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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2015/350**of 2 March 2015****establishing a prohibition of fishing for anglerfish in VIIIc, IX and X; Union waters of CECAF 34.1.1 by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2015/104 ⁽²⁾ lays down quotas for 2015.
- (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 2015.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

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 2015 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities 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. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2015/104 of 19 January 2015 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union vessels, in certain non-Union waters, amending Regulation (EU) No 43/2014 and repealing Regulation (EU) No 779/2014 (OJ L 22, 28.1.2015, p. 1).

*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, 2 March 2015.

*For the Commission,
On behalf of the President,
Lowri EVANS
Director-General for Maritime Affairs and Fisheries*

ANNEX

No	01/TQ104
Member State	France
Stock	ANF/8C3411
Species	Anglerfish (<i>Lophiidae</i>)
Zone	VIIIc, IX and X; Union waters of CECAF 34.1.1
Closing date	16.1.2015

COMMISSION REGULATION (EU) 2015/351**of 2 March 2015****establishing a temporary prohibition of fishing for redfish in NAFO 3M area by vessels flying the flag of a Member State of the European Union**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2015/104 ⁽²⁾ lays down quotas for 2015.
- (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 European Union have exhausted the mid-term quota allocated for the period before 1 July 2015.
- (3) It is therefore necessary to prohibit directed fishing activities for that stock until 30 June 2015,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member States referred to in the Annex to this Regulation for the stock referred to therein for the period from 1 January 2015 until 30 June 2015 included shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Directed fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member States referred to therein shall be prohibited from the date set out in that Annex until 30 June 2015 included.

*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, 2 March 2015.

For the Commission,

On behalf of the President,

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2015/104 of 19 January 2015 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union vessels, in certain non-Union waters, amending Regulation (EU) No 43/2014 and repealing Regulation (EU) No 779/2014 (OJ L 22, 28.1.2015, p. 1).

ANNEX

No	02/TQ104
Member State	European Union (all Member States)
Stock	RED/N3M
Species	Redfish (<i>Sebastes</i> spp.)
Zone	NAFO 3M
Closing period	6.2.2015 till 30.6.2015

COMMISSION IMPLEMENTING REGULATION (EU) 2015/352
of 2 March 2015
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

This Regulation shall enter into force on the twentieth 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, 2 March 2015.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A stuffed article made of fabric representing an animal, approximately 15 cm high, with a built-in musical module. The music is activated by pulling a string at the bottom of the article. See image (*).	9503 00 41	Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9503 00 and 9503 00 41. The article is composite goods made up of different components; the stuffed toy animal and the musical module. The article can be used by children as a toy without activating the music and the stuffed toy animal therefore gives the article its essential character. In addition, articles that incorporate a musical mechanism but which are essentially utilitarian in function are generally classified in the same heading as the corresponding articles not incorporating a musical mechanism and not as musical boxes (see also the Harmonized System Explanatory Notes to heading 9208, group (A), second paragraph). Classification under CN code 9503 00 55 as toy musical instruments and apparatus (including musical boxes) is consequently excluded. The article is therefore to be classified under CN code 9503 00 41 as stuffed toy representing an animal.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2015/353**of 4 March 2015****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 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 Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 4 March 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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	EG	129,4
	MA	83,2
	TR	113,6
	ZZ	108,7
0707 00 05	JO	253,9
	TR	197,9
	ZZ	225,9
0709 93 10	MA	87,2
	TR	190,6
	ZZ	138,9
0805 10 20	EG	45,6
	IL	72,4
	MA	47,4
	TN	51,5
	TR	68,7
	ZZ	57,1
	ZZ	49,2
0805 50 10	TR	49,2
	ZZ	49,2
0808 10 80	BR	69,0
	CA	85,3
	CL	94,6
	MK	24,7
	US	151,2
	ZZ	85,0
	ZZ	118,2
0808 30 90	AR	118,2
	CL	138,7
	CN	79,8
	US	122,7
	ZA	107,5
	ZZ	113,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL DECISION (EU) 2015/354

of 2 March 2015

adopting the Rules of Procedure of the Investment Facility Committee set up under the auspices of the European Investment Bank

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

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

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies ⁽¹⁾ ('Internal Agreement'), and in particular Article 9(2) thereof,

Having regard to the proposal from the European Investment Bank,

Whereas:

- (1) The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽²⁾, as first amended in Luxembourg on 25 June 2005 ⁽³⁾ and as amended for the second time in Ouagadougou on 22 June 2010 ⁽⁴⁾ ('ACP-EU Partnership Agreement'), provides for the definition of financial protocols for each five-year period.
- (2) On 26 June 2013, the Representatives of the Governments of the Member States, meeting within the Council, adopted an Internal Agreement in accordance with the ACP-EU Partnership Agreement, providing for the setting up of a Committee ('the Investment Facility Committee') consisting of Representatives of the Governments of the Member States and of a representative of the Commission under the auspices of the European Investment Bank (EIB).
- (3) On 17 November 2014, the EIB, after consulting the Commission, presented a proposal for a Decision adopting the rules of procedure of the Investment Facility Committee to the Council.
- (4) The rules of procedure of the Investment Facility Committee should take into account the relevant provisions of Council Decision 2013/755/EU ⁽⁵⁾ and of Council Regulation (EU) 2015/322 ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Investment Facility Committee set up under the auspices of the European Investment Bank, as set out in the Annex, are hereby adopted.

