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⁽¹⁾ Text with EEA relevance.

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

COUNCIL

Resolution of the Representatives of the Governments of the Member States, meeting within the Council, on the representation of the EU Member States in the Foundation Board of WADA and the coordination of Member States' positions prior to WADA meetings

(2019/C 192/01)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES,

RECALLING:

1. The Conclusions of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 4 December 2000 on combating doping. ⁽¹⁾
2. The Conclusions of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 18 November 2010 on the role of the EU in the international fight against doping. ⁽²⁾
3. The Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 20 December 2011 on the representation of the EU Member States in the Foundation Board of WADA and the coordination of the EU and its Member States' positions prior to WADA meetings. ⁽³⁾
4. The Conclusions of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 15 December 2015, reviewing the 2011 Resolution on the representation of the EU Member States in the Foundation Board of WADA and the coordination of the EU and its Member States' positions prior to WADA meetings which provides that by 31 December 2018 the experience gained from the further application of this resolution shall be reviewed once more. ⁽⁴⁾

RECOGNISE THAT:

1. The European Union and its Member States should be able to exercise their competences and play their role during the preparation, negotiation and adoption, inter alia, of rules, standards and guidelines by the World Anti-Doping Agency (WADA).
2. Three seats in WADA's Foundation Board are allocated to the representatives from EU Member States.
3. It is necessary to provide for practical modalities concerning the participation of representatives from the EU Member States in WADA's Foundation Board, as well as the coordination of the positions of the EU and its Member States prior to CAHAMA ⁽⁵⁾ and WADA meetings. These practical modalities should reflect the duty of sincere cooperation and seek to promote unity in the EU's external representation while avoiding duplication of the work in CAHAMA.
4. The coordination of European continent positions prior to WADA meetings should take place within CAHAMA and it should be ensured that decisions taken in that body fully respect any applicable EU legislation.

⁽¹⁾ OJ C 356, 12.12.2000, p. 1.⁽²⁾ OJ C 324, 1.12.2010, p. 18.⁽³⁾ OJ C 372, 20.12.2011, p. 7.⁽⁴⁾ OJ C 417, 15.12.2015, p. 45⁽⁵⁾ The Ad Hoc European Committee for the World Anti-Doping Agency (CAHAMA) is a committee of experts responsible for coordinating the positions of States parties to the European Cultural Convention acting on behalf of the World Anti-Doping Agency (WADA).

5. There is a strong need for continuity and commitment in the EU Member States representation in the Foundation Board of WADA, which is supported by a political mandate and appropriate expertise.

CONSEQUENTLY AGREE THAT:

1. The representatives of the EU Member States in the Foundation Board of WADA will be at ministerial level and the seats will be allocated as follows:
 - one seat will be allocated to a person in charge of sport at ministerial level from one of the Member States forming the incumbent Trio Presidency,
 - one seat will be allocated to a person in charge of sport at ministerial level from one of the Member States forming the future Trio Presidency,
 - one seat will be jointly allocated by the Member States meeting within the Council to a person responsible for sport at ministerial level (hereafter 'expert at governmental level')
2. The arrangements regarding EU Member States representation in the Foundation Board of WADA as described in Annex I will take effect as from 30 June 2019, without prejudice to mandates approved prior to this date.
3. The representative from the incumbent Trio Presidency in the Foundation Board of WADA will report on the outcome of the meeting of the Foundation Board of WADA at the next meeting of the Education, Youth, Culture and Sport (EYCS) Council of the EU and will submit a written report on the outcome of that to the Council Working Party on Sport (WPS).
4. While avoiding duplication with CAHAMA, the delegates of the Member States meeting within the WPS may coordinate a common position on matters falling within the competence of the Member States, provided there is a clear added value of such a common position. The common position is subject to approval by the representatives of the Member States meeting within the Committee of Permanent Representatives (Coreper), unless Member States agree differently.
5. Any common position agreed by EU Member States must be consistent with any agreed EU position and will be presented at the CAHAMA meetings by the Presidency. The EU Member States should seek to include this common position in the European continent position prepared by CAHAMA.
6. The representatives from the EU Member States in WADA's Foundation Board will speak and vote on matters in accordance with the European continent's position agreed by CAHAMA, provided that such position is consistent with the EU *acquis*.
7. By 31 December 2021, the Representatives of the Governments of the Member States, meeting within the Council, will review the experience gained from the application of this Resolution and consider whether any adjustments to the arrangement established by this Resolution are needed.
8. This Resolution, including the attached Arrangements regarding the EU Member States' representation in the WADA Foundation Board, and the Practical Arrangements regarding preparations for the WADA meetings on matters falling within Union competence adopted by the Council on 23 May 2019, replace Resolution 2011/C/372/02 of the Representatives of the Governments of the Member States, meeting within the Council, on the representation of the EU Member States in the Foundation Board of WADA and the coordination of the EU and its Member States' positions prior to WADA meetings ⁽⁶⁾.

⁽⁶⁾ OJ C 372, 20.12.2011, p. 7.

ANNEX I

Arrangements regarding the EU Member States' representation in the WADA Foundation Board

The EU Member States agree on the following system of representation:

REPRESENTATIVES FROM THE MEMBER STATES FORMING THE INCUMBENT AND THE FUTURE TRIO PRESIDENCIES:

- The Member States forming the incumbent Trio Presidency will choose, after internal consultation, one of them as a representative of the EU Member States in the Foundation Board of WADA. The chosen Member State will designate, following its internal procedures, a representative to that effect. This representative will be the person responsible at ministerial level for sport within the Member State. The Member State chosen to provide a representative and the name of that representative will be notified to the General Secretariat of the Council of the EU (GSC).
- If the representative ceases his/her functions at ministerial level, the Member State will designate a replacement in charge of sport at ministerial level.
- The abovementioned rules will also apply to the Member States forming the future Trio Presidency.
- The term of office of the abovementioned representatives is three years.
- The representative from the Member States forming the future Trio Presidency will remain in office also after it has become the incumbent Trio Presidency in order to ensure the continuity and maintenance of the three-year term of office.

EXPERT AT GOVERNMENTAL LEVEL DESIGNATED JOINTLY BY THE MEMBER STATES MEETING WITHIN THE COUNCIL:

- Proposals for an expert representative will be submitted by the Member States no later than one month before the meeting of the Council of the EU during which the designation is to take place. The proposals will not include ministers from the Member States forming the incumbent Trio Presidency or the future Trio Presidency. The proposals for an expert representative shall be sent to the GSC.
- In case there is more than one candidature for the expert representative, the Presidency will seek the consensus of the Member States to organise an indicative ballot vote in the WPS in order to designate the expert representative. The voting procedure will be proposed by the Presidency and agreed upon also by consensus among Member States.
- The term of office of the expert representative will be three years unless his/she ceases his/her function at ministerial level in his/her Member State. In this case, a new designation procedure will be initiated. The current expert representative will remain in place until the new designation procedure has been completed. The term of office will be consistent with WADA rules and will in any event be limited to maximum of three terms.

TRANSITIONAL RULES:

- The existing rules on the representation of the EU Member States in the Foundation Board of WADA as set out in the abovementioned 2011 Resolution will apply until 30 June 2019.

APPROVAL PROCESS BY THE MEMBER STATES MEETING WITHIN THE COUNCIL:

- The approval of the expert at governmental level and the Member States chosen by the incumbent and the future Trio Presidencies to designate representatives to the Foundation Board of WADA will be made by the Member States meeting within the Council with sufficient advance notice.
 - The names of all the members of the Foundation Board of WADA who are representatives of the EU Member States will be notified via the GSC to WADA.
-

ANNEX II

Practical Arrangements regarding preparations for the WADA meetings on matters falling within Union competence

Without prejudice to Council's Rules of Procedure (CRP) and the Treaty on Functioning of the European Union (TFEU) provisions regarding EU's decision-making process, the Council hereby agrees on the following practical arrangements with a view to ensuring predictability and transparency in the process of preparing for the meetings of the European continent coordination in Council of Europe (CAHAMA) and for WADA meetings:

1. Ahead of every WADA meeting, the Commission is invited to prepare and submit to the Council a proposal for an EU position on matters within Union competence, with a focus on the EU *acquis*, sufficiently in advance of the meetings of CAHAMA and of WADA.
2. This draft EU position will be examined by the WPS.
3. Once the WPS agrees on a draft EU position on matters falling within the Union competences, such draft EU position will be submitted to Coreper for approval. Coreper may refer the matter to the Council for adoption as necessary or appropriate.
4. In cases of urgency, when positions need to be adopted in a short time period, the Presidency may seek agreement through written or silence procedure.
5. In case CAHAMA is called upon to adopt an act having legal effects, the Commission is invited to present a proposal for a Council decision in accordance with Article 218(9) TFEU in respect of that act.
6. At the CAHAMA meetings the Commission is invited to present the EU position, to the extent permitted by CAHAMA rules. Otherwise, the representative of the Presidency will present it.
7. At any time and where necessary, on the spot EU coordination meetings between the Member States and the Commission may be convened and chaired by the Presidency.
8. These Practical Arrangements and the Resolution of the Representatives of the Governments of the Member States, meeting within the Council, on the representation of the EU Member States in the Foundation Board of WADA and the coordination of Member States' positions prior to WADA meetings, adopted on 23 May 2019, replace Resolution 2011/C/372/02 of the Representatives of the Governments of the Member States, meeting within the Council, on the representation of the EU Member States in the Foundation Board of WADA and the coordination of the EU and its Member States' positions prior to WADA meetings ⁽¹⁾.

