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⁽¹⁾ Text with EEA relevance

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1864**of 10 October 2016****entering a name in the register of protected designations of origin and protected geographical indications (Chapon du Périgord (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, France's application to register the name 'Chapon du Périgord' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Chapon du Périgord' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Chapon du Périgord' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.1. Fresh meat (and offal), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.⁽¹⁾ OJ L 343, 14.12.2012, p. 1.⁽²⁾ OJ C 205, 9.6.2016, p. 17.⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

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

Done at Brussels, 10 October 2016.

*For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission*

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/1865
of 10 October 2016**

entering a name in the register of protected designations of origin and protected geographical indications (Šoltansko maslinovo ulje (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Croatia's application to register the name 'Šoltansko maslinovo ulje' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Šoltansko maslinovo ulje' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Šoltansko maslinovo ulje' (PDO) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.5. Oils and fats (butter, margarine, oil, etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

Article 2

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

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

Done at Brussels, 10 October 2016.

*For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 195, 2.6.2016, p. 15.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION REGULATION (EU) 2016/1866**of 17 October 2016****amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 3-decen-2-one, acibenzolar-S-methyl and hexachlorobenzene in or on certain products****(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 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC ⁽¹⁾, and in particular Article 14(1)(a), Article 16(1)(a), Article 17 and Article 49(2) thereof,

Whereas:

- (1) For acibenzolar-S-methyl, maximum residue limits (MRLs) were set in Annex II to Regulation (EC) No 396/2005. For hexachlorobenzene, MRLs were set in Annex II and Part B of Annex III to that Regulation. For 3-decen-2-one, no specific MRLs were set nor was that substance included in Annex IV to that Regulation, so the default value of 0,01 mg/kg laid down in Article 18(1)(b) thereof applies.
- (2) In the context of a procedure for the authorisation of the use of a plant protection product containing the active substance 3-decen-2-one on potatoes, an application was submitted in accordance with Article 6(1) of Regulation (EC) No 396/2005 for the inclusion of that active substance in Annex IV to Regulation (EC) No 396/2005.
- (3) In accordance with Article 8 of Regulation (EC) No 396/2005, that application was evaluated by the Member State concerned and the evaluation report was forwarded to the Commission.
- (4) The European Food Safety Authority, hereinafter 'the Authority', assessed the application and the evaluation report, examining in particular the risks to the consumer and, where relevant, to animals and issued a conclusion on the proposal for inclusion of the active substance in Annex IV to Regulation (EC) No 396/2005 ⁽²⁾. It forwarded that conclusion to the Commission and the Member States and made it available to the public.
- (5) In its conclusion, the Authority concluded that the available information is insufficient to establish on whether use of 3-decen-2-one as an active substance in plant protection products will have no immediate or delayed harmful effects on human health, including that of vulnerable groups, through dietary intakes. It is therefore not appropriate to include the substance in Annex IV to Regulation (EC) No 396/2005 and the MRLs should be set at the relevant limit of determination (LOD). The Commission consulted the European Union reference laboratories on the appropriate LODs.
- (6) For acibenzolar-S-methyl, the Authority submitted a conclusion on the peer review of the pesticide risk assessment of the active substance ⁽³⁾. In that framework, it recommended increasing the MRL for the group of pome fruits to 0,2 mg/kg. Based on the new toxicological reference values, it recommended lowering the existing MRL for tomatoes to 0,3 mg/kg.
- (7) For hexachlorobenzene, all existing authorisations for plant protection products containing that active substance have been revoked. In accordance with Article 17 of Regulation (EC) No 396/2005 in conjunction with Article 14(1)(a) thereof the MRLs set out for those active substances in Annexes II and III should therefore

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ EFSA scientific reports available online: <http://www.efsa.europa.eu>.

Conclusion on the peer review of the pesticide risk assessment of the active substance (3E)-3-decen-2-one (applied for as 3-decen-2-one). *EFSA Journal* 2015;13(1):3932 [43 pp.].

⁽³⁾ Conclusion on the peer review of the pesticide risk assessment of the active substance acibenzolar-S-methyl. *EFSA Journal* 2014;12(8):3691 [74 pp.].

be deleted. Recent monitoring data show that residues occur on pumpkin seeds at a level higher than the LOD ⁽¹⁾. Residues of hexachlorobenzene are resulting from environmental contamination in soil, due to the use of this persistent compound in the past. The existing MRL of 0,05 mg/kg for pumpkin seeds adequately addresses the occurrence of hexachlorobenzene in that product. The MRL will be reviewed; the review will take into account the information available within 10 years from the publication of this Regulation. For products of animal origin, monitoring data show that lower values than the LOD should be set in muscle and milk from all species.

- (8) Based on the conclusions of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modifications to the MRLs fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (9) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (10) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (11) In order to allow for the normal marketing, processing and consumption of products, this Regulation should provide for a transitional arrangement for products which have been produced before the modification of the MRLs made by this Regulation and for which information shows that a high level of consumer protection is maintained.
- (12) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II, III and V to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were produced before 10 May 2017, except for acibenzolar-S-methyl in tomatoes.

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*.

It shall apply from 10 May 2017.

⁽¹⁾ The 2013 European Union report on pesticide residues in food, *EFSA Journal* 2015;13(3):4038 [169 pp.]. The 2012 European Union report on pesticide residues in food, *EFSA Journal* 2014;12(12):3942 [156 pp.]. The 2011 European Union report on pesticide residues in food, *EFSA Journal* 2014;12(5):3694 [511 pp.]. The 2010 European Union report on pesticide residues in food, *EFSA Journal* 2013;11(3):3130 [808 pp.]. The 2009 European Union report on pesticide residues in food, *EFSA Journal* 2011;9(11):2430 [225 pp.].

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

Done at Brussels, 17 October 2016.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

Annexes II, III and V to Regulation (EC) No 396/2005 are amended as follows:

(1) In Annex II, the columns for acibenzolar-S-methyl and hexachlorobenzene are replaced by the following:

'Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Acibenzolar- S- methyl (sum of acibenzolar- S- methyl and acibenzolar acid (free and conjugated), expressed as acibenzolar- S- methyl)	Hexachlorobenzene (F)
(1)	(2)	(3)	(4)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS		0,01 (*)
0110000	Citrus fruits	0,01 (*)	
0110010	Grapefruits		
0110020	Oranges		
0110030	Lemons		
0110040	Limes		
0110050	Mandarins		
0110990	Others		
0120000	Tree nuts		
0120010	Almonds	0,01 (*)	
0120020	Brazil nuts	0,01 (*)	
0120030	Cashew nuts	0,01 (*)	
0120040	Chestnuts	0,01 (*)	
0120050	Coconuts	0,01 (*)	
0120060	Hazelnuts/cobnuts	0,1	
0120070	Macadamias	0,01 (*)	
0120080	Pecans	0,01 (*)	
0120090	Pine nut kernels	0,01 (*)	
0120100	Pistachios	0,01 (*)	
0120110	Walnuts	0,01 (*)	
0120990	Others	0,01 (*)	

(1)	(2)	(3)	(4)
0130000	Pome fruits	0,2	
0130010	Apples		
0130020	Pears		
0130030	Quinces		
0130040	Medlars		
0130050	Loquats/Japanese medlars		
0130990	Others		
0140000	Stone fruits		
0140010	Apricots	0,2	
0140020	Cherries (sweet)	0,01 (*)	
0140030	Peaches	0,2	
0140040	Plums	0,01 (*)	
0140990	Others	0,01 (*)	
0150000	Berries and small fruits	0,01 (*)	
0151000	(a) <i>grapes</i>		
0151010	Table grapes		
0151020	Wine grapes		
0152000	(b) <i>strawberries</i>		
0153000	(c) <i>cane fruits</i>		
0153010	Blackberries		
0153020	Dewberries		
0153030	Raspberries (red and yellow)		
0153990	Others		
0154000	(d) <i>other small fruits and berries</i>		
0154010	Blueberries		
0154020	Cranberries		
0154030	Currants (black, red and white)		
0154040	Gooseberries (green, red and yellow)		
0154050	Rose hips		
0154060	Mulberries (black and white)		
0154070	Azaroles/Mediterranean medlars		
0154080	Elderberries		
0154990	Others		

(1)	(2)	(3)	(4)
0160000	Miscellaneous fruits with		
0161000	(a) <i>edible peel</i>	0,01 (*)	
0161010	Dates		
0161020	Figs		
0161030	Table olives		
0161040	Kumquats		
0161050	Carambolas		
0161060	Kaki/Japanese persimmons		
0161070	Jambuls/jambolans		
0161990	Others		
0162000	(b) <i>inedible peel, small</i>	0,01 (*)	
0162010	Kiwi fruits (green, red, yellow)		
0162020	Litchis/lychees		
0162030	Passionfruits/maracujas		
0162040	Prickly pears/cactus fruits		
0162050	Star apples/cainitos		
0162060	American persimmons/Virginia kaki		
0162990	Others		
0163000	(c) <i>inedible peel, large</i>		
0163010	Avocados	0,01 (*)	
0163020	Bananas	0,08	
0163030	Mangoes	0,6 (+)	
0163040	Papayas	0,01 (*)	
0163050	Granate apples/pomegranates	0,01 (*)	
0163060	Cherimoyas	0,01 (*)	
0163070	Guavas	0,01 (*)	
0163080	Pineapples	0,01 (*)	
0163090	Breadfruits	0,01 (*)	
0163100	Durians	0,01 (*)	
0163110	Soursops/guanabanas	0,01 (*)	
0163990	Others	0,01 (*)	
0200000	VEGETABLES, FRESH or FROZEN		0,01 (*)
0210000	Root and tuber vegetables	0,01 (*)	
0211000	(a) <i>potatoes</i>		

(1)	(2)	(3)	(4)
0212000	(b) <i>tropical root and tuber vegetables</i>		
0212010	Cassava roots/manioc		
0212020	Sweet potatoes		
0212030	Yams		
0212040	Arrowroots		
0212990	Others		
0213000	(c) <i>other root and tuber vegetables except sugar beets</i>		
0213010	Beetroots		
0213020	Carrots		
0213030	Celeriacs/turnip rooted celeries		
0213040	Horseradishes		
0213050	Jerusalem artichokes		
0213060	Parsnips		
0213070	Parsley roots/Hamburg roots parsley		
0213080	Radishes		
0213090	Salsifies		
0213100	Swedes/rutabagas		
0213110	Turnips		
0213990	Others		
0220000	Bulb vegetables	0,01 (*)	
0220010	Garlic		
0220020	Onions		
0220030	Shallots		
0220040	Spring onions/green onions and Welsh onions		
0220990	Others		
0230000	Fruiting vegetables		
0231000	(a) <i>solanacea</i>		
0231010	Tomatoes	0,3	
0231020	Sweet peppers/bell peppers	0,01 (*)	
0231030	Aubergines/eggplants	0,01 (*)	
0231040	Okra/lady's fingers	0,01 (*)	
0231990	Others	0,01 (*)	

(1)	(2)	(3)	(4)
0232000	(b) <i>cucurbits with edible peel</i>	0,01 (*)	
0232010	Cucumbers		
0232020	Gherkins		
0232030	Courgettes		
0232990	Others		
0233000	(c) <i>cucurbits with inedible peel</i>	0,01 (*)	
0233010	Melons		
0233020	Pumpkins		
0233030	Watermelons		
0233990	Others		
0234000	(d) <i>sweet corn</i>	0,01 (*)	
0239000	(e) <i>other fruiting vegetables</i>	0,01 (*)	
0240000	Brassica vegetables (excluding brassica roots and brassica baby leaf crops)	0,01 (*)	
0241000	(a) <i>flowering brassica</i>		
0241010	Broccoli		
0241020	Cauliflowers		
0241990	Others		
0242000	(b) <i>head brassica</i>		
0242010	Brussels sprouts		
0242020	Head cabbages		
0242990	Others		
0243000	(c) <i>leafy brassica</i>		
0243010	Chinese cabbages/pe-tsai		
0243020	Kales		
0243990	Others		
0244000	(d) <i>kohlrabies</i>		
0250000	Leaf vegetables, herbs and edible flowers		
0251000	(a) <i>lettuces and salad plants</i>	0,3	
0251010	Lamb's lettuces/corn salads		
0251020	Lettuces		

(1)	(2)	(3)	(4)
0251030	Escaroles/broad-leaved endives		
0251040	Cresses and other sprouts and shoots		
0251050	Land cresses		
0251060	Roman rocket/rucola		
0251070	Red mustards		
0251080	Baby leaf crops (including brassica species)		
0251990	Others		
0252000	(b) <i>spinaches and similar leaves</i>		
0252010	Spinaches	0,3	
0252020	Purslanes	0,01 (*)	
0252030	Chards/beet leaves	0,01 (*)	
0252990	Others	0,01 (*)	
0253000	(c) <i>grape leaves and similar species</i>	0,01 (*)	
0254000	(d) <i>watercresses</i>	0,01 (*)	
0255000	(e) <i>witloofs/Belgian endives</i>	0,01 (*)	
0256000	(f) <i>herbs and edible flowers</i>	0,3	
0256010	Chervil		
0256020	Chives		
0256030	Celery leaves		
0256040	Parsley		
0256050	Sage		
0256060	Rosemary		
0256070	Thyme		
0256080	Basil and edible flowers		
0256090	Laurel/bay leave		
0256100	Tarragon		
0256990	Others		
0260000	Legume vegetables	0,01 (*)	
0260010	Beans (with pods)		
0260020	Beans (without pods)		
0260030	Peas (with pods)		
0260040	Peas (without pods)		

