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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1708**of 13 November 2018****conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name ‘Însurăței’ (PDO)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 99 thereof,

Whereas:

- (1) In accordance with Article 97(2) and (3) of Regulation (EU) No 1308/2013, the Commission examined Romania's application to register the name ‘Însurăței’ and published it in the *Official Journal of European Union* ⁽²⁾.
- (2) No statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.
- (3) In accordance with Article 99 of Regulation (EU) No 1308/2013, the name ‘Însurăței’ should be protected and entered in the register referred to in Article 104 of that Regulation.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Însurăței’ (PDO) is hereby protected.

Article 2

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ C 144, 25.4.2018, p. 2.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 November 2018.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1709**of 13 November 2018****specifying the technical characteristics of the 2020 ad hoc module on accidents at work and other work-related health problems as regards the labour force sample survey pursuant to Council Regulation (EC) No 577/98****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community ⁽¹⁾, and in particular Article 7a(5) thereof,

Whereas:

- (1) As highlighted in the Commission Communication on an EU Strategic Framework on Health and Safety at Work 2014-2020 ⁽²⁾, it is necessary to improve the quality of statistical data collection on work-related accidents and diseases, occupational exposures and work-related ill-health. A repetition of the ad hoc module on accidents at work and work-related health problems, conducted in 1999, 2007 and 2013, should make it possible to complement data transmitted by Member States under Commission Regulation (EU) No 349/2011 ⁽³⁾. Moreover, a repetition of this module should provide information on occupational exposure to risk factors for physical health and mental well-being.
- (2) Commission Delegated Regulation (EU) 2016/1851 ⁽⁴⁾ specifies and describes the areas of specialised information ('sub-modules') which should be included in the 2020 ad hoc module on accidents at work and other work-related health problems.
- (3) The Commission should specify the technical characteristics, the filters, the codes and the deadline for the transmission of data under the ad hoc module on accidents at work and other work-related health problems.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The technical characteristics of the 2020 ad hoc module on accidents at work and other work-related health problems, the filters, the codes to be used and the deadline by which the results shall be sent to the Commission are laid down in the Annex.

Article 2

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

⁽¹⁾ OJ L 77, 14.3.1998, p. 3.

⁽²⁾ COM(2014) 332 final of 6 June 2014.

⁽³⁾ Commission Regulation (EU) No 349/2011 of 11 April 2011 implementing Regulation (EC) No 1338/2008 of the European Parliament and of the Council on Community statistics on public health and health and safety at work, as regards statistics on accidents at work (OJ L 97, 12.4.2011, p. 3).

⁽⁴⁾ Commission Delegated Regulation (EU) 2016/1851 of 14 June 2016 adopting the programme of ad hoc modules, covering the years 2019, 2020 and 2021, for the labour force sample survey provided for by Council Regulation (EC) No 577/98 (OJ L 284, 20.10.2016, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 November 2018.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

This Annex sets out the technical characteristics, filters and codes to be used in the ad hoc module on accidents at work and other work-related health problems scheduled to be carried out in 2020. It also sets the dates for submission of data to the Commission.

Deadline for transmission of the results to the Commission: 31 March 2021.

Filters and codes to be used for sending data: as set out in Annex III to Commission Regulation (EC) No 377/2008 ⁽¹⁾.

Columns reserved for optional weighting factors, to be used in cases of subsampling or non-response: columns 226-229 containing whole numbers and columns 230-231 containing decimal places.

(1) **Sub-module 'Accidents at work'**

Filter: $15 \leq \text{AGE} \leq 74$

Name/Column	Code	Description	Filter
ACCIDNUM		Number of accidents at work during the last 12 months	(WSTATOR = 1,2)
211		<i>Accidents at work resulting in injuries occurred in the 12 months before the reference week</i>	or (WSTATOR = 3-5 and EXISTPR = 1 and YEARPR and MONTHPR is not prior to 1 year before the reference week)
	0	None	
	1	One	
	2	Two or more	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
ACCIDTYP		Type of accident at work	ACCIDNUM = 1,2
212		<i>Whether or not the most recent accident at work was a road traffic accident</i>	
	1	A road traffic accident	
	2	Accident other than road traffic accident	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
ACCIDJOB		Job linked to the accident	ACCIDNUM = 1,2
213		<i>Job done when the most recent accident at work resulting in injury occurred</i>	
	1	Main current job	
	2	Second current job	
	3	Last job (only for persons not in employment)	

⁽¹⁾ Commission Regulation (EC) No 377/2008 of 25 April 2008 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community as regards the codification to be used for data transmission from 2009 onwards, the use of a subsample for the collection of data on structural variables and the definition of the reference quarters (OJ L 114, 26.4.2008, p. 57).

Name/Column	Code	Description	Filter
ACCIDBRK 214-215	4	Some other current or past job	ACCIDNUM = 1,2
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
		Duration of absence from work because of the accident at work	
		<i>Number of calendar days — excluding the day of the accident — in the 12 months before the reference week during which the person was unfit to work because of the most recent accident at work resulting in injury</i>	
	00	Still off work because has not yet recovered from the accident, but expects to resume work later	
	01	Expects never to work again because of this accident	
	02	Less than one day or no time off	
	03	At least one day but less than four days	
	04	At least four days but less than two weeks	
	05	At least two weeks but less than one month	
	06	At least one month but less than three months	
	07	At least three months but less than six months	
	08	At least six months but less than nine months	
	09	Between nine and 12 months	
	99	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

(2) Sub-module 'Work-related health problems'

Filter: $15 \leq \text{AGE} \leq 74$

Name/Column	Code	Description	Filter
HPROBNUM 216		Number of work-related health problems during the last 12 months	(WSTATOR = 1,2) or (WSTATOR = 3-5 and EXISTPR = 1)
		<i>Physical or mental health problem(s) suffered by the person in the 12 months before the reference week that was (were) caused or made worse by work apart from the previously recorded accident(s) at work</i>	
	0	None	
	1	One	
	2	Two or more	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

Name/Column	Code	Description	Filter
HPROBTYP 217-218		Type of work-related health problem <i>Type of the most serious health problem caused or made worse by work</i>	HPROBNUM = 1,2
	00	Bone, joint or muscle problem which mainly affects neck, shoulders, arms or hands	
	01	Bone, joint or muscle problem which mainly affects hips, knees, legs or feet	
	02	Bone, joint or muscle problem which mainly affects back	
	03	Breathing or lung problem	
	04	Skin problem	
	05	Hearing problem	
	06	Stress, depression or anxiety	
	07	Headache and/or eyestrain	
	08	Heart disease or attack, or other problems in the circulatory system	
	09	Infectious disease (virus, bacteria or other type of infection)	
	10	Stomach, liver, kidney or digestive problem	
	11	Other type of health problem	
	99	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
HPROBLIM 219		Health problem limiting daily activities <i>Whether the most serious health problem caused or made worse by work limits the ability to carry out day to day activities either at work or outside work</i>	HPROBNUM = 1,2
	0	No	
	1	Yes, to some extent	
	2	Yes, considerably	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
HPROBJOB 220		Job linked to the health problem <i>Job that caused or made worse the most serious health problem.</i>	HPROBNUM = 1,2
	1	Main current job	
	2	Second current job	
	3	Last job (only for persons not in employment)	
	4	Some other current or past job	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