⁽¹⁾ OJ C 372, 20.12.2011, p. 7.

II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.9375 — Clearlake/Insight/Appriss)****(Text with EEA relevance)**

(2019/C 192/02)

On 23 May 2019, 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 ⁽¹⁾. 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 32019M9375. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Communication from the Commission amending Communication 2012/C 72/07 — Guidelines for the deduction of quotas under Article 105(1), (2) and (5) of Regulation (EC) No 1224/2009

(2019/C 192/03)

Following the complete entry into force of the landing obligation set up by Article 15 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽¹⁾, the Communication from the Commission — Guidelines for the deduction of quotas under Article 105(1), (2) and (5) of Regulation (EC) No 1224/2009 ⁽²⁾ is amended as follows:

(1) point 3(b) is replaced by the following:

‘(b) where the stock concerned is caught in a mixed fishery and a significant loss of quota would prevent the exploitation of the associated species in that mixed fishery catch; or’;

(2) point 5 is deleted.

⁽¹⁾ 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).

⁽²⁾ OJ C 72, 10.3.2012, p. 27.

IV

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

COUNCIL

**Council conclusions on an EU strategic approach to international cultural relations and a framework
for action**

(2019/C 192/04)

THE COUNCIL OF THE EUROPEAN UNION,

BUILDING UPON:

1. the Unesco Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005 ⁽¹⁾;
2. the Council conclusions of 23 May 2017 on an EU strategic approach to international cultural relations ⁽²⁾;
3. the New European Consensus on Development: 'Our world, our dignity, our future' of 7 June 2017 ⁽³⁾;
4. the Council conclusions of 23 May 2018 on the need to bring cultural heritage to the fore across policies in the EU ⁽⁴⁾;
5. the Council conclusions of 27 November 2018 on the Work Plan for Culture 2019-2022 ⁽⁵⁾;

WELCOMING:

6. the joint communication from the European Commission and the High Representative 'Towards an EU strategy for international cultural relations' of 2016;
7. the communication from the Commission 'A New European Agenda for Culture' of 2018;

TAKING NOTE OF:

8. the Report on the current state of the partnership between EU National Institutes for culture (EUNIC) clusters and EU delegations of July 2018 and its recommendations ⁽⁶⁾;
9. the launching of the 'European Houses of Culture' project, aimed at testing and implementing innovative models of collaboration between European actors and local stakeholders in non-EU countries ⁽⁷⁾;

ACKNOWLEDGING THAT:

10. the foreign policy of the European Union is based on the development of mutual political solidarity among Member States, the identification of questions of general interest and the achievement of an ever-increasing degree of convergence of Member States' actions;

⁽¹⁾ <https://en.unesco.org/creativity/convention>

⁽²⁾ OJ C 189, 15.6.2017, p. 38.

⁽³⁾ OJ C 210, 30.6.2017, p. 1.

⁽⁴⁾ OJ C 196, 8.6.2018, p. 20.

⁽⁵⁾ OJ C 460, 21.12.2018, p. 12.

⁽⁶⁾ <https://www.eunicglobal.eu/news/report-on-the-current-state-of-the-partnership-between-eunic-clusters-and-eu-delegations>

⁽⁷⁾ <https://www.eunicglobal.eu/european-houses-of-culture>

11. Union action in the area of culture is based on the EU's competence to carry out actions to support, coordinate or supplement actions of Member States;
12. cultural diversity and intercultural dialogue are an integral part of the values of the European Union and play an important role in the promotion of human rights, artistic freedom, respect and tolerance towards others, mutual understanding, conflict prevention, reconciliation and counter-extremism and contribute to democratisation, good governance and more peaceful societies;
13. being first and foremost a value in its own right, culture has positive socioeconomic effects, it improves the quality of life, and its positive role in external relations has gained increased recognition;

AIMING TO:

14. strengthen the effectiveness and impact of EU foreign policy by integrating international cultural relations in the range of its foreign policy instruments, especially with a long-term perspective;
15. improve the coherence of EU positions and actions at multilateral level in order to increase the effectiveness of the EU as a cohesive force in international relations, including by removing obstacles for all relevant stakeholders to operate effectively;
16. foster mutual learning, cross-cultural understanding and trust between the EU and its partners in external relations, while empowering local cultural sectors as engines for inclusive and sustainable development, social and cultural progress, and fostering cultural diversity, innovation and economic resilience;
17. mutually reinforce the external dimensions of the cultural policies, programmes and projects as well as cultural and creative dimension of international relations of the EU and its Member States by strengthening cross-sectoral cooperation between and within Union institutions and Member States;
18. seek synergies and complementarity between the activities undertaken by the EU and its Member States in third countries, including their diplomatic and consular representations and the EUNIC network;

WITH DUE REGARD FOR:

19. the respective spheres of competence of Member States, the Commission and the EEAS, as well as the principles of subsidiarity and complementarity;

RESPECTING:

20. cultural diversity, artistic freedom and the independence of the cultural sector;

RECOGNISING THE NEED FOR:

21. a cross-cutting approach to culture that includes cultural and creative industries, arts, science, education, tourism and cultural heritage, etc.;
22. continuing the fight against illicit trafficking of cultural goods;
23. inclusiveness: the involvement of Member States in third countries should be encouraged and facilitated, including where they have no diplomatic and consular representations;
24. a new spirit of dialogue, mutual understanding and learning, which entails the cooperation with local stakeholders and civil society at all levels (planning, design, implementation) and on an equal footing, aiming at bottom-up and people-to-people approach, local empowerment, participation and co-creation;
25. a decentralised approach, requiring policies and projects adapted to local context, needs and aspirations;
26. explaining and awareness raising, including on the respective roles and mutual expectations of EU institutions and Member States, along with their diplomatic and consular representations, cultural institutes and networks such as EUNIC, as well as other stakeholders;
27. flexibility when designing financing and administrative tools, in order to support also small and medium-sized projects and match local capacities;

THEREFORE ESTABLISHES THE FOLLOWING FRAMEWORK FOR ACTION BY INVITING THE MEMBER STATES TO:

28. enhance, where appropriate, collaboration between the relevant ministries, particularly ministries of culture and foreign affairs;
29. where relevant, develop further existing networks for knowledge and competence development and encourage exchange between academia and practitioners in the field of international cultural relations;
30. make use, when holding the Presidency of the Council of the EU, of the informal meetings of senior officials in ministries of culture and senior officials for culture in ministries of foreign affairs to analyse and accompany the implementation of this strategic approach, in addition to meetings of the Council and its relevant geographic and thematic preparatory bodies, which remain the principal authority for political guidance, decision shaping and decision taking;
31. strengthen their participation in the preparation, implementation, monitoring and evaluation of common local cultural strategies and projects in third countries. EUNIC and the cooperation between diplomatic and consular representations could contribute to the achievement of this objective;

CALLING ON THE COMMISSION AND THE HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY TO:

32. embed the principles and objectives of this strategic approach and strengthen collaboration with relevant Council bodies in the design and implementation of existing and future thematic and geographic frameworks, such as in the context of enlargement, development and ENP countries or strategic partners;
33. ensure the appropriate expertise in the field of cultural relations;
34. designate 'cultural focal points' and ensure adequate capacities for culture in EU delegations;
35. establish a single web contact point with access to information on EU policies, programmes and actions undertaken by the Commission and EEAS regarding international cultural relations;
36. include the aspect of international cultural relations, where appropriate, in the regular reporting on foreign policy actions and programmes, including in the context of the Global Strategy;

CALLING ON THE MEMBER STATES, THE COMMISSION AND THE HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY, WITHIN THEIR RESPECTIVE SPHERES OF COMPETENCE AND WITH DUE REGARD FOR THE PRINCIPLE OF SUBSIDIARITY AND COMPLEMENTARITY, TO:

37. strengthen coordination, synergies and strategic guidance on the best way to promote international cultural relations, in particular through regular engagement of the Council and its relevant preparatory bodies and dedicated expert groups;
38. further strengthen the role of culture in policies and programmes within the framework of external relations, including under the CSFP;
39. promote cooperation along the objectives of this strategic approach with third countries and relevant international organisations, in particular Unesco and the Council of Europe;
40. increase efforts to reach common EU positions in multilateral fora and networks and, where appropriate, speak with one voice on issues having an impact on international cultural relations;
41. support efforts to strengthen the role of culture as a horizontal enabler for Sustainable Development Goals;
42. facilitate, through the appropriate institutional and legal frameworks and support measures, the mobility of artists and cultural professionals between the EU and third countries;
43. develop partnerships with international organisations and institutions that promote the role of culture and cultural heritage in bringing peace to conflict and post-conflict areas;

44. put particular effort into the implementation of common projects and joint actions in third countries based on a common strategic vision developed at local level by the Member States, their diplomatic and consular representations, their cultural institutes, EUNIC, EU delegations and local stakeholders; adequate frameworks and instruments should be developed for that purpose;
 45. make better use of existing fora, mechanisms, networks and databases for sharing information and exchanging good practices, including the Cultural Diplomacy Platform.
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ANNEX

Main political references

- Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954;
 - Unesco Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970;
 - Unesco Convention concerning the Protection of the World Cultural and Natural Heritage of 1972;
 - Unesco Convention for the Safeguarding of the Intangible Cultural Heritage of 2003;
 - Unesco Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005;
 - United Nations 2030 Agenda for Sustainable Development of 2015;
 - Council of Europe Conventions on culture, architectural heritage, archaeological heritage, value of cultural heritage for society and landscape;
 - Council conclusions of 20 November 2008 on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States;
 - Council conclusions of 24 November 2015 on culture in the EU's external relations with a focus on culture in development cooperation;
 - Council conclusions of 17 October 2016 on the Global Strategy on the EU's Foreign and Security Policy.
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**Council conclusions on improving the cross-border circulation of European audiovisual works,
with an emphasis on co-productions**

