBTI system shall be used to support the monitoring by the customs authorities of the compliance with the obligations resulting from the BTI in accordance with Article 21(3) of Implementing Regulation (EU) 2015/2447.

3. The EBTI system shall be used by the Commission to inform the Member States, pursuant to the third subparagraph of Article 22(2) of Implementing Regulation (EU) 2015/2447, as soon as the quantities of goods that may be cleared during a period of extended use have been reached.

Article 21

Authentication and access to the EBTI system

1. The authentication and access verification of economic operators and other persons for the purposes of access to the common components of the EBTI system shall be effected using the UUM&DS system referred to in Article 14.

For customs representatives to be authenticated and be able to access the common components of the EBTI system, their empowerment to act in that capacity must be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 18.

2. The authentication and access verification of Member States' officials for the purposes of access to the common components of the EBTI system shall be effected using the network services provided by the Commission.

3. The authentication and access verification of Commission's staff for the purposes of access to the common components of the EBTI system shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 22

EU trader portal

1. The EU trader portal shall be an entry point to the EBTI system for economic operators and other persons.

2. The EU trader portal shall interoperate with the central EBTI system and offer redirection to national trader portals where national BTI systems have been created by Member States.

3. The EU trader portal shall be used for submitting and exchanging information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision.

Article 23

Central EBTI system

1. The central EBTI system shall be used by the customs authorities to process, exchange and store information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision for the purposes of verifying whether the conditions for the acceptance of an application, and for taking a decision, are fulfilled.

2. The central EBTI system shall be used by the customs authorities for the purposes of Article 16(4), Article 17 and Article 21(2)(b) and (5) of Implementing Regulation (EU) 2015/2447.

3. The central EBTI system shall interoperate with the EU trader portal, and with the national BTI systems, where created.

Article 24

Consultation between the customs authorities using the central EBTI system

A customs authority of a Member State shall use the central EBTI system for the purposes of consulting a customs authority of another Member State in order to ensure compliance with Article 16(1) of Implementing Regulation (EU) 2015/2447.

Article 25

Monitoring of the usage of BTI decisions

The capability to monitor the usage of BTI decisions shall be used for the purposes of Article 21(3) and of the third subparagraph of Article 22(2) of Implementing Regulation (EU) 2015/2447.

Article 26

National trader portal

1. Where a Member State has created a national BTI system in accordance with Article 19(3), the national trader portal shall be the main entry point to the national BTI system for economic operators and other persons.

2. Economic operators and other persons shall use the national trader portal, where created, with respect to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision.

3. The national trader portal shall interoperate with the national BTI system, where created.

4. The national trader portal shall facilitate processes equivalent to those facilitated by the EU trader portal.

5. Where a Member State creates a national trader portal, it shall inform the Commission thereof. The Commission shall ensure that the national trader portal can be accessed directly from the EU trader portal.

Article 27

National BTI system

1. A national BTI system, where created, shall be used by the customs authority of the Member State which created it to process, exchange and store information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision, for the purposes of verifying whether the conditions for the acceptance of an application or for taking a decision are fulfilled.

2. The customs authority of a Member State shall use its national BTI system for the purposes of Article 16(4), Article 17 and Article 21(2)(b) and (5) of Implementing Regulation (EU) 2015/2447, unless it uses the central EBTI system for those purposes.

3. The national BTI system shall interoperate with the national trader portal and with the central EBTI system.

CHAPTER V

ECONOMIC OPERATOR REGISTRATION AND IDENTIFICATION SYSTEM

Article 28

Object and structure of the EORI system

The EORI system shall enable a unique registration and identification, at Union level, of economic operators and other persons.

The EORI system shall consist of the following components:

(a) a central EORI system;

(b) national EORI systems, where created by the Member States.

Article 29

Use of the EORI system

1. The EORI system shall be used for the following purposes:

(a) to receive the data for the registration of economic operators and other persons as referred to in Annex 12-01 to Delegated Regulation (EU) 2015/2446 ('EORI data') provided by the Member States;

(b) to centrally store EORI data pertaining to the registration and identification of economic operators and other persons;

(c) to make available EORI data to the Member States.

2. The EORI system shall enable, to the customs authorities, online access to the EORI data stored at central system level.

3. The EORI system shall interoperate with all the other electronic systems where the EORI number is used.

Article 30

Authentication and access to the central EORI system

1. The authentication and access verification of Member States' officials for the purposes of access to the common components of the EORI system shall be effected using the network services provided by the Commission.

2. The authentication and access verification of Commission's staff for the purposes of access to the common components of the EORI system shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 31

Central EORI system

1. The central EORI system shall be used by the customs authorities for the purposes of Article 7 of Implementing Regulation (EU) 2015/2447.

2. The central EORI system shall interoperate with the national EORI systems, where created.

Article 32

National EORI system

1. A national EORI system, where created, shall be used by the customs authority of the Member State which created it to exchange and store EORI data.

2. A national EORI system shall interoperate with the central EORI system.

CHAPTER VI

AUTHORISED ECONOMIC OPERATOR SYSTEM

Article 33

Object and structure of the AEO system

1. The AEO system shall enable communication between the Commission, Member States, economic operators and other persons for the purposes of submitting and processing AEO applications and granting of AEO authorisations as well as the management of any subsequent event which may affect the original decision as referred to in Article 30(1) of Implementing Regulation (EU) 2015/2447.

2. The AEO system shall consist of the following common components:

(a) an EU trader portal;

(b) a central AEO system.

3. Member States may create the following national components:

(a) a national trader portal;

(b) a national Authorised Economic Operator system ('national AEO system').

Article 34

Use of the AEO system

1. The AEO system shall be used for the submission, exchange, processing and storage of information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision as referred to in Article 30(1) and Article 31(1) and (4)of Implementing Regulation (EU) 2015/2447.

2. Customs authorities shall use the AEO system to fulfil their obligations under Article 31(1) and (4) of Implementing Regulation (EU) 2015/2447 and to keep record of the relevant consultations.

Article 35

Authentication and access to the central AEO system

1. The authentication and access verification of economic operators and other persons for the purposes of access to the common components of the AEO system shall be effected using the UUM&DS system referred to in Article 14.

For customs representatives to be authenticated and be able to access the common components of the AEO system, their empowerment to act in that capacity must be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 18.

2. The authentication and access verification of Member States' officials for the purposes of access to the common components of the AEO system shall be effected using the network services provided by the Commission.

3. The authentication and access verification of Commission's staff for the purposes of access to the common components of the AEO system shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 36

EU trader portal

1. The EU trader portal shall be an entry point to the AEO system for economic operators and other persons.

2. The EU trader portal shall interoperate with the central AEO system and offer redirection to the national trader portal, where created.

3. The EU trader portal shall be used for submitting and exchanging information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision.

Article 37

Central AEO system

1. The central AEO system shall be used by the customs authorities to exchange and store information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision.

2. The customs authorities shall use the central AEO system for the purposes of Articles 30 and 31 of Implementing Regulation (EU) 2015/2447.

3. The central AEO system shall interoperate with the EU trader portal and with the national AEO systems, where created.

Article 38

National trader portal

1. The national trader portal, where created, shall allow the exchange of information pertaining to AEO applications and decisions.

2. Economic operators shall use the national trader portal, where created, to exchange information with the customs authorities with respect to AEO applications and decisions.

3. The national trader portal shall interoperate with the national AEO system.

Article 39

National AEO system

1. A national AEO system, where created, shall be used by the customs authority of the Member State which created it to exchange and store information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision.

2. The national AEO system shall interoperate with the national trader portal, where created, and with the central AEO system.

CHAPTER VII

FUNCTIONING OF THE ELECTRONIC SYSTEMS AND TRAINING IN THE USE THEREOF

Article 40

Development, testing, deployment and management of the electronic systems

1. The common components shall be developed, tested, deployed and managed by the Commission. The national components shall be developed, tested, deployed and managed by the Member States.

2. The Member States shall ensure that the national components are interoperable with the common components.

Article 41

Maintenance of and changes to the electronic systems

1. The Commission shall perform the maintenance of the common components and the Member States shall perform the maintenance of their national components.

2. The Commission and the Member States shall ensure uninterrupted operation of the electronic systems.

3. The Commission may change the common components of the electronic systems to correct malfunctions, to add new functionalities or alter existing ones.

4. The Commission shall inform the Member States of changes and updates to the common components.

5. Member States shall inform the Commission of changes and updates to the national components that may have repercussions on the functioning of the common components.

6. The Commission and Member States shall make the information on the changes and updates to the electronic systems pursuant to paragraphs 4 and 5 publicly available.

Article 42

Temporary failure of the electronic systems

1. In case of a temporary failure of the electronic systems as referred to in Article 6(3)(b) of the Code, economic operators and other persons shall submit the information to fulfil the formalities concerned by the means determined by the Member States, including means other than electronic data processing techniques.

2. The customs authorities shall make sure the information submitted in accordance with paragraph 1 is made available in the respective electronic systems within 7 days of the respective electronic systems becoming available again.

3. The Commission and the Member States shall inform each other of the unavailability of the electronic systems resulting from a temporary failure.

Article 43

Training support on the use and functioning of the common components

The Commission shall support the Member States on the use and functioning of the common components of the electronic systems by providing the appropriate training material.

CHAPTER VIII

DATA PROTECTION, DATA MANAGEMENT AND THE OWNERSHIP AND SECURITY OF THE ELECTRONIC SYSTEMS

Article 44

Personal data protection

1. The personal data registered in the electronic systems shall be processed for the purposes of implementing the customs legislation having regard to the specific objectives of each of the electronic systems as set out in Article 4(1), Article 14(1), Article 19(1), Article 28 and Article 33(1) respectively.

2. In accordance with Article 62 of Regulation (EU) 2018/1725, the national supervisory authorities in the field of personal data protection and the European Data Protection Supervisor shall cooperate to ensure coordinated supervision of the processing of personal data registered in the electronic systems.

Article 45

Updating of data in the electronic systems

Member States shall ensure that the data registered at national level corresponds to the data registered in the common components and is kept up to date.

Article 46

Limitation of data access and data processing

1. The data registered in the common components of the electronic systems by a Member State may be accessed or processed by that Member State. It may also be accessed and processed by another Member State where the latter is involved in the processing of an application or the management of a decision to which the data relates.

2. The data registered in the common components of the electronic systems by an economic operator or other person may be accessed or processed by that economic operator or that person. It may also be accessed and processed by a Member State involved in the processing of an application or the management of a decision to which the data relates.

3. The data registered in the central EBTI system by a Member State may be processed by that Member State. It may also be processed by another Member State where it is involved in the processing of an application to which the data relates, including by way of a consultation in accordance with Article 24. It may be accessed by all Member States in accordance with Article 23(2).

4. The data registered in the central EBTI system by an economic operator or other person may be accessed or processed by that economic operator or that person. It may be accessed by all Member States in accordance with Article 23(2).

Article 47

System ownership

1. The Commission shall be the system owner of the common components.

2. The Member States shall be the system owners of the national components.

Article 48

System security

1. The Commission shall ensure the security of the common components. The Member States shall ensure the security of the national components.

For those purposes, the Commission and Member States shall take, at least, the necessary measures to:

(a) prevent any unauthorised person from having access to installations used for the processing of data;

(b) prevent the entry of data and any consultation, modification or deletion of data by unauthorised persons;

(c) detect any of the activities referred to in points (a) and (b);

2. The Commission and the Member States shall inform each other of any activities that might result in a breach or a suspected breach of the security of the electronic systems.

CHAPTER IX

FINAL PROVISIONS

Article 49

Assessment of the electronic systems

The Commission and the Member States shall conduct assessments of the components they are responsible for and shall in particular analyse the security and integrity of the components and the confidentiality of data processed within those components.

The Commission and the Member States shall inform each other of the assessment results.

Article 50

Repeal

Implementing Regulation (EU) 2017/2089 is repealed.

Article 51

Entry into force

This Regulation shall enter into force on the twentieth 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, 21 June 2019.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1027

of 21 June 2019

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications 'Tiroler Speck' (PGI)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ([1]), and in particular Article 52(3)(a) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission examined application sent by Austria for the approval of amendments to the specification for the protected geographical indication (henceforth PGI) 'Tiroler Speck', registered under Commission Regulation (EC) No 1065/97 ([2]).

(2) Since the amendments in question were not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ([3]) as required by Article 50(2) of Regulation (EU) No 1151/2012. This was also the first time a single document for 'Tiroler Speck' was published.

(3) Concretely, the product specification applicable when the application for amendment was sent to the Commission provided, in its labelling rules, that the protected geographical indication 'Tiroler Speck' could not be translated into any other language. The proposed amendment aimed, among other things, at allowing the use of the protected name in translation under certain circumstances.

(4) On 7 May 2018 the Commission received a notice of opposition from Italy. The related reasoned statement of opposition was received by the Commission on 5 July 2018. Italy opposed to the amendment of the labelling limitations concerning the use of translations of the protected name. On the grounds of Article 10(1)(c) of Regulation (EU) No 1151/2012, Italy claimed that the allowed use of the protected name in translation, although in conjunction with the protected name in German language, would jeopardise the existence of an entirely or partly identical name (Südtiroler Speck/Speck Alto Adige (PGI)).

(5) Finding such opposition admissible, by letter dated 16 August 2018, the Commission invited Austria and Italy to engage in appropriate consultations for a period of three months to seek agreement among themselves in accordance with their internal procedures.

(6) An agreement was reached between the parties. Austria communicated the results of the agreement to the Commission by letter of 30 August 2018. Austria and Italy agreed that the labelling rules of the product specification of the name 'Tiroler Speck' (PGI) should maintain the prohibition to use the translations of the protected name in labelling. In the light of the above, it is to conclude that, as regards the labelling rules, the agreement has superseded the application for amendment.

(7) In accordance with point 5.5 of the published amendment application, the labelling provisions of the product specification should have been replaced by the following:

'*On every unit which is packaged and ready for sale, the holding number, a batch identifier in the form of a batch number or date, and the words "Tiroler Speck PGI" must appear in this form in a prominent place and in a legible and indelible manner.*

([1]) OJ L 343, 14.12.2012, p. 1.

([2]) Commission Regulation (EC) No 1065/97, of 12 June 1997, supplementing the Annex to Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 (OJ L 156, 13.6.1997, p. 5.).

([3]) OJ C 46, 8.2.2018, p. 8.

In addition, the cut of meat used and/or the producer's region within the defined geographical area can also appear. Examples of labelling: — "Tiroler Speck PGI bacon" — "Tiroler Speck PGI made from ham" — "Tiroler Speck PGI loin Speck from the Zillertal" — "Tiroler Speck PGI made from belly pork, from the Ötztal region".

An indication in the common language of the marketing area may be used, provided that the German term "Tiroler Speck PGI" is also given.

Names, business names and private labels may also be displayed, provided that the resulting packaging is not misleading.'

(8) The justification given for these changes in the amendment application was the following:

'Detailed and comprehensive rules on labelling help to improve transparency and the information given to consumers. The use of additional information has also been regulated in order to indicate more precisely the cut of meat used and/or the producer's region within the defined geographical area, such that the regionality of the product is emphasised and a more detailed description of the product is provided by including additional information on the cuts of meat used. This provides a more accurate description of the product and more targeted information for consumers.'

(9) In accordance with the above mentioned agreement, the labelling provision of the product specification will be, instead, replaced by the following:

'On every unit which is packaged and ready for sale, the holding number, a batch identifier in the form of a batch number or date, and the name of the protected geographical indication, "Tiroler Speck", must be featured in a prominent place and in a legible and indelible manner. The name of the protected geographical indication, "Tiroler Speck", may not be translated into another language.

The term "protected geographical indication" and/or the abbreviation "PGI" must immediately follow the name of the protected geographical indication, "Tiroler Speck", and may also appear in a common language other than German, either instead of or as well as the German version.

For better information of consumers, descriptive terms for the product, including the cut of meat used ("bacon", "loin Speck", "belly Speck"; or "made from ham", "made from loin pork", "made from belly pork"), may also be used in the common language of the country in which the product is being marketed. However, these terms must be clearly separated from the protected geographical indication "Tiroler Speck". This can be achieved by separating the terms over different lines, although sufficient line spacing must be maintained. On "technical labelling", however, it may not be possible to separate the two terms by line due to space restrictions.

Without prejudice to the obligation to make a clear distinction between the protected geographical indication and the additional descriptive name, on so-called "technical labels", i.e. labels which are generally affixed to the back packaged product and ready to be marketed, it may happen that due to limited space, a separation of the two indications on different lines is not possible.

Translations of references to the region of Tyrol as the place of origin must not be added to the descriptive terms for the product.

The producer's region within the defined geographical area may also be given, but must be separate from the protected geographical indication "Tiroler Speck" and the term "protected geographical indication" and/or the abbreviation "PGI".

Names, business names and private labels may also be displayed, provided that the resulting packaging is not misleading.'

(10) The justification given for these changes in the agreement, to be considered as part of the amendment application, as amended by the agreement, is the following:

'On the one hand, it will continue to be ensured that the protected name "Tiroler Speck" is used only in its registered version. On the other hand, the requested amendment provides for additional descriptive information concerning the product as regards the cuts of meat used and the producer's region within the defined geographical area. This would result in an exhaustive and transparent information of the buyers, within the meaning of Regulation (EU) No 1169/2011, and in a more detailed information as to the protected geographical indication "Tiroler Speck". The following formulations may be mentioned as examples: "Tiroler Speck PGI — Bacon — from the Zillertal", "Tiroler Speck PGI — made from ham", "Tiroler Speck PGI Bacon."'

(11) As it complies with the provisions of Regulation (EU) No 1151/2012 and EU legislation, the content of the agreement concluded between Austria and Italy should be taken into account

(12) The single document was amended accordingly. The changes made to the single document following the agreement are not substantial and, in any event, they set back the labelling provision challenged in the opposition at the '*status quo*'. Therefore, a repetition of the scrutiny, as provided for in Article 51(4) of Regulation (EU) No 1151/2012, is not required. The consolidated version of the single document should, however, be published for information.

(13) In the light of the above, the Commission considers that the amendment should be approved as modified by the agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Tiroler Speck' (PGI), as amended in accordance with this Regulation, are hereby approved. The consolidated single document is set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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, 21 June 2019.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

'TIROLER SPECK'

EU No: PGI-AT-02162 — 8.8.2016

PDO ( ) PGI (X)

1. **Name(s)**

'Tiroler Speck'

2. **Member State or Third Country**

Austria

3. **Description of the agricultural product or foodstuff**

3.1. *Type of product*

Class 1.2. Meat products (cooked, salted, smoked, etc.)

3.2. *Description of product to which the name in (1) applies*

Tiroler Speck PGI is a traditionally artisanal cured pork product made from boneless leg, loin, belly, shoulder or neck, which is then dry-salted, seasoned with a particular blend of spices including at least juniper, black pepper and garlic, cured, cold smoked according to a region-specific process using at least 50 % beech or ash wood, and air dried. The outer colour is dark brown, and the cut surface is reddish with a white layer of fat. The smell is intensely and aromatically spicy with clear mature notes and a smoky fragrance. The taste is slightly spicy, passing from clear and recognisable smoky notes to a full meaty flavour and rounded off with a recognisable saltiness.

Physico-chemical and microbiological properties:

Water/protein ratio: max. 1,7 (tolerance + 0,2)

Salt content (NaCl): max. 5,0 % (tolerance + 1,5 % [centre] + 2,0 % [edge])

Tiroler Speck is made exclusively in the defined geographical area and is available, in its final form, either vacuum-packed or packaged in a controlled atmosphere, and either unsliced, in sections or in slices.

3.3. *Feed (for products of animal origin only) and raw materials (for processed products only)*

The cuts of meat used for Tiroler Speck PGI originate in the European Union and comprise the leg with rind, with or without topside, loin with rind, belly with rind (with or without soft bones), shoulder clod with rind, and neck without rind, all with bones removed and cut in accordance with good manufacturing practice.

3.4. *Specific steps in production that must take place in the identified geographical area*

All production steps (from salting to the final product) take place in the defined geographical area.

3.5. *Specific rules concerning slicing, grating, packaging, etc. of the product the registered name refers to*

Tiroler Speck PGI must be sliced by a specialist trained in the production of Tiroler Speck PGI, known as a '*Tiroler Speckmeister*', or be sliced under his or her supervision. During slicing, each finished batch must be given a sensory check to ensure there are no unwanted deviations in colour or taste. If there are defects (such as putrefaction, colour defects or the undesirable formation of a dry edge) immediate steps must be taken to adjust the control parameters (such as temperature, humidity or the duration of each step in the process) for the batches or units still in production. To enable this quality assurance to happen promptly, the activities for the production of packaged units of Tiroler Speck PGI are performed exclusively within the production holding or the group of holdings (i.e. a business holding with multiple sites, each performing individual stages of the production of Tiroler Speck PGI, or multiple postal addresses in the same district).

In order to avoid any detrimental effects from oxidation or drying out, or from microbiological spoilage due to mould growth, and thereby to avoid a loss of quality, the time between slicing and packaging it must be kept short, which is why packaging of Tiroler Speck PGI either unsliced, in sections or in slices, vacuum-packed or in a controlled atmosphere, must take place within the defined geographical area. However, if, due to specific arrangements, a period of storage is required before slicing begins, this must take place only in vacuum packaging or in a controlled atmosphere (initial packaging) to avoid loss of quality from further drying out or from microbiological spoilage due to mould growth. Tiroler Speck PGI is then either cut into pieces for domestic use or removed from the rind, prepared and cut into slices or made 'kitchen-ready', and either vacuum-packed or packaged in a controlled atmosphere (final packaging).

Tiroler Speck PGI can be sold unsliced to establishments within the food retail sector, provided that it is sliced in the presence of the purchaser and that this share of unsliced Tiroler Speck PGI does not exceed 10 % of the corresponding day's batch, and that, when checked as part of the slicing process (into sections, slices, cubes etc.), the remaining amount does not show any signs that the batch contains defects such as to suggest that the Speck to be sold unsliced is defective.

3.6. *Specific rules concerning labelling of the product the registered name refers to*

On every unit which is packaged and ready for sale, the holding number, a batch identifier in the form of a batch number or date, and the name of the protected geographical indication, 'Tiroler Speck', must be featured in a prominent place and in a legible and indelible manner. The name of the protected geographical indication, 'Tiroler Speck', may not be translated into another language.