⁽¹⁾ OJ L 210, 6.8.2013, p. 1.

⁽²⁾ OJ L 317, 15.12.2000, p. 3.

⁽³⁾ OJ L 287, 28.10.2005, p. 4.

⁽⁴⁾ OJ L 287, 4.11.2010, p. 3.

⁽⁵⁾ Council Decision 2013/755/EU of 25 November 2013 on the association of the Overseas Countries and Territories (OCTs) with the European Union ('Overseas Association Decision') (OJ L 344, 19.12.2013, p. 1).

⁽⁶⁾ Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund (OJ L 58, 3.3.2015, p. 1).

Article 2

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

Done at Brussels, 2 March 2015.

For the Council

The President

D. REIZNIECE-OZOLA

ANNEX

**RULES OF PROCEDURE OF THE INVESTMENT FACILITY COMMITTEE SET UP UNDER THE AUSPICES OF
THE EUROPEAN INVESTMENT BANK***Article 1*

1. The Investment Facility Committee ('the Committee') shall consist of a representative for each Member State and a representative of the Commission. Only the members of the Committee designated by the Member States, or their alternates, shall vote.
2. The Chairperson and the deputy Chairperson of the Committee shall be elected from within the members of the Committee designated by the Member States, for a period of two years. The election shall take place at the beginning of the first meeting of the Committee by secret vote. The Chairperson shall be elected among the candidates on the basis of a qualified majority, as laid down in Article 3. The election of the deputy Chairperson shall follow the same procedure.
3. The European Investment Bank ('the Bank') shall provide the Committee's secretariat and support services.
4. The Member States shall each nominate one representative and one alternate authorised to exercise voting rights. An alternate may attend meetings of the Committee as an observer, but shall only have the right to vote when his/her Member State's representative is absent. Under exceptional circumstances, where neither the representative nor the alternate can attend a meeting of the Committee, the representative may give a proxy to another representative, or may be replaced by a third person to be appointed ad hoc by the Member State. The Member States shall inform the Bank and the General Secretariat of the Council of the names and addresses of their representatives and their alternates through their Permanent Representations to the European Union.
5. The Commission shall nominate one representative and one alternate to attend the meetings of the Committee and shall communicate their names to the Bank and to the General Secretariat of the Council. These appointees may be assisted by other officials and servants of the Commission.
6. The Bank shall nominate two officials to attend and take part in the work of the Committee and shall communicate their names to the Commission and to the General Secretariat of the Council. These appointees may be assisted by other officials of the Bank.
7. A representative of the General Secretariat of the Council and a representative of the European External Action Service (EEAS) shall be invited to attend meetings of the Committee as observers.

Article 2

The Committee shall be convened by its Chairperson and shall meet at least four times a year at the Bank's headquarters in Luxembourg. The Chairperson may convene additional meetings at the request of one of its members, or the Bank.

The secretariat shall send notices of meetings to the members of the Committee and their alternates, to the General Secretariat of the Council, the Commission and the EEAS, including details of the agenda proposed for the meeting, at the same time as the relevant documents, as specified in Article 5(1).

Article 3

The Committee shall act in all matters by a qualified majority of 721 votes out of 1 000, expressing a vote in favour by at least 15 Member States. The blocking minority shall consist of 280 votes. The votes of the representatives of the Member States shall be weighted as follows:

Member State	Votes
Belgium	33
Bulgaria	2
Czech Republic	8

Member State	Votes
Denmark	20
Germany	206
Estonia	1
Ireland	9
Greece	15
Spain	79
France	178
Croatia	2
Italy	125
Cyprus	1
Latvia	1
Lithuania	2
Luxembourg	3
Hungary	6
Malta	1
Netherlands	48
Austria	24
Poland	20
Portugal	12
Romania	7
Slovenia	2
Slovakia	4
Finland	15
Sweden	29
United Kingdom	147
Total	1 000

Article 4

1. The Committee shall, under the conditions laid down in Article 3 of these Rules of Procedure and in Article 16 of the Council Regulation (EU) 2015/322 ⁽¹⁾ ('the Implementation Regulation'):

(a) with regard to the Investment Facility, approve:

- (i) the operational guidelines and proposals for their revision;
- (ii) the investment strategies and business plans, including performance indicators, in accordance with point (b) of Article 16(2) of the Implementation Regulation;

⁽¹⁾ Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund (OJ L 58, 3.3.2015, p. 1).

