

Official Journal

of the European Union

L 136



English edition

Legislation

Volume 59

25 May 2016

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EN

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

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2016/817

of 17 May 2016

on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with Article 218(6), second subparagraph, point (a) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

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

Whereas:

- (1) On 28 June 2007, the Council adopted Regulation (EC) No 753/2007 ⁽²⁾ concerning the conclusion of the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand ('the Partnership Agreement'). The current Protocol setting out the fishing opportunities and financial contribution provided for by the Partnership Agreement expires on 31 December 2015.
- (2) The Union has negotiated with the Government of Denmark and the Government of Greenland a new protocol to the Partnership Agreement ('the Protocol') setting out the fishing possibilities and financial contribution.
- (3) The Protocol was signed in accordance with Council Decision (EU) 2015/2103 ⁽³⁾ and has been applied on provisional basis since 1 January 2016.
- (4) Article 10 of the Partnership Agreement sets up a Joint Committee to monitor the application of the Partnership Agreement and ensure its implementation. Furthermore, in accordance with the Protocol, the Joint Committee may approve certain modifications to the Protocol. In order to facilitate the approval of such modifications, it is appropriate to empower the Commission, subject to specific conditions, to approve them under a simplified procedure.
- (5) The Protocol should be approved on behalf of the Union,

⁽¹⁾ Consent of 12 April 2016 (not yet published in the Official Journal).

⁽²⁾ Council Regulation (EC) No 753/2007 of 28 June 2007 on the conclusion of the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand (OJ L 172, 30.6.2007, p. 1).

⁽³⁾ Council Decision (EU) 2015/2103 of 16 November 2015 on the signing, on behalf of the European Union, and provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand (OJ L 305, 21.11.2015, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand ('the Protocol'), is hereby approved on behalf of the Union ⁽¹⁾.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 15 of the Protocol.

Article 3

Subject to the provisions and conditions set out in the Annex to this Decision, the Commission shall, within the Joint Committee, be empowered to approve, on behalf of the Union, modifications to the Protocol.

Article 4

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

Done at Brussels, 17 May 2016.

For the Council
The President
M.H.P. VAN DAM

⁽¹⁾ The Protocol has been published in OJ L 305, 21.11.2015, p. 3 together with the decision on its signature.

ANNEX

Scope of the empowerment and procedure for the establishment of the Union position in the Joint Committee

- (1) The Commission shall be authorised to negotiate with Greenland and, where appropriate and subject to complying with point 3 of this Annex, agree on modifications to the Protocol in respect of the following issues:
 - (a) fixing of fishing opportunities in accordance with Article 3(2) and (3) and Article 8 of the Protocol, including fixing the reference price and the authorisation fees under Article 8;
 - (b) decision on the modalities of the sectoral support in accordance with Article 5 of the Protocol;
 - (c) adoption of measures to ensure sustainable exploitation of the fishery resources in accordance with Article 6 of the Protocol.
- (2) In the Joint Committee, the Union shall:
 - (a) act in accordance with the objectives pursued by the Union within the framework of the common fisheries policy;
 - (b) follow the Council conclusions of 19 March 2012 on a communication on the external dimension of the common fisheries policy;
 - (c) promote positions that are consistent with the relevant rules adopted by regional fisheries management organisations and in the context of joint management by coastal states.
- (3) When a decision on modifications to the Protocol referred to in point 1 is foreseen to be adopted during a Joint Committee meeting, the necessary steps shall be taken so as to ensure that the position to be expressed on behalf of the Union takes account of the latest statistical, biological and other relevant information transmitted to the Commission.

To this effect, and based on that information, a document setting out the particulars of the proposed Union position shall be transmitted by the Commission services, in sufficient time before the relevant Joint Committee meeting, to the Council or to its preparatory bodies for consideration and approval.

In respect of the issues referred to in point 1(a), the approval of the envisaged Union position by the Council shall require a qualified majority of votes. In the other cases, the Union position envisaged in the preparatory document shall be deemed to be agreed, unless a number of Member States equivalent to a blocking minority objects during a meeting of the Council's preparatory body or within 20 days from receipt of the preparatory document, whichever occurs earlier. In case of such objection, the matter shall be referred to the Council.