(2019/C 192/05)

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING:

the political background as established in Annex I⁽¹⁾ to these conclusions, and in particular the Work Plan for Culture 2019-2022, adopted on 27 November 2018,

RECOGNISES THAT:

1. Europe's cultural and linguistic diversity represents an important asset for the European audiovisual sector. Taking full advantage of digital online technologies, audiovisual content can overcome geographic and linguistic borders, promoting cultural diversity and shared European values, thus fostering a sense of belonging to a common cultural space and the competitiveness of the European audiovisual sector.
2. Audiovisual works, in particular films, series and serials, both for cinema release and for audiovisual media services, reflect the richness and diversity of European cultures and constitute a heritage which needs to be promoted and preserved for and by future generations.
3. Digital development made possible the co-existence of cinema theatres and linear and non-linear audiovisual media services, which has impacted audience habits and preferences⁽²⁾. However, cinema theatres remain the main platform for exploitation of feature films⁽³⁾.
4. Important steps have been taken at European level to address online audiovisual piracy, but further efforts are needed to strengthen the creative economy in the digital age, to protect its cultural diversity and to ensure that more works are available to people across Europe and beyond.
5. Generally, the circulation of audiovisual works is stimulated by national and international funding measures related to promotion and marketing, including during the development stage through different digital means, as well as screenings in festivals etc. The European audiovisual legal framework, in particular the Audiovisual Media Services Directive, is an important pillar in ensuring the visibility of European audiovisual productions in EU countries.
6. Studies⁽⁴⁾ by the European Audiovisual Observatory reveal that a large proportion of films produced in the EU are European co-productions and point to the advantages of co-producing, namely the possibility to reach larger audiences and markets than national films⁽⁵⁾ and to benefit from more financing sources, including public funding⁽⁶⁾. Furthermore, co-productions result from creative, financial and practical cooperation based on expertise-sharing and they build bridges between different geographic and linguistic areas and contexts, having positive effects on both majority and minority co-production partners and on the entire audiovisual sector.

⁽¹⁾ Annex I lists relevant documents related to the issues in question (legislative acts, Council conclusions, European Commission communications etc.).

⁽²⁾ In 2017, according to the European Audiovisual Observatory, the average share of EU films in 37 subscription video-on-demand (SVOD) country catalogues was 20 %.

On average, 22 % of the films produced yearly in the EU were co-productions, ranging from 24 % in the catalogue of Flimmit to 53 % in the catalogues of Horizon/UPC Prime. In the 27 Netflix catalogues, 36 % of the films were co-productions on average.

Concerning the films produced and released in EU cinemas between 2005 and 2014, 64 % were of EU origin, 16 % of US origin, 15 % of international origin and 4 % of other European origin. EU non-national co-productions comprised the majority of EU non-national films in the catalogues.

⁽³⁾ Only 47 % of European films released in cinemas over the same period were included on at least one video-on-demand (VOD) service, while European films represented around 25 % of total films on VOD platforms.

See studies 1 and 4 by the European Audiovisual Observatory, listed in Annex II.

⁽⁴⁾ See studies 1-3 in Annex II.

⁽⁵⁾ Co-productions accounted for 24 % of Europe's total production between 2005 and 2014, but worldwide admissions to co-productions amounted to 50,3 % of overall admissions to European films (56,9 % for EU films), slightly exceeding the admissions for purely national films. On average admissions for European co-productions are more than three times higher than admissions for purely national films.

⁽⁶⁾ See study 4 in Annex II.

7. Improving the cross-border circulation of audiovisual works via different platforms and catalogues requires a coherent approach to policies in this field, including with respect to the use of new technologies such as artificial intelligence.
8. A fit-for-purpose regulatory framework and complementarity between different funding sources are necessary to encourage high-quality creation and production in the audiovisual sector, taking into account the specificities of audiovisual markets and their capacities, the existing support policies and measures at national level, as well as the specificities of the financing and licensing mechanisms for certain audiovisual works, often based on exclusive territorial licensing. Most often, national film funds with different support schemes and different types of grants, loans, fiscal incentives and European funding mechanisms for multilateral projects, such as the MEDIA sub-programme and Eurimages, provide the audiovisual sector with critical resources for its projects. Whilst new funding tools are being tested and developed, pre-sales to and investments from public and private broadcasters and distributors from different countries continue to be essential for European film financing ⁽⁷⁾. From regional to European level, public funds have developed increasing financial opportunities, including production incentives and minority co-production schemes.
9. The European audiovisual sector is characterised by geographical and/or linguistic specificities, which can cause market fragmentation. With a view to overcoming this, co-productions can strengthen the international circulation of audiovisual works and can contribute to enhancing national production and distribution capabilities and increasing competitiveness and visibility of national audiovisual productions.
10. The presence of co-productions at film festivals has the potential to ensure the visibility of quality works and enhance their circulation. Film festivals also play an important part in fostering cooperation (e.g. sharing of resources and know-how) between different actors in the value chain.

HIGHLIGHTING IN THIS CONTEXT THAT:

11. An Open Method of Coordination (OMC) expert group on the circulation of European films was established in the framework of the Work Plan for Culture 2015-2018. It recommended that more investment in co-productions be encouraged by incentivising co-productions in national legal frameworks and audiovisual support schemes, including by supporting bilateral co-production or co-development funds. It also recommended that co-productions among diverse partners from a wide range of Member States be encouraged.
12. Against the backdrop of the Work Plan for Culture 2019-2022, a new OMC expert group will focus on co-productions in the audiovisual sector. The group should build on the work of the OMC expert group on the circulation of European films and is expected to assess more specifically the issue of co-productions, including with non-EU countries, and report to the Council with concrete recommendations.
13. In light of the developments mentioned above, it is necessary to focus, within the limit of existing resources, on two lines of action:

A. DIRECT MEASURES TO ENCOURAGE CO-PRODUCTIONS

THE COUNCIL OF THE EUROPEAN UNION,

UNDERLINES THAT:

14. Both majority and minority co-production partners benefit from the opportunities provided by cooperation, in terms of funding, technical facilities, expertise and knowledge, high production values and the enhanced circulation derived from co-producing.
15. National film funds, institutes and agencies — often in the context of co-production agreements — contribute significantly to the development and marketing of co-productions in Europe by supporting them in all phases (development, production and distribution).
16. The MEDIA sub-programme 2014-2020 comprises many different funding schemes and actions encouraging and supporting European co-productions. Its direct support to co-productions includes the operation of international co-production funds, specific actions under the development (single and slate funding) and the TV programming scheme, and support for distribution strategies improving the circulation of financed works.

⁽⁷⁾ Presales to broadcasters and distributors in various territories accounted in total for 41 % of cumulative financing volume in a sample of 445 European feature films. See study 5 in Annex II.

17. Whilst bilateral co-production treaties or agreements facilitate access to national funding and support systems, the Council of Europe Convention on Cinematographic Co-Production (1992, revised in 2017) provides a comprehensive legal framework and standards for multilateral co-productions and for bilateral co-productions between parties that have not entered into a bilateral treaty.
18. Eurimages, the cultural support fund of the Council of Europe, is a very important instrument for providing financing for co-productions and is relevant for the distribution and exploitation of feature-length films, animations and documentary films.
19. Co-productions among countries that are close geographically and/or culturally have in some cases enhanced the practice of structured cooperation across the value chain.
20. Both European and international co-productions, most often supported by the above mentioned regional, national and European funds, have demonstrated an enhanced circulation potential and have very frequently been awarded with the most prestigious world film prizes and distinctions.
21. New opportunities offered by the digital environment are increasingly being used by producers in the structure and process of international co-production.
22. Different administrative requirements among public funding bodies and various sets of rules at regional, national, and European level may sometimes represent a challenge for co-producing partners, from a technical, artistic and financial point of view.
23. Whilst the scope of these conclusions is limited to co-productions among European countries, it is important to underline the increasing interest of Europe's audiovisual sector in co-productions with key non-European countries. Besides involving talents from all over the world, this has a high potential to increase the international circulation of co-produced European works.

INVITES MEMBER STATES AND THE COMMISSION, WITHIN THE SPHERES OF THEIR RESPECTIVE COMPETENCES, TO:

24. continue to encourage European co-productions between countries with various audiovisual capacities and/or between countries with a restricted linguistic or geographical area, as well as the circulation and visibility of these works;
25. intensify their efforts to share good practice and identify solutions for the administrative simplification, coherence and transparency of the rules of different public funds, including through digital technologies, in order to further facilitate European co-productions;
26. take into account the possibility of improving the circulation, promotion and exploitation of films when designing their support schemes and consider assessing their public funding schemes in light of clear objectives regarding the quality of co-funded works and their potential to circulate within the EU;
27. encourage all players, including online service providers, to share audience data with public authorities and rightsholders and make use of this data to know and better understand their audience in order to adapt support schemes accordingly.

INVITES MEMBER STATES TO:

28. consider implementing support schemes, including schemes for minority co-productions, to supplement private funding and European financial instruments, in order to encourage the production and promotion of European works on all platforms;
29. further support regional and national funds in their key role of facilitators of co-productions, ensuring where possible complementarity with support measures;
30. make use of new technologies in the digitisation of the contractual and funding process in order to simplify access to financing, ensure a more efficient and transparent use of public money and reduce the number of legal issues arising in relation to co-production;
31. highlight the role of independent producers in the co-production process.