The term 'protected geographical indication' and/or the abbreviation 'PGI' must immediately follow the name of the protected geographical indication, 'Tiroler Speck', and may also appear in a common language other than German, either instead of or as well as the German version.

Descriptive terms for the product, including the cut of meat used ('bacon', 'loin Speck', 'belly Speck'; or 'made from ham', 'made from loin pork', 'made from belly pork'), may also be used in the common language of the country in which the product is being marketed. However, these terms must be clearly separated from the protected geographical indication 'Tiroler Speck'. This can be achieved by separating the terms over different lines, although sufficient line spacing must be maintained. On 'technical labelling', however, it may not be possible to separate the two terms by line due to space restrictions.

Translations of references to the region of Tyrol as the place of origin must not be added to the descriptive terms for the product.

The producer's region within the defined geographical area may also be given, but must be separate from the protected geographical indication 'Tiroler Speck' and the term 'protected geographical indication' and/or the abbreviation 'PGI'.

Names, business names and private labels may also be displayed, provided that the resulting packaging is not misleading.

4. Concise definition of the geographical area

Province of Tyrol

5. Link with the geographical area

In Tyrol's mountainous landscape, which is characterised by farmland, the production of Speck as a means to preserve fresh meat has been developed and refined across many generations. Knowledge of the special recipe of spices and the traditional production method for Tiroler Speck was passed down by each generation of farmers to their children. This tradition, handed down from person to person, developed into a generally accepted standard for today's commercial Tiroler Speck production. The drying process in the clean Tyrolean mountain air, the gentle smoking process using specific spice mixes, and the use of beech or ash wood to create the smoke — all of which are necessary components of the production process — constitute a special, region-specific procedure which lends Tiroler Speck its characteristic dark brown appearance. With the exception of the '*Schopfspeck*' [neck Speck], the cut surfaces exhibit a white fat cover and the meat is a bold red colour, which darkens towards the meat side.

The unmistakeable characteristics of this product are its aromatically spicy fragrance with recognisable mature notes and its lightly spiced flavour with smoky and salty notes, all the while underpinned by the aroma of the pork. Within this broader picture, regional variations and subtle changes to the organoleptic properties are common, depending on the cultural peculiarities that have taken root in the corresponding regions and valleys of the defined geographical area. Accordingly, certain aspects of the product's typical nature, such as the taste profile or the hints of smoked wood, take on particular regional characteristics without influencing or altering the overall identity of Tiroler Speck PGI.

The traditional production method that has developed in the geographical area is based on the expertise of the producers, which has been passed down over the centuries.

The knowledge and artisanal tradition of the *Tiroler Speckmeister* ensure that the high quality of the product is preserved. The *Tiroler Speckmeister's* centuries of practical experience regarding the effects that the raw materials and climatic conditions have on the quality of the product (including knowledge of disruptive influencing factors, the causes of abnormalities, the constantly changing properties of the raw materials and environmental factors and the reciprocal effects of the production parameters) play an essential role in achieving the high standard of quality of the final product. The duration of the air-drying process is therefore measured by the *Tiroler Speckmeister* based on the current climatic conditions in the region and the size of the cut of meat. This is to ensure a careful drying process and a product of unimpaired quality with all its characteristic features (dark brown exterior colour, medium-firm to firm texture, juniper flavour with recognisable salty notes and a smoky fragrance).

The supervision of the production process by the *Tiroler Speckmeister*, who receives regular further specialist training, prevents any detrimental effects on the product and any loss of quality.

Reference to publication of the product specification

(Article 6(1), second subparagraph, of the Regulation)

https://www.patentamt.at/herkunftsangaben/tirolerspeck/

DECISIONS

COUNCIL DECISION (EU) 2019/1028

of 14 June 2019

on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council as regards trade standards applying to olive oils and olive pomace oils

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(3), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The International Agreement on Olive Oil and Table Olives, 2015 ('the Agreement') was signed on behalf of the Union in accordance with Council Decision (EU) 2016/1892 [1] on 18 November 2016 at the United Nations Headquarters in New York, subject to its conclusion at a later date. The Agreement entered into force provisionally on 1 January 2017 in accordance with Article 31(2) thereof.

(2) The Agreement was concluded on 17 May 2019 by Council Decision (EU) 2019/848 [2].

(3) Pursuant to Article 7(1) of the Agreement, the Council of Members of the International Olive Council ('Council of Members') is to adopt decisions that modify trade standards applying to olive oils and olive pomace oils.

(4) The Council of Members, during its 109th session from 17 June to 21 June 2019, is to adopt decisions modifying trade standards applying to olive oils and olive pomace oils.

(5) It is appropriate to establish the position to be taken on the Union's behalf in the Council of Members, as the decisions to be adopted will have legal effects on the Union as regards international trade with the other members of the International Olive Council (IOC) and will be capable of decisively influencing the content of Union law, namely on marketing standards concerning olive oil adopted by the Commission pursuant to Article 75 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council [3].

(6) The decisions to be adopted by the Council of Members concern the revision of a title, precision and figure margins, chromatograms, precision values and references to other documents. They have been extensively discussed between scientific and technical experts of the Commission and Member States on olive oil. They will contribute to the international harmonisation of the olive oil standards and establish a framework which will ensure fair competition in the trading of products of the olive oil sector. Those decisions should therefore be supported, and consequently amendments to Commission Regulation (EEC) No 2568/91 [4] will be required.

(7) If the adoption of those decisions by the Council of Members during its 109th session is postponed as a result of some Members not being in a position to give their approval, the position set out in the Annex to this Decision should be taken on behalf of the Union within the framework of a possible procedure for adoption by the Council of Members by exchange of correspondence, pursuant to Article 10(6) of the Agreement. The procedure for adoption by exchange of correspondence should be initiated before the next regular session of the Council of Members in November 2019.

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[1] Council Decision (EU) 2016/1892 of 10 October 2016 on the signing, on behalf of the European Union, and provisional application of the International Agreement on Olive Oil and Table Olives, 2015 (OJ L 293, 28.10.2016, p. 2).

[2] Council Decision (EU) 2019/848 of 17 May 2019 on the conclusion on behalf of the European Union of the International Agreement on Olive Oil and Table Olives, 2015 (OJ L 139, 27.5.2019, p. 1).

[3] Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

[4] Commission Regulation (EEC) No 2568/91 of 11 July 1991 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis (OJ L 248, 5.9.1991, p. 1).

(8) In order to preserve the interests of the Union, the representatives of the Union in the Council of Members should be allowed to request to postpone the adoption of decisions modifying trade standards applying to olive oils and olive pomace oils in the 109th session of the Council of Members, if new scientific or technical information presented before or during that session calls into question the position to be taken on the Union's behalf,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Council of Members during its 109th session from 17 June to 21 June 2019, or within the framework of a procedure for adoption of decisions by the Council of Members by an exchange of correspondence to be initiated before its next regular session in November 2019, as regards trade standards applying to olive oils and olive pomace oils, is set out in the Annex.

Article 2

If the position referred to in Article 1 is likely to be affected by new scientific or technical information presented before or during the 109th session of the Council of Members, the Union shall request that the adoption by the Council de Members of decisions modifying trade standards applying to olive oils and olive pomace oils be postponed until the position of the Union is established on the basis of that new information.

Article 3

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

Done at Luxembourg, 14 June 2019.

For the Council

The President

E.O. TEODOROVICI

ANNEX

The Union shall support the following amendments to the IOC methods at the 109th session of the Council of Members from 17 June to 21 June 2019, or within the framework of a procedure for adoption of decisions by the Council of Members by an exchange of correspondence to be initiated before its next regular session in November 2019:

— the revision of method COI/T.20/Doc. No 19/Rev. 5 ('Spectrophotometric investigation in the ultraviolet') by removing an absolute value and revising precision values;

— the revision of method COI/T.20/Doc. No 42-2/Rev. 3 ('Precision values of the methods of analysis adopted by the International Olive Council') by revising the precision values related to the methods COI/T.20/Doc. No 19 and COI/T.20/Doc. No 26;

— the revision of method COI/T.20/Doc. No 26/Rev.4 ('Determination of the sterol composition and content and alcoholic compounds by capillary gas chromatography') by revising the title, precision and figure margins and chromatograms.

Technical adaptations to other methods or documents of the IOC may be agreed to by the representatives of the Union in the Council of Members without further decision of the Council if those technical adaptations result from amendments referred to in the first paragraph.

COUNCIL DECISION (EU) 2019/1029

of 18 June 2019

on the position to be taken on behalf of the European Union in the relevant Committees of the United Nations Economic Commission for Europe as regards the proposals for modifications to UN Regulations Nos 14, 17, 24, 30, 44, 51, 64, 75, 78, 79, 83, 85, 90, 115, 117, 129, 138, 139, 140 and 145, as regards the proposals for modifications to Global Technical Regulations (GTRs) Nos 15 and 19, as regards the proposal for an amendment to Mutual Resolution M.R.2, as regards the proposal for one new UN Regulation, and as regards the proposals for amendments to the authorisations to develop GTRs

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) By Council Decision 97/836/EC ([1]), the Union acceded to the Agreement of the United Nations Economic Commission for Europe (UNECE) concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of those prescriptions (the 'Revised 1958 Agreement'). The Revised 1958 Agreement entered into force on 24 March 1998.

(2) By Council Decision 2000/125/EC ([2]), the Union acceded to the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles (the 'Parallel Agreement'). The Parallel Agreement entered into force on 15 February 2000.

(3) Pursuant to Article 1 of the Revised 1958 Agreement and Article 6 of the Parallel Agreement, the Administrative Committee of the Revised 1958 Agreement and the Executive Committee of the Parallel Agreement ('the relevant Committees of UNECE') may adopt, as applicable, the proposals for modifications to UN Regulations Nos 14, 17, 24, 30, 44, 51, 64, 75, 78, 79, 83, 85, 90, 115, 117, 129, 138, 139, 140 and 145, the proposals for modifications to Global Technical Regulations (GTRs) Nos 15 and 19, the proposal for an amendment to Mutual Resolution M.R.2, the proposal for one new UN Regulation, and the proposals for amendments to the authorisations to develop GTRs (the 'mega decision').

(4) The relevant Committees of UNECE, during the 178th session of the World Forum to be held between 24 and 28 June 2019, are to adopt a mega decision in relation to the administrative provisions and uniform technical prescriptions for the approval of and global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles.

(5) It is appropriate to establish the position to be taken on the Union's behalf in the relevant Committees of UNECE as regards the adoption of proposals for UN Regulations, as the UN Regulations will be binding on the Union and capable of decisively influencing the content of Union law in the field of vehicle type-approval.

(6) Directive 2007/46/EC of the European Parliament and of the Council ([3]) replaced the approval systems of the Member States with a Union approval procedure and established a harmonised framework containing administrative provisions and general technical requirements for all new vehicles, systems, components and separate technical units. That Directive incorporated regulations adopted under the Revised 1958 Agreement ('UN Regulations') in the EU type-approval system, either as requirements for type-approval or as alternatives to Union legislation. Since the adoption of Directive 2007/46/EC, UN regulations have been increasingly incorporated into Union legislation.

([1]) Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') (OJ L 346, 17.12.1997, p. 78).

([2]) Council Decision 2000/125/EC of 31 January 2000 concerning the conclusion of the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles ('Parallel Agreement') (OJ L 35, 10.2.2000, p. 12).

([3]) Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).

(7) In the light of experience and technical developments, the requirements relating to certain elements or features covered by UN Regulations Nos 17, 24, 30, 44, 64, 75, 78, 79, 83, 85, 90, 115, 117, 129, 138, 139, and 140 need to be supplemented and UN Global Technical Regulations Nos 15 and 19 need to be amended. In addition, certain provisions in UN Regulations Nos 14, 51, 83, 129 and 145, and in the UN Global Technical Regulation 15 need to be corrected. Finally, new requirements regarding the Advanced Emergency Braking System need to be adopted,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the Administrative Committee of the Revised 1958 Agreement and the Executive Committee of the Parallel Agreement during the 178th session of the World Forum to be held between 24 and 28 June 2019 shall be to vote in favour of the proposals listed in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 18 June 2019.

For the Council

The President

P. DAEA

ANNEX

Regulation No	Agenda item title	Document reference [1]
14	Proposal for Corrigendum 1 to Supplement 6 to the 07 series of amendments to UN Regulation No 14 (Safety-belt anchorages)	ECE/TRANS/WP.29/2019/56
17	Proposal for Supplement 1 to the 09 series of amendments to UN Regulation No 17 (Strength of seats)	ECE/TRANS/WP.29/2019/35
24	Proposal for Supplement 5 to the 03 series of amendments to UN Regulation No 24 (Visible pollutants, measurement of power of Compression Ignition engine (Diesel smoke))	ECE/TRANS/WP.29/2019/41
30	Proposal for Supplement 21 to the 02 series of amendments to UN Regulation No 30 (Tyres for passenger cars and their trailers)	ECE/TRANS/WP.29/2019/50
44	Proposal Supplement 16 to the 04 series of amendments to UN Regulation No 44 (Child restraint systems)	ECE/TRANS/WP.29/2019/36
51	Proposal for a corrigendum to Supplement 4 to the 03 series of amendments to UN Regulation No 51 (Noise of M and N categories of vehicles)	ECE/TRANS/WP.29/2019/51
64	Proposal for Supplement 1 to the 03 series of amendments to UN Regulation No 64 (Temporary use spare unit, run flat tyres)	ECE/TRANS/WP.29/2019/52
75	Proposal for Supplement 18 to the original series of amendments to UN Regulation No 75 (Tyres for motorcycles/mopeds)	ECE/TRANS/WP.29/2019/53
78	Proposal for Supplement 1 to the 04 series of amendments to UN Regulation No 78 (Motorcycle braking)	ECE/TRANS/WP.29/2019/46
79	Proposal for a Supplement 1 to the 03 series of amendments to UN Regulation No 79 (Steering equipment)	ECE/TRANS/WP.29/2019/73
83	Proposal for Supplement 13 to the 06 series of amendments to UN Regulation No 83 (Emissions of M_1 and N_1 vehicles)	ECE/TRANS/WP.29/2019/42
83	Proposal for Supplement 9 to the 07 series of amendments to UN Regulation No 83 (Emissions of M_1 and N_1 vehicles)	ECE/TRANS/WP.29/2019/43
83	Proposal for Corrigendum 1 to Supplement 8 to the 07 series of amendments to UN Regulation No 83 (Emissions of M_1 and N_1 vehicles)	ECE/TRANS/WP.29/2019/60
85	Proposal for Supplement 9 to UN Regulation No 85 (Measurement of the net power and the 30 min. power)	ECE/TRANS/WP.29/2019/44
90	Proposal for Supplement 5 to the 02 series of amendments to UN Regulation No 90 (Replacement brake parts)	ECE/TRANS/WP.29/2019/47
115	Proposal for Supplement 8 to UN Regulation No 115 (LPG and CNG retrofit systems)	ECE/TRANS/WP.29/2019/45
117	Proposal for Supplement 10 to the 02 series of amendments to UN Regulation No 117 (Tyre rolling resistance, rolling noise and wet grip)	ECE/TRANS/WP.29/2019/54
129	Proposal for Supplement 9 to the original series of amendments to UN Regulation No 129 (Enhanced Child Restraint Systems)	ECE/TRANS/WP.29/2019/37

Regulation No	Agenda item title	Document reference [1]
129	Proposal for Supplement 6 to the 01 series of amendments to UN Regulation No 129 (Enhanced Child Restraint Systems)	ECE/TRANS/WP.29/2019/38
129	Proposal for Supplement 5 to the 02 series of amendments to UN Regulation No 129 (Enhanced Child Restraint Systems)	ECE/TRANS/WP.29/2019/39
129	Proposal for Supplement 2 to the 03 series of amendments to UN Regulation No 129 (Enhanced Child Restraint Systems)	ECE/TRANS/WP.29/2019/40
129	Proposal for Corrigendum 3 to the original version of UN Regulation No 129 (Enhanced Child Restraint Systems)	ECE/TRANS/WP.29/2019/58
129	Proposal for Corrigendum 1 to the 03 series of amendments of UN Regulation No 129 (Enhanced Child Restraint Systems)	ECE/TRANS/WP.29/2019/59
138	Proposal for Supplement 1 to the 01 series of amendments to UN Regulation No 138 (Quiet road transport vehicles)	ECE/TRANS/WP.29/2019/55
139	Proposal for Supplement 2 to UN Regulation No 139 (BAS)	ECE/TRANS/WP.29/2019/48
140	Proposal for Supplement 3 to UN Regulation No 140 (ESC)	ECE/TRANS/WP.29/2019/49
145	Proposal for Corrigendum 1 to the original version of UN Regulation No 145 (ISOFIX anchorage systems, ISOFIX top tether anchorages and i-Size seating positions)	ECE/TRANS/WP.29/2019/57
New UN Regulation	Proposal for a new UN Regulation on Uniform provisions concerning the approval of motor vehicles with regard to the Advanced Emergency Braking System (AEBS) for M_1 and N_1 vehicles	ECE/TRANS/WP.29/2019/61

[1] All documents referred to in the table are available at: http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/gen2018.html

GTR No	Agenda item title	Document reference
15	Proposal for Amendment 5 to UN GTR No 15 (Worldwide harmonized Light vehicles Test Procedures (WLTP))	ECE/TRANS/WP.29/2019/62
15	Proposal for corrigendum to UN GTR No 15 (Worldwide harmonized Light vehicles Test Procedures (WLTP)); French text only	ECE/TRANS/WP.29/2019/66
	Proposal for corrigendum to Amendment 1 to UN GTR No 15 (Worldwide harmonized Light vehicles Test Procedures (WLTP)); French text only	ECE/TRANS/WP.29/2019/67
	Proposal for corrigendum to Amendment 2 to UN GTR No 15 (Worldwide harmonized Light vehicles Test Procedures (WLTP)); French text only	ECE/TRANS/WP.29/2019/68
	Proposal for corrigendum to Amendment 3 to UN GTR No 15 (Worldwide harmonized Light vehicles Test Procedures (WLTP)); French text only	ECE/TRANS/WP.29/2019/69
	Proposal for corrigendum to Amendment 4 to UN GTR No 15 (Worldwide harmonized Light vehicles Test Procedures (WLTP)); French text only	ECE/TRANS/WP.29/2019/70
19	Proposal for Amendment 2 to UN GTR No 19 (Evaporative Test emission procedures for the Worldwide harmonized Light vehicles Test Procedures (EVAP WLTP))	ECE/TRANS/WP.29/2019/64

Mutual Resolution No	Agenda item title	Document reference
M.R.2	Proposal for Amendment 1 to Mutual Resolution No 2 Containing Vehicle Propulsion System Definitions	ECE/TRANS/WP.29/2019/71

Miscella-neous	Agenda item title	Document reference
	Revised authorization to Develop Amendment No 2 to UN Global Technical Regulation No 16 (Tyres)	ECE/TRANS/WP.29/AC.3/48/Rev.1
	Proposal for amendments to the authorisation to develop the UN GTR on Global Real Driving Emissions	ECE/TRANS/WP.29/2019/72
	Authorisation to develop a new UN GTR on determination of electrified vehicle power (DEVP)	ECE/TRANS/WP.29/AC.3/53

COMMISSION IMPLEMENTING DECISION (EU) 2019/1030

of 21 June 2019

postponing the expiry date of approval of indoxacarb for use in biocidal products of product-type 18

(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 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ([1]), and in particular Article 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

(1) The active substance indoxacarb was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ([2]) for use in biocidal products of product-type 18, and pursuant to Article 86 of Regulation (EU) No 528/2012 is therefore considered approved under that Regulation subject to the specifications and conditions set out in Annex I to that Directive.

(2) The approval of indoxacarb for use in biocidal products of product-type 18 will expire on 31 December 2019. On 28 June 2018, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of indoxacarb.

(3) On 12 November 2018, the evaluating competent authority of France informed the Commission that it had decided, pursuant to Article 14(1) of Regulation (EU) No 528/2012, that a full evaluation of the application was necessary. Pursuant to Article 8(1) of Regulation (EU) No 528/2012, the evaluating competent authority is to perform a full evaluation of the application within 365 days of its validation.

(4) The evaluating competent authority may, as appropriate, request the applicant to provide sufficient data to carry out the evaluation, in accordance with Article 8(2) of that Regulation. In such case, the 365-day period is suspended for a period that may not exceed 180 days in total unless a longer suspension is justified by the nature of the data requested or by exceptional circumstances.

(5) Within 270 days of receipt of a recommendation from the evaluating competent authority, the European Chemicals Agency ('the Agency') is to prepare and submit to the Commission an opinion on renewal of the approval of the active substance in accordance with Article 14(3) of Regulation (EU) No 528/2012.

(6) Consequently, for reasons beyond the control of the applicant, the approval of indoxacarb for use in biocidal products of product-type 18 is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to postpone the expiry date of approval of indoxacarb for use in biocidal products of product-type 18 for a period of time sufficient to enable the examination of the application. Considering the time-limits for the evaluation by the evaluating competent authority and for the preparation and submission of the opinion by the Agency, it is appropriate to postpone the expiry date of approval to 30 June 2022.

(7) Except for the expiry date of the approval, indoxacarb remains approved for use in biocidal products of product-type 18 subject to the specifications and conditions set out in Annex I to Directive 98/8/EC,

([1]) OJ L 167, 27.6.2012, p. 1.
([2]) Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of approval of indoxacarb for use in biocidal products of product-type 18 is postponed to 30 June 2022.

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, 21 June 2019.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING DECISION (EU) 2019/1031

of 21 June 2019

amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States

(notified under document C(2019) 4883)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ([1]), and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary checks applicable in intra-Union trade in certain live animals and products with a view to the completion of the internal market ([2]), and in particular Article 10(4) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ([3]), and in particular Article 4(3) thereof,

Whereas:

(1) Commission Implementing Decision 2014/709/EU ([4]) lays down animal health control measures in relation to African swine fever in certain Member States, where there have been confirmed cases of that disease in domestic or feral pigs (the Member States concerned). The Annex to that Implementing Decision demarcates and lists certain areas of the Member States concerned in Parts I to IV thereof, differentiated by the level of risk based on the epidemiological situation as regards that disease. The Annex to Implementing Decision 2014/709/EU has been amended several times to take account of changes in the epidemiological situation in the Union as regards African swine fever that need to be reflected in that Annex. The Annex to Implementing Decision 2014/709/EU was last amended by Commission Implementing Decision (EU) 2019/975 ([5]), following instances of African swine fever in Lithuania and Poland.

