



Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Council Regulation (EU) 2019/1889 of 11 November 2019 amending Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela** 1
- ★ **Council Regulation (EU) 2019/1890 of 11 November 2019 concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean** 3
- ★ **Council Implementing Regulation (EU) 2019/1891 of 11 November 2019 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela** 13
- ★ **Commission Regulation (EU) 2019/1892 of 31 October 2019 amending Regulation (EU) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated cabs and for aerodynamic devices and equipment for motor vehicles and their trailers ⁽¹⁾** 17

DECISIONS

- ★ **Council Decision (CFSP) 2019/1893 of 11 November 2019 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela** 42
- ★ **Council Decision (CFSP) 2019/1894 of 11 November 2019 concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean** 47
- ★ **Commission Implementing Decision (EU) 2019/1895 of 7 November 2019 recognising several islands in Portugal as free from varroosis and amending the Annex to Implementing Decision 2013/503/EU (notified under document C(2019) 7905) ⁽¹⁾** 54

⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2019/1889

of 11 November 2019

amending Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2017/2074 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EU) 2017/2063 ⁽²⁾ gives effect to several restrictive measures provided for in Decision (CFSP) 2017/2074.
- (2) On 11 November 2019, the Council adopted Decision (CFSP) 2019/1893 ⁽³⁾, which amended Decision (CFSP) 2017/2074 by introducing an article on the processing of personal data by the Council and the High Representative.
- (3) For the implementation of Regulation (EU) 2017/2063, and in order to ensure maximum legal certainty within the Union, the names of and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources are frozen in accordance with that Regulation should be made public. Any processing of personal data must comply with Regulations (EU) 2016/679 ⁽⁴⁾ and (EU) 2018/1725 ⁽⁵⁾ of the European Parliament and of the Council.
- (4) Regulation (EU) 2017/2063 should therefore be amended accordingly,

⁽¹⁾ OJ L 295, 14.11.2017, p. 60.

⁽²⁾ Council Regulation (EU) 2017/2063 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela (OJ L 295, 14.11.2017, p. 21).

⁽³⁾ Council Decision (CFSP) 2019/1893 of 11 November 2019 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (See page 42. of this Official Journal).

⁽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 (General Data Protection Regulation) (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).

HAS ADOPTED THIS REGULATION:

Article 1

The following article is inserted in Regulation (EU) 2017/2063:

Article 18a

1. The Council, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (the “High Representative”) may process personal data in order to carry out their tasks under this Regulation. These tasks include:
 - (a) as regards the Council, preparing and making amendments to Annexes IV and V;
 - (b) as regards the High Representative, preparing amendments to Annexes IV and V;
 - (c) as regards the Commission:
 - (i) adding the contents of Annexes IV and V to the electronic consolidated list of persons, groups and entities subject to Union financial restrictive measures and in the interactive sanctions map, both publicly available;
 - (ii) processing information on the impact of measures taken under this Regulation, such as the value of frozen funds and information on authorisations granted by the competent authorities.
2. The Council, the Commission and the High Representative may process, where applicable, relevant data relating to criminal offences committed by listed natural persons, to criminal convictions of such persons or to security measures concerning such persons, only to the extent that such processing is necessary for the preparation of Annexes IV and V.
3. For the purposes of this Regulation, the Council, the Commission service listed in Annex III to this Regulation and the High Representative are designated as “controllers” within the meaning of point (8) of Article 3 of Regulation (EU) 2018/1725 of the European Parliament and of the Council (*), in order to ensure that the natural persons concerned can exercise their rights under Regulation (EU) 2018/1725.

(*) 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).’

Article 2

This Regulation shall enter into force on the 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, 11 November 2019.

For the Council
The President
F. MOGHERINI

COUNCIL REGULATION (EU) 2019/1890**of 11 November 2019****concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2019/1894 of 11 November 2019 concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean ⁽¹⁾,

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

Whereas:

- (1) On 11 November 2019, the Council adopted Decision (CFSP) 2019/1894 concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean. That Decision provides for the freezing of funds and economic resources of certain persons, entities or bodies responsible for or involved in, including by planning, preparing, for example by means of seismic surveys, participating in, directing, or assisting, drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, or providing financial, technical or material support for such activities, which have not been authorised by the Republic of Cyprus, within its territorial sea or in its exclusive economic zone or on its continental shelf, as well as of persons associated with them. Those natural and legal persons, entities and bodies are listed in the Annex to Decision (CFSP) 2019/1894.
- (2) As stated in Decision (CFSP) 2019/1894, those drilling activities infringe the sovereignty or sovereign rights and jurisdiction of the Republic of Cyprus in its territorial sea, exclusive economic zone and continental shelf and, when such activities are carried out in areas where the exclusive economic zone and continental shelf have not been delimited under international law with a State having an opposite coast, they jeopardise or hamper the reaching of a delimitation agreement. Those actions are contrary to the principles of the United Nations Charter, including the peaceful resolution of disputes, and they pose a threat to the interests and security of the Union. That Decision also stated that the Council had welcomed the invitation by the Government of Cyprus to negotiate with Turkey and noted that the delimitation of exclusive economic zones and of the continental shelf should be addressed through dialogue and negotiation in good faith, in full respect of international law and in accordance with the principle of good neighbourly relations.
- (3) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and notably the right to an effective remedy and to a fair trial and the right to the protection of personal data. This Regulation should be applied in accordance with those rights.
- (4) The power to establish and amend the list set out in Annex I to this Regulation should be exercised by the Council in order to ensure consistency with the process for establishing, amending and reviewing the Annex to Decision (CFSP) 2019/1894.
- (5) The procedure for amending the list set out in Annex I to this Regulation should include providing designated natural or legal persons, entities or bodies with the grounds for listing, so as to give them an opportunity to submit observations.

⁽¹⁾ See page 47 of this Official Journal.

- (6) For the implementation of this Regulation, and in order to ensure maximum legal certainty within the Union, the names of and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources are frozen in accordance with this Regulation should be made public. Any processing of personal data should comply with Regulations (EU) 2016/679 ⁽²⁾ and (EU) 2018/1725 ⁽³⁾ of the European Parliament and of the Council.
- (7) These measures fall within the scope of the Treaty on the Functioning of the European Union and, therefore, notably with a view to ensuring its uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (8) Member States and the Commission should inform each other of the measures taken under this Regulation and of other relevant information at their disposal in connection with this Regulation.
- (9) Member States should lay down rules on penalties applicable to infringements of the provisions of this Regulation and make sure that they are implemented. Those penalties should be effective, proportionate and dissuasive,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (a) 'claim' means any claim, whether asserted by legal proceedings or not, made before or after the date of entry into force of this Regulation, under or in connection with a contract or transaction, and in particular:
 - (i) a claim for performance of any obligation arising under or in connection with a contract or transaction;
 - (ii) a claim for extension or payment of a bond, financial guarantee or indemnity of whatever form;
 - (iii) a claim for compensation in respect of a contract or transaction;
 - (iv) a counterclaim;
 - (v) a claim for the recognition or enforcement, including by the procedure of *exequatur*, of a judgment, an arbitration award or an equivalent decision, wherever made or given;
- (b) 'contract or transaction' means any transaction of whatever form and whatever the applicable law, whether comprising one or more contracts or similar obligations made between the same or different parties; for that purpose 'contract' includes a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, and credit, whether legally independent or not, as well as any related provision arising under, or in connection with, the transaction;
- (c) 'competent authorities' means the competent authorities of the Member States as identified on the websites listed in Annex II;
- (d) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds, but may be used to obtain funds, goods or services;
- (e) 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;

⁽²⁾ 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 (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽³⁾ 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).

- (f) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (g) 'funds' means financial assets and benefits of every kind, including, but not limited to:
 - (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (iii) publicly and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (iv) interest, dividends or other income on or value accruing from or generated by assets;
 - (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (vi) letters of credit, bills of lading, bills of sale;
 - (vii) documents showing evidence of an interest in funds or financial resources;
- (h) 'territory of the Union' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by any natural or legal person, entity or body as listed in Annex I shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of natural or legal persons, entities or bodies listed in Annex I.
3. Annex I shall include natural and legal persons, entities and bodies which, in accordance with Articles 1(1) and 2(1) of Decision (CFSP) 2019/1894, have been identified by the Council as:
 - (a) being responsible for or involved in, including by planning, preparing, participating in, directing, or assisting, drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, which have not been authorised by the Republic of Cyprus, within its territorial sea or in its exclusive economic zone or on its continental shelf, including in cases where the exclusive economic zone or continental shelf has not been delimited in accordance with international law with a State having an opposite coast, activities which may jeopardise or hamper the reaching of a delimitation agreement;
 - (b) providing financial, technical or material support for drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, referred to in point (a);
 - (c) being associated with the natural or legal persons, entities or bodies referred to in points (a) and (b).

Article 3

1. By way of derogation from Article 2, the competent authorities may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources concerned are:
 - (a) necessary to satisfy the basic needs of natural or legal persons listed in Annex I and dependent family members of such natural persons, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (b) intended exclusively for payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services;

- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources;
 - (d) necessary for extraordinary expenses, provided that the relevant competent authority has notified the competent authorities of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks prior to authorisation; or
 - (e) to be paid into or from an account of a diplomatic or consular mission or an international organisation enjoying immunities in accordance with international law, insofar as such payments are intended to be used for official purposes of the diplomatic or consular mission or international organisation.
2. The Member State concerned shall inform within two weeks the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 4

1. By way of derogation from Article 2(1), the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, if the following conditions are met:
- (a) the funds or economic resources are subject to an arbitral decision rendered prior to the date on which the natural or legal person, entity or body referred to in Article 2 was listed in Annex I, or of a judicial or administrative decision rendered in the Union, or a judicial decision enforceable in the Member State concerned, prior to or after that date;
 - (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a decision, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
 - (c) the decision is not for the benefit of a natural or legal person, entity or body listed in Annex I; and
 - (d) recognition of the decision is not contrary to public policy in the Member State concerned.
2. The Member State concerned shall inform within two weeks the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 5

1. By way of derogation from Article 2(1) and provided that a payment by a natural or legal person, entity or body listed in Annex I is due under a contract or agreement that was concluded by, or an obligation that arose for, the natural or legal person, entity or body concerned before the date on which that natural or legal person, entity or body was included in Annex I, the competent authorities may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, provided that the competent authority concerned has determined that:
- (a) the funds or economic resources will be used for a payment by a natural or legal person, entity or body listed in Annex I; and
 - (b) the payment is not in breach of Article 2(2).
2. The Member State concerned shall inform within two weeks the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 6

1. Article 2(2) shall not prevent the crediting of the frozen accounts by financial or credit institutions that receive funds transferred by third parties onto the account of a natural or legal person, entity or body listed in Annex I, provided that any additions to such accounts are also frozen. The financial or credit institution shall inform the relevant competent authority about any such transaction without delay.
2. Article 2(2) shall not apply to the addition to frozen accounts of:
- (a) interest or other earnings on those accounts;

- (b) payments due under contracts, agreements or obligations that were concluded or arose before the date on which the natural or legal person, entity or body referred to in Article 2 was included in Annex I; or
- (c) payments due under judicial, administrative or arbitral decisions rendered in a Member State or enforceable in the Member State concerned,

provided that any such interest, other earnings and payments remain subject to the measures provided for in Article 2(1).

Article 7

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:
 - (a) supply immediately any information which would facilitate compliance with this Regulation, such as information on accounts and amounts frozen in accordance with Article 2, to the competent authority of the Member State where they are resident or located, and they shall transmit such information, directly or through the Member State, to the Commission; and
 - (b) cooperate with the competent authority in any verification of this information.
2. Any additional information received directly by the Commission shall be made available to the Member States.
3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

Article 8

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Article 2.

Article 9

1. The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.
2. Actions by natural or legal persons, entities or bodies shall not give rise to any liability of any kind on their part if they did not know, and had no reasonable cause to suspect, that their actions would infringe the measures provided for in this Regulation.

Article 10

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, notably a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:
 - (a) designated natural or legal persons, entities or bodies listed in Annex I;
 - (b) any natural or legal person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in point (a).
2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the natural or legal person, entity or body seeking the enforcement of that claim.
3. This Article is without prejudice to the right of the natural or legal persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.

Article 11

1. The Commission and Member States shall inform each other of the measures taken under this Regulation and share any other relevant information at their disposal in connection with this Regulation, in particular information:
 - (a) in respect of funds frozen under Article 2 and authorisations granted under Articles 3 to 5;
 - (b) in respect of violation and enforcement problems and judgments handed down by national courts.
2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.

Article 12

1. Where the Council decides to subject a natural or legal person, entity or body to the measures referred to in Article 3, it shall amend Annex I accordingly.
2. The Council shall communicate the decision referred to in paragraph 1, including the grounds for listing, to the natural or legal person, entity or body concerned, either directly, if the address is known, or through the publication of a notice, providing that natural or legal person, entity or body with an opportunity to present observations.
3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review the decision referred to in paragraph 1 and inform the natural or legal person, entity or body concerned accordingly.
4. The list in Annex I shall be reviewed at regular intervals and at least every 12 months.
5. The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.

Article 13

1. Annex I shall include the grounds for the listing of natural or legal persons, entities or bodies concerned.
2. Annex I shall include available information necessary to identify the natural or legal persons, entities or bodies concerned. With regard to natural persons, such information may include names and aliases, date and place of birth, nationality, passport and identity card numbers, gender, address, if known, and function or profession. With regard to legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business.

Article 14

1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.
2. Member States shall notify those rules to the Commission without delay after the entry into force of this Regulation and shall notify it without delay of any subsequent amendment.

Article 15

1. The Council, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') may process personal data in order to carry out their tasks under this Regulation. These tasks include:
 - (a) as regards the Council, preparing and making amendments to Annex I;
 - (b) as regards the High Representative, preparing amendments to Annex I;
 - (c) as regards the Commission:
 - (i) adding the contents of Annex I to the electronic, consolidated list of persons, groups and entities subject to Union financial restrictive measures and in the interactive sanctions map, both publicly available;

(ii) processing information on the impact of the measures of this Regulation, such as the value of frozen funds and information on authorisations granted by the competent authorities.