INVITES THE COMMISSION TO:

32. explore ways of further developing, promoting and simplifying funding opportunities for co-productions under the MEDIA sub-programme;
33. promote measures to achieve better visibility and circulation of European audiovisual works, while ensuring a level playing field that takes into account the geographic and linguistic specificities of the Member States in terms of production, distribution and audience capacities;

34. consider options for increasing the visibility of all co-production partners — both majority and minority partners — for works supported by the MEDIA sub-programme;
35. present, in cooperation with the European Audiovisual Observatory, an assessment of co-productions in Europe, including an inventory of market-access opportunities for co-productions, suggesting ways to enhance their cooperation;
36. strengthen its cooperation, structured policy dialogue and exchange of best practices with relevant regional bodies and national bodies, European film agencies, the European Film Agency Directors (EFADs), as well as with the Council of Europe, in particular Eurimages and the European Audiovisual Observatory, exploring possible synergies and collaboration opportunities and informing Member States of the results of these exchanges;
37. explore options to support initiatives such as creative labs or writing rooms, where producers, writers and directors can work together on the development of co-productions.

B. SUPPORTING A SUSTAINABLE ECOSYSTEM FOR CO-PRODUCTIONS

THE COUNCIL OF THE EUROPEAN UNION,

UNDERLINES THAT:

38. The potential of European co-productions can be further exploited by cultivating an ecosystem that encourages and promotes co-produced works all along the value chain. This includes implementing measures to support co-productions indirectly, but also facilitating collaboration at the scriptwriting and development stage, and the distribution of and access to co-produced works following their release.
39. As recommended by the OMC expert group on the circulation of European films in general, in order to increase circulation, action is needed in areas such as promotion, cinemas, festivals, VOD, audience data, support schemes, policy cooperation, access to finance, and monitoring of public funding results.
40. Transparency of the financial support offered to co-productions should be ensured. In particular, information concerning direct and indirect public funding received by co-production projects from different sources — be they (sub)national or European — should be accessible to the public financing bodies.
41. Under the MEDIA sub-programme, indirect measures to encourage co-productions include training, access to markets and international networking activities encouraging and increasing the capacity for cross-border cooperation.
42. Distribution and exploitation are key stages in building audience for co-produced works. The Europa Cinemas Network, funded by the MEDIA sub-programme, provides significant support for the screening of non-national European films. However, more efforts are needed to ensure that co-produced works are widely distributed, exploited, and promoted internationally on all distribution channels and platforms. In particular, cooperation in promoting co-produced works is key to ensuring their international success.
43. Audiovisual policies are generally centred on the supply of high-quality, culturally and linguistically diverse content. It is essential to develop audiences for high-quality, original and innovative European audiovisual works and support the visibility of and access to this type of content. According to the European Audiovisual Observatory, there is a significant imbalance between the number of European films released and their share of total admissions and therefore it is essential to strengthen connections between films and their intended audiences.
44. With respect to the distribution of audiovisual works through digital platforms, it is important to ensure a balanced ecosystem and respect for copyright, as a means of supporting creativity.
45. Talent lies at the heart of Europe's audiovisual sector. Investing in European audiovisual professionals — including in their training — therefore remains a precondition for a competitive ecosystem.

INVITES THE MEMBER STATES AND THE COMMISSION, WITHIN THE SPHERES OF THEIR RESPECTIVE COMPETENCES AND WITHIN THE LIMIT OF EXISTING RESOURCES, TO:

46. Further support the audiovisual sector and consider the use of sectoral programmes to fulfil this objective.

47. Continue to promote measures providing indirect support to co-productions, including international networking, trainings for film professionals, talent development, co-production workshops, exchange of good practices and cooperation activities, as collaborative creative processes have the potential to generate high-quality and successful projects.
 48. Assess whether it would be opportune to establish specific measures to encourage young professionals to develop and launch their first projects, thus contributing to the development of European cinema.
 49. Facilitate audience access to audiovisual works and content through measures that encourage broader cross-border promotion and distribution, including the development of digital technologies for dubbing and subtitling in as many European languages as possible. This includes audiovisual works co-produced by countries or regions whose languages are less widely spoken, with a view to promoting linguistic diversity while at the same time overcoming barriers raised by language or special needs.
 50. Step up efforts to ensure that co-produced works are supported and promoted all along the value chain, including at cross-border level, and that they reach the largest international audience possible.
 51. Continue to cooperate on the development of a Directory of European Films, which will bring further visibility and transparency to European co-produced works available online.
 52. Encourage structured and comprehensive dialogue with the broadest possible range of private stakeholders, to maintain their ongoing commitment to contributing to the co-productions ecosystem and to ensure the complementarity of sources of funding.
 53. With due regard to subsidiarity, further encourage and support film literacy initiatives in formal, informal and non-formal education, providing young Europeans with creative skills and fostering their innovative potential. Film literacy has a fundamental role in engaging the young generations and enabling them to discover and appreciate European film heritage and cultural diversity.
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ANNEX I

Legislative Acts

1. Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) (OJ L 347, 20.12.2013, p. 221).
2. Regulation (EU) 2017/1128 of the European Parliament and of the Council of 14 June 2017 on cross-border portability of online content services in the internal market (OJ L 168, 30.6.2017, p. 1).
3. Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities (OJ L 303, 28.11.2018, p. 69).

Council Conclusions

4. Council conclusions on European film heritage, including the challenges of the digital era (OJ C 324, 1.12.2010, p. 1).
5. Council conclusions on the strengthening of European content in the digital economy (OJ C 457, 19.12.2018, p. 2).
6. Council conclusions on the Work Plan For Culture 2019-2022 (OJ C 460, 21.12.2018, p. 12).
7. Conclusions of the European Council meeting on 14 December 2017, EUCO 19/1/17.

Council Recommendations

8. Council Recommendation on key competences for lifelong learning (OJ C 189, 4.6.2018, p. 1).

Communications from the Commission

9. Communication from the Commission on opportunities and challenges for European cinema in the digital era, 24 September 2010, COM(2010) 487 final.
10. Communication from the Commission on A New European Agenda for Culture, 22 May 2018, COM(2018) 267 final.

International conventions

11. Unesco Convention of 20 October 2005 on the Protection and Promotion of the Diversity of Cultural Expressions.
 12. Council of Europe Convention on Cinematographic Co-Production (revised), 30 January 2017.
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ANNEX II

European Audiovisual Observatory studies

13. How do films circulate on VOD services and in cinemas in the European Union? A comparative analysis, Christian Grece, 2016.
 14. Film production in Europe. Production volume, co-production and worldwide circulation, Julio Talavera Milla, 2017.
 15. YearBook 2017/2018. Key trends. Television, cinema, video-on-demand audiovisual services — the pan-European picture, Francisco Cabrera, Gilles Fontaine, Christian Grece, Marta Jimenez Pumares, Martin Kanzler, Ismail Rabie, Agnes Schneeberger, Patrizia Simone, Julio Talavera, Sophie Valais, 2018.
 16. The legal framework for international co-productions, Francisco Javier Cabrera Blázquez, Maja Cappello, Enric Enrich, Julio Talavera Milla, Sophie Valais, 2018, IRIS Plus.
 17. Fiction film financing in Europe: A sample analysis of films released in 2016, Martin Kanzler, 2018.
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**Conclusions of the Council of the European Union and the Representatives of the Member States
meeting within the Council on Access to sport for persons with disabilities**

(2019/C 192/06)

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
MEETING WITHIN THE COUNCIL,

WHEREAS:

1. By 2020, the EU is expected to have 120 million people with disabilities. The EU promotes equality of opportunity and accessibility for people with disabilities. A fundamental part of its strategy involves working towards a barrier-free Europe ⁽¹⁾.
2. The general principles set out in Article 3, the definition of universal design as set out in Article 2 and the specific provisions on participation in cultural life, recreation, leisure and sport set out in Article 30 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) ⁽²⁾ are particularly relevant for the participation in sport activities of persons with disabilities on an equal basis with others.
3. In the EU, disability and illness are often cited as reasons for not participating in sport and physical activities ⁽³⁾.
4. Sports can be specifically designed for persons with disabilities or adapted in order to enable access for persons with disabilities regardless of the type of impairment, be it physical, intellectual or sensory. In certain conditions, sports for persons with disabilities can be practised alongside those without disabilities, which demonstrates sport's inclusive nature.
5. Sport's values in relation to social inclusion, and in particular the role of sport in promoting and achieving the integration of minority and marginalised groups, are broadly recognised.
6. Major sport events for persons with disabilities have grown in popularity, as shown by the most recent Summer and Winter Paralympic Games which drew a mass audience of TV viewers worldwide and by the continuing practice of organising major international events for persons with disabilities.

EMPHASISES THAT:

7. Persons with disabilities have a higher probability of being subject to socioeconomic disadvantage such as poverty and low-income rates, social isolation, discrimination, limited access to the labour market, limited access to transport, fewer educational opportunities and health-related aspects. These issues negatively impact the possibilities of a person with disabilities to participate in sport.
8. Directly related to a sport context, persons with disabilities may have to overcome challenges such as:
 - a) The severity of an impairment may restrict mobility and even cause physical pain in certain sports training or playing situations. This, combined with various barriers, can be compounded by a negative or limiting perception of one's own disability, in particular a lack of confidence in one's ability to play sports.
 - b) The need of specialised skills and knowledge regarding disability amongst those working with persons with disabilities in a sport-related physical activity setting, in particular physical education teachers, sports coaches and other sports staff.
 - c) The availability of accessible sports infrastructure in relation to sports training or attendance facilities, sports facilities in which sports for persons with disabilities are practised, or sport events in which persons with disabilities can participate.
 - d) The additional financial costs related to the acquisition of specialised sports equipment or support services, without which training or playing a sport would not be possible.

