

# Official Journal of the European Union

C 251



English edition

## Information and Notices

Volume 61

18 July 2018

### Contents

#### II *Information*

##### INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

###### **European Commission**

2018/C 251/01	Non-opposition to a notified concentration (Case M.8906 — Goodyear/Bridgestone/TireHub) <sup>(1)</sup> .....	1
2018/C 251/02	Non-opposition to a notified concentration (Case M.8910 — Bouygues/Alpiq InTec and Kraftanlagen München) <sup>(1)</sup> .....	1

#### III *Preparatory acts*

###### **European Central Bank**

2018/C 251/03	Opinion of the European Central Bank of 11 May 2018 on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority) and related legal acts; and on a proposal for a directive of the European Parliament and of the Council amending Directive 2014/65/EU on markets in financial instruments and Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (CON/2018/26) .....	2
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<sup>(1)</sup> Text with EEA relevance.

#### IV Notices

##### NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

###### **Council**

2018/C 251/04	Council Decision of 13 July 2018 appointing one alternate member of the Management Board of the European Institute for Gender Equality for Greece .....	5
2018/C 251/05	Notice for the attention of a person and an entity subject to the restrictive measures provided for in Council Decision (CFSP) 2016/849, as implemented by Council Implementing Decision (CFSP) 2018/1016, and Council Regulation (EU) 2017/1509, as implemented by Council Implementing Regulation (EU) 2018/1009 concerning restrictive measures against the Democratic People's Republic of Korea .....	7

###### **European Commission**

2018/C 251/06	Euro exchange rates .....	8
2018/C 251/07	Commission Decision of 17 July 2018 setting up a Commission expert group 'Steering Group on Health Promotion, Disease Prevention and Management of Non-Communicable Diseases' and repealing the Decision setting up a Commission expert group on rare diseases and the Decision establishing a Commission expert group on Cancer Control <sup>(1)</sup> .....	9

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

## II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
AND AGENCIES

## EUROPEAN COMMISSION

**Non-opposition to a notified concentration****(Case M.8906 — Goodyear/Bridgestone/TireHub)****(Text with EEA relevance)**

(2018/C 251/01)

On 4 June 2018, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32018M8906. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration****(Case M.8910 — Bouygues/Alpiq InTec and Kraftanlagen München)****(Text with EEA relevance)**

(2018/C 251/02)

On 11 July 2018, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32018M8910. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

## III

*(Preparatory acts)*

## EUROPEAN CENTRAL BANK

## OPINION OF THE EUROPEAN CENTRAL BANK

of 11 May 2018

**on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority) and related legal acts; and on a proposal for a directive of the European Parliament and of the Council amending Directive 2014/65/EU on markets in financial instruments and Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II)**

(CON/2018/26)

(2018/C 251/03)

**Introduction and legal basis**

On 23 November 2017 and 4 December 2017 the European Central Bank (ECB) received a request from the Council of the European Union and the European Parliament, respectively, for an opinion on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority); Regulation (EU) No 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority); Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority); Regulation (EU) No 345/2013 on European venture capital funds; Regulation (EU) No 346/2013 on European social entrepreneurship funds; Regulation (EU) No 600/2014 on markets in financial instruments; Regulation (EU) 2015/760 on European long-term investment funds; Regulation (EU) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds; and Regulation (EU) 2017/1129 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market <sup>(1)</sup> (hereinafter the 'proposed regulation').

On 20 November 2017 the ECB received a request from the Council of the European Union and the European Parliament, respectively, for an opinion on a proposal for a directive of the European Parliament and of the Council amending Directive 2014/65/EU on markets in financial instruments and Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) <sup>(2)</sup> (hereinafter the 'proposed directive').

The ECB's competence to deliver an opinion is based on Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union since the proposed regulation and directive contain provisions affecting the basic tasks of the European System of Central Banks (ESCB) to define and implement monetary policy and to promote the smooth operation of payment systems pursuant to the first and fourth indents of Article 127(2) of the Treaty, and the specific tasks conferred on the ECB concerning the prudential supervision of credit institutions, as referred to in Article 127(6) of the Treaty. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

The proposed regulation and directive form part of a comprehensive package of proposals to reform the European System of Financial Supervision, consisting of the three European Supervisory Authorities (ESAs) and the European Systemic Risk Board <sup>(3)</sup>. Since the package relates to different tasks carried out by the ESCB and the ECB, the ECB is

<sup>(1)</sup> COM(2017) 536 final.

