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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

DECISIONS ADOPTED JOINTLY BY THE EUROPEAN PARLIAMENT AND THE COUNCIL

DECISION No 1482/2007/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 11 December 2007

establishing a Community programme to improve the operation of taxation systems in the internal market (Fiscalis 2013) and repealing Decision No 2235/2002/EC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽²⁾,

Whereas:

- (1) Decision No 888/98/EC of the European Parliament and of the Council of 30 March 1998 establishing a programme of Community action to ameliorate the indirect taxation systems of the internal market (Fiscalis programme) ⁽³⁾ (hereinafter referred to as 'the 2002 programme') and Decision No 2235/2002/EC of the European Parliament and of the Council of 3 December 2002 adopting a Community programme to improve the operation of taxation systems in the internal market (Fiscalis programme 2003-2007) ⁽⁴⁾ (hereinafter referred to as 'the 2007 programme') have significantly contributed to the achievement of the objectives of the Treaty. It is therefore appropriate to continue the activities commenced under those programmes. The programme established by this Decision (hereinafter referred to as 'the Programme') should run for a period of six years to align its duration with that of the multi-annual financial framework contained in the Interinstitutional Agreement of 17 May 2006 between the European

Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽⁵⁾.

- (2) In the internal market, the effective, uniform and efficient application of Community law is essential for the functioning of taxation systems, in particular for the protection of national financial interests by combating tax evasion and tax avoidance, avoiding distortions of competition and reducing burdens on administrations and taxpayers. Achieving such an effective, uniform and efficient application of Community law is a matter for the Community, acting in partnership with the Member States. Efficient and effective cooperation among current and possible future Member States and between them and the Commission is a key element for the functioning of the taxation systems and the fight against fraud. The Programme should also help to identify legislation and administrative practices which may hamper cooperation and possible remedies for obstacles to such cooperation.
- (3) In order to support the process of accession by candidate countries, practical means should be provided in order to enable the tax administrations of those countries to undertake the full range of tasks required under Community legislation as of the date of their accession. The Programme should therefore be open to candidate countries. A similar approach should be taken to potential candidate countries.
- (4) The trans-European computerised secure communication and information exchange systems financed under the 2007 programme play a vital role in reinforcing the taxation systems within the Community and should therefore continue to be financed. In addition, it should be possible to include in the Programme further tax related information exchange systems such as the Excise Movement Control System (EMCS) established by Decision No 1152/2003/EC of the European Parliament and of the Council of 16 June 2003 on computerising the movement and surveillance of excisable products ⁽⁶⁾ and any system required for the purposes of Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments ⁽⁷⁾.

⁽¹⁾ OJ C 93, 27.4.2007, p. 1.

⁽²⁾ Opinion of the European Parliament of 20 June 2007 (not yet published in the Official Journal) and Council Decision of 22 November 2007.

⁽³⁾ OJ L 126, 28.4.1998, p. 1.

⁽⁴⁾ OJ L 341, 17.12.2002, p. 1. Decision as last amended by Council Regulation (EC) No 885/2004 (OJ L 168, 1.5.2004, p. 1).

⁽⁵⁾ OJ C 139, 14.6.2006, p. 1.

⁽⁶⁾ OJ L 162, 1.7.2003, p. 5.

⁽⁷⁾ OJ L 157, 26.6.2003, p. 38. Directive as last amended by Directive 2006/98/EC (OJ L 363, 20.12.2006, p. 129).

- (5) Experience gained by the Community from the 2002 and 2007 programmes shows that bringing officials from different national administrations together in professional activities, such as working visits, seminars, project groups and multilateral controls, contributes to the achievement of the objectives of such programmes. Those activities should therefore be continued. It should remain possible to develop new types of activities to respond even more effectively to the needs that may arise.
- (6) Experience gained from the 2002 and 2007 programmes indicates that the coordinated development and implementation of a common training programme contribute significantly to the objectives of such programmes, in particular in achieving a high standard of understanding of Community law. The opportunities offered by an electronic learning environment should be fully explored in this context.
- (7) Officials active in the field of taxation need a sufficient standard of linguistic competence to cooperate and participate in the Programme. It should be the responsibility of the participating countries to provide the necessary language training for their officials.
- (8) It is appropriate to provide for the possibility to organise certain activities with the participation of experts, such as officials, of third countries or representatives of international organisations.
- (9) The mid-term evaluation of the 2007 programme has confirmed that information resulting from programme activities should be made available to all participating countries and the Commission.
- (10) Although the primary responsibility for achieving the objectives of the Programme lies with the participating countries, Community action is needed for the coordination of the activities pursued under the Programme as well as for the provision of the infrastructure and the necessary stimulus.
- (11) Since the objectives of this Decision cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with

the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives.

- (12) This Decision lays down, for the entire duration of the Programme, a financial envelope constituting the prime reference, within the meaning of point 37 of the Inter-institutional Agreement of 17 May 2006 on budgetary discipline and sound financial management, for the budgetary authority during the annual budgetary procedure.
- (13) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAVE ADOPTED THIS DECISION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Fiscalis 2013 programme

1. A multiannual Community action programme (Fiscalis 2013) (hereinafter referred to as the 'Programme'), is hereby established for the period from 1 January 2008 to 31 December 2013 to improve the operation of the taxation systems in the internal market.

2. The Programme shall consist of the following activities:

- (a) communication and information-exchange systems;
- (b) multilateral controls as defined in Article 2(4);
- (c) seminars and project groups;
- (d) working visits;
- (e) training activities; and
- (f) other similar activities required to achieve the objectives of the Programme.

Participation in activities referred to in points (b) to (f) shall be on a voluntary basis.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

Article 2

Definitions

For the purposes of this Decision the following definitions shall apply:

1. 'taxation' shall mean the following taxes applied in the participating countries, as defined in Article 3(1):

- (a) value added tax;
- (b) excise duties on alcohol and tobacco products, as well as taxes on energy products and electricity, as provided for in Directives 92/83/EEC ⁽¹⁾, 95/59/EC ⁽²⁾ and 2003/96/EC ⁽³⁾, respectively;
- (c) taxes on income and on capital as described in Article 1(2) of Directive 77/799/EEC ⁽⁴⁾;
- (d) taxes on insurance premiums as defined in Article 3 of Directive 76/308/EEC ⁽⁵⁾;

2. 'administration' shall mean the public authorities and other bodies in the participating countries which are responsible for administering taxation or tax-related activities;

3. 'official' shall mean a member of an administration;

4. 'multilateral control' shall mean the coordinated control of the tax liability of one or more related taxable persons organised by two or more participating countries with common or complementary interests, which include at least one Member State.

Article 3

Participation in the Programme

1. Participating countries are the Member States and the countries referred to in paragraph 2.

- ⁽¹⁾ Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages (OJ L 316, 31.10.1992, p. 21). Directive as last amended by the 2005 Act of Accession.
- ⁽²⁾ Council Directive 95/59/EC of 27 November 1995 on taxes other than turnover taxes which affect the consumption of manufactured tobacco (OJ L 291, 6.12.1995, p. 40). Directive as last amended by Directive 2002/10/EC (OJ L 46, 16.2.2002, p. 26).
- ⁽³⁾ Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283, 31.10.2003, p. 51). Directive as last amended by Directive 2004/75/EC (OJ L 157, 30.4.2004, p. 100).
- ⁽⁴⁾ Council Directive 77/799/EEC of 19 December 1977 concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation and taxation of insurance premiums (OJ L 336, 27.12.1977, p. 15). Directive as last amended by Directive 2006/98/EC.
- ⁽⁵⁾ Council Directive 76/308/EEC of 15 March 1976 on mutual assistance for the recovery of claims relating to certain levies, duties, taxes and other measures (OJ L 73, 19.3.1976, p. 18). Directive as last amended by the 2003 Act of Accession.

2. The Programme shall be open to the participation of the following:

- (a) candidate countries benefiting from a pre-accession strategy, in accordance with the general principles and general terms and conditions for the participation of those countries in Community programmes established in the relevant framework agreement and association council decisions; and
- (b) potential candidate countries, in accordance with provisions to be determined with those countries following the establishment of framework agreements concerning their participation in Community programmes.

3. Participating countries shall be represented by officials.

Article 4

Objectives

1. The overall objective of the Programme shall be to improve the proper functioning of the taxation systems in the internal market by increasing cooperation between participating countries, their administrations and officials.

2. The specific objectives of the Programme shall be the following:

- (a) in respect of value added tax and excise duties:
 - (i) to secure efficient, effective and extensive information exchange and administrative cooperation;
 - (ii) to enable officials to achieve a high standard of understanding of Community law and its implementation in Member States; and
 - (iii) to ensure the continuing improvement of administrative procedures to take account of the needs of administrations and taxable persons through the development and dissemination of good administrative practice;
- (b) in respect of taxes on income and on capital:
 - (i) to secure efficient and effective information exchange and administrative cooperation, including the sharing of good administrative practices; and
 - (ii) to enable officials to achieve a high standard of understanding of Community law and of its implementation in Member States;

- (c) in respect of taxes on insurance premiums, to improve cooperation between administrations, ensuring better application of the existing rules; and
- (d) in respect of candidate and potential candidate countries, to meet the special needs of those countries so that they take the necessary measures for accession in the field of tax legislation and administrative capacity.

Article 5

Work programme and indicators

The Commission shall, in accordance with the management procedure referred to in Article 17(2), establish a work programme annually. The work programme shall be based on a schedule of activities envisaged for the budgetary year concerned and the expected breakdown of the funds. The work programme shall be published on the Commission's website.

The work programme shall contain indicators for the specific objectives of the Programme set out in Article 4(2), which shall be used for the mid-term and final evaluations of the Programme in accordance with Article 19.

CHAPTER II

PROGRAMME ACTIVITIES

Article 6

Communication and information exchange systems

1. The Commission and the Member States shall ensure that the communication and information exchange systems referred to in paragraph 2 are operational.
2. The communication and information exchange systems shall comprise the following:
 - (a) the Common Communications Network/Common Systems Interface (CCN/CSI);
 - (b) the VAT Information Exchange System (VIES);
 - (c) excise systems;
 - (d) the Excise Movement and Control System (EMCS); and
 - (e) any new tax-related communication and information exchange systems, established under Community legislation and provided for in the work programme referred to in Article 5.

3. The Community components of the communication and information exchange systems shall be the hardware, software and network connections which are common to all Member States.

The Commission shall, on behalf of the Community, conclude the necessary contracts to ensure the operational nature of those components.

4. The non-Community components of the communication and information exchange systems shall comprise the national databases forming part of those systems, the network connections between the Community and non-Community components and such software and hardware as each Member State deems appropriate for the full operation of those systems throughout its administration.

