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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2020/1660

of 15 October 2020

establishing a fisheries closure for megrims in areas 8a, 8b, 8d and 8e for vessels flying the flag of Belgium

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2020/123 ⁽²⁾ lays down quotas for 2020.
- (2) According to the information received by the Commission, catches of the stock of megrims in areas 8a, 8b, 8d and 8e by vessels flying the flag of or registered in Belgium have exhausted the quota allocated for 2020.
- (3) It is therefore necessary to prohibit certain fishing activities for that stock.

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to Belgium for the stock of megrims in areas 8a, 8b, 8d and 8e for 2020 referred to in the Annex shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

1. Fishing for the stock referred to in Article 1 by vessels flying the flag of or registered in Belgium shall be prohibited from the date set out in the Annex. In particular it shall be prohibited to search for fish, shoot, set or haul a fishing gear for the purpose of fishing that stock.
2. Transshipping, retaining on board, processing on board, transferring, caging, fattening and landing of fish and fishery products from that stock caught by those vessels shall remain authorised for catches taken prior to that date.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 25, 30.1.2020, p. 1).

3. Unintended catches of species from that stock by those vessels shall be brought and retained on board the fishing vessels, recorded, landed and counted against quotas in accordance with Article 15 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽³⁾.

Article 3

Entry into force

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, 15 October 2020.

*For the Commission,
On behalf of the President,
Virginijus SINKEVIČIUS
Member of the Commission*

⁽³⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

ANNEX

No	24/TQ123
Member State	Belgium
Stock	LEZ/*8ABDE (special condition to LEZ/07.)
Species	Megrims (<i>Lepidorhombus</i> spp.)
Zone	8a, 8b, 8d and 8e
Closing date	1.10.2020

DECISIONS

COUNCIL IMPLEMENTING DECISION (EU) 2020/1661

of 3 November 2020

amending Implementing Decision (EU) 2017/1768 authorising the Republic of Croatia to introduce a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular the first subparagraph of Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Under point (19) of Article 287 of Directive 2006/112/EC, Croatia is able to exempt from value added tax ('VAT') taxable persons whose annual turnover is no higher than the equivalent in national currency of EUR 35 000 at the conversion rate on the day of its accession.
- (2) Croatia was authorised by Council Implementing Decision (EU) 2017/1768 ⁽²⁾ to introduce a special measure derogating from Article 287 of Directive 2006/112/EC ('the derogating measure') to exempt from VAT taxable persons whose annual turnover was no higher than the equivalent in national currency of EUR 45 000 at the conversion rate of the day of its accession, until 31 December 2020 or until the entry into force of a directive amending Articles 281 to 294 of Directive 2006/112/EC, whichever date is earlier.
- (3) By letter registered with the Commission on 18 May 2020, Croatia requested authorisation to continue applying the derogating measure until 31 December 2024, that is the date by which Member States are to adopt the laws, regulations and administrative provisions necessary to comply with Council Directive (EU) 2020/285 ⁽³⁾, which lays down simpler VAT rules for small enterprises and, inter alia, deletes Article 287 of Directive 2006/112/EC with effect from 1 January 2025.
- (4) In accordance with the second subparagraph of Article 395(2) of Directive 2006/112/EC, the Commission informed the other Member States by letter dated 9 June 2020 of the request made by Croatia. The Commission notified Croatia by letter dated 11 June 2020 that it had all the information necessary to consider the request.
- (5) According to the information provided by Croatia, it appears that the reasons for the derogating measure remain largely unchanged and the increased threshold had no impact on the overall amount of tax revenue collected at the stage of final consumption. Taxable persons are still able to opt for the normal VAT arrangements.
- (6) Given the potential positive impact of the derogating measure in reducing the administrative burden and compliance costs for small enterprises and for the tax authorities, and the lack of any major impact on the total VAT revenue generated, Croatia should be authorised to continue applying the derogating measure.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Council Implementing Decision (EU) 2017/1768 of 25 September 2017 authorising the Republic of Croatia to introduce a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax (OJ L 250, 28.9.2017, p. 71).

⁽³⁾ Council Directive (EU) 2020/285 of 18 February 2020 amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises and Regulation (EU) No 904/2010 as regards the administrative cooperation and exchange of information for the purpose of monitoring the correct application of the special scheme for small enterprises (OJ L 62, 2.3.2020, p. 13).