<sup>(2)</sup> COM(2017) 537 final.

<sup>(3)</sup> COM(2017) 542 final.

to adopt three separate opinions. This opinion must, therefore, be read in conjunction with Opinion CON/2018/12 of 2 March 2018 on a proposal for a regulation amending Regulation (EU) No 1092/2010 on European Union macro-prudential oversight of the financial system and establishing a European Systemic Risk Board<sup>(1)</sup> and Opinion CON/2018/19 of 11 April 2018 on a proposal for a regulation amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority) and related legal acts<sup>(2)</sup>.

## General observations

The ECB will restrict its comments to those parts of the Commission's proposal which are relevant for the implementation of monetary policy pursuant to the first indent of Article 127(2) of the Treaty, the promotion of the smooth operation of payment systems pursuant to the fourth indent of Article 127(2) of the Treaty, and for the specific tasks conferred on the ECB concerning the prudential supervision of credit institutions, as referred to in Article 127(6) of the Treaty.

The ECB would like to recall that safe and efficient financial market infrastructures, in particular clearing systems for financial instruments, are essential for the fulfilment of the basic tasks of the ESCB under Article 127(2) of the Treaty, and the pursuit of its primary objective of maintaining price stability under Article 127(1) of the Treaty<sup>(3)</sup>.

Consideration could also be given to the role of the ECB as supervisor of credit institutions pursuant to Article 127(6) TFEU in conjunction with Regulation (EU) No 1024/2013<sup>(4)</sup>. In this respect it is recalled that the ECB strongly welcomed the fact that the EMIR II proposal attaches two separate votes in the supervisory colleges to the ECB for its functions as a central bank of issue and as the prudential supervisor of credit institutions that are significant CCP clearing members, respectively<sup>(5)</sup>.

The ECB generally supports the proposed regulation's objective of contributing to the further development and deepening of the Capital Markets Union (CMU)<sup>(6)</sup>. To attain the long-term goal of deepening and integrating EU capital markets, the ECB considers that single supervision of, at least, specific market segments needs to be envisaged. This is particularly important for pan-European entities and activities in order to ensure consistency and equal enforcement across the EU, thus ensuring no leakages by moving activities across borders<sup>(7)</sup>. As proposed by the Commission, single supervision could also be warranted for data reporting service providers as well as administrators of critical benchmarks under a fully-fledged CMU<sup>(7)</sup>.

## Specific observations

### 1. The role of the central bank of issue in CCP matters

1.1 The ECB supports the need to revise ESMA's governance structure. It also considers it vital to include one representative of the ECB, under the monetary policy mandate, as a permanent non-voting member of the Board of Supervisors. This would ensure effective cooperation, coordination and exchange of information between supervisory

<sup>(1)</sup> Opinion CON/2018/12 of the European Central Bank of 2 March 2018 on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1092/2010 on European Union macro-prudential oversight of the financial system and establishing a European Systemic Risk Board (OJ C 120, 6.4.2018, p. 2). All ECB opinions are available on the ECB's website at [www.ecb.europa.eu](http://www.ecb.europa.eu).

<sup>(2)</sup> Opinion CON/2018/19 of the European Central Bank of 11 April 2018 on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority) and related legal acts, not yet published in the Official Journal.

<sup>(3)</sup> See paragraph 4.1 of Opinion CON/2017/39 of the European Central Bank of 4 October 2017 on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority) and amending Regulation (EU) No 648/2012 as regards the procedures and authorities involved for the authorisation of CCPs and requirements for the recognition of third country CCPs (OJ C 385, 15.11.2017, p. 3).

<sup>(4)</sup> Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 287, 29.10.2013, p. 63).

<sup>(5)</sup> See paragraph 1.1 of Opinion CON/2017/39.

<sup>(6)</sup> See pages 1 and 18 of the Eurosystem's contribution to the Commission's Green Paper 'Building a Capital Markets Union', February 2015 (hereinafter the 'Eurosystem contribution to the Green Paper on CMU'), available on the ECB's website.