The Member States shall ensure that the non-Community components are kept operational and are interoperable with the Community components.

5. The Commission shall coordinate, in cooperation with the Member States, those aspects of the establishment and functioning of the Community and non-Community components of the systems and infrastructure referred to in paragraph 2 which are necessary to ensure their operability, interconnectivity and continuous improvement. The Member States shall comply with the schedules and deadlines established for that purpose.

Article 7

Multilateral controls

Participating countries shall choose from among the multilateral controls organised by them those the costs of which are to be borne by the Community in accordance with Article 14. After each such control, an evaluation report shall be submitted to the Commission.

Article 8

Seminars and project groups

The Commission and the participating countries shall together organise seminars and project groups.

Article 9

Working visits

1. Participating countries may organise working visits for officials. The working visits shall not exceed one month. Each working visit shall target a particular professional activity and shall be sufficiently prepared, monitored and subsequently evaluated by the officials and administrations concerned.

2. Participating countries shall enable visiting officials to play an effective role in the activities of the host administration. To this end, visiting officials shall be authorised to carry out the tasks relating to the duties entrusted to them by the host administration in accordance with its legal system.

3. During the working visit, the civil liability of the visiting official in the performance of his duties shall be treated in the same way as that of officials of the host administration. Visiting officials shall be bound by the same rules of professional secrecy and transparency as officials of the host administration.

Article 10

Training activities

1. Participating countries, in cooperation with the Commission, shall facilitate structured cooperation between national training bodies and officials responsible for training in taxation administrations, and in particular by the following means:

- (a) the development of existing training programmes and, where necessary, new programmes to provide a common core of training for officials so as to enable them to acquire the necessary professional skills and knowledge;
- (b) where appropriate, the opening of training courses in the field of taxation to officials from all participating countries, where such courses are provided by a participating country for its own officials;
- (c) where appropriate, the development of the necessary tools for common tax training.

2. Participating countries shall, where appropriate, integrate the jointly developed training programmes referred to in paragraph 1(a) into their national training programmes.

Participating countries shall ensure that their officials receive the initial and continuous training necessary to acquire common professional skills and knowledge in accordance with the training programmes and the linguistic training necessary for officials to attain a sufficient level of linguistic competence for participation in the Programme.

Article 11

Participation in activities under the Programme

Experts, such as representatives of international organisations and officials of third countries, may take part in activities organised under the Programme whenever that is essential to achieve the objectives set out in Article 4.

Article 12

Information sharing

Information resulting from the activities referred to in Article 1(2) shall be shared between participating countries and the Commission insofar as it contributes to the achievement of the Programme's objectives.

CHAPTER III

FINANCIAL PROVISIONS

Article 13

Financial framework

1. The financial envelope for the implementation of the Programme for the period from 1 January 2008 to 31 December 2013 shall be EUR 156 900 000.

2. Annual appropriations shall be authorised by the budgetary authority within the limits of the multiannual financial framework, in accordance with point 37 of the Inter-institutional Agreement of 17 May 2006 on budgetary discipline and sound financial management.

Article 14

Expenditure

1. The expenditure necessary for the implementation of the Programme shall be borne by the Community and the participating countries in accordance with paragraphs 2 to 6.

2. The Community shall bear the following expenditure:

- (a) the costs of the acquisition, development, installation, maintenance and day-to-day operation of the Community components of the communication and information exchange systems referred to in Article 6(3);
- (b) the travel and living expenses incurred by officials from the participating countries relating to multilateral controls, working visits, seminars and project groups;
- (c) the organisational costs of seminars;
- (d) the travel and living expenses incurred by experts participating in activities as referred to in Article 11;
- (e) the costs of the acquisition, development, installation, maintenance of training systems and modules insofar as they are common to all participating countries; and

- (f) the costs of other activities referred to in Article 1(2)(f), up to a maximum of 5 % of the overall cost of the Programme.

3. The participating countries shall cooperate with the Commission to ensure that appropriations are used in accordance with the principle of sound financial management.

The Commission shall, in accordance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾ (hereinafter referred to as 'the Financial Regulation'), determine the rules relating to the payment of expenses and shall communicate them to the participating countries.

4. The Commission shall, in accordance with the management procedure referred to in Article 17(2), adopt any necessary measures for the budget management of the Programme.

5. The financial allocation for the Programme may also cover expenses relating to preparatory, monitoring, control, audit and evaluation activities which are required directly for the management of the Programme and the achievement of its objectives, and in particular, studies, meetings, information and publication actions, expenses linked to IT networks focusing on information exchange, together with all other technical and administrative assistance expenses that the Commission may incur for the management of the Programme.

The share of administrative expenditure shall, in general, not exceed 5 % of the overall cost of the Programme, including administrative expenditure attributed to the Commission.

6. The participating countries shall bear the following expenditure:

- (a) the costs of the acquisition, development, installation, maintenance and day-to-day operation of the non-Community components of the communication and information exchange systems referred to in Article 6(4); and
- (b) the costs relating to the initial and continuing training, including linguistic training, of their officials.

Article 15

Applicability of the Financial Regulation

The Financial Regulation shall apply to all grants within the meaning of Articles 108 to 120 thereof which are awarded

pursuant to this Decision. In particular, a prior written agreement, within the meaning of Article 108 of the Financial Regulation and its detailed implementing provisions, shall be concluded with the beneficiaries, who shall state their agreement to audits by the Court of Auditors into the use made of the financing granted. Such audits may be carried out without prior notice.

Article 16

Financial control

Financing decisions and any agreements or contracts resulting from this Decision shall be subject to financial control and, if necessary, on-the-spot audits by the Commission, in particular the European Anti-Fraud Office (OLAF), and by the Court of Auditors.

CHAPTER IV

OTHER PROVISIONS

Article 17

Committee

1. The Commission shall be assisted by the Fiscalis Committee.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

Article 18

Follow-up

The Programme shall be subject to continuous joint monitoring by the participating countries and the Commission.

Article 19

Mid-term and final evaluations

1. Mid-term and final evaluations of the Programme shall be carried out under the responsibility of the Commission using the reports referred to in paragraph 2 and any other relevant information. The Programme shall be evaluated in terms of the objectives set out in Article 4.

The mid-term evaluation shall review the results obtained at the mid-term of the duration of the Programme in terms of effectiveness and efficiency, as well as the continued relevance of the objectives of the Programme and impact of its activities. It shall also assess the use of funding and the progress of follow-up and implementation.

The final evaluation shall concentrate on the effectiveness and efficiency of the activities of the Programme. The mid-term and final evaluations shall be published on the Commission's website.

⁽¹⁾ OJ L 248, 16.9.2002, p. 1. Regulation as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

2. The participating countries shall submit the following evaluation reports to the Commission:

- (a) by 31 March 2011, a mid-term evaluation report on the Programme's relevance, effectiveness and efficiency; and
- (b) by 31 March 2014, a final evaluation report focusing on the Programme's effectiveness and efficiency.

3. On the basis of the reports referred to in paragraph 2 and any other relevant information, the Commission shall submit to the European Parliament and to the Council the following reports:

- (a) by 31 July 2011, a mid-term evaluation report and a communication on the desirability of continuing the Programme, accompanied, where appropriate, by a proposal; and
- (b) by 31 July 2014, the final evaluation report.

Those reports shall also be sent to the European Economic and Social Committee and the Committee of the Regions for their information.

Article 20

Repeal

Decision No 2235/2002/EC shall be repealed with effect from 1 January 2008.

However, financial obligations related to actions pursued under that Decision shall continue to be governed by that Decision until their completion.

Article 21

Entry into force

This Decision shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2008.

Article 22

Addressees

This Decision is addressed to the Member States.

Done at Strasbourg, 11 December 2007.

For the European Parliament

The President

H.-G. PÖTTERING

For the Council

The President

M. LOBO ANTUNES

REGULATIONS

COMMISSION REGULATION (EC) No 1483/2007

of 14 December 2007

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 December 2007.

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

Done at Brussels, 14 December 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 14 December 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	168,9
	MA	95,9
	TN	157,6
	TR	121,3
	ZZ	135,9
0707 00 05	JO	237,0
	MA	47,6
	TR	99,6
	ZZ	128,1
0709 90 70	JO	149,8
	MA	58,4
	TR	105,9
	ZZ	104,7
0709 90 80	EG	359,4
	ZZ	359,4
0805 10 20	AR	13,6
	AU	10,4
	BR	25,6
	TR	68,8
	ZA	39,5
	ZW	19,3
	ZZ	29,5
0805 20 10	MA	73,0
	ZZ	73,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	68,5
	TR	73,7
	ZZ	71,1
0805 50 10	EG	81,3
	IL	82,7
	MA	119,9
	TR	110,8
	ZZ	98,7
0808 10 80	AR	79,2
	CA	97,8
	CN	98,4
	MK	30,1
	US	92,4
	ZZ	79,4
0808 20 50	AR	71,4
	CN	58,9
	US	109,9
	ZZ	80,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1484/2007**of 14 December 2007****fixing the import duties in the cereals sector applicable from 16 December 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10(2) of Regulation (EC) No 1784/2003 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Article 10(3) of Regulation (EC) No 1784/2003 lays down that, for the purposes of calculating the import

duty referred to in paragraph 2 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EC) No 1249/96, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 4 of that Regulation.
- (4) Import duties should be fixed for the period from 16 December 2007, and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 December 2007, the import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 16 December 2007.

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

Done at Brussels, 14 December 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as last amended by Regulation (EC) No 735/2007 (OJ L 169, 29.6.2007, p. 6). Regulation (EC) No 1784/2003 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1816/2005 (OJ L 292, 8.11.2005, p. 5).