(2) Since the date of adoption of Implementing Decision (EU) 2019/975, there have been further instances of African swine fever in domestic and feral pigs in Poland, Lithuania and Romania that also need to be reflected in the Annex to Implementing Decision 2014/709/EU.

(3) In June 2019, two outbreaks of African swine fever in domestic pigs were observed in Lithuania in the districts of Marijampolė and Prienai in areas currently listed in Part II of the Annex to Implementing Decision 2014/709/EU. These outbreaks of African swine fever in domestic pigs constitute an increased level of risk which should be reflected in that Annex. Accordingly, these areas of Lithuania affected by African swine fever should be listed in Part III of the Annex to Implementing Decision 2014/709/EU instead of in Part II thereof.

(4) In June 2019, one outbreak of African swine fever in domestic pigs was observed in Poland in the district of bartoszycki in an area currently listed in Part II of the Annex to Implementing Decision 2014/709/EU. This outbreak of African swine fever in domestic pigs constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Poland affected by African swine fever should be listed in Part III of the Annex to Implementing Decision 2014/709/EU instead of in Part II thereof.

([1]) OJ L 395, 30.12.1989, p. 13.
([2]) OJ L 224, 18.8.1990, p. 29.
([3]) OJ L 18, 23.1.2003, p. 11.
([4]) Commission Implementing Decision 2014/709/EU of 9 October 2014 concerning animal health control measures relating to African swine fever in certain Member States and repealing Implementing Decision 2014/178/EU (OJ L 295, 11.10.2014, p. 63).
([5]) Commission Implementing Decision (EU) 2019/975 of 13 June 2019 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (OJ L 157, 14.6.2019, p. 31).

(5) In June 2019, a case of African swine fever in feral pigs was observed in the county of węgrowski in Poland in an area currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. This case of African swine fever in feral pigs constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Poland affected by African swine fever should be listed in Part II of the Annex to Implementing Decision 2014/709/EU instead of in Part I thereof.

(6) In June 2019, one outbreak of African swine fever in domestic pigs was observed in the county of Vâlcea in Romania in an area currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. This case of African swine fever in domestic pigs constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Romania affected by African swine fever should be listed in Part III of the Annex to Implementing Decision 2014/709/EU instead of in Part I thereof.

(7) In order to take account of recent developments in the epidemiological evolution of African swine fever in the Union, and in order to combat the risks associated with the spread of that disease in a proactive manner, new high-risk areas of a sufficient size should be demarcated for Lithuania, Poland and Romania and duly listed in Parts I, II and III of the Annex to Implementing Decision 2014/709/EU. The Annex to Implementing Decision 2014/709/EU should therefore be amended accordingly.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision 2014/709/EU is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 June 2019.

For the Commission

Vytenis ANDRIUKAITIS

Member of the Commission

ANNEX

The Annex to Implementing Decision 2014/709/EU is replaced by the following:

'ANNEX

PART I

1. **Belgium**

The following areas in Belgium:

in Luxembourg province:

— the area is delimited clockwise by:

— Frontière avec la France,

— Rue Mersinhat,

— La N818jusque son intersection avec la N83,

— La N83 jusque son intersection avec la N884,

— La N884 jusque son intersection avec la N824,

— La N824 jusque son intersection avec Le Routeux,

— Le Routeux,

— Rue d'Orgéo,

— Rue de la Vierre,

— Rue du Bout-d'en-Bas,

— Rue Sous l'Eglise,

— Rue Notre-Dame,

— Rue du Centre,

— La N845 jusque son intersection avec la N85,

— La N85 jusque son intersection avec la N40,

— La N40 jusque son intersection avec la N802,

— La N802 jusque son intersection avec la N825,

— La N825 jusque son intersection avec la E25-E411,

— La E25-E411jusque son intersection avec la N40,

— N40: Burnaimont, Rue de Luxembourg, Rue Ranci, Rue de la Chapelle,

— Rue du Tombois,

— Rue Du Pierroy,

— Rue Saint-Orban,

— Rue Saint-Aubain,

— Rue des Cottages,

— Rue de Relune,

— Rue de Rulune,

— Route de l'Ermitage,

— N87: Route de Habay,

— Chemin des Ecoliers,

— Le Routy,

— Rue Burgknapp,

— Rue de la Halte,

— Rue du Centre,

— Rue de l'Eglise,

— Rue du Marquisat,
— Rue de la Carrière,
— Rue de la Lorraine,
— Rue du Beynert,
— Millewée,
— Rue du Tram,
— Millewée,
— N4: Route de Bastogne, Avenue de Longwy, Route de Luxembourg,
— Frontière avec le Grand-Duché de Luxembourg,
— Frontière avec la France,
— La N87 jusque son intersection avec la N871 au niveau de Rouvroy,
— La N871 jusque son intersection avec la N88,
— La N88 jusque son intersection avec la rue Baillet Latour,
— La rue Baillet Latour jusque son intersection avec la N811,
— La N811 jusque son intersection avec la N88,
— La N88 jusque son intersection avecla N883 au niveau d'Aubange,
— La N883 jusque son intersection avec la N81 au niveau d'Aubange,
— La N81 jusque son intersection avec la E25-E411,
— La E25-E411 jusque son intersection avec la N40,
— La N40 jusque son intersection avec la rue du Fet,
— Rue du Fet,
— Rue de l'Accord jusque son intersection avec la rue de la Gaume,
— Rue de la Gaume jusque son intersection avec la rue des Bruyères,
— Rue des Bruyères,
— Rue de Neufchâteau,
— Rue de la Motte,
— La N894 jusque son intersection avec laN85,
— La N85 jusque son intersection avec la frontière avec la France.

2. **Bulgaria**

The following areas in Bulgaria:

in Varna the whole region excluding the villages covered in Part II;

in Silistra region:

— whole municipality of Glavinitza,
— whole municipality of Tutrakan,
— whithinmunicipality of Dulovo:
  — Boil,
  — Vokil,
  — Grancharovo,
  — Doletz,
  — Oven,
  — Okorsh,
  — Oreshene,
  — Paisievo,
  — Pravda,

  - Prohlada,
  - Ruyno,
  - Sekulovo,
  - Skala,
  - Yarebitsa,
- within municipality of Sitovo:
  - Bosna,
  - Garvan,
  - Irnik,
  - Iskra,
  - Nova Popina,
  - Polyana,
  - Popina,
  - Sitovo,
  - Yastrebna,
- within municipality of Silistra:
  - Vetren,

in Dobrich region:

- whole municipality of Baltchik,
- wholemunicipality of General Toshevo,
- whole municipality of Dobrich,
- whole municipality of Dobrich-selska (Dobrichka),
- within municipality of Krushari:
  - Severnyak,
  - Abrit,
  - Dobrin,
  - Alexandria,
  - Polkovnik Dyakovo,
  - Poruchik Kardzhievo,
  - Zagortzi,
  - Zementsi,
  - Koriten,
  - Krushari,
  - Bistretz,
  - Efreytor Bakalovo,
  - Telerig,
  - Lozenetz,
  - Krushari,
  - Severnyak,
  - Severtsi,
- within municipality of Kavarna:
  - Krupen,
  - Belgun,

  - — Bilo,
  - — Septemvriytsi,
  - — Travnik,
- — whole municipality of Tervel, except Brestnitsa and Kolartzi,

in Ruse region:

- — within municipality of Slivo pole:
  - — Babovo,
  - — Brashlen,
  - — Golyamo vranovo,
  - — Malko vranovo,
  - — Ryahovo,
  - — Slivo pole,
  - — Borisovo,
- — within municipality of Ruse:
  - — Sandrovo,
  - — Prosena,
  - — Nikolovo,
  - — Marten,
  - — Dolno Ablanovo,
  - — Ruse,
  - — Chervena voda,
  - — Basarbovo,
- — within municipality of Ivanovo:
  - — Krasen,
  - — Bozhichen,
  - — Pirgovo,
  - — Mechka,
  - — Trastenik,
- — within municipality of Borovo:
  - — Batin,
  - — Gorno Ablanovo,
  - — Ekzarh Yosif,
  - — Obretenik,
  - — Batin,
- — within municipality of Tsenovo:
  - — Krivina,
  - — Belyanovo,
  - — Novgrad,
  - — Dzhulyunitza,
  - — Beltzov,
  - — Tsenovo,
  - — Piperkovo,
  - — Karamanovo,

in Veliko Tarnovo region:

- within municipality of Svishtov:
  - Sovata,
  - Vardim,
  - Svishtov,
  - Tzarevets,
  - Bulgarsko Slivovo,
  - Oresh,

in Pleven region:

- within municipality of Belene:
  - Dekov,
  - Belene,
  - Kulina voda,
  - Byala voda,
- within municipality of Nikopol:
  - Lozitza,
  - Dragash voyvoda,
  - Lyubenovo,
  - Nikopol,
  - Debovo,
  - Evlogievo,
  - Muselievo,
  - Zhernov,
  - Cherkovitza,
- within municipality of Gulyantzi:
  - Somovit,
  - Dolni vit,
  - Milkovitsa,
  - Shiyakovo,
  - Lenkovo,
  - Kreta,
  - Gulyantzi,
  - Brest,
  - Dabovan,
  - Zagrazhdan,
  - Gigen,
  - Iskar,
- within municipality of Dolna Mitropoliya:
  - Komarevo,
  - Baykal,
  - Slavovitsa,
  - Bregare,
  - Orehovitsa,
  - Krushovene,
  - Stavertzi,
  - Gostilya,

in Vratza region:

- within municipality of Oryahovo:
  - Dolni vadin,
  - Gorni vadin,
  - Ostrov,
  - Galovo,
  - Leskovets,
  - Selanovtsi,
  - Oryahovo,
- within municipality of Miziya:
  - Saraevo,
  - Miziya,
  - Voyvodovo,
  - Sofronievo,
- within municipality of Kozloduy:
  - Harlets,
  - Glozhene,
  - Butan,
  - Kozloduy,

in Montana region:

- within municipality of Valtchedram:
  - Dolni Tzibar,
  - Gorni Tzibar,
  - Ignatovo,
  - Zlatiya,
  - Razgrad,
  - Botevo,
  - Valtchedram,
  - Mokresh,
- within municipality Lom:
  - Kovatchitza,
  - Stanevo,
  - Lom,
  - Zemphyr,
  - Dolno Linevo,
  - Traykovo,
  - Staliyska mahala,
  - Orsoya,
  - Slivata,
  - Dobri dol,
- within municipality of Brusartsi:
  - Vasilyiovtzi,
  - Dondukovo,

in Vidin region:

- within municipality of Ruzhintsi:
  - Dinkovo,
  - Topolovets,
  - Drenovets,
- within municipality of Dimovo:
  - Artchar,
  - Septemvriytzi,
  - Yarlovitza,
  - Vodnyantzi,
  - Shipot,
  - Izvor,
  - Mali Drenovetz,
  - Lagoshevtzi,
  - Darzhanitza,
- within municipality of Vidin:
  - Vartop,
  - Botevo,
  - Gaytantsi,
  - Tzar Simeonovo,
  - Ivanovtsi,
  - Zheglitza,
  - Sinagovtsi,
  - Dunavtsi,
  - Bukovets,
  - Bela Rada,
  - Slana bara,
  - Novoseltsi,
  - Ruptzi,
  - Akatsievo,
  - Vidin,
  - Inovo,
  - Kapitanovtsi,
  - Pokrayna,
  - Antimovo,
  - Kutovo,
  - Slanotran,
  - Koshava,
  - Gomotartsi.

3. **Estonia**

The following areas in Estonia:

- Hiiu maakond.

4. **Hungary**

The following areas in Hungary:

— Borsod-Abaúj-Zemplén megye 651100, 651300, 651400, 651500, 651610, 651700, 651801, 651802, 651803, 651900, 652000, 652200, 652300, 652601, 652602, 652603, 652700, 652900, 653000, 653100, 653200, 653300, 653401, 653403, 653500, 653600, 653700, 653800, 653900, 654000, 654201, 654202, 654301, 654302, 654400, 654501, 654502, 654600, 654700, 654800, 654900, 655000, 655100, 655200, 655300, 655500, 655600, 655700, 655800, 655901, 655902, 656000, 656100, 656200, 656300, 656400, 656600, 657300, 657400, 657500, 657600, 657700, 657800, 657900, 658000, 658201, 658202 és 658403 kódszámú vadgazdálkodási egységeinek teljes területe,

— Hajdú-Bihar megye 900750, 901250, 901260, 901270, 901350, 901551, 901560, 901570, 901580, 901590, 901650, 901660, 901750, 901950, 902050, 902150, 902250, 902350, 902450, 902550, 902650, 902660, 902670, 902750, 903250, 903650, 903750, 903850, 904350, 904750, 904760, 904850, 904860, 905360, 905450 és 905550 kódszámú vadgazdálkodási egységeinek teljes területe,

— Heves megye 702550, 703350, 703360, 703450, 703550, 703610, 703750, 703850, 703950, 704050, 704150, 704250, 704350, 704450, 704550, 704650, 704750, 704850, 704950, 705050, és 705350 kódszámú vadgazdálkodási egységeinek teljes területe,

— Jász-Nagykun-Szolnok megye 750150, 750160, 750250, 750260, 750350, 750450, 750460, 750550, 750650, 750750, 750850, 750950, 751150, 752150 és755550 kódszámú vadgazdálkodási egységeinek teljes területe,

— Nógrád megye 552010, 552150, 552250, 552350, 552450, 552460, 552520, 552550, 552610, 552620, 552710, 552850, 552860, 552950, 552970, 553050, 553110, 553250, 553260, 553350, 553650, 553750, 553850, 553910 és 554050 kódszámú vadgazdálkodási egységeinek teljes területe,

— Pest megye 571250, 571350, 571550, 571610, 571750, 571760, 572250, 572350, 572550, 572850, 572950, 573360, 573450, 580050 és 580450 kódszámú vadgazdálkodási egységeinek teljes területe,

— Szabolcs-Szatmár-Bereg megye 851950, 852350, 852450, 852550, 852750, 853560, 853650, 853751, 853850, 853950, 853960, 854050, 854150, 854250, 854350, 855350, 855450, 855550, 855650, 855660 és 855850 kódszámú vadgazdálkodási egységeinek teljes területe.

5. **Latvia**

The following areas in Latvia:

— Aizputes novada Aizputes, Cīravas, Lažas, Kazdangas pagasts un Aizputes pilsēta,

— Alsungas novads,

— Durbes novada Dunalkas un Tadaiķu pagasts,

— Kuldīgas novada Gudenieku pagasts,

— Pāvilostas novada Sakas pagasts un Pāvilostas pilsēta,

— Stopiņu novada daļa, kas atrodas uz rietumiem no autoceļa V36, P4 un P5, Acones ielas, Dauguļupes ielas un Dauguļupītes,

— Ventspils novada Jūrkalnes pagasts,

— Grobiņas novada Bārtas un Gaviezes pagasts,

— Rucavas novada Dunikas pagasts.

6. **Lithuania**

The following areas in Lithuania:

— Jurbarko rajono savivaldybė: Smalininkų ir Viešvilės seniūnijos,

— Kelmės rajono savivaldybė: Kelmės, Kelmės apylinkių, Kražių, Kukečių seniūnijos dalis į pietus nuo kelio Nr. 2128 ir į vakarus nuo kelio Nr. 2106, Liolių, Pakražančio seniūnijos, Tytuvėnų seniūnijos dalis į vakarus ir šiaurę nuo kelio Nr. 157 ir į vakarus nuo kelio Nr. 2105 ir Tytuvėnų apylinkių seniūnijos dalis į šiaurę nuo kelio Nr. 157 ir į vakarus nuo kelio Nr. 2105, ir Vaiguvos seniūnijos,

— Pagėgių savivaldybė,

— Plungės rajono savivaldybė,

— Raseinių rajono savivaldybė: Girkalnio ir Kalnujų seniūnijos dalis į šiaurę nuo kelio Nr A1, Nemakščių, Paliepių, Raseinių, Raseinių miesto ir Viduklės seniūnijos,

— Rietavo savivaldybė,

— Skuodo rajono savivaldybė,

— Šilalės rajono savivaldybė,

— Šilutės rajono savivaldybė: Juknaičių, Kintų, Šilutės ir Usėnų seniūnijos,

— Tauragės rajono savivaldybė: Lauksargių, Skaudvilės, Tauragės, Mažonų, Tauragės miesto ir Žygaičių seniūnijos.

7. **Poland**

The following areas in Poland:

w województwie warmińsko-mazurskim:

— gmina Ruciane – Nida w powiecie piskim,

— część gminy Miłki położona na zachód od linii wyznaczonej przez drogę nr 63, część gminy Ryn położona na południe od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn, część gminy Giżycko położona na południe od linii wyznaczonej przez drogę nr 59 biegnącą od zachodniej granicy gminy do granicy miasta Giżycko, na południe od linii wyznaczonej przez drogę nr 63 biegnącą od południowej granicy gminy do granicy miasta Giżycko i na południe od granicy miasta Giżycko w powiecie giżyckim,

— gminy Mikołajki, Piecki, część gminy Sorkwity położona na południe od drogi nr 16 i część gminy wiejskiej Mrągowo położona na południe od linii wyznaczonej przez drogę nr 16 biegnącą od zachodniej granicy gminy do granicy miasta Mrągowo oraz na południe od linii wyznaczonej przez drogę nr 59 biegnącą od wschodniej granicy gminy do granicy miasta Mrągowo w powiecie mrągowskim,

— gminy Dźwierzuty, Rozogi i Świętajno w powiecie szczycieńskim,

— gminy Gronowo Elbląskie, Markusy, Rychliki, część gminy Elbląg położona na zachód od zachodniej granicy powiatu miejskiego Elbląg i na północ od linii wyznaczonej przez drogę nr 22 i część gminy Tolkmicko niewymieniona w części II załącznika w powiecie elbląskim oraz strefa wód przybrzeżnych Zalewu Wiślanego i Zatoki Elbląskiej,

— gminy Barczewo, Biskupiec, Dobre Miasto, Dywity, Jonkowo, Świątki i część gminy Jeziorany położona na południe od linii wyznaczonej przez drogę nr 593 w powiecie olsztyńskim,

— gminy Łukta, Miłakowo, Małdyty, Miłomłyn i Morąg w powiecie ostródzkim,

— gmina Zalewo w powiecie iławskim,

w województwie podlaskim:

— gminy Rudka, Wyszki, część gminy Brańsk położona na północ od linii od linii wyznaczonej przez drogę nr 66 biegnącą od wschodniej granicy gminy do granicy miasta Brańsk i miasto Brańsk w powiecie bielskim,

— gmina Perlejewo w powiecie siemiatyckim,

— gminy Kolno z miastem Kolno, Mały Płock i Turośl w powiecie kolneńskim,

— gmina Poświętne w powiecie białostockim,

— gminy Kulesze Kościelne, Nowe Piekuty, Szepietowo, Klukowo, Ciechanowiec, Wysokie Mazowieckie z miastem Wysokie Mazowieckie, Czyżew w powiecie wysokomazowieckim,

— gminy Miastkowo, Nowogród, Śniadowo i Zbójna w powiecie łomżyńskim,

— powiat zambrowski;

w województwie mazowieckim:

— gminy Rzekuń, Troszyn, Lelis, Czerwin, Łyse i Goworowo w powiecie ostrołęckim,

— powiat miejski Ostrołęka,

— powiat ostrowski,

— gminy Karniewo, Maków Mazowiecki, Rzewnie i Szelków w powiecie makowskim,

— gmina Krasne w powiecie przasnyskim,

— gminy Bodzanów, Bulkowo, Mała Wieś, Staroźreby i Wyszogród w powiecie płockim,

— gminy Ciechanów z miastem Ciechanów, Glinojeck, Gołymin – Ośrodek, Ojrzeń, Opinogóra Górna i Sońsk w powiecie ciechanowskim,

— gminy Baboszewo, Dzierzążnia, Płońsk z miastem Płońsk i Sochocin w powiecie płońskim,

— gminy Gzy, Obryte, Zatory, Pułtusk i część gminy Winnica położona na wschód od linii wyznaczonej przez drogę łączącą miejscowości Bielany, Winnica i Pokrzywnica w powiecie pułtuskim,

— gminy Brańszczyk, Długosiodło, Rząśnik, Wyszków, Zabrodzie i część gminy Somianka położona na północ od linii wyznaczonej przez drogę nr 62 w powiecie wyszkowskim,

— gminy Jadów, Klembów, Poświętne, Strachówka i Tłuszcz w powiecie wołomińskim,

— gminy Dobre, Stanisławów, część gminy Jakubów położona na północ od linii wyznaczonej przez drogę nr A2, część gminy Kałuszyn położona na północ od linii wyznaczonej przez drogi nr 2 i 92 i część gminy Mińsk Mazowiecki położona na północ od linii wyznaczonej przez drogę nr A2 w powiecie mińskim,

— gminy Garbatka Letnisko, Gniewoszów i Sieciechów w powiecie kozienickim,

— gminy Baranów i Jaktorów w powiecie grodziskim,

— powiat żyrardowski,

— gminy Belsk Duży, Błędów, Goszczyn i Mogielnica w powiecie grójeckim,

— gminy Białobrzegi, Promna, Stara Błotnica, Wyśmierzyce i część gminy Stromiec położona na południe od linii wyznaczonej przez drogę nr 48 w powiecie białobrzeskim,

— gminy Jedlińsk, Jastrzębia i Pionki z miastem Pionki w powiecie radomskim,

— gminy Iłów, Nowa Sucha, Rybno, część gminy Teresin położona na południe od linii wyznaczonej przez drogę nr 92, część gminy wiejskiej Sochaczew położona na południe od linii wyznaczonej przez drogę nr 92 i część miasta Sochaczew położona na południowy zachód od linii wyznaczonej przez drogi nr 50 i 92 w powiecie sochaczewskim,

— gmina Policzna w powiecie zwoleńskim,

— gmina Solec nad Wisłą w powiecie lipskim;

w województwie lubelskim:

— gminy Bełżyce, Borzechów, Bychawa, Niedrzwica Duża, Jastków, Konopnica, Strzyżewice, Wysokie, Wojciechów i Zakrzew w powiecie lubelskim,

— gminy Miączyn, Nielisz, Sitno, Komarów-Osada, Sułów, część gminy Szczebrzeszyn położona na północ od linii wyznaczonej przez drogę nr 74 biegnącą od wschodniej granicy gminy do granicy miasta Szczebrzesyzn i część gminy wiejskiej Zamość położona na północ od linii wyznaczonej przez drogę nr 74 w powiecie zamojskim,

— powiat miejski Zamość,

— gmina Jeziorzany i część gminy Kock położona na zachód od linii wyznaczonej przez rzekę Czarną w powiecie lubartowskim,

— gminy Adamów i Serokomla w powiecie łukowskim,

— gminy Nowodwór, Ryki, Ułęż i miasto Dęblin w powiecie ryckim,

— gminy Janowiec, i część gminy wiejskiej Puławy położona na zachód od rzeki Wisły w powiecie puławskim,

— gminy Chodel, Karczmiska, Łaziska, Opole Lubelskie, Poniatowa i Wilków w powiecie opolskim,

— gminy Rudnik i Żółkiewkaw powiecie krasnostawskim,

— gminy Bełżec, Jarczów, Lubycza Królewska, Rachanie, Susiec, Ulhówek i część gminy Łaszczów położona na południe od linii wyznaczonej przez drogę nr 852 w powiecie tomaszowskim,

— gminy Łukowa i Obsza w powiecie biłgorajskim,

— gminy Kraśnik z miastem Kraśnik, Szastarka, Trzydnik Duży, Urzędów, Wilkołaz i Zakrzówek w powiecie kraśnickim,

— gminy Modliborzyce i Potok Wielki w powiecie janowskim;

w województwie podkarpackim:

— powiat lubaczowski,

— gminy Laszki i Wiązownica w powiecie jarosławskim,

— gminy Pysznica, Zaleszany i miasto Stalowa Wola w powiecie stalowowolskim,

— gmina Gorzyce w powiecie tarnobrzeskim;

w województwie świętokrzyskim:

— gminy Tarłów i Ożarów w powiecie opatowskim,

— gminy Dwikozy, Zawichost i miasto Sandomierz w powiecie sandomierskim.