<sup>(7)</sup> See page 18 of the Eurosystem contribution to the Green Paper on CMU.

authorities and the ECB as central bank of issue responsible for the euro, which is of key importance considering the proposed enhancements to the role of the central bank of issue under the EMIR II proposal <sup>(1)</sup>. The ECB welcomes the proposed amendments set out in the EMIR II proposal, which clarify the tasks conferred on the CCP Executive Session, of which the relevant central bank of issue is a permanent, non-voting member <sup>(2)</sup>.

- 1.2 These changes are necessary to clearly delineate the CCP Executive Session's exclusive decision-making powers in CCP matters from powers assigned to the ESMA Executive Board in non-CCP matters. Given the ECB's representation in the CCP Executive Session as the central bank of issue, the ECB considers that this clarification will enable the ESCB members to have meaningful and effective involvement in decision-making and information-sharing on matters of direct relevance to the fulfilment of the ESCB's basic tasks, and the achievement of its primary objective of maintaining price stability <sup>(3)</sup>.

Done at Frankfurt am Main, 11 May 2018.

*The President of the ECB*

Mario DRAGHI

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<sup>(1)</sup> See paragraph 7 of Opinion CON/2017/39. Also see the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 648/2012 as regards the clearing obligation, the suspension of the clearing obligation, the reporting requirements, the risk-mitigation techniques for OTC derivatives contracts not cleared by a central counterparty, the registration and supervision of trade repositories and the requirements for trade repositories, COM(2017) 208 final.

<sup>(2)</sup> See Amendment of pending proposal for a regulation amending Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority) and amending Regulation (EU) No 648/2012 as regards the procedures and authorities involved for the authorisation of CCPs and requirements for the recognition of third-country CCPs (EMIR II Commission's proposal), COM(2017) 539/F1, available on the Commission's website at [www.ec.europa.eu](http://www.ec.europa.eu).

<sup>(3)</sup> See paragraph 2.1 of Opinion CON/2017/39.

## IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND  
AGENCIES

## COUNCIL

## COUNCIL DECISION

of 13 July 2018

**appointing one alternate member of the Management Board of the European Institute for Gender  
Equality for Greece**

(2018/C 251/04)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality <sup>(1)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) By its Decision of 26 May 2016 <sup>(2)</sup>, the Council appointed 18 members and 17 alternate members of the Management Board of the European Institute for Gender Equality for the period from 1 June 2016 to 31 May 2019.
- (2) The government of Greece has submitted one nomination for a post of alternate member to be filled,

HAS ADOPTED THIS DECISION:

*Article 1*

The following is hereby appointed as alternate member of the Management Board of the European Institute for Gender Equality for Greece for the remainder of the current term of office, which runs until 31 May 2019:

## GOVERNMENT REPRESENTATIVES

Country	Members	Alternates
Greece		Mr Dimitrios PLATIS

*Article 2*

The Council shall appoint members and alternate members who have not yet been nominated at a later date.

<sup>(1)</sup> OJ L 403, 30.12.2006, p. 9.<sup>(2)</sup> Council Decision of 26 May 2016 appointing the members and alternate members of the Management Board of the European Institute for Gender Equality (OJ C 199, 4.6.2016, p. 5).

*Article 3*

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

Done at Brussels, 13 July 2018.

*For the Council*

*The President*

H. LÖGER

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**Notice for the attention of a person and an entity subject to the restrictive measures provided for in Council Decision (CFSP) 2016/849, as implemented by Council Implementing Decision (CFSP) 2018/1016, and Council Regulation (EU) 2017/1509, as implemented by Council Implementing Regulation (EU) 2018/1009 concerning restrictive measures against the Democratic People's Republic of Korea**

(2018/C 251/05)

The following information is brought to the attention of Ri Hong-sop and Munitions Industry Department, the person and entity appearing in Annex I to Council Decision (CFSP) 2016/849 <sup>(1)</sup>, as implemented by Council Implementing Decision (CFSP) 2018/1016 <sup>(2)</sup>, and in Annex XIII to Council Regulation (EU) 2017/1509 <sup>(3)</sup>, as implemented by Council Implementing Regulation (EU) 2018/1009 <sup>(4)</sup> concerning restrictive measures against the Democratic People's Republic of Korea.

On 9 July 2018, the United Nations Security Council Committee decided to update the information relating to the above-mentioned person and entity which are subject to the measures imposed by UN Security Council Resolution 1718 (2006).

