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### Information and Notices

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

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## I

*(Resolutions, recommendations and opinions)*

## RESOLUTIONS

## COUNCIL

## COUNCIL RESOLUTION

of 6 December 2011

**‘Orientations concerning added value and benefits of space for the security of European citizens’**

(2011/C 377/01)

THE COUNCIL OF THE EUROPEAN UNION,

HAVING REGARD TO:

1. The resolution on ‘Global challenges: taking full benefit of European space systems’, as adopted by the Seventh Space Council meeting on the 25 November 2010;
2. The EU Council Conclusions on ‘Towards a space strategy for the European Union that benefits its citizens’ of 31 May 2011; and the communication from the Commission on ‘Towards a space strategy for the European Union that benefits its citizens’, adopted on 4 April 2011;
3. The Resolution of the ESA Council at ministerial level on ‘The role of space in delivering Europe’s global objectives’ of 26 November 2008;
4. The communication from the Commission on Europe 2020 ‘A strategy for smart, sustainable and inclusive growth’, adopted on 3 March 2010 <sup>(1)</sup>;
5. The Framework Agreement between the European Community — which has been succeeded by the European Union — and the European Space Agency (the ‘Framework Agreement’), which entered into force on 28 May 2004 and to the increasing cooperation between the two parties;
6. RECOGNIZING that the EU competence in space, established by the entry into force of the Treaty on the Functioning of the European Union, strengthens the political dimension of space in Europe <sup>(2)</sup>;
7. EMPHASIZES the role which space systems play to provide information and practical tools for the development and implementation of European policies in the areas of environment, climate change, humanitarian aid, civil protection and crisis management to ensure better protection of people, property, environment and cultural heritage in the event of major natural and man-made disasters;
8. STRESSES that space assets can contribute significantly to the objectives of the Common Security and Defence Policy (CSDP); and NOTES in this context the signature of an Administrative Arrangement between the EDA and ESA on 20 June 2011 <sup>(3)</sup>;
9. RECOGNIZING that the completion and exploitation of the Galileo and EGNOS global navigation systems and the Global Monitoring for Environment and Security (GMES) programme will provide decision-makers and other users with advanced and reliable tools targeted to meet European and non-European citizens’ safety and security requirements, notably by interoperability and an integrated use of space applications for crisis management, civil protection and humanitarian assistance;
10. WELCOMING the launch of the first two Galileo satellites on the first Soyuz launch from the ‘Centre Spatial Guyanais’, Europe’s Spaceport, which represents a significant new step in Europe’s space activities;
11. RECALLING that space infrastructure, which is critical for above mentioned reasons, must be protected against risks, both natural, including potential effects of solar storms, and those resulting from human activities (for instance space debris);

<sup>(1)</sup> Doc. 7110/10.<sup>(2)</sup> Notably Articles 4 and 189.<sup>(3)</sup> Doc. 10085/11.

12. TAKING NOTE of the Commission communication 'A Budget for Europe 2020' <sup>(1)</sup>, which makes proposals for the EU Multiannual Financial Framework 2014-2020 (MFF);
13. RECOGNIZING that the present orientations of the Space Council are without prejudice to decisions on next MFF;

#### **I. Space for security and sustainable development**

14. RECALLS that GMES as well as Galileo/EGNOS are European Union flagship programmes under the responsibility and management of the European Commission, and that GMES is also built on a partnership with ESA and their Member States, with the involvement of other relevant European bodies; REAFFIRMS that it is a priority for the EU to ensure the development and exploitation of sustainable GMES services and infrastructures in the medium- and long-term. URGES the European Commission to take the necessary and timely actions to secure the continuity of the programme and to reassure GMES users and stakeholders of its commitment to the GMES programme;
15. RECOGNIZES that GMES has an important role in ensuring the independent access by Europe to key strategic information supporting many EU policies enshrined in the Treaty, like agriculture, environment, transport, energy, health, civil protection, humanitarian aid and security; and therefore STRESSES the need to ensure continuity and availability of infrastructure and services beyond 2013;
16. NOTES that climate change has serious implications for both society and economy, as well as for natural and managed ecosystems, RECOGNIZES that GMES is a major European contribution towards the global efforts for understanding climate change and for both monitoring and mitigating its impacts, and STRESSES that the implementation of a dedicated GMES Climate Change service should complement and interact with other existing services and activities to bring answers to this challenge;
17. WELCOMES the effective provision of satellite-based information within the framework of the GMES programme to support crisis operations during recent disasters occurring worldwide; CONSIDERS that GMES has an important role to play as the backbone for an improved European emergency response capacity, in synergy with existing mechanisms; and INVITES the European Commission to further improve access to relevant data and information supplied by national programmes during crisis situations;
18. WELCOMES the results achieved by the European Commission in the development of preoperational capabilities for GMES security services, and RECOMMENDS the