- (iii) the annual reports, including the financial statements;
- (iv) any general policy document, including evaluation reports;
- (b) deliver an opinion on:
 - (i) all Investment Facility financing proposals;
 - (ii) all financing proposals from the Bank's own resources under the ACP-EU Partnership Agreement and the Overseas Association Decision including those related to projects for which the Commission has rendered a negative opinion;
 - (iii) the use of an interest rate subsidy, in case of projects including an interest rate subsidy;
 - (iv) proposals related to the development of the Bank's result measurement framework to the extent that such framework is applicable to operations under the ACP-EU Partnership Agreement;
 - (v) any other proposal based on the general principles defined in the operational guidelines.

In order to streamline the approval process for small operations, the Committee may give its favourable opinion to proposals from the Bank for a global allocation (interest rate subsidies, technical assistance) or global authorisation (lending, equity) in accordance with Article 16(3) of the Implementation Regulation.

In addition, the governing bodies of the Bank may, from time to time, request that the Committee provides an opinion on other strategy or policy issues concerning the operations of the Bank in the ACP countries.

2. The working documents and proposals for the Committee shall be prepared and submitted by the Bank to the Committee and to the observers. Proposals shall provide details on:

- (a) the description of the project and its relevance to the country development strategy as presented in the country strategy papers;
- (b) the development objective which the project is intended to achieve, including the sustainability of the measures planned;
- (c) the general organisation of, and the justification for, the project;
- (d) the project's costs, method of financing and risks involved, as well as, when relevant, the risk mitigation measures the Bank intends to apply;
- (e) the project's local, national and regional impact, based on the provisions of the ACP-EU Partnership Agreement, including on the environment;
- (f) the agreement or opinion of the Commission, as specified in Article 16(5) of the Implementation Regulation.

3. The detailed rules governing the technical execution of the project and the timetable for carrying it out shall be summarised in an Annex to the proposal.

Article 5

1. The Bank shall send the relevant documents and proposals to the members of the Committee and their alternates, as well as to the General Secretariat of the Council and to the EEAS at least 21 calendar days before the date fixed for the meetings.

The Chairperson may in exceptional cases waive the above time limit at the duly justified request of the Bank. Should a member of the Committee, however, inform the Secretariat that the waiving of the time limit is not acceptable, the respective agenda item will be removed.

2. Members of the Committee shall notify the Bank in writing of any comments or requests for further information they may have on the documents circulated pursuant to paragraph 1, within the following respective time limits:

- (a) at least five working days before the date of the meetings in case they request a written response from the Bank ahead of the meeting;
- (b) at least three working days, in case they request the Bank to answer orally during the meeting.

The right of Members of the Committee to receive oral answers from the Bank regarding questions raised during the meeting on the documents circulated pursuant to paragraph 1 shall not be impaired.

3. Acting on a proposal from its Chairperson, the Committee shall adopt the agenda at the beginning of the meeting. Each member of the Committee may request that items be added to the agenda, but for discussion only. Information supplied in this connection may be given orally.

4. An absent Member State representative shall be deemed to have approved or delivered a favourable opinion on the documents submitted, except where he/she has given the Chairperson of the Committee written notice of his/her intention not to approve or deliver a favourable opinion, or where, as an exceptional measure, he/she has given a proxy to another Member State representative. Where proxies to vote have been given or a replacement has been designated, the Chairperson of the Committee shall be duly informed in advance.

A Member State representative may receive a proxy from one other Member State representative only.

Article 6

1. The opinion of the Committee may be sought by means of a written procedure at the initiative of the Bank and with the prior agreement of the Chairperson.

2. Where a proposal is submitted through written procedure, the Bank shall submit it together with all relevant supporting documents. If, within 21 calendar days following the submission of a proposal, a Member State representative has not cast a negative vote, he/she shall be deemed to have voted in favour of the proposal.

3. If discussion at a meeting of the Committee is specifically requested by one of its members not later than five working days before expiry of the 21 calendar days period referred to in the paragraph 2, the proposal shall be submitted in the next scheduled meeting of the Committee. In exceptional cases of particular urgency, the Bank may then request that an extraordinary meeting of the Committee be convened by the Chairperson pursuant to Article 2.

Article 7

1. Without prejudice to Article 16(6) of the Implementation Regulation, the Committee's approval or favourable opinion may be granted subject to any comment specified by the Committee.

2. The Committee may ask for the appraisal of a request or proposal to be supplemented in certain respects. In such an event, the request or the proposal can be put before the Committee a second time.

3. The opinions delivered by the Committee shall be forwarded to the Bank's governing bodies.

Article 8

1. A record of the main conclusions of each meeting of the Committee and the main standpoints adopted by the members of the Committee shall be drawn up by the secretariat under the responsibility of the Chairperson within 15 working days of the date of the meeting. The secretariat shall likewise record the opinions and votes cast under written procedure. These records shall be sent to the members of the Committee.