8. **Romania**

The following areas in Romania:

— Județul Alba,

— Județul Cluj,

— Județul Harghita,

— Județul Hunedoara,

— Județul Iași,

— Județul Neamț,

— Restul județului Mehedinți care nu a fost inclus în Partea III cu următoarele comune:

  — Comuna Garla Mare,

  — Hinova,

  — Burila Mare,

  — Gruia,

  — Pristol,

  — Dubova,

  — Municipiul Drobeta Turnu Severin,

  — Eselnița,

  — Salcia,

  — Devesel,

  — Svinița,

  — Gogoșu,

  — Simian,

  — Orșova,

  — Obârșia Closani,

  — Baia de Aramă,

  — Bala,

  — Florești,

  — Broșteni,

  — Corcova,

  — Isverna,

  — Balta,

  — Podeni,

  — Cireșu,

  — Ilovița,

  — Ponoarele,

  — Ilovăț,

  — Patulele,

  — Jiana,

  — Iyvoru Bârzii,

  — Malovat,

  — Bălvănești,

  — Breznița Ocol,

  - — Godeanu,
  - — Padina Mare,
  - — Corlățel,
  - — Vânju Mare,
  - — Vânjuleț,
  - — Obârșia de Câmp,
  - — Vânători,
  - — Vladaia,
  - — Punghina,
  - — Cujmir,
  - — Oprișor,
  - — Dârvari,
  - — Căzănești,
  - — Husnicioara,
  - — Poroina Mare,
  - — Prunișor,
  - — Tămna,
  - — Livezile,
  - — Rogova,
  - — Voloiac,
  - — Sisești,
  - — Sovarna,
  - — Bălăcița,
- — Județul Gorj,
- — Județul Suceava,
- — Județul Mureș,
- — Județul Sibiu,
- — Județul Caraș-Severin.

PART II

1. **Belgium**

The following areas in Belgium:

in Luxembourg province:

- — the area is delimited clockwise by:
- — La frontière avec la France au niveau de Florenville,
- — La N85 jusque son intersection avec la N894au niveau de Florenville,
- — La N894 jusque son intersection avec larue de la Motte,
- — La rue de la Motte jusque son intersection avec la rue de Neufchâteau,
- — La rue de Neufchâteau,
- — La rue des Bruyères jusque son intersection avec la rue de la Gaume,
- — La rue de la Gaume jusque son intersection avec la rue de l'Accord,
- — La rue de l'Accord,
- — La rue du Fet,
- — La N40 jusque son intersection avec la E25-E411,
- — La E25-E411 jusque son intersection avec la N81 au niveau de Weyler,

— La N81 jusque son intersection avec la N883 au niveau d'Aubange,
— La N883 jusque son intersection avec la N88 au niveau d'Aubange,
— La N88 jusque son intersection avec la N811,
— La N811 jusque son intersection avec la rue Baillet Latour,
— La rue Baillet Latour jusque son intersection avec la N88,
— La N88 jusque son intersection avec la N871,
— La N871 jusque son intersection avec la N87 au niveau de Rouvroy,
— La N87 jusque son intersection avec la frontière avec la France.

2. **Bulgaria**

The following areas in Bulgaria:

in Varna region:

- within municipality of Beloslav:
  - Razdelna,
- within municipalty of Devnya:
  - Devnya,
  - Povelyanovo,
  - Padina,
- within municipality of Vetrino:
  - Gabarnitsa,
- within municipality of Provadiya:
  - Staroselets,
  - Petrov dol,
  - Provadiya,
  - Dobrina,
  - Manastir,
  - Zhitnitsa,
  - Tutrakantsi,
  - Bozveliysko,
  - Barzitsa,
  - Tchayka,
- within municipality of Avren:
  - Trastikovo,
  - Sindel,
  - Avren,
  - Kazashka reka,
  - Yunak,
  - Tsarevtsi,
  - Dabravino,
- within municipality of Dalgopol:
  - Tsonevo,
  - Velichkovo,
- within municipality of Dolni chiflik:
  - Nova shipka,
  - Goren chiflik,

  - — Pchelnik,
  - — Venelin,

in Silistra region:

- — within municipality of Kaynardzha:
  - — Voynovo,
  - — Kaynardzha,
  - — Kranovo,
  - — Zarnik,
  - — Dobrudzhanka,
  - — Golesh,
  - — Svetoslav,
  - — Polkovnik Cholakovo,
  - — Kamentzi,
  - — Gospodinovo,
  - — Davidovo,
  - — Sredishte,
  - — Strelkovo,
  - — Poprusanovo,
  - — Posev,
- — within municipality of Alfatar:
  - — Alfatar,
  - — Alekovo,
  - — Bistra,
  - — Kutlovitza,
  - — Tzar Asen,
  - — Chukovetz,
  - — Vasil Levski,
- — within municipality of Silistra:
  - — Glavan,
  - — Silistra,
  - — Aydemir,
  - — Babuk,
  - — Popkralevo,
  - — Bogorovo,
  - — Bradvari,
  - — Sratzimir,
  - — Bulgarka,
  - — Tsenovich,
  - — Sarpovo,
  - — Srebarna,
  - — Smiletz,
  - — Profesor Ishirkovo,
  - — Polkovnik Lambrinovo,
  - — Kalipetrovo,

  - Kazimir,
  - Yordanovo,
- within municipality of Sitovo:
  - Dobrotitza,
  - Lyuben,
  - Slatina,
- within municipality of Dulovo:
  - Varbino,
  - Polkovnik Taslakovo,
  - Kolobar,
  - Kozyak,
  - Mezhden,
  - Tcherkovna,
  - Dulovo,
  - Razdel,
  - Tchernik,
  - Poroyno,
  - Vodno,
  - Zlatoklas,
  - Tchernolik,

in Dobrich region:

- within municipality of Krushari:
  - Kapitan Dimitrovo,
  - Ognyanovo,
  - Zimnitza,
  - Gaber,
- within municipality of Dobrich-selska:
  - Altsek,
  - Vodnyantsi,
  - Feldfebel Denkovo,
  - Hitovo,
- within municipality of Tervel:
  - Brestnitza,
  - Kolartzi,
  - Angelariy,
  - Balik,
  - Bezmer,
  - Bozhan,
  - Bonevo,
  - Voynikovo,
  - Glavantsi,
  - Gradnitsa,
  - Guslar,
  - Kableshkovo,
  - Kladentsi,

  - — Kochmar,
  - — Mali izvor,
  - — Nova Kamena,
  - — Onogur,
  - — Polkovnik Savovo,
  - — Popgruevo,
  - — Profesor Zlatarski,
  - — Sartents,
  - — Tervel,
  - — Chestimenstko,
- — within municipality Shabla:
  - — Shabla,
  - — Tyulenovo,
  - — Bozhanovo,
  - — Gorun,
  - — Gorichane,
  - — Prolez,
  - — Ezeretz,
  - — Zahari Stoyanovo,
  - — Vaklino,
  - — Granichar,
  - — Durankulak,
  - — Krapetz,
  - — Smin,
  - — Staevtsi,
  - — Tvarditsa,
  - — Chernomortzi,
- — within municipality of Kavarna:
  - — Balgarevo,
  - — Bozhurets,
  - — Vranino,
  - — Vidno,
  - — Irechek,
  - — Kavarna,
  - — Kamen briag,
  - — Mogilishte,
  - — Neykovo,
  - — Poruchik Chunchevo,
  - — Rakovski,
  - — Sveti Nikola,
  - — Seltse,
  - — Topola,
  - — Travnik,
  - — Hadzhi Dimitar,
  - — Chelopechene.

3. **Estonia**

The following areas in Estonia:

— Eesti Vabariik (välja arvatud Hiiu maakond).

4. **Hungary**

The following areas in Hungary:

— Heves megye 700150, 700250, 700260, 700350, 700450, 700460, 700550, 700650, 700750, 700850, 700860, 700950, 701050, 701111, 701150, 701250, 701350, 701550, 701560, 701650, 701750, 701850, 701950, 702050, 702150, 702250, 702260, 702350, 702450, 702750, 702850, 702950, 703050, 703150, 703250, 703370, 705150,705250, 705450,705510 és 705610 kódszámú vadgazdálkodási egységeinek teljes területe,

— Szabolcs-Szatmár-Bereg megye 850950, 851050, 851150, 851250, 851350, 851450, 851550, 851560, 851650, 851660, 851751, 851752, 852850, 852860, 852950, 852960, 853050, 853150, 853160, 853250, 853260, 853350, 853360, 853450, 853550, 854450, 854550, 854560, 854650, 854660, 854750, 854850, 854860, 854870, 854950, 855050, 855150, 855250, 855460, 855750, 855950, 855960, 856051, 856150, 856250, 856260, 856350, 856360, 856450, 856550, 856650, 856750, 856760, 856850, 856950, 857050, 857150, 857350, 857450, 857650, valamint 850150, 850250, 850260, 850350, 850450, 850550, 852050, 852150, 852250 és 857550, továbbá 850650, 850850, 851851 és 851852 kódszámú vadgazdálkodási egységeinek teljes területe,

— Nógrád megye 550110, 550120, 550130, 550210, 550310, 550320, 550450, 550460, 550510, 550610, 550710, 550810, 550950, 551010, 551150, 551160, 551250, 551350, 551360, 551450, 551460, 551550, 551650, 551710, 551810, 551821, 552360 és 552960 kódszámú vadgazdálkodási egységeinek teljes területe,

— Borsod-Abaúj-Zemplén megye 650100, 650200, 650300, 650400, 650500, 650600, 650700, 650800, 650900, 651000, 651200, 652100, 655400, 656701, 656702, 656800, 656900, 657010, 657100, 658100, 658310, 658401, 658402, 658404, 658500, 658600, 658700, 658801, 658802, 658901, 658902, 659000, 659100, 659210, 659220, 659300, 659400, 659500, 659601, 659602, 659701, 659800, 659901, 660000, 660100, 660200, 660400, 660501, 660502, 660600 és 660800, valamint 652400, 652500 és 652800 kódszámú vadgazdálkodási egységeinek teljes területe,

— Hajdú-Bihar megye 900150, 900250, 900350, 900450, 900550, 900650, 900660, 900670, 901850, 900850, 900860, 900930, 900950, 901050, 901150, 901450, 902850, 902860, 902950, 902960, 903050, 903150, 903350, 903360, 903370, 903450, 903550, 904450, 904460, 904550, 904650 kódszámú vadgazdálkodási egységeinek teljes területe.

5. **Latvia**

The following areas in Latvia:

— Ādažu novads,

— Aizputes novada Kalvenes pagasts,

— Aglonas novads,

— Aizkraukles novads,

— Aknīstes novads,

— Alojas novads,

— Alūksnes novads,

— Amatas novads,

— Apes novads,

— Auces novads,

— Babītes novads,

— Baldones novads,

— Baltinavas novads,

— Balvu novads,

— Bauskas novads,

— Beverīnas novads,

— Brocēnu novada Blīdenes pagasts, Remtes pagasta daļa uz austrumiem no autoceļa 1154 un P109,

— Burtnieku novads,

— Carnikavas novads,
— Cēsu novads,
— Cesvaines novads,
— Ciblas novads,
— Dagdas novads,
— Daugavpils novads,
— Dobeles novads,
— Dundagas novads,
— Durbes novada Durbes un Vecpils pagasts,
— Engures novads,
— Ērgļu novads,
— Garkalnes novads,
— Gulbenes novads,
— Iecavas novads,
— Ikšķiles novads,
— Ilūkstes novads,
— Inčukalna novads,
— Jaunjelgavas novads,
— Jaunpiebalgas novads,
— Jaunpils novads,
— Jēkabpils novads,
— Jelgavas novads,
— Kandavas novads,
— Kārsavas novads,
— Ķeguma novads,
— Ķekavas novads,
— Kocēnu novads,
— Kokneses novads,
— Krāslavas novads,
— Krimuldas novads,
— Krustpils novads,
— Kuldīgas novada Ēdoles, Īvandes, Padures, Rendas, Kabiles, Rumbas, Kurmāles, Pelču, Snēpeles, Turlavas, Laidu un Vārmes pagasts, Kuldīgas pilsēta,
— Lielvārdes novads,
— Līgatnes novads,
— Limbažu novads,
— Līvānu novads,
— Lubānas novads,
— Ludzas novads,
— Madonas novads,
— Mālpils novads,
— Mārupes novads,
— Mazsalacas novads,
— Mērsraga novads,
— Naukšēnu novads,
— Neretas novads,

— Ogres novads,
— Olaines novads,
— Ozolnieku novads,
— Pārgaujas novads,
— Pļaviņu novads,
— Preiļu novads,
— Priekules novads,
— Priekuļu novads,
— Raunas novads,
— republikas pilsēta Daugavpils,
— republikas pilsēta Jelgava,
— republikas pilsēta Jēkabpils,
— republikas pilsēta Jūrmala,
— republikas pilsēta Rēzekne,
— republikas pilsēta Valmiera,
— Rēzeknes novads,
— Riebiņu novads,
— Rojas novads,
— Ropažu novads,
— Rugāju novads,
— Rundāles novads,
— Rūjienas novads,
— Salacgrīvas novads,
— Salas novads,
— Salaspils novads,
— Saldus novada Novadnieku, Kursīšu, Zvārdes, Pampāļu, Šķēdes, Nīgrandes, Zaņas, Ezeres, Rubas, Jaunauces un Vadakstes pagasts,
— Saulkrastu novads,
— Sējas novads,
— Siguldas novads,
— Skrīveru novads,
— Skrundas novads,
— Smiltenes novads,
— Stopiņu novada daļa, kas atrodas uz austrumiem no autoceļa V36, P4 un P5, Acones ielas, Dauguļupes ielas un Dauguļupītes,
— Strenču novads,
— Talsu novads,
— Tērvetes novads,
— Tukuma novads,
— Vaiņodes novads,
— Valkas novads,
— Varakļānu novads,
— Vārkavas novads,
— Vecpiebalgas novads,
— Vecumnieku novads,

— Ventspils novada Ances, Tārgales, Popes, Vārves, Užavas, Piltenes, Puzes, Ziru, Ugāles, Usmas un Zlēku pagasts, Piltenes pilsēta,

— Viesītes novads,

— Viļakas novads,

— Viļānu novads,

— Zilupes novads.

6. **Lithuania**

The following areas in Lithuania:

— Alytaus miesto savivaldybė,

— Alytaus rajono savivaldybė,

— Anykščių rajono savivaldybė,

— Akmenės rajono savivaldybė: Ventos ir Papilės seniūnijos,

— Biržų miesto savivaldybė,

— Biržų rajono savivaldybė,

— Druskininkų savivaldybė,

— Elektrėnų savivaldybė,

— Ignalinos rajono savivaldybė,

— Jonavos rajono savivaldybė,

— Joniškio rajono savivaldybė: Kepalių, Kriukų, Saugėlaukio ir Satkūnų seniūnijos,

— Jurbarko rajono savivaldybė,

— Kaišiadorių rajono savivaldybė,

— Kalvarijos savivaldybė: Akmenynų, Liubavo, Kalvarijos seniūnijos dalis į pietus nuo kelio Nr. 131 ir į pietus nuo kelio Nr. 200 ir Sangrūdos seniūnijos,

— Kauno miesto savivaldybė,

— Kauno rajono savivaldybė,

— Kazlų Rūdos savivaldybė: Jankų, Plutiškių seniūnijos ir Kazlų Rudos seniūnijos dalis nuo kelio Nr. 2613 į šiaurę, kelio Nr. 183 į rytus ir kelio Nr. 230 į šiaurę,

— Kelmės rajono savivaldybė: Tytuvėnų seniūnijos dalis į rytus ir pietus nuo kelio Nr. 157 ir į rytus nuo kelio Nr. 2105 ir Tytuvėnų apylinkių seniūnijos dalis į pietus nuo kelio Nr. 157 ir į rytus nuo kelio Nr. 2105, Užvenčio, Kukečių dalis į šiaurę nuo kelio Nr. 2128 ir į rytus nuo kelio Nr. 2106, ir Šaukėnų seniūnijos,

— Kėdainių rajono savivaldybė,

— Kupiškio rajono savivaldybė,

— Lazdijų rajono savivaldybė: Būdviečio, Kapčiamieščio, Krosnos, Kučiūnų ir Noragėlių seniūnijos,

— Marijampolės savivaldybė: Degučių, Gudelių, Mokolų ir Narto seniūnijos,

— Mažeikių rajono savivaldybė: Šerkšnėnų, Sedos ir Židikų seniūnijos,

— Molėtų rajono savivaldybė,

— Pakruojo rajono savivaldybė,

— Panevėžio rajono savivaldybė,

— Panevėžio miesto savivaldybė,

— Pasvalio rajono savivaldybė,

— Radviliškio rajono savivaldybė,

— Prienų rajono savivaldybė: Stakliškių ir Veiverių seniūnijos

— Raseinių rajono savivaldybė: Ariogalos, Betygalos, Pagojukų, Šiluvos,Kalnujų seniūnijos ir Girkalnio seniūnijos dalis į pietus nuo kelio Nr. A1,

— Rokiškio rajono savivaldybė,

— Šakių rajono savivaldybė: Barzdų, Griškabūdžio, Kidulių, Kudirkos Naumiesčio, Lekėčių, Sintautų, Slavikų. Sudargo, Žvirgždaičių seniūnijos ir Kriūkų seniūnijos dalis į rytus nuo kelio Nr. 3804, Lukšių seniūnijos dalis į rytus nuo kelio Nr. 3804, Šakių seniūnijos dalis į pietus nuo kelio Nr. 140 ir į pietvakarius nuo kelio Nr. 137

— Šalčininkų rajono savivaldybė,

— Šiaulių miesto savivaldybė,

— Šiaulių rajono savivaldybė: Šiaulių kaimiškoji seniūnija,

— Šilutės rajono savivaldybė: Rusnės seniūnija,

— Širvintų rajono savivaldybė,

— Švenčionių rajono savivaldybė,

— Tauragės rajono savivaldybė: Batakių ir Gaurės seniūnijos,

— Telšių rajono savivaldybė,

— Trakų rajono savivaldybė,

— Ukmergės rajono savivaldybė,

— Utenos rajono savivaldybė,

— Varėnos rajono savivaldybė,

— Vilniaus miesto savivaldybė,

— Vilniaus rajono savivaldybė,

— Vilkaviškio rajono savivaldybė: Bartninkų, Gražiškių, Keturvalakių, Kybartų, Klausučių, Pajevonio, Šeimenos, Vilkaviškio miesto, Virbalio, Vištyčio seniūnijos,

— Visagino savivaldybė,

— Zarasų rajono savivaldybė.