If, in the course of further meetings, including on the spot, it is impossible to reach an agreement in order for the Union position to take account of new elements, the matter shall be referred to the Council or its preparatory bodies.

- (4) The Commission is invited to take, in due time, any steps necessary as a follow-up to the decision of the Joint Committee, including, where appropriate, a publication of the relevant decision in the *Official Journal of the European Union* and a submission of any proposal necessary for the implementation of such decision.
-

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/818

of 17 May 2016

amending Implementing Regulation (EU) No 1030/2014 laying down implementing technical standards with regard to the uniform formats and date for the disclosure of the values used to identify global systemically important institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 ⁽¹⁾, and in particular the third subparagraph of Article 441(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 1030/2014 ⁽²⁾ specifies the uniform format for the disclosure of the indicator values used to identify global systemically important institutions (G-SIIs) in accordance with Article 131 of Directive 2013/36/EU of the European Parliament and of the Council ⁽³⁾.
- (2) The disclosure templates used by institutions identified as G-SIIs in accordance with Article 131 of Directive 2013/36/EU should take into account international standards, particularly those issued by the Basel Committee on Banking Supervision (BCBS).
- (3) The template in the Annex to Implementing Regulation (EU) No 1030/2014 mirrors the one used by the BCBS for the data collection exercise for 2015.
- (4) The BCBS publishes an updated reporting template in January of each year. In order to promote global consistency in disclosure and transparency in the process of identification of G-SIIs, Regulation (EU) No 1030/2014 should be amended.
- (5) Given that the data collection for the identification process in 2016 starts in the first quarter of 2016 and institutions need clarity as to which data must be disclosed, this Regulation should enter into force immediately.
- (6) This Regulation is based on the draft implementing technical standards submitted by the European Banking Authority (EBA) to the Commission.

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 1030/2014 of 29 September 2014 laying down implementing technical standards with regard to the uniform formats and date for the disclosure of the values used to identify global systemically important institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 284, 30.9.2014, p. 14).

⁽³⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

- (7) The EBA has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, has analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 1030/2014 is amended as follows:

- (1) Article 1 is replaced by the following:

'Article 1

Uniform format

G-SIIs shall report the information used to identify G-SIIs (indicators, ancillary data and memorandum items) to the relevant authority in electronic format using the template in the Annex to this Regulation, taking into consideration the further specifications of the underlying data and the instructions issued by the relevant authority each year. By using that template and taking into consideration these specifications and instructions, G-SIIs shall publicly disclose the values of the indicators used for determining the score of the institutions in accordance with the identification methodology set out in Regulation (EU) No 1222/2014.

G-SIIs shall not be bound to disclose publicly the ancillary data and memorandum items';

- (2) the third subparagraph of Article 3 is replaced by the following:

'Without undue delay, following the disclosure of that information by the G-SIIs, relevant authorities shall send those completed templates, including the ancillary data and the memorandum items, to the EBA. The EBA shall disclose the completed template, excluding the ancillary data and the memorandum items, on its website for centralisation purposes.'

- (3) the Annex is replaced by the text set out in the Annex to this Regulation.

Article 2

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, 17 May 2016.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

ANNEX

‘ANNEX

TEMPLATE FOR THE IDENTIFICATION OF GLOBAL SYSTEMICALLY IMPORTANT INSTITUTIONS (G-SIIs)

General Bank Data

Section 1: General Information	
a. General information provided by the relevant supervisory authority:	
(1) Country code	
(2) Bank name	
(3) Reporting date (yyyy-mm-dd)	
(4) Reporting currency	
b. General Information provided by the reporting institution:	
(1) Reporting unit	
(2) Accounting Standard	
(3) Date of public disclosure (yyyy-mm-dd)	
(4) Language of public disclosure	
(5) Web address of public disclosure	

Size Indicator

Section 2: Total Exposures	Amount

Interconnectedness Indicators

Section 3: Intra-Financial System Assets	Amount

Section 4: Intra-Financial System Liabilities	Amount

Section 5: Securities Outstanding	Amount

Substitutability/Financial Institution Infrastructure Indicators

Section 6: Payments made in the reporting year (excluding intragroup payments)	Amount
Section 7: Assets Under Custody	Amount
Section 8: Underwritten Transactions in Debt and Equity Markets	Amount