ANNEX I

Import duties on the products referred to in Article 10(2) of Regulation (EC) No 1784/2003 applicable from 16 December 2007

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	0,00
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00
1007 00 90	Grain sorghum other than hybrids for sowing	0,00

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

30.11.2007-13.12.2007

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

(EUR/t)

	Common wheat (*)	Maize	Durum wheat, high quality	Durum wheat, medium quality (**)	Durum wheat, low quality (***)	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	262,47	110,33	—	—	—	—
Fob price USA	—	—	433,79	423,79	403,79	162,99
Gulf of Mexico premium	—	16,25	—	—	—	—
Great Lakes premium	15,30	—	—	—	—	—

(*) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(**) Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 55,22 EUR/t

Freight costs: Great Lakes–Rotterdam: 47,42 EUR/t

COMMISSION REGULATION (EC) No 1485/2007

of 14 December 2007

registering certain names in the Register of protected designations of origin and protected geographical indications (Carne de Bísaro Transmontano or Carne de Porco Transmontano (PDO), Szegedi szalámi or Szegedi téliszalámi (PDO), Pecorino di Filiano (PDO), Cereza del Jerte (PDO), Garbanzo de Fuentesauco (PGI), Lenteja Pardina de Tierra de Campos (PGI), Λουκούμι Γεροσκήπου (Loukoumi Geroskipou) (PGI), Skalický trdelník (PGI))

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 6(2) and having regard to Article 17(2) of Regulation (EC) No 510/2006, Portugal's application to register the name 'Carne de Bísaro Transmontano' or 'Carne de Porco Transmontano', Hungary's application to register the name 'Szegedi szalámi' or 'Szegedi téliszalámi', Italy's application to register the name 'Pecorino di Filiano', Spain's applications to register the names 'Cereza del Jerte', 'Garbanzo de Fuentesauco' and

'Lenteja Pardina de Tierra de Campos', Cyprus' application to register the name 'Λουκούμι Γεροσκήπου' (Loukoumi Geroskipou) and the Slovak Republic's application to register the name 'Skalický trdelník' have been published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, these names should be entered in the Register,

HAS ADOPTED THIS REGULATION:

Article 1

The names in the Annex to this Regulation are hereby entered in the Register of protected designations of origin and protected geographical indications.

Article 2

This Regulation shall enter into force on the 20th day following 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, 14 December 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ C 89, 24.4.2007, p. 23 (Carne de Bísaro Transmontano or Carne de Porco Transmontano), OJ C 86, 20.4.2007, p. 12 (Szegedi szalámi or Szegedi téliszalámi), OJ C 85, 19.4.2007, p. 9 (Pecorino di Filiano), OJ C 85, 19.4.2007, p. 1 (Cereza del Jerte), OJ C 86, 20.4.2007, p. 3 (Garbanzo de Fuentesauco), OJ C 88, 21.4.2007, p. 1 (Lenteja Pardina de Tierra de Campos), OJ C 88, 21.4.2007, p. 10; as corrected in OJ C 151, 5.7.2007, p. 25 (Λουκούμι Γεροσκήπου (Loukoumi Geroskipou)), OJ C 88, 21.4.2007, p. 7 (Skalický trdelník).

ANNEX

1. Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.1. Fresh meat (and offal)

PORTUGAL

Carne de Bísaro Transmontano or Carne de Porco Transmontano (PDO)

Class 1.2. Meat products (cooked, salted, smoked, etc.)

HUNGARY

Szegedi szalámi or Szegedi téliszalámi (PDO)

Class 1.3. Cheese

ITALY

Pecorino di Filiano (PDO)

Class 1.6. Fruit, vegetables, cereals, whether or not processed

SPAIN

Cereza del Jerte (PDO)

Garbanzo de Fuentesauco (PGI)

Lenteja Pardina de Tierra de Campos (PGI)

2. Foodstuffs listed in Annex I to the Regulation:

Class 2.4. Bread, pastry, cakes, confectionery, biscuits and other baker's wares

CYPRUS

Λουκούμι Γεροσκήπου (Loukoumi Geroskipou) (PGI)

SLOVAK REPUBLIC

Skalický trdelník (PGI)

COMMISSION REGULATION (EC) No 1486/2007

of 14 December 2007

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Olives noires de Nyons (PDO))

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 9(1), and in application of Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined France's application for the approval of amendments to the specification of the protected designation of origin 'Olives noires de Nyons' registered on the basis of Commission Regulation (EC) No 1107/96 ⁽²⁾.

- (2) As the amendments in question were not found to be minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the application for amendments in the *Official Journal of the European Union* ⁽³⁾, in application of the first subparagraph of Article 6(2) of that Regulation. As no objections were notified to the Commission under Article 7 of Regulation (EC) No 510/2006, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the 20th day following 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, 14 December 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 148, 21.6.1996, p. 1. Regulation as last amended by Regulation (EC) No 2156/2005 (OJ L 342, 24.12.2005, p. 54).

⁽³⁾ OJ C 89, 24.4.2007, p. 26.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. **Fruit, vegetables, cereals, whether or not processed**

FRANCE

Olives noires de Nyons (PDO)

COMMISSION REGULATION (EC) No 1487/2007**of 14 December 2007****establishing a prohibition of fishing for herring in ICES zone IV north of 53° 30' N by vessels flying the flag of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2007.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2007 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

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

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

Done at Brussels, 14 December 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as corrected by OJ L 36, 8.2.2007, p. 6.

⁽³⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

ANNEX

No	88
Member State	Germany
Stock	HER/4AB.
Species	Herring (<i>Clupea harengus</i>)
Zone	IV north of 53°30'N
Date	27.11.2007

COMMISSION REGULATION (EC) No 1488/2007**of 14 December 2007****prohibiting fishing for alfonsinos in ICES areas I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV
(Community waters and waters not under the sovereignty or jurisdiction of third countries) by
vessels flying the flag of Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks ⁽³⁾ lays down quotas for 2007 and 2008.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of, or registered in, the Member State referred to therein have exhausted the quota allocated for 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated for 2007 to the Member State referred to in the Annex to this Regulation for the stock referred to therein shall be deemed to be exhausted from the date stated in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of, or registered in, the Member State referred to therein shall be prohibited from the date stated in that Annex. After that date it shall also be prohibited to retain on board, tranship or land such stock caught by those vessels.

*Article 3***Entry into force**

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

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

Done at Brussels, 14 December 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as corrected by OJ L 36, 8.2.2007, p. 6.

⁽³⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

ANNEX

No	87
Member State	Portugal
Stock	ALF/3X14-
Species	Alfonsinos (<i>Beryx</i> spp.)
Area	Community waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV
Date	24.11.2007

**REGULATION (EC) No 1489/2007 OF THE EUROPEAN CENTRAL BANK
of 29 November 2007**

**amending Regulation (EC) No 2423/2001 (ECB/2001/13) concerning the consolidated balance sheet
of the monetary financial institutions sector
(ECB/2007/18)**

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank ⁽¹⁾, and in particular Articles 5(1) and 6(4) thereof,

Article 1

Regulation (EC) No 2423/2001 (ECB/2001/13) is amended as follows:

Whereas:

(1) Regulation (EC) No 2423/2001 of the European Central Bank of 22 November 2001 concerning the consolidated balance sheet of the monetary financial institutions sector (ECB/2001/13) ⁽²⁾ requires monetary financial institutions (MFIs) to report quarterly statistical data broken down by country and currency. It needs to be amended to take into account the accession of new Member States to the European Union.

(2) Regulation (EC) No 2423/2001 (ECB/2001/13) also imposes an obligation to report quarterly data on positions vis-à-vis counterparties resident in the territories of Member States that have adopted the euro. It needs to be amended to take into account the adoption of the euro by further Member States.

(3) National central banks (NCBs) should be allowed to grant, on a non-discriminatory basis, derogations from the reporting requirements to individual electronic money institutions in certain situations. In cases where electronic money institutions fulfil certain conditions, the underlying purpose behind collecting statistical data under Regulation (EC) No 2423/2001 (ECB/2001/13) can be met without imposing statistical requirements on such institutions. The European Central Bank (ECB) aims to ensure a level playing field by monitoring the granting of such derogations.

(4) The conditions under which shares issued by MFIs should be classified as deposits instead of as capital and reserves need to be clarified,

1. in Article 1, the following paragraph is added:

‘For the purposes of this Regulation, the terms “electronic money institution” and “electronic money” shall have the same meaning as in Article 1(3) of Directive 2000/46/EC of the European Parliament and of the Council of 18 September 2000 on the taking up, pursuit of and prudential supervision of the business of electronic money institutions (*).

(*) OJ L 275, 27.10.2000, p. 39.’

2. in Article 2, the following paragraph 4 is added:

‘4. Without prejudice to Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast) (*) and Article 2 of Regulation (EC) No 1745/2003 of the European Central Bank of 12 September 2003 on the application of minimum reserves (ECB/2003/9) (**), NCBs may, subject to the conditions specified in paragraphs 2 to 4 of Annex III, grant derogations to individual electronic money institutions. The NCBs shall check the fulfilment of the conditions laid down in paragraph 2 of Annex III in good time in order to grant or withdraw, if necessary, any derogation. Any NCB that grants such a derogation shall inform the ECB thereof.

(*) OJ L 177, 30.6.2006, p. 1.

(**) OJ L 250, 2.10.2003, p. 10.’

3. Annex I is amended in accordance with Annexes I and II to this Regulation.

4. Annex III is replaced by the text set out in Annex III to this Regulation.

5. Annex V is amended in accordance with Annex IV to this Regulation.

⁽¹⁾ OJ L 318, 27.11.1998, p. 8.

⁽²⁾ OJ L 333, 17.12.2001, p. 1. Regulation as last amended by Regulation (EC) No 4/2007 (ECB/2006/20) (OJ L 2, 5.1.2007, p. 3).

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Done at Frankfurt am Main, 29 November 2007.

For the Governing Council of the ECB

The President of the ECB

Jean-Claude TRICHET

ANNEX I

Annex I to Regulation (EC) No 2423/2001 (ECB/2001/13) is amended as follows:

1. Part 1 is amended as follows:

(a) Section I is amended as follows:

(i) The following sentence is added at the end of paragraph 4:

‘These criteria for the substitutability of deposits are also applied to determine whether liabilities should be classified as deposits, unless there is a separate category for such liabilities.’

(ii) The first sentence of paragraph 5 is replaced by the following:

‘For the purposes both of determining substitutability of deposits in accordance with the previous paragraph and classifying liabilities as deposits:’

(b) Section IV is amended as follows:

(i) Paragraph 6a is replaced by the following:

‘6a. In the event that any country accedes to the EU after 31 December 2007, reporting agents must thereafter report positions vis-à-vis counterparties resident in that new Member State in accordance with Table 3 of Part 2.

If figures collected at a higher level of aggregation show that positions vis-à-vis counterparties resident in any Member State that has not adopted the euro are insignificant, an NCB may decide not to require reporting in relation to such Member State. The NCB shall inform its reporting agents of any such decision.’

(ii) Paragraph 7a is replaced by the following:

‘7a. In the event that any Member State adopts the euro after 31 December 2007, reporting agents must thereafter report positions vis-à-vis the currency of that new participating Member State in accordance with Table 4 of Part 2.

In such cases, the column in Table 4 of Part 2 corresponding to the former currency of the new participating Member State is no longer applicable.

In the event that any country accedes to the EU after 31 December 2007, reporting agents must thereafter report positions vis-à-vis the currency of that new Member State in accordance with Table 4 of Part 2.