(1)	(2)	(3)	(4)
0260050	Lentils		
0260990	Others		
0270000	Stem vegetables	0,01 (*)	
0270010	Asparagus		
0270020	Cardoons		
0270030	Celeries		
0270040	Florence fennels		
0270050	Globe artichokes		
0270060	Leeks		
0270070	Rhubarbs		
0270080	Bamboo shoots		
0270090	Palm hearts		
0270990	Others		
0280000	Fungi, mosses and lichens	0,01 (*)	
0280010	Cultivated fungi		
0280020	Wild fungi		
0280990	Mosses and lichens		
0290000	Algae and prokaryotes organisms	0,01 (*)	
0300000	PULSES	0,01 (*)	0,01 (*)
0300010	Beans		
0300020	Lentils		
0300030	Peas		
0300040	Lupins/lupini beans		
0300990	Others		
0400000	OILSEEDS AND OIL FRUITS	0,01 (*)	
0401000	Oilseeds		
0401010	Linseeds		0,02 (*)
0401020	Peanuts/groundnuts		0,02 (*)
0401030	Poppy seeds		0,02 (*)
0401040	Sesame seeds		0,02 (*)
0401050	Sunflower seeds		0,02 (*)
0401060	Rapeseeds/canola seeds		0,02 (*)

(1)	(2)	(3)	(4)
0401070	Soyabeans		0,02 (*)
0401080	Mustard seeds		0,02 (*)
0401090	Cotton seeds		0,02 (*)
0401100	Pumpkin seeds		0,05 (+)
0401110	Safflower seeds		0,02 (*)
0401120	Borage seeds		0,02 (*)
0401130	Gold of pleasure seeds		0,02 (*)
0401140	Hemp seeds		0,02 (*)
0401150	Castor beans		0,02 (*)
0401990	Others		0,02 (*)
0402000	Oil fruits		0,01 (*)
0402010	Olives for oil production		
0402020	Oil palms kernels		
0402030	Oil palms fruits		
0402040	Kapok		
0402990	Others		
0500000	CEREALS		0,01 (*)
0500010	Barley	0,05	
0500020	Buckwheat and other pseudo-cereals	0,01 (*)	
0500030	Maize/corn	0,01 (*)	
0500040	Common millet/proso millet	0,01 (*)	
0500050	Oat	0,01 (*)	
0500060	Rice	0,01 (*)	
0500070	Rye	0,01 (*)	
0500080	Sorghum	0,01 (*)	
0500090	Wheat	0,05	
0500990	Others	0,01 (*)	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,05 (*)	0,02 (*)
0610000	Teas		
0620000	Coffee beans		

(1)	(2)	(3)	(4)
0630000	Herbal infusions from		
0631000	(a) <i>flowers</i>		
0631010	Chamomile		
0631020	Hibiscus/roselle		
0631030	Rose		
0631040	Jasmine		
0631050	Lime/linden		
0631990	Others		
0632000	(b) <i>leaves and herbs</i>		
0632010	Strawberry		
0632020	Rooibos		
0632030	Mate/maté		
0632990	Others		
0633000	(c) <i>roots</i>		
0633010	Valerian		
0633020	Ginseng		
0633990	Others		
0639000	(d) <i>any other parts of the plant</i>		
0640000	Cocoa beans		
0650000	Carobs/Saint John's breads		
0700000	HOPS	0,05 (*)	0,02 (*)
0800000	SPICES		
0810000	Seed spices	0,05 (*)	0,02 (*)
0810010	Anise/aniseed		
0810020	Black caraway/black cumin		
0810030	Celery		
0810040	Coriander		
0810050	Cumin		
0810060	Dill		
0810070	Fennel		
0810080	Fenugreek		
0810090	Nutmeg		
0810990	Others		

(1)	(2)	(3)	(4)
0820000	Fruit spices	0,05 (*)	0,02 (*)
0820010	Allspice/pimento		
0820020	Sichuan pepper		
0820030	Caraway		
0820040	Cardamom		
0820050	Juniper berry		
0820060	Peppercorn (black, green and white)		
0820070	Vanilla		
0820080	Tamarind		
0820990	Others		
0830000	Bark spices	0,05 (*)	0,02 (*)
0830010	Cinnamon		
0830990	Others		
0840000	Root and rhizome spices		
0840010	Liquorice	0,05 (*)	0,02 (*)
0840020	Ginger	0,05 (*)	0,02 (*)
0840030	Turmeric/curcuma	0,05 (*)	0,02 (*)
0840040	Horseradish	(+)	(+)
0840990	Others	0,05 (*)	0,02 (*)
0850000	Bud spices	0,05 (*)	0,02 (*)
0850010	Cloves		
0850020	Capers		
0850990	Others		
0860000	Flower pistil spices	0,05 (*)	0,02 (*)
0860010	Saffron		
0860990	Others		
0870000	Aril spices	0,05 (*)	0,02 (*)
0870010	Mace		
0870990	Others		

(1)	(2)	(3)	(4)
0900000	SUGAR PLANTS	0,01 (*)	0,01 (*)
0900010	Sugar beet roots		
0900020	Sugar canes		
0900030	Chicory roots		
0900990	Others		
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS		
1010000	Tissues from	0,02 (*)	
1011000	(a) <i>swine</i>		
1011010	Muscle		0,005 (*)
1011020	Fat tissue		0,01 (*)
1011030	Liver		0,01 (*)
1011040	Kidney		0,01 (*)
1011050	Edible offals (other than liver and kidney)		0,01 (*)
1011990	Others		0,01 (*)
1012000	(b) <i>bovine</i>		
1012010	Muscle		0,005 (*)
1012020	Fat tissue		0,01 (*)
1012030	Liver		0,01 (*)
1012040	Kidney		0,01 (*)
1012050	Edible offals (other than liver and kidney)		0,01 (*)
1012990	Others		0,01 (*)
1013000	(c) <i>sheep</i>		
1013010	Muscle		0,005 (*)
1013020	Fat tissue		0,01 (*)
1013030	Liver		0,01 (*)
1013040	Kidney		0,01 (*)
1013050	Edible offals (other than liver and kidney)		0,01 (*)
1013990	Others		0,01 (*)

(1)	(2)	(3)	(4)
1014000	(d) <i>goat</i>		
1014010	Muscle		0,005 (*)
1014020	Fat tissue		0,01 (*)
1014030	Liver		0,01 (*)
1014040	Kidney		0,01 (*)
1014050	Edible offals (other than liver and kidney)		0,01 (*)
1014990	Others		0,01 (*)
1015000	(e) <i>equine</i>		
1015010	Muscle		0,005 (*)
1015020	Fat tissue		0,01 (*)
1015030	Liver		0,01 (*)
1015040	Kidney		0,01 (*)
1015050	Edible offals (other than liver and kidney)		0,01 (*)
1015990	Others		0,01 (*)
1016000	(f) <i>poultry</i>		
1016010	Muscle		0,005 (*)
1016020	Fat tissue		0,01 (*)
1016030	Liver		0,01 (*)
1016040	Kidney		0,01 (*)
1016050	Edible offals (other than liver and kidney)		0,01 (*)
1016990	Others		0,01 (*)
1017000	(g) <i>other farmed terrestrial animals</i>		
1017010	Muscle		0,005 (*)
1017020	Fat tissue		0,01 (*)
1017030	Liver		0,01 (*)
1017040	Kidney		0,01 (*)
1017050	Edible offals (other than liver and kidney)		0,01 (*)
1017990	Others		0,01 (*)
1020000	Milk	0,01 (*)	0,005 (*)
1020010	Cattle		
1020020	Sheep		

(1)	(2)	(3)	(4)
1020030	Goat		
1020040	Horse		
1020990	Others		
1030000	Birds eggs	0,02 (*)	0,01 (*)
1030010	Chicken		
1030020	Duck		
1030030	Geese		
1030040	Quail		
1030990	Others		
1040000	Honey and other apiculture products	0,05 (*)	0,01 (*)
1050000	Amphibians and Reptiles	0,02 (*)	0,01 (*)
1060000	Terrestrial invertebrate animals	0,02 (*)	0,01 (*)
1070000	Wild terrestrial vertebrate animals	0,02 (*)	0,01 (*)

(*) Indicates lower limit of analytical determination

(**) Pesticide-code combination for which the MRL as set in Annex III Part B applies.

(^a) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

(F) = Fat soluble

Acibenzolar- S- methyl (sum of acibenzolar- S- methyl and acibenzolar acid (free and conjugated), expressed as acibenzolar- S- methyl)

(+) The European Food Safety Authority identified some information on residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 26 June 2016, or, if that information is not submitted by that date, the lack of it.

0163030 Mangoes

(+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

0840040 Horseradish

Hexachlorobenzene (F)

(+) Monitoring data show that an unavoidable cross-contamination affecting pumpkin seeds occurs. When re-viewing the MRL, the Commission will take into account the information available within 10 years from the date of publication.

0401100 Pumpkin seeds

(+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

0840040 Horseradish'

(2) In Part B of Annex III, the column for hexachlorobenzene is deleted.

(3) In Annex V, the column for 3-decen-2-one is added:

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	3-decen-2-one
(1)	(2)	(3)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0,1 (*)
0110000	Citrus fruits	
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others	
0120000	Tree nuts	
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others	
0130000	Pome fruits	
0130010	Apples	
0130020	Pears	
0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others	

(1)	(2)	(3)
0140000	Stone fruits	
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others	
0150000	Berries and small fruits	
0151000	(a) <i>grapes</i>	
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) <i>strawberries</i>	
0153000	(c) <i>cane fruits</i>	
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others	
0154000	(d) <i>other small fruits and berries</i>	
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others	
0160000	Miscellaneous fruits with	
0161000	(a) <i>edible peel</i>	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	

(1)	(2)	(3)
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others	
0162000	(b) <i>inedible peel, small</i>	
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	
0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/Virginia kaki	
0162990	Others	
0163000	(c) <i>inedible peel, large</i>	
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papayas	
0163050	Granate apples/pomegranates	
0163060	Cherimoyas	
0163070	Guavas	
0163080	Pineapples	
0163090	Breadfruits	
0163100	Durians	
0163110	Soursops/guanabanas	
0163990	Others	
0200000	VEGETABLES, FRESH or FROZEN	0,1 (*)
0210000	Root and tuber vegetables	
0211000	(a) <i>potatoes</i>	
0212000	(b) <i>tropical root and tuber vegetables</i>	
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others	

(1)	(2)	(3)
0213000	(c) <i>other root and tuber vegetables except sugar beets</i>	
0213010	Beetroots	
0213020	Carrots	
0213030	Celeriacs/turnip rooted celeries	
0213040	Horseradishes	
0213050	Jerusalem artichokes	
0213060	Parsnips	
0213070	Parsley roots/Hamburg roots parsley	
0213080	Radishes	
0213090	Salsifies	
0213100	Swedes/rutabagas	
0213110	Turnips	
0213990	Others	
0220000	Bulb vegetables	
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others	
0230000	Fruiting vegetables	
0231000	(a) <i>solanacea</i>	
0231010	Tomatoes	
0231020	Sweet peppers/bell peppers	
0231030	Aubergines/eggplants	
0231040	Okra/lady's fingers	
0231990	Others	
0232000	(b) <i>cucurbits with edible peel</i>	
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others	
0233000	(c) <i>cucurbits with inedible peel</i>	
0233010	Melons	
0233020	Pumpkins	

(1)	(2)	(3)
0233030	Watermelons	
0233990	Others	
0234000	(d) <i>sweet corn</i>	
0239000	(e) <i>other fruiting vegetables</i>	
0240000	Brassica vegetables (excluding brassica roots and brassica baby leaf crops)	
0241000	(a) <i>flowering brassica</i>	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others	
0242000	(b) <i>head brassica</i>	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others	
0243000	(c) <i>leafy brassica</i>	
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others	
0244000	(d) <i>kohlrabies</i>	
0250000	Leaf vegetables, herbs and edible flowers	
0251000	(a) <i>lettuces and salad plants</i>	
0251010	Lamb's lettuces/corn salads	
0251020	Lettuces	
0251030	Escaroles/broad-leaved endives	
0251040	Cresses and other sprouts and shoots	
0251050	Land cresses	
0251060	Roman rocket/rucola	
0251070	Red mustards	
0251080	Baby leaf crops (including brassica species)	
0251990	Others	
0252000	(b) <i>spinaches and similar leaves</i>	
0252010	Spinaches	
0252020	Purslanes	