⁽¹⁾ <https://ec.europa.eu/social/main.jsp?catId=1141#navItem-3>

⁽²⁾ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

⁽³⁾ TNS Opinion & Social (2018); Sport and physical activity, Special Eurobarometer 472; Survey requested by the European Commission, Directorate-General for Education, Youth, Sport and Culture and coordinated by the Directorate-General for Communication Disability; Fieldwork, December 2017.

9. Participation in sport should be considered from the perspective of practising sports as a form of physical activity and from the perspective of participating in social activities, for instance attending sport events or being active in a sports community as a volunteer, a member of a sports club or a fan club.
10. Participation in sport can contribute to improving the well-being of persons with disabilities as well as their physical and mental health, while increasing personal mobility and autonomy and promoting social inclusion.
11. Practising sports from an early age entails added benefits for persons with disabilities, owing to the positive effect on motor skills development, which is key to improving a person's overall quality of life.
12. Increased media attention given to elite level sport for persons with disabilities events or athletes with disabilities can inspire persons with and without disabilities to take up sports. In order to increase the attractiveness of sport for persons with disabilities, efforts should be made to ensure that grassroots-level sport receives adequate levels of media attention, without prejudice to the freedom of the media.
13. Assistive technology can be important in helping persons with disabilities participate in sport activities, both at grassroots and elite levels. However, its widespread availability and affordability can be a concern.
14. Implementing and complying with rules on anti-doping and rules designed to combat match-fixing, as well as ensuring accurate disability assessment and the fair use of assistive technology are key to promoting the sustainable development of sport for persons with disabilities.
15. Voluntary work is critical to the support of the sports sector, including to sport for persons with disabilities.
16. It is important to include a gender perspective in strategies and policies aimed at increasing participation of persons with disabilities in sport.
17. Sport can provide an arena for social interactions between persons with and without disabilities, which makes sport a valuable tool for promoting inclusion and mutual understanding.

INVITES THE MEMBER STATES, IN LINE WITH THE SUBSIDIARITY PRINCIPLE AND AT THE APPROPRIATE LEVELS, TO:

18. Support social awareness and educational campaigns for family members, legal guardians, personal assistants, physical education teachers, coaches, sport staff and other relevant actors in the sporting community, with or without disabilities, with a view to promoting an open and welcoming approach for persons with disabilities as well as an appropriate understanding of the opportunities and benefits of participation in sport activities for all, including children and adults with disabilities. Where appropriate, offer assistance to family members and legal guardians of persons with disabilities, with a view to fostering the latter's participation in sport.
19. Support the further education and training of physical education teachers, coaches, other sports staff and volunteers in general, with or without disabilities, by equipping them with the necessary knowledge, specific skills and appropriate competence recognition to enable them to include persons with disabilities in different physical education or sports settings. Such training programmes should take into account the differences between the needs of participation-oriented and performance-oriented persons.
20. Take action to ensure access of persons with and without disabilities to sports infrastructure, including attendance at sports events, training or participation in sports. Measures can comprise developing or enhancing accessibility standards within sports facilities, providing individualised human support, making funds available, increasing awareness among sports organisations at national, regional and local levels of existing EU funding opportunities, or facilitating as appropriate the participation of representatives of athletes with disabilities in relevant bodies of sports organisations.
21. Where appropriate in the national school systems, promote inclusive sport and physical education programmes, in order to meet the needs of children with disabilities, with a view to offering equal opportunities for all children by stimulating their participation in sports-related physical activities and encourage their interest in sport.

22. Use existing channels of cooperation between Member States so as to promote the exchange of expertise and good practice with a view to improving access to sport for persons with disabilities.
23. Address the issue of high-level and high-performance athletes in the context of equal opportunities and non-discrimination of persons with disabilities, and foster cooperation and exchange of best practices in this regard between the bodies responsible for sports in the Member States.

INVITES THE MEMBER STATES AND THE EUROPEAN COMMISSION, IN THEIR RESPECTIVE AREAS OF COMPETENCE, TO:

24. Consider offering financial support for organisations specifically dedicated to promoting sports for persons with disabilities and for conventional sports organisations that develop sports activities for persons with disabilities, inter alia, with a view to bringing the two sporting communities closer together.
25. Promote and support actions, where appropriate at EU level, related to the regular collection of statistics and development of indicators regarding sport and disability, such as sports participation rates, barriers to participation, the numbers of persons with disabilities who are registered with sports clubs or the level of interest in sport ⁽⁴⁾.
26. Consider addressing, in the work of relevant expert groups, the full and effective participation of persons with disabilities in sport, including the specific skills and training needed with regard to the coaching of persons with disabilities ⁽⁵⁾.
27. Make use of the sports-related funding part of Erasmus+ to promote sport among persons with disabilities and the exchange of good practices and policies between Member States and stakeholders; of the European Social Funds for professional training of sport staff or for inclusion through sport activities; of the European Regional Development Funds to address accessibility of sport infrastructures; and use research results of projects funded via Horizon Europe as appropriate to foster innovative solutions in order to get persons with disabilities involved in sports.
28. Where appropriate, promote such funding opportunities and the results of the financed projects among persons with disabilities, sports organisations and other relevant non-governmental actors.
29. Raise awareness on the positive outcomes arising as a result of the work being done in the area of sport for persons with disabilities, including on the positive impact that sport has in terms of social inclusion of persons with disabilities.

INVITES THE EUROPEAN COMMISSION TO:

30. Continue including sport in future key actions that will support future disability policies by building on the experience to date in the implementation of the current European Disability Strategy,
31. When sport topics are discussed with social partners in EU-level social dialogue processes, include EU policies and measures that address the needs of persons with disabilities and foster the participation of persons with disabilities and their representative organisations ⁽⁶⁾.
32. Take the opportunity of the European Access city Award to give visibility to cities facilitating access to sport facilities for persons with disabilities, and assess how the experience of the European Disability Card can contribute to increasing the attendance levels at sport events also by persons with disabilities.
33. Mainstream sport for persons with disabilities in various sport issues addressed at EU level such as dual careers of athletes or Health Enhancing Physical Activity (HEPA) ⁽⁷⁾.

⁽⁴⁾ In line with Article 31 of the UN CRPD.

⁽⁵⁾ In line with Article 30 of the UN CRPD.

⁽⁶⁾ In line with Article 4(3) of the UN CRPD.

⁽⁷⁾ <http://www.euro.who.int/en/health-topics/disease-prevention/physical-activity/activities/hepa-europe>

INVITES THE SPORT MOVEMENT TO:

34. Promote, in close cooperation with persons with disabilities and their representative organisations, the participation of persons with disabilities in mainstream sporting activities at all levels ⁽⁸⁾, with a view to contributing to the successful fulfilment of sport's social and educational function.
35. Make use of existing solidarity mechanisms, in particular at professional sport level, so that sport for persons with disabilities can be adequately funded.
36. Adopt an inclusive approach when designing sports competition systems or promoting sports participation in general by encouraging measures such as holding competitions and award ceremonies for athletes with and without disabilities at the same time and in the same venue. In the same spirit, facilitate where appropriate the inclusion of persons with disabilities in the training sessions or teams of persons without disabilities.
37. Ensure that training, sports and hospitality facilities are accessible ⁽⁹⁾, and that reasonable accommodation is provided ⁽¹⁰⁾ to address the needs of persons with disabilities.
38. Increase awareness among persons with disabilities with regard to existing sports practising and training opportunities that respond to their needs.
39. Build partnerships with relevant institutional actors that are from the private or public sector and which are active in the disability sector, in order to better understand the needs and interests of persons with disabilities and encourage increased participation in sports programmes ⁽¹¹⁾.

⁽⁸⁾ In line with Article 30(5) of the UN CRPD.

⁽⁹⁾ In line with Article 9 of the UN CRPD.

⁽¹⁰⁾ In line with Article 5(3) of the UN CRPD.

⁽¹¹⁾ In line with Article 4(3) of the UN CRPD.

ANNEX

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
MEETING WITHIN THE COUNCIL RECALL:

1. Article 165 of the Treaty on the Functioning of the European Union ⁽¹⁾, that underlines the social and educational function of sport.
2. The United Nations Convention on the Rights of Persons with Disabilities ⁽²⁾, to which the EU is a party, and which recognises, for instance, the right of persons with disabilities to take part on an equal basis with others in cultural life, recreation, leisure and sport.
3. The European Commission Communication on a European Disability Strategy 2010-2020: a Renewed Commitment to a Barrier-Free Europe, which with regard to sport, emphasises the need to improve accessibility to sport, promote participation in sports events and encourage the organisation of disability-specific sports events ⁽³⁾.
4. The Council Conclusions on the support of the implementation of the European Disability Strategy 2010-2020 ⁽⁴⁾.
5. The Regulation (EU) No 1288/2013 of 11 December 2013 establishing 'Erasmus+: the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC ⁽⁵⁾.
6. The Council Resolution on the European Union Work Plan for Sport (2017-2020) ⁽⁶⁾, which places particular emphasis on social inclusion.
7. The Council Conclusions on the role of sport as a source of and a driver for active social inclusion ⁽⁷⁾.
8. The Council Conclusions on the contribution to sport to the EU economy, and in particular to addressing youth unemployment and social inclusion ⁽⁸⁾.
9. The Council Conclusions on sport as a platform for social inclusion through volunteering ⁽⁹⁾.
10. The Council Conclusions on the role of coaches in society ⁽¹⁰⁾.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E165>

⁽²⁾ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

⁽³⁾ Doc. 16489/10 — COM(2010) 636 final.