- (7) The authorisation to apply the derogating measure should be limited in time. The time limit should be sufficient to allow the effectiveness and appropriateness of the threshold to be evaluated. Moreover, Article 287 of Directive 2006/112/EC is deleted by Directive (EU) 2020/285 with effect from 1 January 2025. It is therefore appropriate to authorise Croatia to apply the derogating measure until 31 December 2024.
- (8) The derogating measure has no impact on the Union's own resources accruing from VAT because Croatia will carry out a compensation calculation in accordance with Article 6 of Council Regulation (EEC, Euratom) No 1553/89 ⁽⁴⁾.
- (9) Implementing Decision (EU) 2017/1768 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Implementing Decision (EU) 2017/1768, the second paragraph is replaced by the following:

‘This Decision shall apply from 1 January 2018 until 31 December 2024.’

Article 2

This Decision is addressed to the Republic of Croatia.

Done at Brussels, 3 November 2020.

For the Council
The President
M. ROTH

⁽⁴⁾ Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax (OJ L 155, 7.6.1989, p. 9).

COUNCIL IMPLEMENTING DECISION (EU) 2020/1662**of 3 November 2020****amending Implementing Decision (EU) 2018/279 authorising Malta to apply a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular the first subparagraph of Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Under point 13 of Article 287 of Directive 2006/112/EC, Malta is able to exempt three categories of taxable persons from value added tax ('VAT'): those whose annual turnover is no higher than EUR 37 000 if the economic activity consists principally in the supply of goods, those whose annual turnover is no higher than EUR 24 300 if the economic activity consists principally in the supply of services with a low value added (high inputs), and those whose annual turnover is no higher than EUR 14 600 in other cases, namely supplies of services with a high value added (low inputs).
- (2) Malta was authorised by Council Implementing Decision (EU) 2018/279 ⁽²⁾ to introduce a special measure derogating from Article 287 of Directive 2006/112/EC ('the derogating measure') to exempt from VAT taxable persons whose economic activity consists principally in supplies of services with a high value added (low inputs) and whose annual turnover is no higher than EUR 20 000, until 31 December 2020, or until the entry into force of a directive amending Articles 281 to 294 of Directive 2006/112/EC, whichever date is earlier.
- (3) By letter registered with the Commission on 5 June 2020, Malta requested authorisation to continue applying the derogating measure until 31 December 2024, that is the date by which Member States are to adopt the laws, regulations and administrative provisions necessary to comply with Council Directive (EU) 2020/285 ⁽³⁾, which lays down simpler VAT rules for small enterprises and, inter alia, deletes Article 287 of Directive 2006/112/EC with effect from 1 January 2025.
- (4) In accordance with the second subparagraph Article 395(2) of Directive 2006/112/EC, the Commission informed the other Member States by letter dated 12 June 2020 of the request made by Malta. The Commission notified Malta by letter dated 15 June 2020 that it had all the information necessary to consider the request.
- (5) Given that the derogating measure has resulted in reduced VAT obligations and thus a reduction in the administrative burdens and costs for small enterprises, Malta should be authorised to continue applying the derogating measure.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Council Implementing Decision (EU) 2018/279 of 20 February 2018 authorising Malta to apply a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax (OJ L 54, 24.2.2018, p. 14).

⁽³⁾ Council Directive (EU) 2020/285 of 18 February 2020 amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises and Regulation (EU) No 904/2010 as regards the administrative cooperation and exchange of information for the purpose of monitoring the correct application of the special scheme for small enterprises (OJ L 62, 2.3.2020, p. 13).

- (6) The authorisation to apply the derogating measure should be limited in time. The time limit should be sufficient to allow the effectiveness and appropriateness of the threshold to be evaluated. Moreover, Article 287 of Directive 2006/112/EC is deleted by Directive (EU) 2020/285 with effect from 1 January 2025. It is therefore appropriate to authorise Malta to apply the derogating measure until 31 December 2024.
- (7) The derogating measure has no impact on the Union's own resources accruing from VAT because Malta will carry out a compensation calculation in accordance with Article 6 of Council Regulation (EEC, Euratom) No 1553/89 ⁽⁴⁾.
- (8) Implementing Decision (EU) 2018/279 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Implementing Decision (EU) 2018/279, the second paragraph is replaced by the following:

'It shall apply from 1 January 2018 until 31 December 2024.'