European Commission in close collaboration with the European External Action Service (EEAS), Member States and relevant EU agencies, such as FRONTEX, EUSC and EMSA, to finalise the definition of, and accelerate the transition towards, fully operational GMES security services in support of EU external actions and border and maritime surveillance, based on user demand;

19. CALLS UPON the European Commission, in close consultation with all relevant stakeholders, to propose an organisational framework, including governance, and the setting up of the planned operational services; in particular URGES the European Commission in consultation with all relevant stakeholders to complete the definition of an appropriate data policy for GMES, based on full and open access to information produced by GMES services and data collected through GMES infrastructure, subject to relevant international agreement, security restrictions and licensing conditions, including registration and acceptance of users licenses and which maximizes the use of GMES and build on a well balanced approach between free-of-charge access to certain public data and services and the need to strengthen Earth observations markets in Europe and the growth of existing and emerging European data and data service providing businesses; as well as the governance of the security of GMES components and information;
20. CONSIDERS the question of ownership of the GMES Space infrastructure to be of central importance to the future of GMES and CALLS UPON the European Commission and ESA to complete the assessment of this question as soon as possible;
21. NOTES the decision of the European Parliament and of the Council on the rules for access to the Public Regulated Service (PRS) provided by the global navigation satellite systems established under the Galileo Programme <sup>(2)</sup>; and CALLS UPON the European Commission, with the support of the EEAS, and in close cooperation with the Member States and related users communities to define the appropriate measures for ensuring the smooth deployment of the PRS and associated systems, taking full account of national infrastructure, as this will improve EU crisis management capabilities;
22. RECOGNIZES that satellite communications represent a key capability in any crisis response and crisis management operation, and a highly crucial and scarce resource, especially when ground infrastructures are damaged or destroyed, and RECOMMENDS the European Commission, EEAS and Member States, with the support of EDA, to work towards a secure and guaranteed access to commercial and governmental satellite communications for crisis response and crisis management actors;

<sup>(1)</sup> Doc. 12475/11.

<sup>(2)</sup> OJ L 287, 4.11.2011, p. 1.

23. UNDERLINES that the effective management of crisis situations requires the mobilization of appropriate resources as well as appropriate information to use them in an optimal manner, and therefore requires the integration of different space and ground based applications to support coordination of activities, conducted by multiple actors involved in civil protection and humanitarian operations;

24. Taking the above into account, CALLS UPON the European Commission, supported by the EEAS, ESA and Member States as appropriate and with the support of EDA, to:

- raise the awareness of potential capabilities of integrating space applications in appropriate systems among potential users,
- ensure optimal utilization of space solutions within the framework of the European coordination mechanism in the field of civil protection,
- develop solutions, leading to interoperability of space related technical systems and a coherent framework of operational procedures to use space-based applications for crisis management,
- furthermore, explore options for miniaturization by using small (micro-, nano- and pico-) satellites to achieve cost reductions;

## II. Security and sustainability for space

25. NOTES that there are serious threats to space assets and associated ground infrastructures, which may include risks of collision and the impact of space weather; RECOGNIZES the importance of protecting such space assets and services, which are critical to the European economy and policies; and RECOGNIZES the need for an effective Space Situational Awareness (SSA) capability as an activity at European level, inter alia, in order to enhance the safety of European space assets and of its future launches from space debris and other objects in space as well as space weather phenomena; to this end, the European Union should make the widest possible use of assets, competences and skills that are already existing or being developed in Member States, at European level and as appropriate internationally;

26. RECOGNIZES the important contribution of the ESA SSA Preparatory Programme; recognizing the dual use nature of such a system and taking into account its particular security dimension, CALLS UPON the European Commission in collaboration with the High Representative, in close cooperation with ESA and Member States, which own such

assets and have capacities and in consultation with all actors involved, to come forward with proposals to fully exploit and build on these assets and capacities in order to develop a Space Situational Awareness (SSA) capability as an activity at European level and in that context, to define an appropriate governance and data policy taking care of the high sensitivity of SSA data;

27. NOTES that the future operational capability at European level in the field of SSA should cover three segments: surveillance and tracking of orbiting objects, prediction and monitoring of the space weather phenomena and their effects in particular on critical infrastructure and monitoring of Near Earth Objects (NEOs), within the definition of an SSA capability, founded on the approved aggregation<sup>(1)</sup> between civil and military SSA user requirements;

28. RECOGNIZES that the protection of space assets will require continued research activities in areas such as space weather effects, NEOs and debris tracking and prediction, mitigation and removal; and CALLS UPON the European Commission, ESA and Member States to evaluate appropriate actions to adequately address these issues;