2. The record shall be deemed final once approved by the Committee, whether by written procedure or at a subsequent meeting.

3. Correspondence concerning the Committee shall be addressed to the secretariat, for the attention of the Chairperson of the Committee.

4. All representatives and observers attending meetings of the Committee shall observe the confidentiality of the Committee's work and deliberations. Documents relating to such work and deliberations shall be for the use of those to whom they are addressed, who shall be responsible for their safekeeping and the preservation of their confidentiality.

5. Twice a year, the Bank, in agreement with the Chairperson of the Committee, will make available general information on the implementation of the Investment Facility to the EDF Committee and the Council preparatory bodies, in particular the ACP Working Party, to ensure broad coherence and complementarity of activities funded under the European Development Fund. This will be done in compliance with confidentiality rules enshrined in paragraph (4).

Article 9

1. The operating expenditure of the Committee, including travel expenses for one representative of each Member State, shall be borne by the Bank. The Member State representative chairing the Committee is also entitled to reimbursement of travel expenses in addition to the other representative from the same Member State, if any.
2. The Bank shall place at the disposal of the Committee the premises and equipment necessary for its work.

Article 10

All notices, correspondence or documents to be transmitted pursuant to these Rules of Procedure may be so transmitted using electronic mail or facsimile machine.

COUNCIL DECISION (EU) 2015/355
of 2 March 2015
adopting the rules of procedure of the European Development Fund Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

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

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies ⁽¹⁾ ('the Internal Agreement'), and in particular Article 8(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽²⁾, as first amended in Luxembourg on 25 June 2005 ⁽³⁾ and as amended for the second time in Ouagadougou on 22 June 2010 ⁽⁴⁾ ('ACP-EU Partnership Agreement'), provides for the definition of financial protocols for each five-year period.
- (2) On 26 June 2013, the Representatives of the Governments of the Member States, meeting within the Council, adopted an Internal Agreement in accordance with the ACP-EU Partnership Agreement providing for the setting up of the European Development Fund Committee consisting of Representatives of the Governments of the Member States.
- (3) The rules of procedure of the European Development Fund Committee should take into account the relevant provisions of Council Decision 2013/755/EU ⁽⁵⁾ and of Council Regulation (EU) 2015/322 ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The rules of procedure of the European Development Fund Committee, as set out in the Annex, are hereby adopted.

Article 2

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

Done at Brussels, 2 March 2015.

For the Council

The President

D. REIZNIECE-OZOLA

⁽¹⁾ OJ L 210, 6.8.2013, p. 1.

⁽²⁾ OJ L 317, 15.12.2000, p. 3.

⁽³⁾ OJ L 287, 28.10.2005, p. 4.

⁽⁴⁾ OJ L 287, 4.11.2010, p. 3.

⁽⁵⁾ Council Decision 2013/755/EU of 25 November 2013 on the association of the Overseas Countries and Territories (OCTs) with the European Union ('Overseas Association Decision') (OJ L 344, 19.12.2013, p. 1).

⁽⁶⁾ Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund (OJ L 58, 3.3.2015, p. 1).

ANNEX

RULES OF PROCEDURE OF THE EUROPEAN DEVELOPMENT FUND COMMITTEE*Article 1***Composition**

The European Development Fund Committee (the 'Committee') shall comprise the delegations of the Member States (the 'delegations') and shall be chaired by a representative of the Commission.

An observer from the European Investment Bank (EIB) shall take part in the Committee's proceedings with regard to questions concerning the EIB.

A representative of the General Secretariat of the Council shall attend the meetings as an observer.

*Article 2***Referral to the Committee**

1. A referral shall be made to the Committee in the cases and according to the procedures laid down in Council Regulation (EU) 2015/322 ⁽¹⁾ ('the 11th EDF Implementation Regulation'), and in particular in Articles 7, 9 and 14 thereof and, where appropriate, in Council Decision 2013/755/EU ⁽²⁾ ('the Overseas Association Decision'). In respect of the responsibilities conferred upon it by the Overseas Association Decision, the Committee shall be referred to as the 'EDF-OCTs Committee'.

2. In addition to the referral cases provided for in paragraph 1:

- (a) the Commission shall proceed to publish, in a timely manner on its website, adopted decisions taken on the basis of Articles 14 and 15 of the 11th EDF Implementation Regulation and inform the Committee accordingly by the most rapid and reliable electronic means;
- (b) the Commission shall inform the Committee of any delays or difficulties in the implementation of annual action programmes, individual and special measures, including advance information on the suspension and the resumption of budget support programmes, which could result in significant additional commitments or substantive changes likely to entail compulsory referral under the provisions of the 11th EDF Implementation Regulation.