If figures collected at a higher level of aggregation show that positions vis-à-vis the currency of a Member State that has not adopted the euro are insignificant, an NCB may decide not to require reporting in relation to such Member State. The NCB shall inform its reporting agents of any such decision.’

(iii) Paragraph 9a is replaced by the following:

‘9a. Where positions in respect of cells corresponding to Member States that have not adopted the euro are insignificant but NCBs nevertheless collect them, these may be transmitted by the NCBs to the ECB with a delay of a further one month from the close of business on the 28th working day following the end of the quarter to which the positions relate. The NCBs may decide when they need to receive data from reporting agents in order to meet this deadline.’

2. In Part 2, Tables 3 and 4 are replaced by the Tables set out in Annex II to this Regulation.

3. In Part 3, the table is amended as follows:

(a) In asset category 2 (loans), the second indent after the first paragraph is replaced by the following:

‘— deposits, as defined under liability category 9 (deposits)’.

(b) In liability category 9 (deposits):

(i) The first sentence is replaced by the following:

‘Amounts (shares, deposits or other), which are owed to creditors by reporting agents and which comply with the features described in paragraph 5 of Section I of Part 1, except those arising from the issue of negotiable securities or MMF shares/units.’

(ii) The following paragraphs are added after the final paragraph:

‘Shares issued by MFIs are classified as deposits instead of as capital and reserves if: (a) there is a debtor-creditor economic relationship between the issuing MFI and the holder (regardless of any property rights in these shares); and (b) the shares can be converted into currency or redeemed without significant restrictions or penalties. A notice period is not considered to be a significant restriction.

In addition, such shares must comply with the following conditions:

- the relevant national regulatory provisions provide no unconditional right to the issuing MFI to refuse redemption of its shares;
- the shares are “value certain”, i.e. under normal circumstances they will be paid out at their nominal value in the event of redemption; and
- in the event of the MFI’s insolvency, the holders of its shares are legally subject neither to the obligation to cover outstanding liabilities in addition to the nominal value of the shares (i.e. the shareholders’ participation in the subscribed capital) nor to any other onerous supplementary obligations. The subordination of shares to any other instrument issued by the MFI does not qualify as an onerous supplementary obligation.

The notice periods for the conversion of such shares into currency are used in order to classify these shares according to the breakdown by notice period within the instrument category “deposits”. These notice periods also apply when determining the reserve ratio under Article 4 of Regulation (EC) No 1745/2003 (ECB/2003/9). Any earmarked shares relating to loans made by the MFI should be classified as deposit liabilities, with the same original maturity breakdown as the underlying loan, i.e. as “deposits with agreed maturity” or “deposits redeemable at notice”, depending on the maturity provisions of the underlying loan contract.

When held by MFIs, such shares issued by MFIs and classified as deposits instead of capital and reserves should be classified by the holding MFI as loans on the asset side of its balance sheet.’

ANNEX II

Tables 3 and 4 of Part 2 of Annex I to Regulation (EC) No 2423/2001 (ECB/2001/13) are replaced by the following:

Table 3

Country breakdown

Data to be provided at a quarterly frequency

Balance sheet items	Each other participating Member State (i.e. excluding domestic sector) and each other EU Member State			Rest of the world (excluding EU)
	Member State	Member State	Member State	
LIABILITIES				
8. Currency in circulation				
9. Deposits				
a. from MFIs				
b. from non-MFIs				
10. MMF shares/units				
11. Debt securities issued				
12. Capital and reserves				
13. Remaining liabilities				
ASSETS				
1. Cash				
2. Loans				
a. to MFIs				
b. to non-MFIs				
3. Securities other than shares				
a. issued by MFIs				
up to 1 year				
over 1 year and up to 2 years				
over 2 years				
b. issued by non-MFIs				
4. MMF shares/units				
5. Shares and other equity				
6. Fixed assets				
7. Remaining assets				

Balance sheet items	All currencies combined	Euro	Currency of each other EU Member State				Currencies other than EU Member State currencies combined					
			EU Member State currency	EU Member State currency	EU Member State currency	EU Member State currency	Total	USD	JPY	CHF	Remaining currencies combined	
B. <i>Other participating Member States</i> a. to MFIs b. to non-MFIs C. <i>Rest of the world</i> i. up to 1 year ii. over 1 year a. to banks b. to non-banks	M											
	M	M										
	M											
	M											
	Quarterly figures from Table 2											
3. Securities other than shares A. <i>Domestic</i> a. issued by MFIs b. issued by non-MFIs B. <i>Other participating Member States</i> a. issued by MFIs b. issued by non-MFIs C. <i>Rest of the world</i> a. issued by banks b. issued by non-banks	M	M										
	M	M										
	M	M										
	M	M										
4. MMF shares/units A. <i>Domestic</i> B. <i>Other participating Member States</i> C. <i>Rest of the world</i> 5. Shares and other equity 6. Fixed assets 7. Remaining assets	Quarterly figures from Table 2											
(1) "M" means monthly data requirements (see Table 1)'												

(1) "M" means monthly data requirements (see Table 1):

ANNEX III

‘ANNEX III

**STATISTICAL REPORTING REQUIREMENTS FOR SMALL MFIs THAT ARE NOT CREDIT INSTITUTIONS
AND CLASSIFICATION PRINCIPLES FOR INDIVIDUAL ELECTRONIC MONEY INSTITUTIONS**

1. With regard to small MFIs that are not credit institutions, NCBs that decide to relieve small MFIs of full reporting requirements should inform the institutions concerned thereof, but continue, as a minimum, to collect data relating to the total balance sheet at least at an annual frequency so that the size of the reporting “tail” can be monitored.
 2. Pursuant to Article 2(4), NCBs may grant derogations from their statistical reporting requirements to individual electronic money institutions if at least one of the following conditions is fulfilled:
 - (a) the electronic money that they issue is accepted as payment only by a limited number of undertakings, which can be clearly distinguished by:
 - (i) their location in the same premises or other limited local area, and/or
 - (ii) their close financial or business relationship with the issuing institution, such as a shared ownership, marketing or distribution structure,even if the issuing institution and the accepting undertaking are set up as separate legal entities,
 - (b) over three-quarters of their total balance sheet is unrelated to the issuance or administration of electronic money and the liabilities relating to outstanding electronic money do not exceed EUR 100 million.
 3. If an individual electronic money institution that fulfils the conditions laid down in paragraph 2 is not exempted from the minimum reserve requirements, it will be required to report, as a minimum, the quarterly data necessary to calculate the reserve base, as laid down in Annex II. The institution may choose to report the restricted set of reserve base data at a monthly frequency.
 4. Whenever an individual electronic money institution is granted a derogation pursuant to Article 2(4), the ECB will, for statistical purposes, record the institution in the list of MFIs as a non-financial corporation. The institution will also be treated as a non-financial corporation in situations where it is the counterparty of an MFI. The institution will continue to be treated as a credit institution for the purposes of the Eurosystem’s minimum reserve requirements.’
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ANNEX IV

Annex V to Regulation (EC) No 2423/2001 (ECB/2001/13) is amended as follows:

1. Paragraph 1a is replaced by the following:

‘1a. Notwithstanding paragraph 1, first reporting according to this Regulation in respect of cells corresponding to Member States that have not adopted the euro in Tables 3 and 4 of Part 2 of Annex I begins with the first quarterly data after the date of their accession to the EU.’

2. Paragraph 1b is replaced by the following:

‘1b. If the relevant NCB decides not to require first reporting of insignificant data beginning with the first quarterly data after the date of the relevant Member State or Member States’ accession to the EU, reporting starts 12 months after the NCB informs the reporting agents that data are required.’

3. Paragraph 1c is replaced by the following:

‘1c. Notwithstanding paragraph 1, first reporting according to this Regulation in respect of cells corresponding to Member States that have adopted the euro in Table 3 of Part 2 of Annex I begins with the first quarterly data after the date of their adoption of the euro.’

4. Paragraphs 1d and 1e are deleted.

5. Paragraph 2a is replaced by the following:

‘2a. For the first 12 months that they are reported, significant data in respect of cells corresponding to Member States that have not adopted the euro in Tables 3 and 4 of Part 2 of Annex I may be reported to the ECB with a delay of a further one month from the close of business on the 28th working day following the end of the quarter to which the data relate. The NCBs may decide when they need to receive data from reporting agents in order to meet this deadline.’

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL AND COMMISSION

DECISION OF THE COUNCIL AND OF THE COMMISSION

of 22 November 2007

on the position to be taken by the Communities in the Governing Board of the International Science and Technology Centre as regards the accession of the Swiss Confederation to the Agreement establishing an International Science and Technology Centre between the United States of America, Japan, the Russian Federation and, acting as one Party, the European Atomic Energy Community and the European Economic Community

(2007/834/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION AND THE COMMISSION
OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community, and in particular Article 300(2) thereof,

Having regard to the Treaty establishing the European Atomic
Energy Community, and in particular Article 101 thereof,

Having regard to Council Regulation (EEC) No 3955/92 of 21
December 1992 concerning the conclusion on behalf of the
European Economic Community of an Agreement establishing
an International Science and Technology Centre between the
United States of America, Japan, the Russian Federation and,
acting as one Party, the European Atomic Energy Community
and the European Economic Community⁽¹⁾, and in particular
Article 3(1), (3) and (4) thereof, and to Commission Regulation
(Euratom) No 3956/92 of 21 December 1992 on the
conclusion by the European Atomic Energy Community of an
Agreement establishing an International Science and Tech-
nology Centre between the United States of America, Japan,
the Russian Federation, and, acting as one Party, the European
Atomic Energy Community and the European Economic
Community, and in particular Article 3 thereof⁽²⁾,

Having regard to the proposal from the Commission,

Whereas:

⁽¹⁾ OJ L 409, 31.12.1992, p. 1.

⁽²⁾ OJ L 409, 31.12.1992, p. 10.

(1) Acting as one Party, the European Atomic Energy
Community and the European Economic Community
(hereinafter the Communities) concluded on 21
December 1992 the Agreement establishing an Interna-
tional Science and Technology Centre (hereinafter the
Agreement).

(2) On 27 February 2007, the Swiss Confederation notified
the Governing Board of the International Science and
Technology Centre (hereinafter the Governing Board) of
its intention to become a Party to the Agreement.

(3) In accordance with Article XIII of the Agreement, it is the
responsibility of the Governing Board to approve this
accession.

(4) The Communities are represented on the Governing
Board by the Presidency of the Council and by the
Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

The accession of the Swiss Confederation to the Agreement
establishing an International Science and Technology Centre
between the United States of America, Japan, the Russian
Federation and, acting as one Party, the European Atomic
Energy Community and the European Economic Community,
is hereby approved on behalf of the Communities.