The person and entity concerned may submit at any time a request to the United Nations Security Council Committee established pursuant to Resolution 1718 (2006), together with any supporting documentation, for the decisions to include them in the UN list to be reconsidered. Such request should be sent to the following address:

United Nations — Focal point for delisting  
Security Council Subsidiary Organs Branch  
Room S-3055 E  
New York, NY 10017  
UNITED STATES OF AMERICA

See for more information at: <https://www.un.org/sc/suborg/en/sanctions/1718>

Further to the UN decision, the Council of the European Union has decided that the updated information relating to the above-mentioned person and entity should also be reflected in Annex I to Decision (CFSP) 2016/849 and Annex XIII to Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea.

The person and entity concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned list should be reconsidered, to the following address:

Council of the European Union  
General Secretariat  
DG RELEX.1.C — Horizontal Issues  
Rue de la Loi/Wetstraat 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

Email: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

The attention of the person and entity concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

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<sup>(1)</sup> OJ L 141, 28.5.2016, p. 79.

<sup>(2)</sup> OJ L 181, 18.7.2018, p. 86.

<sup>(3)</sup> OJ L 224, 31.8.2017, p. 1.

<sup>(4)</sup> OJ L 181, 18.7.2018, p. 1.

# EUROPEAN COMMISSION

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

17 July 2018

(2018/C 251/06)

### 1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,1707	CAD Canadian dollar	1,5403
JPY Japanese yen	131,81	HKD Hong Kong dollar	9,1888
DKK Danish krone	7,4540	NZD New Zealand dollar	1,7191
GBP Pound sterling	0,88725	SGD Singapore dollar	1,5941
SEK Swedish krona	10,3003	KRW South Korean won	1 319,73
CHF Swiss franc	1,1648	ZAR South African rand	15,5376
ISK Iceland króna	124,60	CNY Chinese yuan renminbi	7,8324
NOK Norwegian krone	9,4875	HRK Croatian kuna	7,3915
BGN Bulgarian lev	1,9558	IDR Indonesian rupiah	16 822,96
CZK Czech koruna	25,875	MYR Malaysian ringgit	4,7267
HUF Hungarian forint	323,35	PHP Philippine peso	62,495
PLN Polish zloty	4,3007	RUB Russian rouble	73,1793
RON Romanian leu	4,6617	THB Thai baht	38,949
TRY Turkish lira	5,6613	BRL Brazilian real	4,5281
AUD Australian dollar	1,5810	MXN Mexican peso	22,1732
		INR Indian rupee	80,1405

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

**COMMISSION DECISION****of 17 July 2018****setting up a Commission expert group ‘Steering Group on Health Promotion, Disease Prevention and Management of Non-Communicable Diseases’ and repealing the Decision setting up a Commission expert group on rare diseases and the Decision establishing a Commission expert group on Cancer Control****(Text with EEA relevance)**

(2018/C 251/07)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Under Article 168(2) of the Treaty on the Functioning of the European Union Member States are required, in liaison with the Commission, to coordinate among themselves their policies and programmes in the areas referred to in paragraph 1 of that Article. The Commission may, in close contact with the Member States, take any useful initiative to promote such coordination, in particular initiatives aiming at the establishment of guidelines and indicators, the organisation of exchange of best practice, and the preparation of the necessary elements for periodic monitoring and evaluation.
- (2) The Council adopted on 7 December 2010 Conclusions on ‘Innovative approaches for chronic diseases in public health and health care systems’<sup>(1)</sup> which invite the Member States to identify and exchange good practices for chronic diseases.
- (3) The Commission adopted, on 4 April 2014, a ‘Communication on effective, accessible and resilient health systems’<sup>(2)</sup> which provided that the initiatives through which the Union can support policymakers in the Member States will focus on methods and tools allowing Member States to achieve greater effectiveness, accessibility and resilience of their health systems.
- (4) The Commission adopted, on 22 November 2016, a ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Next steps for a sustainable European future: European action for sustainability’<sup>(3)</sup> which stated that the Union is fully committed to be a frontrunner in implementing the 2030 Agenda for Sustainable Development and its Sustainable Development Goals adopted in the framework of the United Nations. In particular, in contributing to the Sustainable Development Goal 3 ‘Ensure healthy lives and promote well-being for all at all ages’, the Union complements Member States’ actions through legislation and other initiatives on public health, health systems and environment-related health problems. The Commission will help Member States to reach the targets under this Goal, in particular reducing chronic diseases’ mortality.
- (5) Regulation (EU) No 282/2014 of the European Parliament and of the Council<sup>(4)</sup> which establishes the third programme for the Union’s action in the field of health (2014-2020) provides that one of the thematic priorities of the programme is to promote health, prevent diseases and foster supportive environments for healthy lifestyles. Actions under this priority include supporting cooperation and networking in the Union in relation to preventing and improving the response to chronic diseases including cancer, age-related diseases and neurodegenerative diseases, by sharing knowledge, good practices and developing joint activities on prevention, early detection and management of non-communicable diseases.
- (6) In view of those commitments and obligations in the public health area, it is therefore necessary to set up an expert group in the field of health promotion, disease prevention and management of non-communicable diseases and to define its tasks and its structure.