(1)	(2)	(3)
0252030	Chards/beet leaves	
0252990	Others	
0253000	(c) <i>grape leaves and similar species</i>	
0254000	(d) <i>watercresses</i>	
0255000	(e) <i>witloofs/Belgian endives</i>	
0256000	(f) <i>herbs and edible flowers</i>	
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil and edible flowers	
0256090	Laurel/bay leave	
0256100	Tarragon	
0256990	Others	
0260000	Legume vegetables	
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others	
0270000	Stem vegetables	
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	

(1)	(2)	(3)
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others	
0280000	Fungi, mosses and lichens	
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	
0300000	PULSES	0,1 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others	
0400000	OILSEEDS AND OIL FRUITS	0,1 (*)
0401000	Oilseeds	
0401010	Linseeds	
0401020	Peanuts/groundnuts	
0401030	Poppy seeds	
0401040	Sesame seeds	
0401050	Sunflower seeds	
0401060	Rapeseeds/canola seeds	
0401070	Soyabeans	
0401080	Mustard seeds	
0401090	Cotton seeds	
0401100	Pumpkin seeds	
0401110	Safflower seeds	
0401120	Borage seeds	
0401130	Gold of pleasure seeds	
0401140	Hemp seeds	
0401150	Castor beans	
0401990	Others	

(1)	(2)	(3)
0402000	Oil fruits	
0402010	Olives for oil production	
0402020	Oil palms kernels	
0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others	
0500000	CEREALS	0,1 (*)
0500010	Barley	
0500020	Buckwheat and other pseudo-cereals	
0500030	Maize/corn	
0500040	Common millet/proso millet	
0500050	Oat	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,1 (*)
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) <i>flowers</i>	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others	
0632000	(b) <i>leaves and herbs</i>	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others	

(1)	(2)	(3)
0633000	(c) roots	
0633010	Valerian	
0633020	Ginseng	
0633990	Others	
0639000	(d) any other parts of the plant	
0640000	Cocoa beans	
0650000	Carobs/Saint John's breads	
0700000	HOPS	0,1 (*)
0800000	SPICES	0,1 (*)
0810000	Seed spices	
0810010	Anise/aniseed	
0810020	Black caraway/black cumin	
0810030	Celery	
0810040	Coriander	
0810050	Cumin	
0810060	Dill	
0810070	Fennel	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others	
0820000	Fruit spices	
0820010	Allspice/pimento	
0820020	Sichuan pepper	
0820030	Caraway	
0820040	Cardamom	
0820050	Juniper berry	
0820060	Peppercorn (black, green and white)	
0820070	Vanilla	
0820080	Tamarind	
0820990	Others	
0830000	Bark spices	
0830010	Cinnamon	
0830990	Others	

(1)	(2)	(3)
0840000	Root and rhizome spices	
0840010	Liquorice	
0840020	Ginger	
0840030	Turmeric/curcuma	
0840040	Horseradish	
0840990	Others	
0850000	Bud spices	
0850010	Cloves	
0850020	Capers	
0850990	Others	
0860000	Flower pistil spices	
0860010	Saffron	
0860990	Others	
0870000	Aril spices	
0870010	Mace	
0870990	Others	
0900000	SUGAR PLANTS	0,1 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others	
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS	0,1 (*)
1010000	Tissues from	
1011000	(a) <i>swine</i>	
1011010	Muscle	
1011020	Fat tissue	
1011030	Liver	
1011040	Kidney	
1011050	Edible offals (other than liver and kidney)	
1011990	Others	
1012000	(b) <i>bovine</i>	
1012010	Muscle	
1012020	Fat tissue	

(1)	(2)	(3)
1012030	Liver	
1012040	Kidney	
1012050	Edible offals (other than liver and kidney)	
1012990	Others	
1013000	(c) <i>sheep</i>	
1013010	Muscle	
1013020	Fat tissue	
1013030	Liver	
1013040	Kidney	
1013050	Edible offals (other than liver and kidney)	
1013990	Others	
1014000	(d) <i>goat</i>	
1014010	Muscle	
1014020	Fat tissue	
1014030	Liver	
1014040	Kidney	
1014050	Edible offals (other than liver and kidney)	
1014990	Others	
1015000	(e) <i>equine</i>	
1015010	Muscle	
1015020	Fat tissue	
1015030	Liver	
1015040	Kidney	
1015050	Edible offals (other than liver and kidney)	
1015990	Others	
1016000	(f) <i>poultry</i>	
1016010	Muscle	
1016020	Fat tissue	
1016030	Liver	
1016040	Kidney	
1016050	Edible offals (other than liver and kidney)	
1016990	Others	
1017000	(g) <i>other farmed terrestrial animals</i>	
1017010	Muscle	
1017020	Fat tissue	

(1)	(2)	(3)
1017030	Liver	
1017040	Kidney	
1017050	Edible offals (other than liver and kidney)	
1017990	Others	
1020000	Milk	
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others	
1030000	Birds eggs	
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others	
1040000	Honey and other apiculture products	
1050000	Amphibians and Reptiles	
1060000	Terrestrial invertebrate animals	
1070000	Wild terrestrial vertebrate animals	

(*) Indicates lower limit of analytical determination

(^a) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.’

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1867**of 20 October 2016****amending the Annex to Regulation (EC) No 3199/93 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages ⁽¹⁾, and in particular Article 27(4) thereof,

Whereas:

- (1) Pursuant to Article 27(1)(a) of Directive 92/83/EEC, Member States are required to exempt from excise duty alcohol which has been completely denatured in accordance with the requirements of any Member State, provided that such requirements have been duly notified and accepted in accordance with the conditions laid down in paragraphs 3 and 4 of that Article.
- (2) Denaturants which are employed in each Member State for the purposes of the complete denaturing of alcohol in accordance with Article 27(1)(a) of Directive 92/83/EEC are described in the Annex to Commission Regulation (EC) No 3199/93 ⁽²⁾.
- (3) Commission Implementing Regulation (EU) No 162/2013 ⁽³⁾ introduced a common procedure for the complete denaturing of alcohol. That common procedure involves the use, per hectolitre of absolute ethanol, of three litres of isopropyl alcohol (IPA), three litres of methyl ethyl ketone (MEK) and one gram of denatonium benzoate. That common procedure was intended to replace the various national denaturing procedures in order to prevent evasion, avoidance and abuse.
- (4) Although that common denaturing procedure is acknowledged to be robust, efficient and effective in combatting fraud while preventing accidental or deliberate consumption, it has not been applied in the majority of industry uses, largely because of the higher costs of that procedure in comparison to some national denaturing procedures. The large number of national denaturing procedures weakens effective supervision and offers opportunities for fraud.
- (5) In discussion with competent authorities and having regard to the views of the industry, consensus has been reached on a single common denaturing procedure. That procedure entails lower costs, since it reduces the required quantity of isopropyl alcohol (IPA), methyl ethyl ketone (MEK) and denatonium benzoate per hectolitre of absolute ethanol, while guaranteeing a sufficient level of prevention.
- (6) Consequently, all national denaturing procedures should be removed from the Annex to Regulation (EC) No 3199/93. Member States which continue to use national denaturing procedures will do so under the conditions of Article 27(1)(b) of Directive 92/83/EEC, which provides for exemption from harmonised excise duty for denatured alcohol used in the manufacture of any product not for human consumption.
- (7) The Commission transmitted all the communications referred to in Article 27(3) of Directive 92/83/EEC to the other Member States.
- (8) No objections, as referred to in Article 27(4) of Directive 92/83/EEC, has been received to the requirements notified.
- (9) It is appropriate to provide for a reasonable period of time to allow the industry time to adapt to the new common denaturing procedure and to allow it to fulfil existing contractual obligations.

⁽¹⁾ OJ L 316, 31.10.1992, p. 21.

⁽²⁾ Commission Regulation (EC) No 3199/93 of 22 November 1993 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty (OJ L 288, 23.11.1993, p. 12).

⁽³⁾ Commission Implementing Regulation (EU) No 162/2013 of 21 February 2013 amending the Annex to Regulation (EC) No 3199/93 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty (OJ L 49, 22.2.2013, p. 55).

- (10) Regulation (EC) No 3199/93 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Excise Duties,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 3199/93 is replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 1 August 2017.

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

Done at Brussels, 20 October 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

‘ANNEX

1. List of products with their Chemical Abstracts Service (CAS) registry number authorised for the complete denaturing of alcohol:

Denatonium benzoate	CAS: 3734-33-6
Isopropyl alcohol (IPA)	CAS: 67-63-0
Methyl ethyl ketone (butanone) (MEK)	CAS: 78-93-3

2. Synonyms of the authorised products are available in various official languages of the Union in the European Customs Inventory of Chemical Substances database.
3. The term “absolute ethanol” is used in this Annex in conformity with the terminology used by International Union of Pure and Applied Chemistry (IUPAC).
4. The common denaturing procedure employed in all Member States for completely denatured alcohol:

Per hectolitre of absolute ethanol, the following substances shall be added:
 - 1,0 litre isopropyl alcohol (IPA),
 - 1,0 litre methyl ethyl ketone (MEK),
 - 1,0 gram denatonium benzoate.
5. A dye may be added to the denatured alcohol to give it a characteristic colour, making it immediately identifiable.’

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1868**of 20 October 2016****amending and correcting Implementing Regulation (EU) 2015/2450 laying down implementing technical standards with regard to the templates for the submission of information to the supervisory authorities according to Directive 2009/138/EC 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 Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) ⁽¹⁾, and in particular the third subparagraph of Article 35(10), the third subparagraph of Article 244(6) and the second subparagraph of Article 245(6) thereof,

Whereas:

- (1) On 2 April 2016, Commission Delegated Regulation (EU) 2016/467 ⁽²⁾, amending Delegated Regulation (EU) 2015/35 ⁽³⁾ entered into force. Delegated Regulation (EU) 2016/467 introduced a new asset class into the insurance prudential legislative framework for qualifying infrastructure investments. This new infrastructure asset class was framed by criteria to ensure that these investments exhibit a sound risk profile and receive a revised calibration, lowering the capital requirements, based on fulfilling those strict criteria.
- (2) Delegated Regulation (EU) 2016/467 also extended to European Long-Term Investment Funds (ELTIFs) the specific treatment in Delegated Regulation (EU) 2015/35 for European Venture Capital Funds and European Social Entrepreneurship Funds and amended Article 168 of that Delegated Regulation to provide for equivalent treatment to equities traded on multilateral trading facilities (MTFs) as those listed on regulated markets.
- (3) Commission Implementing Regulation (EU) 2015/2450 ⁽⁴⁾ lays down the reporting templates that insurance and reinsurance undertakings must use for reporting information to the supervisory authorities that is necessary for the purposes of supervision. In order to ensure that supervisory authorities receive appropriate information for the purposes of the supervisory review process also on qualifying infrastructure investments made by insurance and reinsurance undertakings as well as investments in ELTIFs and equities traded on MTFs, the templates for reporting by these undertakings to supervisory authorities, as laid down in Implementing Regulation (EU) 2015/2450, should be amended accordingly.
- (4) Implementing Regulation (EU) 2015/2450 includes several minor drafting errors which should be corrected accordingly.
- (5) This Regulation is based on the draft implementing technical standards submitted by the European Supervisory Authority (European Insurance and Occupational Pensions Authority) to the Commission.
- (6) The European Supervisory Authority (European Insurance and Occupational Pensions Authority) has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Insurance and Reinsurance Stakeholder Group established by Article 37 of Regulation (EU) No 1094/2010 of the European Parliament and of the Council ⁽⁵⁾,

⁽¹⁾ OJ L 335, 17.12.2009, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2016/467 of 30 September 2015 amending Commission Delegated Regulation (EU) 2015/35 concerning the calculation of regulatory capital requirements for several categories of assets held by insurance and reinsurance undertakings (OJ L 85, 1.4.2016, p. 6).

⁽³⁾ Commission Delegated Regulation (EU) 2015/35 of 10 October 2014 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 12, 17.1.2015, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2015/2450 of 2 December 2015 laying down implementing technical standards with regard to the templates for the submission of information to the supervisory authorities according to Directive 2009/138/EC of the European Parliament and of the Council (OJ L 347, 31.12.2015, p. 1).

⁽⁵⁾ Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48).

HAS ADOPTED THIS REGULATION:

Article 1

Amending provisions

Implementing Regulation (EU) 2015/2450 is amended as follows:

- (1) Annex I is amended in accordance with Annex I to this Regulation;
- (2) Annex II is amended in accordance with Annex II to this Regulation;
- (3) Annex III is amended in accordance with Annex III to this Regulation;
- (4) Annex VI is amended in accordance with Annex IV to this Regulation.

Article 2

Correcting provisions

Implementing Regulation (EU) 2015/2450 is corrected in accordance with Annex V to this Regulation.

Article 3

Entry into force

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, 20 October 2016.