Article 2

The representatives of the Council Presidency and of the Commission on the Governing Board are hereby authorised to approve the accession of the Swiss Confederation to the Agreement.

Done at Brussels, 22 November 2007.

For the Council

The President

M. PINHO

For the Commission

The President

José Manuel BARROSO

COUNCIL

DECISION No 3/2007 OF THE EU-ALGERIA ASSOCIATION COUNCIL

of 29 November 2007

setting up subcommittees of the Association Committee and a working party on social affairs

(2007/835/EC)

THE EU-ALGERIA ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement establishing an association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part ⁽¹⁾,

Whereas:

- (1) A free trade area is to be established between the European Union and Algeria by 31 August 2017 at the latest.
- (2) The European Union's relations with the southern Mediterranean countries are becoming increasingly complex as a result of the implementation of the Euro-Mediterranean Agreements and the continuation of the Euro-Mediterranean partnership.
- (3) Subcommittees of the Association Committees of the other associated countries have been set up in order to monitor the implementation of partnership priorities and the approximation of legislation.
- (4) The environment should be mainstreamed into sectoral policies with a view to sustainable development.
- (5) Article 98 of the Agreement provides for the setting-up of the working parties or bodies necessary for the implementation of the Agreement and Article 76 of the Agreement provides for the setting-up of a working party to evaluate the implementation of the provisions on social matters,

HAS DECIDED AS FOLLOWS:

Sole Article

The working party and the subcommittees of the EU-Algeria Association Committee listed in Annex I are hereby set up and their respective rules of procedure as set out in Annex II are hereby adopted.

They shall work under the authority of the Association Committee, to which they shall report after each of their meetings. The working party on social affairs and the subcommittees shall have no decision-making powers.

The Association Committee shall take any other action needed to ensure that they operate properly and inform the Association Council accordingly.

The Association Council may decide to set up further subcommittees or working parties or to abolish existing subcommittees or working parties.

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

Done at Brussels, 29 November 2007.

For the Association Council
The President
M. MEDELICI

⁽¹⁾ OJ L 265, 10.10.2005, p. 2.

ANNEX I

EU-ALGERIA ASSOCIATION AGREEMENT**Working party on social affairs and subcommittees of the Association Committee**

1. Working party on social affairs.
2. Subcommittee on industry, trade and services.
3. Subcommittee on transport, environment and energy.
4. Subcommittee on the information society, research, innovation, education, the audiovisual sector and culture.
5. Subcommittee on agriculture and fisheries.
6. Subcommittee on justice and home affairs.
7. Subcommittee on customs cooperation.

Issues concerning democratic principles and human rights are currently discussed in the framework of the political dialogue held under the Association Agreement. However, in time, as soon as the dialogue is sufficiently advanced, they will be dealt with by a specific body in the form of an *ad hoc* subcommittee.

ANNEX II

RULES OF PROCEDURE

EU-Algeria working party on social affairs

1. Composition and chair

The working party shall be composed of representatives of the European Community and its Member States and representatives of the Government of Algeria. It shall be chaired alternately by the two parties.

2. Role

The working party shall work under the authority of the Association Committee, to which it shall report after each meeting. The working party does not have any decision-making power, but it may submit proposals to the Association Committee.

3. Purpose

The working party shall scrutinise the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress in law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The working party shall consider any problem that may arise in the following sectors and suggest what measures may be taken:

- (a) ensuring compliance with the principle of non-discrimination on the basis of nationality between workers of Algerian nationality and workers who are nationals of each Member State as regards working conditions, remuneration and dismissal;
- (b) implementing the social security provisions laid down in Articles 68 to 71 of the Agreement;
- (c) dialogue on social matters in accordance with Article 72 of the Agreement, including the conditions for integrating the national community residing legally on the territory of the EU and protection against discrimination and islamophobic acts;
- (d) cooperation on social matters referred to in Article 74 of the Agreement, in particular improvements in living conditions, social protection and the health sector, job creation and promotion of the role of women in the economic and social development process.

The above list is not exhaustive and other subjects, including those of a horizontal nature, e.g. statistics, may be added by the Association Committee.

The working party may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the Commission of the European Communities and an official of the Government of Algeria shall act jointly as permanent secretaries of the working party.

All communications concerning the working party shall be forwarded to the secretaries of the working party.

5. Meetings

The working party shall meet whenever circumstances require. A meeting may be convened at the request of either party, channelled through their secretary, who will transmit the request to the other party. On receipt of a request for a meeting of the working party, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, the working party may be convened at shorter notice, subject to the agreement of both parties. All requests to convene meetings should be made in writing.

Each meeting of the working party shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge, in agreement with the chair. Before each meeting, the chair shall be informed of the intended composition of the delegation of each party.

If both parties agree, the working party may invite experts to its meetings to provide the specific information requested.

Each meeting will be attended by a representative of the Algerian Ministry of Foreign Affairs in order to ensure the appropriate coordination and linkages with both ongoing and future projects and EU-funded programmes, and that the priorities identified during the meeting receive the necessary support.

6. Agendas for meetings

All requests for inclusion of items on the agenda of a working party meeting shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include items that were the subject of a request for inclusion received by the secretary no later than 15 days before the beginning of the meeting. Supporting documents must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the working party at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the working party's proposals, shall be forwarded by the secretaries of the working party to the secretaries and chair of the Association Committee.

8. Non-public nature of meetings

Unless otherwise decided, the meetings of the working party shall not be public.

RULES OF PROCEDURE EU-ALGERIA SUBCOMMITTEE Industry, trade and services

1. Composition and chair

The subcommittee shall be composed of representatives of the European Community and its Member States and representatives of the Government of Algeria. It shall be chaired alternately by the two parties.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power, but may submit proposals to the Association Committee.

3. Work

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress in law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the following sectors and suggest what measures may be taken:

- (a) industrial cooperation, as described in Article 53 of the Association Agreement;
- (b) trade matters, access to markets; liberalisation of trade in industrial products and in agricultural products, processed agricultural products and fishery products;
- (c) services, including financial and banking services, and right of establishment (cross-border services, commercial presence, temporary presence of natural persons);
- (d) tourism and the craft sector;

- (e) investment promotion and protection;
- (f) consumer protection;
- (g) technical regulations, metrology, accreditation, standardisation, normalisation, certification, conformity assessment and market surveillance;
- (h) competition law and State aids;
- (i) intellectual, industrial and commercial property rights;
- (j) public procurement;
- (k) simplification of business procedures;
- (l) education and training in entrepreneurship.

The above list is not exhaustive and other subjects, including those of a horizontal nature, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the Commission of the European Communities and an official of the Government of Algeria shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened at the request of either party, channelled through its secretary, who will transmit the request to the other party. On receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittee meetings may be convened at shorter notice, subject to the agreement of both parties. All requests to convene meetings should be made in writing.

Meetings of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge, in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information requested.

Each meeting will be attended by a representative of the Algerian Ministry of Foreign Affairs in order to ensure the appropriate coordination and linkages with both ongoing and future EU-funded projects and programmes, and that the priorities identified during the meeting receive the necessary support.

6. Agendas for meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include items that were the subject of a request for inclusion received by the secretary no later than 15 days before the beginning of the meeting. Supporting documents must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Non-public nature of meetings

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-ALGERIA SUBCOMMITTEE

Transport, environment and energy

1. Composition and chair

The subcommittee shall be composed of representatives of the European Community and its Member States and representatives of the Government of Algeria. It shall be chaired alternately by the two parties.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power, but it may submit proposals to the Association Committee.

3. Work

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress in law approximation, implementation and enforcement, and the mainstreaming of environment policy in all areas of the Association Agreement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the following sectors and suggest what measures may be taken:

- (a) transport, in particular infrastructure modernisation and maintenance (in particular interconnections); security and safety on the sea and in the air, in particular control and management of ports, railway, airports and road networks; the promotion of intelligent transport systems and the use of information technology in all the modes of transport; the development of road and rail connections with neighbouring countries; improvements to the intermodal system; and the strengthening of regional cooperation;
- (b) environment: in particular environmental protection capacity in the priority areas specified in the Association Agreement (desertification, water resource and waste management, salinisation, controlling and preventing industrial, urban and marine pollution, protection of marine environments and biodiversity, etc.) and integration of the environmental dimension in the priority sectors of the Euro-Mediterranean Partnership with a view to sustainable development. Water: in particular infrastructure, modernisation, management, safe access to water resources and research;
- (c) energy: cooperation on energy and mining as set out in Article 61 of the Association Agreement; setting-up of an EU-Algeria strategic dialogue on energy (in particular a memorandum of understanding on the establishment of a strategic partnership); monitoring the development of energy infrastructure of mutual interest in liaison with international and private financial institutions; Maghreb electricity market and integration with the EU internal market.

The above list is not exhaustive and other subjects, including those of a horizontal nature, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the Commission of the European Communities and an official of the Government of Algeria shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened at the request of either party, channelled through its secretary, who will transmit the request to the other party. On receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittee meetings may be convened at shorter notice, subject to the agreement of both parties. All requests to convene meetings should be made in writing.

Meetings of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge, in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information requested.

Each meeting will be attended by a representative of the Algerian Ministry of Foreign Affairs in order to ensure the appropriate coordination and linkages with both ongoing and future EU-funded projects and programmes, and that the priorities identified during the meeting receive the necessary support.

6. Agendas for meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include items that were the subject of a request for inclusion received by the secretary no later than 15 days before the beginning of the meeting. Supporting documents must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Non-public nature of meetings

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-ALGERIA SUBCOMMITTEE

Information society, research, education, the audiovisual sector, and culture

1. Composition and chair

The subcommittee shall be composed of representatives of the European Community and its Member States and representatives of the Government of Algeria. It shall be chaired alternately by the two parties.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power, but may submit proposals to the Association Committee.

3. Work

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress in law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the following sectors and suggest what measures may be taken:

- (a) development of institutional capacity in science, technology and innovation, including the use of S&T research findings by industry and SMEs and follow-up of the agreement on Algeria's participation in the RTD Framework Programme, technological innovation, new technology transfers and dissemination of knowledge, scientific and technological cooperation agreement with the EU;
- (b) cooperation on communications and information technologies;
- (c) reforms in education, training, including vocational training, and youth, including better access to education for women and girls;
- (d) cultural cooperation and the audiovisual sector;
- (e) participation of citizens, research workers, students and Algerian organisations in Community programmes for research, technological development and innovation, and relevant programmes in the fields of education, training and youth;
- (f) policies and regulation for electronic communication networks and services.