Name/Column	Code	Description	Filter
HPROBBRK		Duration of absence from work because of the work-related health problem	HPROBNUM = 1,2
221-222		<i>Number of calendar days in the 12 months before the reference week during which the person was unfit to work because of the most serious health problem caused or made worse by work</i>	
	00	Still off work because has not yet recovered from the health problem, but expects to resume work later	
	01	Expects never to work again because of this health problem	
	02	Less than one day or no time off	
	03	At least one day but less than four days	
	04	At least four days but less than two weeks	
	05	At least two weeks but less than one month	
	06	At least one month but less than three months	
	07	At least three months but less than six months	
	08	At least six months but less than nine months	
	09	Between nine and 12 months	
	99	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

(3) Sub-module 'Risk factors for physical health and/or mental well-being'

Name/Column	Code	Description	Filter
PHYSRISK		Exposure to physical health risk factors	WSTATOR = 1,2
223-224		<i>Exposure at work to one of the following risk factors that can affect physical health. Identify the factor considered to be the most risky for the physical health.</i>	
	01	Yes, mainly tiring or painful positions	
	02	Yes, mainly repetitive hand or arm movements	
	03	Yes, mainly handling of heavy loads	
	04	Yes, mainly noise	
	05	Yes, mainly strong vibration	
	06	Yes, mainly chemicals, dust, fumes, smoke or gases	
	07	Yes, mainly activities involving strong visual concentration	
	08	Yes, mainly slips, trips and falls	
	09	Yes, mainly use of machines or hand tools (excluding vehicles)	

Name/Column	Code	Description	Filter
MENTRISK 225	10	Yes, mainly use of vehicles (in the course of work, excluding on the way to and from work)	WSTATOR = 1,2
	11	Yes, mainly another significant risk factor for physical health	
	00	No significant risk factor for physical health	
	99	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
		Exposure to mental well-being risk factors	
		<i>Exposure at work to one of the following risk factors that can affect mental well-being. Identify the factor considered to be the most risky for the mental well-being.</i>	
	1	Yes, mainly severe time pressure or overload of work	
	2	Yes, mainly violence or threat of violence	
	3	Yes, mainly harassment or bullying	
	4	Yes, mainly poor communication or cooperation within the organisation	
	5	Yes, mainly dealing with difficult customers, patients, pupils, etc.	
	6	Yes, mainly job insecurity	
	7	Yes, mainly lack of autonomy, or lack of influence over the work pace or work processes	
	8	Yes, mainly another significant risk factor for mental well-being	
	0	No significant risk factor for mental well-being	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1710**of 13 November 2018****adapting the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 of the European Parliament and of the Council in respect of the calendar year 2018 and repealing Commission Implementing Regulation (EU) 2018/866**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ⁽¹⁾, and in particular Article 26(4) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) Commission Implementing Regulation (EU) 2018/866 ⁽²⁾ has fixed the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 in respect of the calendar year 2018. This adjustment rate has been set based on the information available in the context of the 2019 Draft Budget, in particular taking into account an amount of financial discipline of EUR 468,7 million for the reserve for crises in the agricultural sector referred to in Article 25 of Regulation (EU) No 1306/2013.
- (2) While the need for financial discipline remains at EUR 468,7 million for the reserve for crises in the agricultural sector, the information available in relation to the Commission Amending Letter No 1 to the 2019 Draft Budget covering forecasts for direct payments and market related expenditure, shows nevertheless the need to adapt the rate of financial discipline set in Implementing Regulation (EU) 2018/866.
- (3) Consequently, based on the new information in possession of the Commission, it is appropriate to adapt the adjustment rate in accordance with Article 26(4) of Regulation (EU) No 1306/2013, before 1 December of the calendar year in respect of which the adjustment rate applies.
- (4) As a general rule, farmers submitting an aid application for direct payments for one calendar year (N) are paid within a fixed payment period falling within the financial year (N+1). However, Member States may make late payments to farmers beyond that payment period, within certain limits. Such late payments may be made in a subsequent financial year. When financial discipline is applied for a given calendar year, the adjustment rate should not be applied to payments for which aid applications have been submitted in calendar years other than the calendar year for which the financial discipline applies. Therefore, in order to ensure equal treatment of farmers, it is appropriate to provide that the adjustment rate is to be applied only to payments for which aid applications have been submitted in the calendar year for which the financial discipline is applied, irrespectively of when the payment to farmers is made.
- (5) Article 8(1) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council ⁽³⁾ provides that the adjustment rate applied to direct payments determined in accordance with Article 26 of Regulation (EU) No 1306/2013 is to apply only to direct payments in excess of EUR 2 000 to be granted to farmers in the corresponding calendar year. Furthermore, Article 8(2) of Regulation (EU) No 1307/2013 provides that, as a result of the gradual introduction of direct payments, the adjustment rate is to apply to Croatia only from 1 January 2022. The adjustment rate to be determined by this Regulation should therefore not apply to payments to farmers in that Member State.
- (6) The adapted adjustment rate should be taken into account for the calculation of all payments to be granted to a farmer for an aid application submitted in respect of the calendar year 2018. For the sake of clarity, Implementing Regulation (EU) 2018/866 should therefore be repealed.

⁽¹⁾ OJ L 347, 20.12.2013, p. 549.

⁽²⁾ Commission Implementing Regulation (EU) 2018/866 of 13 June 2018 fixing the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 of the European Parliament and of the Council in respect of the calendar year 2018 (OJ L 149, 14.6.2018, p. 1).

⁽³⁾ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

- (7) In order to ensure that the adapted adjustment rate is applicable as from the date on which the payments to farmers are to start in accordance with Regulation (EU) No 1306/2013, this Regulation should apply from 1 December 2018,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purpose of fixing the adjustment rate provided for in Articles 25 and 26 of Regulation (EU) No 1306/2013, and in accordance with Article 8(1) of Regulation (EU) No 1307/2013, the amounts of direct payments under the support schemes listed in Annex I to Regulation (EU) No 1307/2013 to be granted to farmers in excess of EUR 2 000 for an aid application submitted in respect of the calendar year 2018 shall be reduced by an adjustment rate of 1,411917 %.

2. The reduction provided for in paragraph 1 shall not apply in Croatia.

Article 2

Implementing Regulation (EU) 2018/866 is repealed.