<sup>(1)</sup> OJ C 74, 8.3.2011, p. 4.<sup>(2)</sup> COM(2014) 215 final, 4.4.2014.<sup>(3)</sup> COM(2016) 739 final, 22.11.2016.<sup>(4)</sup> Regulation (EU) No 282/2014 of the European Parliament and of the Council of 11 March 2014 on the establishment of a third Programme for the Union’s action in the field of health (2014-2020) and repealing Decision No 1350/2007/EC (OJ L 86, 21.3.2014, p. 1).

- (7) Commission Decision C(2016) 3301 <sup>(1)</sup> sets out a revised set of rules for all Commission expert groups. The new rules aim to bring more clarity and transparency with respect to the composition of expert groups. Accordingly, the tasks and the structure of the expert group on health promotion, disease prevention and management of non-communicable diseases should be defined in compliance with that Decision.
- (8) The expert group should provide advice and expertise to the Commission in formulating and implementing the Union's activities in the field of health promotion, disease prevention and management of non-communicable diseases and foster exchanges of relevant experience, policies and practices between the Member States and various parties involved.
- (9) The expert group should advise the Commission in the selection of good and best practices to support their transfer and scaling up in the Member States by using the EU Health Programme or other financial instruments of the Union.
- (10) The expert group should help the Member States reach the Sustainable Development Goal 3 and in particular reduce premature non-communicable disease mortality.
- (11) The expert group should advise the Commission in its efforts to coordinate activities which contribute to reduction of premature mortality due to non-communicable diseases.
- (12) The expert group should advise the Commission on improving the uptake of research results in the area of health promotion, disease prevention and management of non-communicable diseases.
- (13) The expert group should coordinate its activities with the expert group on health information (EGHI) which advises the Commission on health information needs, technical solutions and priorities for evidence-based health policymaking. In particular, the expert group should use the knowledge of the EGHI when assessing the process and outcomes of transfer and implementation of best practices.
- (14) With a view to ensuring effective transfer and implementation of best practices and policy interventions among countries the expert group should be composed of authorities of the Member States
- (15) Rules on disclosure of information by members of the expert group should be laid down.
- (16) Personal data should be processed by the expert group in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council <sup>(2)</sup>.
- (17) As the Commission expert group 'Steering Group on Health Promotion, Disease Prevention and Management of Non-Communicable Diseases' will deal with matters currently under the mandate of the expert group on rare diseases set up by Commission Decision of 30 July 2013 setting up a Commission expert group on rare diseases and repealing Decision 2009/872/EC ('Decision setting up a Commission expert group on rare diseases') <sup>(3)</sup> and of the expert group on Cancer Control established by Commission Decision of 3 June 2014 establishing a Commission expert group on Cancer Control and repealing Decision 96/469/EC ('Decision establishing a Commission expert group on Cancer Control') <sup>(4)</sup>, those Decisions should be repealed.
- (18) It is appropriate to fix a period for the application of this Decision. The Commission will in due time consider the advisability of an extension,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

#### **Subject matter**

The expert group 'The Steering Group on Health Promotion, Disease Prevention and Management of Non-Communicable Diseases' ('the group') is set up.

<sup>(1)</sup> Commission Decision C(2016) 3301 final of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

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

<sup>(3)</sup> Commission Decision of 30 July 2013 setting up a Commission expert group on rare diseases and repealing Decision 2009/872/EC (OJ C 219, 31.7.2013, p. 4).

<sup>(4)</sup> Commission Decision of 3 June 2014 establishing a Commission expert group on Cancer Control and repealing Decision 96/469/EC (OJ C 167, 4.6.2014, p. 4).