2. The Council, the Commission and the High Representative may process, where applicable, relevant data relating to criminal offences committed by listed natural persons, to criminal convictions of such persons or to security measures concerning such persons, only to the extent that such processing is necessary for the preparation of Annex I.

3. For the purposes of this Regulation, the Council, the Commission service listed in Annex II to this Regulation and the High Representative are designated as 'controllers' within the meaning of point (8) of Article 3 of Regulation (EU) 2018/1725, in order to ensure that the natural persons concerned can exercise their rights under Regulation (EU) 2018/1725.

Article 16

1. Member States shall designate their competent authorities and identify them on the websites listed in Annex II. Member States shall notify the Commission of any changes in the addresses of the websites of the competent authorities listed in Annex II.

2. Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment.

3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

Article 17

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board of any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any natural person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Article 18

This Regulation shall enter into force on the 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, 11 November 2019.

For the Council
The President
F. MOGHERINI

ANNEX I

LIST OF NATURAL AND LEGAL PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLE 2

[...]

—

ANNEX II

**WEBSITES FOR INFORMATION ON THE COMPETENT AUTHORITIES AND ADDRESS FOR NOTIFICATIONS
TO THE COMMISSION**

BELGIUM

https://diplomatie.belgium.be/nl/Beleid/beleidsthemas/vrede_en_veiligheid/sancties
https://diplomatie.belgium.be/fr/politique/themes_politiques/paix_et_securite/sanctions
https://diplomatie.belgium.be/en/policy/policy_areas/peace_and_security/sanctions

BULGARIA

<https://www.mfa.bg/en/101>

CZECHIA

www.financnianalytickyurad.cz/mezinarodni-sankce.html

DENMARK

<http://um.dk/da/Udenrigspolitik/folkeretten/sanktioner/>

GERMANY

<http://www.bmw.de/DE/Themen/Aussenwirtschaft/aussenwirtschaftsrecht,did=404888.html>

ESTONIA

http://www.vm.ee/est/kat_622/

IRELAND

<http://www.dfa.ie/home/index.aspx?id=28519>

GREECE

<http://www.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html>

SPAIN

<http://www.exteriores.gob.es/Portal/en/PoliticaExteriorCooperacion/GlobalizacionOportunidadesRiesgos/Paginas/SancionesInternacionales.aspx>

FRANCE

<http://www.diplomatie.gouv.fr/fr/autorites-sanctions/>

CROATIA

<http://www.mvep.hr/sankcije>

ITALY

https://www.esteri.it/mae/it/politica_estera/politica_europea/misure_deroghe

CYPRUS

http://www.mfa.gov.cy/mfa/mfa2016.nsf/mfa35_en/mfa35_en?OpenDocument

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt/sanctions>

LUXEMBOURG

<https://maee.gouvernement.lu/fr/directions-du-ministere/affaires-europeennes/mesures-restrictives.html>

HUNGARY

http://www.kormany.hu/download/9/2a/f0000/EU%20szankci%C3%B3s%20t%C3%A1j%C3%A9koztat%C3%B3_20170214_final.pdf

MALTA

<https://foreignaffairs.gov.mt/en/Government/SMB/Pages/Sanctions-Monitoring-Board.aspx>

NETHERLANDS

<https://www.rijksoverheid.nl/onderwerpen/internationale-sancties>

AUSTRIA

http://www.bmeia.gv.at/view.php?f_id=12750&LNG=en&version=

POLAND

<https://www.gov.pl/web/dyplomacja>

PORTUGAL

<http://www.portugal.gov.pt/pt/ministerios/mne/quero-saber-mais/sobre-o-ministerio/medidas-restritivas/medidas-restritivas.aspx>

ROMANIA

<http://www.mae.ro/node/1548>

SLOVENIA

<https://www.gov.si/teme/omejevalni-ukrepi/>

SLOVAKIA

https://www.mzv.sk/europske_zalezitosti/europske_politiky-sankcie_eu

FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

<https://www.gov.uk/guidance/uk-sanctions>

Address for notifications to the European Commission:

European Commission
B-1049 Brussels, Belgium

Email: relex-sanctions@ec.europa.eu

COUNCIL IMPLEMENTING REGULATION (EU) 2019/1891
of 11 November 2019
implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in
Venezuela

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2017/2063 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela ⁽¹⁾, and in particular Article 17(1) thereof,

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

Whereas:

- (1) On 13 November 2017, the Council adopted Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela.
- (2) The Council underscored that the restrictive measures are gradual, targeted, flexible and reversible, do not affect the general population and aim at fostering a credible and meaningful process that can lead to a peaceful negotiated solution.
- (3) In view of the continuing deterioration of the situation in Venezuela, on 22 January 2018 the Council adopted Implementing Regulation (EU) 2018/88 ⁽²⁾ which designated seven persons in the list of natural and legal persons, entities and bodies in Annex IV of Regulation (EU) 2017/2063.
- (4) On 28 May 2018, the Council adopted conclusions which stated that the early presidential elections in Venezuela together with regional elections held on 20 May 2018 were neither free nor fair. The Union called for the holding of fresh presidential elections and stated that it would act swiftly with the aim of imposing additional targeted and reversible restrictive measures.
- (5) On 25 June 2018, by way of follow-up to the Council conclusions of 28 May 2018, the Council adopted Implementing Regulation (EU) 2018/899 ⁽³⁾ which designated eleven persons.
- (6) On 25 October 2018, the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') issued a declaration on behalf of the Union which stated that the Union remained convinced that there can only be a democratic political and peaceful solution to the current crisis and underlined the Union's commitment to use all its policy instruments to contribute to achieving such a solution.
- (7) On 6 November 2018, in the context of the annual review of the restrictive measures in place in view of the situation in Venezuela, the Council adopted Implementing Regulation (EU) 2018/1653 ⁽⁴⁾ which amended the statement of reasons for one designated person.

⁽¹⁾ OJ L 295, 14.11.2017, p. 21.

⁽²⁾ Council Implementing Regulation (EU) 2018/88 of 22 January 2018 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela (OJ L 16 I, 22.1.2018, p. 6).

⁽³⁾ Council Implementing Regulation (EU) 2018/899 of 25 June 2018 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela (OJ L 160 I, 25.6.2018, p.5).

⁽⁴⁾ Council Implementing Regulation (EU) 2018/1653 of 6 November 2018 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela (OJ L 276, 7.11.2018, p. 1).

- (8) In January, February, March and April 2019, the High Representative issued declarations on behalf of the Union on the situation in Venezuela which underscored the readiness of the Union to continue to spare no efforts to achieve a reinstatement of democracy and the rule of law, to take further action and to react through appropriate measures to decisions and actions that further undermine democratic institutions and principles, the rule of law and respect for human rights.
- (9) On 8 July 2019, the Council adopted Implementing Regulation (EU) 2019/1169 ⁽⁵⁾ which updated the statement of reasons for three listed persons.
- (10) On 16 July 2019, the High Representative issued a declaration on behalf of the Union which stated that the report of the United Nations High Commissioner for Human Rights confirmed in a clear and detailed manner the extent and seriousness of the human rights violations, the erosion of the rule of law and the dismantlement of democratic institutions in Venezuela. The Union also indicated readiness to start work towards applying targeted measures for those members of the security forces involved in torture and other serious violations of human rights.
- (11) On 26 September 2019, by way of follow-up to the declaration of 16 July 2019 and in light of the continuing grave situation in Venezuela, the Council adopted Implementing Regulation (EU) 2019/1586 ⁽⁶⁾ which designated seven persons.
- (12) In that context, and in accordance with Article 17(4) of Regulation (EU) 2017/2063, the Council has reviewed the restrictive measures in place in view of the situation in Venezuela.
- (13) Considering the ongoing political, economic, social and humanitarian crisis in Venezuela and the persistent actions undermining democracy, the rule of law and respect for human rights, the Council decided to renew the restrictive measures in place, including all designations. These measures do not affect the general population and can be reversed in light of progress made towards the restoration of democracy, the rule of law and respect for human rights in Venezuela.
- (14) Individual designations set out in Annex IV to Regulation (EU) 2017/2063 were reviewed and the information concerning eight persons should be amended.
- (15) Annex IV to Regulation (EU) 2017/2063 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EU) 2017/2063 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 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, 11 November 2019.

For the Council
The President
F. MOGHERINI

⁽⁵⁾ Council Implementing Regulation (EU) 2019/1169 of 8 July 2019 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela (OJ L 183, 9.7.2019, p. 1).

⁽⁶⁾ Council Implementing Regulation (EU) 2019/1586 of 26 September 2019 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela (OJ L 248, 27.9.2019, p. 1).

In Annex IV to Regulation (EU) 2017/2063, entries 1, 3, 6, 10, 13, 15, 19 and 21 are replaced by the following:

	Name	Identifying information	Reasons	Date of listing
1.	Néstor Luis Reverol Torres	Date of birth: 28 October 1964 Gender: male	Minister for Interior, Justice and Peace since 2016. Also appointed as Vice-President of Public Works and Services and Executive Secretary of the Electrical General Staff in April 2019. Former Commander General of the Bolivarian National Guard. Responsible for serious human rights violations, including torture of (political) prisoners, and repression of the democratic opposition in Venezuela, including the prohibition and repression of political demonstrations, committed by security forces under his command.	22.1.2018
3.	Tibisay LucenaRamírez	Date of birth: 26 April 1959 Gender: female	President of the National Electoral Council (<i>Consejo Nacional Electoral</i> (CNE)). Her actions and policies have undermined democracy and the rule of law in Venezuela, including by failing to ensure that the CNE remains an impartial and independent institution in accordance with the Venezuelan Constitution thereby facilitating the establishment of the Constituent Assembly and the re-election of Nicolás Maduro in May 2018 through presidential elections that were neither free nor fair.	22.1.2018
6.	Tarek William Saab Halabi	Date of birth: 10 September 1963 Place of birth: El Tigre, Anzoátegui state, Venezuela Gender: male	Venezuelan Attorney General appointed by the Constituent Assembly. In this role, and previous roles as Ombudsman and President of the Republican Moral Council, he has undermined democracy and the rule of law in Venezuela by publicly supporting actions against opponents of the government of Venezuela and the withdrawal of competences from the National Assembly.	22.1.2018
10.	Jesús Rafael Suárez Chourio	Date of birth: 19 July 1962 Gender: male	Commander in Chief of the Venezuelan Bolivarian National Army and Chief of the General Staff to the Commander-in-Chief. Former General Commander of the Venezuelan Bolivarian National Army and former Commander of Venezuela's Comprehensive Defence Region of the Central Zone (REDI Central). Responsible for serious human rights violations by forces under his command during his tenure as General Commander of the Venezuelan Bolivarian National Army, including the use of excessive force and the mistreatment of detainees. He has targeted the democratic opposition and supported the use of military courts to try civilian protestors.	25.6.2018
13.	Elías José Jaua Milano	Date of birth: 16 December 1969 Gender: male	Former Minister of Popular Power for Education. Former President of the Presidential Commission for the illegitimate National Constituent Assembly. Responsible for undermining democracy and the rule of law in Venezuela through his role in leading the establishment of the illegitimate Constituent Assembly.	25.6.2018

	Name	Identifying information	Reasons	Date of listing
15.	Freddy Alirio Bernal Rosales	Date of birth: 16 June 1962 Place of birth: San Cristóbal, Táchira state, Venezuela Gender: male	Head of the National Control Centre of the Committee for Local Supply and Production (CLAP) and Protector of Táchira State. Also a Commissioner General of the Bolivarian National Intelligence Service (SEBIN). As Head of the CLAP and Protector of Táchira State he can call upon Special Forces (FAES) and is able to influence appointments of judges and prosecutors. Responsible for undermining democracy through manipulation of CLAP programme distributions amongst voters. Additionally, as Commissioner General of SEBIN he is responsible for SEBIN's activities which include serious human rights violations such as arbitrary detention.	25.6.2018
19.	Nestor Neptali Blanco Hurtado	Date of birth: 26 September 1982 ID number: V-15222057 Gender: male	Major in the Bolivarian National Guard (GNB), operated alongside officials in the Directorate-General of Military Counter-Intelligence (<i>Dirección General de Contrainteligencia Militar</i> (DGCIM)) since at least December 2017. Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees in DGCIM facilities.	27.9.2019
21.	Carlos Alberto Calderon Chirinos	ID number: V-10352300 Gender: male	Senior office holder (referred to as Commissioner, Director and Director General) in the Bolivarian National Intelligence Service (SEBIN). Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees in SEBIN facilities. In particular, he participated in and was responsible for acts of torture and the cruel, inhuman and degrading treatment of detainees in El Helicoide, a SEBIN prison.	27.9.2019'

COMMISSION REGULATION (EU) 2019/1892**of 31 October 2019****amending Regulation (EU) No 1230/2012 as regards type-approval requirements for certain motor vehicles fitted with elongated cabs and for aerodynamic devices and equipment for motor vehicles and their trailers****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽¹⁾, and in particular Article 14(1)(a) thereof,

Whereas:

- (1) Commission Regulation (EU) No 1230/2012 ⁽²⁾ implements Regulation (EC) No 661/2009 through laying down requirements for the EC type-approval of motor vehicles and their trailers with regard to their masses and dimensions.
- (2) Aerodynamic devices and equipment, such as for instance retractable or foldable flaps attached to the rear of trucks and their trailers, as well as aerodynamic devices and equipment for cabs are currently available technology with a potential for improving the aerodynamic performance of vehicles. However, due to their design, those devices and equipment may project beyond the outermost part at the front, back or laterally of the vehicles on which they are fitted. Therefore, vehicles fitted with such devices and equipment should be exempted from the requirements relating to the standard dimensions.
- (3) Council Directive 96/53/EC ⁽³⁾ was amended by Directive (EU) 2015/719 of the European Parliament and of the Council ⁽⁴⁾ and by Regulation (EU) 2019/1242 of the European Parliament and of the Council ⁽⁵⁾ to provide for a derogation from the maximum length and weight restrictions in order to allow the use of motor vehicles with improved aerodynamic characteristics and alternatively fuelled or zero-emission motor vehicles, respectively, in cross-border traffic.

