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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information concerning the entry into force of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Azerbaijan, of the other part, on a Framework Agreement between the European Union and the Republic of Azerbaijan on the general principles for the participation of the Republic of Azerbaijan in Union programmes

The Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Azerbaijan, of the other part, on a Framework Agreement between the European Union and the Republic of Azerbaijan on the general principles for the participation of the Republic of Azerbaijan in Union programmes ⁽¹⁾, signed in Baku on 14 June 2014, enters into force on 1 August 2016 in accordance with Article 10(1) of the Protocol.

⁽¹⁾ OJ L 19, 24.1.2015, p. 4.

REGULATIONS

COUNCIL REGULATION (EU) 2016/1252

of 28 July 2016

amending Regulations (EU) 2016/72 and (EU) 2015/2072 as regards certain fishing opportunities

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EU) 2016/72 ⁽¹⁾ fixes for 2016 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.
- (2) Certain quota transfers or exchanges between the Contracting Parties of a regional fisheries management organisation (RFMO) are agreed at the beginning of the calendar year. It is therefore appropriate that the relevant legal provisions that govern the quota transfers and exchanges under Regulation (EU) 2016/72 remain applicable at the beginning of 2017.
- (3) Given that provisions of Regulation (EU) 2016/72 concerning prohibitions of fisheries of vulnerable species or fisheries in periods that should be closed for fishing are to be applied on a continuous basis, and in order to avoid legal uncertainty during the period between the end of 2016 and the date of entry into force of the regulation fixing the fishing opportunities for 2017, it is appropriate to provide that the provisions concerning prohibitions and closed seasons continue to apply at the beginning of 2017, until the entry into force of the regulation fixing the fishing opportunities for 2017.
- (4) Scientific advice on the stocks of herring in International Council for the Exploration of the Sea (ICES) zones VIa(N) and VIa(S), VIIb and VIIc allows for Total Allowable Catches to be set in order to enable collection of fisheries-dependent data in the two management areas. This would improve the future scientific advice on those stocks.
- (5) According to the scientific advice by ICES, catches of Northern prawn (*Pandalus borealis*) should be reduced. Following consultations with Norway, it is appropriate to modify the catch limits for Northern prawn in ICES IIIa and in Norwegian waters south of 62° N.
- (6) Scientific advice by the Scientific, Technical and Economic Committee for Fisheries (STECF) supports providing for a small additional commercial quota in order to incite the participation of fishing vessels in a scientific programme on sole in ICES division VIIa, which would be carried out under specific conditions. That additional quota should be granted only for the duration of the scientific programme and would be without prejudice to the relative stability.
- (7) According to the scientific advice by ICES, catches of sprat in the North Sea should be reduced. The fishing opportunities should be established taking into account the fact that a sudden significant in-year decrease in the catch limits would jeopardise the social and economic sustainability of the fleets involved, while at the same time complying with the precautionary approach to fisheries management. It is therefore appropriate to modify the corresponding fishing opportunities table. The amounts allocated for sprat catches in 2016 should be taken into account when fixing the 2017 fishing opportunities for that species.

⁽¹⁾ Council Regulation (EU) 2016/72 of 22 January 2016 fixing for 2016 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2015/104 (OJ L 22, 28.1.2016, p. 1).

- (8) ICES provides scientific advice for the species *squalus acanthias* and the reporting code is also based on the Latin name thereof. However, the common name used in certain language versions of Regulation (EU) 2016/72 does not correspond to the Latin name of the species. The common name should therefore be corrected where necessary.
- (9) The current fishing opportunities for picked dogfish (*squalus acanthias*) are set at 0 tonnes. A project to introduce real time avoidance of picked dogfish (*squalus acanthias*) has been evaluated by the STECF. In its evaluation, the STECF identified the potential for the project to promote avoidance of by-catches of picked dogfish (*squalus acanthias*). The vessels participating in the project should be allowed to land limited quantities of picked dogfish (*squalus acanthias*) that are either dead or that would not survive even if released immediately. As a precautionary measure to ensure that there is no detriment to the long-term recovery of the stock, those landings should be subject to an overall annual limit of 270 tonnes, with a monthly limit of not more than 2 tonnes for any vessel participating in the project. A list of all participating vessels should be notified by the Member States to the Commission.
- (10) During the inter-sessional meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), in March 2016, it was agreed that the European Union would allocate to Portugal part of its spare farming capacity for inputting of wild caught bluefin tuna for farming. That would allow Portugal to operate a bluefin tuna farm in the future. It is therefore appropriate to establish the maximum input of wild caught bluefin tuna which Portugal may allocate to its farm.
- (11) Council Regulation (EU) 2015/2072 ⁽¹⁾ identifies the stocks which are within safe biological limits in the Baltic Sea. According to the most recent advice, the stock of sprat in the Baltic Sea is within safe biological limits. As a consequence, it is appropriate to modify the identification of safe biological limits set out in that Regulation.
- (12) Since the modifications of catch limits have an influence on Union vessels' economic activities and planning of fishing seasons, this Regulation should enter into force immediately after its publication.
- (13) The catch limits provided for in Regulation (EU) 2016/72 apply from 1 January 2016. The provisions of this Regulation amending that Regulation should therefore also apply from that date. Such retroactive application is without prejudice to legal certainty and the protection of legitimate expectations, as the fishing opportunities concerned have not yet been exhausted.
- (14) Regulation (EU) 2016/72 and Regulation (EU) 2015/2072 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2016/72