7. **Poland**

The following areas in Poland:

w województwie warmińsko-mazurskim:

— gminy Kalinowo, Prostki, Stare Juchy i gmina wiejska Ełk w powiecie ełckim,

— gminy Godkowo, Milejewo, Młynary, Pasłęk, część gminy Elbląg położona na południe od linii wyznaczonej przez drogę nr 22 oraz na południe i na południowy wschód od granicy powiatu miejskiego Elbląg, i część obszaru lądowego gminy Tolkmicko położona na południe od linii brzegowej Zalewu Wiślanego i Zatoki Elbląskiej do granicy z gminą wiejską Elbląg w powiecie elbląskim,

— powiat miejski Elbląg,

— gmina Wydminy, część gminy Miłki położona na wschód od linii wyznaczonej przez drogę nr 63, część gminy Ryn położona na północ od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn, część gminy wiejskiej Giżycko położona na zachód od zachodniej linii brzegowej jeziora Kisajno i na północ od linii wyznaczonej przez drogę nr 59 biegnacą od zachodniej granicy gminy do granicy miasta Giżyckow powiecie giżyckim,

— powiat gołdapski,

— część gminy Węgorzewo położona na zachód od linii wyznaczonej przez drogę nr 63 biegnącą od południowo-wschodniej granicy gminy do skrzyżowania z drogą nr 650, a następnie na południe od linii wyznaczonej przez drogę nr 650 biegnącą od skrzyżowania z drogą nr 63 do skrzyżowania z drogą biegnącą do miejscowości Przystań i na wschód od linii wyznaczonej przez drogę łączącą miejscowości Przystań, Pniewo, Kamionek Wielki, Radzieje, Dłużec w powiecie węgorzewskim,

— powiat olecki,

— gminy Orzysz, Biała Piska i Pisz w powiecie piskim,

— gminy Górowo Iławeckie z miastem Górowo Iławeckie i Bisztynekw powiecie bartoszyckim,

— gmina Kolno i część gminy Jeziorany położona na północ od linii wyznaczonej przez drogę nr 593 w powiecie olsztyńskim,

— powiat braniewski,

— gminy Kętrzyn z miastem Kętrzyn, Reszel i część gminy Korsze położona na południe od linii wyznaczonej przez drogę biegnącą od wschodniej granicy łączącą miejscowości Krelikiejmy i Sątoczno i na wschód od linii wyznaczonej przez drogę łączącą miejscowości Sątoczno, Sajna Wielka biegnącą do skrzyżowania z drogą nr 590 w miejscowości Glitajny, a następnie na wschód od drogi nr 590 do skrzyżowania z drogą nr 592 i na południe od linii wyznaczonej przez drogę nr 592 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 590 w powiecie kętrzyńskim,

— gminy Lidzbark Warmiński z miastem Lidzbark Warmiński, Lubomino, Orneta i część gminy Kiwity położona na południe od linii wyznaczonej przez drogę nr 513 w powiecie lidzbarskim,

— część gminy Sorkwity położona na północ od drogi nr 16 i część gminy wiejskiej Mrągowo położona na północ od linii wyznaczonej przez drogę nr 16 biegnącą od zachodniej granicy gminy do granicy miasta Mrągowo oraz na północ od linii wyznaczonej przez drogę nr 59 biegnącą od wschodniej granicy gminy do granicy miasta Mrągowo w powiecie mrągowskim;

w województwie podlaskim:

— powiat grajewski,

— powiat moniecki,

— powiat sejneński,

— gminy Łomża, Piątnica, Jedwabne, Przytuły i Wizna w powiecie łomżyńskim,

— powiat miejski Łomża,

— gminy Mielnik, Nurzec – Stacja, Grodzisk, Drohiczyn, Dziadkowice, i Siemiatycze z miastem Siemiatyczew powiecie siemiatyckim,

— gminy Białowieża, Czyże, Narew, Narewka, Hajnówka z miastem Hajnówka i część gminy Dubicze Cerkiewne położona na północny wschód od linii wyznaczonej przez drogę nr 1654B w powiecie hajnowskim,

— gminy Kobylin-Borzymyi Sokoły w powiecie wysokomazowieckim,

— gminy Grabowo i Stawiski w powiecie kolneńskim,

— gminy Czarna Białostocka, Dobrzyniewo Duże, Gródek, Juchnowiec Kościelny, Łapy, Michałowo, Supraśl, Suraż, Turośń Kościelna, Tykocin, Wasilków, Zabłudów, Zawady i Choroszcz w powiecie białostockim,

— miasto Bielsk Podlaski, część gminy Bielsk Podlaski położona na zachód od linii wyznaczonej przez drogę nr 19 biegnącą od południowo-zachodniej granicy gminy do granicy miasta Bielsk Podlaski, na północ od linii wyznaczonej przez drogę nr 689 biegnącą od wschodniej granicy gminy do wschodniej granicy miasta Bielsk Podlaski oraz na północ i północny zachód od granicy miasta Bielsk Podlaski, część gminy Boćki położona na zachód od linii od linii wyznaczonej przez drogę nr 19 i część gminy Brańsk położona na południe od linii od linii wyznaczonej przez drogę nr 66 biegnącą od wschodniej granicy gminy do granicy miasta Brańsk w powiecie bielskim,

— powiat suwalski,

— powiat miejski Suwałki,

— powiat augustowski,

— powiat sokólski,

— powiat miejski Białystok;

w województwie mazowieckim:

— gminy Korczew, Kotuń, Paprotnia, Przesmyki, Wodynie, Skórzec, Mokobody, Mordy, Siedlce, Suchożebry i Zbuczyn w powiecie siedleckim,

— powiat miejski Siedlce,

— gminy Bielany, Ceranów, Jabłonna Lacka, Kosów Lacki, Repki, Sabnie, Sterdyń i gmina wiejska Sokołów Podlaski w powiecie sokołowskim,

— powiat węgrowski,

— powiat łosicki,

— gminy Brochów, Młodzieszyn, część gminy Teresin położona na północ od linii wyznaczonej przez drogę nr 92, część gminy wiejskiej Sochaczew położona na północ od linii wyznaczonej przez drogę nr 92 i część miasta Sochaczew położona na północny wschód od linii wyznaczonej przez drogi nr 50 i 92 w powiecie sochaczewskim,

— powiat nowodworski,

— gminy Czerwińsk nad Wisłą, Joniec, Naruszewo Nowe Miasto i Załuski w powiecie płońskim,

— gminy Pokrzywnica, Świercze i część gminy Winnica położona na zachód od linii wyznaczonej przez drogę łączącą miejscowości Bielany, Winnica i Pokrzywnica w powiecie pułtuskim,

— gminy Dąbrówka, Kobyłka, Marki, Radzymin, Wołomin, Zielonka i Ząbki w powiecie wołomińskim,

— część gminy Somianka położona na południe od linii wyznaczonej przez drogę nr 62 w powiecie wyszkowskim,

— gminy Cegłów, Dębe Wielkie, Halinów, Latowicz, Mrozy, Siennica, Sulejówek, część gminy Jakubów położona na południe od linii wyznaczoenj przez drogę nr A2, część gminy Kałuszyn położona na południe od linii wyznaczonej przez drogi nr 2 i 92 i część gminy Mińsk Mazowiecki położona na południe od linii wyznaczonej przez drogę nr A2 i miasto Mińsk Mazowiecki w powiecie mińskim,

— powiat garwoliński,

— powiat otwocki,

— powiat warszawski zachodni,

— powiat legionowski,

— powiat piaseczyński,

— powiat pruszkowski,

— gminy Chynów, Grójec, Jasieniec, Pniewy i Warka w powiecie grójeckim,

— gminy Milanówek, Grodzisk Mazowiecki, Podkowa Leśna i Żabia Wola w powiecie grodziskim,

— gminy Grabów nad Pilicą, Magnuszew, Głowaczów, Kozienice w powiecie kozienickim,

— część gminy Stromiec położona na północ od linii wyznaczonej przez drogę nr 48 w powiecie białobrzeskim,

— powiat miejski Warszawa;

w województwie lubelskim:

— gminy Borki, Czemierniki, Kąkolewnica, Komarówka Podlaska, Wohyń i Radzyń Podlaski z miastem Radzyń Podlaski w powiecie radzyńskim,

— gminy Stoczek Łukowski z miastem Stoczek Łukowski, Wola Mysłowska, Trzebieszów, Krzywda, Stanin, część gminy wiejskiej Łuków położona na wschód od linii wyznaczonej przez drogę nr 63 biegnącą od północnej granicy gminy do granicy miasta Łuków i na północ od linii wyznaczonej przez drogę nr 806 biegnącą od wschodniej granicy miasta Łuków do wschodniej granicy gminy wiejskiej Łuków i miasto Łuków w powiecie łukowskim,

— gminy Janów Podlaski, Kodeń, Tuczna, Leśna Podlaska, Rossosz, Łomazy, Konstantynów, Piszczac, Rokitno, Biała Podlaska, Zalesie, Terespol z miastem Terespol, Drelów, Międzyrzec Podlaski z miastem Międzyrzec Podlaski w powiecie bialskim,

— powiat miejski Biała Podlaska,

— gmina Łęczna i część gminy Spiczyn położona na zachód od linii wyznaczonej przez drogę nr 829 w powiecie łęczyńskim,

— część gminy Siemień położona na zachód od linii wyznaczonej przez drogę nr 815 i część gminy Milanów położona na zachód od drogi nr 813 w powiecie parczewskim,

— gminy Niedźwiada, Ostrówek, Abramów, Firlej, Kamionka, Michów, Lubartów z miastem Lubartów i część gminy Kock położona na wschód od linii wyznaczonej przez rzekę Czarną, w powiecie lubartowskim,

— gminy Jabłonna, Krzczonów, Niemce, Garbów, Głusk i Wólka w powiecie lubelskim,

— powiat miejski Lublin,

— gminy Mełgiew, Rybczewice, Piaski i miasto Świdnik w powiecie świdnickim,

— gminy Fajsławice, Gorzków, i część gminy Łopiennik Górny położona na zachód od linii wyznaczonej przez drogę nr 17 w powiecie krasnostawskim,

— gminy Dołhobyczów, Mircze, Trzeszczany, Werbkowice i część gminy wiejskiej Hrubieszów położona na południe od linii wyznaczonej przez drogę nr 844 oraz na południe od linii wyznaczonej przez drogę nr 74 i miasto Hrubieszów w powiecie hrubieszowskim,

— gmina Telatyn, Tyszowce i część gminy Łaszczów położona na północ od linii wyznaczonej przez drogę nr 852 w powiecie tomaszowskim,

— część gminy Wojsławice położona na zachód od linii wyznaczonej przez drogę biegnącą od północnej granicy gminy przez miejscowość Wojsławice do południowej granicy gminy w powiecie chełmskim,

— gmina Grabowiec i część gminy Skierbieszów położona na wschód od linii wyznaczonej przez drogę nr 843 w powiecie zamojskim,

— gminy Markuszów, Nałęczów, Kazimierz Dolny, Końskowola, Kurów, Wąwolnica, Żyrzyn, Baranów, część gminy wiejskiej Puławy położona na wschód od rzeki Wisły i miasto Puławy w powiecie puławskim,

— gminy Annopol, Dzierzkowice i Gościeradów w powiecie kraśnickim,

— gmina Józefów nad Wisłą w powiecie opolskim,

— gminy Kłoczew i Stężyca w powiecie ryckim;

w województwie podkarpackim:

— gminy Radomyśl nad Sanem i Zaklików w powiecie stalowowolskim.

8. **Romania**

The following areas in Romania:

— Restul județului Maramureș care nu a fost inclus în Partea III cu următoarele comune:

  — Comuna Vişeu de Sus,
  — Comuna Moisei,
  — Comuna Borșa,
  — Comuna Oarța de Jos,
  — Comuna Suciu de Sus,
  — Comuna Coroieni,
  — Comuna Târgu Lăpuș,
  — Comuna Vima Mică,
  — Comuna Boiu Mare,
  — Comuna Valea Chioarului,
  — Comuna Ulmeni,
  — Comuna Băsești,
  — Comuna Baia Mare,
  — Comuna Tăuții Magherăuș,
  — Comuna Cicărlău,
  — Comuna Seini,
  — Comuna Ardusat,
  — Comuna Farcasa,
  — Comuna Salsig,
  — Comuna Asuaju de Sus,
  — Comuna Băița de sub Codru,
  — Comuna Bicaz,
  — Comuna Grosi,
  — Comuna Recea,
  — Comuna Baia Sprie,
  — Comuna Sisesti,
  — Comuna Cernesti,
  — Copalnic Mănăstur,
  — Comuna Dumbrăvița,
  — Comuna Cupseni,
  — Comuna Șomcuța Mare,
  — Comuna Sacaleșeni,

— Comuna Remetea Chioarului,

— Comuna Mireşu Mare,

— Comuna Ariniş,

— Judeţul Bistriţa-Năsăud.

PART III

1. **Latvia**

The following areas in Latvia:

— Brocēnu novada Cieceres un Gaiķu pagasts, Remtes pagasta daļa uz rietumiem no autoceļa 1154 un P109, Brocēnu pilsēta,

— Saldus novada Saldus, Zirņu, Lutriņu un Jaunlutriņu pagasts, Saldus pilsēta.

2. **Lithuania**

The following areas in Lithuania:

— Akmenės rajono savivaldybė: Akmenės, Kruopių, Naujosios Akmenės kaimiškoji ir Naujosios Akmenės miesto seniūnijos,

— Birštono savivaldybė,

— Joniškio rajono savivaldybė: Gaižaičių, Gataučių, Joniškio, Rudiškių, Skaistgirio, Žagarės seniūnijos,

— Kalvarijos savivaldybė: Kalvarijos seniūnijos dalis į šiaurę nuo kelio Nr. 131 ir į šiaurę nuo kelio Nr. 200,

— Kazlų Rudos savivaldybė: Antanavo seniūnija ir Kazlų Rudos seniūnijos dalis nuo kelio Nr. 2613 į pietus, kelio Nr. 183 į vakarus ir kelio Nr. 230 į pietus,

— Lazdijų rajono savivaldybė: Lazdijų miesto, Lazdijų, Seirijų, Šeštokų, Šventežerio ir Veisiejų seniūnijos,

— Marijampolės savivaldybė: Igliaukos, Liudvinavo, Marijampolės, Sasnavos ir Šunskų seniūnijos,

— Mažeikių rajono savivaldybės: Laižuvos, Mažeikių apylinkės, Mažeikių, Reivyčių, Tirkšlių ir Viekšnių seniūnijos,

— Prienų rajono savivaldybė: Ašmintos, Balbieriškio, Išlaužo, Jiezno, Naujosios Ūtos, Pakuonio, Prienų ir Šilavotos seniūnijos,

— Šakių rajono savivaldybė: Gelgaudiškio ir Plokščių seniūnijos ir Kriūkų seniūnijos dalis į vakarus nuo kelio Nr. 3804, Lukšių seniūnijos dalis į vakarus nuo kelio Nr. 3804, Šakių seniūnijos dalis į šiaurę nuo kelio Nr. 140 ir į šiaurės rytus nuo kelio Nr. 137,

— Šiaulių rajono savivaldybės: Bubių, Ginkūnų, Gruzdžių, Kairių, Kuršėnų kaimiškoji, Kuršėnų miesto, Kužių, Meškuičių, Raudėnų ir Šakynos seniūnijos,

— Šakių rajono savivaldybė: Gelgaudiškio ir Plokščių seniūnijos ir Kriūkų seniūnijos dalis į vakarus nuo kelio Nr. 3804, Lukšių seniūnijos dalis į vakarus nuo kelio Nr. 3804, Šakių seniūnijos dalis į šiaurę nuo kelio Nr. 140 ir į šiaurės rytus nuo kelio Nr. 137,

— Vilkaviškio rajono savivaldybės: Gižų ir Pilviškių seniūnijos.

3. **Poland**

The following areas in Poland:

w województwie warmińsko-mazurskim:

— gminy Sępopol i Bartoszyce z miastem Bartoszyce w powiecie bartoszyckim,

— część gminy Kiwity położona na północ od linii wyznaczonej przez drogę nr 513 w powiecie lidzbarskim,

— gminy Srokowo, Barciany i część gminy Korsze położona na północ od linii wyznaczonej przez drogę biegnącą od wschodniej granicy łączącą miejscowości Krelikiejmy i Sątoczno i na zachód od linii wyznaczonej przez drogę łączącą miejscowości Sątoczno, Sajna Wielka biegnącą do skrzyżowania z drogą nr 590 w miejscowości Glitajny, a następnie na zachód od drogi nr 590 do skrzyżowania z drogą nr 592 i na północ od linii wyznaczonej przez drogę nr 592 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 590 w powiecie kętrzyńskim,

— gminy Budry, Pozezdrze i część gminy Węgorzewo położona na wschód od linii wyznaczonej przez drogę nr 63 biegnącą od południowo-wschodniej granicy gminy do skrzyżowania z drogą nr 650, a następnie na północ od linii wyznaczonej przez drogę nr 650 biegnącą od skrzyżowania z drogą nr 63 do skrzyżowania z drogą biegnącą do miejscowości Przystań i na zachód od linii wyznaczonej przez drogę łączącą miejscowości Przystań, Pniewo, Kamionek Wielki, Radzieje, Dłużec w powiecie węgorzewskim,

— gmina Kruklanki, część gminy Giżycko położona na wschód od zachodniej linii brzegowej jeziora Kisajno do granic miasta Giżycko oraz na wschód od linii wyznaczonej przez drogę nr nr 63 biegnącą od południowo-wschodniej granicy miasta Giżycko do południowej granicy gminy Giżycko i, miasto Giżycko w powiecie giżyckim,

w województwie podlaskim:

— gmina Orla, część gminy Bielsk Podlaski położona na wschód od linii wyznaczonej przez drogę nr 19 biegnącą od południowo-zachodniej granicy gminy do granicy miasta Bielsk Podlaski i na południe od linii wyznaczonej przez drogę nr 689 biegnącą od wschodniej granicy gminy do wschodniej granicy miasta Bielsk Podlaski i część gminy Boćki położona na wschód od linii wyznaczonej przez drogę nr 19 w powiecie bielskim,

— gminy Kleszczele, Czeremcha i część gminy Dubicze Cerkiewne położona na południowy zachód od linii wyznaczonej przez drogę nr 1654B w powiecie hajnowskim,

— gmina Milejczyce w powiecie siemiatyckim;

w województwie mazowieckim:

— gminy Domanice i Wiśniew w powiecie siedleckim,

w województwie lubelskim:

— gminy Białopole, Dubienka, Chełm, Leśniowice, Wierzbica, Sawin, Ruda Huta, Dorohusk, Kamień, Rejowiec, Rejowiec Fabryczny z miastem Rejowiec Fabryczny, Siedliszcze, Żmudź i część gminy Wojsławice położona na wschód od linii wyznaczonej przez drogę biegnącą od północnej granicy gminy do miejscowości Wojsławice do południowej granicy gminy w powiecie chełmskim,

— powiat miejski Chełm,

— gminy Izbica, Kraśniczyn, Krasnystaw z miastem Krasnystaw, Siennica Różana i część gminy Łopiennik Górny położona na wschód od linii wyznaczonej przez drogę nr 17 w powiecie krasnostawskim,

— gmina Stary Zamość i część gminy Skierbieszów położona na zachód od linii wyznaczonej przez drogę nr 843 w powiecie zamojskim,

— gminy Hanna, Hańsk, Wola Uhruska, Urszulin, Stary Brus, Wyryki i gmina wiejska Włodawa w powiecie włodawskim,

— gminy Cyców, Ludwin, Puchaczów, Milejów i część gminy Spiczyn położona na wschód od linii wyznaczonej przez drogę nr 829 w powiecie łęczyńskim,

— gmina Trawniki w powiecie świdnickim,

— gminy Jabłoń, Podedwórze, Dębowa Kłoda, Parczew, Sosnowica, część gminy Siemień położona na wschód od linii wyznaczonej przez drogę nr 815 i część gminy Milanów położona na wschód od drogi nr 813 w powiecie parczewskim,

— gminy Sławatycze, Sosnówka, i Wisznice w powiecie bialskim,

— gmina Ulan Majorat w powiecie radzyńskim,

— gminy Ostrów Lubelski, Serniki i Uścimów w powiecie lubartowskim,

— gmina Wojcieszków i część gminy wiejskiej Łuków położona na zachód od linii wyznaczonej przez drogę nr 63 biegnącą od północnej granicy gminy do granicy miasta Łuków, a następnie na północ, zachód, południe i wschód od linii stanowiącej północną, zachodnią, południową i wschodnią granicę miasta Łuków do jej przecięcia się z drogą nr 806 i na południe od linii wyznaczonej przez drogę nr 806 biegnącą od wschodniej granicy miasta Łuków do wschodniej granicy gminy wiejskiej Łuków w powiecie łukowskim,

— gminy Horodło, Uchanie i część gminy wiejskiej Hrubieszów położona na północ od linii wyznaczonej przez drogę nr 844 biegnącą od zachodniej granicy gminy wiejskiej Hrubieszów do granicy miasta Hrubieszów oraz na północ od linii wyznaczonej przez drogę nr 74 biegnącą od wschodniej granicy miasta Hrubieszów do wschodniej granicy gminy wiejskiej Hrubieszów w powiecie hrubieszowskim,

4. **Romania**

The following areas in Romania:

— Zona orașului București,

— Județul Constanța,

— Județul Satu Mare,

— Județul Tulcea,

— Județul Bacău,

— Județul Bihor,
— Județul Brăila,
— Județul Buzău,
— Județul Călărași,
— Județul Dâmbovița,
— Județul Galați,
— Județul Giurgiu,
— Județul Ialomița,
— Județul Ilfov,
— Județul Prahova,
— Județul Sălaj,
— Județul Vaslui,
— Județul Vrancea,
— Județul Teleorman,
— Partea din județul Maramureș cu următoarele delimitări:
  — Comuna Petrova,
  — Comuna Bistra,
  — Comuna Repedea,
  — Comuna Poienile de sub Munte,
  — Comuna Vișeu e Jos,
  — Comuna Ruscova,
  — Comuna Leordina,
  — Comuna Rozavlea,
  — Comuna Strâmtura,
  — Comuna Bârsana,
  — Comuna Rona de Sus,
  — Comuna Rona de Jos,
  — Comuna Bocoiu Mare,
  — Comuna Sighetu Marmației,
  — Comuna Sarasau,
  — Comuna Câmpulung la Tisa,
  — Comuna Săpânța,
  — Comuna Remeti,
  — Comuna Giulești,
  — Comuna Ocna Șugatag,
  — Comuna Desești,
  — Comuna Budești,
  — Comuna Băiuț,
  — Comuna Cavnic,
  — Comuna Lăpuș,
  — Comuna Dragomirești,
  — Comuna Ieud,
  — Comuna Saliștea de Sus,
  — Comuna Săcel,

    — Comuna Călinești,
    — Comuna Vadu Izei,
    — Comuna Botiza,
    — Comuna Bogdan Vodă,
    — Localitatea Groșii Țibileșului, comuna Suciu de Sus,
    — Localitatea Vișeu de Mijloc, comuna Vișeu de Sus,
    — Localitatea Vișeu de Sus, comuna Vișeu de Sus.
- Partea din județul Mehedinți cu următoarele comune:
    — Comuna Strehaia,
    — Comuna Greci,
    — Comuna Brejnita Motru,
    — Comuna Butoiești,
    — Comuna Stângăceaua,
    — Comuna Grozesti,
    — Comuna Dumbrava de Jos,
    — Comuna Băcles,
    — Comuna Bălăcița,
- Județul Argeș,
- Județul Olt,
- Județul Dolj,
- Județul Arad,
- Județul Timiș,
- Județul Covasna,
- Județul Brașov,
- Județul Botoșani,
- Județul Vâlcea.

PART IV

Italy

The following areas in Italy:

— tutto il territorio della Sardegna.'

GUIDELINES

GUIDELINE (EU) 2019/1032 OF THE EUROPEAN CENTRAL BANK

of 10 May 2019

amending Guideline (EU) 2015/510 on the implementation of the Eurosystem monetary policy framework (ECB/2019/11)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first indent of Article 3.1, Articles 9.2, 12.1, 14.3 and 18.2 and the first paragraph of Article 20 thereof,

Whereas:

(1) Achieving a single monetary policy entails defining the tools, instruments and procedures to be used by the Eurosystem in order to implement such a policy in a uniform manner throughout the Member States whose currency is the euro.