*Article 3***Convening a meeting**

1. The Committee shall be convened by the Chair, acting on his or her own initiative or at the request of a Member State.

2. Joint meetings of the Committee with other committees may be convened to discuss issues falling within their respective areas of responsibility.

*Article 4***Agenda**

1. The Chair shall draw up the draft agenda and submit it to the Committee.

2. The agenda shall make a distinction between:

- (a) draft measures to be adopted by the Commission on which the Committee is asked to give an opinion, in accordance with the procedure provided for in Article 14 of the 11th EDF Implementation Regulation;
- (b) other issues put to the Committee for information or a simple exchange of views, either on the Chair's initiative or at the request in writing of a Committee member.

⁽¹⁾ Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund (OJ L 58, 3.3.2015, p. 1).

⁽²⁾ Council Decision 2013/755/EU of 25 November 2013, on the association of the overseas countries and territories with the European Union ('Overseas Association Decision'), (OJ L 344, 19.12.2013, p. 1).

3. Any delegation may request the inclusion of an item on the agenda of meetings of the Committee. Relevant information on these items may be given orally or in writing afterwards, as appropriate.
4. The agenda shall include approval of the minutes of the previous meeting.
5. At least every three months, and whenever updated information is available, an indicative long-term planning for upcoming meetings shall accompany the agenda. This planning shall include items to be submitted for an opinion, as well as strategic cross-EDF issues to be submitted for information and/or for an exchange of views. The planning shall include items to be submitted to the Committee over the upcoming six-month period. To the extent possible, the planning shall also indicate items that are likely to be submitted to the Committee over the subsequent six-month period.

Article 5

Documentation to be sent or submitted to the members of the Committee

1. The Chair shall send the invitation and the draft agenda of the meeting, as well as any draft measures about which the Committee is asked to give an opinion to the members of the Committee well in advance of the meeting, taking into account the urgency and the complexity of the matter, and in any case at least 21 calendar days before the date of the meeting. Other documents related to the meeting, in particular documents for information and an exchange of views, shall, as far as possible, be submitted within the same time limit.

All documents shall be submitted in accordance with Article 15(2) and (3).

2. In cases of urgency, and where the measure to be adopted must be applied immediately, the Chair may, on his or her own initiative or at the request of a member of the Committee, shorten the time limit for submission of documents referred to in paragraph 1. That time limit shall not be shorter than seven calendar days. Such cases of urgency shall be duly justified in writing by the Commission.

3. By way of exception, in cases of extreme urgency in a partner country or region, for example serious economic, social and political circumstances, natural disasters suffered by the recipient country, and humanitarian crises or other external circumstances of a similar nature requiring a very rapid reaction, the Chair may, at the request of a Committee member or on his or her own initiative, depart from the time limits laid down in paragraphs 1 and 2. Such cases of extreme urgency shall be duly justified in writing by the Commission.

4. Paragraphs 2 and 3 shall not apply to Strategy Papers and Multiannual Indicative Programmes and their adjustment as a result of the mid-term and end-of-term reviews referred to in Article 7(2) of the 11th EDF Implementation Regulation.

5. In the case of draft measures submitted to the Committee for its opinion by oral procedure, delegations shall inform the secretariat of the Committee in writing at least three working days before the date of the meeting of:

- (a) those items to which they can already give their assent in principle and that they propose to include as A items (with or without comments or requests for further information); and
- (b) those items that they think need discussion and that they propose to include as B items;

on the agenda referred to in Article 4(1).

At the request of a Member State, any A item may be submitted for discussion and transferred to the list of B items as early as possible before or, in exceptional cases, at the meeting.

Delegations shall also formulate any comments and requests for further information in writing and, wherever possible, at least three working days before the date of the meeting.

The Commission shall provide further information and respond to any comments, wherever possible, in writing and at least one day before the meeting.

6. On duly justified imperative grounds of urgency, the Commission may also use the procedure set out in Article 14(4) of the 11th EDF Implementation Regulation. In such cases, the Chair shall submit the measures to the Committee within 14 days from their adoption in order to obtain its opinion.

*Article 6***Transmission of programming documents to the Joint Parliamentary Assembly**

In accordance with Article 7(1) of the 11th EDF Implementation Regulation, the Committee's secretariat will transmit the programming documents to the Joint Parliamentary Assembly for information at the same time as they are sent to delegations in the Committee.

*Article 7***Opinion of the Committee**

1. Where a matter is put to the Committee for its opinion, it shall be discussed under the conditions and according to the procedure set out in Article 14(3) and (4), respectively, of the 11th EDF Implementation Regulation and in Article 8(2) and (3) of the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies ⁽¹⁾ ('the Internal Agreement').

2. Unless a member of the Committee objects, the Chair may, without proceeding to a formal vote, establish that the Committee has delivered a positive opinion, by consensus, on the draft measures.