⁽⁴⁾ OJ C 300, 11.10.2011, p. 1.

⁽⁵⁾ OJ L 347, 20.12.2013, p. 50.

⁽⁶⁾ OJ C 189, 15.6.2017, p. 5.

⁽⁷⁾ OJ C 326, 3.12.2010, p. 5.

⁽⁸⁾ OJ C 32, 4.2.2014, p. 2.

⁽⁹⁾ OJ C 189, 15.6.2017, p. 40.

⁽¹⁰⁾ OJ C 423, 9.12.2017, p. 6.

Notice for the attention of certain persons and entities subject to the restrictive measures provided for in Council Decision 2014/145/CFSP and Council Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(2019/C 192/07)

The following information is brought to the attention of Mr. Alexander Mihailovich NOSATOV (no. 27), Mr. Sergey Gennadevich TSYPLAKOV (no. 47), Mr. Igor Sergeievich SHEVCHENKO (no. 61), Mr. Igor PLOTNITSKY (no. 70), Mr. Vladimir Petrovich KONONOV (no. 97), Mr. Andrey Yurevich PINCHUK (no. 100), Mr. Oleg Vladimirovich BEREZA (no. 101), Mr. Ihor Vladymyrovych KOSTENOK (no. 130), Vladyslav Mykolayovych DEYNEGO (no. 132), Mr. Eduard Aleksandrovich BASURIN (no. 137) Mr. Alexandr Vasilievich SHUBIN (no. 138), Mr. Sergey Yurevich IGNATOV (no. 140), Mr. Aleksandr Yurievich TIMOFEEV (no. 142), Ms. Olga Igorevna BESEDINA (no. 145), Mr. Aleksandr Yurevich PETUKHOV (no. 164), Ms. Olga Valerievna POZDNYAKOVA (no. 167) and Mr. Vladimir Yurievich VYSOTSKIY (no. 173), and the State Unitary Enterprise of the 'Republic of Crimea' Production-Agrarian Union "Massandra" (no. 18), Sparta battalion (no. 30), Oplot battalion (no. 34) and Kalmius battalion (no. 35), persons and entities appearing in the Annex to Council Decision 2014/145/CFSP ⁽¹⁾ and in Annex I to Council Regulation (EU) No 269/2014 ⁽²⁾ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

The Council is considering maintaining the restrictive measures against the above-mentioned persons and entities with new statements of reasons. Those persons and entities are hereby informed that they may submit a request to the Council to obtain the intended statements of reasons for their designation, before 14 June 2019, to the following address:

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

Email: sanctions@consilium.europa.eu

⁽¹⁾ OJ L 78, 17.3.2014, p. 16.

⁽²⁾ OJ L 78, 17.3.2014, p. 6.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

6 June 2019

(2019/C 192/08)

1 euro =

Currency			Exchange rate	Currency			Exchange rate
USD	US dollar		1,1266	CAD	Canadian dollar		1,5096
JPY	Japanese yen		121,82	HKD	Hong Kong dollar		8,8333
DKK	Danish krone		7,4687	NZD	New Zealand dollar		1,6983
GBP	Pound sterling		0,88558	SGD	Singapore dollar		1,5363
SEK	Swedish krona		10,6175	KRW	South Korean won		1 328,90
CHF	Swiss franc		1,1174	ZAR	South African rand		16,7523
ISK	Iceland króna		139,30	CNY	Chinese yuan renminbi		7,7880
NOK	Norwegian krone		9,8083	HRK	Croatian kuna		7,4215
BGN	Bulgarian lev		1,9558	IDR	Indonesian rupiah		15 990,96
CZK	Czech koruna		25,663	MYR	Malaysian ringgit		4,6872
HUF	Hungarian forint		321,30	PHP	Philippine peso		58,249
PLN	Polish zloty		4,2788	RUB	Russian rouble		73,4704
RON	Romanian leu		4,7221	THB	Thai baht		35,285
TRY	Turkish lira		6,5014	BRL	Brazilian real		4,3659
AUD	Australian dollar		1,6132	MXN	Mexican peso		22,2767
				INR	Indian rupee		78,0180

⁽¹⁾ Source: reference exchange rate published by the ECB.

Explanatory Notes to the Combined Nomenclature of the European Union

(2019/C 192/09)

Pursuant to Article 9(1)(a) of Council Regulation (EEC) No 2658/87 ⁽¹⁾, the Explanatory Notes to the Combined Nomenclature of the European Union ⁽²⁾ are hereby amended as follows:

On page 41, in the Explanatory note to CN subheading '**0408 99 80 Other**', the last paragraph is replaced by the following text:

'This subheading includes pasteurised liquid birds' eggs which have the organoleptic properties identical to that of a fresh birds' egg, whether or not containing small amounts of added water and chemical preservatives (for example, citric acid (E 330)).'

⁽¹⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁽²⁾ OJ C 119, 29.3.2019, p. 1.

New national side of euro coins intended for circulation

(2019/C 192/10)



National side of the new commemorative 2-euro coin intended for circulation and issued by Estonia

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: Estonia

Subject of commemoration: Song Festival's 150-year anniversary

Description of the design: The design is inspired by the Song Celebration procession, which moves like the waves on the sea with cheers of pride and joy and a panoply of national dress. The design unites music, national costumes, and the various sites of the great and powerful Song Celebration of the nation by the sea. The design also features the first notes of the Estonian national anthem and, at the bottom, the words 'Laulupidu 150' (Song Celebration 150). At the top is the year of issuance '2019' and underneath the name of the issuing country 'EESTI'.

The coin's outer ring depicts the 12 stars of the European flag.

Estimated number of coins to be issued: 1 000 000

Date of issue: June 2019

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2019/C 192/11)



National side of the new commemorative 2-euro coin intended for circulation and issued by the Republic of San Marino

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are authorised to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national side features a commemorative design that is highly symbolic in national or European terms.

Issuing country: The Republic of San Marino

Subject of commemoration: 500th anniversary of the death of Leonardo da Vinci

Description of the design: The centre of the coin depicts an angel painted by Leonardo da Vinci in 'The Baptism of Christ'; at the edge, on the left is the inscription 'SAN MARINO', on the right the inscription '1519 Leonardo 2019'; on the left are the initials of the artist Uliana Pernazza 'UP' and on the bottom right, the letter 'R' identifying the Mint of Rome

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: 60 500

Date of issue: April 2019

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national sides of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2019/C 192/12)

*National side of the new commemorative 2-euro coin intended for circulation and issued by the Vatican City State*

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: The Vatican City State

Subject of commemoration: 90th anniversary of the foundation of the Vatican City State

Description of the design: The design features a portrait of Pope Pius XI (Sovereign of the State in 1929) and the Lateran in Rome. At the top, from left to right, in semi-circle is the inscription of the issuing country 'STATO DELLA CITTÀ DEL VATICANO'. At the bottom are the years '1929' and '2019' and underneath the name of the artist 'FUSCO'.

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: 91 000

Date of issue: 4 March 2019

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

COURT OF AUDITORS

Special Report No 7/2019

EU actions for cross-border healthcare: significant ambitions but improved management required

(2019/C 192/13)

The European Court of Auditors hereby informs you that Special Report No 07/2019 EU actions for cross-border healthcare: significant ambitions but improved management required has just been published.

The report can be accessed for consultation or downloading on the European Court of Auditors' website:
<http://eca.europa.eu>.

Special Report No 8/2019

Wind and solar power for electricity generation: significant action needed if EU targets to be met

(2019/C 192/14)

The European Court of Auditors hereby informs you that Special Report No 8/2019 Wind and solar power for electricity generation: significant action needed if EU targets to be met has just been published.

The report can be accessed for consultation or downloading on the European Court of Auditors' website:
<http://eca.europa.eu>.

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

**Notice of initiation of an anti-subsidy proceeding concerning imports of continuous filament glass
fibre products originating in Egypt**

(2019/C 192/15)

The European Commission ('the Commission') has received a complaint under Article 10 of Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), alleging that imports of continuous filament glass fibre products originating in Egypt, are being subsidised and are thereby causing injury ⁽²⁾ to the Union industry.

1. Complaint

The complaint was lodged on 24 April 2019 by the European Glass fibre Producers Association 'APFE' ('the complainant') on behalf of producers representing more than 25 % of the total Union production of continuous filament glass fibre products.

An open version of the complaint and the analysis of the degree of support by Union producers for the complaint are available in the file for inspection by interested parties. Section 5.6 of this Notice provides information about access to the file for interested parties.

2. Product under investigation

The product subject to this investigation is chopped glass fibre strands, of a length of not more than 50 mm ('chopped strands'); glass fibre rovings, excluding glass fibre rovings which are impregnated and coated and have a loss on ignition of more than 3 % (as determined by the ISO Standard 1887) ('rovings'); and mats made of glass fibre filaments excluding mats of glass wool ('mats'), ('the product under investigation').

All interested parties wishing to submit information on the product scope must do so within 10 days of the date of publication of this Notice ⁽³⁾.