(2) Guideline (EU) 2015/510 of the European Central Bank (ECB/2014/60) ([1]) should be amended to incorporate necessary technical and editorial adjustments relating to certain aspects of monetary policy operations.

(3) With a view to strengthening the transparency of the Eurosystem collateral framework, the definition of agencies as issuers or guarantors of debt instruments should be further clarified.

(4) Regulation (EU) 2017/2402 of the European Parliament and of the Council ([2]), adopted on 12 December 2017, lays down a general framework for securitisation and creates a framework for simple, transparent and standardised securitisations. The Eurosystem collateral framework should be revised to take account of relevant features of (a) the disclosure requirements set out in that Regulation in relation to data on the credit quality and performance of underlying exposures, and (b) the provisions of that Regulation regarding the registration of securitisation repositories with the European Securities and Markets Authority.

(5) To assess the credit quality of assets provided as collateral for credit operations, the Eurosystem takes into account information from credit assessment systems. In this context, the use of third-party rating tool (RT) providers as one of the accepted credit assessment sources should be discontinued to reduce the complexity of the Eurosystem collateral framework and to contribute to reducing the Eurosystem's reliance on external credit assessments.

(6) The Eurosystem accepts as collateral certain marketable debt instruments issued or guaranteed by multilateral development banks and international organisations. The criteria for recognising entities as multilateral development banks or international organisations should be streamlined in order to reduce the complexity of the Eurosystem collateral framework.

(7) The Eurosystem accepts as collateral certain credit claims. The eligibility criteria for such credit claims need to be amended to reduce the complexity and ensure the consistency of the Eurosystem collateral framework. In particular, the Eurosystem will no longer differentiate between floating rate credit claims that have ceilings or floors introduced at issuance and after issuance. Similarly, the Eurosystem will no longer differentiate between

([1]) Guideline (EU) 2015/510 of the European Central Bank of 19 December 2014 on the implementation of the Eurosystem monetary policy framework (General Documentation Guideline) (ECB/2014/60) (OJ L 91, 2.4.2015, p. 3).

([2]) Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012 (OJ L 347, 28.12.2017, p. 35).

floating rate credit claims with a reference rate linked to the yield of government bonds based on the maturity of the government bonds. It also needs to be clarified that credit claims are not eligible if their most recent cash flow was negative. Furthermore, a minimum size threshold for the eligibility of domestic credit claims should be introduced in order to further harmonise the use of credit claims as collateral for Eurosystem credit operations.

(8) All eligible assets for Eurosystem credit operations are subject to valuation rules and specific risk control measures in order to protect the Eurosystem against financial losses in circumstances where its collateral has to be realised due to an event of default of a counterparty. In this context, it needs to be clarified that the Eurosystem assigns a value to non-marketable assets based on the outstanding amount of such assets.

(9) The Eurosystem accepts as collateral covered bonds issued, owed or guaranteed by the counterparty or by an entity closely linked to it, provided these covered bonds meet certain criteria. In this context, the Eurosystem needs to further clarify the criteria for accepting such covered bonds as collateral.

(10) Other amendments, of a minor nature, need to be made in the interest of clarity, including with regard to the amount to be collateralised in liquidity-providing operations, the deadline for requesting access to the standing facilities and the geographical restrictions concerning asset-backed securities and cash-flow generating assets.

(11) Therefore, Guideline (EU) 2015/510 (ECB/2014/60) should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Guideline (EU) 2015/510 (ECB/2014/60) is amended as follows:

1. Article 2 is amended as follows:

   (a) point (2) is replaced by the following:

   ‘(2) “agency” means an entity that is established in a Member State whose currency is the euro and that either engages in certain common-good activities carried out at national or regional level or serves their funding needs, and which the Eurosystem has classified as an agency. The list of entities classified as agencies shall be published on the ECB’s website and shall specify whether the quantitative criteria for valuation haircut purposes set out in Annex XIIa are met in respect of each entity;’;

   (b) the following points (26a) and (26b) are inserted:

   ‘(26a) “ESMA reporting activation date” means the first day on which both (a) a securitisation repository has been registered by the European Securities and Markets Authority (ESMA) and therefore becomes an ESMA securitisation repository and (b) the relevant implementing technical standards, in the format of the standardised templates, have been adopted by the Commission under Article 7(4) of Regulation (EU) 2017/2402 of the European Parliament and of the Council (*) and have become applicable;

   (26b) “ESMA securitisation repository” means a securitisation repository within the meaning of point (23) of Article 2 of Regulation (EU) 2017/2402, which is registered with ESMA pursuant to Article 10 of that Regulation;

   (*) Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012 (OJ L 347, 28.12.2017, p. 35).’

   (c) the following point (31a) is inserted:

   ‘(31a) “Eurosystem designated repository” means an entity designated by the Eurosystem in accordance with Annex VIII and which continues to fulfil the requirements for designation set out in that Annex;’;

   (d) the following point (50a) is inserted:

   ‘(50a) “loan-level data repository” means an ESMA securitisation repository or a Eurosystem designated repository;’;

2. in Article 15, paragraph 1, point (b) is replaced by the following:

 ‘(b) ensure adequate collateralisation of the operation until its maturity; the value of the assets mobilised as collateral shall cover at all times the total outstanding amount of the liquidity-providing operation including the accrued interest during the term of the operation. If interest accrues at a positive rate, the applicable amount should be added on a daily basis to the total outstanding amount of the liquidity-providing operation and if it accrues at a negative rate, the applicable amount should be subtracted on a daily basis from the total outstanding amount of the liquidity-providing operation;’;

3. in Article 19, paragraph 5 is replaced by the following:

 ‘5. A counterparty may send a request to its home NCB for access to the marginal lending facility. Provided that the request is received by the home NCB at the latest 15 minutes following the TARGET2 closing time, the NCB shall process the request on the same day in TARGET2. The deadline for requesting access to the marginal lending facility shall be postponed by an additional 15 minutes on the last Eurosystem business day of a reserve maintenance period. Under exceptional circumstances, the Eurosystem may decide to apply later deadlines. The request for access to the marginal lending facility shall specify the amount of credit required. The counterparty shall deliver sufficient eligible assets as collateral for the transaction, unless such assets have already been pre-deposited by the counterparty with the home NCB pursuant to Article 18(4).’;

4. in Article 22, paragraph 2 is replaced by the following:

 ‘2. To be granted access to the deposit facility, the counterparty shall send a request to its home NCB. Provided that the request is received by the home NCB at the latest 15 minutes following the TARGET2 closing time, the home NCB shall process the request on the same day in TARGET2. The deadline for requesting access to the deposit facility shall be postponed by an additional 15 minutes on the last Eurosystem business day of a reserve maintenance period. Under exceptional circumstances, the Eurosystem may decide to apply later deadlines. The request shall specify the amount to be deposited under the facility.’;

5. in Article 59, paragraphs 4 and 5 are replaced by the following:

 ‘4. The Eurosystem shall publish information on credit quality steps on the ECB’s website in the form of the Eurosystem’s harmonised rating scale, including the mapping of credit assessments, provided by the accepted external credit assessment institutions (ECAIs), to credit quality steps.

 5. In the assessment of the credit quality requirements, the Eurosystem takes into account credit assessment information from credit assessment systems belonging to one of the three sources in accordance with Title V of Part Four.’;

6. in Article 69, paragraph 2 is deleted;

7. in Article 70, the following paragraph 3a is inserted:

 ‘3a. For debt instruments issued or guaranteed by agencies, the issuer or guarantor shall be established in a Member State whose currency is the euro.’;

8. in Article 73, paragraph 1 is replaced by the following:

 ‘1. In order for ABSs to be eligible, all cash-flow generating assets backing the ABSs shall be homogenous, i.e. it shall be possible to report them according to one of the types of loan-level templates referred to in Annex VIII, which shall relate to one of the following:

 (a) residential mortgages;

 (b) loans to small and medium-sized enterprises (SMEs);

 (c) auto loans;

 (d) consumer finance loans;

 (e) leasing receivables;

 (f) credit card receivables.’;

9. Article 74 is amended as follows:

(a) paragraph 3 is replaced by the following:

'3. For the purpose of paragraph 2, a mortgage trustee or receivables trustee shall be considered to be an intermediary.';

(b) paragraph 4 is replaced by the following:

'4. The obligors and the creditors of the cash-flow generating assets shall be incorporated, or, if they are natural persons, shall be resident in the EEA. Obligors who are natural persons must have been resident in the EEA at the time the cash-flow generating assets were originated. Any related security shall be located in the EEA and the law governing the cash-flow generating assets shall be the law of an EEA country.';

10. Article 78 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Comprehensive and standardised loan-level data on the pool of cash-flow generating assets backing the ABSs shall be made available in accordance with the procedures set out in Annex VIII, which include the information on the required data quality score and the requirements for loan-level data repositories. In its eligibility assessment, the Eurosystem takes account of: (a) any failure to deliver data, and (b) how frequently individual loan-level data fields are found not to contain meaningful data.';

(b) paragraph 2 is replaced by the following:

'2. Notwithstanding the required scoring values set out in Annex VIII in respect of loan-level data, the Eurosystem may accept as collateral asset-backed securities with a score lower than the required scoring value (A1), on a case-by-case basis and subject to the provision of adequate explanations for the failure to achieve the required score. For each adequate explanation, the Eurosystem shall specify a maximum tolerance level and a tolerance horizon, as further specified on the ECB's website. The tolerance horizon shall indicate the time period within which the data quality for the ABSs must improve.';

11. Article 81a is amended as follows:

(a) in paragraph 1, the first indent is replaced by the following:

'— debt instruments issued by agencies,';

(b) paragraph 5 is deleted;

12. Article 90 is replaced by the following:

'*Article 90*

Principal amount and coupons of credit claims

In order to be eligible, credit claims shall comply with the following requirements:

(a) they have, until final redemption, a fixed, unconditional principal amount; and

(b) an interest rate that shall, until final redemption, be one of the following:

(i) a "zero coupon";

(ii) fixed;

(iii) floating, i.e. linked to a reference interest rate and with the following structure: coupon rate = reference rate ± x, with f ≤ coupon rate ≤ c, where:

— the reference rate is only one of the following at a single point in time:

— a euro money market rate, e.g. Euribor, LIBOR or similar indices;

— a constant maturity swap rate, e.g. CMS, EIISDA, EUSA;

— the yield of one or an index of several euro area government bonds;

— f (floor), c (ceiling), if they are present, and x (margin) are numbers that are either pre-defined at origination or may change over the life of the credit claim; f and/or c may also be introduced after origination of the credit claim; and

(c) their most recent cash flow was not negative. If a negative cash flow occurs, the credit claim is ineligible as at that moment. It may become eligible again after a cash flow that is not negative, provided it meets all other relevant requirements.';

13. Article 93 is replaced by the following:

'*Article 93*

Minimum size of credit claims

For domestic use, credit claims shall, at the time of their submission as collateral by the counterparty, meet a minimum size threshold of EUR 25 000, or any higher amount that may be laid down by the home NCB. For cross-border use, a minimum size threshold of EUR 500 000 shall apply.';

14. in Article 95, paragraph 1 is replaced by the following:

'1. The debtors and guarantors of eligible credit claims shall be non-financial corporations, public sector entities (excluding public financial corporations), multilateral development banks or international organisations.';

15. Article 100 is replaced by the following:

'*Article 100*

Verifications of the procedures used to submit credit claims

NCBs, or supervisors or external auditors, shall conduct a one-off verification of the appropriateness of the procedures used by the counterparty to submit the information on credit claims to the Eurosystem. In the event of significant changes to such procedures, a new one-off verification of those procedures may be conducted.';

16. in Article 107a, paragraph 2 is replaced by the following:

'2. DECCs shall have a fixed, unconditional principal amount and a coupon structure that complies with the criteria set forth in Article 63. The cover pool shall only contain credit claims for which either:

(a) a specific ECB DECC loan-level data reporting template; or

(b) an ABS loan-level data reporting template in accordance with Article 73;

is available.';

17. Article 107e is amended as follows:

(a) paragraph 3 is replaced by the following:

'3. At the level of the underlying individual credit claims, comprehensive and standardised loan-level data on the pool of underlying credit claims shall be made available in accordance with the procedures and subject to the same checks applicable to cash-flow generating assets backing ABSs as set out in Annex VIII, except with respect to the reporting frequency, the applicable loan-level data reporting template and the submission by the relevant parties of loan-level data to a loan-level data repository. In order for DECCs to be eligible, all underlying credit claims shall be homogenous, i.e. it must be possible to report them using a single ECB DECC loan-level data reporting template. The Eurosystem may determine that a DECC is not homogenous after evaluating the relevant data.';

(b) paragraph 5 is replaced by the following:

'5. Data quality requirements applied for ABSs shall apply to DECCs, including the specific ECB DECC loan-level data reporting template. The loan-level data shall be submitted in the specific ECB DECC loan-level data reporting template, as published on the ECB's website, to:

(a) an ESMA securitisation repository; or

(b) a Eurosystem designated repository.';

(c) the following paragraph 5a is inserted:

'5a. Submissions of loan-level data on DECCs to ESMA securitisation repositories in accordance with paragraph 5(a) shall commence at the beginning of the calendar month immediately following the date which is three months from the ESMA reporting activation date.

Submissions of loan-level data on DECCs to Eurosystem designated repositories in accordance with paragraph 5(b) shall be permitted until the end of the calendar month in which the date three years and three months from the ESMA reporting activation date falls.

The ESMA reporting activation date shall be published by the ECB on its website.';

18. In Article 114, paragraph 5 is replaced by the following:

'5. If the guarantor is not a public sector entity with the right to levy taxes, a legal confirmation concerning the legal validity, binding effect and enforceability of the guarantee shall be submitted to the relevant NCB in a form and substance acceptable to the Eurosystem before the marketable assets or credit claim supported by the guarantee can be considered eligible. The legal confirmation shall be prepared by persons who are independent of the counterparty, the issuer/debtor and the guarantor, and legally qualified to issue such confirmation under the applicable law, e.g. lawyers practising in a law firm, or working in a recognised academic institution or public body. The legal confirmation shall also state that the guarantee is not a personal one and is only enforceable by the holders of the marketable assets or the creditor of the credit claim. If the guarantor is established in a jurisdiction other than the one of the law governing the guarantee, the legal confirmation shall also confirm that the guarantee is valid and enforceable under the law of the jurisdiction in which the guarantor is established. For marketable assets, the legal confirmation shall be submitted by the counterparty for review to the NCB that is reporting the relevant asset supported by a guarantee for inclusion in the list of eligible assets. For credit claims, the legal confirmation shall be submitted by the counterparty seeking to mobilise the credit claim for review to the NCB in the jurisdiction of the law governing the credit claim. The requirement of enforceability is subject to any insolvency or bankruptcy laws, general principles of equity and other similar laws and principles applicable to the guarantor and generally affecting creditors' rights against the guarantor.';

19. in Article 119, paragraphs 1 and 2 are replaced by the following:

'1. The credit assessment information on which the Eurosystem bases the eligibility assessment of assets eligible as collateral for Eurosystem credit operations shall be provided by credit assessment systems belonging to one of the three following sources:

(a) ECAIs;

(b) NCBs' in-house credit assessment systems (ICASs);

(c) counterparties' internal rating-based (IRB) systems.

2. Under each credit assessment source listed in paragraph 1 there may be a set of credit assessment systems. Credit assessment systems shall comply with the acceptance criteria laid down in this Title. A list of the accepted credit assessment systems, i.e. the list of accepted ECAIs and ICASs, is published on the ECB's website.';

20. Article 124 is deleted;

21. Article 125 is deleted;

22. Article 135 is replaced by the following:

'*Article 135*

Valuation rules for non-marketable assets

Non-marketable assets shall be assigned a value by the Eurosystem corresponding to the outstanding amount of such non-marketable assets.';

23. in Article 138, paragraph 3, point (b) is replaced by the following:

'(b) covered bonds meeting the requirements set out in Article 129(1) to (3) and (6) of Regulation (EU) No 575/2013. From 1 February 2020, such covered bonds must have an ECAI issue rating as defined in point (a) of Article 83 which fulfils the requirements of Annex IXb;';

24. in Article 141, paragraph 1, point (c) is replaced by the following:

'(c) if such assets are issued by an agency, a multilateral development bank or an international organisation.';

25. Annexes VI, VIII and IXb are amended in accordance with the text set out in Annex I to this Guideline;

26. The text set out in Annex II to this Guideline is inserted as a new Annex XIIa to Guideline (EU) 2015/510 (ECB/2014/60).

Article 2

Taking effect and implementation

1. This Guideline shall take effect on the day of its notification to the national central banks of the Member States whose currency is the euro.

2. The national central banks of the Member States whose currency is the euro shall take the necessary measures to comply with this Guideline and apply them from 5 August 2019. They shall notify the European Central Bank of the texts and means relating to those measures by 21 June 2019 at the latest.

Article 3

Addressees

This Guideline is addressed to all Eurosystem central banks.

Done at Frankfurt am Main, 10 May 2019.

For the Governing Council of the ECB

The President of the ECB

Mario DRAGHI

ANNEX I

Annexes VI, VIII and IXb to Guideline (EU) 2015/510 (ECB/2014/60) are amended as follows:

1. Annex VI is amended as follows:

   (a) the title of Table 2 is replaced by the following:

   '**Eligible links between securities settlement systems**';

   (b) the first sentence after the title of Table 2 is replaced by the following:

   'Use of eligible assets issued in the SSS of country B held by a counterparty established in country A through an eligible link between the SSSs in countries A and B in order to obtain credit from the NCB of country A.';

   (c) the first sentence after the title of Table 3 is replaced by the following:

   'Use of eligible assets issued in the SSS of country C and held in the SSS of country B by a counterparty established in country A through an eligible link between the SSSs in countries B and C in order to obtain credit from the NCB of country A.';

2. Annex VIII is amended as follows:

   (a) the title and the introductory paragraph are replaced by the following:

   '*ANNEX VIII*

   LOAN-LEVEL DATA REPORTING REQUIREMENTS FOR ASSET-BACKED SECURITIES AND THE REQUIREMENTS FOR LOAN-LEVEL DATA REPOSITORIES

   This Annex applies to the provision of comprehensive and standardised loan-level data on the pool of cash-flow generating assets backing asset-backed securities (ABSs), as specified in Article 78, and sets out the requirements for loan-level data repositories.';

   (b) Section I is amended as follows:

   (i) paragraphs 1 and 2 are replaced by the following:

   '1. Loan-level data must be submitted by the relevant parties to a loan-level data repository in accordance with this Annex. The loan-level data repository publishes such data electronically.

   2. Loan-level data may be submitted for each individual transaction using:

   (a) for transactions reported to an ESMA securitisation repository, the relevant templates specified in the implementing technical standards adopted by the Commission under Article 7(4) of Regulation (EU) 2017/2402; or

   (b) for transactions reported to a Eurosystem designated repository, the up-to-date relevant ECB loan-level data reporting template, published on the ECB's website.

   In each case, the relevant template to be submitted depends on the type of asset backing the ABS, as defined in Article 73(1).';

   (ii) the following paragraphs 2a and 2b are inserted:

   '2a. Submission of loan-level data in accordance with paragraph 2(a) will commence at the beginning of the calendar month immediately following the date which is three months from the ESMA reporting activation date.

   Submission of loan-level data in accordance with paragraph 2(b) is permitted until the end of the calendar month in which the date three years and three months from the ESMA reporting activation date falls.

2b. Notwithstanding the second subparagraph of paragraph 2a, loan-level data for an individual transaction must be submitted in accordance with paragraph 2(a) where both:

(a) the relevant parties to a transaction are obliged pursuant to Article 7(1)(a) and Article 7(2) of Regulation (EU) 2017/2402 to report loan-level data on the individual transaction to an ESMA securitisation repository using the relevant templates specified in the implementing technical standards adopted by the Commission under Article 7(4) of that Regulation; and

(b) submissions of loan-level data in accordance with paragraph 2(a) have commenced.';

(c) Section II is amended as follows:

(i) paragraph 2 is replaced by the following:

'2. The ABSs must achieve a compulsory minimum compliance level, assessed by reference to the availability of information, in particular the data fields of the loan-level data reporting template.';

(ii) in paragraph 3, the first sentence is replaced by the following:

'3. To capture non-available fields, a set of six "no data" (ND) options are included in the loan-level data reporting templates and must be filled in whenever particular data cannot be submitted in accordance with the loan-level data reporting template.';

(d) Section III is amended as follows:

(i) the title is replaced by the following

'III. DATA SCORE METHODOLOGY';

(ii) paragraph 1 is deleted;

(iii) paragraph 2 is replaced by the following:

'2. The loan-level data repository generates and assigns a score to each ABS transaction upon submission and processing of loan-level data.';

(iv) paragraph 4 and Table 3 are deleted;

(e) in Section IV.II entitled 'Procedures for designation and withdrawal of designation', paragraph 1 is replaced by the following:

'1. An application for designation by the Eurosystem as a loan-level data repository must be submitted to the ECB's Directorate Risk Management. The application must provide appropriate reasoning and complete supporting documentation demonstrating the applicant's compliance with the requirements for loan-level data repositories set out in this Guideline. The application, reasoning and supporting documentation must be provided in writing and, wherever possible, in electronic format. No application for designation will be accepted after 13 May 2019. Any application received prior to that date will be processed in accordance with this Annex.';

3. Annex IXb is amended as follows:

(a) in paragraph 1, the third subparagraph is replaced by the following:

'The requirements apply to issue ratings as referred to in Article 83 and therefore encompass all asset and programme ratings for eligible covered bonds. ECAIs' compliance with these requirements will be regularly reviewed. If the criteria are not fulfilled for a particular covered bond programme, the Eurosystem may deem the public credit rating(s) related to the relevant covered bond programme not to meet the high credit standards of the ECAF. Thus, the relevant ECAI's public credit rating may not be used to establish the credit quality requirements for marketable assets issued under the specific covered bond programme.';

(b) paragraph 2(b) is amended as follows:

(i) points (vi) and (vii) are replaced by the following:

'(vi) The distribution of currencies, including a breakdown in terms of value at the level of both the cover pool and the individual bonds and including the percentage of euro-denominated assets and the percentage of euro-denominated bonds.