3. When the oral procedure is used, and a substantive change is made or new factual elements are added to the draft measures during the meeting, the Chair, on his or her own initiative or at the request of a Member State, may postpone the vote on a particular agenda item until the end of the meeting or until a subsequent meeting.

4. If, pursuant to paragraph 3, the Chair decides not to postpone the vote as requested by one or more delegations, the requesting delegation(s) may enter a reservation which may be withdrawn within a maximum of three working days from the day following the meeting. The Committee's opinion shall be recorded as definitive upon expiry of this period. The Commission shall inform Member States of the definitive position adopted by the Member State(s) whose delegation(s) entered a reservation in the Committee.

5. Subject to the second subparagraph of this paragraph, if the documents relating to a specific agenda point have not been sent to Committee members within the time limit laid down in Article 5(1) and (2) voting on an issue shall be postponed to the next meeting.

At the proposal of the Chair or at the request of a Committee member, the Committee may decide by a simple majority of its members to keep this point on the agenda due to the urgency of the matter. If necessary, the written procedure provided for in Article 11 of these rules of procedure may be applied.

6. In the context of an examination of annual or multiannual action programmes, any delegation may request the withdrawal of a project or programme from the action programme. If that request is supported by a blocking minority of delegations, as laid down in Article 8(3) of the Internal Agreement, in connection with Article 8(2) of the Internal Agreement, the action programme shall be adopted by the Commission without the project or programme concerned. Unless the Commission, in line with the views of the delegations in the Committee, wishes not to pursue the withdrawn project or programme, it shall, at a later stage, be resubmitted to the Committee outside the action programme in the form of an individual measure which shall then be adopted by the Commission in accordance with the procedure set out in Article 14 of the 11th EDF Implementation Regulation.

*Article 8***Exchange of views**

1. Each delegation can invite the Commission at any moment to provide the Committee with information and to have an exchange of views on issues related to the tasks described under Articles 3(3), 7(2) and 14(2) of the 11th EDF Implementation Regulation. Any evaluation, including recommendations and follow-up actions may also be discussed in the Committee at the request of a Member State, in line with Article 18(2) of the 11th EDF Implementation Regulation. As set out in Article 18(4) of the 11th EDF Implementation Regulation, the Commission shall review progress made in the implementation of the 11th EDF, including National Indicative Programmes, and shall submit to the Council implementation reports on a yearly basis starting from 2015. That report may also be discussed in the Committee at the request of a Member State.

⁽¹⁾ OJ L 210, 6.8.2013, p. 1.

2. Such exchanges of views may lead to the formulation of recommendations by the delegations, which the Commission shall take into account. The minutes of the Committee shall reflect the interventions made. An intervention supported by a qualified majority of delegations, as laid down in Article 8(3) of the Internal Agreement, in conjunction with Article 8(2) of the Internal Agreement, shall be recorded as a recommendation.

Article 9

Representation and quorum

1. Each delegation shall be considered to be one member of the Committee. Each Member State shall decide the composition of its delegation and shall inform the Chair thereof.
2. With the Chair's approval, delegations may be accompanied by non-governmental experts, at the expense of the Member State concerned.

Within a reasonable time, and in any case no later than five calendar days before the date of a meeting, the following information shall be communicated to the Chair:

- (a) the composition of each delegation, except where such composition is already known to the Chair;
- (b) the names and functions of any experts accompanying the delegations and the reasons for which their presence is required.

If the Chair does not object to the participation of an expert in advance of the relevant meeting, permission shall be considered to be granted.

Ahead of the meeting the Chair shall inform delegations on the participation of a non-governmental expert, indicating the organisation he or she represents.

3. A delegation may, if necessary, represent a maximum of one other Member State. The Chair shall be notified in writing before the start of the meeting by the delegation which is to be represented.
4. The quorum required for deliberations of the Committee shall be that required for a qualified majority opinion to be issued in accordance with Article 14(3) and (4) of the 11th EDF Implementation Regulation.

Article 10

Third parties and experts

1. Representatives of acceding countries shall be invited to attend the meetings of the Committee as from the date of signature of the Treaty of Accession.
2. The Chair may decide to invite representatives of other third parties or other experts to talk on specific points on the agenda of the Committee, on his or her own initiative or at the request of a member of the Committee. However, a simple majority of Member States may oppose their participation in the meeting.
3. Representatives of third parties and experts referred to in paragraphs 1 and 2 and those mentioned in Article 9(2) shall not be present during, and shall not participate in, the voting of the Committee.

Article 11

Written procedure

1. In duly justified cases, the Chair may obtain the Committee's opinion by written procedure. The Chair shall communicate the Committee members the proposals of draft measures and shall lay down a time limit for delivery of an opinion according to the urgency of the matter.

Delegations have 21 calendar days from the sending of the proposals to adopt a position. Any Committee delegation which does not express its opposition or intention to abstain before the time limit laid down in the communication is considered to have given its tacit agreement to the proposal.