Article 2

This Decision is addressed to Republic of Malta.

Done at Brussels, 3 November 2020.

For the Council
The President
M. ROTH

⁽⁴⁾ Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax (OJ L 155, 7.6.1989, p. 9).

COMMISSION IMPLEMENTING DECISION (EU) 2020/1663**of 6 November 2020****amending Annexes I and II to Decision 2004/558/EC as regards the disease-free status of Czechia and the approval of the eradication programme in several regions of France regarding infectious bovine rhinotracheitis***(notified under document number C(2020) 7578)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, and in particular Articles 9(2) and 10(2) thereof,

Whereas:

- (1) Directive 64/432/EEC lays down animal health rules in respect of trade within the Union in bovine animals. Article 9 of that Directive provides that a Member State which has a compulsory national control programme for one of the diseases listed in Annex E (II) thereto may submit its programme to the Commission for approval. It also provides that additional guarantees may be required for intra-Union trade in bovine animals. Infectious bovine rhinotracheitis, a disease caused by bovine herpes virus type 1 (BHV1), is listed for bovine animals in Annex E (II) to Directive 64/432/EEC.
- (2) In February 2020, France submitted to the Commission supporting documentation for approval of its national programme for the control and eradication of infectious bovine rhinotracheitis covering the French metropolitan departments, except for Corsica, and requested approval to apply additional guarantees for infectious bovine rhinotracheitis in accordance with Article 9 of Directive 64/432/EEC.
- (3) Article 10 of Directive 64/432/EEC provides for Member States that consider their territory or parts thereof to be free of one of the diseases listed in Annex E (II) thereto to present appropriate supporting documentation to the Commission. It also provides that additional guarantees may be required for intra-Union trade in bovine animals.
- (4) In January 2020, Czechia submitted to the Commission supporting documentation in order for the whole of its territory to be considered free of BHV1, and requested approval to apply additional guarantees for infectious bovine rhinotracheitis in accordance with Article 10 of Directive 64/432/EEC.
- (5) Commission Decision 2004/558/EC ⁽²⁾ lists the Member States and regions thereof authorised to apply additional guarantees for infectious bovine rhinotracheitis in accordance with Articles 9 and 10 of Directive 64/432/EEC. Annex I to Decision 2004/558/EC lists the Member States and regions thereof in which additional guarantees for infectious bovine rhinotracheitis apply in accordance with Article 9 of Directive 64/432/EEC, while Annex II to Decision 2004/558/EC lists the Member States and regions thereof in which additional guarantees for infectious bovine rhinotracheitis apply in accordance with Article 10 of Directive 64/432/EEC.
- (6) Following the evaluation of the supporting documentation submitted by France, the metropolitan departments of that Member State, except for Corsica, should be listed in Annex I to Decision 2004/558/EC, and the additional guarantees for infectious bovine rhinotracheitis should apply in accordance with Article 9 of Directive 64/432/EEC.
- (7) In addition, following the evaluation of the supporting documentation submitted by Czechia, it should no longer be listed in Annex I to Decision 2004/558/EC, but instead it should be listed in Annex II thereto, and the additional guarantees for infectious bovine rhinotracheitis should apply in accordance with Article 10 of Directive 64/432/EEC.

⁽¹⁾ OJ L21, 29.7.1964, p. 1977/64.

⁽²⁾ Commission Decision 2004/558/EC of 15 July 2004 implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Community trade in bovine animals relating to infectious bovine rhinotracheitis and the approval of the eradication programmes presented by certain Member States (OJ L 249, 23.7.2004, p. 20).

- (8) Annexes I and II to Decision 2004/558/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Annexes I and II to Decision 2004/558/EC are replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 November 2020.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

‘ANNEX I

Member States	Regions of Member States to which the additional guarantees for infectious bovine rhinotracheitis apply in accordance with Article 9 of Directive 64/432/EEC
Belgium	All regions
France	Région Auvergne et Rhône-Alpes Région Bourgogne-Franche-Comté Région Bretagne Région Centre-Val de Loire Région Grande Est Région Hauts-de-France Région Ile-de-France Région Normandie Région Nouvelle-Aquitaine Région Occitanie Région Pays de la Loire Région Provence-Alpes-Côte d’Azur
Italy	Region Friuli-Venezia Giulia Autonomous Province of Trento
Luxembourg	All regions