For the Commission
The President
Jean-Claude JUNCKER

Annex I to Commission Implementing Regulation (EU) 2015/2450 is amended as follows:

1) S.26.01.01 is replaced by the following:

‘S.26.01.01

Solvency Capital Requirement — Market risk

Article 112 **Z0010**

Simplifications used

C0010

Simplifications — spread risk — bonds and loans **R0010**

Captives simplifications — interest rate risk **R0020**

Captives simplifications — spread risk on bonds and loans **R0030**

Captives simplifications — market concentration risk **R0040**

Initial absolute values before shock		Absolute values after shock				
Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital requirement	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital requirement
C0020	C0030	C0040	C0050	C0060	C0070	C0080

Market risk — Basic information

Interest rate risk

R0100

interest rate down shock

R0110

interest rate up shock

R0120

Equity risk

R0200

type 1 equities

R0210

type 1 equity

R0220

strategic participations (type 1 equities)

R0230

duration-based (type 1 equities)

R0240

Property risk

	Initial absolute values before shock		Absolute values after shock				
	Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital requirement	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital requirement
	C0020	C0030	C0040	C0050	C0060	C0070	C0080
	R0250						
R0260							
R0270							
R0280							
R0290							
R0300							

upward shock on credit derivatives

	Initial absolute values before shock		Absolute values after shock				
	Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital requirement	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital requirement
	C0020	C0030	C0040	C0050	C0060	C0070	C0080
R0400							
R0410							
R0411							
R0412							
R0420							
R0430							
R0440							

Securitisation positions

type 1 securitisations

type 2 securitisations

resecuritisations

Market risk concentrations

Currency risk

increase in the value of the foreign currency

decrease in the value of the foreign currency

Diversification within market risk module

Total market risk

	Initial absolute values before shock		Absolute values after shock				
	Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital requirement	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital requirement
	C0020	C0030	C0040	C0050	C0060	C0070	C0080
R0450							
R0460							
R0470							
R0480							
R0500							
R0600							
R0610							
R0620							
R0700							
R0800							

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Official Journal of the European Union

Z0010

11

C0010

R0010

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R0020

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R0030

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R0040

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21.10.2016

		Initial absolute values before shock		Absolute values after shock				
		Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital require- ment	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital require- ment
Market risk — Basic information		C0020	C0030	C0040	C0050	C0060	C0070	C0080
type 2 securitisations	R0470							
resecuritisations	R0480							
Market risk concentrations	R0500							
Currency risk	R0600							
increase in the value of the foreign currency	R0610							
decrease in the value of the foreign currency	R0620							
Diversification within market risk module	R0700							
Total market risk	R0800							

3) SR.26.01.01 is replaced by the following:

‘SR.26.01.01

Solvency Capital Requirement — Market risk

Article 112	Z0010	
Ring Fenced Fund/Matching adjustment portfolio or remaining part	Z0020	
Fund/Portfolio number	Z0030	
Simplifications used		C0010
Simplifications — spread risk — bonds and loans	R0010	
Captives simplifications — interest rate risk	R0020	
Captives simplifications — spread risk on bonds and loans	R0030	
Captives simplifications — market concentration risk	R0040	

Market risk — Basic information

Interest rate risk

interest rate down shock

interest rate up shock

Equity risk

type 1 equities

type 1 equity

strategic participations (type 1 equities)

duration-based (type 1 equities)

type 2 equities

type 2 equity

strategic participations (type 2 equities)

duration-based (type 2 equities)

qualifying infrastructure equities

Property risk

Initial absolute values before shock		Absolute values after shock				
Assets	Liabilities	Assets	Liabilities (after the loss absorbing capacity of technical provisions)	Net solvency capital require- ment	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital require- ment
C0020	C0030	C0040	C0050	C0060	C0070	C0080
R0100						
R0110						
R0120						
R0200						
R0210						
R0220						
R0230						
R0240						
R0250						
R0260						
R0270						
R0280						
R0290						
R0300						

		Initial absolute values before shock		Absolute values after shock		
		Assets	Liabilities	Assets	Liabilities (before the loss-absorbing capacity of technical provisions)	Gross solvency capital requirement
		C0020	C0030	C0040	C0050	C0060
Market risk — Basic information						
Spread risk	R0400					
bonds and loans	R0410					
bonds and loans (qualifying infrastructure investment)	R0411					
bonds and loans (other than qualifying infrastructure investment)	R0412					
credit derivatives	R0420					
downward shock on credit derivatives	R0430					
upward shock on credit derivatives	R0440					
Securitisation positions	R0450					
type 1 securitisations	R0460					
type 2 securitisations	R0470					
resecuritisations	R0480					
Market risk concentrations	R0500					
Currency risk	R0600					
increase in the value of the foreign currency	R0610					
decrease in the value of the foreign currency	R0620					
Diversification within market risk module	R0700					
Total market risk	R0800					

ANNEX II

Annex II to Implementing Regulation (EU) 2015/2450 is amended as follows:

- 1) In S.06.02 — List of assets, the instructions of C0300 is replaced by the following:

'C0300	Infrastructure investment	Identify if the asset is an infrastructure investment as defined in article 1 (55a) and (55b) of Commission Delegated Regulation (EU) 2015/35. One of the options in the following closed list shall be used: 1 — Not an infrastructure investment 2 — Infrastructure non-qualifying: Government Guarantee (Government, Central bank, Regional government or local authority) 3 — Infrastructure non-qualifying: Government Supported including Public Finance initiative (Government, Central bank, Regional government or local authority) 4 — Infrastructure non-qualifying: Supranational Guarantee/Supported (ECB, Multilateral development bank, International organisation) 9 — Infrastructure non-qualifying: Other non-qualifying infrastructure loans or investments, not classified under the above categories 12 — Infrastructure qualifying: Government Guarantee (Government, Central bank, Regional government or local authority) 13 — Infrastructure qualifying: Government Supported including Public Finance initiative (Government, Central bank, Regional government or local authority) 14 — Infrastructure qualifying: Supranational Guarantee/Supported (ECB, Multilateral development bank, International organisation) 19 — Infrastructure qualifying: Other qualifying infrastructure investments, not classified in the above categories. 20 — European Long-Term Investment Fund (ELTIF investing in infrastructure assets and ELTIF investing in other — non infrastructure — assets)'
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- 2) In S.21.02.C0080 the instructions are replaced by the following: 'Identify the ISO 4217 alphabetic code of the original currency.'
- 3) In S.26.01 — Solvency Capital Requirement — Market risk:
- (a) The following rows are added under Equity risk, under row R0260-R0280/C0040:

'R0290/C0020	Initial absolute values before shock — Assets — Equity risk — qualifying infrastructure equities	This is the initial absolute value of the assets sensitive to the equity risk for qualifying infrastructure equities. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0290/C0030	Initial absolute values before shock — Liabilities — Equity risk — qualifying infrastructure equities	This is the initial absolute value of liabilities sensitive to the equity risk for qualifying infrastructure equities. The amount of TP shall be net of reinsurance and SPV recoverables.

R0290/C0040	Absolute values after shock — Assets — Equity risk — qualifying infrastructure equities	This is the absolute value of the assets sensitive to equity risk for qualifying infrastructure equities, after the shock. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0290/C0050	Absolute values after shock — Liabilities (after the loss absorbing capacity of technical provisions) — Equity risk — qualifying infrastructure equities	This is the absolute value of liabilities sensitive to equity risk (for qualifying infrastructure equities), after the shock and after the loss absorbing capacity of technical provisions. The amount of TP shall be net of reinsurance and SPV recoverables.
R0290/C0060	Absolute value after shock — Net solvency capital requirement — Equity risk — qualifying infrastructure equities	This is the net capital charge for equity risk (for qualifying infrastructure equities) after adjustment for the loss absorbing capacity of technical provisions.
R0290/C0070	Absolute values after shock — Liabilities (before the loss absorbing capacity of technical provisions) — Equity risk — qualifying infrastructure equities	This is the absolute value of the liabilities sensitive to equity risk (for qualifying infrastructure equities), after the shock but before the loss absorbing capacity of technical provisions. The amount of TP shall be net of reinsurance and SPV recoverables.
R0290/C0080	Absolute value after shock — Gross solvency capital requirement — Equity risk — qualifying infrastructure equities	This is the gross capital charge for equity risk for qualifying infrastructure equities, i.e. before the loss absorbing capacity of technical provisions.'

(b) The following rows are added under Spread risk, in between row R0410/C0080 and R0420/C0060:

R0411/C0020	Initial absolute values before shock — Assets — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the initial absolute value of the assets sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0411/C0030	Initial absolute values before shock — Liabilities — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the initial absolute value of the liabilities sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0411/C0040	Absolute values after shock — Assets — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the absolute value of the assets sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments, after the shock. Recoverables from reinsurance and SPVs shall not be included in this cell.

R0411/C0050	Absolute values after shock — Liabilities (after the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments, after the shock and after the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0411/C0060	Absolute value after shock — Net solvency capital requirement — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the net capital charge for spread risk on bonds and loans that are qualifying infrastructure investments, after adjustment for the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.
R0411/C0070	Absolute values after shock — Liabilities (before the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments, after the shock but before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0411/C0080	Absolute value after shock — Gross solvency capital requirement — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the gross capital charge for spread risk on bonds and loans that are qualifying infrastructure investments, i.e. before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.
R0412/C0020	Initial absolute values before shock — Assets — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the initial absolute value of the assets sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0412/C0030	Initial absolute values before shock — Liabilities — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the initial absolute value of the liabilities sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.

R0412/C0040	Absolute values after shock — Assets — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the absolute value of the assets sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments, after the shock. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0412/C0050	Absolute values after shock — Liabilities (after the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments, after the shock and after the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0412/C0060	Absolute value after shock — Net solvency capital requirement — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the net capital charge for spread risk on bonds and loans other than qualifying infrastructure investments, after adjustment for the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.
R0412/C0070	Absolute values after shock — Liabilities (before the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments, after the shock but before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0412/C0080	Absolute value after shock — Gross solvency capital requirement — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the gross capital charge for spread risk on bonds and loans other than qualifying infrastructure investments, i.e. before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.'

ANNEX III

Annex III to Implementing Regulation (EU) 2015/2450 is amended as follows:

1) In S.06.02 — List of assets, the instructions of C0300 is replaced by the following:

‘C0300	Infrastructure investment	Identify if the asset is an infrastructure investment as defined in article 1 (55a) and (55b) of Commission Delegated Regulation (EU) 2015/35. One of the options in the following closed list shall be used: 1 — Not an infrastructure investment 2 — Infrastructure non-qualifying: Government Guarantee (Government, Central bank, Regional government or local authority) 3 — Infrastructure non-qualifying: Government Supported including Public Finance initiative (Government, Central bank, Regional government or local authority) 4 — Infrastructure non-qualifying: Supranational Guarantee/Supported (ECB, Multilateral development bank, International organisation) 9 — Infrastructure non-qualifying: Other non-qualifying infrastructure loans or investments, not classified under the above categories 12 — Infrastructure qualifying: Government Guarantee (Government, Central bank, Regional government or local authority) 13 — Infrastructure qualifying: Government Supported including Public Finance initiative (Government, Central bank, Regional government or local authority) 14 — Infrastructure qualifying: Supranational Guarantee/Supported (ECB, Multilateral development bank, International organisation) 19 — Infrastructure qualifying: Other qualifying infrastructure investments, not classified in the above categories. 20 — European Long-Term Investment Fund (ELTIF investing in infrastructure assets and ELTIF investing in other — non infrastructure — assets)’
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2. In S.26.01 — Solvency Capital Requirement — Market risk:

(a) The following rows are added under Equity risk, under row R0260-R0280/C0040:

‘R0290/C0020	Initial absolute values before shock — Assets — Equity risk — qualifying infrastructure equities	This is the initial absolute value of the assets sensitive to the equity risk for qualifying infrastructure equities. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0290/C0030	Initial absolute values before shock — Liabilities — Equity risk — qualifying infrastructure equities	This is the initial absolute value of liabilities sensitive to the equity risk for qualifying infrastructure equities. The amount of TP shall be net of reinsurance and SPV recoverables.

R0290/C0040	Absolute values after shock — Assets — Equity risk — qualifying infrastructure equities	This is the absolute value of the assets sensitive to equity risk for qualifying infrastructure equities, after the shock. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0290/C0050	Absolute values after shock — Liabilities (after the loss absorbing capacity of technical provisions) — Equity risk — qualifying infrastructure equities	This is the absolute value of liabilities sensitive to equity risk (for qualifying infrastructure equities), after the shock and after the loss absorbing capacity of technical provisions. The amount of TP shall be net of reinsurance and SPV recoverables.
R0290/C0060	Absolute value after shock — Net solvency capital requirement — Equity risk — qualifying infrastructure equities	This is the net capital charge for equity risk (for qualifying infrastructure equities) after adjustment for the loss absorbing capacity of technical provisions.
R0290/C0070	Absolute values after shock — Liabilities (before the loss absorbing capacity of technical provisions) — Equity risk — qualifying infrastructure equities	This is the absolute value of the liabilities sensitive to equity risk (for qualifying infrastructure equities), after the shock but before the loss absorbing capacity of technical provisions. The amount of TP shall be net of reinsurance and SPV recoverables.
R0290/C0080	Absolute value after shock — Gross solvency capital requirement — Equity risk — qualifying infrastructure equities	This is the gross capital charge for equity risk for qualifying infrastructure equities, i.e. before the loss absorbing capacity of technical provisions.'