(vii) Cover pool assets, including the asset balance, asset types, number and average size of loans, seasoning, maturity, loan-to-valuation ratios, regional distribution and arrears distribution. As regards regional distributions, if the cover pool assets consist of loans originated in different countries, the surveillance report must, as a minimum, present the distribution across countries and the regional distribution for the main country of origin.';

(ii) the following three sentences are added after point (x):

'Surveillance reports for multi-cédulas must contain all the information required under points (i) to (x). In addition, these reports must include the list of the relevant originators and their respective shares in the multi-cédula. Asset-specific information must be reported either directly in the multi-cédula's surveillance report or by reference to the surveillance reports for each individual cédula rated by the ECAI.'

ANNEX II

'ANNEX XIIa

An entity that is considered an agency as defined in point (2) of Article 2 of this Guideline must fulfil the following quantitative criteria in order for its eligible marketable assets to be allocated to haircut category II as set out in Table 1 of the Annex to Guideline (EU) 2016/65 (ECB/2015/35):

(a) the average of the sum of the nominal values outstanding of all eligible marketable assets issued by the agency is at least EUR 10 billion over the reference period; and

(b) the average of the sum of the nominal values of all eligible marketable assets with a nominal value outstanding of at least EUR 500 million issued by the agency over the reference period results in a share equal to 50 % or more of the average of the sum of nominal value outstanding of all eligible marketable assets issued by that agency over the reference period.

Compliance with these quantitative criteria is assessed on an annual basis by calculating, in each given year, the relevant average over a one-year reference period starting on 1 August of the previous year and ending on 31 July of the current year.'

GUIDELINE (EU) 2019/1033 OF THE EUROPEAN CENTRAL BANK

of 10 May 2019

amending Guideline (EU) 2016/65 on the valuation haircuts applied in the implementation of the Eurosystem monetary policy framework (ECB/2019/12)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first indent of Article 3.1, Articles 9.2, 12.1, 14.3, 18.2 and the first paragraph of Article 20 thereof,

Whereas:

(1) All eligible assets for Eurosystem credit operations are subject to valuation rules and specific risk control measures in order to protect the Eurosystem against financial losses in circumstances where its collateral has to be realised due to an event of default of a counterparty. As a result of a review of the Eurosystem risk control and valuation framework in relation to non-marketable assets, several adjustments must be made in order to ensure adequate risk protection of the Eurosystem.

(2) Therefore, Guideline (EU) 2016/65 of the European Central Bank (ECB/2015/35) [1] should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Guideline (EU) 2016/65 (ECB/2015/35) is amended as follows:

1. in Article 2, point (b) is replaced by the following:

   ‘(b) debt instruments issued by: (i) local and regional governments; (ii) entities which are credit institutions or non-credit institutions classified by the Eurosystem as agencies and which meet the quantitative criteria set out in Annex XIIa to Guideline (EU) 2015/510 (ECB/2014/60); (iii) multilateral development banks and international organisations; as well as UCITS compliant jumbo covered bonds, are included in haircut category II;’;

2. in Article 2, point (c) is replaced by the following:

   ‘(c) UCITS compliant covered bonds other than UCITS compliant jumbo covered bonds; other covered bonds; and debt instruments issued by (i) non-financial corporations, (ii) corporations in the government sector, and (iii) agencies which are non-credit institutions that do not meet the quantitative criteria set out in Annex XIIa to Guideline (EU) 2015/510 (ECB/2014/60), are included in haircut category III;’;

3. in Article 2, point (d) is replaced by the following:

   ‘(d) unsecured debt instruments issued by: (i) credit institutions; (ii) agencies which are credit institutions that do not meet the quantitative criteria set out in Annex XIIa to Guideline (EU) 2015/510 (ECB/2014/60); and (iii) financial corporations other than credit institutions, are included in haircut category category IV;’;

4. Article 5 is amended as follows:

   (a) paragraph 1 is replaced by the following:

   ‘1. Individual credit claims shall be subject to specific valuation haircuts determined according to the residual maturity, the credit quality step and the interest rate structure as laid down in Table 3 in the Annex to this Guideline.’;

[1] Guideline (EU) 2016/65 of the European Central Bank of 18 November 2015 on the valuation haircuts applied in the implementation of the Eurosystem monetary policy framework (ECB/2015/35) (OJ L 14, 21.1.2016, p. 30).

(b) paragraph 2 is replaced by the following:

‘2. The following provisions shall apply with respect to the interest rate structure of credit claims:

(a) “zero coupon” credit claims shall be treated as fixed rate credit claims;

(b) floating rate credit claims with a resetting period longer than one year shall be treated as fixed rate credit claims;

(c) floating rate credit claims with a ceiling shall be treated as fixed rate credit claims;

(d) floating rate credit claims with a resetting period of one year or less and with a floor, but without a ceiling, shall be treated as floating rate credit claims;

(e) the valuation haircut applied to a credit claim with more than one type of interest payment shall depend only on the interest payments during the remaining life of the credit claim. If there is more than one type of interest payment during the remaining life of the credit claim, the remaining interest payments shall be treated as fixed-rate payments, with the relevant maturity for the haircut being the residual maturity of the credit claim.’;

(c) paragraph 3 is deleted;

(d) paragraph 4 is deleted;

(e) in paragraph 7 the words ‘paragraphs 1 to 4 above’ are replaced by the words ‘paragraphs 1 to 2’;

5. the Annex is amended in accordance with the Annex to this Guideline.

Article 2

Taking effect and implementation

1. This Guideline shall take effect on the day of its notification to the national central banks of the Member States whose currency is the euro.

2. The national central banks of the Member States whose currency is the euro shall take the necessary measures to comply with this Guideline and apply them from 5 August 2019. They shall notify the European Central Bank of the texts and means relating to those measures by 21 June 2019 at the latest.

Article 3

Addressees

This Guideline is addressed to the national central banks of the Member States whose currency is the euro.

Done at Frankfurt am Main, 10 May 2019.

For the Governing Council of the ECB

The President of the ECB

Mario DRAGHI

ANNEX

The Annex to Guideline (EU) 2016/65 (ECB/2015/35) is amended as follows:

1. Table 1 is replaced by the following:

'Table 1

Haircut categories for eligible marketable assets based on the type of issuer and/or type of asset

Category I	Category II	Category III	Category IV	Category V
debt instruments issued by central governments ECB debt certificates debt certificates issued by national central banks (NCBs) prior to the date of adoption of the euro in their respective Member State	debt instruments issued by local and regional governments debt instruments issued by entities (credit institutions or non-credit institutions) classified by the Eurosystem as agencies and which meet the quantitative criteria set out in Annex XIIa to Guideline (EU) 2015/510 (ECB/2014/60) debt instruments issued by multilateral development banks and international organisations UCITS compliant jumbo covered bonds	UCITS compliant covered bonds other than UCITS compliant jumbo covered bonds other covered bonds debt instruments issued by non-financial corporations, corporations in the government sector and agencies which are non-credit institutions that do not meet the quantitative criteria set out in Annex XIIa to Guideline (EU) 2015/510 (ECB/2014/60)	unsecured debt instruments issued by credit institutions and agencies which are credit institutions that do not meet the quantitative criteria set out in Annex XIIa to Guideline (EU) 2015/510 (ECB/2014/60) unsecured debt instruments issued by financial corporations other than credit institutions	asset-backed securities'

2. Table 2 is replaced by the following:

'Table 2

Valuation haircut levels applied to eligible marketable assets in haircut categories I to IV

		Haircut categories											
Credit quality	Residual maturity (years) (*)	Category I			Category II			Category III			Category IV		
		fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon
Steps 1 and 2	[0-1)	0,5	0,5	0,5	1,0	1,0	1,0	1,0	1,0	1,0	7,5	7,5	7,5
	[1-3)	1,0	2,0	0,5	1,5	2,5	1,0	2,0	3,0	1,0	10,0	10,5	7,5
	[3-5)	1,5	2,5	0,5	2,5	3,5	1,0	3,0	4,5	1,0	13,0	13,5	7,5
	[5-7)	2,0	3,0	1,0	3,5	4,5	1,5	4,5	6,0	2,0	14,5	15,5	10,0
	[7-10)	3,0	4,0	1,5	4,5	6,5	2,5	6,0	8,0	3,0	16,5	18,0	13,0
	[10,∞)	5,0	7,0	2,0	8,0	10,5	3,5	9,0	13,0	4,5	20,0	25,5	14,5

		Haircut categories											
Credit quality	Residual maturity (years) (*)	Category I			Category II			Category III			Category IV		
		fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon
Step 3	[0-1)	6,0	6,0	6,0	7,0	7,0	7,0	8,0	8,0	8,0	13,0	13,0	13,0
	[1-3)	7,0	8,0	6,0	9,5	13,5	7,0	12,0	15,0	8,0	22,5	25,0	13,0
	[3-5)	9,0	10,0	6,0	13,5	18,5	7,0	16,5	22,0	8,0	28,0	32,5	13,0
	[5-7)	10,0	11,5	7,0	14,0	20,0	9,5	18,5	26,0	12,0	30,5	35,0	22,5
	[7-10)	11,5	13,0	9,0	16,0	24,5	13,5	19,0	28,0	16,5	31,0	37,0	28,0
	[10,∞)	13,0	16,0	10,0	19,0	29,5	14,0	19,5	30,0	18,5	31,5	38,0	30,5

(*) i.e. [0-1) residual maturity less than one year, [1-3) residual maturity equal to or greater than one year and less than three years, etc.'

3. Table 3 is replaced by the following:

'Table 3

Valuation haircut levels applied to eligible credit claims with fixed or floating interest payments

Credit quality	Residual maturity (years) (*)	Fixed interest payment	Floating interest payment
Steps 1 and 2 (AAA to A-)	[0-1)	12,0	12,0
	[1-3)	16,0	12,0
	[3-5)	21,0	12,0
	[5-7)	27,0	16,0
	[7-10)	35,0	21,0
	[10, ∞)	45,0	27,0
Step 3 (BBB+ to BBB-)	[0-1)	19,0	19,0
	[1-3)	33,5	19,0
	[3-5)	45,0	19,0
	[5-7)	50,5	33,5
	[7-10)	56,5	45,0
	[10, ∞)	63,0	50,5

(*) i.e. [0-1) residual maturity less than one year, [1-3) residual maturity equal to or greater than one year and less than three years, etc.'

GUIDELINE (EU) 2019/1034 OF THE EUROPEAN CENTRAL BANK

of 10 May 2019

amending Guideline ECB/2014/31 on additional temporary measures relating to Eurosystem refinancing operations and eligibility of collateral (ECB/2019/13)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first indent of Article 3.1, and Articles 5.1, 12.1, 14.3 and 18.2 thereof,

Whereas:

(1) The Governing Council has decided that for the purposes of Articles 1(3), 6(1) and Article 8 of Guideline ECB/2014/31 ([1]), the Hellenic Republic shall no longer be considered a euro area Member State under a European Union/International Monetary Fund programme ([2]).

(2) The Governing Council has decided that for the purposes of Article 8 of Guideline ECB/2014/31, the Republic of Cyprus shall no longer be considered a euro area Member State under a European Union/International Monetary Fund programme ([3]).

(3) The suspension of the requirements for credit quality thresholds for certain marketable instruments should be subject to an explicit decision of the Governing Council.

(4) Therefore, Guideline ECB/2014/31 should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Guideline ECB/2014/31 is amended as follows:

1. in Article 1, paragraph 3 is deleted;
2. Article 6 is deleted;
3. in Article 8, paragraph 2 is replaced by the following:

   ‘2. On the basis of a specific decision of the Governing Council to that effect, the Eurosystem’s credit quality threshold shall not apply to marketable debt instruments issued or fully guaranteed by the central government of a euro area Member State under a European Union/International Monetary Fund programme, for as long as such Member State is considered by the Governing Council to comply with the conditionality of the financial support and/or the macroeconomic programme.’;

4. in Article 8, paragraph 3 is deleted;
5. in Article 9, paragraph 3 is deleted;
6. Annexes I and II are deleted.

([1]) Guideline ECB/2014/31 of 9 July 2014 on additional temporary measures relating to Eurosystem refinancing operations and eligibility of collateral and amending Guideline ECB/2007/9 (OJ L 240, 13.8.2014, p. 28).
([2]) Decision (EU) 2018/1148 of the European Central Bank of 10 August 2018 on the eligibility of marketable debt instruments issued or fully guaranteed by the Hellenic Republic and repealing Decision (EU) 2016/1041 (ECB/2018/21) (OJ L 208, 17.8.2018, p. 91).
([3]) Decision (EU) 2016/457 of the European Central Bank of 16 March 2016 on the eligibility of marketable debt instruments issued or fully guaranteed by the Republic of Cyprus (ECB/2016/5) (OJ L 79, 30.3.2016, p. 41).

Article 2

Taking effect and implementation

1. This Guideline shall take effect on the day of its notification to the national central banks of the Member States whose currency is the euro.

2. The national central banks of the Member States whose currency is the euro shall take the necessary measures to comply with this Guideline and apply them from 5 August 2019. They shall notify the ECB of the texts and means relating to those measures by 21 June 2019 at the latest.

Article 3

Addressees

This Guideline is addressed to all Eurosystem central banks.

Done at Frankfurt am Main, 10 May 2019.

For the Governing Council of the ECB

The President of the ECB

Mario DRAGHI

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2019
of 10 April 2019
OF THE JOINT COMMITTEE OF THE EU-JAPAN EPA [2019/1035]

THE JOINT COMMITTEE FOR THE EU-JAPAN EPA,

Having regard to the Agreement between the European Union and Japan for an Economic Partnership (the EU-Japan EPA) and in particular subparagraph 4(e) of Article 22.1, paragraph 2 of Article 21.6, and Article 21.30 thereof,

Whereas:

(1) Pursuant to subparagraph 4(e) of Article 22.1 of the EU-Japan EPA, the Joint Committee is to adopt its own rules of procedure;

(2) Pursuant to paragraph 2 of Article 21.6, the Joint Committee is to adopt the Mediation Procedure; and

(3) Pursuant to Article 21.30, the Joint Committee is to adopt the Rules of Procedure of a Panel and the Code of Conduct for Arbitrators,

HAS DECIDED AS FOLLOWS:

— The Rules of Procedure of the Joint Committee, as set out in Annex 1;

— The Mediation Procedure, as set out in Annex 2;

— The Rules of Procedure of a Panel in Annex 3; and

— The Code of Conduct for Arbitrators, as set out in the Annex 4,

are hereby adopted.

Signed at Tokyo, on 10 April 2019.

For the Joint Committee of the EU-Japan EPA

On behalf of Japan	*On behalf of the EU*
Taro KONO	Cecilia MALMSTRÖM

ANNEX 1

RULES OF PROCEDURE OF THE JOINT COMMITTEE UNDER THE AGREEMENT BETWEEN THE EUROPEAN UNION AND JAPAN FOR AN ECONOMIC PARTNERSHIP

Article 1

Composition and Chair

1. The Joint Committee that is established by paragraph 1 of Article 22.1 of the Agreement between the European Union and Japan for an Economic Partnership (hereinafter referred to as 'the Agreement') will perform its duties as provided in Article 22.1 of the Agreement and will take responsibility for the general implementation and operation of the Agreement.

2. The Joint Committee will be composed of representatives of the European Union and Japan and, in accordance with paragraph 3 of Article 22.1 of the Agreement, will be co-chaired by the Member of the European Commission responsible for Trade and the Minister for Foreign Affairs of Japan.

3. The co-chairs may be represented by their respective delegates as provided in paragraph 3 of Article 22.1 of the Agreement. Any subsequent references in these Rules of Procedure to co-chairs of the Joint Committee will be understood to include their delegates.

4. The co-chairs may be accompanied by officials. The lists of the officials attending the meeting for each Party will be exchanged through the Contact Points prior to the meeting.

5. The co-chairs may decide by mutual consent to invite observers or independent experts on an ad hoc basis.

Article 2

Contact Points

1. The Contact Points designated pursuant to paragraph 1 of Article 22.6 of the Agreement (hereinafter referred to as 'the Contact Points') coordinate the preparation and organisation of the meetings of the Joint Committee.

2. All exchange of correspondence and communications between the Parties relating to the work of the Joint Committee and its meetings will be carried out through the Contact Points in accordance with sub paragraph 2(c) of Article 22.6 of the Agreement.

3. The Contact Points will be in charge of coordinating the preparations of the provisional agenda, draft decisions and draft recommendations of the Joint Committee, as well as the correspondence and communication between the Joint Committee and the specialised committees, working groups and other bodies established under the Agreement.

Article 3

Agenda

1. A provisional agenda for each meeting will be drawn up jointly by the Contact Points and forwarded, together with the relevant documents, to the participants of the Joint Committee no later than 15 calendar days before the date of the meeting.

2. Either Party may propose items for the agenda no later than 21 calendar days before the date of the meeting.

3. The Parties may, by mutual consent, reduce the time periods referred to in paragraphs 1 and 2 to take account of the requirements of a particular case.

4. The agenda will be adopted by the Joint Committee at the beginning of its meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so decide.

Article 4

Working Language

Unless otherwise decided by the Parties, all the correspondence and communication between the Parties relating to the work of the Joint Committee, as well as the preparation of and deliberations on decisions and recommendations will be carried out in English.

Article 5

Decisions and recommendations

1. Decisions and recommendations of the Joint Committee, in accordance with Article 22.2 of the Agreement, will be taken by consensus. They may be adopted by written procedure through an exchange of notes between the Co-Chairs of the Committee.

2. All decisions and recommendations of the Joint Committee will be assigned a serial number, the date of adoption and a title referring to their subject matter.

Article 6

Joint Minutes

1. The draft joint minutes will include, as a general rule, the final agenda and a summary of the discussions under each agenda point.

2. Draft joint minutes of each meeting will be drawn up by the Contact Points, as soon as possible but no later than 60 days from the date of the meeting.

3. The draft joint minutes will be approved in writing by the Parties as soon as possible but no later than 70 days from the date of the meeting. Once approved, two copies of the minutes will be signed by the Contact Points and each Party will receive one original copy of these documents. The Parties may decide that signing and exchanging electronic copies satisfies this requirement.

Article 7

Publicity and Confidentiality

1. Unless otherwise specified by the Agreement or decided by the Parties, the meetings of the Joint Committee will not be open to the public.

2. When a Party submits information considered as confidential or protected from disclosure under its laws and regulations to the Joint Committee or to any specialised committee, working group or other body established under the Agreement, the other Party will treat that information as confidential as provided in Article 1.6 of the Agreement.

3. Each Party may make public in any appropriate medium the agenda finalised between the Parties before the meeting of the Joint Committee, the approved joint minutes drawn up in accordance with Article 6, subject to the application of paragraph 2 above. Each Party will ensure that the decisions, recommendations and interpretations adopted by the Joint Committee are made public.

Article 8

Expenses

Each Party will meet any expenses it incurs as a result of the meetings of the Joint Committee. Expenses in relation to the organisation of the meetings will be borne by the Party that hosts the meeting. In case a meeting takes place outside the European Union or Japan, the Parties will decide by mutual consent on the responsibilities for the expenses incurred in the organisation of the meeting.

ANNEX 2

MEDIATION PROCEDURE

I. **Objective**

1. The objective of the mediation procedure under Article 21.6 of the Agreement, as provided for in this document, is to facilitate the finding of a mutually agreed solution through a comprehensive and expeditious procedure with the assistance of a mediator.

II. **Definitions**

2. For the purposes of this document:

(a) 'Agreement' means the Agreement between the European Union and Japan for an Economic Partnership;

(b) 'Code of Conduct' means the Code of Conduct for Arbitrators referred to in Article 21.30 of the Agreement;

(c) 'days' means calendar days;

(d) 'Joint Committee' means the Joint Committee established pursuant to Article 22.1 of the Agreement;

(e) 'requested Party' means the Party to which the request to enter into a mediation procedure is addressed pursuant to Article 21.6 of the Agreement;

(f) 'requesting Party' means the Party that requests to enter into a mediation procedure pursuant to Article 21.6 of the Agreement; and

(g) 'Rules of Procedure' means the Rules of Procedure of a Panel referred to in Article 21.30 of the Agreement.

III. **Initiation of the mediation procedure**

3. A Party may request, at any time, that the Parties enter into a mediation procedure. Such request shall be addressed to the other Party in writing. The request shall be sufficiently detailed so as for the other Party to understand clearly the concerns of the Party requesting the mediation procedure. The requesting Party shall in its request describe the matter at issue by:

(a) identifying the specific measure;

(b) providing a statement of the alleged adverse effects that the requesting Party believes the measure has, or will have, on trade or investment between the Parties; and

(c) explaining the causal link between the measure and the adverse effects on trade and investment between the Parties.

4. A Party is normally expected to avail itself of any relevant cooperation or consultation provisions of the Agreement before addressing to the other Party a written request pursuant to paragraph 3. For greater certainty, consultations under Article 21.5 of the Agreement are not required before initiating the mediation procedure.

5. The mediation procedure may only begin by mutual agreement of the Parties in order to explore mutually agreed solutions and consider any advice and proposed solutions by the mediator. The requested Party shall give sympathetic consideration to the request and reply by accepting or rejecting it in writing within 10 days of its receipt. If the requested Party does not reply within this timeframe, the request shall be regarded as rejected. The date of receipt by the requesting Party of the requested Party's reply of acceptance shall be considered as the date of initiation of the mediation procedure.

IV. **Selection of the mediator**

6. The Parties shall endeavour to agree on a mediator no later than 15 days after the date of the initiation of the mediation procedure.

7. If the Parties do not reach an agreement on the mediator within the time period provided for in paragraph 6, upon request of either Party, the co-chair of the Joint Committee from the requesting Party, or its designee, shall select by lot, within five days of the request, the mediator from the sub-list of chairpersons established pursuant to paragraph 1 of Article 21.9 of the Agreement. The request shall be copied to the other Party.

8. The office designated by the requesting Party pursuant to paragraph 1 of Article 21.25 of the Agreement shall be responsible for the organisation of the lot, and shall inform the co-chairs of the Joint Committee, with due anticipation, about the date, time and venue of the lot. The co-chair from the requested Party may be present or be represented by another person when the lots are drawn. Representatives of both Parties may also be present. In any event, the lot shall be carried out with the Party or Parties that are present.

9. Unless the Parties agree otherwise, the mediator shall not be a national of either Party nor be employed by either Party.

10. The mediator shall assist, in an impartial and transparent manner, the Parties in bringing clarity to the matter at issue, including the possible effects of the specific measure on trade or investment, and in reaching a mutually agreed solution.