The above list is not exhaustive and other subjects, including those of a horizontal nature, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the Commission of the European Communities and an official of the Government of Algeria shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened at the request of either party, channelled through its secretary, who will transmit the request to the other party. On receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittee meetings may be convened at shorter notice, subject to the agreement of both parties. All requests to convene meetings should be made in writing.

Meetings of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge, in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information requested.

Each meeting will be attended by a representative of the Algerian Ministry of Foreign Affairs in order to ensure the appropriate coordination and linkages with both ongoing and future EU-funded projects and programmes, and that the priorities identified during the meeting receive the necessary support.

6. Agendas for meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include items that were the subject of a request for inclusion received by the secretary no later than 15 days before the beginning of the meeting. Supporting documents must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Non-public nature of meetings

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-ALGERIA SUBCOMMITTEE

Agriculture and fisheries

1. Composition and chair

The subcommittee shall be composed of representatives of the European Community and its Member States and representatives of the Government of Algeria. It shall be chaired alternately by the two parties.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Work

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress in law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the following sectors and suggest what measures may be taken:

- (a) modernisation and restructuring of the agriculture, fisheries and forest sectors;
- (b) trade in agricultural products, processed agricultural products and fishery products (including modernisation of distribution/marketing channels);
- (c) agricultural cooperation and rural development;
- (d) veterinary and plant health matters, in particular modernisation of food legislation;
- (e) conservation and efficient management of natural resources, including fish stocks and the marine environment;
- (f) Cooperation within the EU's rapid alert system.

The above list is not exhaustive and other subjects, including those of a horizontal nature, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the Commission of the European Communities and an official of the Government of Algeria shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened at the request of either party, channelled through its secretary, who will transmit the request to the other party. On receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittee meetings may be convened at shorter notice, subject to the agreement of both parties. All requests to convene meetings should be made in writing.

Meetings of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge, in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information requested.

Each meeting will be attended by a representative of the Algerian Ministry of Foreign Affairs in order to ensure the appropriate coordination and linkages with both ongoing and future EU-funded projects and programmes, and that the priorities identified during the meeting receive the necessary support.

6. Agendas for meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include items that were the subject of a request for inclusion received by the secretary no later than 15 days before the beginning of the meeting. Supporting documents must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Non-public nature of meetings

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-ALGERIA SUBCOMMITTEE

Justice and home affairs

1. Composition and chair

The subcommittee shall be composed of representatives of the European Community and its Member States and representatives of the Government of Algeria. It shall be chaired alternately by the two parties.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Work

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress in law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the following sectors and suggest what measures may be taken:

(a) movement of persons:

- implementation of Article 83 of the Association Agreement concerning the movement of people, also looking at ways of facilitating procedures for issuing short-term visas for certain categories of person,
- cooperation under Article 84 of the Association Agreement to prevent and control illegal immigration; readmission agreements;

(b) legal and judicial cooperation (civil and penal) and police matters;

(c) cooperation in the fight against organised crime, including trafficking in human beings, terrorism, money laundering, drugs and drug addiction, racism, xenophobia and islamophobia;

(d) cooperation in the fight against corruption.

The above list is not exhaustive and other subjects, including those of a horizontal nature, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the Commission of the European Communities and an official of the Government of Algeria shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened at the request of either party, channelled through its secretary, who will transmit the request to the other party. On receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittee meetings may be convened at shorter notice, subject to the agreement of both parties. All requests to convene meetings should be made in writing.

Meetings of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge, in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information requested.

Each meeting will be attended by a representative of the Algerian Ministry of Foreign Affairs in order to ensure the appropriate coordination and linkages with both ongoing and future EU-funded projects and programmes, and that the priorities identified during the meeting receive the necessary support.

6. Agendas for meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include items that were the subject of a request for inclusion received by the secretary no later than 15 days before the beginning of the meeting. Supporting documents must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Non-public nature of meetings

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-ALGERIA SUBCOMMITTEE

Customs cooperation

1. Composition and chair

The subcommittee shall be composed of representatives of the European Community and its Member States and representatives of the Government of Algeria. It shall be chaired alternately by the two parties.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Work

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress in law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the following sectors and suggest what measures may be taken:

- (a) rules of origin;
- (b) general customs procedures, customs nomenclature, customs valuation;
- (c) tariff regimes;
- (d) customs cooperation.

The above list is not exhaustive and other subjects, including those of a horizontal nature, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the Commission of the European Communities and an official of the Government of Algeria shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened at the request of either party, channelled through its secretary, who will transmit the request to the other party. On receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittee meetings may be convened at shorter notice, subject to the agreement of both parties. All requests to convene meetings should be made in writing.

Meetings of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge, in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information requested.

Each meeting will be attended by a representative of the Algerian Ministry of Foreign Affairs in order to ensure the appropriate coordination and linkages with both ongoing and future EU-funded projects and programmes, and that the priorities identified during the meeting receive the necessary support.

6. Agendas for meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include items that were the subject of a request for inclusion received by the secretary no later than 15 days before the beginning of the meeting. Supporting documents must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Non-public nature of meetings

Unless otherwise decided, the meetings of the subcommittee shall not be public.

COMMISSION

COMMISSION DECISION

of 13 September 2007

relating to a proceeding pursuant to Article 81 of the EC Treaty

(Case COMP/E-2/39.143 — Opel)

(notified under document number C(2007) 4277)

(Only the English text is authentic)

(2007/836/EC)

- (1) This Decision adopted pursuant to Article 9(1) of Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty ⁽¹⁾ is addressed to General Motors Europe (hereinafter GME) and concerns the supply of technical information for the repair of vehicles of the Opel and Vauxhall brands.
- (2) Technical information consists of data, processes and instructions which are necessary to check, repair and replace defective/broken/used parts of a motor vehicle or to fix failures in any of a vehicle's systems. It includes seven main categories:
- basic parameters (documentation of all reference values and set points of the measurable values concerning the vehicle, such as torque settings, brake clearance measurements, hydraulic and pneumatic pressures),
 - diagrams and descriptions of stages in repair and maintenance operations (service handbooks, technical documents such as work plans, descriptions of tools used to carry out a given repair, and diagrams such as wiring schematics or hydraulics),
 - testing and diagnosis (including diagnostic fault/trouble-shooting codes, software and other information needed to diagnose faults on vehicles) — much, but not all, of this information is contained in specialised electronic tools,
 - codes, software and other information needed to re-program, re-set or re-initialise the electronic control units (ECUs) embarked on a vehicle. This category is linked to the preceding one, in that often the same electronic tools are used to diagnose the fault, and then make the necessary adjustments via the ECUs to deal with it,
 - spare parts information, including parts catalogues with codes and descriptions, and vehicle identification methods (that is to say, data relating to a specific vehicle which enable a repairer to identify the individual codes for the parts fitted during vehicle assembly, and to identify the corresponding codes for compatible original replacement parts for that specific vehicle),
 - special information (recall notices and notification of frequent faults),
 - training materials.
- (3) In December 2006, the Commission opened proceedings, and addressed a preliminary assessment to GME, containing the preliminary view that GME's agreements with its after-sales service partners raised concerns as to their compatibility with Article 81(1) of the EC Treaty.
- (4) In the Commission's preliminary assessment, GME seemed to have failed to release certain categories of technical repair information well after the end of the transitional period provided for in Commission Regulation (EC) No 1400/2002 of 31 July 2002 on the application of Article 81(3) of the Treaty to categories of vertical agreements and concerted practices in the motor vehicle sector ⁽²⁾. Moreover, at the time that the Commission's investigation was launched, GME had still not put in place an effective system to allow independent repairers to have access to technical repair information in an unbundled manner. Although GME improved the accessibility of its technical information over the course of the Commission investigation, the information made available to independent repairers seemed to be still incomplete.

⁽¹⁾ OJ L 1, 4.1.2003, p. 1. Regulation as last amended by Regulation (EC) No 411/2004 (OJ L 68, 6.3.2004, p. 1).

⁽²⁾ OJ L 203, 1.8.2002, p. 30.

- (5) That preliminary assessment found that the relevant markets affected by the practice at issue were the market for the provision of repair and maintenance services for passenger cars, and the market for the provision of technical information to repairers. The Opel/Vauxhall authorised networks had very high market shares on the first of these markets, while on the second, GME was the only supplier able to offer all of the technical information needed by repairers of its Opel/Vauxhall vehicles.
- (6) In essence, GME's service and parts distribution agreements require the members of its authorised networks to carry out a full range of brand-specific repair services, and act as spare parts wholesalers. The Commission is concerned that possible negative effects stemming from such agreements could be strengthened by GME's failure to provide independent repairers with appropriate access to technical information thereby foreclosing firms which would be willing and able to offer repair services through a different business model.
- (7) The Commission's preliminary conclusion was that GME's arrangements for providing its technical information to independent repairers did not correspond to the latter's needs either as regards the scope of the information available or as regards its accessibility, and that such a practice, in combination with similar practices by other car manufacturers, could have contributed to a decline in the market position of independent repairers. In turn, this could have caused considerable consumer harm in terms of a significant reduction in choice of spare parts, higher prices for repair services, a reduction in choice of repair outlets, potential safety issues, and a lack of access to innovative repair shops.
- (8) Moreover, GME's apparent failure to provide independent repairers with appropriate access to technical information might prevent the agreements with its after-sales service partners from benefiting from the exemption granted by Regulation (EC) No 1400/2002, since according to Article 4(2) of the Regulation, the exemption granted therein does not apply where the supplier of motor vehicles refuses to give independent operators access to any technical information, diagnostic and other equipment, tools, including any relevant software, or training required for the repair and maintenance of these motor vehicles. As clarified in recital 26 of the Regulation, the conditions of access must not discriminate between authorised and independent operators.
- (9) Finally, the Commission came to the preliminary view that in the context of lack of access to technical repair information, the agreements between GME and its authorised repairers were unlikely to benefit from the provision of Article 81(3).
- (10) On 9 February 2007 GME offered commitments to the Commission in order to meet the competition concerns addressed in the preliminary assessment.
- (11) According to those commitments, the principle determining the scope of the information to be provided is that of non-discrimination between independent and authorised repairers. In this light, GME will ensure that all technical information, tools, equipment, software and training required for the repair and maintenance of its Opel/Vauxhall vehicles which is provided to authorised repairers in any EU Member State by or on behalf of GME is also made available to independent repairers.
- (12) The commitments specify that 'technical information' within the meaning of Article 4(2) of Regulation (EC) No 1400/2002 includes all information provided to Opel/Vauxhall authorised repairers for the repair or maintenance of Opel/Vauxhall motor vehicles. Particular examples include software, fault codes and other parameters, together with updates, which are required to work on electronic control units (ECUs) with a view to introducing or restoring settings recommended by GME, vehicle identification methods, parts catalogues, working solutions resulting from practical experience and relating to problems typically affecting a given model or batch, and recall notices as well as other notices identifying repairs that may be carried out without charge within the authorised repair network.
- (13) Access to tools includes access to electronic diagnostic and other repair tools, together with related software, including periodic updates thereof, and after-sales services for such tools.
- (14) Recital 26 of the Regulation makes it plain that Article 4(2) does not require GME to provide independent repairers with technical information that would enable a third party to bypass or disarm on-board anti-theft devices and/or recalibrate ⁽¹⁾ electronic devices, or to tamper with devices which limit the speed or other performance-related parameters of a motor vehicle. Nevertheless, GME commits itself to allow independent repairers unrestricted access to information of these types, provided that they obtain the relevant GME Training Certification ⁽²⁾. Such certification will be issued to independent repairers without delay subject to the completion of training.
- ⁽¹⁾ I.e. to modify the original settings of an ECU in a way not recommended by GME.
- ⁽²⁾ Fees for the Training Certification will be equivalent for authorised and independent repairers and GME commits itself to keep them at the same level during the validity of the commitments. The training will comprise (i) two days instructor-based training (cost of between EUR 115 and EUR 230 per day depending upon the national market) and (ii) a one day Tech2 web-based training (cost of between EUR 30 and EUR 50 per day, again depending on the national market in question). The training will be provided by the GM Academy.