Article 3

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

It shall apply from 1 December 2018.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 November 2018.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1711**of 13 November 2018****amending Council Implementing Regulation (EU) No 1371/2013 as regards the date of application of the exemptions granted to Indian exporting producers**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾, and in particular Articles 11(3), 13(4), and 14(3) thereof,

After consulting the Member States,

Whereas:

1. MEASURES IN FORCE

- (1) On 9 August 2011, following an anti-dumping investigation, the Council imposed by Implementing Regulation (EU) No 791/2011 ⁽²⁾ a definitive anti-dumping duty of 62,9 % on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China ('PRC').
- (2) On 24 July 2012, following an anti-circumvention investigation pursuant to Article 13 of Council Regulation (EC) No 1225/2009 ⁽³⁾ ('the basic Regulation'), the Council extended by Implementing Regulation (EU) No 672/2012 ⁽⁴⁾ the measures to imports of certain open mesh fabrics of glass fibres consigned from Malaysia, whether declared as originating in Malaysia or not.
- (3) On 16 January 2013, following an anti-circumvention investigation pursuant to Article 13 of the basic Regulation, the Council extended by Implementing Regulation (EU) No 21/2013 ⁽⁵⁾ the measures to imports of certain open mesh fabrics of glass fibres consigned from Taiwan and Thailand, whether declared as originating in Taiwan and Thailand or not.
- (4) On 20 December 2013, following an anti-circumvention investigation pursuant to Article 13 of the basic Regulation, the Council extended by Implementing Regulation (EU) No 1371/2013 ⁽⁶⁾ the measures to imports of certain open mesh fabrics of glass fibres consigned from India and Indonesia, whether declared as originating in India and Indonesia or not and granted an exemption from that duty to Montex Glass Fibre Industries Pvt. Ltd Pursuant to Article 1(3) of Implementing Regulation (EU) No 1371/2013, duties became due on all imports of

⁽¹⁾ OJ L 176, 30.6.2016, p. 21, as last amended by Regulation (EU) 2018/825 (OJ L 143, 7.6.2018, p. 1).

⁽²⁾ Council Implementing Regulation (EU) No 791/2011 of 3 August 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China (OJ L 204, 9.8.2011, p. 1).

⁽³⁾ Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (OJ L 343, 22.12.2009, p. 51), as last amended by Regulation (EU) No 37/2014 of the European Parliament and of the Council (OJ L 18, 21.1.2014, p. 1) replaced by Regulation (EU) 2016/1036, as last amended by Regulation (EU) 2018/825.

⁽⁴⁾ Council Implementing Regulation (EU) No 672/2012 of 16 July 2012 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China to imports of certain open mesh fabrics of glass fibres consigned from Malaysia, whether declared as originating in Malaysia or not (OJ L 196, 24.7.2012, p. 1).

⁽⁵⁾ Council Implementing Regulation (EU) No 21/2013 of 10 January 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China to imports of certain open mesh fabrics of glass fibres consigned from Taiwan and Thailand, whether declared as originating in Taiwan and Thailand or not (OJ L 11, 16.1.2013, p. 1).

⁽⁶⁾ Council Implementing Regulation (EU) No 1371/2013 of 16 December 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China to imports of certain open mesh fabrics of glass fibres consigned from India and Indonesia, whether declared as originating in India and Indonesia or not (OJ L 346, 20.12.2013, p. 20).

the product concerned (with the exception of those produced by Montex Glass Fibre Industries Pvt. Ltd) which were previously made subject to registration by Commission Regulation (EU) No 322/2013 ⁽¹⁾ initiating the anti-circumvention investigation.

- (5) On 21 January 2014, Pyrotek Incorporated, a North American company with factories or sales offices in various countries, including the Union Member States, requested an exemption from the extended measures pursuant to Article 11(4) of the basic Regulation in respect of Pyrotek India Pvt. Ltd, an exporting producer from India.
- (6) In response to a questionnaire sent by the Commission, Pyrotek India Pvt. Ltd indicated that it had exported the product concerned during the period of the anti-circumvention investigation leading to the extension of measures to India, that is to say from 1 April 2012 to 31 March 2013. Therefore, Pyrotek India Pvt. Ltd did not meet the conditions set in Article 11(4) of the basic Regulation. However, the request contained sufficient evidence to justify the initiation of a partial interim review of the measures as extended to India pursuant to Articles 11(3) and 13(4) of the basic Regulation.
- (7) On 23 September 2014, the Commission initiated a partial interim review pursuant to Articles 11(3) and 13(4) of the basic Regulation. During this partial interim review, the Commission established that Pyrotek India Pvt. Ltd had been a genuine producer of the product concerned since it started its production in August 2011 and did not engage in circumvention practices.
- (8) On 10 September 2015, following an investigation pursuant to Articles 11(3) and 13(4) of the basic Regulation, the Commission exempted by Implementing Regulation (EU) 2015/1507 ⁽²⁾ certain Indian producers, including Pyrotek India Pvt. Ltd from the extension of the duty applicable to imports of the product concerned consigned from India, whether declared as originating in India or not. Pyrotek India Pvt. Ltd was consequently granted an exemption from the extended measures for exports to the Union as of that date.
- (9) On 6 November 2017, following an expiry review pursuant to Article 11(2) of the basic Regulation, the Commission imposed by Implementing Regulation (EU) 2017/1993 ⁽³⁾ a definitive anti-dumping duty on imports of certain open mesh fabrics of glass fibres originating in the PRC as extended to imports of certain open mesh fabrics of glass fibres consigned from India, Indonesia, Malaysia, Taiwan and Thailand, whether declared as originating in these countries or not.

2. REOPENING OF THE EXEMPTION INVESTIGATION

- (10) As set out on in recital (6) above, the Commission established that Pyrotek India Pvt. Ltd had been a genuine producer of the product concerned since it started its production in August 2011 and did not engage in circumvention practices. Therefore, the Commission decided to reopen partially the exemption investigation.
- (11) On 18 May 2018, the Commission initiated the partial reopening of the exemption investigation with regard to imports of open mesh fabrics of glass fibres, of a cell size of more than 1,8 mm both in length and in width and weighing more than 35 g/m², excluding glass fibre discs, originating in the PRC or consigned from India, whether declared as originating in India or not, currently falling within CN codes ex 7019 51 00 and ex 7019 59 00. It published a Notice of Initiation in the *Official Journal of the European Union* ⁽⁴⁾ ('the Notice of Initiation').

⁽¹⁾ Commission Regulation (EU) No 322/2013 of 9 April 2013 initiating an investigation concerning the possible circumvention of anti-dumping measures imposed by Council Implementing Regulation (EU) No 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China by imports of certain open mesh fabrics of glass fibres consigned from India and Indonesia, whether declared as originating in India and Indonesia or not, and making such imports subject to registration (OJ L 101, 10.4.2013, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) 2015/1507 of 9 September 2015 amending Council Implementing Regulation (EU) No 1371/2013 extending a definitive anti-dumping duty imposed on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China to imports consigned, inter alia, from India, whether declared as originating in India or not (OJ L 236, 10.9.2015, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2017/1993 of 6 November 2017 imposing a definitive anti-dumping duty on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China as extended to imports of certain open mesh fabrics of glass fibres consigned from India, Indonesia, Malaysia, Taiwan and Thailand, whether declared as originating in these countries or not, following an expiry review pursuant to Article 11(2) of the Regulation (EU) 2016/1036 of the European Parliament and of the Council (OJ L 288, 7.11.2017, p. 4).

⁽⁴⁾ Notice of Initiation concerning the anti-dumping measures applicable to imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China, as extended to imports consigned from India, whether declared as originating in India or not (OJ C 171, 18.5.2018, p. 10).

- (12) In the Notice of Initiation, the Commission stated that the reopening was limited in scope to assessing whether it would be appropriate to extend the temporal scope of the exemption to the period between 21 December 2013 and 10 September 2015.
- (13) In the Notice of Initiation, the Commission also invited interested parties to come forward in order to participate in the investigation. It specifically informed Pyrotek India Pvt. Ltd, the Union industry and other interested parties known to be concerned of the initiation of the exemption investigation, and invited them to participate.
- (14) Interested parties were given the opportunity to make their views known in writing and request a hearing with the Commission and/or the Hearing Officer in trade proceedings within the time limits set out in the Notice of Initiation.