ANNEX II

Member States	Regions of Member States to which the additional guarantees for infectious bovine rhinotracheitis apply in accordance with Article 10 of Directive 64/432/EEC
Czechia	All regions
Denmark	All regions
Germany	All regions
Italy	Region Valle d’Aosta Autonomous Province of Bolzano
Austria	All regions
Finland	All regions
Sweden	All regions
United Kingdom	Jersey’

COMMISSION IMPLEMENTING DECISION (EU) 2020/1664**of 9 November 2020****concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in Germany***(notified under document C(2020) 7887)***(Only the German text is authentic)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(3) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary checks applicable in intra-Union trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in birds, including poultry. Infections with avian influenza viruses in domestic poultry cause two main forms of that disease that are distinguished by their virulence. The low pathogenic form generally only causes mild symptoms, while the highly pathogenic form results in very high mortality rates in most poultry species. The disease may have a severe impact on the profitability of poultry farming causing disturbance to trade within the Union and exports to third countries.
- (2) Since 2005, highly pathogenic avian influenza (HPAI) viruses of the H5 subtype have shown to be able to infect migratory birds, which can then spread these viruses over long distances during their autumn and spring migrations.
- (3) The presence of HPAI viruses in wild birds poses a continuous threat for the direct and indirect introduction of these viruses into holdings where poultry or other captive birds are kept.
- (4) In the event of an outbreak of HPAI, there is a risk that the disease agent may spread to other holdings where poultry or other captive birds are kept.
- (5) Council Directive 2005/94/EC ⁽³⁾ sets out certain preventive measures relating to the surveillance and the early detection of avian influenza and the minimum control measures to be applied in the event of an outbreak of that disease in poultry or other captive birds. That Directive provides for the establishment of protection and surveillance zones in the event of an outbreak of HPAI. This regionalisation is applied in particular to preserve the health status of birds in the remainder of the territory of the Member State by preventing the introduction of the pathogenic agent and ensuring the early detection of the disease.
- (6) Germany recently confirmed the presence of HPAI of subtype H5N8 virus in migratory and non-migratory wild birds on its territory.
- (7) Also, Germany recently notified the Commission of an outbreak of HPAI of subtype H5N8 on its territory, in one holding where poultry or other captive birds are kept in the Nordfriesland district, and it immediately took the measures required pursuant to Directive 2005/94/EC, including the establishment of protection and surveillance zones.
- (8) The Commission has examined those measures in collaboration with Germany, and it is satisfied that the borders of the protection and surveillance zones, established by the competent authority in that Member State, are at a sufficient distance to the holding where the outbreak was confirmed.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC (OJ L 10, 14.1.2006, p. 16).

- (9) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to rapidly describe the protection and surveillance zones established in relation to HPAI in Germany at Union level.
- (10) Accordingly, pending the next meeting of the Standing Committee on Plants, Animals, Food and Feed, the protection and surveillance zones in Germany where the animal health control measures as laid down in Directive 2005/94/EC are applied, should be defined in the Annex to this Decision and the duration of that regionalisation fixed.
- (11) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Germany shall ensure that the protection and surveillance zones established in accordance with Article 16(1) of Directive 2005/94/EC comprise at least the areas listed in Parts A and B of the Annex to this Decision.

Article 2

This Decision shall apply until 28 February 2021.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 9 November 2020.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

PART A

Protection zone as referred to in Article 1:

Member State: Germany

Area comprising:	Date until applicable in accordance with Article 29(1) of Directive 2005/94/EC
SCHLESWIG-HOLSTEIN	
Landkreis Nordfriesland — Hallig Oland	1.12.2020

PART B

Surveillance zone as referred to in Article 1:

Member State: Germany

Area comprising:	Date until applicable in accordance with Article 31 of Directive 2005/94/EC
SCHLESWIG-HOLSTEIN	
Landkreis Nordfriesland — Gemeinde Galmsbüll — Gemeinde Dagebüll — Gemeinde Ockholm — Hallig Gröde — Hallig Langeneß — Gemeinde Wyk auf Föhr — Gemeinde Wrixum — Gemeinde Oevenum	10.12.2020
Landkreis Nordfriesland — Hallig Oland	From 2.12.2020 until 10.12.2020

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