⁽¹⁾ OJ L 200, 31.7.2009, p. 1.

⁽²⁾ Commission Regulation (EU) No 1230/2012 of 12 December 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with regard to type-approval requirements for masses and dimensions of motor vehicles and their trailers and amending Directive 2007/46/EC of the European Parliament and of the Council (OJ L 353, 21.12.2012, p. 31).

⁽³⁾ Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (OJ L 235, 17.9.1996, p. 59).

⁽⁴⁾ Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (OJ L 115, 6.5.2015, p. 1).

⁽⁵⁾ Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC (OJ L 198, 25.7.2019, p. 202).

- (4) With a view to ensuring coherence between EC type-approval legislation and the harmonised rules for road vehicles circulating within the Union, it is necessary to lay down type-approval requirements for motor vehicles with elongated cabs and for aerodynamic equipment or devices in order to ensure that they provide benefits in terms of energy performance, better visibility for drivers, safety to other road users as well as safety and comfort for drivers.
- (5) It is not possible for an approval authority to certify that a type of aerodynamic device and equipment satisfies the relevant technical requirements independently of a vehicle. Such aerodynamic devices and equipment should therefore be type-approved in relation to one or more specified types of vehicles or in relation to generic vehicles for which the precise dimensions and material specifications at the installation location are defined. For that reason, they should be type-approved as separate technical units and the specific requirements for their approval before being placed on the market should be set out. Elongated cabs should be subject to a vehicle type-approval, respectively, as required by Directive 96/53/EC.
- (6) Compliance with the upcoming CO₂ emission standards for heavy duty vehicles will require the application of various technologies to improve energy efficiency. One of the most efficient measures to improve energy efficiency is to reduce air drag of motor vehicles.
- (7) Retractable or foldable aerodynamic devices attached to the rear of trucks and their trailers and aerodynamic devices and equipment of cabs should be constructed in such a way to ensure that they do not impair the capability of the vehicle to be used for intermodal transport. Therefore, the maximum width of 2,60 m should apply to all vehicles, including the refrigerated ones. In addition, the aerodynamic devices should be able to resist the displacement of air generated by operational circumstances in intermodal transport.
- (8) Alternatively fuelled or zero-emission motor vehicles should benefit from extra weight allowance. The additional weight required for the alternative fuel or zero-emission technology should be clearly indicated on the manufacturer's statutory plate.
- (9) Regulation (EU) No 1230/2012 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1230/2012 is amended as follows:

- (1) in Article 1, paragraph 1 is replaced by the following:

‘1. This Regulation lays down the requirements for the EC type-approval of motor vehicles and their trailers with regard to their masses and dimensions as well as of certain separate technical units intended for those vehicles.’;

- (2) Article 2 is amended as follows:

- (a) points (25) and (26) are replaced by the following:

‘(25) “wheelbase” means the following:

- (a) for motor vehicles and drawbar trailers, the horizontal distance between the centre of the first and the last axle;
- (b) for centre-axle trailers, semi-trailers and rigid drawbar trailers, the distance between the vertical axis of the coupling and the centre of the last axle;

(26) “axle spacing” means the distance between two consecutive axles; for centre axle trailers, semi-trailers and rigid drawbar trailers, the first axle spacing is the horizontal distance between the vertical axis of the front coupling and the centre of the first axle.’;

(b) point (33) is replaced by the following:

‘(33) “rear swing-out” means the distance between the initial point and the actual extreme point reached by the rear end of a vehicle when manoeuvring in the conditions specified in Section 8 of Part B of Annex I or in Section 7 of Part C of that Annex;’;

(c) the following point (41) is added:

‘(41) “aerodynamic devices and equipment” mean devices or equipment that are designed to reduce the aerodynamic drag of road vehicles, with the exception of elongated cabs.’;

(3) the following Articles 4a and 4b are inserted:

Article 4a

EC separate technical unit type-approval of aerodynamic devices and equipment

1. The manufacturer or his representative shall submit to the type-approval authority the application for EC type-approval of an aerodynamic device or equipment as a separate technical unit.

The application shall be drawn up in accordance with the model of the information document set out in Part C of Annex V.

2. If the relevant requirements set out in this Regulation are met, the approval authority shall grant an EC separate technical unit type-approval and issue a type-approval number in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC

A Member State shall not assign the same number to another type of separate technical unit.

3. For the purposes of paragraph 2, the type-approval authority shall deliver an EC type-approval certificate established in accordance with the model set out in Part D of Annex V.

Article 4b

EC separate technical unit type-approval mark

Every separate technical unit conforming to a type in respect of which EC separate technical unit type-approval has been granted pursuant to this Regulation shall bear an EC separate technical unit type-approval mark as set out in Part E of Annex V.’;

(4) Annex I is amended in accordance with Annex I to this Regulation;

(5) Annex V is amended in accordance with Annex II 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, 31 October 2019.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

Annex I to Regulation (EU) No 1230/2012 is amended as follows:

(1) in Part A, point 1.3 is replaced by the following:

'1.3. The devices and equipment referred to in Appendix 1 shall not be taken into account for the determination of the length, width and height.';

(2) Part B is amended as follows:

(a) point 1.3 is replaced by the following:

'1.3. The devices and equipment referred to in Appendix 1 shall not be taken into account for the determination of the length, width and height.';

(b) the following points 1.3.1. to 1.3.1.3. are inserted:

'1.3.1. Additional requirements for aerodynamic devices referred to in Appendix 1

1.3.1.1. Aerodynamic devices and equipment not exceeding 500 mm in length in the in-use position shall not increase the overall usable cargo space. They shall be constructed in such a way as to make it possible to lock them in the retracted or folded and the in-use positions. Such devices and equipment shall furthermore be constructed so as to be retractable or foldable when the vehicle is at stand-still in such a way that the maximum authorised width of the vehicle referred to in point 1.1.2. is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle referred to in point 1.1.1. is not exceeded by more than 200 mm as permitted only from a height above the ground of at least 1 050 mm so that they do not impair the capability of the vehicle to be used for intermodal transport. In addition, the requirements set out in points 1.3.1.1.1 and 1.3.1.1.3. shall be met.

1.3.1.1.1. The devices and equipment shall be type-approved in accordance with this Regulation.

1.3.1.1.2. It shall be possible for the operator to vary the position of the aerodynamic device and equipment, and to retract or fold it, by applying a manual force not exceeding 40 daN. In addition, this may be done automatically as well.

1.3.1.1.3. It is not required for devices and equipment to be retractable or foldable if the maximum dimensional requirements are fully complied with under all conditions.

1.3.1.2. Aerodynamic devices and equipment exceeding 500 mm in length in the in-use position shall not increase the overall usable cargo space. They shall be constructed in such a way as to make it possible to lock them in both the retracted or folded and the in-use positions. Such devices shall furthermore be constructed so as to be retractable or foldable when the vehicle is at stand-still in such a way that the maximum authorised width of the vehicle referred to in point 1.1.2. is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle referred to in point 1.1.1. is not exceeded by more than 200 mm as permitted only from a height above the ground of at least 1 050 mm so that they do not impair the capability of the vehicle to be used for intermodal transport. In addition, the requirements set out in points 1.3.1.2.1. to 1.3.1.2.4. shall be met.

1.3.1.2.1. The devices and equipment shall be type-approved in accordance with this Regulation.

1.3.1.2.2. It shall be possible for the operator to vary the position of the aerodynamic device and equipment, and to retract or fold it, by applying a manual force not exceeding 40 daN. In addition, this may be done automatically as well.

- 1.3.1.2.3. Each main vertical element or combination of elements and main horizontal element or combination of elements forming the devices and equipment shall, when installed on the vehicle and in the in-use position, withstand vertical and horizontal traction and push forces, applied sequentially in up, down, left and right direction, of 200 daN \pm 10 % applied statically to the geometric centre of the relevant perpendicular projected surface, at a maximum pressure of 2,0 MPa. The devices and equipment may deform, but the system for adjustment and locking shall not release as a result of the applied forces. The deformation shall be limited to ensure that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle, during and after the test.
- 1.3.1.2.4. Each main vertical element or combination of elements and main horizontal element or combination of elements forming the devices and equipment shall also, when in the retracted or folded position, withstand a horizontal traction force applied in longitudinal rearward direction, of 200 daN \pm 10 % applied statically to the geometric centre of the relevant perpendicular projected surface, at a maximum pressure of 2,0 MPa. The devices and equipment may deform, but the system for adjustment and locking shall not release as a result of the applied forces. The deformation shall be limited to ensure that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle is not exceeded by more than 200 mm.
- 1.3.1.3. It shall be verified by the technical service, to the satisfaction of the type-approval authority that aerodynamic devices and equipment positioned in both, the in-use and the retracted or folded positions, do not significantly impair cooling and ventilation of the powertrain, exhaust system and passenger cabin. All other applicable requirements relating to the vehicle systems shall be fully complied with when the devices and equipment are placed in both their in-use and retracted or folded positions.

By way of derogation concerning the applicable requirements relating to rear underrun protection, the horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle as fitted with aerodynamic devices and equipment may be measured without taking the devices and equipment into account on condition that they exceed 200 mm in length, they are in the in-use condition and the fundamental sections of the elements placed at a height \leq 2,0 m above the ground measured in unladen condition are made of material having a hardness of $<$ 60 Shore (A). Narrow ribs, tubing and metal wire forming a frame or substrate to support the fundamental sections of the elements shall not be taken into account when determining the hardness. However, in order to eliminate the risk of injuries and penetration of other vehicles in the event of a collision, any ends of such ribs, tubing and metal wire shall not be directed rearward, with the device and equipment both in the retracted or folded and the in-use positions.

As alternative to the derogation referred to in the previous paragraph, the horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle as fitted with aerodynamic devices and equipment may be measured without taking the aerodynamic devices and equipment into account provided that they exceed 200 mm in length, they are in the in-use condition and those devices or equipment comply with the test provisions set out in Appendix 4.

The horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle shall however be measured with the aerodynamic devices and equipment positioned in the retracted or folded position or take into account the resulting projection length in accordance with point 1.6.1 of Appendix 4, if this length exceeds that of the retracted or folded position.;

- (c) the following points 2.1.3., 2.1.3.1. and 2.1.3.2. are inserted:

‘2.1.3. In the case of alternatively fuelled or zero-emission motor vehicles:

- 2.1.3.1. The additional weight required for alternative fuel or zero-emission technology in accordance with points 2.3. and 2.4. of Annex I to Directive 96/53/EC shall be defined on the basis of the documentation provided by the manufacturer. The correctness of the declared information shall be verified by the Technical Service, to the satisfaction of the Type-Approval Authority.

2.1.3.2. The manufacturer shall indicate the following additional symbol as well as the value of the additional weight below or to the side of the mandatory inscriptions on the manufacturer's statutory plate, outside a clearly marked rectangle which shall enclose only the mandatory information.

"96/53/EC ARTICLE 10B COMPLIANT – XXXX KG"

The height of the symbol's characters and stated value shall not be less than 4 mm.

In addition, until the introduction of a dedicated entry in the Certificate of Conformity, the value of the additional weight shall be stated under "remarks" in the Certificate of Conformity as to allow inclusion of this information in on-board vehicle registration papers.;

(d) the following point 2.2.5.1. is inserted:

'2.2.5.1 In the case of an articulated vehicle with at least 4 axles of class I having two steered axles, the mass corresponding to the load on the front steering axle(s) shall in no case be less than 15 % of the technically permissible maximum laden mass "M".;

(e) in point 6.1, the following sentence is added:

'The requirements in this point shall not apply to the electric-only driving mode of hybrid electric vehicles.;

(f) point 6.2. is replaced by the following:

'6.2. The engine power shall be measured in accordance with UNECE Regulation No 85 (*).

(*) OJ L 326, 24.11.2006, p. 55.;

(g) in point 7.1.1., the following sentence is added:

'If the vehicle is equipped with aerodynamic devices or equipment referred to in points 1.3.1.1 and 1.3.1.2, the devices and equipment shall be in the deployed and in-use position';

(h) the following point 7.4. is inserted:

'7.4 With the agreement of the Technical Service and the Type-Approval Authority, the manoeuvrability requirements may be proved by numerical simulation in accordance with Annex XVI to Directive 2007/46/EC. In case of doubt, the Technical Service or Type-Approval Authority may require a physical full-scale test to be carried out.;

(i) in point 8.1.1., the following sentence is added:

'If the vehicle is equipped with aerodynamic devices or equipment referred to in points 1.3.1.1 and 1.3.1.2, the devices and equipment shall be in the deployed and in-use position';

(j) the following point 8.3. is added:

'8.3. With the agreement of the Technical Service and the Type-Approval Authority, the maximum rear swing-out requirements may be proved by numerical simulation in accordance with Annex XVI to Directive 2007/46/EC. In case of doubt, the Technical Service or Type-Approval Authority may require a physical full-scale test to be carried out.;

(3) Part C is amended as follows:

(a) in point 1.1.2., letter (b) is replaced by the following:

'(b) 2,60 m for vehicles fitted with a bodywork with insulated walls of at least 45 mm thick, having bodywork code 04 or 05 of Appendix 2 to Annex II to Directive 2007/46/EC.;

(b) point 1.3 is replaced by the following:

'1.3. The devices and equipment referred to in Appendix 1 shall not be taken into account for the determination of the length, width and height.;

(c) the following points 1.3.1. to 1.4.2. are inserted:

1.3.1. Additional requirements for aerodynamic devices referred to in Appendix 1

1.3.1.1. Aerodynamic devices and equipment not exceeding 500 mm in length in the in-use position shall not increase the usable length of the loading area. They shall be constructed in such a way as to make it possible to lock them in both the retracted or folded and the in-use positions. Such devices and equipment shall furthermore be constructed so as to be retractable or foldable when the vehicle is at stand-still in such a way that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle is not exceeded by more than 200 mm as permitted only from a height above the ground of at least 1 050 mm so that they do not impair the capability of the vehicle to be used for intermodal transport. In addition, the requirements set out in points 1.3.1.1.1 and 1.3.1.1.3. shall be met.