(b) The following rows are added under Spread risk, in between row R0410/C0080 and R0420/C0060:

R0411/C0020	Initial absolute values before shock — Assets — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the initial absolute value of the assets sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0411/C0030	Initial absolute values before shock — Liabilities — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the initial absolute value of the liabilities sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0411/C0040	Absolute values after shock — Assets — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the absolute value of the assets sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments, after the shock. Recoverables from reinsurance and SPVs shall not be included in this cell.

R0411/C0050	Absolute values after shock — Liabilities (after the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments, after the shock and after the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0411/C0060	Absolute value after shock — Net solvency capital requirement — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the net capital charge for spread risk on bonds and loans that are qualifying infrastructure investments, after adjustment for the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.
R0411/C0070	Absolute values after shock — Liabilities (before the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans that are qualifying infrastructure investments, after the shock but before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0411/C0080	Absolute value after shock — Gross solvency capital requirement — Spread risk — bonds and loans (qualifying infrastructure investments)	This is the gross capital charge for spread risk on bonds and loans that are qualifying infrastructure investments, i.e. before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.
R0412/C0020	Initial absolute values before shock — Assets — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the initial absolute value of the assets sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0412/C0030	Initial absolute values before shock — Liabilities — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the initial absolute value of the liabilities sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.

R0412/C0040	Absolute values after shock — Assets — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the absolute value of the assets sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments, after the shock. Recoverables from reinsurance and SPVs shall not be included in this cell.
R0412/C0050	Absolute values after shock — Liabilities (after the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments, after the shock and after the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0412/C0060	Absolute value after shock — Net solvency capital requirement — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the net capital charge for spread risk on bonds and loans other than qualifying infrastructure investments, after adjustment for the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.
R0412/C0070	Absolute values after shock — Liabilities (before the loss absorbing capacity of technical provisions) — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the absolute value of the liabilities sensitive to the spread risk on bonds and loans other than qualifying infrastructure investments, after the shock but before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. The amount of TP shall be net of reinsurance and SPV recoverables.
R0412/C0080	Absolute value after shock — Gross solvency capital requirement — Spread risk — bonds and loans (other than qualifying infrastructure investments)	This is the gross capital charge for spread risk on bonds and loans other than qualifying infrastructure investments, i.e. before the loss absorbing capacity of technical provisions. This value shall be reported only where the split between R0411 and R0412 could be derived from the method used for the calculation. When the split is not possible only R0410 shall be filled in. If R0010/C0010 = 1, this item shall not be reported.'

ANNEX IV

Annex VI to Implementing Regulation (EU) 2015/2450 is amended as follows:

Row of code 48 is replaced by the following:

'48	Infrastructure funds	Collective investment undertakings that invest in Infrastructure assets as defined in point 55a or 55b of Article 1 of Delegated Regulation (EU) 2015/35'
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(1) Annex I to Implementing Regulation (EU) 2015/2450 is corrected as follows:

(a) In SR.01.01.04.R0840 the title is replaced by the following:

‘Solvency Capital Requirement — for groups on Standard Formula’;

(b) In SR.01.01.04.R0850 the title is replaced by the following:

‘Solvency Capital Requirement — for groups using the standard formula and partial internal model’;

(c) In SR.01.01.04.R0860 the title is replaced by the following:

‘Solvency Capital Requirement — for groups on Full Internal Models’;

(d) In S.05.01.01, the second table is replaced by the following:

		Line of Business for: non-life insurance and reinsurance obligations (direct business and accepted proportional reinsurance)			Line of Business for: accepted non-proportional reinsurance				Total
		Legal expenses insurance	Assistance	Miscellaneous financial loss	Health	Casualty	Marine, aviation, transport	Property	
		C0100	C0110	C0120	C0130	C0140	C0150	C0160	C0200
Premiums written									
Gross — Direct Business	R0110								
Gross — Proportional reinsurance accepted	R0120								
Gross — Non-proportional reinsurance accepted	R0130								
Reinsurers' share	R0140								
Net	R0200								
Premiums earned									
Gross — Direct Business	R0210								
Gross — Proportional reinsurance accepted	R0220								
Gross — Non-proportional reinsurance accepted	R0230								

		Line of Business for: non-life insurance and reinsurance obligations (direct business and accepted proportional reinsurance)			Line of Business for: accepted non-proportional reinsurance				Total
		Legal expenses in-surance	Assistance	Miscellaneous financial loss	Health	Casualty	Marine, aviation, transport	Property	
		C0100	C0110	C0120	C0130	C0140	C0150	C0160	
Reinsurers' share	R0240								
Net	R0300								
Claims incurred									
Gross — Direct Business	R0310								
Gross — Proportional reinsurance accepted	R0320								
Gross — Non-proportional reinsurance accepted	R0330								
Reinsurers' share	R0340								
Net	R0400								
Changes in other technical provisions									
Gross — Direct Business	R0410								
Gross — Proportional reinsurance accepted	R0420								
Gross — Non- proportional reinsurance accepted	R0430								
Reinsurers' share	R0440								
Net	R0500								,

(e) In S.05.02.01, row R1300 is replaced by the following:

'Total expenses	R1300								,
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(f) In S.14.01.01.C0180 the title is replaced by the following:

'Best Estimate and Technical Provisions as a whole';

(g) In S.23.01.01, row R0230 is replaced by the following:

'Deductions for participations in financial and credit institutions

R0230

					,
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(h) In S.23.01.04:

(i) Row R0220 is replaced by the following:

Own funds from the financial statements that should not be represented by the reconciliation reserve and do not meet the criteria to be classified as Solvency II own funds

R0220

(ii) Row R0230 is replaced by the following:

Deductions for participations in other financial undertakings, including non-regulated undertakings carrying out financial activities

R0230

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(iii) Row R0440 is replaced by the following:

'Total own funds of other financial sectors

R0440

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(i) In SR.27.01.01, in the first table, row Z0010 regarding Article 112 is deleted;

(j) In S.26.01.01, S.26.01.04 and SR.26.01.01, row R0600 is replaced by the following:

‘Currency risk

R0600

(k) In S.27.01.01, S.27.01.04 and SR.27.01.01 in R0600 the title is replaced by the following:

'Total Windstorm specified Regions before diversification';

(l) In S.27.01.01, S.27.01.04 and SR.27.01.01 in R1030 the title is replaced by the following:

'Total Earthquake specified Regions before diversification';

(m) In S.27.01.01, S.27.01.04 and SR.27.01.01 in R1400 the title is replaced by the following:

'Total Flood specified Regions before diversification';

(n) In S.27.01.01, S.27.01.04 and SR.27.01.01 in R1720 the title is replaced by the following:

'Total Hail specified Regions before diversification';

(o) In S.27.01.01, S.27.01.04 and SR.27.01.01, in the table ‘Man made catastrophe risk — Marine’, row R2420 is replaced by the following:

‘Total after diversification	R2420			
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(2) Both Annex II and III to Implementing Regulation (EU) 2015/2450 are corrected as follows:

(a) In S.01.01.C0010/R0150 the instructions are replaced by the following:

‘One of the options in the following closed list shall be used:

1 — Reported

2 — Not reported as no Collective investment undertakings

3 — Not due in accordance with instructions of the template

6 — Exempted under Article 35(6) to (8)

7 — Not due as no material changes since quarterly submission (this option is only applicable on annual submissions)

0 — Not reported (in this case special justification is needed);

(b) In S.01.01.C0010/R0160 the instructions are replaced by the following:

‘One of the options in the following closed list shall be used:

1 — Reported

2 — Not reported as no structured products

3 — Not due in accordance with instructions of the template

6 — Exempted under 35 (6) to (8)

0 — Not reported other reason (in this case special justification is needed);

(c) In S.01.01.C0010/R0200 the instructions are replaced by the following:

‘One of the options in the following closed list shall be used:

1 — Reported

2 — Not reported as no Securities lending and repos

3 — Not due in accordance with instructions of the template

6 — Exempted under Article 35(6) to (8)

0 — Not reported other reason (in this case special justification is needed);

(d) In S.02.02.C0020/R0130 the instructions are replaced by the following:

‘Report the total value of the deposits from reinsurers, insurance and intermediaries payables and reinsurance payables for all currencies.’;

(e) In S.02.02.C0030/R0130 the instructions are replaced by the following:

‘Report the value of the deposits from reinsurers, insurance and intermediaries payables and reinsurance payables for the reporting currency.’;

(f) In S.02.02.C0040/R0130 the instructions are replaced by the following:

‘Report the value of the deposits from reinsurers, insurance and intermediaries payables and reinsurance payables for the remaining currencies that are not reported by currency.

This means that this cell excludes the amount reported in the reporting currency (C0030/R0130) and in the currencies reported by currency (C0050/R0130).’;

- (g) In S.02.02.C0050/R0130 the instructions are replaced by the following:

'Report the value of the deposits from reinsurers, insurance and intermediaries payables and reinsurance payables for each of the currencies required to be reported separately.';

- (h) In S.05.01.C0010 to C0160/R1000 the instructions are replaced by the following:

'Acquisition expenses include expenses, including renewal expenses, which can be identified at the level of individual insurance contract and have been incurred because the undertaking has issued that particular contract. These are commission costs, costs of selling, underwriting and initiating an insurance contract that has been issued. It includes movements in deferred acquisition costs. For reinsurance undertakings, the definition shall be applied mutatis mutandis.

The net acquisition expenses represent the sum of the direct business and the accepted reinsurance business reduced by the amount ceded to reinsurance undertakings.';

- (i) In S.06.02. the sixth paragraph of the general comments is replaced by the following:

'On the table Information on positions held, each asset shall be reported separately in as many lines as needed in order to properly fill in all non-monetary variables with the exception of item 'Quantity', requested in that table. If for the same asset two values can be attributed to one variable, then this asset needs to be reported in more than one line.';

- (j) In S.06.02.C0050, S.07.01.C0050 and S.11.01.C0050, the second paragraph of the instructions is replaced by the following:

'When the same Asset ID Code needs to be reported for one asset that is issued in 2 or more different currencies and the code in C0040 is defined by Asset ID code and the ISO 4217 alphabetic code of the currency, the Asset ID Code Type shall refer to option 99 and the option of the original Asset ID Code, as in the following example for which the code reported was ISIN code + currency: '99/1'.';

- (k) In S.06.02.C0110 and S.11.01.C0080, the first paragraph of the instructions is replaced by the following:

'ISO 3166-1 alpha-2 code of the country where undertaking assets are held in custody. For identifying international custodians, such as Euroclear, the country of custody will be the one where the custody service was contractually defined.';

- (l) In S.06.02.C0140 the instructions are replaced by the following:

'Amount outstanding measured at par amount, for all assets where this item is relevant, and at nominal amount for CIC = 72, 73, 74, 75, 79 and 8. This item is not applicable for CIC category 71 and 9. This item shall not be reported if item Quantity (C0130) is reported.';

- (m) In S.06.02.C0170 the instructions are replaced by the following:

'Value calculated as defined by article 75 of the Directive 2009/138/EC, which corresponds to:

- the multiplication of 'Par amount' (principal amount outstanding measured at par amount or nominal amount) by 'Unit percentage of par amount Solvency II price' plus 'Accrued interest', for assets where the first two items are relevant;
- the multiplication of 'Quantity' by 'Unit Solvency II price', for assets where these two items are relevant;
- Solvency II value of the asset for assets classifiable under asset categories 71 and 9.';

- (n) In S.06.02.C0380 the instructions are replaced by the following:

'Amount in percentage of par value, clean price without accrued interest, for the asset, if relevant.

This item shall be reported if a 'par amount' information (C0140) has been provided in the first part of the template ('Information on positions held') except for CIC category 71 and 9.

This item shall not be reported if item Unit Solvency II price (C0370) is reported.';

- (o) In S.08.01 the third paragraph of the general comments is replaced by the following:

‘Derivatives are considered assets if their Solvency II value is positive or zero. They are considered liabilities if their Solvency II value is negative. Both derivatives considered as assets or considered as liabilities shall be included.’;

- (p) In S.08.02.C0230 the instructions are replaced by the following:

‘Value of the derivative calculated as defined by article 75 of the Directive 2009/138/EC at the trade (closing or sale) or maturity date. It can be positive, negative or zero.’;

- (q) In S.09.01.C0100 and C0110, at the end of the instructions the following is added:

‘This calculation should be performed without interests accrued.’;

- (r) In S.11.01.C0100 the instructions are replaced by the following:

‘Amount outstanding measured at par amount, for all assets where this item is relevant, and at nominal amount for CIC = 72, 73, 74, 75, 79 and 8. This item is not applicable for CIC category 71 and 9. This item shall not be reported if item Quantity (C0090) is reported.’;

- (s) In S.11.01.C0120 the instructions are replaced by the following:

‘Value calculated as defined by article 75 of the Directive 2009/138/EC, which corresponds to:

- the multiplication of ‘Par amount’ (principal amount outstanding measured at par amount or nominal amount) by ‘Unit percentage of par amount Solvency II price’ plus ‘Accrued interest’, for assets where the first two items are relevant;
- the multiplication of ‘Quantity’ by ‘Unit Solvency II price’, for assets where these two items are relevant;
- Solvency II value of the asset for assets classifiable under asset categories 71 and 9.’;

- (t) In S.11.01.C0270 the instructions are replaced by the following:

‘Amount in percentage of par value, clean price without accrued interest, for the asset, if relevant.