29. ACKNOWLEDGES the need to enhance the security, safety and sustainability of all outer space activities. In this context, REITERATES the importance of pursuing discussions at multilateral level on the draft international Code of Conduct for Outer Space Activities with a view to ensuring the adherence to the Code of the largest possible number of States. CONSIDERS, further, that wider access to adequate and reliable information about space activities will represent a confidence building measure, providing a foundation for increased trust with regard to peaceful uses of outer space;

30. CONSIDERS that industrial policy for space should take into account the specificities of the space sector and the interest of all Member States to invest in space assets, and aim at the following common objectives: support the European capability to conceive, develop, launch, operate and exploit space systems; strengthen the competitiveness of European industry for both its domestic and export markets; and promote competition and a balanced development and involvement of capacities within Europe; UNDERLINES the need to examine whether appropriate measures may be necessary at European and international level to guarantee the sustainability and economic development of space activities, including those of the European commercial sector;

31. In the context of sustainability of space activities, RECALLS<sup>(2)</sup> its invitation to all European institutional actors in order to maintain an independent, reliable and cost effective access to space at affordable conditions, to

<sup>(1)</sup> Doc. 15715/11.

<sup>(2)</sup> Doc 16864/10.

consider as a high priority the use of launchers developed in Europe and to explore issues relating to their possible participation in launcher-related exploitation activities;

### III. Exploration

32. RECALLS the discussions at political level among European and international partners during the third Exploration Conference and first meeting of the Exploration International High-Level Platform held in Lucca (Italy) on 10 November 2011 and its Declaration which recognized the benefit from a continued and structured high-level policy dialogue on future space exploration that can help identify potential areas for international cooperation; WELCOMES the offer from the United States to host the next dialogue;
  33. RECOGNIZES the potential of robotic and human exploration in low-Earth orbit and beyond, supported by an international high-level policy dialogue at government-level, to produce societal, intellectual and economic progress and benefits for citizens. These include creating global partnerships by sharing challenging and peaceful goals; encouraging the advancement of science; fuelling future discoveries; addressing global challenges in space and on Earth through the use of innovative technology; inspiring society and especially the younger generations through collective and individual efforts; and enabling economic expansion and new business opportunities;
  34. INVITES the European Commission, ESA and Member States to pursue discussions at European level and with international partners with a view to defining a strategy beyond 2020, including the European involvement therein, in preparation of the next dialogue meeting which should take account of European aspirations, priorities and resources.
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## OPINIONS

## EUROPEAN DATA PROTECTION SUPERVISOR

**Opinion of the European Data Protection Supervisor on the proposal for a directive of the European Parliament and of the Council on credit agreements relating to residential property**

(2011/C 377/02)

THE EUROPEAN DATA PROTECTION SUPERVISOR,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 16 thereof,

Having regard to the Charter of Fundamental Rights of the European Union, and in particular Articles 7 and 8 thereof,

Having regard to Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(1)</sup>,

Having regard to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data <sup>(2)</sup>, and in particular its Article 28(2),

HAS ADOPTED THE FOLLOWING OPINION:

**1. INTRODUCTION**

1. On 31 March 2011, the Commission adopted a proposal for a directive of the European Parliament and of the Council on credit agreements relating to residential property (hereinafter 'the proposal').

**1.1. Consultation with the EDPS**

2. The proposal was sent by the Commission to the EDPS on 31 March 2011. The EDPS understands this communication as a request to advise Community institutions and bodies, as foreseen in Article 28(2) of Regulation (EC) No 45/2001 of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (hereinafter 'Regulation (EC) No 45/2001'). Previously <sup>(3)</sup>, before the adoption of the

proposal, the EDPS was given the possibility by the Commission to provide informal comments. The EDPS welcomes the openness of the process, which has helped to improve the text from a data protection point of view at an early stage. Some of those comments have been taken into account in the proposal. The EDPS welcomes the reference to the present consultation in the preamble of the proposal.

**1.2. General background**

3. Responsible lending is defined by the proposal as the care taken by creditors and intermediaries to lend amounts that consumers can afford and meet their needs and circumstances. The concept of responsible borrowing entails that consumers should provide relevant, complete and accurate information on their financial situation and are encouraged to make informed and sustainable decisions.
4. The proposal lists a range of factors that drive the decision to grant a particular mortgage credit, the borrower's choice of mortgage product and the borrower's ability to repay the loan. These include the economic climate, information asymmetries and conflicts of interest, regulatory gaps and inconsistencies, as well as other factors such as a borrowers' financial literacy and mortgage financing structures. In the proposal's perspective, irresponsible behaviour by certain market actors was at the source of the financial crisis, therefore irresponsible lending and borrowing are the objectives to be addressed by the legislative initiative in order to avoid a repetition of the financial crisis.
5. The proposal therefore introduces prudential and supervisory requirements for lenders and obligations and rights for borrowers in order to establish a clear legal framework which should guarantee the EU mortgage market from the disruptive effects experienced during the financial crisis.