1.3.1.1.1. The devices and equipment shall be type-approved in accordance with this Regulation.

1.3.1.1.2. It shall be possible for the operator to vary the position of the aerodynamic device and equipment, and to retract or fold it, by applying a manual force not exceeding 40 daN. In addition, this may be done automatically as well.

1.3.1.1.3. It is not required for devices and equipment to be retractable or foldable if the maximum dimensional requirements are fully complied with under all conditions.

1.3.1.2. Aerodynamic devices and equipment exceeding 500 mm in length in the in-use position shall not increase the usable length of the loading area. They shall be constructed in such a way as to make it possible to lock them in both the retracted or folded and in-use positions. Such devices shall furthermore be constructed so as to be retractable or foldable when the vehicle is at stand-still in such a way that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle is not exceeded by more than 200 mm as permitted only from a height above the ground of at least 1 050 mm so that they do not impair the capability of the vehicle to be used for intermodal transport. In addition, the requirements set out in points 1.3.1.2.1. to 1.3.1.2.4. below shall be met.

1.3.1.2.1. The devices and equipment shall be type-approved in accordance with this Regulation.

1.3.1.2.2. It shall be possible for the operator to vary the position of the aerodynamic device and equipment, and retract or fold it, by applying a manual force not exceeding 40 daN. In addition, this may be done automatically as well.

1.3.1.2.3. Each main vertical element or combination of elements and main horizontal element or combination of elements forming the devices and equipment shall, when installed on the vehicle and in the in-use position, withstand vertical and horizontal traction and push forces, applied sequentially in up, down, left and right direction, of 200 daN \pm 10 % applied statically to the geometric centre of the relevant perpendicular projected surface, at a maximum pressure of 2,0 MPa. The devices and equipment may deform, but the system for adjustment and locking shall not release as a result of the applied forces. The deformation shall be limited to ensure that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle, during and after the test.

1.3.1.2.4. Each main vertical element or combination of elements and main horizontal element or combination of elements forming the devices and equipment shall also, when in the retracted or folded position, withstand a horizontal traction force applied in longitudinal rearward direction, of 200 daN \pm 10 % applied statically to the geometric centre of the relevant perpendicular projected surface, at a maximum pressure of 2,0 MPa. The devices and equipment may deform, but the system for adjustment and locking shall not release as a result of the applied forces. The deformation shall be limited to ensure that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle is not exceeded by more than 200 mm.

- 1.3.1.3. Aerodynamic devices and equipment of cabs, both in the retracted or folded and in-use position, where applicable, shall be constructed in such a way that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and that they do not impair the capability of the vehicle to be used for intermodal transport. In addition, the requirements set out in points 1.3.1.3.1. to 1.3.1.3.4. below shall be met.
- 1.3.1.3.1. Aerodynamic devices and equipment for cabs shall be type-approved in accordance with this Regulation.
- 1.3.1.3.2. When installed on a vehicle and both in the retracted or folded and in-use positions, where applicable, no part of the device and equipment shall be above the lower windscreen edge, unless it is not directly visible to the driver due to the instrument panel or other standard interior fittings.
- 1.3.1.3.3. The device and equipment shall be covered with energy absorbing material. Alternatively, the device and equipment shall consist of material having a hardness of < 60 Shore (A) in accordance with point 1.3.1.4..
- 1.3.1.3.4. The device and equipment shall not be constructed of material that is prone to breakage into sharp fragments or jagged edges.
- 1.3.1.4. It shall be verified by the technical service, to the satisfaction of the type-approval authority that aerodynamic devices and equipment referred to in points 1.3.1.1, 1.3.1.2 and 1.3.1.3 positioned in both, the in-use and retracted or folded positions, do not impair the driver's forward field of vision and the windscreen wash and wipe functions, as well as do not significantly impair the cooling and ventilation of the powertrain, exhaust system, braking system, occupant cabin and loading area. All other applicable requirements relating to the vehicle systems shall be fully complied with when the devices and equipment are placed in both their in-use and retracted or folded positions.

By way of derogation concerning the applicable requirements relating to front underrun protection, the horizontal distances between the foremost part of the vehicle as fitted with aerodynamic devices and equipment and its front underrun protective device as well as the rear of the rear underrun protection device and the rear extremity of the vehicle as fitted with aerodynamic devices and equipment may be measured without taking the devices and equipment into account on condition that at the rear they exceed 200 mm in length and they are in the in-use condition and that at the front and rear the fundamental sections of the elements placed at a height $\leq 2,0$ m above the ground measured in unladen condition are made of material having a hardness of < 60 Shore (A). Narrow ribs, tubing and metal wire forming a frame or substrate to support the fundamental sections of the elements shall not be taken into account when determining the hardness. However, in order to eliminate the risk of injuries and penetration of other vehicles in the event of a collision, any ends of such ribs, tubing and metal wire shall not be directed forward at the front and rearward at the rear of the vehicle, with the device and equipment both in the retracted or folded and the in-use positions.

As alternative to the derogation concerning the rear underrun protection device referred to in the previous paragraph, the horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle as fitted with aerodynamic devices and equipment may be measured without taking the aerodynamic devices and equipment into account provided that they exceed 200 mm in length, they are in the in-use condition and those devices or equipment comply with the test provisions set out in Appendix 4.

The horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle shall however be measured with the aerodynamic devices and equipment positioned in the retracted or folded position or take into account the resulting projection length in accordance with point 1.6.1 of Appendix 4, if this length exceeds that of the retracted or folded position.

1.4. Elongated cabs

1.4.1. Where the front fascia of the motor vehicle's cab location, including all external projections of for example the chassis, bumper, wheel guards and wheels, fully conforms to parameters of the three-dimensional envelope as set out in Appendix 5 and the length of the loading area does not exceed 10,5 m, the vehicle may exceed the maximum authorised length set out in point 1.1.1.

1.4.2. In the case referred to in point 1.4.1, the manufacturer shall indicate the following additional symbol below or to the side of the mandatory inscriptions on the manufacturer's statutory plate, outside a clearly marked rectangle which shall enclose only the mandatory information.

"96/53/EC ARTICLE 9A COMPLIANT"

The height of the symbol's characters shall not be less than 4 mm. The text "96/53/EC ARTICLE 9A COMPLIANT" shall also be added to the "remarks" in the Certificate of Conformity as to allow inclusion of this information in on-board vehicle registration papers.;

(d) the following points 2.1.4., 2.1.4.1. and 2.1.4.2. are inserted:

'2.1.4. In the case of alternatively fuelled or zero-emission motor vehicles:

2.1.4.1. The additional weight required for alternative fuel or zero-emission technology in accordance with point 2.3. of Annex I to Directive 96/53/EC shall be defined on the basis of the documentation provided by the manufacturer. The correctness of the declared information shall be verified by the Technical Service, to the satisfaction of the Type-Approval Authority.

2.1.4.2. The manufacturer shall indicate the following additional symbol as well as the value of the additional weight below or to the side of the mandatory inscriptions on the manufacturer's statutory plate, outside a clearly marked rectangle which shall enclose only the mandatory information.

"96/53/EC ARTICLE 10B COMPLIANT – XXXX KG"

The height of the symbol's characters and stated value shall not be less than 4 mm.

In addition, until the introduction of a dedicated entry in the Certificate of Conformity, the value of the additional weight shall be stated under "remarks" in the Certificate of Conformity as to allow inclusion of this information in on-board vehicle registration papers.;

(e) the following point 5.1.2. is inserted:

'5.1.2. The requirements in points 5.1 and 5.1.1 shall not apply to the electric-only driving mode of hybrid electric vehicles.;

(f) point 5.2. is replaced by the following:

'5.2. The engine power shall be measured in accordance with UNECE Regulation No 85.;

(g) in point 6.1.1., the following sentence is added:

'If the vehicle is equipped with aerodynamic devices or equipment referred to in points 1.3.1.1, 1.3.1.2 and 1.3.1.3, the devices and equipment shall be in the deployed and in-use position or in the fixed in-use position where applicable for devices and equipment covered by point 1.3.1.3.;

(h) the following point 6.4. is inserted:

'6.4 With the agreement of the Technical Service and the Type-Approval Authority, the manoeuvrability requirements may be proved by numerical simulation in accordance with Annex XVI to Directive 2007/46/EC. In case of doubt, the Technical Service or Type-Approval Authority may require a physical full-scale test to be carried out.;

(i) in point 7.1. the following sentence is added:

'If the vehicle is equipped with aerodynamic devices or equipment referred to in points 1.3.1.1, 1.3.1.2 and 1.3.1.3, the devices and equipment shall be in the deployed and in-use position.;

(j) the following point 7.3. is added:

'7.3. With the agreement of the Technical Service and the Type-Approval Authority, the maximum rear swing-out requirements may be proved by numerical simulation in accordance with Annex XVI to Directive 2007/46/EC. In case of doubt, the Technical Service or Type-Approval Authority may require a physical full-scale test to be carried out.';

(4) Part D is amended as follows:

(a) in point 1.1.2., letter (b) is replaced by the following:

'(b) 2,60 m for vehicles fitted with a bodywork with insulated walls of at least 45 mm thick, having bodywork code 04 or 05 of Appendix 2 to Annex II to Directive 2007/46/EC.';

(b) point 1.4. is replaced by the following:

'1.4. The devices and equipment referred to in Appendix 1 shall not be taken into account for the determination of the length, width and height.';

(c) the following points 1.4.1. to 1.4.1.3. are inserted:

'1.4.1. Additional requirements for aerodynamic devices referred to in Appendix 1

1.4.1.1. Aerodynamic devices and equipment not exceeding 500 mm in length in the in-use position shall not increase the usable length of the loading area. They shall be constructed in such a way as to make it possible to lock them in both the retracted or folded and the in-use positions. Such devices and equipment shall furthermore be constructed so as to be retractable or foldable when the vehicle is at stand-still in such a way that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle is not exceeded by more than 200 mm as permitted only from a height above the ground of at least 1 050 mm so that they do not impair the capability of the vehicle to be used for intermodal transport. In addition, the requirements set out in points 1.4.1.1.1 to 1.4.1.1.3. shall be met.

1.4.1.1.1. The devices and equipment shall be type-approved in accordance with this Regulation.

1.4.1.1.2. It shall be possible for the operator to vary the position of the aerodynamic device and equipment, and to retract and fold it, by applying a manual force not exceeding 40 daN. In addition, this may be done automatically as well.

1.4.1.1.3. It is not required for devices and equipment to be retractable or foldable if the maximum dimensional requirements are fully complied with under all conditions.

1.4.1.2. Aerodynamic devices and equipment exceeding 500 mm in length in the in-use position shall not increase the usable length of the loading area. They shall be constructed in such a way to make it possible to lock them in both the retracted or folded and the in-use positions. Such devices shall furthermore be constructed so as to be retractable or foldable when the vehicle is at stand-still in such a way that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle is not exceeded by more than 200 mm as permitted only from a height above the ground of at least 1 050 mm so that they do not impair the capability of the vehicle to be used for intermodal transport. In addition, the requirements set out in points 1.4.1.2.1. to 1.4.1.2.4. shall be met.

1.4.1.2.1. The devices and equipment shall be type-approved in accordance with this Regulation.

1.4.1.2.2. It shall be possible for the operator to vary the position of the aerodynamic device and equipment, and retract or fold it, by applying a manual force not exceeding 40 daN. In addition, this may be done automatically as well.

- 1.4.1.2.3. Each main vertical element or combination of elements and main horizontal element or combination of elements forming the devices and equipment shall, when installed on the vehicle and in the in-use position, withstand vertical and horizontal traction and push forces, applied sequentially in up, down, left and right direction, of 200 daN \pm 10 % applied statically to the geometric centre of the relevant perpendicular projected surface, at a maximum pressure of 2,0 MPa. The devices and equipment may deform, but the system for adjustment and locking shall not release as a result of the applied forces. The deformation shall be limited to ensure that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle, during and after the test.
- 1.4.1.2.4. Each main vertical element or combination of elements and main horizontal element or combination of elements forming the devices and equipment shall also, when in the retracted or folded position, withstand a horizontal traction force applied in longitudinal rearward direction, of 200 daN \pm 10 % applied statically to the geometric centre of the relevant perpendicular projected surface, at a maximum pressure of 2,0 MPa. The devices and equipment may deform, but the system for adjustment and locking shall not release as a result of the applied forces. The deformation shall be limited to ensure that the maximum authorised width of the vehicle is not exceeded by more than 25 mm on each side of the vehicle and the maximum authorised length of the vehicle is not exceeded by more than 200 mm.
- 1.4.1.3. It shall be verified by the technical service, to the satisfaction of the type-approval authority that aerodynamic devices and equipment positioned in both, the in-use and the retracted or folded positions, do not completely block the ventilation of the loading area. All other applicable requirements relating to the vehicle systems shall be fully complied with when the devices and equipment are placed in both their in-use and retracted or folded positions.

By way of derogation concerning the applicable requirements relating to rear underrun protection, the horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle as fitted with aerodynamic devices and equipment may be measured without taking the devices and equipment into account on condition that they exceed 200 mm in length, they are in the in-use condition and the fundamental sections of the elements placed at a height \leq 2,0 m above the ground measured in unladen condition are made of material having a hardness of $<$ 60 Shore (A). Narrow ribs, tubing and metal wire forming a frame or substrate to support the fundamental sections of the elements shall not be taken into account when determining the hardness. However, in order to eliminate the risk of injuries and penetration of other vehicles in the event of a collision, any ends of such ribs, tubing and metal wire shall not be directed rearward at the rear of the vehicle, with the device and equipment both in the retractable or folded and the in-use positions.

As alternative to the derogation referred to in the previous paragraph, the horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle as fitted with aerodynamic devices and equipment may be measured without taking the aerodynamic devices and equipment into account provided that they exceed 200 mm in length, they are in the in-use condition and those devices or equipment comply with the test provisions set out in Appendix 4.