Complexity Indicators

Section 9: Notional Amount of Over-the-Counter (OTC) Derivatives	Amount
Section 10: Trading and Available-for-Sale Securities	Amount
Section 11: Level 3 Assets	Amount

Cross-Jurisdictional Activity Indicators

Section 12: Cross-Jurisdictional Claims	Amount
Section 13: Cross-Jurisdictional Liabilities	Amount

Ancillary data

Section 14: Ancillary indicators	Amount
Section 15: Ancillary items	Amount'

COMMISSION IMPLEMENTING REGULATION (EU) 2016/819**of 24 May 2016****amending Council Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya and repealing Regulation (EU) No 204/2011**

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision (CFSP) 2015/1333 of 31 July 2015 concerning restrictive measures in view of the situation in Libya, and repealing Decision 2011/137/CFSP ⁽¹⁾,

Having regard to Council Regulation (EU) 2016/44 of 18 January 2016 concerning restrictive measures in view of the situation in Libya and repealing Regulation (EU) No 204/2011 ⁽²⁾, and in particular Article 20(b) thereof,

Whereas:

- (1) Annex V to Regulation (EU) 2016/44 lists vessels designated by the UN Sanctions Committee as referred to in paragraph 11 of UNSCR 2146 (2014), which are covered by a number of prohibitions under that Regulation, including to load, transport or discharge crude oil from Libya, to access ports in the territory of the Union, and the provision of bunkering or ship supply services.
- (2) On 12 May 2016, the United Nations Security Council Committee, deleted the vessel Distya Ameya from the list of vessels subject to restrictive measures. On 23 May 2016, the Council decided to remove the vessel from Annex V to Decision (CFSP) 2015/1333.
- (3) Therefore, Annex V to Regulation (EU) 2016/44 should be amended accordingly.
- (4) In order to implement this delisting, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex V to Regulation (EU) 2016/44 is replaced by 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, 24 May 2016.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instruments*

⁽¹⁾ OJ L 206, 1.8.2015, p. 34.

⁽²⁾ OJ L 12 19.1.2016, p. 1.

ANNEX

Annex V to Regulation (EU) 2016/44 is replaced by the following:

‘ANNEX V’

COMMISSION IMPLEMENTING REGULATION (EU) 2016/820**of 24 May 2016****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, 24 May 2016.

*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	MA	106,1
	TR	68,6
	ZZ	87,4
0707 00 05	TR	105,8
	ZZ	105,8
0709 93 10	TR	140,2
	ZZ	140,2
0805 10 20	EG	55,4
	IL	62,4
	MA	53,2
	TR	38,0
	ZA	78,9
	ZZ	57,6
	AR	72,8
	TR	143,1
0805 50 10	ZA	178,0
	ZZ	131,3
0808 10 80	AR	89,5
	BR	91,3
	CL	129,8
	CN	65,7
	NZ	151,4
	US	209,8
	ZA	106,2
	ZZ	120,5
0809 29 00	TR	551,2
	US	931,3
	ZZ	741,3

⁽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

DECISION (EU) 2016/821 OF THE EUROPEAN CENTRAL BANK

of 26 April 2016

amending Decision ECB/2007/7 concerning the terms and conditions of TARGET2-ECB (ECB/2016/9)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first and fourth indents of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 3.1 and Articles 17, 18 and 22 thereof,

Whereas:

- (1) Guideline (EU) 2016/579 of the European Central Bank (ECB/2016/6) ⁽¹⁾ has amended Guideline ECB/2012/27 ⁽²⁾ with a view to clarifying the scheme by which national central banks (NCBs) provide auto-collateralisation services and settlement in central bank money. These clarifications follow on from amendments introduced by Guideline (EU) 2015/930 of the European Central Bank (ECB/2015/15) ⁽³⁾, which amended Guideline ECB/2012/27 to introduce Dedicated Cash Accounts and auto-collateralisation services with regard to the operation of TARGET2-Securities (T2S).
- (2) Guideline (EU) 2016/579 (ECB/2016/6) has also introduced amendments to Guideline ECB/2012/27 on a number of policy issues, including the treatment of TARGET2 participants subject to resolution proceedings, from the perspective of their TARGET2 participation.
- (3) To reflect the foregoing amendments to Guideline ECB/2012/27, Decision ECB/2007/7 ⁽⁴⁾, which is concerned with the terms and conditions of TARGET2-ECB, should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Amendments

Annexes I and II to Decision ECB/2007/7 are amended in accordance with the Annex to this Decision.