- (15) If, in the future, GME were to invoke the exception in recital 26 as a reason for withholding access to certain items of technical information to independent repairers, it would be incumbent upon it to ensure that the information so withheld was limited to that necessary to provide the protection described in recital 26, and that the lack of the information in question did not prevent independent repairers from carrying out operations other than those listed in recital 26, including work on devices such as engine management ECU, airbags, seatbelt pretensioners, or central locking elements.
- (16) Article 4(2) of the Regulation (EC) No 1400/2002 provides that technical information must be made available in a way that is proportionate to independent repairers needs. This implies both unbundling of information and pricing that takes account of the extent to which independent repairers use the information.
- (17) In line with this principle, the commitments specify that GME will include on the TI website all technical information relating to models launched after 1996, and will ensure that all updated technical information is on the TI website or on any successor site at all times. Moreover, GME will at all times ensure that the website may be easily located and provides an equivalent level of performance to the methods used for providing technical information to members of Opel/Vauxhall authorised network. When GME or another undertaking acting on GMEs behalf makes a piece of technical information available to authorised repairers in a particular EU language, GME will ensure that this language version of the information is placed on the TI website without delay.
- (18) As regards the Electronic Parts Catalogue, which is currently not available on the TI website GME will be deemed to comply with the commitments if it places this information on the TI website by 31 December 2007. As a short term solution, the Catalogue will be available through GME Call Centre Services, which will on demand and without delay provide independent repairers with the requested pages by fax in any of the languages in which the Catalogue is made available to authorised repairers. This service will be available for EUR 1 per page (+ 3,9 % handling fee), and local call tariffs will apply.
- (19) As regards wiring diagrams, GME will place on the TI website all such that have been generated in or converted into digital format for use by its Opel/Vauxhall authorised repairers in the EU. The remaining diagrams, which relate to certain models⁽¹⁾ launched after 1 January 1997 and which do not exist in digital format, shall be available to independent repairers through GME Call Centre Services. Such Call Centre Services will operate in all languages required to avoid direct or indirect discrimination between independent and Opel/Vauxhall authorised repairers, taking into account the conditions at which such authorised repairers obtain access to wiring diagrams. The wiring diagrams will be provided without delay by fax in the smallest packages that the average independent repairer would need to carry out a repair job and on the same conditions as they are provided to Opel/Vauxhall authorised repairers. GME commits itself to maintain, during the validity of the commitments, the conditions currently applicable for these non-digitalised wiring diagrams.
- (20) As regards access to the TI website, GME agreed to provide for a *pro rata* breakdown into hourly, daily, weekly, monthly and yearly time windows at a price of respectively EUR 4, EUR 30, EUR 100, EUR 300 and EUR 3 700. For initial access to the TI website, a one-time registration fee of EUR 15 will be charged + 3,9 % handling fee. Tech1/Tech2 SWDL (Diagnostic Tester Software Download) will be available through the annual subscription to the TI website, or by paying a stand-alone monthly subscription fee of EUR 100. GME will maintain this access fee structure, and will not increase fee levels above the average inflation rate within the EU during the whole currency of the commitments.
- (21) GME's commitments are without prejudice to any current or future requirement established by Community or national law which might extend the scope of the technical information that GME is to provide to independent operators and/or might set out more favourable ways for such information to be provided.
- (22) In order to address any complaint raised by an independent repairer concerning access to technical information, GME will put in place a GME Ombudsman. Upon receipt of an independent repairer's complaint the GME Ombudsman will, within a maximum of three weeks from receiving the complete file, provide the independent repairer with a GME Response. In case a complainant does not accept the GME Response, GME will accept an arbitration mechanism for resolving disputes relating to the provision of technical information whereby each party to such a dispute may nominate one expert, who may then jointly decide on the appointment of a third. The arbitration shall take place in the Member State where the requesting party's registered seat is located. The language of the arbitration proceedings will be the official language at the place of arbitration. Arbitration will not prejudice any right to file an application with the competent national court.
- ⁽¹⁾ Of these models only two (Agila and Movano) are still in production and for both wiring diagrams relating to their variants launched from 2002 are available on the TI website. The only models for which the diagrams are available only through GME Call Centre Services (Arena and Sintra) stopped being produced in 1999 and 2001. For the remaining models, the TI website contains wiring diagrams for variants launched from 2002 (Astra-G, Frontera-B, Zafira-A) or from 2003 (Speedster).

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- (23) The Decision finds that, in view of the commitments, there are no longer grounds for action by the Commission. The commitments will be binding until 31 May 2010.
- (24) The Advisory Committee on Restrictive Practices and Dominant Positions issued a favourable opinion on 9 July 2007.
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COMMISSION DECISION

of 30 November 2007

implementing Decision 575/2007/EC of the European Parliament and of the Council as regards the adoption of the strategic guidelines for 2008 to 2013*(notified under document number C(2007) 5822)***(Only the Bulgarian, Spanish, Czech, German, Estonian, Greek, English, French, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Finnish and Swedish texts are authentic)**

(2007/837/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' ⁽¹⁾, and in particular Article 18 thereof,

Whereas:

- (1) The Commission should lay down strategic guidelines setting out a framework for the intervention of the Fund relating to the multi-annual programming period 2008 to 2013.
- (2) The guidelines should define the priorities and, in accordance with Article 15(4) of Decision No 575/2007/EC, the specific priorities that allow Member States not covered by the Cohesion Fund to have the co-financing of the Community contribution increased to 75 % for projects co-financed by the Fund.
- (3) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark should not be bound to this Decision or subject to its application.
- (4) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Ireland has notified, by letter of 6 September 2005, its wish to take part in the adoption and application of Decision No 575/2007/EC.
- (5) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty establishing the European Community, the United Kingdom has notified, by letter of 27 October 2005,

its wish to take part in the adoption and application of Decision No 575/2007/EC.

- (6) The measures provided for in this Decision are in accordance with the opinion of the common Committee 'Solidarity and Management of Migration Flows' established by Article 56 of Decision No 574/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' ⁽²⁾,

HAS ADOPTED THIS DECISION:

Article 1

The guidelines setting out the priorities and specific priorities for the multi-annual programming for the period 2008 to 2013 shall be as defined in the Annex.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand-Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 30 November 2007.

For the Commission

Franco FRATTINI

Vice-President⁽¹⁾ OJ L 144, 6.6.2007, p. 45.⁽²⁾ OJ L 144, 6.6.2007, p. 22.

ANNEX

The strategic guidelines set out below are to be seen in the context of more efficient management of migration flows at all stages, as initiated by the Tampere European Council in 1999, including a common return policy and the fight against illegal immigration.

When preparing their draft multi-annual programmes, Member States should target the available resources under this Fund to three out of four of the following priorities, allowing them to determine the most effective distribution of the financial resources allocated to them in accordance with their needs:

PRIORITY 1: Support for the development of a strategic approach to return management by Member States.

This includes the development of integrated return management in all its dimensions. In accordance with Article 3(2) of Decision No 575/2007/EC, integrated return management should be based on a comprehensive assessment of the situation of the potential returnees in the Member State and in their countries of origin and the challenges with respect to the operations envisaged, set targets for such operations and envisage a wide set of measures focusing on effective and sustainable return, including preparation, enforcement and follow-up of removals.

Within this priority, the Community contribution may be increased to 75 % for integrated return plans addressing the following **specific priorities**:

- (1) assisted voluntary return programmes;
- (2) cash incentives and measures to address the specific situation of vulnerable returnees;
- (3) integrated return plans supporting the return of third-country nationals or stateless persons not covered under Community readmission agreements or national bilateral readmission agreements to countries of origin, former residence or transit with which cooperation in the field of return is particularly difficult.

PRIORITY 2: Support for the cooperation between Member States in return management.

This includes setting up and implementing integrated return plans as well as cooperation in specific areas of integrated return management, such as the preparation, enforcement and follow-up of joint flights for removal and joint removals by land.

Within this priority, the Community contribution may be increased to 75 % for projects addressing the following **specific priority**:

- integrated return plans which have been designed and will also be implemented in cooperation with other Member States, and, where appropriate, with the Frontex Agency, non-governmental organisations and/or international organisations, with the aim of pooling the different skills, experiences and resources of the authorities of the Member States and where appropriate the other organisations involved.

PRIORITY 3: Support for specific innovative (inter)national tools for return management.

This includes setting up or improving counselling and return information measures, reintegration measures for returnees in the country of return, modes of cooperation with consular and/or immigration services, including training, and measures to gain information on undocumented third-country nationals or stateless persons.

Within this priority, the Community contribution may be increased to 75 % for projects addressing the following **specific priorities**:

- (1) projects which propose particularly innovative ways and means of informing and counselling potential returnees about the situation in the countries of return and/or other innovative incentives for increasing the number of voluntary returnees based on respect for the dignity of the individuals concerned;
- (2) projects which test new working methods to speed up the process of documenting returnees in cooperation with the consular authorities and immigration services of third countries.

PRIORITY 4: Support for Community standards and best practices on return management.