Regulation (EU) 2016/72 is amended as follows:

- (1) in the English-language version, in Article 12(1), in the reference to the species *squalus acanthias*, the word 'spurdog' is replaced by 'picked dogfish';
- (2) in Article 21, the following paragraph is added:

'5. This Article shall apply until 31 January 2017 for quota transfers from a RFMO Contracting Party to the Union and their subsequent allocation to Member States.';

⁽¹⁾ Council Regulation (EU) 2015/2072 of 17 November 2015 fixing for 2016 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulations (EU) No 1221/2014 and (EU) 2015/104 (OJ L 302, 19.11.2015, p. 1).

(3) the following Article is inserted:

'Article 48a

Transitional provision

Paragraphs 1, 2 and 5 of Article 10, Article 12(2), Articles 13, 24, 25, 30, 34, 35, 36, 40, 42, and 46 shall continue to apply, *mutatis mutandis*, in 2017 until the entry into force of the regulation fixing the fishing opportunities for 2017.';

(4) Annexes I, IA and IV to Regulation (EU) 2016/72 are amended as set out in Annex I to this Regulation.

Article 2

Amendment to Regulation (EU) 2015/2072

The Annex to Regulation (EU) 2015/2072 is amended as set out in Annex II to this Regulation.

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*.

It shall apply from 1 January 2016.

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

Done at Brussels, 28 July 2016.

For the Council

The President

M. LAJČÁK

ANNEX I

AMENDMENTS TO ANNEXES I, IA AND IV TO REGULATION (EU) 2016/72

A. Annex I to Regulation (EU) 2016/72 is amended as follows:

- (1) in the comparative table of Latin names and common names, the entry for *squalus acanthias* (spurdog/dogfish) is replaced by the following:

'*Squalus acanthias* DGS Picked dogfish';

- (2) in the comparative table of common names and Latin names, the entry for spurdog/dogfish (*squalus acanthias*) is replaced by the following:

'Picked dogfish DGS *Squalus acanthias*'.

B. Annex IA to Regulation (EU) 2016/72 is amended as follows:

- (1) the fishing opportunities table for herring in Union and international waters of Vb, VIb and VIaN is replaced by the following:

'Species:		Zone:
Herring <i>Clupea harengus</i>		Union and international waters of Vb, VIb and VIaN ⁽¹⁾ (HER/5B6ANB)
Germany	466 ⁽²⁾	
France	88 ⁽²⁾	
Ireland	630 ⁽²⁾	
The Netherlands	466 ⁽²⁾	
United Kingdom	2 520 ⁽²⁾	
Union	4 170 ⁽²⁾	
TAC	4 170	Analytical TAC

⁽¹⁾ Reference is to the herring stock in the part of ICES zone VIa which lies east of the meridian of longitude 7° W and north of the parallel of latitude 55° N, or west of the meridian of longitude 7° W and north of the parallel of latitude 56° N, excluding the Clyde.

⁽²⁾ It shall be prohibited to target any herring in the part of the ICES zones subject to this TAC that lies between 56° N and 57° 30' N, with the exception of a six nautical mile belt measured from the baseline of the United Kingdom's territorial sea.'

(2) the fishing opportunities table for herring in VIaS, VIIb, VIIc is replaced by the following:

'Species: Herring <i>Clupea harengus</i>		Zone: VIaS ⁽¹⁾ , VIIb, VIIc (HER/6AS7BC)
Ireland	1 482	
The Netherlands	148	
Union	1 630	
TAC	1 630	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Reference is to the herring stock in VIa south of 56° 00' N and west of 07° 00' W.