⁽¹⁾ Guideline (EU) 2016/579 of the European Central Bank of 16 March 2016 amending Guideline ECB/2012/27 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) (ECB/2016/6) (OJ L 99, 15.4.2016, p. 21).

⁽²⁾ Guideline ECB/2012/27 of the European Central Bank of 5 December 2012 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) (OJ L 30, 30.1.2013, p. 1).

⁽³⁾ Guideline (EU) 2015/930 of the European Central Bank of 2 April 2015 amending Guideline ECB/2012/27 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) (ECB/2015/15) (OJ L 155, 19.6.2015, p. 38).

⁽⁴⁾ Decision ECB/2007/7 of 24 July 2007 concerning the terms and conditions of TARGET2-ECB (OJ L 237, 8.9.2007, p. 71).

*Article 2***Entry into force**

This Decision shall enter into force on 16 May 2016.

Done at Frankfurt am Main, 26 April 2016.

The President of the ECB

Mario DRAGHI

ANNEX

1. Annex I to Decision ECB/2007/7 is amended as follows:

(a) in Article 1, the following definition is replaced:

‘— “direct debit authorisation” means a general instruction by a payer to its CB entitling and obliging that CB to debit the payer’s account upon receipt of a valid direct debit instruction from a payee;’

(b) Article 28 is amended as follows:

(i) the following sentence is added at the end of paragraph 1:

‘For the purposes of this paragraph, the taking of resolution action within the meaning of Directive 2014/59/EU of the European Parliament and of the Council (*) against a PM account holder shall not automatically qualify as the opening of insolvency proceedings.

(*) Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).’;

(ii) paragraph 4(a) is replaced by the following:

‘(a) In the event that the ECB suspends or terminates a PM account holder’s participation in TARGET2-ECB under paragraph 1 or 2, the ECB shall immediately inform, by means of an ICM broadcast message or a T2S broadcast message, that PM account holder, other CBs and PM account holders and DCA holders in all of the TARGET2 component systems of such suspension or termination. Such message shall be deemed to have been issued by the home CB of the PM account holder and DCA holder that receives the message.’;

(iii) paragraph 4(b) is deleted;

(c) in Article 32, paragraph 1 is replaced by the following:

‘1. The ECB shall keep confidential all sensitive or secret information, including when such information relates to payment, technical or organisational information belonging to the participant, participants from the same group or the participant’s customers, unless the participant or its customer has given its written consent to disclose.’;

(d) in Appendix II, paragraph 3(a)(ii) is replaced by the following:

‘(ii) interest compensation shall be determined by applying a reference rate to be fixed from day to day. This reference rate shall be the lower of the euro overnight index average (EONIA) rate and the marginal lending rate. The reference rate shall be applied to the amount of the payment order not settled as a result of the technical malfunction of TARGET2 for each day in the period from the date of the actual or, in relation to payment orders referred to in paragraph 2(b)(ii), intended submission of the payment order until the date on which the payment order was or could have been successfully settled. Any interest or charges resulting from the placing of any non-settled payment orders on deposit with the Eurosystem shall be deducted from, or charged to, the amount of any compensation, as the case may be; and’;

(e) in Appendix IV, paragraph 4 is amended as follows:

(i) point (b) is replaced by the following:

‘(b) In the event that the operation of the SSP or the T2S Platform, as referred to in Annex II, is relocated from one region (Region 1) to another region (Region 2), the participants shall endeavour to reconcile their positions up to the point of the failure or the occurrence of the abnormal external events and provide to the ECB all relevant information in this respect.’;

(ii) the following point (c) is added:

‘(c) Where a PM to DCA liquidity transfer order is debited on the participant’s PM account on the SSP in Region 1, but, after reconciliation, is not shown as debited on the SSP in Region 2, the CB responsible for the participant shall debit the participant’s PM account in Region 2 to return the participant’s PM account balance to the level it had prior to the relocation.’;