This item shall be reported if a ‘par amount’ information (C0100) has been provided in the first part of the template (‘Information on positions held’) except for CIC category 71 and 9.

This item shall not be reported if item Unit Solvency II price (C0260) is reported.’;

- (u) In S.23.01.R0290/C0030 the instructions are replaced by the following:

‘This is the amount of basic own fund items after deductions that meet the criteria for Tier 1 restricted items.’;

- (v) In S.23.01.R0290/C0040 the instructions are replaced by the following:

‘This is the amount of basic own fund items after deductions that meet the criteria for Tier 2.’;

- (w) In S.23.01.R0290/C0050 the instructions are replaced by the following:

‘This is the amount of basic own fund items after deductions that meet the criteria for Tier 3.’;

- (x) In S.25.01 the fourth paragraph of the general comments is replaced by the following:

‘Calculation of ‘q factor’ = $\frac{adjustment}{BSCR' - nSCR_{int}}$, where

- *adjustment* = Adjustment calculated according to one of the three methods referred above

- BSCR' = Basic solvency capital requirement calculated according to the information reported in this template (C0040/R0100)
- nSCR_{int} = nSCR for intangible assets risk according to the information reported in this template (C0040/R0070);

(y) In S.26.05.R0230/C0020 the following is deleted in the instructions:

'If R0010/C0010 = 1, this item represents total capital charge for non-life premium and reserve risk sub module calculated using simplified calculation.';

(z) In S.27.01 the row corresponding to Z0010 is deleted;

(aa) In S.27.01 all references to 'EEA' are replaced by 'specified';

(bb) In S.27.01.C0410/R1950 the instructions are replaced by the following:

'Specified gross subsidence loss, before taking into consideration the effect of diversification effect between zones.';

(cc) In S.27.01.C0420/R1950 the instruction are replaced by the following:

'The Risk Charge Factor of the territory of France for subsidence, before taking into consideration the effect of diversification effect between zones';

(dd) In S.27.01.C1320/R3700–R4010, C1330/R3700–R4010, C1340/R3700–R4010, C1350/R3700–R4010, C1360/R3700–R4010 the instructions are replaced by the following:

'The average value of benefits payable by insurance and reinsurance undertakings for the largest accident risk concentration.';

(ee) In S.31.01.C0140 the instructions are replaced by the following:

'Amount of cash deposits received by the undertaking from the reinsurers.';

(ff) In S.31.02.C0030 and C0200 the instructions are replaced by the following:

'Internal code attributed to the SPV by the undertaking by this order of priority:

- Legal Entity Identifier (LEI);
- Specific code

This code shall be unique to each SPV and remain constant over subsequent reports.';

(gg) In S.31.01.C0230, S.31.02.C0290, at the end of the instructions the following is added:

'One of the options in the following closed list shall be used:

- 0 — Credit quality step 0
- 1 — Credit quality step 1
- 2 — Credit quality step 2
- 3 — Credit quality step 3
- 4 — Credit quality step 4
- 5 — Credit quality step 5

6 — Credit quality step 6

9 — No rating available’;

(hh) In S.36.03.C0160, in the instructions the lines of business 29 to 36 are replaced by the following:

‘29 — Health insurance

30 — Insurance with profit participation

31 — Index-linked and unit-linked insurance

32 — Other life insurance

33 — Annuities stemming from non-life insurance contracts and relating to health insurance obligations

34 — Annuities stemming from non-life insurance contracts and relating to insurance obligations other than health insurance obligations

35 — Health reinsurance

36 — Life reinsurance’.

(3) Annex II to Implementing Regulation (EU) 2015/2450 is corrected as follows:

(a) In S.12.01.Z0030 the second paragraph of the instructions are replaced by the following:

‘When item Z0020 = 2, then report ‘0’;

(b) In S.12.01 the first column of instructions corresponding to R0340 is replaced by the following:

‘C0020, C0030, C0060, C0090, C0100, C0160, C0190, C0200/R0340’;

(c) In S.12.01.C0020, C0030, C0060, C0090, C0100, C0160, C0190, C0200/R0110, C0150/R0110, C0210/R0110, C0020, C0030, C0060, C0090, C0100, C0160, C0190, C0200/R0120, C0150/R0120, C0210/R0120, C0020, C0030, C0060, C0090, C0100, C0160, C0190, C0200/R0130, C0150/R0130 and C0210/R0130 the second paragraph of the instructions is replaced by the following:

‘This value shall be reported as a negative value when it reduces the technical provisions.’;

(d) In S.14.01.C0180 the label is replaced by the following:

‘Best Estimate and Technical Provisions as a whole’;

(e) In S.14.01.C0180 the instructions are replaced by the following:

‘Amount of gross best estimate and Technical Provisions as a whole calculated by Homogenous Risk Group’;

(f) In S.16.01, in the general comments, the following is deleted in the instructions (8th paragraph):

‘Amounts shall be reported by year of occurrence of the accidents that have originated the claims associated to annuities.’;

(g) In S.16.01.Z0030 the first paragraph of the instructions is replaced by the following:

‘Identify the ISO 4217 alphabetic code of the settlement currency of the obligation. All amounts, not reported by currency, are reported in the undertaking’s reporting currency.’;

(h) In S.16.01.C0010/R0030 and C0070/R0040-R0190, at the end of the instructions the following is added:

‘Information should be considered gross of reinsurance.’;

- (i) In S.16.01.C0080/R0040-R0190, the instructions are replaced by the following:

‘Undiscounted development result calculated as the undiscounted annuity claims provisions at the start of year N, minus annuity payments paid during year N and minus undiscounted annuity claims provisions at the end of year N.’;

- (j) In S.17.01.Z0030, the second paragraph of the instructions is replaced by the following:

‘When item Z0020 = 2, then report ‘0’;

- (k) In S.17.01.C0020 to C0170/R0290, C0180/R0290, C0020 to C0170/R0300, C0180/R0300, C0020 to C0170/R0310 and C0180/R0310, the second paragraph is replaced by the following:

‘This value shall be reported as a negative value when it reduces the technical provisions.’;

- (l) In S.19.01.C0180/R0100 to R0260 the instructions are replaced by the following:

‘Total ‘Sum of all years’ contains the sum of all data in rows (sum of all payments referred to the accident/underwriting year), including total.’;

- (m) In S.23.01 the row R0230/C0050 is added after R0230/C0040:

R0230/C0050	Deduction for participations in financial and credit institutions — Tier 3	This is the amount of the deduction for participations in financial and credit institutions that are deducted from Tier 3 in accordance with article 68 of Delegated Regulation (EU) 2015/35.’
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- (n) In S.23.01.R0500/C0010 the instructions are replaced by the following:

‘This is the sum of all basic own fund items, after deductions, and ancillary own fund items that meet the Tier 1, Tier 2 and Tier 3 criteria and that are therefore available to meet the SCR.’;

- (o) In S.23.01.R0500/C0020 the instructions are replaced by the following:

‘This is the sum of all basic own fund items, after deductions, that meet the criteria to be included in Tier 1 unrestricted items and that are therefore available to meet the SCR.’;

- (p) In S.23.01.R0500/C0030 the instructions are replaced by the following:

‘This is the sum of all basic own fund items, after deductions, that meet the criteria to be included in Tier 1 restricted items and that are therefore available to meet the SCR.’;

- (q) In S.23.01.R0500/C0040 the instructions are replaced by the following:

‘This is the sum of all basic own fund items, after deductions, and ancillary own fund items that meet the criteria to be included in Tier 2 and that are therefore available to meet the SCR.’;

- (r) In S.23.01.R0500/C0050 the instructions are replaced by the following:

‘This is the sum of all basic own fund items, after deductions, and ancillary own fund items that meet the criteria to be included in Tier 3 and that are therefore available to meet the SCR.’;

- (s) In S.23.01.R0510/C0010 the instructions are replaced by the following:

‘This is the sum of all basic own fund items, after deductions, that meet the Tier 1 and Tier 2 criteria and that are therefore available to meet the MCR.’;

- (t) In S.23.01.R0510/C0020 the instructions are replaced by the following:

'This is the sum of all basic own fund items, after deductions, that meet the criteria to be included in Tier 1 unrestricted items and that are therefore available to meet the MCR.';

- (u) In S.23.01.R0510/C0030 the instructions are replaced by the following:

'This is the sum of all basic own fund items, after deductions, that meet the criteria to be included in Tier 1 restricted items and that are therefore available to meet the MCR.';

- (v) In S.23.01.R0510/C0040 the instructions are replaced by the following:

'This is the sum of all basic own fund items, after deductions, that meet the criteria to be included in Tier 2 and that are therefore available to meet the MCR.';

- (w) In S.24.01.C0030, S.24.01.C0100, S.24.01.C0250, S.24.01.C0320, S.24.01.C0390, S.24.01.C0460, S.24.01.C0530 the second paragraph is replaced by the following:

'When the same Asset ID Code needs to be reported for one asset that is issued in 2 or more different currencies and the code in C0040 is defined by Asset ID code and the ISO 4217 alphabetic code of the currency, the Asset ID Code Type shall refer to option 99 and the option of the original Asset ID Code, as in the following example for which the code reported was ISIN code + currency: '99/1'.';

- (x) In S.29.01.01 — R0200 the title is replaced by the following:

'Variations due to net technical provisions';

- (y) In S.29.02.C0010/R0030 the second bullet point of the first paragraph of the instructions is replaced by the following:

'For those financial and subordinated liabilities redeemed during the reporting period, the difference between the redemption price and the Solvency II value as at the end of the last reporting period.';

- (z) In S.29.03.C0010–C0020/R0090; C0050–C0060/R0240 the first bullet point of the second paragraph of the instructions is replaced by the following:

'Consider the opening Best Estimate (cell C0010/R0010) including the adjustment to opening Best Estimate (cell C0010/R0010 to R0040) and the impact of unwinding of year N projected cash-flows (C0010/R0060 to R0080 and C0020/R0060 to R0080 respectively).';

- (aa) In S.29.04.Z0010 the instructions are replaced by the following:

'Lines of business (LoB) for which a split of the analysis per period will be required. The following close list shall be used:

1 — 1 and 13 Medical expense insurance

2 — 2 and 14 Income protection insurance

3 — 3 and 15 Workers' compensation insurance

4 — 4 and 16 Motor vehicle liability insurance

5 — 5 and 17 Other motor insurance

6 — 6 and 18 Marine, aviation and transport insurance

7 — 7 and 19 Fire and other damage to property insurance

8 — 8 and 20 General liability insurance

9 — 9 and 21 Credit and suretyship insurance

10 — 10 and 22 Legal expenses insurance

11 — 11 and 23 Assistance

12 — 12 and 24 Miscellaneous financial loss

25 — Non-proportional health reinsurance

26 — Non-proportional casualty reinsurance

27 — Non-proportional marine, aviation and transport reinsurance

28 — Non-proportional property reinsurance

37 — Life (including lines of business 29 to 34, as defined in Annex I to Delegated Regulation (EU) 2015/35)

38 — Health SLT (including lines of business 35 and 36);

(bb) In S.30.01.C0310 the instructions are replaced by the following:

‘The sum reinsured on a facultative basis is that part of the sum insured which is reinsured on a facultative basis. The amount shall be consistent with the Sum insured as specified in C0290 and reflects the maximum liability (100 %) for the facultative reinsurers.’;

(cc) In S.30.02.C0090 the instructions are replaced by the following:

‘Representing the activities of the broker involved, as considered by the undertaking. In case the activities are combined all activities must be mentioned separated by a ‘,’;

1 — Intermediary for placement

2 — Underwriting on behalf of

3 — Financial services’;

(dd) In S.30.02.C0220 the instructions are replaced by the following:

‘Representing the activities of the broker involved, as considered by the undertaking. In case the activities are combined all activities must be mentioned separated by a ‘,’;

1 — Intermediary for placement

2 — Underwriting on behalf of

3 — Financial services’;

(ee) In S.30.02.C0350 at the end of the instructions the following is added:

‘One of the options in the following closed list shall be used:

0 — Credit quality step 0

1 — Credit quality step 1

2 — Credit quality step 2

3 — Credit quality step 3

4 — Credit quality step 4

5 — Credit quality step 5

6 — Credit quality step 6

9 — No rating available’;

(ff) In S.30.04.C0090 the instructions are replaced by the following:

‘Representing the activities of the broker involved, as considered by the undertaking. In case the activities are combined all activities must be mentioned separated by ‘;’:

1 — Intermediary for placement

2 — Underwriting on behalf of

3 — Financial services’;

(gg) In S.30.04.C0310 the instructions are replaced by the following:

‘Identification of the code used for the ‘Collateral provider’ item. One of the options in the following closed list shall be used:

1 — LEI

9 — None’;

(hh) In S.36.03 the second paragraph of the general comments is replaced by the following:

‘The purpose of this template is to collect information on all IGTs (significant, very significant and transactions required to be reported in all circumstances) related to internal reinsurance within a group identified according to Article 213(2)(d) of Directive 2009/138/EC. These include, but are not limited to:’.