**1.3. Relationship with EU data protection regime**

6. The proposal involves a limited number of activities, which have relevance under the EU data protection regime. These are mainly related to the consultation by creditors and

<sup>(1)</sup> OJ L 281, 23.11.1995, p. 31 (hereinafter 'Directive 95/46/EC').

<sup>(2)</sup> OJ L 8, 12.1.2001, p. 1.

<sup>(3)</sup> In December 2010.



credit intermediaries of the so-called 'credit database' with the purpose of assessing the creditworthiness of consumers and to the release of information by the consumers to the creditors or credit intermediaries.

7. The EDPS is pleased to note that important references to the relevant data protection rules have been included in the current text of the proposal. However, he would like to point towards the need for a few clarifications. On the one hand, the proposal should not introduce too detailed provisions on the respect of the data protection principles, which is guaranteed by the applicability to any of the processing operations of the national laws implementing Directive 95/46/EC. On the other hand, the EDPS suggests some improvements in the text with the aim of clarifying it and with the purpose of avoiding that criteria determining the access rights to the credit database are mandated to delegated legislation.

## 2. ANALYSIS OF THE PROPOSAL

### 2.1. Reference to Directive 95/46/EC and the obligation to assess a consumer's creditworthiness

#### *Recital 30*

8. The EDPS is pleased to note that the proposal has introduced the reference to directive 95/46/EC in the preamble to the text of the directive. Recital 30 introduces the general application of Directive 95/46/EC to the data processing activities carried out within the context of the assessment of consumers' creditworthiness.
9. However, in order to reflect the fact that any data processing operation must be carried out in accordance with the implementing rules and that the various national laws implementing such directive are the appropriate references, the proposal could introduce a general article as the following: 'Any processing of personal data performed pursuant to this directive shall be carried out in conformity with the relevant national laws implementing Directive 95/46/EC'. By introducing such an article, the specific references to the Directive in Articles 15(3) and 16(4) could be removed.

#### *Article 14*

10. Article 14 of the proposal introduces an obligation for creditors to carry out a thorough assessment of the creditworthiness of consumers. This assessment should be based on certain criteria, such as the consumer's income, savings, debts and other financial commitments. This obligation could have a significant impact on the privacy of individuals seeking credit, as the type and amount of information that could be accessed to by the creditor is potentially very large. Therefore, the EDPS welcomes the introduction of specifications in the text as regards the limitation of the creditor's search to the 'necessary' information obtained by the creditor. The Article establishes in general terms that this information can only be obtained from 'internal relevant or external sources'. The EDPS welcomes the explicit reference to the principles of

necessity and proportionality enshrined in Article 6 of Directive 95/46/EC, but would however suggest specifying in a more detailed way, to the extent possible, which are the sources from which the information can be obtained.

### 2.2. Consultation of the credit database

11. The credit database is mentioned first in recital 27, where its usefulness is highlighted in the context of the assessment of creditworthiness and during the lifetime of the loan. The recital also specifies that, pursuant to Directive 95/46/EC, consumers should be informed about the consultation of the database, and should have the right to access, rectify, block or erase the data contained in the database. Article 14 introduces specific obligations on the creditor regarding a possible rejection of the credit request, in particular when connected with the consultation of the 'credit database'.
12. More general provisions establishing the 'database access' criteria are contained in Article 16. Article 16 is formulated in a very broad manner ('Each Member State shall ensure non-discriminatory access for all creditors to databases used in that Member State for assessing [...] creditworthiness [...] and for monitoring consumers' compliance with the credit obligations [...]). The text does not specify whether the databases should be specifically designed for such creditworthiness checks, who is responsible for the database, what kind of information might be contained in the database, what the 'monitoring' of consumer compliance entails, etc. The EDPS understands that credit databases have different structures and are established in different legal frameworks across the various Member States and that a full harmonisation of the abovementioned criteria would go beyond the scope of the directive. The aim of the proposal would be however to introduce harmonised conditions of access to the database so that, for example, a creditor in Belgium could access the credit history of a consumer in Italy (even though the Belgian and the Italian databases might be different) at the same conditions as Italian creditors, if the consumer is asking for a mortgage in Belgium. The details of the criteria for harmonised access shall be further specified in delegated acts of the Commission (see Article 16(2)). The EDPS also notes the reference to Directive 95/46/EC in Article 16(4) <sup>(1)</sup>.
13. The EDPS has already expressed the view that measures which have a substantive impact on the privacy of citizens should not be dealt with in delegated legislation. Certainly details can be elaborated in such legislation. The main implications for the citizens should however be clear and agreed upon in the legislation adopted on the basis of the ordinary legislative procedure. From a data protection perspective, the EDPS is particularly concerned about the apparent contradiction between the generalised possibility of consultation by (a not yet identifiable number of) credit