(3) the fishing opportunities table for Northern prawn in IIIa is replaced by the following:

'Species: Northern prawn <i>Pandalus borealis</i>		Zone: IIIa (PRA/03A.)
Denmark	3 813	
Sweden	2 054	
Union	5 867	
TAC	10 987	Analytical TAC Article 7(2) of this Regulation applies'

(4) the fishing opportunities table for Northern prawn in Norwegian waters south of 62° N is replaced by the following:

'Species: Northern prawn <i>Pandalus borealis</i>		Zone: Norwegian waters south of 62° N (PRA/04-N.)
Denmark	357	
Sweden	155 ⁽¹⁾	
Union	512	
TAC	Not relevant	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ By-catches of cod, haddock, pollack, whiting and saithe are to be counted against the quotas for these species.'

(5) the fishing opportunities table for common sole in VIIa is replaced by the following:

'Species: Common sole <i>Solea solea</i>		Zone: VIIa (SOL/07A.)
Belgium	10 ⁽¹⁾	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply
France	0 ⁽¹⁾	
Ireland	17 ⁽¹⁾	
The Netherlands	3 ⁽¹⁾	
United Kingdom	10 ⁽¹⁾	
Union	40 ⁽¹⁾	
TAC	40 ⁽¹⁾ ⁽²⁾	

⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota.

⁽²⁾ In addition to this TAC, the Member States having quota for sole in VIIa may decide by common agreement to allocate an overall total of 7 tonnes to one or more vessels carrying out the directed scientific fishery assessed by the STECF in order to improve scientific information on this stock (SOL/*07A.). The Member States concerned shall communicate the name(s) of the vessel(s) to the Commission before allowing any landings.'

(6) the fishing opportunities table for sprat and associated by-catches in Union waters of IIa and IV is replaced by the following:

'Species: Sprat and associated by-catches <i>Sprattus sprattus</i>		Zone: Union waters of IIa and IV (SPR/2AC4-C)
Belgium	2 524 ⁽¹⁾	Analytical TAC Article 7(2) of this Regulation applies
Denmark	199 746 ⁽¹⁾	
Germany	2 524 ⁽¹⁾	
France	2 524 ⁽¹⁾	
The Netherlands	2 524 ⁽¹⁾	
Sweden	1 330 ⁽¹⁾ ⁽²⁾	
United Kingdom	8 328 ⁽¹⁾	
Union	219 500	
Norway	20 000	
Faroe Islands	5 500 ⁽³⁾	
TAC	245 000	

⁽¹⁾ Without prejudice to the landing obligation, catches of dab and whiting may be counted against up to 2 % of the quota (OTH/*2AC4C), provided that not more than 9 % in total of this quota for sprat is accounted for by these catches and by-catches of those species that are accounted for under Article 15(8) of Regulation (EU) No 1380/2013.

⁽²⁾ Including sand eel.

⁽³⁾ May contain up to 4 % of by-catch of herring.'

(7) the fishing opportunities table for 'spurdog/dogfish' in Union waters of IIIa is replaced by the following:

'Species: Picked dogfish <i>Squalus acanthias</i>		Zone: Union waters of IIIa (DGS/03A-C.)
Denmark	0 ⁽¹⁾	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply
Sweden	0 ⁽¹⁾	
Union	0 ⁽¹⁾	
TAC	0 ⁽¹⁾	

⁽¹⁾ Picked dogfish shall not be targeted in the areas covered by this TAC. When accidentally caught in fisheries where picked dogfish is not subject to the landing obligation, specimens shall not be harmed and shall be released immediately. The former provisions are without prejudice to the prohibitions set out in Articles 13 and 46 of this Regulation for the areas specified therein.'

(8) the fishing opportunities table for 'spurdog/dogfish' in Union waters of IIa and IV is replaced by the following:

'Species: Picked dogfish <i>Squalus acanthias</i>		Zone: Union waters of IIa and IV (DGS/2AC4-C)
Belgium	0 ⁽¹⁾	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply
Denmark	0 ⁽¹⁾	
Germany	0 ⁽¹⁾	
France	0 ⁽¹⁾	
The Netherlands	0 ⁽¹⁾	
Sweden	0 ⁽¹⁾	
United Kingdom	0 ⁽¹⁾	
Union	0 ⁽¹⁾	
TAC	0 ⁽¹⁾	

⁽¹⁾ Picked dogfish shall not be targeted in the areas covered by this TAC. When accidentally caught in fisheries where picked dogfish is not subject to the landing obligation, specimens shall not be harmed and shall be released immediately. The former provisions are without prejudice to the prohibitions set out in Articles 13 and 46 of this Regulation for the areas specified therein.'