The horizontal distances between the rear of the rear underrun protection device and the rear extremity of the vehicle shall however be measured with the aerodynamic devices and equipment positioned in the retracted or folded position or take into account the resulting projection length in accordance with point 1.6.1 of Appendix 4, if this length exceeds that of the retracted or folded position.;

(d) point 2.2.1. is replaced by the following:

- ‘2.2.1. The sum of the technically permissible maximum mass at the front coupling point plus the technically permissible maximum mass on the solo axles and/or group(s) of axles plus the technically permissible maximum mass at the rear coupling point shall be not less than the technically permissible maximum laden mass of the vehicle.

$$M \leq \Sigma [m_0 + m_i + m_c] \text{ or } M \leq \Sigma [m_0 + \mu_j + m_c];$$

(e) in point 3.1. the following sentence is added:

‘If the trailer or semi-trailer is equipped with aerodynamic devices or equipment referred to in points 1.4.1.1 or 1.4.1.2, the devices and equipment shall be in the in-use and deployed position.’;

(c) Table II is amended as follows:

(i) the row with item number 11 is replaced by the following:

'11.	Aerodynamic devices and equipment The vehicle width, including that of conditioned body with insulated walls, shall not exceed 2 600 mm including the measured projections, with the devices and equipment fixed in both the retracted or folded and the in-use positions.	-	X	X	-	X	X	-	-	X	X'
------	---	---	---	---	---	---	---	---	---	---	----

(ii) the following row with item number 18 is added:

'18.	Antennas used for vehicle-to-vehicle or vehicle-to-infrastructure communication	X	X	X	X	X	X	X	X	X	X'
------	---	---	---	---	---	---	---	---	---	---	----

(iii) the following row with item number 19 is added:

'19.	Flexible hoses of tyre pressure monitoring systems provided that they do not protrude by more than 70 mm on each side from the outermost width of the vehicle						X			X	X'
------	---	--	--	--	--	--	---	--	--	---	----

(d) Table III is replaced by the following:

'TABLE III

Vehicle height

		M₁	M₂	M₃	N₁	N₂	N₃	O₁	O₂	O₃	O₄
1.	Antennas used for radio, navigation, vehicle-to-vehicle or vehicle-to-infrastructure communication	X	X	X	X	X	X	X	X	X	X
2.	Pantographs or trolley booms in their elevated position	-	-	X	-	-	X	-	-	-	-'

(6) the following Appendices 4 and 5 are added:

'Appendix 4

Aerodynamic device and equipment crash test

1. Test conditions for aerodynamic devices and equipment

1.1. At the request of the manufacturer the test shall be conducted on one of the following:

1.1.1. on a vehicle of the type for which an aerodynamic device and equipment is intended;

1.1.2. on a part of the body of the vehicle type for which the aerodynamic device and equipment is intended; that part shall be representative of the vehicle type(s) in question;

1.1.3. on a rigid wall.

- 1.2. Where the test is conducted as referred to in points 1.1.2. and 1.1.3., the parts used to connect the aerodynamic devices and equipment to a part of the vehicle body or to a rigid wall shall be equivalent to those which are used to secure the aerodynamic devices and equipment when it is installed on the vehicle. Every device shall be accompanied by installation and operating instructions giving sufficient information for any competent person to install it correctly.
- 1.3. At the request of the manufacturer the test procedure described in point 1.5. may be conducted by numerical simulation in accordance with Annex XVI to Directive 2007/46/EC.

The mathematical model shall be validated only if it is comparable with the physical test conditions. To that effect, a physical test shall be conducted for the purposes of comparing the results obtained when using the mathematical model with the results of a physical test. Comparability of the test results shall be proven. A validation report shall be drafted by the manufacturer.

Any change made to the mathematical model or to the software likely to invalidate the validation report shall require a new validation in accordance with the previous paragraph.
- 1.4. Conditions for the conduct of tests or simulations.
 - 1.4.1. The vehicle shall be at rest on a level, flat, rigid and smooth surface.
 - 1.4.2. Any front wheels shall be in the straight ahead position.
 - 1.4.3. The tyres shall be inflated to the pressure recommended by the vehicle manufacturer.
 - 1.4.4. The vehicle shall be unladen.
 - 1.4.5. The vehicle may, if necessary to achieve the test force required in point 1.5.1.2., be restrained by any method. This method shall be specified by the vehicle manufacturer.
 - 1.4.6. Vehicles equipped with hydropneumatic, hydraulic or pneumatic suspension or a device for automatic levelling according to load shall be tested with the suspension or device in the normal running condition specified by the manufacturer.
- 1.5. Test procedure
 - 1.5.1. The tests shall be carried out to assess that the aerodynamic device and equipment offer a specified level of deformation to forces applied parallel to the longitudinal axis of the vehicle as referred to in point 1.6.1. Alternatively, the device may also become folded or retracted under the influence of force. The fulfilment of the requirement referred to in point 1.6.2. shall be verified by means of suitable test mandrels for the purpose of the crash test. The device used to distribute the test force over the stated flat surface shall be connected to the force actuator through a swivel joint. In cases of geometric incompatibilities an adapter may be used instead of a device with a flat surface.
 - 1.5.1.1. A force shall be applied parallel to the longitudinal axis of the vehicle via a surface or adaptor not more than 250 mm in height and 200 mm wide with a radius of curvature of 5 ± 1 mm at the vertical edges. The surface shall not be rigidly fixed to the aerodynamic device and equipment and shall be articulated in all directions. When the test is carried out on a vehicle as referred to in point 1.1.1., the height of the lower edge of the surface or adaptor shall be specified by the manufacturer in an area between the lowest edge of the aerodynamic device and equipment and a point of the upper edge of the surface or adaptor that is no more than 2,0 m above the ground in vehicle-mounted condition (see figure 1). This point is to be specified on a laden vehicle with the technically permissible maximum laden mass.

Where the test is carried out on a part of the body of the vehicle type as referred to in point 1.1.2. or on a rigid wall as referred to in point 1.1.3., the height of the centre of the surface or adaptor shall be specified by the manufacturer in an area between the lowest edge of the aerodynamic device and equipment and the point that represents the height of no more than 2,0 m above the ground in vehicle-mounted condition on a laden vehicle with the technically permissible maximum laden mass (see figure 2).

The exact location of the centre of the surface or adaptor in the area of application of forces shall be specified by the manufacturer. Where the aerodynamic device and equipment have different degrees of stiffness in the area of application of the forces (e.g. due to reinforcements, different materials or thicknesses, etc.), the location of the centre of the surface or adaptor shall be located in the area with the highest resistance against external forces in longitudinal direction of the vehicle.

Figure 1

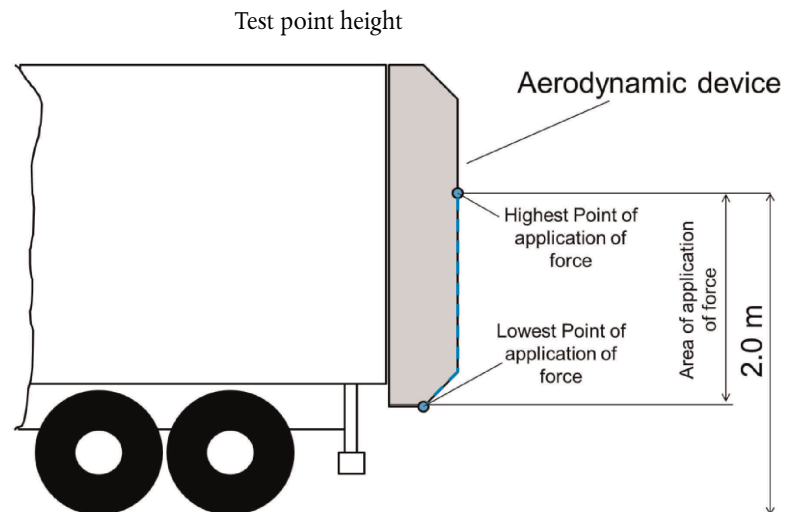
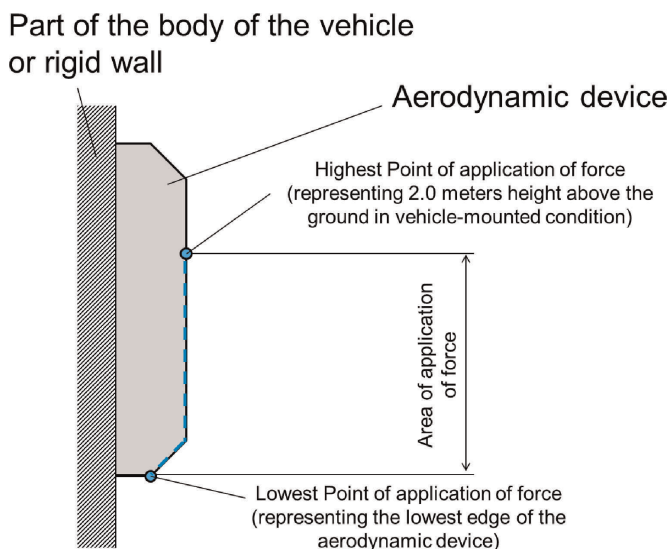


Figure 2

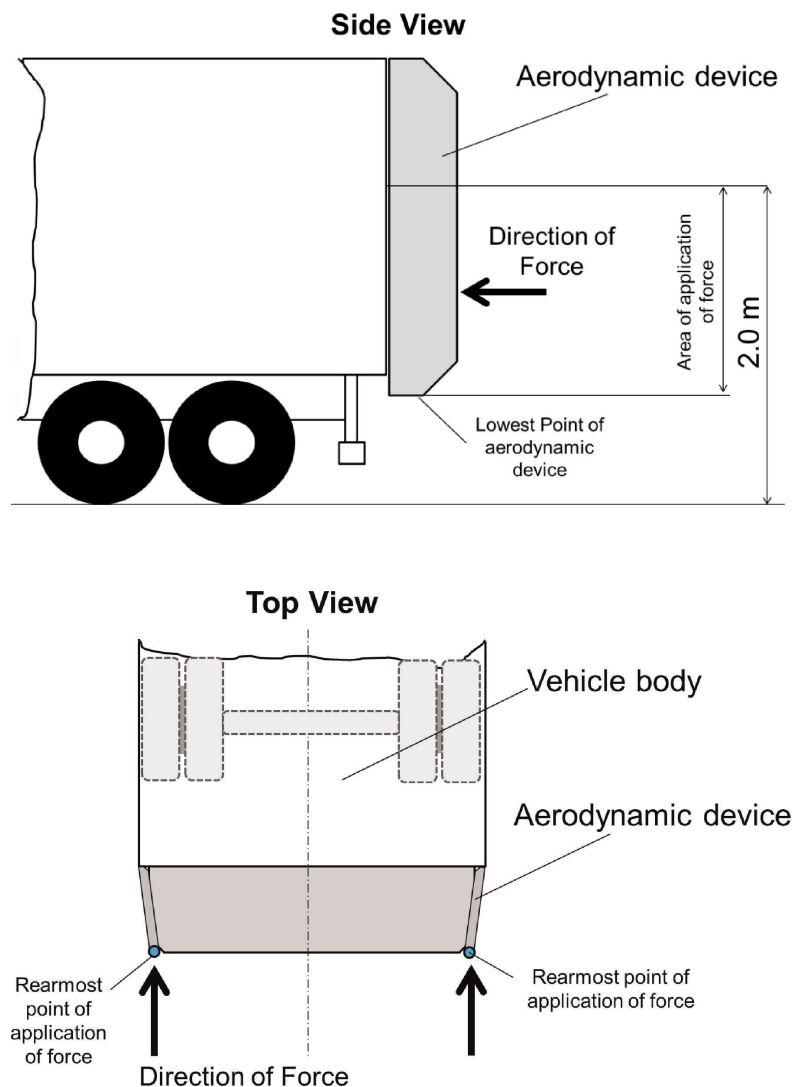
Example of test setup



1.5.1.2. A horizontal force of maximum $4000\text{ N} \pm 400\text{ N}$ shall be applied consecutively to two points situated symmetrically about the centre line of the vehicle or the centre line of the device on the rearmost outer edge of the aerodynamic device and equipment in completely unfolded or in-use position (see figure 3). The order in which the forces are applied may be specified by the manufacturer.

Figure 3

Force application



1.6. Requirements

- 1.6.1. The aerodynamic device and equipment shall be so fitted that, during the application of the test forces as specified in point 1.5.1.2., the device and equipment deforms, retracts or folds resulting in projection length of ≤ 200 mm measured in horizontal longitudinal direction at the points of application of the forces. The resulting projection length shall be recorded.
- 1.6.2. The aerodynamic device and equipment shall not endanger the occupants of other vehicles in a rear-end collision and shall not affect the operation of the rear underrun protection device.