(f) in Appendix IV, paragraph 8(c) is replaced by the following:

‘(c) The ECB may require that the participants participate in regular or ad hoc testing of business continuity and contingency processing measures, training or any other preventative arrangements, as deemed necessary by the ECB. Any costs incurred by the participants as a result of such testing or other arrangements shall be borne solely by the participants.’;

(g) in Appendix VI, the following text is added:

‘15. An ancillary system using the ASI or the Participant Interface, irrespective of the number of any accounts it may hold with the ASCB and/or the SCB, shall be subject to a fee schedule consisting of the following elements:

(a) A fixed monthly fee of EUR 1 000 to be charged to each ancillary system (Fixed Fee I).

(b) A second monthly fixed fee of between EUR 417 and EUR 8 334, in proportion to the underlying gross value of the ancillary system’s euro cash settlement transactions (Fixed Fee II).

Band	From (EUR million/day)	To (EUR million/day)	Annual fee	Monthly fee
1	0	below 1 000	EUR 5 000	EUR 417
2	1 000	below 2 500	EUR 10 000	EUR 833
3	2 500	below 5 000	EUR 20 000	EUR 1 667
4	5 000	below 10 000	EUR 30 000	EUR 2 500
5	10 000	below 50 000	EUR 40 000	EUR 3 333
6	50 000	below 500 000	EUR 50 000	EUR 4 167
7	Above 500 000	—	EUR 100 000	EUR 8 334

The gross value of the ancillary system’s euro cash settlement transactions shall be calculated by the ASCB once a year on the basis of such gross value during the previous year and the calculated gross value shall be applied for calculating the fee from 1 January of each calendar year. The gross value shall exclude transactions settled on DCAs.

(c) A transaction fee calculated on the same basis as the schedule established for PM account holders, in line with paragraph 1(b). The ancillary system may choose one of the two options: either to pay a flat EUR 0,80 fee per payment instruction (Option A) or to pay a fee calculated on a degressive basis (Option B), subject to the following modifications:

(i) for Option B, the limits of the bands relating to volume of payment instructions are divided by two; and

(ii) a monthly fixed fee of EUR 150 (under Option A) or EUR 1 875 (under Option B) shall be charged in addition to Fixed Fee I and Fixed Fee II.

- (d) In addition to the fees set out in points (a) to (c), an ancillary system using the ASI or the Participant Interface shall also be subject to the following fees:
- (i) If the ancillary system makes use of the TARGET2 value-added services for T2S, the monthly fee for the use of the value added services shall be EUR 50 for those systems that have chosen option A and EUR 625 for those systems that have chosen option B. This fee shall be charged for each account held by the ancillary system that uses the services;
 - (ii) If the ancillary system holds a Main PM account linked to one or more DCAs, the monthly fee shall be EUR 250 for each linked DCA; and
 - (iii) The ancillary system as Main PM account holder shall be charged the following fees for T2S services connected with the linked DCA(s). These items shall be billed separately:

Tariff items	Price	Explanation
Settlement services		
DCA to DCA liquidity transfer orders	9 euro cent	per transfer
Intra-balance movement (i.e. blocking, unblocking, reservation of liquidity etc.)	6 euro cent	per transaction
Information services		
A2A reports	0,4 euro cent	Per business item in any A2A report generated
A2A queries	0,7 euro cent	Per queried business item in any A2A query generated
U2A queries	10 euro cent	Per executed search function
U2A queries downloaded	0,7 euro cent	Per queried business item in any U2A query generated and downloaded
Messages bundled into a file	0,4 euro cent	Per message in a file
Transmissions	1,2 euro cent	Per transmission;

2. Annex II to Decision ECB/2007/7 is amended as follows:

- (a) in Article 1, the following definitions are replaced:

— “auto-collateralisation” means intraday credit granted by the euro area national central bank (NCB) in central bank money triggered when a DCA holder has insufficient funds to settle securities transactions, whereby such intraday credit is collateralised either with the securities being purchased (collateral on flow), or with securities already held by the DCA holder (collateral on stock). An auto collateralisation transaction consists of two distinct transactions, one for the granting of auto-collateralisation and one for its reimbursement. It may also include a third transaction for any eventual relocation of collateral. For the purposes of Article 16, all three transactions are deemed to have been entered into the system and deemed to be irrevocable at the same time as the transaction for the granting of the auto-collateralisation;;