- (9) the fishing opportunities table for 'spurdog/dogfish' in Union and international waters of I, V, VI, VII, VIII, XII and XIV is replaced by the following:

'Species: Picked dogfish <i>Squalus acanthias</i>		Zone: Union and international waters of I, V, VI, VII, VIII, XII and XIV (DGS/15X14)
Belgium	0 ⁽¹⁾ ⁽²⁾	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply Article 12(1) of this Regulation applies.
Germany	0 ⁽¹⁾ ⁽²⁾	
Spain	0 ⁽¹⁾ ⁽²⁾	
France	0 ⁽¹⁾ ⁽²⁾	
Ireland	0 ⁽¹⁾ ⁽²⁾	
The Netherlands	0 ⁽¹⁾ ⁽²⁾	
Portugal	0 ⁽¹⁾ ⁽²⁾	
United Kingdom	0 ⁽¹⁾ ⁽²⁾	
Union	0 ⁽¹⁾ ⁽²⁾	
TAC	0 ⁽¹⁾ ⁽²⁾	

⁽¹⁾ Picked dogfish shall not be targeted in the areas covered by this TAC. When accidentally caught in fisheries where picked dogfish is not subject to the landing obligation, specimens shall not be harmed and shall be released immediately. The former provisions are without prejudice to the prohibitions set out in Articles 13 and 46 of this Regulation for the areas specified therein.

⁽²⁾ By derogation, a vessel engaged in the by-catch avoidance programme that has been positively assessed by the STECF may land not more than 2 tonnes per month of picked dogfish that is dead at the moment when the fishing gear is hauled on board. Member States participating in the by-catch avoidance programme shall ensure that the total annual landings of picked dogfish on the basis of this derogation do not exceed the amounts indicated below. They shall communicate the list of participating vessels to the Commission before allowing any landings. Member States shall exchange information about avoidance areas.

Species: Picked dogfish <i>Squalus acanthias</i>		Zone: Union and international waters of I, V, VI, VII, VIII, XII and XIV (DGS/*15X14)
Belgium	20	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply Article 12(1) of this Regulation applies.
Germany	4	
Spain	10	
France	83	
Ireland	53	
The Netherlands	0	
Portugal	0	
United Kingdom	100	
Union	270	
TAC	270	

C. In point (6) of Annex IV to Regulation (EU) 2016/72, Table B is replaced by the following:

‘TABLE B

Maximum input of wild caught bluefin tuna (in tonnes)	
Spain	5 855
Italy	3 764
Greece	785
Cyprus	2 195
Croatia	2 947
Malta	8 768
Portugal	500’

ANNEX II

AMENDMENT TO THE ANNEX TO REGULATION (EU) 2015/2072

In the Annex to Regulation (EU) 2015/2072, the fishing opportunities table for sprat in Union waters of Subdivisions 22-32 is replaced by the following:

'Species:		Zone:	
Sprat <i>Sprattus sprattus</i>		Union waters of Subdivisions 22-32 SPR/3B23.; SPR/3C22.; SPR/3D24.; SPR/3D25.; SPR/3D26.; SPR/3D27.; SPR/3D28.; SPR/3D29.; SPR/3D30.; SPR/3D31.; SPR/3D32.	
Denmark	19 958		
Germany	12 644		
Estonia	23 175		
Finland	10 447		
Latvia	27 990		
Lithuania	10 125		
Poland	59 399		
Sweden	38 582		
Union	202 320		
TAC	Not relevant	Article 6(3) of this Regulation shall apply. Analytical TAC	

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1253**of 29 July 2016****amending Regulation (EU) No 92/2010 as regards the data exchange between customs authorities and national statistical authorities and the compilation of statistics****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 471/2009 of the European Parliament and the Council of 6 May 2009 on Community statistics relating to the external trade with non-member countries and repealing Council Regulation (EC) No 1172/95 ⁽¹⁾, and in particular Articles 6(1) and 7(2) thereof,

Whereas:

- (1) Regulation (EC) No 471/2009 establishes a common framework for the systematic production of European statistics relating to the trading of goods with non-member countries. The main data source for those statistics is data obtained from customs declarations. That Regulation was set up to take account of specific and new customs clearance simplifications to become implemented under Regulation (EC) No 450/2008 of the European Parliament and of the Council ⁽²⁾ ('the Modernised Customs Code'). This concerned especially 'self-assessment' which was to include a waiver to provide a declaration to customs and the scheme of Centralised Clearance where customs import or export formalities could be fulfilled in more than one Member State.
- (2) Regulation (EU) No 952/2013 of the European Parliament and of the Council ⁽³⁾ ('the Union Customs Code') repealed the Modernised Customs Code and replaced from 1 May 2016 the customs provisions provided by Council Regulation (EEC) No 2913/92 ⁽⁴⁾
- (3) Commission Implementing Decision (EU) 2016/578 ⁽⁵⁾ lays down the work programme referred to in Article 280 of the Union Customs Code and relates to the electronic customs systems which are to be developed under it.
- (4) Until those electronic systems become available, Commission Delegated Regulation (EU) No 2016/341 ⁽⁶⁾ ('the Transitional Delegated Act') provides for transitional measures for the exchange and storage of information between the customs authorities themselves and between the customs authorities and the economic operators
- (5) Regulation (EC) No 471/2009 was implemented by Commission Regulation (EU) No 92/2010 ⁽⁷⁾.