3. Allegation of subsidisation

The product allegedly being subsidised is the product under investigation, originating in Egypt ('the country concerned'), currently falling under CN codes 7019 11 00, ex 7019 12 00, 7019 31 00 (TARIC codes 7019 12 00 22, 7019 12 00 25, 7019 12 00 26 and 7019 12 00 39). The CN and TARIC codes are given for information only.

The Commission considers that the complaint includes sufficient evidence that the producers of the product under investigation from Egypt have benefitted from a number of subsidies imputable to the Government of Egypt.

The alleged subsidy practices consist, inter alia, of (i) direct transfer of funds, (ii) government revenue forgone or not collected and (iii) government provision of goods or services for less than adequate remuneration. The complaint contained evidence, for example, of preferential policy loans, and tax benefits under Egyptian laws, import duty exemption on the import of raw materials and production equipment.

⁽¹⁾ OJ L 176, 30.6.2016, p. 55.

⁽²⁾ The general term 'injury' refers to material injury as well as to threat of material injury or material retardation of the establishment of an industry as set out in Article 2(d) of the basic Regulation.

⁽³⁾ References to the publication of this Notice mean publication of this Notice in the *Official Journal of the European Union*.

In addition to subsidies granted directly by the Government of Egypt, the complainant further alleges that the producers of the product under investigation from Egypt also benefit from subsidies granted directly by the Government of Egypt or via Egyptian entities in the context of the cooperation between Egypt and the People's Republic of China to foster investments in a special economic zone (the China-Egypt Suez Economic and Trade Cooperation Zone). The complaint contains evidence of the cooperation agreements between the Chinese and the Egyptian Governments as well as of loans from Chinese State-owned or State-controlled entities to Egyptian State-owned banks. In view of the objectives of these agreements and loans, the complainant argues that such loans benefit the Chinese-owned exporting producer in Egypt.

The complainant further alleges that the above measures amount to subsidies because they involve a financial contribution from the Government of Egypt (including public bodies) and confer a benefit to the exporting producers of the product under investigation. They are alleged to be limited to certain enterprises or industries or group of enterprises and/or contingent upon export performance and are therefore specific and countervailable. On that basis, the alleged subsidy amounts appear to be significant for Egypt.

In view of Articles 10(2) and 10(3) of the basic Regulation, the Commission prepared a memorandum on sufficiency of evidence containing the Commission's assessment on all the evidence at the disposal of the Commission concerning Egypt and on the basis of which the Commission initiates the investigation. That memorandum can be found in the file for inspection by interested parties.

The Commission reserves the right to investigate other relevant subsidies which may be revealed during the course of the investigation.

4. Allegations of injury and causation

The complainant has provided evidence that imports of the product under investigation from the country concerned have increased overall in absolute terms and have increased in terms of market share.

The evidence provided by the complainant shows that the volume and the prices of the imported product under investigation have had, among other consequences, a negative impact on the quantities sold by the Union industry, resulting in substantial adverse effects on the financial situation, the employment situation and the overall performance of the Union industry.

5. Procedure

Having determined, after informing the Member States, that the complaint was lodged by or on behalf of the Union industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 10 of the basic Regulation.

The investigation will determine whether the product under investigation originating in the country concerned is being subsidised and whether these subsidised imports have caused or threaten to cause material injury to the Union industry.

If the conclusions are affirmative, the investigation will examine whether the imposition of measures would not be against the Union interest.

The Government of Egypt has been invited for consultations.

Regulation (EU) 2018/825 of the European Parliament and of the Council ⁽⁴⁾, which entered into force on 8 June 2018, (TDI Modernisation package) introduced a number of changes to the timetable and deadlines previously applicable in anti-subsidy proceedings. In particular, the Commission needs to provide information on the planned imposition of provisional duties 3 weeks before the imposition of provisional measures. The time-limits for interested parties to come forward, in particular at the early stage of investigations, are shortened. Therefore, the Commission invites interested parties to respect the procedural steps and deadlines provided in this Notice as well as in further communications from the Commission.

5.1. Investigation period and period considered

The investigation of subsidisation and injury will cover the period from 1 April 2018 to 31 March 2019 ('the investigation period'). The examination of trends relevant for the assessment of injury will cover the period from 1 January 2016 to the end of the investigation period ('the period considered').

⁽⁴⁾ Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union (OJ L 143, 7.6.2018, p. 1).

5.2. *Comments on the complaint and the initiation of the investigation*

All interested parties wishing to comment on the complaint (including matters pertaining to injury and causality) or any aspects regarding the initiation of the investigation (including the degree of support for the complaint) must do so within 37 days of the date of publication of this Notice.

Any request for a hearing with regard to the initiation of the investigation must be submitted within 15 days of the date of publication of this Notice.

5.3. *Procedure for the determination of subsidisation*

Exporting producers⁽⁵⁾ of the product under investigation from the country concerned are invited to participate in the Commission investigation. Other parties from which the Commission will seek relevant information to determine the existence and amount of countervailable subsidies conferred upon the product under investigation are also invited to cooperate with the Commission to the fullest extent possible.

5.3.1. *Investigating exporting producers*

All exporting producers and associations of exporting producers in Egypt are invited to contact the Commission, preferably by email, immediately but no later than 7 days after the publication of this Notice, in order to make themselves known and request a questionnaire.

In order to obtain information it deems necessary for its investigation with regard to exporting producers, the Commission will send questionnaires to the exporting producers, to any known associations of exporting producers, and to the authorities of Egypt.

Exporting producers in Egypt have to fill in a questionnaire within 37 days from the date of publication of this Notice. The questionnaire will also be made available to any known association of exporting producers, and to the authorities of Egypt.

A copy of the above-captioned questionnaire for exporting producers is available in the file for inspection by interested parties and on DG Trade's website http://trade.ec.europa.eu/tdi/case_details.cfm?id=2404

5.3.2. *Investigating unrelated importers*⁽⁶⁾ ⁽⁷⁾

Unrelated importers of the product under investigation from the country concerned to the Union are invited to participate in this investigation.

In view of the potential number of unrelated importers involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 27 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, are hereby requested to provide the Commission with the information on their companies requested in Annex to this Notice within 7 days of the date of publication of this Notice.

⁽⁵⁾ An exporting producer is any company in the country concerned which produces and exports the product under investigation to the Union market, either directly or via a third party, including any of its related companies involved in the production, domestic sales or exports of the product under investigation.

⁽⁶⁾ This section covers only importers not related to exporting producers. Importers that are related to exporting producers have to fill in Annex to this Notice for these exporting producers. In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

⁽⁷⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of subsidisation.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under investigation in the Union which can reasonably be investigated within the time available.

Once the Commission has received the necessary information to select a sample, it will inform the parties concerned of its decision on the sample of importers. The Commission will also add a note reflecting the sample selection to the file for inspection by interested parties. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

In order to obtain information it deems necessary for its investigation, the Commission will make questionnaires available to the sampled unrelated importers. Those parties must submit a completed questionnaire within 30 days from the date of the notification of the decision about the sample, unless otherwise specified.

A copy of the questionnaire for importers is available in the file for inspection by interested parties and on DG Trade's website http://trade.ec.europa.eu/tdi/case_details.cfm?id=2404

5.4. Procedure for the determination of injury and investigating Union producers

A determination of injury is based on positive evidence and involves an objective examination of the volume of the subsidised imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry. In order to establish whether the Union industry is injured, Union producers of the product under investigation are invited to participate in the Commission investigation.

In view of the number of Union producers concerned and in order to complete the investigation within the statutory time-limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 27 of the basic Regulation.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to comment on the provisional sample. In addition, other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample must contact the Commission within 7 days of the date of publication of this Notice. All comments regarding the provisional sample must be received within 7 days of the date of publication of this Notice, unless otherwise specified.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

The sampled Union producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

A copy of the questionnaire for Union producers is available in the file for inspection by interested parties and on DG Trade's website http://trade.ec.europa.eu/tdi/case_details.cfm?id=2404

5.5. Procedure for the assessment of Union interest

Should the existence of subsidisation and injury caused thereby be established, a decision will be reached, pursuant to Article 31 of the basic Regulation, as to whether the adoption of anti-subsidy measures would not be against the Union interest. Union producers, importers and their representative associations, users and their representative associations, representative consumer organisations and trade unions are invited to provide the Commission with information on the Union interest.

Information concerning the assessment of Union interest must be provided within 37 days of the date of publication of this Notice unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission. A copy of the questionnaires, including the questionnaire for users of the product under investigation, is available in the file for inspection by interested parties and on DG Trade's website http://trade.ec.europa.eu/tdi/case_details.cfm?id=2404. In any case, the information submitted will only be taken into account if supported by factual evidence at the time of submission.

5.6. *Interested parties*

In order to participate in the investigation interested parties, such as exporting producers, Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations first have to demonstrate that there is an objective link between their activities and the product under investigation.

Exporting producers, Union producers, importers and representative associations who made information available in accordance to the procedures described in sections 5.3, 5.4 and 5.5 above will be considered as interested parties if there is an objective link between their activities and the product under investigation.

Other parties will only be able to participate in the investigation as interested party from the moment they make themselves known, and provided that there is an objective link between their activities and the product under investigation. Being considered as an interested party is without prejudice to the application of Article 28 of the basic Regulation.

Access to the file available for inspection for interested parties is made via Tron.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access.

5.7. *Possibility to be heard by the Commission investigation services*

All interested parties may request to be heard by the Commission's investigation services.

Any request to be heard must be made in writing and must specify the reasons for the request as well as a summary of what the interested party wishes to discuss during the hearing. The hearing will be limited to the issues set out by the interested parties in writing beforehand.