In cases of urgency or extreme urgency in a partner country or region, the same time limits as those laid down in Article 5(2) and (3) shall apply. Such cases of urgency or extreme urgency shall be duly substantiated in writing by the Commission.

2. However, if a Committee member requests that the draft measures be considered in the course of a meeting, the written procedure shall thereby terminate and the proposed measures shall be carried over to the next meeting.

3. The Commission shall inform the members of the Committee in writing on the outcome of a written procedure without delay, and in any case no later than seven calendar days after the expiry of the time limit.

Article 12

Secretarial support

Secretarial services for the Committee shall be provided by the Commission.

Article 13

Minutes and summary report of the meetings

The minutes of each meeting shall be drawn up under the auspices of the Chair and shall contain the opinions expressed on the proposed measures and the positions expressed during the meeting. The minutes shall be sent to the members of the Committee without delay and, wherever possible, within 14 calendar days of the meeting. For meetings which are held at four-week intervals or less, the minutes shall be sent at least seven calendar days prior to the subsequent meeting.

The delegations shall send any written comments they may have on the minutes to the Chair. The Committee shall be informed of this; if there are any disagreements, the proposed amendment shall be discussed by the Committee. If the disagreement persists, the proposed amendment shall be annexed to the minutes.

Article 14

Attendance list

1. At each meeting, the Chair shall draw up an attendance list specifying the authorities or bodies to which the participants belong and shall distribute it to the participants during the course of that meeting.

2. At the beginning of every meeting, any delegation whose participation in the work constitutes a conflict of interest with regard to a particular point on the agenda shall inform the Chair of this situation. Additionally, any person designated by the Member States, as well as experts who have been authorised by the Chair to participate in the meeting in accordance with Articles 9(2) and 10(2), and representatives of third parties who have been invited to attend the meeting in accordance with Article 10 shall inform the Chair of any conflict of interest with regard to a particular item on the agenda.

In the event of such a conflict of interest, the person concerned shall, at the request of the Chair, withdraw from the meeting whilst the relevant items of the agenda are being dealt with.

Article 15

Correspondence

1. Correspondence relating to the Committee shall be addressed to the Commission, for the attention of the Committee secretariat.

2. Correspondence addressed to delegations by the secretariat shall be sent to the Permanent Representation of the Member State concerned by the most rapid and reliable electronic means. Where a Permanent Representation indicates to the Commission a specific central electronic address for correspondence related to the work of the Committees, that address shall be used for correspondence. In addition, correspondence may be addressed directly to the persons designated by the Member States to represent them in the Committee.

3. Save in exceptional circumstances, correspondence between the Commission and delegations shall be sent in both directions by the electronic means provided for by the Commission.

*Article 16***Access to documents and confidentiality**

1. Requests for access to Committee documents shall be handled in accordance with Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽¹⁾. The Commission shall decide on requests for access to those documents pursuant to its Rules of Procedure ⁽²⁾. If the request is addressed to a Member State, that Member State shall apply Article 5 of Regulation (EC) No 1049/2001.
2. The Committee's discussions shall be confidential.
3. Documents submitted to members of the Committee, experts and representatives of third parties shall be confidential, unless access is granted to those documents pursuant to paragraph 1 or they are otherwise made public by the Commission.
4. The members of the Committee, as well as experts and representatives of third parties, shall be required to respect the confidentiality obligations set out in this Article. The Chair shall ensure that experts and representatives of third parties are made aware of the confidentiality requirements imposed upon them.

*Article 17***Protection of personal data**

The processing of personal data by the Committee and its working groups shall be in conformity with Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽³⁾, under the responsibility of the Chair acting as the controller, within the meaning of point (d) of Article 2 of that Regulation.

*Article 18***Running costs**

1. The Committee's running costs, including travel expenses for one participant per Member State, shall be borne by the Commission.

If the allocated financial appropriation allows it and within the limits of that appropriation, the Commission shall cover the travelling expenses of two delegation members who submit a request to that effect.

2. The Commission shall make available the premises and material resources necessary for the Committee's work.

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

⁽²⁾ Rules of Procedure of the Commission (C(2000) 3614) (OJ L 308, 8.12.2000, p. 26).