3. PRODUCT CONCERNED

- (15) The product subject to the present investigation is open mesh fabrics of glass fibres, of a cell size of more than 1,8 mm both in length and in width and weighing more than 35 g/m², excluding glass fibre discs, originating in the PRC, consigned from India, whether declared as originating in India or not, currently falling within CN codes ex 7019 51 00 and ex 7019 59 00 (TARIC codes 7019 51 00 14, 7019 59 00 14).

4. INVESTIGATION

(a) Scope of the investigation

- (16) The scope of the investigation is limited to assessing whether it would be appropriate to extend the temporal scope of the exemption to the period between 21 December 2013 and 10 September 2015.

(b) Pyrotek India Pvt. Ltd

- (17) Pyrotek India Pvt. Ltd is an Indian subsidiary of the US-based multinational group Pyrotek. The Pyrotek group is a supplier of various sorts of consumables and tools to the metal and aluminium industry.
- (18) The applicant produces the product under review in its Indian plant in Chennai and sells it to its related companies in the Union. The related companies in the Union in the majority of the cases further process the product under review and sell the resulting product to the final customers.

(c) Findings of the investigation

- (19) It is recalled that the Commission had established in its earlier partial interim review ⁽¹⁾ that Pyrotek India Pvt. Ltd is a genuine producer of the product concerned and that it did not engage in circumvention practices.
- (20) As set out in recital (6), Pyrotek India Pvt. Ltd had exported the product concerned during the period of the anti-circumvention investigation leading to the extension of measures to India, that is to say, from 1 April 2012 to 31 March 2013, and had paid anti-dumping duties on its exports to the Union pursuant to Implementing Regulation (EU) No 1371/2013.
- (21) As set out in recital (11), on 10 September 2015, by Implementing Regulation (EU) 2015/1507, Pyrotek India Pvt. Ltd obtained an exemption from the extended measures for exports to the Union as of 11 September 2015. However, the starting date of this exemption did not cover the period before that date, in which anti-dumping duties had to be paid on the exports of Pyrotek India Pvt. Ltd to the European Union.
- (22) The Commission has re-assessed the situation and found that Pyrotek India Pvt. Ltd's exports to the Union during the period of 21 December 2013 to 10 September 2015 should be excluded from the payment of the anti-circumvention duty.
- (23) No interested party came forward within the deadline set in the Notice of Initiation. Nor did any interested party make its views known in writing or request a hearing with the Commission or the Hearing Officer in trade proceedings.

⁽¹⁾ Implementing Regulation (EU) 2015/1507, recitals (12) to (16).

- (24) The Commission therefore considers that it would be appropriate to grant an exemption to Pyrotek India Pvt. Ltd. That exemption should apply to the period between 21 December 2013 and 10 September 2015 in accordance with Article 11(3) of the basic Regulation.
- (25) Therefore, Implementing Regulation (EU) No 1371/2013 should be amended in order to clarify that the exemptions granted to Montex Glass Fibre Industries Pvt. Ltd and to Pyrotek India Pvt. Ltd both apply as from the date of entry into force of Regulation (EU) No 1371/2013, that is to say, as from 21 December 2013, until the entry into force of Implementing Regulation (EU) 2015/1507 on 11 September 2015. Article 1(2) of Implementing Regulation (EU) No 1371/2013 should be amended accordingly.
- (26) In addition, further to the comments submitted by Pyrotek India Pvt. Ltd after disclosure, the Commission deems it appropriate to clarify that any anti-dumping duty paid for the product concerned produced by Pyrotek India Pvt. Ltd and imported into the Union during the period of registration of the goods set out by Regulation (EU) No 322/2013 should also be eligible for applications for remission or repayment.
- (27) Therefore, it is appropriate to extend the period referred to in Article 121(1) of Regulation (EU) No 952/2013 of the European Parliament and of the Council ⁽¹⁾ until 1 September 2019 so as to ensure that the duty unduly paid may be repaid or remitted from the national customs authorities in accordance with the applicable customs legislation in cases where the time limits provided for in that paragraph expired before the date of application of this Regulation.

5. PROCEDURE

- (28) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 1371/2013 shall be amended as follows.

- (1) Article 1(2) shall be replaced by the following:

‘2. The application of the exemption granted to Montex Glass Fibre Industries Pvt. Ltd and to Pyrotek India Pvt. Ltd shall be conditional upon presentation to the customs authorities of the Member States of a valid commercial invoice, which shall be in compliance with the requirements set out in the Annex to this Regulation. Where no such invoice is presented, the anti-dumping duty provided for in paragraph 1 shall apply.

The exemptions granted to Montex Glass Fibre Industries Pvt. Ltd and to Pyrotek India Pvt. Ltd shall apply as from 21 December 2013.’;

- (2) Article 1(4) shall be replaced by the following:

‘4. Unless otherwise specified, the provisions in force concerning customs duties shall apply. The period referred to in Article 121(1) of Regulation (EU) No 952/2013 of the European Parliament and of the Council (*) shall be extended until 1 September 2019 for applications for remission or repayment lodged by Montex Glass Fibre Industries Pvt. Ltd and Pyrotek India Pvt. Ltd in accordance with the applicable customs legislation in order to cover the repayment or remission of anti-dumping duties for imports of the product concerned during the period 21 December 2013 to 10 September 2015, or during the period of registration imposed by Article 2 of Regulation (EU) No 322/2013.

(*) OJ L 269, 10.10.2013, p. 1.’.

Article 2

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

⁽¹⁾ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 November 2018.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1712

of 13 November 2018

amending Implementing Regulation (EU) 2018/1013 imposing provisional safeguard measures with regard to imports of certain steel products

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 ⁽¹⁾, and in particular Articles 5 and 7 thereof,

Having regard to Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 ⁽²⁾, and in particular Articles 3 and 4 thereof,

Whereas:

I. BACKGROUND

- (1) On 18 July 2018, by Implementing Regulation (EU) 2018/1013 ⁽³⁾ the Commission imposed provisional safeguard measures on imports of certain steel products. South Africa was covered by the scope of those measures.
- (2) However, pursuant to Article 33 of the Economic Partnership Agreement ('EPA') between the European Union and its Member States, of the one part, and the Southern African Development Community ('SADC') states, of the other part ⁽⁴⁾, SADC EPA States should be excluded from the scope of safeguard measures taken by the EU pursuant to the WTO Agreement on Safeguards.
- (3) Currently, from the SADC EPA States, only South Africa is subject to the provisional steel safeguard measures, on two categories of product, i.e. stainless hot rolled sheets and strips (product category 8) and stainless cold rolled sheets and strips (product category 9).
- (4) Implementing Regulation (EU) 2018/1013 should therefore be amended in order to remove South Africa from the scope of the provisional measures on these two product categories.