⁽¹⁾ OJ L 152, 16.6.2009, p. 23.

⁽²⁾ Regulation (EC) No 450/2008 of the European Parliament and of the Council of 23 April 2008 laying down the Community Customs Code (Modernised Customs Code) (OJ L 145, 4.6.2008, p. 1).

⁽³⁾ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

⁽⁴⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

⁽⁵⁾ Commission Implementing Decision (EU) 2016/578 of 11 April 2016 establishing the Work Programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code (OJ L 99, 15.4.2016, p. 6).

⁽⁶⁾ Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69, 15.3.2016, p. 1).

⁽⁷⁾ Commission Regulation (EU) No 92/2010 of 2 February 2010 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 data exchange between customs authorities and national statistical authorities, compilation of statistics and quality assessment (OJ L 31, 3.2.2010, p. 4).

- (6) It is necessary to adapt Regulation (EU) No 92/2010 to provisions of the Union Customs Code with regard to the specific procedures for data exchange between customs authorities and national statistical authorities, especially with the respect to the customs simplification referred to as centralised clearance provided for in Article 179 of the Union Customs Code.
- (7) The agreement of customs authorities on a simplification for drawing up the customs declarations for goods falling under different tariff subheadings, should be reflected in the compiled statistics.
- (8) To obtain information on economically relevant movements between Member States following the customs clearance, on imports or preceding it, on exports, measures should be taken aiming at identifying the concerned Member States for trade statistics purposes.
- (9) Amendments requiring an adjustment of the data transmission from Member States to the Commission (Eurostat) should only become applicable to the monthly reference periods, starting with reference month January 2017.
- (10) Regulation (EU) No 92/2010 should be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Committee on statistics relating to the trading of goods with non-member countries,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 92/2010 is amended as follows:

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

'Article 1

Data exchange modalities between customs authorities and national statistical authorities

- 1. For the purposes of this Regulation, the following definitions shall apply:

- (a) "Centralised clearance in the transitional period" means centralised clearance as referred to in Article 179 of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (*) ("the Union Customs Code"), which involves customs authorities of more than one Member State, and where the means of exchange of information between the customs authorities is covered by Article 18 of Commission Delegated Regulation (EU) 2016/341 (**);
- (b) "automated centralised clearance" means centralised clearance which involves customs authorities of more than one Member State and where the means of exchange of information between the customs authorities is covered by the respective transnational electronic system for centralised clearance for import or export as specified in the work programme referred to in Article 280 of the Union Customs Code (***).

- 2. National customs authorities shall provide their national statistical authorities without delay and at the latest during the month following the month the customs declarations were accepted or were subject to decisions by customs pertaining to them, with the records on imports and exports from customs declarations:

- (a) which were lodged with them; or
- (b) for which the supplementary declaration is, in accordance with Article 225 of Commission Implementing Regulation (EU) 2015/2447 (****), available to them through direct electronic access in the authorisation holder's system.

The customs authorities shall provide the national statistical authorities with revised records on imports and exports where statistical data already provided are amended or changed.

The obligation to provide records from the customs declarations to the national statistical authority shall not apply to customs declarations covered by automated centralised clearance which are to be provided to another Member State pursuant to paragraph 3.

The first subparagraph shall not affect the rights of national statistical authorities on their access to and the use of administrative records as referred to in Article 17a of Regulation (EC) No 223/2009 of the European Parliament and of the Council (****).

3. With effect from the date of the implementation of the mechanism for mutual data exchange by electronic means pursuant to Article 7(2) of Regulation (EC) No 471/2009, which shall mean, as soon as the respective Member State applies automated Centralised Clearance, the following shall apply:

Where a customs declaration is covered by automated centralised clearance, the customs authority at which that customs declaration is lodged shall ensure that copies of the data of that customs declaration are transmitted under the same time frame as set out under paragraph 2 first subparagraph to the customs authority of the Member State where the goods are located at the time of release into the customs procedure. The obligation to transmit the data shall also refer to a customs declaration where the supplementary declaration is, in accordance with Article 225 of Implementing Regulation (EU) 2015/2447, available through direct electronic access in the authorisation holder's system,

Transmission is considered to be ensured and the time frame respected where the transmission between Member States takes place under the arrangements provided for in Articles 231 and 232 of Implementing Regulation (EU) 2015/2447.