(4) Annex III to Implementing Regulation (EU) 2015/2450 is corrected as follows:

(a) In S.11.01 the 11th paragraph, second bullet, the 12th paragraph, second bullet and the 14th paragraph, second bullet of the general comments are replaced by the following:

‘— The assets held directly (i.e. not on a look-through basis) as collateral by participating insurance and reinsurance undertakings or insurance holding companies or mixed-financial holding companies shall be reported item by item;’;

(b) In S.11.01 the 15th paragraph, second bullet of the general comments is replaced by the following:

‘— The assets held directly (i.e. not on a look-through basis) as collateral by participating insurance and reinsurance undertakings or insurance holding companies or mixed-financial holding companies under method 2 shall be reported item by item;’;

(c) In S.11.01 the 11th paragraph, third bullet and 14th paragraph, third bullet of the general comments are replaced by the following:

‘— The assets held directly (i.e. not on a look-through basis) as collateral by undertakings consolidated in accordance with Article 335, paragraph 1, (a), (b) and (c) in of Delegated Regulation (EU) 2015/35 shall be reported item by item;’;

(d) In S.11.01 the 12th paragraph, third bullet of the general comments is replaced by the following:

‘— The assets held directly (i.e. not on a look-through basis) as collateral by insurance and reinsurance undertakings, insurance holding companies, ancillary services undertakings and special purpose vehicle which are subsidiaries (European Economic Area, equivalent non-European Economic Area and non-equivalent non-European Economic Area) shall be reported item by item by undertaking;’;

(e) In S.11.01 the 15th paragraph, third bullet of the general comments, is replaced by the following:

‘— The assets held directly (i.e. not on a look-through basis) as collateral by insurance and reinsurance undertakings, insurance holding companies, ancillary services undertakings and special purpose vehicle which are subsidiaries under method 2 (European Economic Area, equivalent non-European Economic Area and non-equivalent non-European Economic Area) shall be reported item by item by undertaking;’;

- (f) In S.23.01 the row R0230/C0050 is added (after R0230/C0040):

R0230/C0050	Deductions for participations in other financial undertakings, including non-regulated undertakings carrying out financial activities — Tier 3	This is the deduction of the participations in credit institutions, investment firms, financial institutions, alternative investment fund managers, UCITS management companies, institutions for occupational retirement provisions, non-regulated undertakings carrying out financial activities, including the participations that are deducted according to Article 228, paragraph 2 of the Directive 2009/138/EC. Those participations are deducted from basic own funds and added back as own funds according to the relevant sectoral rules in the rows from R0410 to R0440, thereby facilitating the calculation of SCR ratios both excluding and including other financial sector entities — Tier 3.'
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- (g) In S.23.01 the row R0440/C0050 is added (after R0440/C0040):

R0440/C0050	Total own funds of other financial sectors — Tier 3	Total of own funds in other financial sectors –Tier 3. The total own funds deducted in cell R0230/C0010 are brought back here after the adjustment for non-available own funds according to the relevant sectoral rules and after the deduction according to Article 228, paragraph 2 of the Directive 2009/138/EC.'
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- (h) In S.23.01.R0520/C0010 the instructions are replaced by the following:

'This is the total own funds of the undertaking, comprising basic own funds after deductions, plus ancillary own funds, that are available to meet the consolidated group SCR but excluding the own funds from other financial sector and from the undertakings included via D&A.;

- (i) In S.23.01.R0520/C0020 the instructions are replaced by the following:

'This is the own funds of the undertaking, comprising basic own funds after deductions, that are available to meet the consolidated group SCR but excluding the own funds from other financial sector and from the undertakings included via D&A and that meet the criteria to be included in Tier 1 unrestricted items.;

- (j) In S.23.01.R0520/C0030 the instructions are replaced by the following:

'This is the own funds of the undertaking, comprising basic own funds after deductions, that are available to meet the consolidated group SCR but excluding the own funds from other financial sector and from the undertakings included via D&A and that meet the criteria to be included in Tier 1 restricted items.;

- (k) In S.23.01.R0520/C0040 the instructions are replaced by the following:

'This is the own funds of the undertaking, comprising basic own funds after deductions, plus ancillary own funds, that are available to meet the consolidated group SCR but excluding the own funds from other financial sector and from the undertakings included via D&A and that meet the criteria to be included in Tier 2.;

- (l) In S.23.01.R0520/C0050 the instructions are replaced by the following:

'This is the own funds of the undertaking, comprising basic own funds after deductions, plus ancillary own funds, that are available to meet the consolidated group SCR but excluding the own funds from other financial sector and the undertakings included via D&A and that meet the criteria to be included in Tier 3.;

- (m) In S.23.01.R0530/C0010 the instructions are replaced by the following:

‘This is the total own funds of the undertaking, comprising basic own funds after deductions, that are available to meet the minimum consolidated group SCR, excluding the own funds from other financial sector and from the undertakings included via D&A.’;

- (n) In S.23.01.R0530/C0020 the instructions are replaced by the following:

‘This is the own funds of the undertaking, comprising basic own funds after deductions, that are available to meet the minimum SCR for a group and that meet the criteria to be included in Tier 1 unrestricted.’;

- (o) In S.23.01.R0530/C0030 the instructions are replaced by the following:

‘This is the own funds of the group, comprising basic own funds after deductions, that are available to meet the minimum SCR for a group and that meet the criteria to be included in Tier 1 restricted items.’;

- (p) In S.23.01.R0530/C0040 the instructions are replaced by the following:

‘This is the own funds of the undertaking, comprising basic own funds after deductions, that are available to meet the minimum SCR for a group and that meet the criteria to be included in Tier 2.’;

- (q) In S.23.01.R0680/C0010 the instructions are replaced by the following:

‘The group SCR is the sum of the consolidated group SCR calculated in accordance with Article 336, (a), (b), (c) and (d) of Delegated Regulation (EU) 2015/35 (R0590/C0010) and the SCR for entities included with D&A (R0670/C0010).’;

- (r) In S.25.02.C0070 the instructions are replaced by the following:

‘For each component this cell represents the amount calculated according to the partial internal model. Therefore, the amount calculated with the Standard Formula shall be the difference between the amounts reported in C0030 and C0070.’;

- (s) In S.32.01.C0140 the instructions are replaced by the following:

‘(Re)insurance undertakings shall report their underwriting performance in accordance with their financial statements. A monetary amount shall be reported. The currency used shall be the group reporting currency.’;

- (t) In S.32.01.C0150 the instructions are replaced by the following:

‘(Re)insurance undertakings shall report their investment performance in accordance with their financial statements. A monetary amount shall be reported. The currency used shall be the group reporting currency.

This value shall not include any value already reported in C0140.’;

- (u) In S.32.01.C0160 the instructions are replaced by the following:

‘All the related undertakings within the scope of group supervision, in the meaning of Article 212(1)(c) of Directive 2009/138/EC, shall report their total performance in accordance with their financial statements. A monetary amount shall be reported. The currency used shall be the group reporting currency.’;

- (v) In S.36.01, S.36.02, S.36.03 and S.36.04 the third paragraph of the general comments is deleted.

- (5) Annex IV to Implementing Regulation (EU) 2015/2450 is corrected as follows:

- (a) In Code 7 the definition is replaced by the following:

‘Money in the physical form, cash-equivalents, bank deposits and other money deposits’;

- (b) In Code 0 the definition is replaced by the following:

‘Other assets reported in ‘Other investments’.’

(6) Annex VI to Implementing Regulation (EU) 2015/2450 is corrected as follows:

(a) The codes 'Country', 'XV', 'XL' and 'XT' are replaced by the following:

First 2 positions — Assets listed in		Definition
Country	ISO 3166-1-alpha-2 country code	Identify the ISO 3166-1-alpha-2 country code where the asset is listed in. An asset is considered as being listed if it is negotiated on a regulated market or on a multilateral trading facility, as defined by Directive 2014/65/EU. If the asset is listed in more than one country or the undertaking uses for valuation purposes a price provider which is one of the regulated markets or multilateral trading facility where the asset is listed in, the country shall be the one of that regulated market or multilateral trading facility used as the reference for valuation purposes.
XV	Assets listed in one or more than one country	Identify assets that are listed in one or more countries but when the undertaking uses for valuation purposes a price provider which is not one of the regulated markets or multilateral trading facility where the asset is listed in.
XL	Assets that are not listed in a stock exchange	Identify assets that are not negotiated on a regulated market or on a multilateral trading facility, as defined by Directive 2014/65/EU.
XT	Assets that are not exchange tradable	Identify assets that by their nature are not subject to negotiation on a regulated market or on a multilateral trading facility, as defined by Directive 2014/65/EU.'

(b) After the row of code '0' (Other investments), a new row is added as follows:

'09	Other investments	Other assets reported in 'Other investments'
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COMMISSION IMPLEMENTING REGULATION (EU) 2016/1869**of 20 October 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, 20 October 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	124,3
	ZZ	124,3
0707 00 05	TR	153,1
	ZZ	153,1
0709 93 10	TR	145,1
	ZZ	145,1
0805 50 10	AR	87,6
	CL	82,6
	IL	72,6
	TR	96,1
	UY	48,9
	ZA	69,1
	ZZ	76,2
	BR	241,7
	EG	169,2
	TR	144,1
0806 10 10	US	261,8
	ZZ	204,2
0808 10 80	AR	240,2
	AU	237,5
	BR	124,9
	CL	189,0
	NZ	139,4
	ZA	156,9
	ZZ	181,3
0808 30 90	CN	58,1
	TR	154,5
	ZZ	106,3

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1870**of 20 October 2016**

fixing the allocation coefficient to be applied to the quantities on which applications for import licences and applications for import rights lodged from 1 to 7 October 2016 are based and establishing the quantities to be added to the quantity fixed for the sub-period from 1 April to 30 June 2017 under the tariff quotas opened by Regulation (EC) No 616/2007 for poultrymeat

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188 thereof,

Whereas:

- (1) Commission Regulation (EC) No 616/2007 ⁽²⁾ opened annual tariff quotas for imports of poultrymeat products originating in Brazil, Thailand and other third countries.
- (2) The quantities on which applications for import licences lodged from 1 to 7 October 2016 for the sub-period from 1 January to 31 March 2017 are based relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (3) The quantities on which applications for import rights lodged from 1 to 7 October 2016 for the sub-period from 1 January to 31 March 2017 are based relate, for some quotas, to quantities exceeding those available. The extent to which import rights may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 6(3) in conjunction with Article 7(2) of Regulation (EC) No 1301/2006.
- (4) The quantities on which applications for import licences and import rights lodged from 1 to 7 October 2016 for the sub-period from 1 January to 31 March 2017 are based relate, for some quotas, to quantities less than those available. The quantities for which applications have not been lodged should therefore be determined, and these should be added to the quantity fixed for the following quota sub-period.
- (5) In order to ensure the efficient management of the measure, 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

1. The quantities on which applications for import licences lodged pursuant to Regulation (EC) No 616/2007 for the sub-period from 1 January to 31 March 2017 are based shall be multiplied by the allocation coefficient set out in part A of the Annex hereto.
2. The quantities for which applications for import licences have not been lodged pursuant to Regulation (EC) No 616/2007, to be added to the sub-period from 1 April to 30 June 2017, are set out in part A of the Annex hereto.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 616/2007 of 4 June 2007 opening and providing for the administration of Community tariff quotas in the sector of poultrymeat originating in Brazil, Thailand and other third countries (OJ L 142, 5.6.2007, p. 3).

⁽³⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

Article 2

1. The quantities on which applications for import rights lodged pursuant to Regulation (EC) No 616/2007 for the sub-period from 1 January to 31 March 2017 are based shall be multiplied by the allocation coefficient set out in part B of the Annex hereto.
2. The quantities for which applications for import rights have not been lodged pursuant to Regulation (EC) No 616/2007, to be added to the sub-period from 1 April to 30 June 2017, are set out in part B of the Annex hereto.

Article 3

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, 20 October 2016.