Appendix 5

Three-dimensional cab envelope

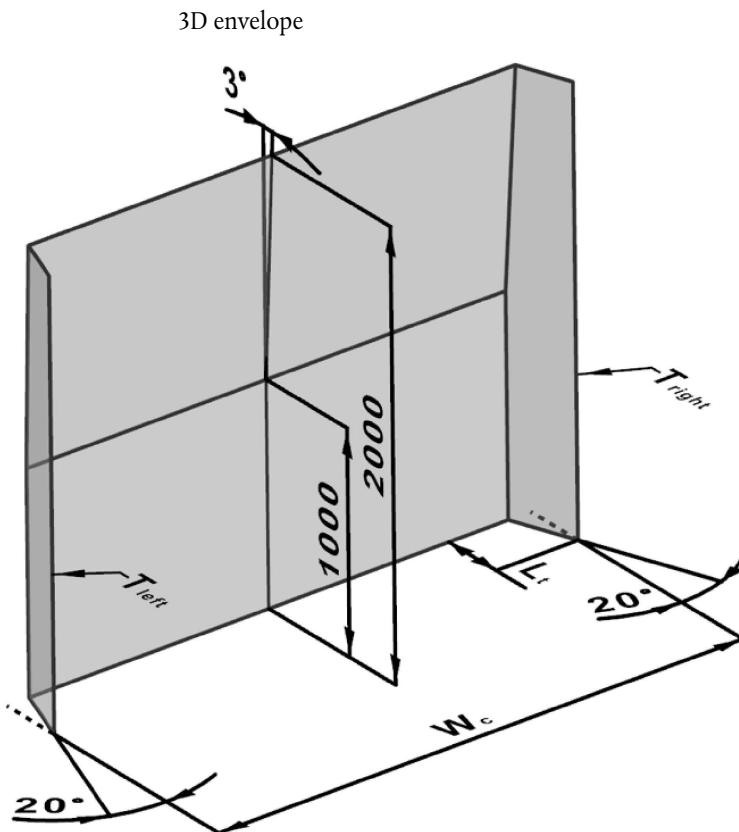
1. General procedure for the checking of conformity of the motor vehicle with the parameters relating to the three-dimensional cab envelope

- 1.1. Vertical boundaries of the motor vehicle cab assessment zone
 - 1.1.1. The maximum width of the vehicle at cab location W_c shall be taken forward of the vertical transverse plane located at the foremost axle of the motor vehicle. The items listed in Appendix 1 shall not be taken into account for the purposes of this measurement.
 - 1.1.2. The assessment zone of the motor vehicle's cab location shall be considered in such a way that it corresponds with the maximum width W_c . The zone shall be bounded by vertical longitudinal planes that are parallel to the longitudinal median plane of the motor vehicle and that are distance W_c apart.
 - 1.1.3. The horizontal longitudinal distance L_t shall be established from the most forward point of the motor vehicle's cab location taken at a height $\leq 2\,000$ mm from the ground measured in unladen condition.

The distance L_t shall be set at 200 mm for the purpose of this assessment (see figure 1).

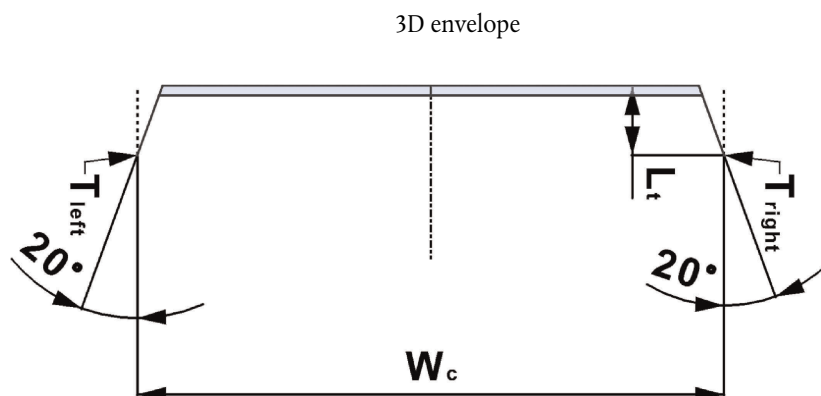
The rear side of the assessment zone shall be bounded by a vertical transverse plane, perpendicular to the longitudinal median plane of the motor vehicle, that is located rearward of the abovementioned most forward point by distance L_t .

Figure 1



- 1.1.4. The intersections of the rear plane forming the side of the assessment zone with both angled outboard planes, lines T_{left} and T_{right} , shall be considered for the purpose of point 1.3.3.2. (see figure 2).

Figure 2



1.2. Horizontal boundaries of the motor vehicle cab assessment zone

- 1.2.1. In the assessment zone, the lower front fascia boundary line shall be set at ground level and the upper front fascia boundary line shall be set at 2 000 mm above the ground as measured in unladen condition.

1.3. Specific provisions for the motor vehicle cab assessment zone

- 1.3.1. For the purposes of this Appendix, the front fascia at the motor vehicle's cab location shall be considered, regardless of type of material. However, the items listed in Appendix 1 shall not be taken into account.

1.3.2. Rake of the front of the cab

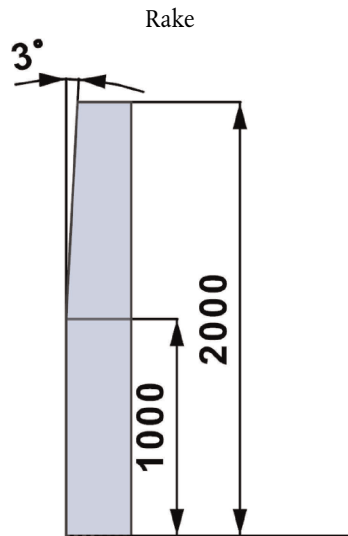
- 1.3.2.1. For the purposes of this Appendix, "rake" shall be considered, meaning the rearward inclination of the motor vehicle's front fascia at the cab location from the vertical, where any point located above another point lies rearward of that other point.

- 1.3.2.2. For the assessment zone of the rake, the most forward point of the motor vehicle's cab location as referred to in point 1.1.3. shall be considered.

The vertical transverse plane through the most forward point of the cab, taken at a height of $\leq 2\,000$ mm from the ground measured in unladen condition, shall be considered as regards its intersection with the horizontal plane that is located at the height of 1 000 mm. The intersecting line shall then be taken as the base envelope line to assess the vehicle cab's rake in the given assessment zone.

- 1.3.2.3. A plane rotating around the base envelope line referred to in the second paragraph of point 1.3.2.2., inclined rearward from the vertical by 3° , shall be taken (see figure 3).

Figure 3



- 1.3.2.4. No point of the actual surface of the front fascia, as located in the assessment zone of the rake, shall lie forward of the rearward inclined plane referred to in point 1.3.2.3. when the most forward point of the motor vehicle's cab location touches the vertical transverse plane.
- 1.3.3. Tapering of the sides of the motor vehicle cab.
- 1.3.3.1. In the assessment zone of the motor vehicle's cab location, the front fascia shall be tapered in such a way that the relevant nominal surfaces generally converge towards a common area that lies forward of the cab and in the longitudinal median plane of the motor vehicle.
- 1.3.3.2. Two symmetrical vertical planes, one on the left side and one on the right side, shall be considered, both under a horizontal angle of 20° in relation to the longitudinal median plane and thus 40° apart. These planes are located in such a way that they also intersect with lines T_{left} and T_{right} referred to in point 1.1.3., respectively.
- 1.3.3.3. No point of the actual surface of the front fascia, as located in the left and right outboard zone, shall lie outward of the respective vertical plane referred to in point 1.3.3.2. with the most forward point of the motor vehicle's cab location touching the vertical transverse plane referred to in point 1.3.2.4.
2. If any of the conditions set out in this Appendix are not met, it shall be considered that the motor vehicle cab does not conform to parameters of the three-dimensional envelope as referred to in point 1.4.1. of Part C of this Annex..

ANNEX II

Annex V to Regulation (EU) No 1230/2012 is amended as follows:

(1) Part A is amended as follows:

(a) the title is replaced by the following:

‘PART A

EC type-approval of motor vehicles and their trailers with regard to the masses and dimensions of a vehicle

INFORMATION DOCUMENT

MODEL’

(b) the following point 2.4.2.1.3. is inserted:

2.4.2.1.3. Elongated cab complying to Article 9a of Directive 96/53/EC: yes/no⁽¹⁾

(c) the following point 2.6.4. is inserted:

2.6.4. Additional mass for alternative propulsion: kg

(d) the following point 3.9. is inserted:

3.9. List of equipment to for alternative propulsion (and indication of the mass of the parts):

(e) the following points 9.25. to 9.27.3. are inserted:

9.25. Elongated Cabs complying to Article 9a of Directive 96/53/EC

9.25.1. Detailed technical description (including photographs and drawings, as well as description of the materials) of the vehicle parts relevant to Part C, point 1.4 of Annex I to Regulation (EU) No 1230/2012:

9.26. Aerodynamic device or equipment on the front of the vehicle

9.26.1. Vehicle equipped with aerodynamic device or equipment on the front: yes/no⁽¹⁾

9.26.2. Type-approval number of the aerodynamic device or equipment, if available: ... or, if not available:

9.26.3. Detailed description (including photographs or drawings) of the aerodynamic device or equipment

9.26.3.1. Construction and materials:

9.26.3.2. Locking and adjustment system:

9.26.3.3. Attachment and mounting to the vehicle:

9.27. Aerodynamic device or equipment on the rear of the vehicle

9.27.1. Vehicle equipped with aerodynamic device or equipment on the rear: yes/no⁽¹⁾

9.27.2. Type-approval number of the aerodynamic device or equipment, if available ... or, if not available:

9.27.3. Detailed description (including photographs or drawings) of the aerodynamic device or equipment

9.27.3.1. Construction and materials:

9.27.3.2. Locking and adjustment system:

9.27.3.3. Attachment and mounting to the vehicle:

(2) Part B is amended as follows:

(a) the title is replaced by the following:

PART B

EC type-approval certificate of motor vehicles and their trailers with regard to the masses and dimensions of vehicles

MODEL

Format: A4 (210 × 297 mm)

EC TYPE-APPROVAL CERTIFICATE;

(b) the words “with regard to Regulation (EU) No. .../...” are replaced by the words ‘with regard to Regulation (EU) No 1230/2012, as last amended by Regulation (EU) 2019/1892’;

(c) the Addendum is replaced by the following:

Addendum

to EC type-approval certificate No ...

- 1. Derogations
 - 1.1. The vehicle has been type-approved in accordance with Article 6(1) of this Regulation (i.e. the outermost dimensions of the vehicle exceeds the maximum dimensions mentioned in Part A, B, C or D of Annex I): yes/no ⁽¹⁾
 - 1.2. The vehicle has been type-approved for the purposes of Article 8b of Directive 96/53/EC (i.e. aerodynamic devices or equipment at the rear of the vehicle): yes/no ⁽¹⁾
 - 1.3. The vehicle has been type-approved for the purposes of with Article 9a of Directive 96/53/EC (i.e. an elongated cab or a cab fitted with aerodynamic devices or equipment): yes/no ⁽¹⁾
 - 1.4. The vehicle has been type-approved for the purposes of Article 10b of Directive 96/53/EC:
 - 1.4.1. Additional weight of alternatively fuelled vehicles: yes/no ⁽¹⁾
 - 1.4.2. Additional weight of zero-emission vehicles: yes/no ⁽¹⁾
- 2. The vehicle is fitted with air-suspension: yes/no ⁽¹⁾
- 3. The vehicle is fitted with a suspension recognised to be equivalent to air-suspension: yes/no ⁽¹⁾
- 4. The vehicle fulfils the requirements for an off-road vehicle: yes/no ⁽¹⁾
- 5. Remarks:

⁽¹⁾ Delete where not applicable.

(3) the following Parts C, D and E are added:

PART C

EC type-approval of an aerodynamic device or equipment as a separate technical unit

Information document

MODEL

Information document No ... relating to the EC type-approval of an aerodynamic device or equipment as a separate technical unit.

The following information shall be supplied in triplicate and include a list of contents. Any drawings shall be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, shall show sufficient detail.

If the separate technical units referred to in this information document have electronic controls, information concerning their performance shall also be supplied.

0. GENERAL

0.1. Make (trade name of manufacturer):

0.2. Type:

0.3. Means of identification of type, if marked on the separate technical unit ^(b):

0.3.1. Location of that marking:

0.5. Name and address of manufacturer:

0.7. Location and method of affixing the EC type- approval mark:

0.8. Name(s) and address(es) of assembly plant(s):

0.9. Name and address of the manufacturer's representative (if any):

9.26. Aerodynamic device or equipment on the front of the vehicle

9.26.1. Vehicle equipped with aerodynamic device or equipment on the front: yes/no ⁽¹⁾

9.26.2. Type-approval number of the aerodynamic device or equipment, if available: ... or, if not available:

9.26.3. Detailed description (including photographs or drawings) of the aerodynamic device or equipment

9.26.3.1. Construction and materials:

9.26.3.2. Locking and adjustment system:

9.26.3.3. Attachment and mounting to the vehicle:

9.27. Aerodynamic device or equipment on the rear of the vehicle

9.27.1. Vehicle equipped with aerodynamic device or equipment on the rear: yes/no ⁽¹⁾

9.27.2. Type-approval number of the aerodynamic device or equipment, if available ... or, if not available:

9.27.3. Detailed description (including photographs or drawings) of the aerodynamic device or equipment

9.27.3.1. Construction and materials:

- 9.27.3.2. Locking and adjustment system:
- 9.27.3.3. Attachment and mounting to the vehicle:

Explanatory notes

- ^(b) If the means of identification of type contains characters not relevant to describe the separate technical unit type covered by this information document, such characters shall be represented in the documentation by the symbol “?” (e.g. ABC??123??).
- ^(l) Delete where not applicable.

PART D

EC type-approval certificate for an aerodynamic device or equipment as a separate technical unit

MODEL

Format: A4 (210 × 297 mm)

EC TYPE-APPROVAL CERTIFICATE

Stamp of type-approval authority

Communication concerning:

- EC type-approval ^(l)
- extension of EC type-approval ^(l)
- refusal of EC type-approval ^(l)
- withdrawal of EC type-approval ^(l)

} of a type of aerodynamic device or
equipment as a separate technical unit

with regard to Regulation (EU) No 1230/2012, as last amended by Regulation (EU) 2019/1892 ^(l)

EC type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name of manufacturer):
- 0.2. Type:
- 0.3. Means of identification of type, if marked on the separate technical unit ⁽²⁾:
- 0.3.1. Location of that marking:
- 0.5. Name and address of manufacturer:
- 0.7. Location and method of affixing of the EC type-approval mark:
- 0.8. Name(s) and address(es) of assembly plant(s):
- 0.9. Name and address of the manufacturer’s representative (if any):

^(l) Delete where not applicable.

⁽²⁾ If the means of identification of type contains characters not relevant to describe the separate technical unit type covered by this information document, such characters shall be represented in the documentation by the symbol “?” (e.g. ABC??123??).