II. INCREASE IN IMPORTS

- (5) As shown in the tables below, the exclusion of South Africa from scope of the provisional measures does not change the overall trends of imports for the two product categories concerned, which still shows a significant increase of imports.

product category 8	2013	2014	2015	2016	2017
Total imports (tonnes)	175 816	233 028	269 697	351 075	436 173
<i>index (2013 = 100)</i>	100	133	153	200	248
Excluding South Africa	157 289	214 041	246 965	325 272	407 050
<i>index (2013 = 100)</i>	100	136	157	207	259

⁽¹⁾ OJ L 83, 27.3.2015, p. 16.

⁽²⁾ OJ L 123, 19.5.2015, p. 33.

⁽³⁾ Commission Implementing Regulation (EU) 2018/1013 of 17 July 2018 imposing provisional safeguard measures with regard to imports of certain steel products (OJ L 181, 18.7.2018, p. 39).

⁽⁴⁾ OJ L 250, 16.9.2016, p. 3.

product category 9	2013	2014	2015	2016	2017
Total imports (tonnes)	697 457	1 017 613	787 521	843 352	976 108
<i>index (2013 = 100)</i>	100	146	113	121	140
Excluding South Africa	645 259	954 614	697 537	751 259	869 549
<i>index (2013 = 100)</i>	100	148	108	116	135

- (6) From a general point of view, the exclusion of South Africa does also not change the development of imports overall given its small share of less than 0,5 % of the total imports during the period 2013-2017. For the same reason, imports from South Africa do not alter the conclusions of recital (81) of Implementing Regulation (EU) 2018/1013 concerning the impact of other factors on the situation of the Union industry.

III. LEVEL OF PROVISIONAL MEASURES

- (7) South Africa should be excluded from the scope of the provisional safeguard measures for product categories 8 and 9, and the level of the quota should be adjusted for product categories 8 and 9 accordingly. Imports from South Africa that took place since the entry into force of the provisional safeguard measures should be retroactively excluded for the calculation of the free of duty quota for the remainder of the validity of the provisional measures.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Safeguards established under Article 3(3) of Regulation (EU) 2015/478 and Article 22(3) of Regulation (EU) 2015/755,

HAS ADOPTED THIS REGULATION:

Article 1

Imports of product categories 8 and 9 listed in Annex V of Implementing Regulation (EU) 2018/1013 and originating in South Africa shall not be subject to the provisional safeguard measures imposed by Implementing Regulation (EU) 2018/1013. Annex V of Implementing Regulation (EU) 2018/1013 concerning product categories 8 and 9 shall be replaced as follows:

'ANNEX V

Tariff quotas

Product Number	Order Number	Product category	CN Codes	Volume of tariff quota (net tonnes)	Additional duty rate
8	09.8508	Stainless Hot Rolled Sheets and Strips	7219 11 00, 7219 12 10, 7219 12 90, 7219 13 10, 7219 13 90, 7219 14 10, 7219 14 90, 7219 22 10, 7219 22 90, 7219 23 00, 7219 24 00, 7220 11 00, 7220 12 00	178 865	25 %
9	09.8509	Stainless Cold Rolled Sheets and Strips	7219 31 00, 7219 32 10, 7219 32 90, 7219 33 10, 7219 33 90, 7219 34 10, 7219 34 90, 7219 35 10, 7219 35 90, 7219 90 20, 7219 90 80, 7220 20 21, 7220 20 29, 7220 20 41, 7220 20 49, 7220 20 81, 7220 20 89, 7220 90 20, 7220 90 80	423 442	25 %

Article 2

1. Annex IV of Implementing Regulation (EU) 2018/1013, should be amended in so far as product groups 8 and 9 originating in South Africa are concerned, in order to reflect the provisions of Article 1. Annex IV of Implementing Regulation (EU) 2018/1013 concerning South Africa shall be replaced as follows:

‘ANNEX IV

**List of products originating in developing countries to which the provisional measures apply
(marked with an ‘x’)**

Country/Product group	1	2	3	4	5	6	7	8	9	12	13	14	15	16	17	18	20	21	22	23	25	26	28
South Africa’																							

2. Goods originating in South Africa falling within product categories 8 and 9 that were imported into the EU after the entry into force of Implementing Regulation (EU) 2018/1013 should be excluded from the calculation of the free of duty quota.

Article 3

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 November 2018.

For the Commission

The President

Jean-Claude JUNKER

DIRECTIVES

COUNCIL DIRECTIVE (EU) 2018/1713

of 6 November 2018

amending Directive 2006/112/EC as regards rates of value added tax applied to books, newspapers and periodicals

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 113 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) Council Directive 2006/112/EC ⁽³⁾ provides that Member States may apply reduced rates of value added tax (VAT) to publications on any physical means of support. However, a reduced VAT rate cannot be applied to electronically supplied publications, which have to be taxed at the standard VAT rate.
- (2) In line with the communication of the Commission of 6 May 2015 on a Digital Single Market Strategy for Europe and in order to keep abreast of technological progress in a digital economy, Member States should be enabled to align VAT rates for electronically supplied publications with lower VAT rates for publications that are supplied on physical means of support.
- (3) In its communication of 7 April 2016 on an action plan on VAT, the Commission outlined that electronically supplied publications should be able to benefit from the same preferential VAT rate treatment as publications that are supplied on physical means of support. In its recent judgment in case C-390/15 ⁽⁴⁾, the Court of Justice considered that the supply of digital publications on physical means of support and the supply of digital publications electronically amount to comparable situations. Therefore, it is appropriate to introduce the possibility for all Member States to apply a reduced VAT rate to the supply of books, newspapers and periodicals, irrespective of whether they are supplied on physical means of support or electronically. For the same reasons, it is appropriate to allow those Member States that, in accordance with Union law, currently apply VAT rates lower than the minimum laid down in Article 99 of Directive 2006/112/EC or that grant exemptions with deductibility of the VAT paid at the preceding stage to certain books, newspapers or periodicals supplied on physical means of support, to apply the same VAT treatment to such books, newspapers or periodicals when supplied electronically.
- (4) Since 1 January 2015, VAT on all electronically supplied services has been levied in the Member State where the customer is based. Given the implementation of the destination-based principle, it is no longer necessary to apply the standard rate to electronically supplied publications in order to ensure the establishment and the functioning of the internal market and to avoid distortion of competition.
- (5) In order to prevent the extensive use of reduced VAT rates on audiovisual content, Member States should be enabled to apply a reduced rate to books, newspapers and periodicals only if those publications, regardless of whether they are supplied on physical means of support or electronically, do not wholly or predominantly consist of music or video content.

⁽¹⁾ OJ C 307, 30.8.2018, p. 205.

⁽²⁾ OJ C 345, 13.10.2017, p. 79.

⁽³⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).

⁽⁴⁾ Judgment of the Court of Justice of 7 March 2017, RPO, C-390/15, ECLI:EU:C:2017:174, paragraph 49.