The timeframe for hearings is as follows:

- For any hearings to take place before the imposition of provisional measures, a request should be made within 15 days from the date of publication of this Notice and the hearing will normally take place within 60 days of the date of publication of this Notice.
- After the provisional stage, a request should be made within 5 days from the date of the provisional disclosure or of the information document, and the hearing will normally take place within 15 days from the date of notification of the disclosure or the date of the information document.
- At definitive stage, a request should be made within 3 days from the date of the final disclosure, and the hearing will normally take place within the period granted to comment on the final disclosure. If there is an additional final disclosure, a request should be made immediately upon receipt of this additional final disclosure, and the hearing will normally take place within the deadline to provide comments on this disclosure.

The outlined timeframe is without prejudice to the right of the Commission services to accept hearings outside the timeframe in duly justified cases and to the right of the Commission to deny hearings in duly justified cases. Where the Commission services refuse a hearing request, the party concerned will be informed of the reasons for such refusal.

In principle, hearings will not be used to present factual information which is not yet on file. Nevertheless, in the interest of good administration and to enable Commission services to progress with the investigation, interested parties may be directed to provide new factual information after a hearing.

5.8. *Instructions for making written submissions and sending completed questionnaires and correspondence*

Information submitted to the Commission for the purpose of trade defence investigations shall be free from copyrights. Interested parties, before submitting to the Commission information and/or data which is subject to third party copyrights, must request specific permission to the copyright holder explicitly allowing a) the Commission to use the information and data for the purpose of this trade defence proceeding and b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their rights of defence.

All written submissions, including the information requested in this Notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' ⁽⁸⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 29(2) of the basic Regulation, which will be labelled 'For inspection by interested parties'. Those summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence.

If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.

Interested parties are invited to make all submissions and requests via TRON.tdi (<https://tron.trade.ec.europa.eu/tron/TDI>) including scanned powers of attorney and certification sheets. By using TRON.tdi or email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf. The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by TRON.tdi or email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions via TRON.tdi and by email, interested parties should consult the communication instructions with interested parties referred to above.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

TRON.tdi: <https://tron.trade.ec.europa.eu/tron/TDI>
Email: TRADE-AS657-GFR-SUBSIDY-EGYPT@ec.europa.eu
TRADE-AS657-GFR-INJURY@ec.europa.eu

6. Schedule of the investigation

The investigation will be concluded, pursuant to Article 11(9) of the basic Regulation within normally 12 months, but not more than 13 months of the date of the publication of this Notice. In accordance with Article 12(1) of the basic Regulation, provisional measures may be imposed normally not later than 9 months from the publication of this Notice.

In accordance with Article 29a of the basic Regulation, the Commission will provide information on the planned imposition of provisional duties 3 weeks before the imposition of provisional measures. Interested parties may request this information in writing within 4 months of the publication of this notice. Interested parties will be given 3 working days to comment in writing on the accuracy of the calculations.

In cases where the Commission intends not to impose provisional duties but to continue the investigation, interested parties will be informed in writing of the non-imposition of duties 3 weeks before the expiry of the deadline under Article 12(1) of the basic Regulation.

⁽⁸⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 29 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Subsidy Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

Interested parties will be given in principle 15 days to comment in writing on the provisional findings or on the information document, and 10 days to comment in writing on the definitive findings, unless otherwise specified. Where applicable, additional final disclosures will specify the deadline for interested parties to comment in writing.

7. Submission of information

As a rule, interested parties may only submit information in the timeframes specified in sections 5 and 6 of this Notice. The submission of any other information not covered by those sections should respect the following timetable:

- Any information for the stage of provisional findings should be submitted within 70 days from the date of publication of this Notice, unless otherwise specified.
- Unless otherwise specified, interested parties should not submit new factual information after the deadline to comment on the provisional disclosure or the information document at provisional stage. Beyond such deadline, interested parties may only submit new factual information provided that such parties can demonstrate that such new factual information is necessary to rebut factual allegations made by other interested parties and provided that such new factual information can be verified within the time available to complete the investigation in a timely manner.
- In order to complete the investigation within the mandatory deadlines, the Commission will not accept submissions from interested parties after the deadline to provide comments on the final disclosure or, if applicable, after the deadline to provide comments on the additional final disclosure.

8. Possibility to comment on other parties' submissions

In order to guarantee the rights of defence, interested parties should have the possibility to comment on information submitted by other interested parties. When doing so, interested parties may only address issues raised in the other interested parties' submissions and may not raise new issues.

Such comments should be made according to the following timeframe:

- Any comment on information submitted by other interested parties before the imposition of provisional measures should be made at the latest within 75 days from the date of publication of this Notice, unless otherwise specified.
- Comments on the information provided by other interested parties in reaction to the disclosure of the provisional findings or of the information document should be submitted within 7 days from the deadline to comment on the provisional findings or on the information document, unless otherwise specified.
- Comments on the information provided by other interested parties in reaction to the disclosure of the definitive findings should be submitted within 3 days from the deadline to comment on the definitive findings, unless otherwise specified. If there is an additional final disclosure, comments on the information provided by other interested parties in reaction to this further disclosure should be made within 1 day from the deadline to comment on this further disclosure, unless otherwise specified.

The outlined timeframe is without prejudice to the Commission's right to request additional information from interested parties in duly justified cases.

9. Extension to time-limits specified in this Notice

Any extension to the time-limits provided for in this Notice can only be requested in exceptional circumstances and will only be granted if duly justified.

Extensions to the deadline to reply to questionnaires may be granted, if duly justified, and will be normally limited to 3 additional days. As a rule, such extensions will not exceed 7 days. Regarding time-limits for the submission of other information specified in this Notice, extensions will be limited to 3 days unless exceptional circumstances are demonstrated.

10. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time-limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 28 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 28 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

11. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commissions services to ensure that the interested parties' rights of defence are being fully exercised. A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in the due course.

Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. In principle, the timeframes set out in section 5.7 to request hearings with the Commission services apply *mutatis mutandis* to requests for hearings with the Hearing Officer. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the investigation.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>

12. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council⁽⁹⁾.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://trade.ec.europa.eu/doclib/html/157639.htm>

⁽⁹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

ANNEX

- | | |
|----------------------------|--|
| <input type="checkbox"/> | 'Limited' version |
| <input type="checkbox"/> | Version 'For inspection by interested parties' |
| (tick the appropriate box) | |

ANTI-SUBSIDY PROCEEDING CONCERNING IMPORTS OF CONTINUOUS FILAMENT GLASS FIBRE PRODUCTS ORIGINATING IN EGYPT

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.3.2 of the notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of the company, and the turnover and weight or volume for imports into the Union ⁽¹⁾ and resales on the Union market after importation from Egypt, during the investigation period (1 April 2018 to 31 March 2019), of the product under investigation as defined in the notice of initiation and the corresponding weight or volume.

	Volume (tonnes)	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under investigation into the Union		
Resales on the Union market after importation from Egypt of the product under investigation		

⁽¹⁾ The 28 Member States of the European Union are: Belgium, Bulgaria, Czechia, Denmark, Germany, Estonia, Croatia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽²⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽²⁾ In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.9362 — Suez Organique/Avril PA/Terrial)
Candidate case for simplified procedure
(Text with EEA relevance)
(2019/C 192/16)

1. On 28 May 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Suez Organique SAS ('Suez Organique', France),
- Avril SCA ('Avril', France),
- SAS Terrial ('Terrial', France), solely controlled by Avril.

Suez Organique and Avril acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over Terrial.

The concentration is accomplished by way of purchase of shares and contribution of assets.

2. The business activities of the undertakings concerned are:

- for Suez Organique: biological treatment of organic waste,
- for Avril: production and sale of oil-based products and animal feed,
- for Terrial: organic waste collection as well as production and sale of organic soil amendments and fertilisers.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9362 — Suez Organique/Avril PA/Terrial

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Prior notification of a concentration**(Case M.9357 — FIS/Worldpay)****(Text with EEA relevance)**

(2019/C 192/17)

1. On 28 May 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Fidelity National Information Services, Inc. ('FIS', USA),
- Worldpay Inc. ('Worldpay', USA).

FIS acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Worldpay.

The concentration is accomplished by way of a purchase of shares.

2. The business activities of the undertakings concerned are:

- FIS is a global provider of financial services technology with a focus on retail and institutional banking, payments, asset and wealth management, risk and compliance, and outsourcing solutions,
- Worldpay is a global provider of merchant acquiring and related payment technology services.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9357 — FIS/Worldpay

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

Prior notification of a concentration
(Case M.9377 — MIRA/BCI/iGH)
Candidate case for simplified procedure
(Text with EEA relevance)
(2019/C 192/18)

1. On 29 May 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Macquarie Infrastructure and Real Assets (Europe) Limited ('MIRA', Australia), belonging to Macquarie Group Limited (Australia),
- British Columbia Investment Management Corporation ('BCI', Canada),
- innogy Grid Holdings, a.s. ('iGH', Czech Republic), currently solely controlled by RWE Czech Gas Grid Holding B.V. (Czech Republic).

MIRA and BCI acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of iGH. The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- MIRA focuses on the management of infrastructure and other real assets, including real estate, energy and agricultural assets.
- BCI invests in fixed income, mortgages, public and private equity, real estate, infrastructure and renewable resources.
- iGH is a holding company for GasNet, s.r.o. (which operates iGH's gas distribution gas pipeline system) and GridServices, s.r.o., (which maintains the distribution system and gas installations for GasNet) in Czechia.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9377 — MIRA/BCI/iGH

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