<sup>(1)</sup> The Article is 'without prejudice to the application of Directive 95/46/EC [...]'. See however paragraph 9 in which a modification of this Article is suggested.



operators to the database under Article 16 and the 'light' obligation inserted only in recital 27, namely that 'consumers [...] should be informed about the consultation of the database' and 'should have access to the information [...] rectify, erase or block the personal data concerning them [...]'. In the EDPS' view, the concrete possibility to exercise the data subject's rights pursuant to Directive 95/46/EC is connected to the possibility to identify the possible recipients of the personal data contained in the credit database. The effectiveness of the reference to the rights contained in Directive 95/46/EC could be therefore neutralised by the impossibility for the data subject to clearly and pre-emptively identify the natural or legal persons who can have access to the database.

14. The EDPS therefore suggests some modifications to the text of the directive with the purpose of addressing the shortcomings identified above. Any <sup>(1)</sup> access to the database should be subject to the following conditions, which should be introduced in the text of Article 16: (i) definition of the criteria on the basis of which creditors or credit intermediaries can have access to the database and, in particular, clarification of whether only creditors or credit intermediaries who concluded a contract with a consumer or are required by the consumer to take steps to conclude a contractual relationship with him <sup>(2)</sup> can have access to his or her data; (ii) obligation to communicate in advance to the consumer that a certain creditor or credit intermediary has the intention to access his or her personal data in the database; (iii) obligation to contemporaneously communicate to the consumer of his or her rights to access, rectify, block or erase the data contained in the database pursuant to the principles of Directive 95/46/EC.
15. As a result of the introduction in the text of such general criteria and obligations, the specific provision of Article 14(2)(c) and recital 29 related to the obligation to

communicate to the consumer the access to the database in case of rejection of the credit request could be removed from the text.

### 3. CONCLUSION

16. The EDPS welcomes the specific reference in the proposal to Directive 95/46/EC. However, he suggests some minor modifications in the text in order to clarify the applicability of the data protection principles to the processing operations covered by the proposal. In particular:

- in order to better reflect the fact that the national laws implementing Directive 95/46/EC are the appropriate references and to emphasise that any data processing operation must be carried out in accordance with those implementing laws, the EDPS suggests introducing a new article with specific wording to that effect. This would also allow the removal of other references to Directive 95/46/EC in the text of the proposal,
- the text of the proposal could specify in a more detailed way the sources from which information on the creditor's creditworthiness can be obtained,
- the text of the proposal should include the definition of criteria for the possibility to consult the database and the obligations to communicate the data subjects' rights before any access to the database, thereby ensuring concrete and effective possibilities for data subjects to exercise their rights.

Done at Brussels, 25 July 2011.

Giovanni BUTTARELLI

*Assistant European Data Protection Supervisor*

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<sup>(1)</sup> This term should be intended as meaning access by any authorised creditor at any point in time.

<sup>(2)</sup> See Article 7(b) of Directive 95/46/EC.

## II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
AND AGENCIES

## EUROPEAN COMMISSION

**Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU****Cases where the Commission raises no objections**

(Text with EEA relevance)

(2011/C 377/03)

Date of adoption of the decision	6.7.2010
Reference number of State Aid	N 261/09
Member State	Germany
Region	Mecklenburg-Vorpommern
Title (and/or name of the beneficiary)	Liebherr MCCtec Rostock GmbH
Legal basis	Investitionszulagengesetz 2007 vom 23. Februar 2007, Investitionszulagengesetz 2010 vom 7. Dezember 2008, 36. Rahmenplan der Gemeinschaftsaufgabe „Verbesserung der regionalen Wirtschaftsstruktur“ vom 12. April 2007
Type of measure	Individual aid
Objective	Regional development, Employment
Form of aid	Direct grant, Tax allowance
Budget	Overall budget: EUR 22,33 million
Intensity	17,21 %
Duration (period)	2010-2015
Economic sectors	Manufacturing industry
Name and address of the granting authority	Landesförderinstitut Mecklenburg-Vorpommern Werkstr. 213 19061 Schwerin DEUTSCHLAND  Finanzamt Ribnitz-Damgarten Postfach 1061 18301 Ribnitz-Damgarten DEUTSCHLAND
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

[http://ec.europa.eu/community\\_law/state\\_aids/state\\_aids\\_texts\\_en.htm](http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm)

Date of adoption of the decision	22.8.2011
Reference number of State Aid	SA.32037 (10/N)
Member State	Sweden
Region	Västra Götalands län
Title (and/or name of the beneficiary)	Broadband development in Västra Götaland
Legal basis	Lagen (2010:630) om regionalt utvecklingsansvar i vissa län, förordning (2007:713) om regionalt tillväxtarbete och Kommunallagen (1991:900).
Type of measure	Aid scheme
Objective	Regional development
Form of aid	Direct grant
Budget	Overall budget: SEK 350 million
Intensity	—
Duration (period)	Until 2014
Economic sectors	Post and telecommunications
Name and address of the granting authority	Västra Götalandsregionen Box 1091 SE-405 23 Göteborg SVERIGE
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