— “Main PM account” means the PM account to which a DCA is linked and to which any remaining balance will be automatically repatriated at the end of the day;;

- (b) The introductory paragraph of Article 16(3) is replaced by the following:

‘An agreement is to be signed between the Eurosystem CBs and the connected NCBs, on the one hand, and all CSDs participating in T2S, on the other hand, on the exchange of information in the event of the insolvency of a participant, and the liability of each of the signatories to the agreement. Two weeks after the ECB has confirmed to all of the agreement’s signatories that procedures for the exchange of the abovementioned information have been established and approved by all parties thereto, the rules provided for in paragraph 2 shall be replaced by the following:’;

- (c) Article 24 is amended as follows:

- (i) the following sentence is added at the end of paragraph 1:

‘For the purposes of this paragraph, the taking of resolution action within the meaning of Directive 2014/59/EU against a DCA holder shall not automatically qualify as the opening of insolvency proceedings’;

- (ii) paragraph 4(a) is replaced by the following:

‘(a) In the event that the ECB suspends or terminates a DCA holder’s participation in TARGET2-ECB under paragraph 1 or 2, the ECB shall immediately inform, by means of an ICM broadcast message or a T2S broadcast message, that DCA holder, other CBs and DCA holders and PM account holders in all of the TARGET2 component systems of such suspension or termination. Such a message shall be deemed to have been issued by the home CB of the DCA holder and PM account holder that receives the message.’;

- (iii) paragraph 4(b) is deleted;

- (d) in Appendix II, paragraph 3(a)(ii) is replaced by the following:

‘(ii) interest compensation shall be determined by applying a reference rate to be fixed from day to day. This reference rate shall be the lower of the euro overnight index average (EONIA) rate and the marginal lending rate. The reference rate shall be applied to the amount of the payment order not settled as a result of the technical malfunction of TARGET2 for each day in the period from the date of the actual or, in relation to payment orders referred to in paragraph 2(b)(ii), intended submission of the payment order until the date on which the payment order was or could have been successfully settled. Any interest or charges resulting from the placing of any non-settled payment orders on deposit with the Eurosystem shall be deducted from, or charged to, the amount of any compensation, as the case may be; and’;

- (e) in Appendix IV, paragraph 7(b) is replaced by the following:

‘(b) The ECB may require that the DCA holders participate in regular or ad hoc testing of business continuity and contingency processing measures, training or any other preventative arrangements, as deemed necessary by the ECB. Any costs incurred by the DCA holders as a result of such testing or other arrangements shall be borne solely by the DCA holders.’;

- (f) Appendix VI is replaced by the following:

‘APPENDIX VI

FEE SCHEDULE

Fees for T2S services

The following fees for T2S services connected with DCAs shall be charged to the Main PM account holders:

Tariff items	Price	Explanation
Settlement services		
DCA to DCA liquidity transfer orders	9 euro cent	per transfer
Intra-balance movement (i.e. blocking, unblocking, reservation of liquidity etc)	6 euro cent	per transaction

Tariff items	Price	Explanation
Information services		
A2A reports	0,4 euro cent	Per business item in any A2A report generated
A2A queries	0,7 euro cent	Per queried business item in any A2A query generated
U2A queries	10 euro cent	Per executed search function
U2A queries downloaded	0,7 euro cent	Per queried business item in any U2A query generated and downloaded
Messages bundled into a file	0,4 euro cent	Per message in a file
Transmissions	1,2 euro cent	Per transmission'.

CORRIGENDA**Corrigendum to Council Implementing Regulation (EU) No 1039/2012 of 29 October 2012 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of aluminium radiators originating in the People's Republic of China**

(Official Journal of the European Union L 310 of 9 November 2012)

On page 11, Annex I, first column, second entry of the table:

for: 'Ningbo Ephriam Radiator Equipment Co., Ltd.',

read: 'Ningbo Ephraim Radiator Equipment Co., Ltd.'.