The receiving customs authority shall forward the data without delay to their national statistical authority. This shall, however, not affect the rights of the national statistical authorities on their access to and the use of administrative records referred to in Article 17a of Regulation (EC) No 223/2009.

4. The customs authorities shall verify, at the request of the national statistical authorities, the correctness and completeness of the records on imports and exports provided by them.

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

(**) Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69, 15.3.2016, p. 1).

(***) The most recent being Commission Implementing Decision (EU) 2016/578 of 11 April 2016 establishing the Work Programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code (OJ L 99, 15.4.2016, p. 6).

(****) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

(*****) Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).'

(2) In Article 2(1), point (a) is replaced by the following:

'(a) records on imports and exports which customs authorities provided pursuant to the obligations referred to in Article 1;'

(3) Article 2(2) is amended as follows:

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

'(g) goods code;

where the statistics are compiled using the data source referred to in Article 4(1) of Regulation (EC) No 471/2009 and this data source is, to the findings of the national statistical authorities, affected by the agreement of the customs authorities referred to in Article 177 of the Union Customs Code, national statistical authorities shall provide for a possibility to identify in their compiled statistics the data whose relevance or quality is affected by that agreement;'

(ii) point (h) is replaced by the following:

‘(h) Member State where the goods are located at the time of release into the customs procedure. However, national statistical authorities shall only be obliged to compile this information, where the imports or exports relate to customs declarations covered by centralised clearance in the transitional period;

Member State where the customs declaration is lodged. However, national statistical authorities shall only be obliged to compile this information, where the imports or exports relate to customs declarations covered by automated centralised clearance;’

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

‘(i) Member State of destination on import.

For those import records for which customs data on Member State of destination are not available, Member States shall use any other information of the customs declaration they deem relevant for the compilation of external trade statistics by Member State of destination.

Where national statistical authorities cannot obtain any direct or indirect information allowing that compilation, they shall indicate Geonomenclature Code “QV” where they consider that the Member State of destination is different from the Member State where the goods are located at the time of release into the customs procedure;’

(iv) point (j) is replaced by the following:

‘(j) Member State of actual export on export.

For export records for which customs data on Member State of actual export are not available, national statistical authorities shall exploit any other information of the customs declaration they deem relevant for the compilation of external trade statistics by Member State of actual export.

Where national statistical authorities cannot obtain any direct or indirect information allowing that compilation, they shall indicate Geonomenclature Code “QV” where they consider that the Member State of actual export is different from the Member State where the goods are located at the time of release into the customs procedure;’

(v) point (l) is replaced by the following:

‘(l) country of consignment/dispatch on import;’.

(4) In Article 2(3), the first sentence is replaced by the following:

‘The statistics shall contain adjustments on missing, delayed or incomplete records.’.

(5) In Article 2(4), the first sentence is replaced by the following:

‘Member States may compile less detailed information than specified in Article 6(1) of Regulation (EC) No 471/2009 for individual transactions below the statistical threshold.’.

Article 2

Entry into force and application

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

Article 1(3) and Article 1(4) shall apply to reference periods from January 2017.

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

Done at Brussels, 29 July 2016.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1254**of 29 July 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, 29 July 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	157,7
	ZZ	157,7
0707 00 05	TR	116,3
	ZZ	116,3
0709 93 10	TR	140,0
	ZZ	140,0
0805 50 10	AR	198,4
	CL	206,2
	MA	157,0
	TR	153,3
	UY	148,8
	ZA	177,4
	ZZ	173,5
	BR	269,1
	EG	213,1
	MA	186,9
0806 10 10	MX	378,3
	US	233,8
	ZZ	256,2
	AR	176,8
	BR	111,3
	CL	125,1
	CN	74,5
	NZ	137,8
	US	165,0
	UY	99,9
0808 10 80	ZA	106,2
	ZZ	124,6
	AR	202,6
	CL	127,1
	TR	172,9
	ZA	114,2
	ZZ	154,2
	TR	196,6
	ZZ	196,6
	TR	252,5
0809 10 00	US	485,5
	ZA	271,2
	ZZ	336,4
	ZZ	336,4

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0809 30 10, 0809 30 90	TR	166,5
	ZZ	166,5

⁽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

COMMISSION IMPLEMENTING DECISION (EU) 2016/1255

of 29 July 2016

amending Implementing Decisions (EU) 2015/1500 and (EU) 2015/2055 on protective measures and vaccination against lumpy skin disease in Greece

(notified under document C(2016) 5035)