[http://ec.europa.eu/community\\_law/state\\_aids/state\\_aids\\_texts\\_en.htm](http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm)

Date of adoption of the decision	8.11.2011
Reference number of State Aid	SA.33076 (11/N)
Member State	Spain
Region	Pais Vasco
Title (and/or name of the beneficiary)	Régimen de ayudas a la creación, desarrollo y producción audiovisual en el País Vasco
Legal basis	Orden de 25 de mayo de 2011, de la Consejera de Cultura de País Vasco, por la que se convoca la concesión de ayudas a la creación, desarrollo y producción audiovisual.

Type of measure	Aid scheme
Objective	Culture, Sectoral development
Form of aid	Direct grant
Budget	Annual budget: EUR 3,02 million Overall budget: EUR 3,02 million
Intensity	50 %
Duration (period)	1.4.2011-31.3.2012
Economic sectors	Media
Name and address of the granting authority	Dirección de Promoción de la Cultura Departamento de Cultura Gobierno Vasco C/ Donostia-San Sebastián, 1 01010 Vitoria-Gasteiz ESPAÑA
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

[http://ec.europa.eu/community\\_law/state\\_aids/state\\_aids\\_texts\\_en.htm](http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm)

Date of adoption of the decision	8.11.2011
Reference number of State Aid	SA.33077 (11/N)
Member State	United Kingdom
Region	North East
Title (and/or name of the beneficiary)	Northumberland Uplands Rural Community Broadband
Legal basis	Local Government Act 2003
Type of measure	Individual aid
Objective	Sectoral development, Regional development
Form of aid	Direct grant
Budget	Annual budget: GBP 0,5 million Overall budget: GBP 0,5 million
Intensity	70 %
Duration (period)	1.11.2011-1.4.2012
Economic sectors	Post and telecommunications
Name and address of the granting authority	Northumberland County Council Regeneration Programmes & Funding Team County Hall Morpeth NE61 2EF UNITED KINGDOM
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

[http://ec.europa.eu/community\\_law/state\\_aids/state\\_aids\\_texts\\_en.htm](http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm)

Date of adoption of the decision	25.7.2011
Reference number of State Aid	SA.33221 (11/N)
Member State	Sweden
Region	—
Title (and/or name of the beneficiary)	Amendment of the State aid broadband scheme within the framework of the rural development program (modification of N 30/10).
Legal basis	Förordning om ändring i förordningen (2007:481) om stöd för landsbygdsutvecklingsåtgärder
Type of measure	Aid scheme
Objective	Regional development
Form of aid	Direct grant
Budget	Overall budget: SEK 453 million
Intensity	—
Duration (period)	2010-2013
Economic sectors	Post and telecommunications
Name and address of the granting authority	Länsstyrelserna i respektive län, Sametinget
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

[http://ec.europa.eu/community\\_law/state\\_aids/state\\_aids\\_texts\\_en.htm](http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm)

Date of adoption of the decision	8.11.2011
Reference number of State Aid	SA.33241 (11/N)
Member State	Cyprus
Region	—
Title (and/or name of the beneficiary)	Κρατική ενίσχυση προς το Μέγαρο Πολιτισμού Κύπρου
Legal basis	Απόφαση του υπουργικού συμβουλίου της Δημοκρατίας της Κύπρου αριθ. 64.387 της 27ης Σεπτεμβρίου 2006 και Απόφαση του υπουργικού συμβουλίου της Δημοκρατίας της Κύπρου αριθ. 35/2011 της 10ης Ιανουαρίου 2011

Type of measure	Individual aid
Objective	Culture
Form of aid	Direct grant
Budget	Overall budget: EUR 140,18 million
Intensity	100 %
Duration (period)	2011-2024
Economic sectors	Recreational, cultural sporting activities
Name and address of the granting authority	Υπουργείο Παιδείας και Πολιτισμού της Κύπρου — Ιφηγενίας 27 Λευκωσία
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

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**Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU****Cases where the Commission raises no objections****(Text with EEA relevance, except for products falling under Annex I to the Treaty)**

(2011/C 377/04)