*Article 2***Tasks**

The group's tasks shall be:

- (a) to assist and advise the Commission in taking initiatives to promote coordination between the Member States to address challenges caused by non-communicable diseases in the Union;
- (b) to advise the Commission in the selection of best practices to support Member States in their transfer and further implementation in the area of health promotion, disease prevention and management of non-communicable diseases by using the EU Health Programme or other financial instruments of the Union;
- (c) to support the Commission in monitoring the progress towards reaching the Sustainable Development Goal 3 under the 2030 Agenda for Sustainable Development 'Ensure healthy lives and promote well-being for all at all ages' and in particular towards reducing mortality due to non-communicable diseases;
- (d) to advise the Commission in its efforts to coordinate activities which contribute to reduction of premature mortality due to non-communicable diseases;
- (e) to advise the Commission on improving the uptake of research results in the area of health promotion, disease prevention and management of non-communicable diseases;
- (f) to assess the outcomes of transfer and implementation of best practices in cooperation with the Expert Group on Health Information which will provide advice on relevant health data in the area of health promotion, disease prevention and management of non-communicable diseases.

*Article 3***Consultation**

The Commission may consult the group on any matter referred to in Article 2.

*Article 4***Membership**

1. The group shall be composed of one member per Member State. The Member State shall inform the Commission of the authority it has designated as its member of the expert group.
2. The members shall each nominate their permanent representative and one alternate, who shall be civil servants or public employees. The members shall communicate this information to the Commission and shall be responsible for ensuring that their representatives provide a high level of expertise.
3. The members may also appoint representatives on an ad hoc basis, depending on the meeting agenda of the group.

*Article 5***Chair**

The group shall be chaired by a representative of the Directorate-General for Health and Food Safety of the Commission.

*Article 6***Operation**

1. The group shall act at the request of Directorate-General for Health and Food Safety, or other Commission departments if agreed with the Directorate-General for Health and Food Safety, in compliance with the horizontal rules.
2. Meetings of the group shall, in principle, be held on Commission premises.
3. Directorate-General for Health and Food Safety shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the group and its sub-groups.

4. In agreement with the Directorate-General for Health and Food Safety, the group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. The group shall adopt its opinions, recommendations or reports by consensus. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. Members who have voted against shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

#### *Article 7*

##### **Sub-groups**

1. Directorate-General for Health and Food Safety of the Commission may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
2. The members may nominate as their representatives in sub-groups civil servants or public employees who are not their permanent representatives in the expert group.

#### *Article 8*

##### **Invited experts**

Directorate-General for Health and Food Safety may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

#### *Article 9*

##### **Observers**

1. The representatives of the EFTA states that are parties to the Agreement of the European Economic Area may participate as observers in the meetings of the group.
2. The Chair may grant observer status to candidate countries and other third countries where it is in the interest of the Union that such country is involved in the work of the expert group, in particular based on an international agreement, an administrative arrangement or Union legislation. Public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

#### *Article 10*

##### **Rules of procedure**

On a proposal by and in agreement with Directorate-General for Health and Food Safety the group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules.

#### *Article 11*

##### **Professional secrecy and handling of classified information**

The members of the group and sub-groups, as well as invited experts, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443 <sup>(1)</sup> and (EU, Euratom) 2015/444 <sup>(2)</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

<sup>(1)</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

<sup>(2)</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

*Article 12***Transparency**

1. The group and sub-groups shall be registered in the Register of expert groups.
2. As concerns the group composition (the expert group and its sub-groups), the following data shall be published on the Register of expert groups:
  - (a) the name of Member States' authorities;
  - (b) the name of the public entities acting as observers.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available either on the Register of expert groups or via a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, the agenda and other relevant background documents shall be published in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council <sup>(1)</sup>.

*Article 13***Meeting expenses**

1. Participants in the activities of the group and sub-groups shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the group and sub-groups shall be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

*Article 14***Repeal**

The Decision setting up a Commission expert group on rare diseases and the Decision establishing a Commission expert group on Cancer Control are repealed.

*Article 15***Applicability**

This Decision shall apply until 31 December 2023.

Done at Brussels, 17 July 2018.

*For the Commission*

Vytenis ANDRIUKAITIS

*Member of the Commission*

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<sup>(1)</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).