SECTION II

1. Additional information: see Addendum.
 2. Technical service responsible for carrying out the tests:
 3. Date of test report:
 4. Number of test report:
 5. Remarks (if any): see Addendum.
 6. Place:
 7. Date:
 8. Signature:
- Attachments: Information package
Test report

*Addendum***to EC type-approval certificate No ...**

1. Brief description of the type of separate technical unit:
2. Detailed description of the aerodynamic device or equipment:
 - 2.1. Number of separate elements:
 - 2.2. Description of construction and materials:
 - 2.3. Description of locking and adjustment system:
 - 2.4. Description of attachment and mounting to the vehicle:
 - 2.5. Separate technical unit: semi-universal/vehicle specific ⁽¹⁾
3. List of specific vehicle types for which the separate technical unit has been approved (if applicable):
4. Detailed description of the specific mounting area specifications on vehicles in case of semi-universal aerodynamic devices or equipment (if applicable):
5. Remarks:
6. Type-approval mark and its location:

PART E

EC separate technical unit type-approval mark

1. The EC separate technical unit type-approval mark shall consist of:
 - 1.1. A rectangle surrounding the lower-case letter "e" followed by the distinguishing number of the Member State which has granted the EC separate technical unit type-approval:

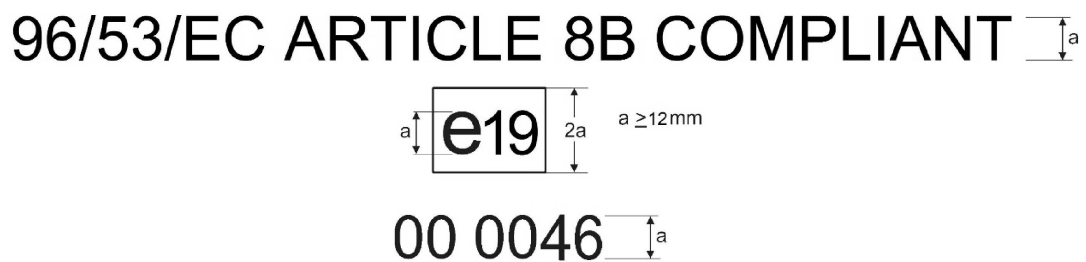
1 for Germany	19 for Romania
2 for France	20 for Poland
3 for Italy	21 for Portugal
4 for The Netherlands	23 for Greece
5 for Sweden	24 for Ireland

6	for Belgium	25	for Croatia
7	for Hungary	26	for Slovenia
8	for the Czech Republic	27	for Slovakia
9	for Spain	29	for Estonia
11	for the United Kingdom	32	for Latvia
12	for Austria	34	for Bulgaria
13	for Luxembourg	36	for Lithuania
17	for Finland	49	for Cyprus
18	for Denmark	50	for Malta

- 1.2. In the vicinity of the rectangle the “base approval number” contained in Section 4 of the type-approval number preceded by the two figures indicating the sequence number assigned to this Regulation or latest major technical amendment to this Regulation. The sequence number is “00” at present.
- 1.3. In case of an aerodynamic device or equipment of cabs, the sequence number shall be preceded by the symbol “96/53/EC ARTICLE 9A COMPLIANT”.
- 1.4. In case of an aerodynamic device or equipment to be located on the rear of a vehicle, the sequence number shall be preceded by the symbol “96/53/EC ARTICLE 8B COMPLIANT”.
2. The EC separate technical unit type-approval mark shall be affixed to a main part of the aerodynamic device or equipment in such a way as to be indelible as well as clearly and easily legible even if the device is fitted to a vehicle.
3. An example of an EC separate technical unit type-approval mark is shown in Figure 1.

Figure 1

Example of EC separate technical unit type-approval mark



Explanatory note

The EC separate technical unit type-approval of an aerodynamic device or equipment to be installed at the rear of a vehicle (for the purpose of compliance with Article 8b of Directive 96/53/EC) was issued by Romania under number 0046. The first two digits “00” indicate that the separate technical unit was approved in accordance with this Regulation.

DECISIONS

COUNCIL DECISION (CFSP) 2019/1893

of 11 November 2019

amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 13 November 2017, the Council adopted Decision (CFSP) 2017/2074 ⁽¹⁾ concerning restrictive measures in view of the situation in Venezuela.
- (2) The Council underscored that the restrictive measures are gradual, targeted, flexible and reversible, do not affect the general population and aim at fostering a credible and meaningful process that can lead to a peaceful negotiated solution.
- (3) In view of the continuing deterioration of the situation in Venezuela, on 22 January 2018 the Council adopted Decision (CFSP) 2018/90 ⁽²⁾ which designated seven persons in the list of natural and legal persons, entities and bodies in Annex I of Decision (CFSP) 2017/2074.
- (4) On 28 May 2018, the Council adopted conclusions which stated that the early presidential elections in Venezuela together with regional elections held on 20 May 2018 were neither free nor fair. The Union called for the holding of fresh presidential elections and stated that it would act swiftly with the aim of imposing additional targeted and reversible restrictive measures.
- (5) On 25 June 2018, by way of follow-up to the Council conclusions of 28 May 2018, the Council adopted Decision (CFSP) 2018/901 ⁽³⁾ which designated eleven persons.
- (6) On 25 October 2018, the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') issued a declaration on behalf of the Union which stated that the Union remained convinced that there can only be a democratic political and peaceful solution to the current crisis and underlined the Union's commitment to use all its policy instruments to contribute to achieving such a solution.
- (7) On 6 November 2018, the Council adopted Decision (CFSP) 2018/1656 ⁽⁴⁾ which renewed the restrictive measures in place in view of the situation in Venezuela in light of the continuing and deepening political, economic and social crisis in that country.

⁽¹⁾ Council Decision (CFSP) 2017/2074 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela (OJ L 295, 14.11.2017, p. 60).

⁽²⁾ Council Decision (CFSP) 2018/90 of 22 January 2018 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (OJ L 16 I, 22.1.2018, p. 14).

⁽³⁾ Council Decision (CFSP) 2018/901 of 25 June 2018 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (OJ L 160 I, 25.6.2018, p. 12).

⁽⁴⁾ Council Decision (CFSP) 2018/1656 of 6 November 2018 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (OJ L 276, 7.11.2018, p. 10).

- (8) In January, February, March and April 2019, the High Representative issued declarations on behalf of the Union on the situation in Venezuela which underscored the readiness of the Union to continue to spare no efforts to achieve a reinstatement of democracy and the rule of law, to take further action and to react through appropriate measures to decisions and actions that further undermine democratic institutions and principles, the rule of law and respect for human rights.
- (9) On 8 July 2019, the Council adopted Decision (CFSP) 2019/1171 ⁽⁵⁾ which updated the statement of reasons for three listed persons.
- (10) On 16 July 2019, the High Representative issued a declaration on behalf of the Union which stated that the report of the United Nations High Commissioner for Human Rights confirmed in a clear and detailed manner the extent and seriousness of the human rights violations, the erosion of the rule of law and the dismantlement of democratic institutions in Venezuela. The Union also indicated readiness to start work towards applying targeted measures for those members of the security forces involved in torture and other serious violations of human rights.
- (11) On 26 September 2019, by way of follow-up to the declaration of 16 July 2019 and in light of the continuing grave situation in Venezuela, the Council adopted Decision (CFSP) 2019/1596 ⁽⁶⁾ which designated seven persons.
- (12) In that context, and in accordance with Article 13 of Decision (CFSP) 2017/2074, the Council has reviewed the restrictive measures in place in view of the situation in Venezuela.
- (13) Considering the ongoing political, economic, social and humanitarian crisis in Venezuela and the persistent actions undermining democracy, the rule of law and respect for human rights, the restrictive measures in place, including all designations, should be renewed until 14 November 2020. These measures do not affect the general population and can be reversed in light of progress made towards the restoration of democracy, the rule of law and respect for human rights in Venezuela.
- (14) Individual designations set out in Annex I to Decision (CFSP) 2017/2074 were reviewed and the information concerning eight persons should be amended.
- (15) Moreover, a provision should be added to Decision (CFSP) 2017/2074 specifying that the Council and the High Representative may process personal data in order to carry out their tasks under that Decision.
- (16) Decision (CFSP) 2017/2074 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2017/2074 is amended as follows:

- (1) The following Article is inserted:

'Article 9a

1. The Council and the High Representative of the Union for Foreign Affairs and Security Policy (the "High Representative") may process personal data in order to carry out their tasks under this Decision, in particular:

- (a) as regards the Council, for preparing and making amendments to Annexes I and II;
- (b) as regards the High Representative, for preparing amendments to Annexes I and II.

2. The Council and the High Representative may process, where applicable, relevant data relating to criminal offences committed by listed natural persons, to criminal convictions of such persons or to security measures concerning such persons, only to the extent that such processing is necessary for the preparation of Annexes I and II.

⁽⁵⁾ Council Decision (CFSP) 2019/1171 of 8 July 2019 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (OJ L 183, 9.7.2019, p. 9).

⁽⁶⁾ Council Decision (CFSP) 2019/1596 of 26 September 2019 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela (OJ L 248, 27.9.2019, p. 74).

3. For the purposes of this Decision, the Council and the High Representative are designated as “controllers” within the meaning of point (8) of Article 3 of Regulation (EU) 2018/1725 of the European Parliament and of the Council (*), in order to ensure that the natural persons concerned can exercise their rights under Regulation (EU) 2018/1725.

(*) 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):.

(2) The first paragraph of Article 13 is replaced by the following:

‘This Decision shall apply until 14 November 2020.’.

(3) Annex I is amended in accordance with the Annex to this Decision.

Article 2

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

Done at Brussels, 11 November 2019.

For the Council
The President
F. MOGHERINI

In Annex I to Decision (CFSP) 2017/2074, entries 1, 3, 6, 10, 13, 15, 19 and 21 are replaced by the following:

	Name	Identifying information	Reasons	Date of listing
1.	Néstor Luis Reverol Torres	Date of birth: 28 October 1964 Gender: male	Minister for Interior, Justice and Peace since 2016. Also appointed as Vice-President of Public Works and Services and Executive Secretary of the Electrical General Staff in April 2019. Former Commander General of the Bolivarian National Guard. Responsible for serious human rights violations, including torture of (political) prisoners, and repression of the democratic opposition in Venezuela, including the prohibition and repression of political demonstrations, committed by security forces under his command.	22.1.2018
3.	Tibisay Lucena Ramírez	Date of birth: 26 April 1959 Gender: female	President of the National Electoral Council (<i>Consejo Nacional Electoral</i> (CNE)). Her actions and policies have undermined democracy and the rule of law in Venezuela, including by failing to ensure that the CNE remains an impartial and independent institution in accordance with the Venezuelan Constitution thereby facilitating the establishment of the Constituent Assembly and the re-election of Nicolás Maduro in May 2018 through presidential elections that were neither free nor fair.	22.1.2018
6.	Tarek William Saab Halabi	Date of birth: 10 September 1963 Place of birth: El Tigre, Anzoátegui state, Venezuela Gender: male	Venezuelan Attorney General appointed by the Constituent Assembly. In this role, and previous roles as Ombudsman and President of the Republican Moral Council, he has undermined democracy and the rule of law in Venezuela by publicly supporting actions against opponents of the government of Venezuela and the withdrawal of competences from the National Assembly.	22.1.2018
10.	Jesús Rafael Suárez Chourio	Date of birth: 19 July 1962 Gender: male	Commander in Chief of the Venezuelan Bolivarian National Army and Chief of the General Staff to the Commander-in-Chief. Former General Commander of the Venezuelan Bolivarian National Army and former Commander of Venezuela's Comprehensive Defence Region of the Central Zone (REDI Central). Responsible for serious human rights violations by forces under his command during his tenure as General Commander of the Venezuelan Bolivarian National Army, including the use of excessive force and the mistreatment of detainees. He has targeted the democratic opposition and supported the use of military courts to try civilian protestors.	25.6.2018
13.	Elías José Jaua Milano	Date of birth: 16 December 1969 Gender: male	Former Minister of Popular Power for Education. Former President of the Presidential Commission for the illegitimate National Constituent Assembly. Responsible for undermining democracy and the rule of law in Venezuela through his role in leading the establishment of the illegitimate Constituent Assembly.	25.6.2018

	Name	Identifying information	Reasons	Date of listing
15.	Freddy Alirio Bernal Rosales	Date of birth: 16 June 1962 Place of birth: San Cristóbal, Táchira state, Venezuela Gender: male	Head of the National Control Centre of the Committee for Local Supply and Production (CLAP) and Protector of Táchira State. Also a Commissioner General of the Bolivarian National Intelligence Service (SEBIN). As Head of the CLAP and Protector of Táchira State he can call upon Special Forces (FAES) and is able to influence appointments of judges and prosecutors. Responsible for undermining democracy through manipulation of CLAP programme distributions amongst voters. Additionally, as Commissioner General of SEBIN he is responsible for SEBIN's activities which include serious human rights violations such as arbitrary detention.	25.6.2018
19.	Nestor Neptali Blanco Hurtado	Date of birth: 26 September 1982 ID number: V-15222057 Gender: male	Major in the Bolivarian National Guard (GNB), operated alongside officials in the Directorate-General of Military Counter-Intelligence (<i>Dirección General de Contrainteligencia Militar</i> (DGCIM)) since at least December 2017. Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees in DGCIM facilities.	27.9.2019
21.	Carlos Alberto Calderon Chirinos	ID number: V-10352300 Gender: male	Senior office holder (referred to as Commissioner, Director and Director General) in the Bolivarian National Intelligence Service (SEBIN). Responsible for serious human rights violations, including torture, the use of excessive force and the mistreatment of detainees in SEBIN facilities. In particular, he participated in and was responsible for acts of torture and the cruel, inhuman and degrading treatment of detainees in El Helicoide, a SEBIN prison.	27.9.2019'