⁽³⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

COUNCIL IMPLEMENTING DECISION (EU) 2015/356**of 2 March 2015****authorising the United Kingdom to apply differentiated levels of taxation to motor fuels in certain geographical areas, in accordance with Article 19 of Directive 2003/96/EC**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity ⁽¹⁾, and in particular Article 19 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By letter of 2 February 2014, the United Kingdom requested authorisation to apply a reduced rate of excise duty on gas oil and unleaded petrol, supplied as motor fuel to road vehicles, in accordance with Article 19 of Directive 2003/96/EC, in the geographical areas covered, on the date of the notification of this Decision, by the postcode districts of IV54 (Highland, Scotland), IV26 (Highland, Scotland), IV27 (Highland, Scotland), NE48 (Northumberland, England), PH41 (Highland, Scotland), KW12 (Highland, Scotland), PA80 (Argyll and Bute, Scotland), PH36 (Highland, Scotland), IV22 (Highland, Scotland), PA38 (Argyll and Bute, Scotland), PH23 (Highland, Scotland), PH19 (Highland, Scotland), IV21 (Highland, Scotland), LA17 (Cumbria, England), EX35 (Devon, England), IV14 (Highland, Scotland) and in the geographical area covered, on the date of the notification of this Decision, by the post town of Hawes (North Yorkshire, England). The United Kingdom provided additional information and clarifications on 3 June and 17 September 2014.
- (2) In those areas, the prices of gas oil and unleaded petrol, supplied as motor fuel to road vehicles, are higher than the average prices in the rest of the territory of the United Kingdom, placing local fuel consumers at a disadvantage. The price difference is due to additional per unit costs induced by the geographic location of those areas, their low population numbers and the delivery of relatively low volumes of fuel.
- (3) The reduced rates of taxation should be above the minimum rates laid down in Article 7 of Directive 2003/96/EC.
- (4) In view of the specific nature of the areas to which it applies and the moderate reduction in the rate, which reduction only partially alleviates the higher costs incurred in the geographical areas in question, the measure is not expected to give rise to any movement for the purpose of supply of fuel.
- (5) Consequently, the measure is acceptable from the point of view of the proper functioning of the internal market and of the need to ensure fair competition, and it is compatible with the Union's health, environment, energy and transport policies.
- (6) In accordance with Article 19(2) of Directive 2003/96/EC each authorisation granted under that Article is to be strictly limited in time. In order to provide the businesses and consumers concerned with a sufficient degree of certainty, the authorisation should be granted for a period of six years. However, in order not to undermine future general developments in the existing legal framework, it is appropriate to provide that, should the Council, acting on the basis of Article 113 of the Treaty on the Functioning of the European Union (TFEU), introduce a modified general system for the taxation of energy products with which the authorisation granted in this Decision would not be compatible, this Decision should expire on the day on which the rules of that modified system become applicable.
- (7) This Decision is without prejudice to the application of Union rules regarding State aid,

⁽¹⁾ OJ L 283, 31.10.2003, p. 51.

HAS ADOPTED THIS DECISION:

Article 1

1. The United Kingdom is hereby authorised to apply a reduced rate of excise duty on gas oil and unleaded petrol, supplied as motor fuel to road vehicles, in the geographical areas covered, on the date of the notification of this Decision, by the postcode districts of IV54 (Highland, Scotland), IV26 (Highland, Scotland), IV27 (Highland, Scotland), NE48 (Northumberland, England), PH41 (Highland, Scotland), KW12 (Highland, Scotland), PA80 (Argyll and Bute, Scotland), PH36 (Highland, Scotland), IV22 (Highland, Scotland), PA38 (Argyll and Bute, Scotland), PH23 (Highland, Scotland), PH19 (Highland, Scotland), IV21 (Highland, Scotland), LA17 (Cumbria, England), EX35 (Devon, England), IV14 (Highland, Scotland) and in the geographical area covered, on the date of the notification of this Decision, by the post town of Hawes (North Yorkshire, England).

In order to avoid any overcompensation, the reduction of the standard national rate of taxation for gas oil or unleaded petrol respectively shall be no greater than the additional cost of retail sales in those geographical areas, compared with the average cost of retail sales incurred in the United Kingdom and the reduction shall be no more than GBP 50 (EUR 64) per 1 000 litres of product.

2. The reduced rates shall comply with the requirements of Directive 2003/96/EC, and in particular with the minimum rates laid down in Article 7 thereof.

Article 2

This Decision shall take effect on the date of its notification.

It shall expire six years thereafter. However, should the Council, acting on the basis of Article 113 of the TFEU, introduce a modified general system for the taxation of energy products with which the authorisation granted under Article 1 of this Decision would not be compatible, this Decision shall expire on the day on which the rules of that modified system become applicable.

Article 3

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 2 March 2015.

For the Council

The President

D. REIZNIECE-OZOLA

CORRIGENDA

Corrigendum to Commission Delegated Regulation (EU) No 65/2014 of 1 October 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of domestic ovens and range hoods*(Official Journal of the European Union L 29 of 31 January 2014)*

On page 9, Annex II, the equation in point 2.1(i) should read as follows:

$$'AEC_{hood} = \left[\frac{(W_{BEP} \times t_H \times f) + (W_L \times t_L)}{60 \times 1\,000} + \frac{P_o \times (1\,440 - t_H \times f)}{2 \times 60 \times 1\,000} + \frac{P_s \times (1\,440 - t_H \times f)}{2 \times 60 \times 1\,000} \right] \times 365'$$