- (6) Member States should maintain discretion to set VAT rates for publications and restrict the scope of reduced VAT rates, including, subject to objective justification, where digital publications offer the same reading content.
- (7) Since the objective of this Directive, namely enabling Member States to apply the same VAT rates to electronically supplied publications as the VAT rates they currently apply to publications on any physical means of support, cannot be sufficiently achieved by the Member States and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (8) Directive 2006/112/EC should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 2006/112/EC is amended as follows:

- (1) in Article 98(2), the second subparagraph is replaced by the following:

‘The reduced rates shall not apply to electronically supplied services with the exception of those falling under point (6) of Annex III.’;

- (2) in Article 99, the following paragraph is added:

‘3. By way of derogation from paragraphs 1 and 2 of this Article, and in addition to the rates referred to in paragraph 1 of Article 98, Member States which, on 1 January 2017, applied, in accordance with Union law, reduced rates lower than the minimum laid down in this Article or granted exemptions with deductibility of the VAT paid at the preceding stage to the supply of certain goods referred to in point (6) of Annex III, may also apply the same VAT treatment where that supply is supplied electronically, as referred to in point (6) of Annex III.’;

- (3) in Annex III, point (6) is replaced by the following:

‘(6) supply, including on loan by libraries, of books, newspapers and periodicals either on physical means of support or supplied electronically or both (including brochures, leaflets and similar printed matter, children’s picture, drawing or colouring books, music printed or in manuscript form, maps and hydrographic or similar charts), other than publications wholly or predominantly devoted to advertising and other than publications wholly or predominantly consisting of video content or audible music’;

Article 2

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

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 6 November 2018.

For the Council
The President
H. LÖGER

DECISIONS

COUNCIL DECISION (EU) 2018/1714

of 6 November 2018

on the position to be taken on behalf of the European Union within the Joint Committee established by the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part, as regards the adoption of the rules of procedure of the Joint Committee and the adoption of the terms of reference of its sub-committees and working groups

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212(1), in conjunction with Article 218(9), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part ⁽¹⁾ (the 'Agreement') was signed in Manila on 7 August 2017 and it has been provisionally applied in part as of 4 October 2018.
- (2) Article 56(1) of the Agreement establishes a Joint Committee, whose tasks include inter alia promoting the effective implementation of the Agreement.
- (3) Article 56(4) of the Agreement provides that the Joint Committee is to adopt its rules of procedure and that it may set up sub-committees and working groups to deal with specific issues.
- (4) The rules of procedure of the Joint Committee and the terms of reference of its sub-committees and working groups should be adopted as soon as possible, in order to ensure the effective implementation of the Agreement.
- (5) The position of the Union within the Joint Committee as regards the adoption of the rules of procedure of the Joint Committee and the adoption of the terms of reference of its sub-committees and working groups should therefore be based on the attached draft Decisions of the Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the first meeting of the Joint Committee established pursuant to Article 56 of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part, as regards the adoption of the rules of procedure of the Joint Committee and the adoption of the terms of reference of its sub-committees and working groups shall be based on the draft Decisions of the Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 6 November 2018.

For the Council

The President

H. LÖGER

⁽¹⁾ OJ L 237, 15.9.2017, p. 7.

DRAFT

DECISION No .../2018 OF THE EU-AUSTRALIA JOINT COMMITTEE
of ...
regarding the adoption of the rules of procedure of the Joint Committee

THE EU-AUSTRALIA JOINT COMMITTEE,

Having regard to the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 56 thereof,

Whereas:

- (1) Parts of the Agreement have been provisionally applied as of 4 October 2018.
- (2) In accordance with Article 56(1) of the Agreement, a Joint Committee consisting of representatives of the Parties is established.
- (3) In accordance with Article 56(4) of the Agreement, the Joint Committee is to adopt its rules of procedure,

HAS ADOPTED THIS DECISION:

Article 1

The rules of procedure of the Joint Committee, as set out in the Annex to this Decision, are hereby adopted.

Article 2

This decision will enter into effect on the date of its adoption.

Signed at ...,

For the EU-Australia Joint Committee
The Co-Chairs

⁽¹⁾ OJ L 237, 15.9.2017, p. 7.

ANNEX

RULES OF PROCEDURE OF THE JOINT COMMITTEE

*Article 1***Tasks and composition**

1. The Joint Committee will perform the tasks provided for in Article 56 of the Agreement.
2. The Joint Committee will be composed of representatives of the Parties at the appropriate level.

*Article 2***Chair**

The Joint Committee will be co-chaired by the Parties.

*Article 3***Meetings**

1. The Joint Committee will meet once a year, unless otherwise decided by the Parties. The meetings will be convened by the co-chairs and held alternately in Brussels and Canberra, on a date fixed by mutual decision. Extraordinary meetings of the Joint Committee may be held at the request of either Party, if the Parties so mutually decide.
2. The Joint Committee will normally meet at the level of senior official but may meet at ministerial level.

*Article 4***Publicity**

Unless the Parties decide otherwise, meetings of the Joint Committee will not be public.

*Article 5***Participants of the meetings**

1. Before each meeting, the co-chairs will be informed, through the secretaries, of the intended composition of their Party's delegation.
2. Where appropriate and with the approval of the Parties, experts or representatives of other bodies may be invited to attend Joint Committee meetings as observers or in order to provide information on a particular subject.

*Article 6***Secretaries**

A representative of the European External Action Service and a representative of the Department of Foreign Affairs and Trade of Australia will act jointly as secretaries of the Joint Committee. All communications to and from the co-chairs will be forwarded to the secretaries.

*Article 7***Agendas for meetings**

1. The co-chairs will draw up a provisional agenda for each meeting. It will be forwarded, together with the relevant documents, to the other Party no later than 15 days before the meeting.
2. The provisional agenda will include items submitted to the co-chairs no later than 21 days before the meeting.

3. The final agenda will be adopted by the Joint Committee at the beginning of each meeting. Items other than those on the provisional agenda may be placed on the agenda if the Parties so mutually decide.
4. With the approval of the Parties, the co-chairs may shorten the time-limits referred to in Article 7(1) and (2), where required.

Article 8

Minutes

1. The secretaries will jointly produce draft minutes of each meeting, within 30 calendar days of the end of the meeting. The draft minutes will be based on a summary by the co-chairs of the conclusions reached by the Joint Committee.
2. The draft minutes will be approved by the Parties within 45 calendar days of the end of the meeting or by any other date jointly approved by the Parties. Once there is mutual consent on the draft minutes, two original copies will be signed by the co-chairs and the secretaries. Each Party will receive one original copy.

Article 9

Decisions and recommendations

1. The Joint Committee may adopt its decisions or recommendations by consensus of the Parties, in accordance with Article 6(4) of the Agreement.
2. The Joint Committee may decide to adopt decisions or recommendations by means of a written procedure. In such cases, the Parties will mutually decide upon a time-limit for the duration of the procedure. If at the expiry of that time-limit, no Party has expressed opposition to the proposed decision or recommendation, the co-chairs will declare the decision or recommendation to have been adopted by mutual consent.
3. Decisions and recommendations of the Joint Committee will be entitled 'Decision' or 'Recommendation', followed by a serial number, the date of their adoption and a description of the subject matter. Each decision will state the date of its entry into force.
4. Decisions and recommendations adopted by the Joint Committee will be drawn up in duplicate and signed by the co-chairs.
5. Each Party may decide to publish the Joint Committee's decisions and recommendations in its respective official publication.