Date of adoption of the decision	11.11.2011	
Reference number of State Aid	SA.33043 (11/N)	
Member State	Netherlands	
Region	—	—
Title (and/or name of the beneficiary)	Flexibele afschrijving milieu-investeringen (VAMIL) — konijnenstallen	
Legal basis	Wet inkomstenbelasting 2001, artikelen 3.30a, eerste lid, en 3.31 (Wet werken aan winst, artikel I, onderdeel D en Da); Aanwijzingsregeling willekeurige afschrijving en investeringsaftrek milieu-investeringen 2009, artikel 1 en bijlage	
Type of measure	Scheme	—
Objective	Investments in agricultural holdings	
Form of aid	Tax base reduction	
Budget	Overall budget: EUR 0,60 million Annual budget: EUR 0,15 million	
Intensity	18,80 %	
Duration (period)	Until 31.12.2014	
Economic sectors	Animal production	
Name and address of the granting authority	Ministerie van Financiën Postbus 20201 2500 EE Den Haag NEDERLAND	
Other information	—	

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

[http://ec.europa.eu/community\\_law/state\\_aids/state\\_aids\\_texts\\_en.htm](http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm)

Date of adoption of the decision	31.10.2011	
Reference number of State Aid	SA.33157 (11/N)	
Member State	Bulgaria	
Region	Bulgaria	—

Title (and/or name of the beneficiary)	Помощ за инвестиции в земеделски стопанства чрез преотстъпване на корпоративен данък	
Legal basis	Чл. 189б от Закона за корпоративно подоходно облагане, Чл. 48, ал. 6—7 от Закон за данъците върху доходите на физическите лица	
Type of measure	Scheme	—
Objective	Investments in agricultural holdings	
Form of aid	Tax allowance	
Budget	Overall budget: BGN 132,02 million	
Intensity	50 %	
Duration (period)	Until 31.12.2013	
Economic sectors	Agriculture, forestry and fishing	
Name and address of the granting authority	Национална агенция за приходите бул. Княз Дондуков № 52 1000 София/Sofia БЪЛГАРИЯ/BULGARIA	
Other information	—	

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Date of adoption of the decision	18.11.2011	
Reference number of State Aid	SA.33372 (11/N)	
Member State	Germany	
Region	Saarland	—
Title (and/or name of the beneficiary)	Förderung der Erhaltung von genetischen Ressourcen in der Landwirtschaft (Erhaltung genetischer Ressourcen EGR)	
Legal basis	<p>— Gesetz über die Gemeinschaftsaufgabe „Verbesserung der Agrarstruktur und des Küstenschutzes“ (GAK) vom 21. Juli 1988 (BGBl. I S. 1055) in der jeweils geltenden Fassung in Verbindung mit dem jeweiligen vom Planungsausschuss der Gemeinschaftsaufgabe „Verbesserung der Agrarstruktur und des Küstenschutzes“ beschlossenen Rahmenplan, hier: Grundsätze für die Förderung der Erhaltung genetischer Ressourcen in der Landwirtschaft;</p> <p>— Verwaltungsvorschrift Förderung der Erhaltung genetischer Ressourcen in der Landwirtschaft (Erhaltung genetischer Ressourcen — EGR);</p> <p>— §§ 23 und 44 der Landeshaushaltsordnung (LHO);</p> <p>— Verwaltungsvorschrift über den Vollzug der Landeshaushaltsordnung (VV-LHO) in der jeweils geltenden Fassung.</p>	
Type of measure	Scheme	—

Objective	Agri-environmental commitments
Form of aid	Direct grant
Budget	Overall budget: EUR 0,09 million
Intensity	90 %
Duration (period)	Until 31.12.2013
Economic sectors	Agriculture, forestry and fishing
Name and address of the granting authority	Ministerium für Wirtschaft und Wissenschaft Franz-Josef-Röder-Str. 17 66119 Saarbrücken DEUTSCHLAND
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

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Date of adoption of the decision	18.11.2011	
Reference number of State Aid	SA.33429 (11/N)	
Member State	Romania	
Region	România	—
Title (and/or name of the beneficiary)	Acordarea unui ajutor de stat producătorilor de cartofi afectați de organisme de carantină dăunătoare culturii cartofului	
Legal basis	Proiect de Hotărâre de Guvern privind Normele metodologice de acordare a ajutoarelor de stat producătorilor de cartofi afectați de organisme de carantină dăunătoare culturii cartofului;  Ordonanța Guvernului nr. 14/2010 privind măsuri financiare pentru reglementarea ajutoarelor de stat acordate producătorilor agricoli începând cu anul 2010, aprobată cu modificări și completări prin Legea nr. 74/2010.	
Type of measure	Scheme	—
Objective	Plant diseases	
Form of aid	Direct grant	
Budget	Overall budget: RON 27,30 million	
Intensity	100 %	
Duration (period)	Until 31.12.2013	
Economic sectors	Crop and animal production, hunting and related service activities	

Name and address of the granting authority	Ministerul Agriculturii și Dezvoltării Rurale Bd. Carol I nr. 24, sector 3 București ROMÂNIA
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