(Only the Greek text is authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Having regard to Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease ⁽³⁾, and in particular Article 19(1)(a), (3)(a) and Article 19(6) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽⁴⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Directive 92/119/EEC lays down general control measures to be applied in the event of an outbreak of certain animal diseases, including lumpy skin disease (LSD). These control measures include the establishment of protection and surveillance zones around the infected holding, and they also provide for emergency vaccination in the case of an outbreak of LSD as a supplement to other control measures.
- (2) Commission Implementing Decision (EU) 2015/1500 ⁽⁵⁾ lays down certain protective animal health control measures in relation to the confirmation of LSD in Greece in 2015. Those measures include the establishment of a restricted zone which is described in the Annex to that Implementing Decision, and which includes the area where LSD was confirmed and the protection and surveillance zones established by Greece in accordance with Directive 92/119/EEC.
- (3) Following the evolution of the epidemiological situation in Greece, the Commission adopted Commission Implementing Decision (EU) 2015/2055 ⁽⁶⁾. That Implementing Decision provides that Greece may carry out emergency vaccination of bovine animals kept on holdings in the vaccination zone as set out in Annex I to that Implementing Decision. Implementing Decision (EU) 2015/2055 also amended certain provisions of Implementing Decision (EU) 2015/1500, including the extension of the restricted zone set out in the Annex thereto.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ OJ L 62, 15.3.1993, p. 69.

⁽⁴⁾ OJ L 18, 23.1.2003, p. 11.

⁽⁵⁾ Commission Implementing Decision (EU) 2015/1500 of 7 September 2015 concerning certain protective measures against lumpy skin disease in Greece and repealing Implementing Decision (EU) 2015/1423 (OJ L 234, 8.9.2015, p. 19).

⁽⁶⁾ Commission Implementing Decision (EU) 2015/2055 of 10 November 2015 laying down the conditions for setting out the programme for emergency vaccination of bovine animals against lumpy skin disease in Greece and amending Implementing Decision (EU) 2015/1500 (OJ L 300, 17.11.2015, p. 31).

- (4) Implementing Decisions (EU) 2015/1500 and (EU) 2015/2055 were subsequently amended by Commission Implementing Decision (EU) 2015/2311 ⁽¹⁾, in order to extend the restricted zone set out in the Annex to Implementing Decision (EU) 2015/1500 and the vaccination zone as set out in Annex I to Implementing Decision (EU) 2015/2055, following confirmation of additional outbreaks in the regional unit of Chalkidiki and the receipt of notification from Greece of its intention to carry out vaccination against LSD in certain regional units.
- (5) The Annex to Implementing Decision (EU) 2015/1500 and Annex II to Implementing Decision (EU) 2015/2055 were later amended by Commission Implementing Decision (EU) 2016/1116 ⁽²⁾, in order to take account of subsequent developments in the epidemiological situation in Greece and vaccination measures taken by that Member State.
- (6) Since 19 July 2016, Greece has reported a new outbreak of LSD in the regional unit of Achaia, an area of mainland Greece, in the Peloponnese peninsula, where no outbreaks of LSD have previously been reported and which is located more than 150 km south from the closest regional unit currently subject to restrictions and vaccination measures in relation to LSD.
- (7) Taking into account the current epidemiological situation in Greece, and the speed of transmission of LSD, it is necessary to extend the restricted zone set out in the Annex to Implementing Decision (EU) 2015/1500, as well as the vaccination zone as set out in Annex I to Implementing Decision (EU) 2015/2055 to include the entire territory of mainland Greece. Implementing Decisions (EU) 2015/1500 and (EU) 2015/2055 should therefore be amended accordingly.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2015/1500 is replaced by the text set out in Annex I to this Decision.

Article 2

Annex I to Implementing Decision (EU) 2015/2055 is replaced by the text set out in Annex II to this Decision.

Article 3

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 29 July 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ Commission Implementing Decision (EU) 2015/2311 of 9 December 2015 amending Implementing Decisions (EU) 2015/1500 and (EU) 2015/2055 on protective measures against lumpy skin disease in Greece (OJ L 326, 11.12.2015, p. 65).

⁽²⁾ Commission Implementing Decision (EU) 2016/1116 of 7 July 2016 amending Implementing Decisions (EU) 2015/1500 and (EU) 2015/2055 on protective measures and vaccination against lumpy skin disease in Greece (OJ L 186, 9.7.2016, p. 24).

ANNEX I

The Annex to Implementing Decision (EU) 2015/1500 is replaced by the following:

‘ANNEX

Restricted zones referred to in Article 2(b)

A. The following regions in Greece:

- Region of Attica
- Region of Central Greece
- Region of Central Macedonia
- Region of Eastern Macedonia and Thrace
- Region of Epirus
- Region of Peloponnese
- Region of Thessaly
- Region of Western Greece
- Region of Western Macedonia

B. The following regional units in Greece:

- Regional unit of Limnos’.