Article 10

Correspondence

1. Correspondence addressed to the Joint Committee will be directed to the secretary of the Party to which the author belongs, who will in turn inform the other secretary.
2. The secretaries will ensure that correspondence addressed to the Joint Committee is forwarded to the co-chairs and circulated, where appropriate, in accordance with Article 11.
3. Correspondence from the co-chairs will be sent to the Parties by the secretaries and circulated, where appropriate, in accordance with Article 11.
4. Correspondence to and from the co-chairs may be by any written means, including by electronic mail.

Article 11

Documents

Where the deliberations of the Joint Committee are based on documents, those documents will be numbered and circulated by the secretaries to the participants of the meetings.

*Article 12***Expenses**

1. Each Party will meet any expenses it incurs as a result of participating in the meetings of the Joint Committee with regard to staff, travel, and subsistence expenditure, as well as postal and telecommunications expenditure.
2. Expenditure in connection with the organisation of meetings and the reproduction of documents will be borne by the Party hosting the meeting.

*Article 13***Amendments to the rules of procedure**

The Parties may mutually decide to amend the rules of procedure, in accordance with Article 9.

*Article 14***Sub-committees and working groups**

1. The Joint Committee may decide to set up sub-committees and working groups to assist it in carrying out its tasks.
2. The Joint Committee may decide to change the area of responsibility of a sub-committee or a working group or to abolish any sub-committee or working group that it has established.

DRAFT

DECISION No .../2018 OF THE EU-AUSTRALIA JOINT COMMITTEE

of ...

regarding the adoption of the terms of reference of its sub-committees and working groups

THE EU-AUSTRALIA JOINT COMMITTEE,

Having regard to the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part ⁽¹⁾ (the 'Agreement'), and in particular Article 56 thereof, and to Article 14 of the rules of procedure of the Joint Committee,

Whereas Article 14(1) of the rules of procedure of the Joint Committee provides that the Joint Committee may set up sub-committees and working groups to assist it in the performance of its tasks,

HAS ADOPTED THIS DECISION:

Article 1

The terms of reference of the sub-committees and working groups of the Joint Committee, as set out in the Annex to this Decision, are hereby adopted.

Article 2

This decision will enter into effect on the date of its adoption.

Signed at ...,

*For the EU-Australia Joint Committee
The Co-Chairs*

⁽¹⁾ OJ L 237, 15.9.2017, p. 7.

ANNEX

TERMS OF REFERENCE OF THE SUB-COMMITTEES AND WORKING GROUPS OF THE JOINT COMMITTEE

Article 1

The sub-committees and working groups may discuss the implementation of the Agreement in their areas of responsibility. They may also discuss subjects or specific projects relating to the relevant area of bilateral cooperation.

Article 2

1. The sub-committees and working groups will work under the authority of the Joint Committee. They will report and transmit their minutes and conclusions to the co-chairs within 30 calendar days of the end of each meeting.
2. The sub-committees and working groups will not have decision-making power, but they may submit recommendations to the Joint Committee.

Article 3

1. The sub-committees and working groups will be composed of representatives of the Parties.
2. The sub-committees and working groups may invite experts to their meetings and may hear them regarding specific points on the agenda.

Article 4

The sub-committees and working groups will be co-chaired by the Parties.

Article 5

A representative of each Party will jointly act as secretaries of each sub-committee and working group.

Article 6

1. The sub-committees and working groups will meet whenever circumstances so require, on the basis of a written request from either Party. Each meeting will be held at a place and on a date mutually decided by the Parties.
2. Where one Party requests a meeting of a sub-committee or a working group, the secretary of the other Party will reply within 15 working days of receipt of that request. In cases of particular urgency, meetings of the sub-committees and working groups may be convened at shorter notice, subject to the mutual consent of the Parties.
3. Meetings of the sub-committees and working groups will be jointly convened by the two secretaries.

Article 7

1. Either Party may request the co-chairs to put an item on the agenda for a meeting. Such requests will be submitted to the secretaries at least 15 working days, and any supporting documentation at least 10 working days, before the meeting.
2. The secretaries will communicate the provisional agenda to the Parties not later than five working days before the meeting. In exceptional circumstances, the Parties may mutually decide to add items to the agenda at short notice.

Article 8

The secretaries will jointly produce draft minutes of each meeting.

Article 9

Unless the Parties decide otherwise, meetings of the sub-committees and working groups will not be public.

COUNCIL DECISION (EU) 2018/1715**of 12 November 2018****on the financial contributions to be paid by Member States to finance the European Development Fund, including the ceiling for 2020, the annual amount for 2019, the first instalment for 2019 and an indicative and non-binding forecast for the expected annual amounts of contributions for the years 2021 and 2022**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies ⁽¹⁾, and in particular Article 7(2) thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund ⁽²⁾, and in particular Article 21(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with the procedure laid down in Article 21(2) of Regulation (EU) 2015/323, the Commission is to present a proposal by 15 October 2018 specifying: (a) the ceiling amount of the contribution for 2020; (b) the annual amount of the contribution for 2019; (c) the amount of the first instalment of the contribution for 2019; and (d) an indicative, non-binding forecast for the expected annual amounts of contributions for the years 2021-2022.
- (2) In accordance with Article 52 of Regulation (EU) 2015/323, the European Investment Bank (EIB) sent to the Commission its updated estimates of commitments and payments under the instruments it manages.
- (3) Article 22(1) of Regulation (EU) 2015/323 provides that calls for contributions first use up the amounts provided for in previous European Development Funds (EDFs). Therefore, a call for funds under the 10th EDF for the EIB and 11th EDF for the Commission should be made.
- (4) Council Decision (EU) 2017/2171 ⁽³⁾ has set out the ceiling for the annual amount of the Member States' EDF contributions for 2019 at EUR 4 600 000 000 for the Commission, and at EUR 300 000 000 for the EIB,

HAS ADOPTED THIS DECISION:

Article 1

The ceiling for the annual amount of the Member States' EDF contributions for 2020 is hereby set at EUR 4 900 000 000. It shall be divided into EUR 4 600 000 000 for the Commission, and EUR 300 000 000 for the EIB.

Article 2

The annual amount of the Member States' EDF contributions for 2019 is hereby set at EUR 4 700 000 000. It shall be divided into EUR 4 400 000 000 for the Commission, and EUR 300 000 000 for the EIB.

Article 3

The individual EDF contributions to be paid by the Member States to the Commission and the EIB as the first instalment for 2019 are provided for in the table set out in the Annex.

⁽¹⁾ OJ L 210, 6.8.2013, p. 1.

⁽²⁾ OJ L 58, 3.3.2015, p. 17.

⁽³⁾ Council Decision (EU) 2017/2171 of 20 November 2017 on the financial contribution to be paid by Member States to finance the European Development Fund, including the ceiling for 2019, the annual amount for 2018, the first instalment for 2018 and an indicative and non-binding forecast for the expected annual amounts for the years 2020 and 2021 (OJ L 306, 22.11.2017, p. 21).

Article 4

The indicative non-binding forecast for the expected annual amount of contributions for 2021 is hereby set at EUR 4 000 000 000 for the Commission and at EUR 300 000 000 for the EIB, and that for 2022 at EUR 3 500 000 000 for the Commission and EUR 400 000 000 for the EIB.

Article 5

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

Done at Brussels, 12 November 2018.