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Date of adoption of the decision	21.11.2011	
Reference number of State Aid	SA.33800 (11/N)	
Member State	Spain	
Region	—	—
Title (and/or name of the beneficiary)	Aides aux groupements de producteurs dans les secteurs ovine et caprine	
Legal basis	Real Decreto 104/2008, de 1 de febrero, por el que se establecen las bases reguladoras para la concesión de las subvenciones a las agrupaciones de productores en los sectores ovino y caprino	
Type of measure	Scheme	—
Objective	Start-up of producers groups, Investments in agricultural holdings	
Form of aid	Direct grant	
Budget	Overall budget: EUR 20 million Annual budget: EUR 20 million	
Intensity	50 %	
Duration (period)	1.1.2012-31.12.2012	
Economic sectors	Raising of sheep and goats	
Name and address of the granting authority	Ministerio de Medio Ambiente, y Medio Rural y Marino Alfonso XIII, 62 28071 Madrid ESPAÑA	
Other information	—	

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

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## IV

*(Notices)*NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND  
AGENCIES

## COUNCIL

**Notice for the attention of the persons, groups and entities on the list provided for in Article 2(3)  
of Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain  
persons and entities with a view to combating terrorism****(see Annex to Council Regulation (EU) No 1375/2011)**

(2011/C 377/05)

The following information is brought to the attention of the persons, groups and entities listed in Council Regulation (EU) No 1375/2011 <sup>(1)</sup>.

The Council of the European Union has determined that the reasons for including the persons, groups and entities that appear on the abovementioned list of persons, groups and entities subject to the restrictive measures provided for under Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism <sup>(2)</sup>, are still valid. Consequently, the Council has decided to maintain those persons, groups and entities on the list.

Regulation (EC) No 2580/2001 of 27 December 2001 provides for a freezing of all funds, other financial assets and economic resources belonging to the persons, groups and entities concerned and that no funds, other financial assets and economic resources may be made available to them, whether directly or indirectly.

The attention of the persons, groups and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as listed in the Annex to the Regulation in order to obtain an authorisation to use frozen funds for essential needs or specific payments in accordance with Article 5(2) of that Regulation. An updated list of competent authorities is available on the web at the following address:

[http://ec.europa.eu/comm/external\\_relations/cfsp/sanctions/measures.htm](http://ec.europa.eu/comm/external_relations/cfsp/sanctions/measures.htm)

The persons, groups and entities concerned may submit a request to obtain the Council's statement of reasons for maintaining them on the abovementioned list (unless the statement of reasons has already been communicated to them), to the following address:

Council of the European Union  
(Attn: CP 931 designations)  
Rue de la Loi/Wetstraat 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

<sup>(1)</sup> OJ L 343, 23.12.2011, p. 10.

<sup>(2)</sup> OJ L 344, 28.12.2001, p. 70.

The persons, groups and entities concerned may submit at any time a request to the Council, together with any supporting documentation, that the decision to include and maintain them on the list should be reconsidered, to the address provided above. Such requests will be considered when they are received. In this respect, the attention of the persons, groups and entities concerned is drawn to the regular review by the Council of the list according to Article 1(6) of Common Position 2001/931/CFSP. In order for requests to be considered at the next review, they should be submitted by 29 February 2012.

The attention of the persons, groups and entities concerned is also drawn to the possibility of challenging the Council's Regulation before the General Court of the European Union, in accordance with the conditions laid down in Article 263(4) and (6) of the Treaty on the Functioning of the European Union.

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# EUROPEAN COMMISSION

## Euro exchange rates <sup>(1)</sup>

22 December 2011

(2011/C 377/06)

### 1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,3047	AUD	Australian dollar	1,2878
JPY	Japanese yen	101,93	CAD	Canadian dollar	1,3369
DKK	Danish krone	7,4336	HKD	Hong Kong dollar	10,1523
GBP	Pound sterling	0,83250	NZD	New Zealand dollar	1,6888
SEK	Swedish krona	8,9952	SGD	Singapore dollar	1,6884
CHF	Swiss franc	1,2232	KRW	South Korean won	1 509,47
ISK	Iceland króna		ZAR	South African rand	10,6521
NOK	Norwegian krone	7,7640	CNY	Chinese yuan renminbi	8,2705
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,5156
CZK	Czech koruna	25,625	IDR	Indonesian rupiah	11 820,58
HUF	Hungarian forint	306,45	MYR	Malaysian ringgit	4,1261
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	56,989
LVL	Latvian lats	0,6965	RUB	Russian rouble	41,0980
PLN	Polish zloty	4,4352	THB	Thai baht	40,785
RON	Romanian leu	4,3000	BRL	Brazilian real	2,4218
TRY	Turkish lira	2,4650	MXN	Mexican peso	17,9918
			INR	Indian rupee	68,6660

<sup>(1)</sup> Source: reference exchange rate published by the ECB.





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