ANNEX II

Annex I to Implementing Decision (EU) 2015/2055 is replaced by the following:

‘ANNEX I

A. The following regions in Greece:

- Region of Attica
- Region of Central Greece
- Region of Central Macedonia
- Region of Eastern Macedonia and Thrace
- Region of Epirus
- Region of Peloponnese
- Region of Thessaly
- Region of Western Greece
- Region of Western Macedonia

B. The following regional units in Greece:

- Regional unit of Limnos’.
-

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2016 OF THE EU-PLO JOINT COMMITTEE of 18 February 2016

replacing Protocol 3 to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation [2016/1256]

THE EU-PLO JOINT COMMITTEE,

Having regard to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part ⁽¹⁾, and in particular Article 25 thereof,

Having regard to Protocol 3 to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation,

Whereas:

- (1) Article 25 of the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part ('the Agreement') refers to Protocol 3 to the Agreement ('Protocol 3') which lays down the rules of origin and provides for cumulation of origin between the European Union, the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip and other Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ ('the Convention').
- (2) Article 39 of Protocol 3 provides that the Joint Committee provided for in Article 63 of the Agreement may decide to amend the provisions of that protocol.
- (3) The Convention aims to replace the protocols on rules of origin currently in force among the countries of the pan-Euro-Mediterranean area with a single legal act.
- (4) The European Union and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip signed the Convention on 15 June 2011 and 18 September 2013, respectively.
- (5) The European Union and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip deposited their instruments of acceptance with the depositary of the Convention on 26 March 2012 and 27 May 2014, respectively. Consequently, pursuant to Article 10(3) of the Convention, the Convention entered into force in relation to the Union and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip on 1 May 2012 and on 1 July 2014, respectively.
- (6) Protocol 3 should therefore be replaced by a new protocol making reference to the Convention,

⁽¹⁾ OJ L 187, 16.7.1997, p. 3.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

HAS ADOPTED THIS DECISION:

Article 1

Protocol 3 to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation shall be replaced by the text set out in the Annex to this Decision.

Article 2

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

It shall apply from 1 March 2016.

Done at Brussels, 18 February 2016.

For the Joint Committee

The Chairman

C. BERGER

ANNEX

PROTOCOL 3**concerning the definition of the concept of ‘originating products’ and methods of administrative cooperation***Article 1***Applicable rules of origin**

1. For the purpose of implementing this Agreement, Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽¹⁾ (‘the Convention’) shall apply.
2. All references to the ‘relevant agreement’ in Appendix I and in the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin shall be construed so as to mean this Agreement.

*Article 2***Dispute settlement**

1. Where disputes arise in relation to the verification procedures set out in Article 32 of Appendix I to the Convention that cannot be settled between the customs authorities requesting the verification and the customs authorities responsible for carrying out that verification, such disputes shall be submitted to the Joint Committee.
2. In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall take place under the legislation of that country.

*Article 3***Amendments to the Protocol**

The Joint Committee may decide to amend the provisions of this Protocol.

*Article 4***Withdrawal from the Convention**

1. Should either the European Union or the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip give notice in writing to the depositary of the Convention of their intention to withdraw from the Convention in accordance with Article 9 thereof, the Union and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip shall immediately enter into negotiations on rules of origin for the purpose of implementing this Agreement.
2. Until the entry into force of such newly negotiated rules of origin, the rules of origin contained in Appendix I to the Convention and, where appropriate, the relevant provisions of Appendix II thereto, applicable at the moment of withdrawal, shall continue to apply to this Agreement. However, as of the moment of withdrawal, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention shall be construed so as to allow bilateral cumulation between the European Union and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip only.

⁽¹⁾ OJ L 54, 26.2.2013, p. 4.

CORRIGENDA

Corrigendum to Commission Delegated Regulation (EU) 2016/1075 of 23 March 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the content of recovery plans, resolution plans and group resolution plans, the minimum criteria that the competent authority is to assess as regards recovery plans and group recovery plans, the conditions for group financial support, the requirements for independent valuers, the contractual recognition of write-down and conversion powers, the procedures and contents of notification requirements and of notice of suspension and the operational functioning of the resolution colleges

(Official Journal of the European Union L 184 of 8 July 2016)

On the cover page and on page 1, the title of the Regulation should read as follows:

'Commission Delegated Regulation (EU) 2016/1075 of 23 March 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the content of recovery plans, resolution plans and group resolution plans, the minimum criteria that the competent authority is to assess as regards recovery plans and group recovery plans, the conditions for group financial support, the requirements for independent valuers, the contractual recognition of write-down and conversion powers, the procedures and contents of notification requirements and of notice of suspension and the operational functioning of the resolution colleges'.