For the Council

The President

G. BLÜMEL

ANNEX

MEMBER STATES	Key 10th EDF %	Key 11th EDF %	1st instalment 2019 (EUR)		Total
			Commission 11th EDF	EIB 10th EDF	
BELGIUM	3,53	3,24927	64 985 400,00	3 530 000,00	68 515 400,00
BULGARIA	0,14	0,21853	4 370 600,00	140 000,00	4 510 600,00
CZECHIA	0,51	0,79745	15 949 000,00	510 000,00	16 459 000,00
DENMARK	2,00	1,98045	39 609 000,00	2 000 000,00	41 609 000,00
GERMANY	20,50	20,57980	411 596 000,00	20 500 000,00	432 096 000,00
ESTONIA	0,05	0,08635	1 727 000,00	50 000,00	1 777 000,00
IRELAND	0,91	0,94006	18 801 200,00	910 000,00	19 711 200,00
GREECE	1,47	1,50735	30 147 000,00	1 470 000,00	31 617 000,00
SPAIN	7,85	7,93248	158 649 600,00	7 850 000,00	166 499 600,00
FRANCE	19,55	17,81269	356 253 800,00	19 550 000,00	375 803 800,00
CROATIA	0,00	0,22518	4 503 600,00	0,00	4 503 600,00
ITALY	12,86	12,53009	250 601 800,00	12 860 000,00	263 461 800,00
CYPRUS	0,09	0,11162	2 232 400,00	90 000,00	2 322 400,00
LATVIA	0,07	0,11612	2 322 400,00	70 000,00	2 392 400,00
LITHUANIA	0,12	0,18077	3 615 400,00	120 000,00	3 735 400,00
LUXEMBOURG	0,27	0,25509	5 101 800,00	270 000,00	5 371 800,00
HUNGARY	0,55	0,61456	12 291 200,00	550 000,00	12 841 200,00
MALTA	0,03	0,03801	760 200,00	30 000,00	790 200,00
NETHERLANDS	4,85	4,77678	95 535 600,00	4 850 000,00	100 385 600,00
AUSTRIA	2,41	2,39757	47 951 400,00	2 410 000,00	50 361 400,00
POLAND	1,30	2,00734	40 146 800,00	1 300 000,00	41 446 800,00
PORTUGAL	1,15	1,19679	23 935 800,00	1 150 000,00	25 085 800,00
ROMANIA	0,37	0,71815	14 363 000,00	370 000,00	14 733 000,00
SLOVENIA	0,18	0,22452	4 490 400,00	180 000,00	4 670 400,00
SLOVAKIA	0,21	0,37616	7 523 200,00	210 000,00	7 733 200,00
FINLAND	1,47	1,50909	30 181 800,00	1 470 000,00	31 651 800,00
SWEDEN	2,74	2,93911	58 782 200,00	2 740 000,00	61 522 200,00
UNITED KINGDOM	14,82	14,67862	293 572 400,00	14 820 000,00	308 392 400,00
TOTAL EU-28	100,00	100,00	2 000 000 000,00	100 000 000,00	2 100 000 000,00

COMMISSION IMPLEMENTING DECISION (EU) 2018/1716**of 13 November 2018****amending Implementing Decision 2013/776/EU establishing the Education, Audiovisual and Culture Executive Agency**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EU) 2018/1475 of the European Parliament and of the Council ⁽²⁾ lays down the legal framework of the European Solidarity Corps, which will offer opportunities for young people to engage in solidarity activities. The programme will contribute to addressing unmet societal needs and strengthening communities, while enhancing young people's personal, educational, social, civic and professional development.
- (2) Management of part of the European Solidarity Corps action involves implementing technical projects which do not entail political decision-making and which require a high level of technical and financial expertise throughout the project cycle.
- (3) The Education, Audiovisual and Culture Executive Agency ('the Agency') has demonstrated an effective approach to managing Union programmes. Over several years it has built up competence, skills and capacity in the management of the programmes delegated to it.
- (4) A cost-benefit analysis carried out in accordance with Article 3(1) of Regulation (EC) No 58/2003 highlighted both the quantitative and qualitative advantages of delegating the management of part of the European Solidarity Corps actions to the Agency.
- (5) In terms of the cost comparison with the 'in-house option', the cost-benefit analysis found it more efficient and cost-effective by a margin of 30 % in net present value terms for tasks to be managed by the Agency. The new activities envisaged for delegation to the Agency are in line with its current mandate and mission. They also represent a continuation of its existing activities such as the European Voluntary Service projects delegated to it from the Erasmus+ Programme established by Regulation (EU) No 1288/2013 of the European Parliament and of the Council ⁽³⁾. In addition, the European Solidarity Corps stakeholders would benefit from the Agency's accumulated experience in programme management. Conversely, an in-house arrangement would be disruptive as the activities envisaged for delegation have never been managed internally by the parent Directorates-General, which lack the capacity to manage them in-house.
- (6) Therefore, the responsibility for implementing parts of the new European Solidarity Corps action under Regulation (EU) 2018/1475 should be conferred on the Agency and Commission Implementing Decision 2013/776/EU ⁽⁴⁾ should therefore be amended accordingly.
- (7) To ensure consistent implementation over time of this Decision and of the action concerned, it is necessary to ensure that the Agency exercise its tasks linked to the implementation of this action from the date on which Regulation (EU) 2018/1475 enters into force.
- (8) The measures provided for by this Implementing Decision are in accordance with the opinion of the Committee for Executive Agencies.

⁽¹⁾ OJ L 11, 16.1.2003, p. 1.

⁽²⁾ Regulation (EU) 2018/1475 of the European Parliament and of the Council of 2 October 2018 laying down the legal framework of the European Solidarity Corps and amending Regulation (EU) No 1288/2013, Regulation (EU) No 1293/2013 and Decision No 1313/2013/EU (OJ L 250, 4.10.2018, p. 1).

⁽³⁾ Regulation (EU) No 1288/2013 of the European Parliament and of the Council 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, (OJ L 347, 20.12.2013, p. 50).

⁽⁴⁾ Commission Implementing Decision 2013/776/EU of 18 December 2013 establishing the 'Education, Audiovisual and Culture Executive Agency' and repealing Decision 2009/336/EC (OJ L 343, 19.12.2013, p. 46).

HAS ADOPTED THIS DECISION:

Article 1

In Commission Implementing Decision 2013/776/EU, in the first subparagraph of Article 3(1), the following point (f) is added:

‘(f) The European Solidarity Corps.

The Agency is also entrusted with the provision of services to other Union programmes which contribute to the objectives of the European Solidarity Corps, which are referred to in Article 5(3) of the Regulation laying down the legal framework of the European Solidarity Corps (*).

(*) Regulation (EU) 2018/1475 of the European Parliament and of the Council of 2 October 2018 laying down the legal framework of the European Solidarity Corps and amending Regulation (EU) No 1288/2013, Regulation (EU) No 1293/2013 and Decision No 1313/2013/EU (OJ L 250, 4.10.2018, p. 1).’

Article 2

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

It shall apply from the date of entry into force of the basic act laying down the legal framework of the European Solidarity Corps ⁽⁵⁾.

Done at Brussels, 13 November 2018.

For the Commission

The President

Jean-Claude JUNCKER

⁽⁵⁾ See footnote 2.