This includes the application of existing and future common standards as referred to in recitals 13 and 14 of Decision No 575/2007/EC and the promotion of (inter)national best practices and ways to cooperate with the relevant authorities of other Member States, for example by using the ICONET.

Within this priority, the Community contribution may be increased to 75 % for projects addressing the following **specific priorities**:

- (1) evaluations and missions to measure progress in return programmes, tools and processes;
 - (2) measures taken at national level to ensure a fair and effective implementation of common standards on return, as established under Community legislation on return, including the training of practitioners.
-

COMMISSION DECISION

of 13 December 2007

amending Decision 2006/415/EC concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in Poland*(notified under document number C(2007) 6597)***(Text with EEA relevance)**

(2007/838/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Commission Decision 2006/415/EC of 14 June 2006 concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community and repealing Decision 2006/135/EC ⁽³⁾ lays down certain protection measures to be applied in order to prevent the spread of that disease, including the establishment of areas A and B following a suspected or confirmed outbreak of the disease.
- (2) Following outbreaks of highly pathogenic avian influenza of H5N1 subtype in Poland Decision 2006/415/EC was last amended by Commission Decision 2007/816/EC of 10 December 2007 amending Decision 2006/415/EC concerning certain protection measures in relation to

highly pathogenic avian influenza of the subtype H5N1 in poultry in Poland.

- (3) Due to further outbreaks of the disease in Poland the delineation of the areas under restriction and the duration of the measures should be modified to take account of the epidemiological situation.
- (4) Decision 2006/415/EC should therefore be amended accordingly.
- (5) The measures provided for in this Decision should be reviewed at the next meeting of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2006/415/EC is amended in accordance with the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 December 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33), as corrected by OJ L 195, 2.6.2004, p. 12.

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 164, 16.6.2006, p. 51. Decision as last amended by Decision 2007/816/EC (OJ L 326, 12.12.2007, p. 32).

ANNEX

The Annex to Decision 2006/415/EC is amended as follows:

1. The following text replaces the entry for Poland in Part A:

ISO Country Code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
'PL	POLAND	MAZOWIECKIE VOIVODSHIP 01400 PŁOCKI 01419	Protection zone: Municipality of Brudzeń Duży: Główina Gorzechówko Gorzechowo Myśliborzyce Rembielin Rokicie Siecień Siecień Rumunki Strupczewo Duże Uniejewo Więclawice Municipality of Nowy Duninów: Karolewo Nowa Wieś Nowy Duninów	14.1.2008
		MAZOWIECKIE VOIVODSHIP 01400 ŻUROMIŃSKI 01437	Protection zone: Municipality of Biezuń: Biezuń Dźwierzno Karniszyn Karniszyn Parcele Kobyła Łąka Kocewo Myślin Sadłowo Sadłowo Parcele Strzeszewo	
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 WŁOCŁAWSKI 00418	Protection zone: Municipality of Włocławek: Skoki Duże Skoki Małe	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 ELBLĄSKI 02804	Protection zone: Municipality of Godkowo: Dąbkowo Krykajny Łępno Nowe Wikrowo Olkowo Piskajny	
		MAZOWIECKIE VOIVODSHIP 01400 PŁOCKI 01419	Surveillance zone: Municipality of Brudzeń Duży: Bądkowo Bądkowo Jeziorne	

ISO Country Code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			Bądkowo Kościelne Bądkowo Podlasie Bądkowo Rochny Biskupice Brudzeń Duży Brudzeń Mały Cegielnia Cierszewo Izabelin Janoszyce Karwosieki Cholewice Kłobukowo Krzyżanowo Lasotki Murzynowo Noskowice Parzeń Parzeń Janówek Patrze Radotki Robertowo Sikórz Sobowo Suchodół Turza Mała Turza Wielka Wincentowo Winnica Zdziębórz Żerniki Municipality of Stara Biała: Brwilno Górne Kobierniki Kowalewko Ludwikowo Mańkowo Maszewo Duże Srebrna Ulaszewo Wyszyna Municipality of Nowy Duninów: Brwilno Dolne Brzezina Góra Duninów Duży Grodziska Jeżowo Kamion Kobyła Góra Środoń Stary Duninów	

ISO Country Code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			Studzianka Wola Brwileńska	
		MAZOWIECKIE VOIVODSHIP 01400 SIERPECKI 01427	Surveillance zone: Municipality of Mochowo: Będorzyn Grodnia Łukoszyn Łukoszyno Biki Municipality of Rościszewo: Lipniki Ostrów Polik Rzeszotary Nowe Rzeszotary Zawady Września Municipality of Zawidz: Jaworowo Kolonia Jaworowo Kłódź Jaworowo Lipa Jaworowo Próchniatka	
		MAZOWIECKIE VOIVODSHIP 01400 ŻUROMIŃSKI 01437	Surveillance zone: Municipality of Biezuń: Adamowo Bielawy Gołuskie Dąbrówki Gołuszyn Mak Małocin Pełki Pozga Sławęcin Stanisławowo Stawiszyn Łaziska Stawiszyn Zwalewo Trzaski Wilewo Władysławowo Municipality of Żuromin: Będymin Chamsk Dębsk Franciszkowo Kruszewo Młudzyno Olszew Poniatowo Żuromin	

ISO Country Code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			Municipality of Lutocin: Chromakowo Elżbiecin Felcyn Jonne Lutocin Mojnowo Nowy Przeradz Obręb Parlin Przeradz Mały Przeradz Wielki Seroki Swojęcín Zimolza Municipality of Siemiątkowo: Antoniewo Dzieczewo Nowa Wieś Nowopole Siciarz Sokołowy Kąt	
		MAZOWIECKIE VOIVODSHIP 01400 MŁAWSKI 01413	Municipality of Radzanów: Zgliczyn Glinki Zgliczyn Kościelny Zgliczyn Witowy	
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 WŁOCŁAWSKI 00418	Surveillance zone: Municipality of Włocławek: Dąb Mały Dąb Polski Dąb Wielki Dobiegniewo Jazy	
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 LIPNOWSKI 00408	Municipality of Dobrzyń nad Wisłą: Chalin Chudzewo Dobrzyń Nad Wisłą Kamienica Łagiewniki Lenie Wielkie Michałkowo Mokówko Mokowo Płomiany Ruszkowo Wierznica Wierzniczka Municipality of Tuchowo: Trzcianka	

ISO Country Code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 ELBLĄSKI 02804	Municipality of Godkowo: Burdajny Dobry Godkowo Gwiżdżiny Klekotki Kwitajny Wielkie Lesiska Nawty Osiek Plajny Podągi Skowrony Swędkowo Szymbory Ząbrowiec Zimnoch	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 LIDZBARSKI 02809	Municipality of Orneta: Augustyny Bażyny Bogatyńskie Chwałęcin Dąbrówka Drwęczno Gieduty Karkajny Klusajny Krzykały Lejławki Małe Lejławki Wielkie Orneta Osetnik Ostry Kamień	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 OSTRÓDZKI 02815	Municipality of Miłakowo: Głodówko Gudniki Różnowo Stolno	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 BRANIEWSKI 02802	Municipality of Wilczęta: Bardyny Gładysze Jankówko Kolonia Wilczęta Spędy Tatarki Municipality of Płoskinia: Stygajny	

2. The following text replaces the entry for Poland in Part B:

ISO Country Code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
PL	POLAND	MAZOWIECKIE VOIVODSHIP 01400 PŁOCKI 01419	Areas others than listed in Area A	14.1.2008
		MAZOWIECKIE VOIVODSHIP 01400 PŁOCK 01462		
		MAZOWIECKIE VOIVODSHIP 01400 PŁOŃSKI 01420		
		MAZOWIECKIE VOIVODSHIP 01400 CIECHANOWSKI 01402		
		MAZOWIECKIE VOIVODSHIP 01400 MŁAWSKI 01413	Areas others than listed in Area A	
		MAZOWIECKIE VOIVODSHIP 01400 GOSTYNIŃSKI 01404		
		MAZOWIECKIE VOIVODSHIP 01400 SIERPECKI 01427	Areas others than listed in Area A	
		MAZOWIECKIE VOIVODSHIP 01400 ŻUROMIŃSKI 01437	Areas others than listed in Area A	
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 WŁOCŁAWSKI 00418		
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 LIPNOWSKI 00408		

ISO Country Code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 WŁOCLAWEK 00464		
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 BRODNICKI 00402	Municipality of: Górzno Świedziebnia	
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 RYPINSKI 00412	Municipalities of: Rogowo Rypin Skrwilno	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 DZIAŁDOWSKI 02803	Municipalities of: Działdowo Działdowo city Iłowo-Osada Lidzbark Płośnica	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 ELBLĄSKI 02804	Municipalities of: Godkowo (areas other than listed in Area A) Młynary Pasłęk	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 BRANIEWSKI 02802	Municipalities of: Pieniężno Płoskinia (areas other than listed in Area A) Wilczęta (areas other than listed in Area A)	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 LIDZBARSKI 02809	Municipalities of: Lidzbark Warmiński Lubomino Orneta (areas other than listed in Area A)	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 OLSZTYŃSKI 02814	Municipalities of: Barczewo Dobre Miasto Dywity Gierzwałt Jonkowo Olsztynek Purda Stawiguda Świątki	

ISO Country Code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 OLSZTYN 02862		
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 OSTRÓDZKI 02815	Municipalities of: Dąbrówno Gietrzwałd Małdyty Miłakowo (areas other than listed in Area A) Morąg	
		WARMIŃSKO- MAZURSKIE VOIVODSHIP 02800 NIDZICKI 02811'		

CORRIGENDA

Corrigendum to Council Decision 2007/787/EC of 29 November 2007 on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

(Official Journal of the European Union L 317 of 5 December 2007)

The publication of this decision is annulled.

Corrigendum to Political and Security Committee Decision EUPM/3/2007 of 30 November 2007 concerning the appointment of the Head of Mission/Police Commissioner of the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)

(Official Journal of the European Union L 329 of 14 December 2007)

In the Contents page and on page 63, in the title:

for: 'Political and Security Committee Decision EUPM/3/2007 of 30 November 2007 concerning the appointment of the Head of Mission/Police Commissioner of the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)',

read: 'Political and Security Committee Decision EUPM/1/2007 of 30 November 2007 extending the mandate of the Head of Mission/Police Commissioner of the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)'.

Corrigendum to Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

(Official Journal of the European Union L 205 of 7 August 2007)

On page 40, in the Protocol, under Article 2, paragraph 1:

for: '... a specific amount of EUR 1 105 000 per year',

read: '... a specific amount of EUR 110 500 per year'.