11. The Code of Conduct for Arbitrators adopted by the Joint Committee pursuant to Article 21.30 of the Agreement, shall apply to the mediator *mutatis mutandis*.

V. **Rules of the mediation procedure**

12. Within 10 days of the date on which the mediator was agreed upon pursuant to paragraph 6 or selected pursuant to paragraph 7, the requesting Party shall submit, in writing, to the mediator and to the requested Party a detailed description of the matter at issue, including how the specific measure is or would be applied and how it affects trade or investment. Within 20 days of the date of delivery of this submission, the requested Party may provide, in writing, its comments to the description. Each Party may include in its description or comments any information that it deems relevant.

13. The mediator may decide on the most appropriate way of bringing clarity to the matter at issue, including the possible effects of the specific measure on trade or investment. In particular, the mediator may organise meetings between the Parties, consult the Parties jointly or individually, and provide any additional support requested by the Parties. The mediator may also seek the assistance of, or consult with, relevant experts and stakeholders after consultations with the Parties.

14. The mediator shall endeavour to offer advice and propose a solution for the consideration of the Parties. The Parties may accept or reject the proposed solution or may agree on a different solution. The mediator shall not give advice or comments on the consistency of the specific measure with the Agreement.

15. The procedure shall take place in the requested Party, unless the Parties agree otherwise.

16. Within 60 days of the date on which the mediator was agreed upon pursuant to paragraph 6 or selected pursuant to paragraph 7, the Parties shall endeavour to reach a mutually agreed solution. If so requested by a Party, the mutually agreed solution shall be adopted by means of a decision of the Joint Committee. The mutually agreed solutions shall be made publicly available, unless the Parties agree otherwise. The version disclosed to the public may not contain any information that a Party has designated as confidential. Pending a final mutually agreed solution, the Parties may consider possible interim solutions.

17. Upon request of either Party, the mediator shall issue to the Parties, in writing, a draft factual report, providing a brief summary of:

   (a) the matter at issue, including the possible effects of the specific measure on trade or investment;

   (b) the procedures followed;

   (c) the views expressed by the Parties, experts and stakeholders, where relevant; and

   (d) if applicable, any mutually agreed solution and interim solutions.

   within 15 days of the request for this report.

The Parties may comment on the draft factual report within 15 days of its issuance. After considering the comments submitted by the Parties, the mediator shall submit, in writing, the final factual report to the Parties within 30 days of the issuance of the draft factual report. The factual report shall not include any interpretation of the Agreement by the mediator.

18. The mediation procedure shall be terminated:

    (a) by the adoption of a mutually agreed solution by the Parties, on the date of adoption;

    (b) by a written declaration of the mediator, after consultation with the Parties, that further efforts at mediation would be to no avail, on the date of that declaration;

    (c) by a mutual agreement of the Parties at any stage of the procedure, on the date of that agreement; or

    (d) by a written and substantiated declaration of a Party after exploring mutually agreed solutions under the mediation procedure, on the date of that declaration.

    The termination of the mediation procedure is without prejudice to paragraph 17.

19. Paragraphs 5 to 9, 15 to 26, 33, 34, and 42 to 46 of the Rules of Procedure of a Panel shall apply to the mediation procedure, *mutatis mutandis*.

VI. **Confidentiality**

20. Unless the Parties agree otherwise, and without prejudice to paragraph 16, all steps of the mediation procedure, including any advice or proposed solution, shall be confidential. The mediator and the Parties shall treat as confidential any information submitted to the mediator by a Party or received from any other source which has been designated as confidential. However, any Party may disclose to the public that mediation is taking place.

VII. **Relationship to other Dispute Settlement Procedures**

21. The mediation procedure shall be without prejudice to the Parties' rights and obligations under Chapter 21 (Dispute Settlement) of the Agreement or under a dispute settlement procedure of any other agreement.

22. A Party shall not rely on or introduce as evidence in other dispute settlement procedures under this Agreement or any other agreement, nor shall it be accepted that a panel takes into consideration:

    (a) positions taken by the other Party in the course of the mediation procedure or information gathered under paragraph 13;

    (b) the fact that the other Party has indicated its willingness to accept a solution to the matter subject to mediation; or

    (c) advice given or proposals made by the mediator.

23. Unless the Parties agree otherwise, a mediator may not serve as an arbitrator or panellist in other dispute settlement procedures under the Agreement or under any other agreement involving the same matter for which he or she has been a mediator.

VIII. **Time period**

24. Any time period referred to in this mediation procedure may be modified by mutual agreement between the Parties.

IX. **Costs**

25. Each Party shall bear its own expenses derived from the participation in the mediation procedure.

26. The Parties shall share jointly and equally the expenses derived from organisational matters, including the remuneration and expenses of the mediator. Remuneration of the mediator shall be equivalent to the remuneration of the arbitrators set out in paragraph 4 of the Rules of Procedure of a Panel.

ANNEX 3

RULES OF PROCEDURE OF A PANEL

In panel procedures under Section C of Chapter 21 (Dispute Settlement) of the Agreement, the following rules apply:

I. **Definitions**

1. In these Rules of Procedure:

(a) 'administrative staff', in respect of an arbitrator, means persons under the direction and control of the arbitrator, other than assistants;

(b) 'adviser' means a person retained by a Party to advise or assist that Party for the purposes of the panel procedure, other than representatives of that Party;

(c) 'Agreement' means the Agreement between the European Union and Japan for an Economic Partnership;

(d) 'arbitrator' means a member of a panel;

(e) 'assistant' means a person who, under the terms of appointment of an arbitrator, conducts research or provides assistance to that arbitrator;

(f) 'Code of Conduct' means the Code of Conduct for Arbitrators referred to in Article 21.30 of the Agreement;

(g) 'complaining Party' means the Party that requests the establishment of a panel pursuant to Article 21.7 of the Agreement;

(h) 'days' means calendar days;

(i) 'panel' means a panel established pursuant to Article 21.7 of the Agreement;

(j) 'Party complained against' means the Party against which a dispute has been brought before a panel pursuant to Article 21.7 of the Agreement;

(k) 'proceedings' means the proceedings of the panel; and

(l) 'representative' with respect to a Party means an official or any other person of a government department or agency or any other public entity of a Party and other personnel, that the Party nominates as its representative for the purpose of the panel proceedings.

II. **Appointment of arbitrators**

2. The office designated by the complaining Party pursuant to paragraph 1 of Article 21.25 of the Agreement shall be responsible for the organisation of the lot referred to in paragraphs 3, 4 and 5 of Article 21.8 of the Agreement, and shall inform the co-chairs of the Joint Committee, with due anticipation, about the date, time and venue of the lot. The co-chair from the Party complained against may be present or be represented by another person when the lots are drawn. Representatives of both Parties may also be present. In any event, the lot shall be carried out with the Party or Parties that are present.

3. The Parties shall inform in writing each individual who has been appointed to serve as an arbitrator pursuant to Article 21.8 of the Agreement of his or her appointment. Each individual shall confirm his or her availability to both Parties within five days of the date on which he or she was informed of his or her appointment.

III. **Organisational meeting**

4. Unless the Parties agree otherwise, the Parties shall meet with the panel within seven days of the date of the establishment of the panel in order to determine those matters that the Parties or the panel deem appropriate, including:

(a) the remuneration and expenses to be paid to the arbitrators which shall be in accordance with WTO standards and criteria;

(b) the remuneration to be paid to the assistants. The total amount of remuneration for each arbitrator's assistant or assistants shall not exceed 50 % of the remuneration of that arbitrator, unless the Parties agree otherwise; and

(c) the timetable for the proceedings, which shall be established based on the time zone of the Party complained against.

Only the arbitrators and the representatives of the Parties who are officials or other persons of a government department or agency or any other public entity, may take part in this meeting in person or via telephone or video conference.

IV. **Notifications**

5. Any request, notice, written submission or other document transmitted by:

   (a) the panel shall be sent to both Parties at the same time;

   (b) a Party to the panel shall be copied to the other Party at the same time; and

   (c) a Party to the other Party shall be copied to the panel at the same time, as appropriate.

   Any document referred to in this paragraph shall also be copied at the same time to the external body referred to in paragraph 2 of Article 21.25 of the Agreement, where relevant.

6. The notification to a Party of any document referred to in paragraph 5 shall be addressed to the office designated by that Party pursuant to paragraph 1 of Article 21.25 of the Agreement.

7. Any notification referred to under paragraph 5 shall be made by email or, where appropriate, any other means of telecommunication that provides a record of the sending thereof. Unless proven otherwise, such notification shall be deemed to be received on the date of its sending.

8. Minor errors of a clerical nature in a request, notice, written submission or other document related to the panel proceedings may be corrected by delivery of a new document clearly indicating the changes.

9. If the last day for delivery of a document falls on a legal holiday of Japan or of the European Union or on any other day on which the offices of the Government of a Party are officially or by *force majeure* closed, the document shall be deemed received on the next working day. At the organisational meeting referred to in paragraph 4, each Party shall submit a list of its legal holidays and any other days on which its offices are officially closed. Each Party shall keep its list updated during the panel procedure.

V. **Written submissions**

10. The complaining Party shall deliver its written submission no later than 20 days after the date of establishment of the panel. The Party complained against shall deliver its written counter-submission no later than 20 days after the date of receipt of the written submission of the complaining Party.

VI. **Operation of the panel**

11. The chairperson of the panel shall preside at all of its meetings. A panel may delegate to the chairperson authority to make administrative and procedural decisions.

12. Unless otherwise provided for in Chapter 21 of the Agreement or in these Rules, the panel may conduct its activities by any means, including telephone, facsimile transmissions or computer links.

13. Where a procedural question arises that is not covered by Chapter 21 of the Agreement, these Rules or the Code of Conduct for Arbitrators referred to in Article 21.30, the panel, after consulting the Parties, may adopt an appropriate procedure that is compatible with those provisions.

14. The panel may modify any time period other than the time period set out in Chapter 21 of the Agreement and make any other procedural or administrative adjustment in the proceedings after consulting with the Parties. When the panel consults with the Parties, it shall inform the Parties in writing of the proposed modification or adjustment and the reason therefor.

VII. **Hearings**

15. Based upon the timetable determined pursuant to paragraph 4, after consulting with the Parties and the other arbitrators, the chairperson of the panel shall determine the date and time of the hearing.

16. Unless the Parties agree otherwise, the Party in which the hearing takes place in accordance with paragraph 2 of Article 21.15 of the Agreement shall:

    (a) determine the venue of the hearing and inform the chairperson of the panel thereof; and

    (b) be in charge of the logistical administration of the hearing.

17. Unless the Parties agree otherwise, and without prejudice to paragraph 46, the Parties shall share the expenses derived from the logistical administration of the hearing.

18. The chairperson of the panel shall notify in due course the Parties, and where relevant the external body referred to in paragraph 2 of Article 21.25 of the Agreement, in writing, of the date, time and venue of the hearing. This information shall be made publicly available by the Party in which the hearing takes place or, where relevant, by the external body referred to in paragraph 2 of Article 21.25 of the Agreement, unless the hearing is closed to the public.

19. As a general rule there should be only one hearing. If the dispute involves issues of exceptional complexity, the panel may convene additional hearings on its own initiative or, upon request of either Party, after consulting the Parties. For each of the additional hearings, paragraphs 15 to 18 apply *mutatis mutandis*.

20. All arbitrators shall be present during the entirety of the hearing.

21. The following persons may attend the hearing, irrespective of whether the hearing is open to the public or not:

    (a) representatives of the Parties;

    (b) advisers;

    (c) assistants and administrative staff;

    (d) interpreters, translators and court reporters of the panel; and

    (e) experts, as decided by the panel pursuant to paragraph 2 of Article 21.17 of the Agreement.

22. No later than five days before the date of a hearing, each Party shall deliver to the panel a list of the names of persons who will make oral arguments or presentations at the hearing on behalf of that Party and of other representatives and advisers who will be attending the hearing.

23. The panel shall conduct the hearing in the following manner, ensuring that the complaining Party and the Party complained against are afforded equal time in both argument and rebuttal argument:

    Argument

    (a) argument of the complaining Party; and

    (b) argument of the Party complained against.

    Rebuttal Argument

    (a) reply of the complaining Party; and

    (b) counter-reply of the Party complained against.

24. The panel may direct questions to either Party at any time during the hearing.

25. The panel shall arrange for a transcript of the hearing to be prepared and delivered to the Parties as soon as possible after the hearing. The Parties may comment on the transcript and the panel may consider those comments.

26. Each Party may deliver a supplementary written submission concerning any matter that arose during the hearing within 10 days of the date of the hearing.

VIII. **Deliberations**

27. Only the arbitrators may take part in the deliberations of the panel. Notwithstanding the previous sentence, the panel may permit assistants to be present during its deliberations.

IX. **Questions in writing**

28. The panel may at any time during the proceedings submit questions in writing to one or both Parties. Any questions submitted to one Party shall be copied to the other Party.

29. Each Party shall provide the other Party with a copy of its response to the questions submitted by the panel. A Party shall be given an opportunity to provide comments in writing on the other Party's response within five days of the receipt of such copy.

X. **Replacement of arbitrators**

30. For the replacement of an arbitrator in accordance with Article 21.11 of the Agreement, Article 21.8 applies *mutatis mutandis*.

31. Where a Party considers that an arbitrator does not comply with the requirements of the Code of Conduct and for this reason should be replaced, that Party shall notify the other Party within 15 days from the time at which it obtained sufficient evidence of the arbitrator's failure to comply with the requirements of the Code of Conduct.

32. Where a Party considers that an arbitrator other than the chairperson does not comply with the requirements of the Code of Conduct, the Parties shall consult and, if they so agree, select a new arbitrator in accordance with paragraph 30.

    If the Parties fail to agree on the need to replace the arbitrator, either Party may request that this matter be referred to the chairperson of the panel, whose decision shall be final.

    If, pursuant to this request, the chairperson finds that the arbitrator does not comply with the requirements of the Code of Conduct, the new arbitrator shall be selected in accordance with paragraph 30.

33. Where a Party considers that the chairperson of the panel does not comply with the requirements of the Code of Conduct, the Parties shall consult and, if they so agree, select a new chairperson in accordance with paragraph 30.

    If the Parties fail to agree on the need to replace the chairperson, either Party may request that the matter be referred to the two remaining arbitrators. The arbitrators shall decide, no later than 10 days after the date of delivery of the request, whether there is a need to replace the chairperson of the panel. The decision by the arbitrators on the need to replace the chairperson shall be final.

    If the arbitrators decide that the chairperson does not comply with the requirements of the Code of Conduct, a new chairperson shall be selected in accordance with paragraph 30.

34. The proceedings shall be suspended for the period taken to carry out the procedures provided for in paragraphs 30 to 33.

XI. **Confidentiality**

35. Where a Party submits a confidential version of its written submissions to the panel, it shall also, upon request of the other Party, provide, within 20 days of the date of the request, a non-confidential version of the submissions that could be disclosed to the public. Nothing in these rules precludes a Party from disclosing its own submissions to the public to the extent that it does not disclose any information designated by the other Party as confidential. The panel shall meet in closed session if the submissions and arguments of a Party contain confidential information. The panel and the Parties shall maintain the confidentiality of the hearing of the panel where the hearing is held in closed session.

XII. ***Ex parte* contacts**

36. The panel shall not meet or communicate with a Party in the absence of the other Party.

37. An arbitrator shall not discuss any aspect of the subject matter of the proceedings with one Party or both Parties in the absence of the other arbitrators.

XIII. ***Amicus curiae* submissions**

38. Unless the Parties agree otherwise within three days of the date of the establishment of the panel, the panel may receive unsolicited written submissions from persons referred to in paragraph 3 of Article 21.17 of the Agreement and who are independent from the governments of the Parties, provided that the submissions are received within 10 days of the date of the establishment of the panel.

39. The submissions shall be concise and in no case longer than 15 pages at double space, and shall be directly relevant to a factual or a legal issue under consideration by the panel. The submissions shall contain a description of the person providing the submissions including:

    (a) for a natural person, his or her nationality; and

    (b) for a legal person, its place of establishment, the nature of its activities, its legal status, its general objectives and the source of its financing.

    Any person shall specify in its submissions the interest that it has in the proceedings. The submissions shall be drafted in the languages chosen by the Parties in accordance with paragraphs 42 and 43 of these Rules of Procedure.

40. The panel shall list in its report all the submissions it has received pursuant to paragraphs 38 and 39. The panel is not obliged to address in its report the arguments made in such submissions. Those submissions shall be provided to the Parties for their comments. The comments of the Parties which have been submitted to the panel within 10 days shall be taken into consideration by the panel.

XIV. **Urgent cases**

41. In cases of urgency referred to in Chapter 21 of the Agreement, the panel shall, after consulting the Parties, adjust the time periods referred to in these Rules, as appropriate. The panel shall notify the Parties of such adjustments.

XV. **Language and translation**

42. During the consultations referred to in Article 21.5 of the Agreement, and no later than the time of the organisational meeting referred to in paragraph 4, the Parties shall endeavour to agree on a common working language for the proceedings before the panel. Each Party shall notify the other Party, no later than 90 days after the adoption of these Rules of Procedure by the Joint Committee in accordance with subparagraph 4(f) of Article 22.1 of the Agreement, a list of languages for which it has a preference. The list shall include at least one working language of the WTO.

43. If the Parties are unable to agree on a common working language, each Party shall make its written submissions in its chosen language, providing at the same time a translation into one of the working languages of the WTO notified by the other Party in accordance with paragraph 42, where appropriate. The Party responsible for organising the oral hearing shall arrange for the interpretation of oral submissions into the same working language of the WTO, where appropriate.

44. The interim and final report of the panel shall be issued in the common working language. If the Parties have not agreed on a common working language, the interim and final report of the panel shall be issued in the working languages of the WTO referred to in paragraph 43.

45. A Party may provide comments on the accuracy of the translation of any translated version of a document drawn up in accordance with these rules.

46. In case a translation or interpretation of written and oral submissions of a Party in the relevant working language of the WTO is necessary, that Party shall bear the costs thereof.

ANNEX 4

CODE OF CONDUCT FOR ARBITRATORS

I. **Definitions**

1. In this Code of Conduct:

(a) 'administrative staff', in respect of an arbitrator, means persons under the direction and control of the arbitrator, other than assistants;

(b) 'Agreement' means the Agreement between the European Union and Japan for an Economic Partnership;

(c) 'arbitrator' means a member of a panel;

(d) 'assistant' means a person who, under the terms of appointment of an arbitrator, conducts research or provides assistance to that arbitrator;

(e) 'candidate' means an individual whose name is on the list of arbitrators referred to in Article 21.9 of the Agreement;

(f) 'panel' means a panel established pursuant to Article 21.7 of the Agreement; and

(g) 'proceedings' means the proceedings of the panel.

II. **Provision of Code of Conduct**

2. The Parties shall provide this Code of Conduct to each candidate at the time when his or her name is included on the list referred to in Article 21.9 of the Agreement.

III. **Governing principles**

3. Each candidate and arbitrator shall observe high standards of conduct, in accordance with this Code of Conduct, so that the integrity and impartiality of the dispute settlement mechanism is preserved.

IV. **Disclosure obligations**

4. Prior to the acceptance of his or her appointment as an arbitrator, a candidate requested to serve as an arbitrator shall disclose any interest, relationship or matter that is likely to affect his or her independence or impartiality or that might reasonably create an appearance of impropriety or bias in the proceedings. To this end, he or she shall make all reasonable efforts to become aware of any such interests, relationships and matters, including financial interests, professional interests, or employment or family interests.

5. The disclosure obligation under paragraph 4 is a continuing duty and shall also apply to an arbitrator after acceptance of his or her appointment. During the course of the proceedings, an arbitrator shall disclose in writing any new information regarding the obligation under paragraph 4 to the Parties at the earliest time he or she becomes aware of it.

6. In meeting these disclosure requirements, personal privacy shall be respected.

V. **Performance of duties**

7. Upon acceptance of his or her appointment, an arbitrator shall be available to perform and shall perform his or her duties thoroughly and expeditiously throughout the panel procedure, and with fairness and diligence.

8. An arbitrator shall consider only those issues raised in each proceeding and necessary for a decision and shall not delegate the duty of such consideration to any other person.

9. An arbitrator shall not engage in *ex parte* contacts concerning matters under consideration by the panel in the proceedings.

VI. **Independence and impartiality**

10. An arbitrator shall be independent and impartial, shall avoid direct and indirect conflicts of interests, shall not be influenced by self-interest, outside pressure, political considerations, public clamour and loyalty to a Party or fear of criticism, and shall avoid creating an appearance of impropriety or bias.

11. An arbitrator shall not, directly or indirectly, incur any obligation or accept any benefit that would in any way affect, or appear to affect, the proper performance of his or her duties.

12. An arbitrator shall not use his or her position on the panel to advance any personal or private interests and shall avoid actions that may create the impression that others are in a special position to influence him or her.

13. An arbitrator shall not allow past or existing financial, business, professional, personal, family or social relationships or responsibilities to influence his or her conduct or judgement.

14. An arbitrator shall avoid entering into any relationship or acquiring any financial interests that are likely to affect his or her impartiality or that might reasonably create an appearance of impropriety or bias.

15. A former arbitrator shall avoid actions that may create the appearance that he or she was biased in carrying out his or her duties or derived advantage from the decision of the panel in which he or she served.

VII. **Confidentiality**

16. No arbitrator shall at any time disclose any non-public information concerning, or acquired during, the panel procedure for which he or she is appointed. No arbitrator shall in any case use such information to gain personal advantage or advantage for others or to adversely affect the interest of others.

17. No arbitrator shall disclose the decision of the panel or parts thereof, unless the decision is made publicly available.

18. An arbitrator shall not, at any time, disclose the deliberations of a panel or any arbitrator's view, nor make any statements on the panel procedure for which he or she is appointed or on the issues in dispute in such procedure.

19. The obligations under paragraphs 16 to 18 shall continue to apply to a former arbitrator.

VIII. **Other obligations**

20. A candidate or an arbitrator shall communicate matters concerning actual or potential violations of this Code of Conduct to both Parties for their consideration at the earliest possible time and on a confidential basis.

21. An arbitrator shall take all reasonable and appropriate steps to ensure that his or her assistant and administrative staff is aware of and comply with the obligations incurred by arbitrators under Parts III, IV, VI and VII of this Code of Conduct.

22. Each arbitrator shall keep a record and render a final account of the time devoted to the panel procedure and of his or her expenses, as well as the time and expenses of his or her assistants.

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