COUNCIL DECISION (CFSP) 2019/1894**of 11 November 2019****concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 18 June 2019, the Council recalled and reaffirmed previous Council and European Council conclusions, including the European Council conclusions of 22 March 2018 strongly condemning Turkey's continued illegal actions in the Eastern Mediterranean and the Aegean Sea. The Council expressed serious concerns over Turkey's illegal drilling activities in the Eastern Mediterranean and deplored that Turkey had not yet responded to the Union's repeated calls to cease such activities. It also invited the Commission and the European External Action Service (EEAS) to submit options for appropriate measures without delay.
- (2) On 20 June 2019, the European Council recalled and reaffirmed previous Council and European Council conclusions strongly condemning Turkey's continued illegal actions in the Eastern Mediterranean and the Aegean Sea. Moreover, it endorsed the invitation to the Commission and to the EEAS to submit options for appropriate measures without delay, including targeted measures.
- (3) On 15 July 2019, the Council adopted conclusions in which it deplored that, despite the Union's repeated calls to cease its illegal activities in the Eastern Mediterranean, Turkey had continued its drilling operations west of Cyprus and had launched a second drilling operation northeast of Cyprus within Cypriot territorial waters. It reiterated the serious immediate negative impact that such illegal actions have across the range of EU-Turkey relations and called again on Turkey to refrain from such actions, act in a spirit of good neighbourliness and respect the sovereignty and sovereign rights of Cyprus in accordance with international law. The Council, welcoming the invitation by the Government of Cyprus to negotiate with Turkey, noted that the delimitation of exclusive economic zones and of the continental shelf should be addressed through dialogue and negotiation in good faith, in full respect of international law and in accordance with the principle of good neighbourly relations.
- (4) Moreover, in the light of Turkey's continued and new illegal drilling activities, the Council decided to suspend negotiations on the Comprehensive Air Transport Agreement and agreed not to hold the Association Council and further meetings of the EU-Turkey high-level dialogues for the time being. In addition, the Council endorsed the Commission's proposal to reduce the pre-accession assistance to Turkey for 2020 and invited the European Investment Bank to review its lending activities in Turkey, notably with regard to sovereign-backed lending.
- (5) Furthermore, those conclusions underlined that the Council remained seized of the matter and invited the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') and the Commission to continue work on options for targeted measures in the light of Turkey's continued drilling activities in the Eastern Mediterranean.
- (6) On 14 October 2019, in the light of Turkey's continued illegal drilling activities in the Eastern Mediterranean, the Council reaffirmed its full solidarity with Cyprus with regard to the respect of its sovereignty and sovereign rights in accordance with international law. It recalled its conclusions of 15 July 2019, in particular that the delimitation of exclusive economic zones and of the continental shelf should be addressed through dialogue and negotiation in good faith, in full respect of international law and in accordance with the principle of good neighbourly relations.
- (7) Moreover, the Council agreed to put in place a framework for restrictive measures targeting natural and legal persons responsible for or involved in the illegal drilling activity of hydrocarbons in the Eastern Mediterranean and invited the High Representative and the Commission to swiftly present proposals to that effect.

- (8) On 18 October 2019, the European Council endorsed the Council conclusions of 14 October 2019 on Turkey's illegal drilling activities in Cyprus' exclusive economic zone and reaffirmed its solidarity with Cyprus and stated that it will remain seized of the matter.
- (9) The above-mentioned drilling activities infringe the sovereignty or sovereign rights and jurisdiction of the Republic of Cyprus in its territorial sea, exclusive economic zone and continental shelf and, when such activities are carried out in areas where the exclusive economic zone and continental shelf have not been delimited under international law with a State having an opposite coast, they jeopardise or hamper the reaching of a delimitation agreement. These actions are contrary to the principles of the United Nations Charter, including the peaceful resolution of disputes, and pose a threat to the interests and security of the Union.
- (10) In that context, targeted restrictive measures should be imposed on natural or legal persons, entities or bodies responsible for, involved in, including by planning, preparing, for example by means of seismic surveys, participating in, directing, or assisting, drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, or providing financial, technical or material support for such activities, which have not been authorised by the Republic of Cyprus, within its territorial sea or in its exclusive economic zone or on its continental shelf. This includes, in cases where the exclusive economic zone or continental shelf has not been delimited in accordance with international law with a State having an opposite coast, activities which may jeopardise or hamper the reaching of a delimitation agreement.
- (11) This Decision should not impede the delivery and facilitation of delivery of humanitarian aid. This Decision should be amended in order to include a derogation as appropriate, if it appears that the application of restrictive measures against a designated person or entity could impede the delivery of humanitarian aid.
- (12) Further Union action is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall take the measures necessary to prevent the entry into, or transit through, their territories of:
 - (a) natural persons who are responsible for or involved in, including by planning, preparing, participating in, directing, or assisting, drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, which have not been authorised by the Republic of Cyprus, within its territorial sea or in its exclusive economic zone or on its continental shelf.

That shall include, in cases where the exclusive economic zone or continental shelf has not been delimited in accordance with international law with a State having an opposite coast, activities which may jeopardise or hamper the reaching of a delimitation agreement;
 - (b) natural persons who provide financial, technical or material support for drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, referred to in point (a);
 - (c) natural persons associated with the natural persons referred to in points (a) and (b),

as listed in the Annex.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.
3. Paragraph 1 shall be without prejudice to cases where a Member State is bound by an obligation of international law, namely:
 - (a) as a host country of an international intergovernmental organisation;
 - (b) as a host country to an international conference convened by, or under the auspices of, the United Nations;

- (c) under a multilateral agreement conferring privileges and immunities; or
 - (d) pursuant to the 1929 Treaty of Conciliation (Lateran Pact) concluded by the Holy See (Vatican City State) and Italy.
4. Paragraph 3 shall be considered as applying also in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).
5. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraph 3 or 4.
6. Member States may grant exemptions from the measures imposed under paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings and meetings promoted or hosted by the Union, or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes the policy objectives of the restrictive measures.
7. Member States may also grant exemptions from the measures imposed under paragraph 1 where entry or transit is necessary for the fulfilment of a judicial process.
8. A Member State wishing to grant exemptions referred to in paragraph 6 or 7 shall notify the Council in writing. The exemption shall be deemed to be granted unless one or more of the Council members raises an objection in writing within two working days of receiving notification of the proposed exemption. Should one or more of the Council members raise an objection, the Council, acting by a qualified majority, may decide to grant the proposed exemption.
9. Where, pursuant to paragraph 3, 4, 6, 7 or 8, a Member State authorises the entry into, or transit through its territory of persons listed in the Annex, the authorisation shall be strictly limited to the purpose for which it is given and to the persons directly concerned thereby.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by:
- (a) natural or legal persons, entities or bodies who are responsible for or involved in, including by planning, preparing, participating in, directing, or assisting, drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, which have not been authorised by the Republic of Cyprus, within its territorial sea or in its exclusive economic zone or on its continental shelf.
- That shall include, in cases where the exclusive economic zone or continental shelf has not been delimited in accordance with international law with a State having an opposite coast, activities which may jeopardise or hamper the reaching of a delimitation agreement;
- (b) natural or legal persons, entities or bodies who provide financial, technical or material support for drilling activities in relation to hydrocarbon exploration and production, or hydrocarbon extraction resulting from such activities, referred to in point (a);
 - (c) natural or legal persons, entities or bodies associated with the natural or legal persons, entities or bodies referred to in points (a) and (b),

as listed in the Annex, shall be frozen.

2. No funds or economic resources shall be made available directly or indirectly to or for the benefit of the natural or legal persons, entities or bodies listed in the Annex.

3. By way of derogation from paragraphs 1 and 2, the competent authority of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of the natural or legal persons, entities or bodies listed in the Annex and dependent family members of such natural persons, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

- (b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources;
- (d) necessary for extraordinary expenses, provided that the competent authority has notified the competent authorities of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least two weeks prior to the authorisation; or
- (e) to be paid into or from an account of a diplomatic or consular mission or an international organisation enjoying immunities in accordance with international law, insofar as such payments are intended to be used for official purposes of the diplomatic or consular mission or international organisation.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

4. By way of derogation from paragraph 1, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources, provided that the following conditions are met:

- (a) the funds or economic resources are the subject of an arbitral decision rendered prior to the date on which the natural or legal person, entity or body referred to in paragraph 1 was listed in the Annex, or of a judicial or administrative decision rendered in the Union, or a judicial decision enforceable in the Member State concerned, prior to or after that date;
- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a decision or recognised as valid in such a decision, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the decision is not for the benefit of a natural or legal person, entity or body listed in the Annex; and
- (d) recognition of the decision is not contrary to public policy in the Member State concerned.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

5. Paragraph 1 shall not prevent a natural or legal person, entity or body listed in the Annex from making a payment due under a contract entered into prior to the date on which such natural or legal person, entity or body was listed therein, provided that the Member State concerned has determined that the payment is not, directly or indirectly, received by a natural or legal person, entity or body referred to in paragraph 1.

6. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts;
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the measures provided for in paragraphs 1 and 2; or
- (c) payments due under judicial, administrative or arbitral decisions rendered in the Union or enforceable in the Member State concerned,

provided that any such interest, other earnings and payments remain subject to the measures provided for in paragraph 1.

Article 3

1. The Council, acting by unanimity upon a proposal from a Member State or from the High Representative, shall establish and amend the list set out in the Annex.

2. The Council shall communicate the decisions referred to in paragraph 1, including the grounds for the listing, to the natural or legal person, entity or body concerned, either directly, if the address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review the decision referred to in paragraph 1 and inform the natural or legal person, entity or body concerned accordingly.

Article 4

1. The Annex shall include the grounds for listing the natural and legal persons, entities and bodies referred to in Articles 1 and 2.

2. The Annex shall also contain, where available, the information necessary to identify the natural or legal persons, entities or bodies concerned. With regard to natural persons, such information may include names and aliases, date and place of birth, nationality, passport and identity card numbers, gender, address if known, and function or profession. With regard to legal persons, entities or bodies, such information may include names, place and date of registration, registration number and place of business.

Article 5

No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Decision, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, in particular a claim for extension or payment of a bond, guarantee or indemnity, in particular a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated natural or legal persons, entities or bodies listed in the Annex;
- (b) any natural or legal person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in point (a).

Article 6

1. The Council and the High Representative may process personal data in order to carry out their tasks under this Decision, in particular:

- (a) as regards the Council, for preparing and making amendments to the Annex;
- (b) as regards the High Representative, for preparing amendments to the Annex.

2. The Council and the High Representative may process, where applicable, relevant data relating to criminal offences committed by listed natural persons, to criminal convictions of such persons or to security measures concerning such persons, only to the extent that such processing is necessary for the preparation of the Annex.

3. For the purposes of this Decision, the Council and the High Representative are designated as 'controllers' within the meaning of point 8 of Article 3 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁾, in order to ensure that the natural persons concerned can exercise their rights under Regulation (EU) 2018/1725.

Article 7

In order to maximise the impact of the measures set out in this Decision, the Union shall encourage third States to adopt restrictive measures similar to those provided for in this Decision.

Article 8

This Decision shall apply until 12 November 2020 and shall be kept under constant review. It shall be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.

⁽¹⁾ 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).

Article 9

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

Done at Brussels, 11 November 2019.

For the Council
The President
F. MOGHERINI

ANNEX

LIST OF NATURAL AND LEGAL PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLES 1 AND 2

[...]

COMMISSION IMPLEMENTING DECISION (EU) 2019/1895**of 7 November 2019****recognising several islands in Portugal as free from varroosis and amending the Annex to
Implementing Decision 2013/503/EU***(notified under document C(2019) 7905)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC ⁽¹⁾, and in particular Article 15(2) thereof,

Whereas:

- (1) Article 15 of Directive 92/65/EEC provides that where a Member State considers that its territory or part of its territory is free from one of the diseases listed in Annex B thereto, it is to submit to the Commission appropriate documentation on the basis of which a Decision is to be adopted recognising that Member State or part of its territory as free and to define additional trade guarantees which may be required.
- (2) Varroosis in honey bees is listed under its former name of 'varroasis' in Annex B to Directive 92/65/EEC and Commission Implementing Decision 2013/503/EU ⁽²⁾ has already recognised several territories in Member States as free therefrom. Those territories are listed in the Annex to Implementing Decision 2013/503/EU together with the additional trade guarantees.
- (3) Portugal requested the Commission to recognise the islands of Corvo, Graciosa, São Jorge, Santa Maria, São Miguel and Terceira of the Açores Archipelago as free from varroosis, asked for additional trade guarantees to be defined corresponding to those which are implemented nationally and submitted appropriate detailed documentation defined in Article 15(1) of Directive 92/65/EEC to substantiate its request.
- (4) In light of the detailed documentation, submitted by Portugal, the islands of Corvo, Graciosa, São Jorge, Santa Maria, São Miguel and Terceira should be considered as territories of Portugal free from varroosis and listed in the Annex to Implementing Decision 2013/503/EU along with the additional trade guarantees.
- (5) Implementing Decision 2013/503/EU should therefore be amended accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 268, 14.9.1992, p. 54.

⁽²⁾ Commission Implementing Decision 2013/503/EU of 11 October 2013 recognising parts of the Union as free from varroosis in bees and establishing additional guarantees required in intra-Union trade and imports for the protection of their varroosis-free status (OJ L 273, 15.10.2013, p. 38).

HAS ADOPTED THIS DECISION:

Article 1

The following entry shall be inserted in the table laid down in the Annex to Implementing Decision 2013/503/EU between the entry for Finland and the entry for the United Kingdom in that table:

PT	Portugal	Island of Corvo	PT01300 FLORES (SANTA CRUZ)	Bees (<i>Apis mellifera</i>) in any stage of their life cycle including swarms, queens, colonies and used beehives and frames
		Island of Graciosa	PT05200 GRACIOSA (SANTA CRUZ DA GRACIOSA)	
		Island of São Jorge	PT02700 SAO JORGE (VELAS)	
		Island of Santa Maria	PT02500 SANTA MARIA (VILA DO PORTO)	
		Island of São Miguel	PT02600 SAO MIGUEL (PONTA DELGADA)	
		Island of Terceira	PT02800 TERCEIRA (ANGRA DO HEROISMO)	

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 November 2019.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