For the Commission,

On behalf of the President,

Jerzy PLEWA

Director-General for Agriculture and Rural Development

ANNEX

PART A

Group No	Order No	Allocation coefficient — applications lodged for the sub-period from 1 January to 31 March 2017 (%)	Non-requested quantities to be added to the quantities available for the sub-period from 1 April to 30 June 2017 (in kg)
1	09.4211	0,288767	—
2	09.4212	0,583431	—
4A	09.4214 09.4251 09.4252	0,424630 0,391446 —	— — 6 421 831
6A	09.4216 09.4260	0,294900 0,333559	— —
7	09.4217	—	34 996 800
8	09.4218	—	9 276 800

PART B

Group No	Order No	Allocation coefficient — applications lodged for the sub-period from 1 January to 31 March 2017 (%)	Non-requested quantities to be added to the quantities available for the sub-period from 1 April to 30 June 2017 (in kg)
5A	09.4215 09.4254 09.4255 09.4256	0,510204 0,604596 83,333730 —	— — — 4 418 902

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2016/1871

of 28 September 2016

addressed to the Hellenic Republic on the specific urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No 604/2013 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) The transfer of applicants for international protection to Greece under Regulation (EU) No 604/2013 of the European Parliament and of the Council ⁽¹⁾ (hereafter 'the Dublin Regulation') has been suspended by Member States since 2011, following two judgments of the European Court of Human Rights (ECHR) and the Court of Justice of the European Union (CJEU) ⁽²⁾, which identified systemic deficiencies in the Greek asylum system, resulting in a violation of the fundamental rights of applicants for international protection transferred from other Member States to Greece under Council Regulation (EC) No 343/2003 ⁽³⁾.
- (2) The Committee of Ministers of the Council of Europe has been monitoring the situation in Greece since the *M.S.S v Belgium and Greece* judgment was delivered by the ECHR in 2011 on the basis of progress reports that Greece is required to submit as evidence of the execution of the judgment and on the basis of evidence from NGOs and international organisations, such as the United Nations High Commissioner for Refugees (UNHCR), that operate in Greece.
- (3) As a result of the *M.S.S* judgment, Greece committed to reform its asylum system on the basis of a national Action Plan on Asylum Reform and Migration Management presented in August 2010 and revised in January 2013 (hereafter 'the Greek Action Plan'). On 1 October 2015, Greece presented a Roadmap on the implementation of the relocation scheme and hotspots to the Council, which also outlines certain actions to be prioritised to ensure implementation of agreed pending actions in the areas of asylum and reception.
- (4) At the same time, the current refugee and migration crisis continues to place pressure on the Greek asylum and migration systems as the main country of first entry from the Eastern Mediterranean route. Between January and 12 September 2016, 165 202 migrants arrived irregularly in Greece ⁽⁴⁾. Even if the EU-Turkey Statement ⁽⁵⁾ has led to a significant decrease in the number of daily arrivals to Greece from Turkey ⁽⁶⁾, it has also placed new responsibilities on the Greek authorities. Furthermore, the situation in Greece has also changed significantly following the de facto closure of the Western Balkans route, preventing third-country nationals from onward travel. As a result, 60 528 irregularly arrived third-country nationals have become stranded in Greece ⁽⁷⁾. At the same time, the relocation schemes have not yet been fully implemented by Member States and have only partially relieved Greece of the pressure it is facing ⁽⁸⁾.

⁽¹⁾ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

⁽²⁾ *M.S.S v Belgium and Greece* (no 30696/09) and *NS v Secretary of State for the Home Department* C-411/10 & C-493/10.

⁽³⁾ Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (OJ L 50, 25.2.2003, p. 1) (which has been replaced by Regulation (EU) No 604/2013).

⁽⁴⁾ Frontex data of 12 September 2016.

⁽⁵⁾ EU-Turkey Statement, 18 March 2016.

⁽⁶⁾ See the Commission reports on the progress made in the implementation of the EU-Turkey Statement, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/index_en.htm

⁽⁷⁾ <http://www.media.gov.gr/index.php>, accessed on 27 September 2016.

⁽⁸⁾ Communication from the Commission to the European Parliament, the European Council and the Council, Sixth Report on Relocation and Resettlement, COM(2016) 636 final.

- (5) On 10 February 2016, the Commission addressed a first Recommendation to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under the Dublin Regulation, hereinafter 'the first Recommendation' ⁽¹⁾. On 15 June 2016, the Commission addressed a second Recommendation to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under the Dublin Regulation, hereafter 'the second Recommendation' ⁽²⁾. The Recommendations concluded that the situation in Greece still needed considerable improvement before a further assessment could be made by the Commission on the possible resumption of transfers to Greece under the Dublin Regulation.
- (6) On 14 July 2016, the Commission received from Greece a general overview of the situation of asylum applicants in Greece and the progress made on the outstanding issues identified in the second Recommendation.
- (7) The Greek authorities have received 28 752 lodged asylum applications from 1 January until 18 September 2016. On 1 September 2016, Greece informed the Commission of the successful ending of the so called pre-registration exercise which had begun on 8 June 2016 ⁽³⁾. The aim of this exercise was to register all those irregular third-country nationals having arrived in Greece before 20 March 2016 who wanted to apply for international protection but who had not yet been channelled into the asylum procedure by the Greek authorities. According to the available information ⁽⁴⁾, the Greek authorities have pre-registered 27 592 persons in the mainland during June and July 2016 as asylum seekers whose application remains to be lodged. Since 1 September 2016, the process of lodging these applications has commenced. A further 15 253 persons were pre-registered on the islands from 20 March to 18 September 2016, of whom 6 298 have now lodged an asylum application.
- (8) By letter of 19 September 2016, Greece provided the Commission with further information regarding the latest situation of asylum applicants in Greece and of the progress it has made to reform its asylum system. Greece also expressed concerns about the prospect of a possible resumption of Dublin transfers, given the current number of migrants stranded in Greece, most of whom have now been channelled into the asylum procedure, and the challenges it faces in implementing the EU-Turkey Statement. Greece equally pointed out that the number of relocations from Greece to other Member States remains well below the level foreseen in the Relocation Decisions.
- (9) The Commission has noted the improvements that Greece has made to national legislation to ensure that the new legal provisions of the recast Asylum Procedures Directive 2013/32/EU of the European Parliament and of the Council ⁽⁵⁾ and some of the recast Reception Conditions Directive 2013/33/EU of the European Parliament and of the Council ⁽⁶⁾ have been transposed. A new law (Law 4375/2016) was adopted by the Greek Parliament on 3 April 2016, but not all provisions have entered into force ⁽⁷⁾. On 22 June 2016, the Parliament approved an amendment to the Law 4375/2016 which, inter alia, modified the composition of the Appeals Committees and the right of asylum seekers to an oral hearing before them (Law 4399/2016) ⁽⁸⁾. On 31 August 2016, the Greek Parliament also adopted a law regarding school-aged refugee children residing in Greece (Law 4415/2016) ⁽⁹⁾.
- (10) Since the adoption of the two Recommendations, Greece has significantly increased its overall reception capacity for both irregular migrants and applicants for international protection. According to the daily information

⁽¹⁾ Commission Recommendation of 10 February 2016 addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No 604/2013 — C(2016) 871 final.

⁽²⁾ Commission Recommendation of 15 June 2016 addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No 604/2013 — C(2016) 3805 final.

⁽³⁾ <http://asylo.gov.gr/en/wp-content/uploads/2016/08/EN-01.08.2016-Press-Release-end-pre-registration.pdf>

⁽⁴⁾ http://asylo.gov.gr/en/wp-content/uploads/2016/08/Preregistration-data_template_5_EN_EXTERNAL.pdf

⁽⁵⁾ Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

⁽⁶⁾ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013, p. 96).

⁽⁷⁾ 'Law 4375/2016 on the Structure and Operation of the Asylum Service, The Appeals' Authority and the Reception and Identification Service, the establishment of a General Secretariat for Reception, the transposition into Greek legislation of Directive 2013/32/EU of the European Parliament and the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) and other provisions', available at: <http://www.hellenicparliament.gr/UserFiles/bcc26661-143b-4f2d-8916-0e0e66ba4c50/o-prosf-pap.pdf>

Implementing acts in the form of Ministerial or Co-Ministerial Decisions need to be adopted in order for the Greek authorities to be able to implement the Law in its entirety.

⁽⁸⁾ http://www.asylumineurope.org/sites/default/files/resources/n_4399.2016.pdf

⁽⁹⁾ https://www.alfavita.gr/sites/default/files/attachments/fek_ellinoglosi.pdf

released by the Greek authorities on 14 September 2016, there are 62 987 places available in temporary reception facilities for both irregular migrants and applicants for international protection in Greece ⁽¹⁾. On 14 July 2016, Greece informed the Commission that it is 'in a position to provide shelter, food and all basic services to the overwhelming majority of irregular migrants and asylum seekers stranded in Greece' and that it is engaged to 'provide adequate standard of living for the whole refugee population'.

- (11) Furthermore, Greece also provided information on 14 July about the plan to increase the accommodation for vulnerable applicants, in particular for unaccompanied minors. The intention was to establish 700 more places by the end of summer, in addition to the 622 places that existed in July, as well as to use separate spaces within the current sites with the help of EU financial support until new sites for unaccompanied minors are identified. However, this target was not attained: on 19 September 2016 Greece informed the Commission that 891 places are available in shelters for unaccompanied minors. These facilities are currently full and there is a waiting list for 1 487 unaccompanied minors who need to be placed in appropriate facilities ⁽²⁾. The progress is, therefore, slow in this area, and it is clear that Greece needs to step up its efforts to ensure that an appropriate number of reception facilities for unaccompanied minors are in place and deal with the demand for such accommodation.
- (12) Moreover, there are serious challenges as regards new arrivals in the Aegean islands. Maximum reception capacity remains 7 450 while the total number of registered migrants on the islands was 13 863 as of 27 September 2016. The reduced — though continuous — pace of new arrivals leads to safety, security and hygiene concerns, as well as inappropriate conditions for vulnerable groups.
- (13) Furthermore, the majority of the facilities in Greece are only temporary facilities and some provide only the most basic reception conditions for those who are accommodated there, such as food, water, sanitation and basic medical care. Whilst this may be sufficient for a very short period until individuals can be moved to better facilities, the conditions in some facilities still fall far short of the requirements stipulated in the Reception Conditions Directive 2013/33/EU for applicants for international protection.
- (14) In January 2016, a Delegation Agreement for a total of EUR 80 million was signed between the Commission and the UNHCR in order to establish 20 000 places in open accommodation (rental apartment schemes, hotel vouchers and family host programmes) primarily for the benefit of applicants for international protection eligible for relocation ⁽³⁾. The Delegation Agreement was revised in July 2016 in order to include in the accommodation scheme also the possibility to establish places in relocation sites managed by UNHCR, and to make it clearer in the text that the target group of the accommodation scheme includes not only relocation candidates but also other asylum seekers. Since June, the accommodation places available have been significantly increased (by around 5 600). Out of the 20 000 places committed for applicants eligible for relocation under the rental scheme by the UNHCR in December 2015, as of 19 September, 12 045 places were available, including 3 404 places in hotels/entire buildings, 6 559 places in apartments, 385 places in host families, and 507 places in dedicated facilities for unaccompanied minors ⁽⁴⁾.
- (15) It follows from the above that Greece still needs to make progress in establishing sufficient and adequate dedicated permanent open reception capacity for asylum applicants which is of an appropriate standard. According to the information given by Greece in a letter of 25 August, the total planned capacity of the 39 permanent sites in the mainland is estimated to be around 32 700 places. In the letter of 19 September, Greece affirmed that these new sites that meet dignified living conditions according to the EU standards have been identified and will be fully refurbished. It is imperative to effectively implement these plans as a matter of urgency, and given that some temporary facilities will be transformed into permanent ones, a sufficient capacity in terms of temporary facilities to accommodate any shortfall in capacity resulting from unexpected inflows is also maintained. Furthermore, as requested in the second Recommendation, it is necessary that the Greek authorities provide more exact data on the reception capacity and a comprehensive and continuously updated needs assessment in terms of total reception capacity and the nature of that capacity.

⁽¹⁾ <http://www.media.gov.gr/index.php>

<http://trse-smi.maps.arcgis.com/apps/MapSeries/index.html?appid=d5f377f7f6f2418b8ebadaae638df2e1>

These temporary emergency and permanent facilities are established on the Aegean islands in the hotspots as well as on the mainland.

⁽²⁾ <http://data.unhcr.org/mediterranean/country.php?id=83>

⁽³⁾ While priority will be given to applicants eligible for relocation, the activities will also benefit applicants for international protection who are awaiting to be reunified with family members under the Dublin Regulation in another EU Member State and persons seeking asylum in Greece, particularly of vulnerable categories including unaccompanied and separated children, persons with disabilities, elderly, single parents, chronically ill, pregnant women, etc.

⁽⁴⁾ <http://data.unhcr.org/mediterranean/country.php?id=83>

- (16) Substantial improvements have been noted for the establishment of the Regional Asylum Offices. Greece's law provides for the establishment of Regional Asylum Offices in the regions of Attica, Thessaloniki, Thrace, Epirus, Thessaly, Western Greece, Crete, Lesvos, Chios, Samos, Leros and Rhodes ⁽¹⁾. By decision of the Director of the Asylum Service it is also possible to set up Autonomous Asylum Units in order to cover increased needs of the Asylum Service. So far eight Regional Offices have become operational in the regions of Attica, Thrace, Thessaloniki, Lesvos, Samos, and Rhodes. Furthermore, two additional asylum units in Chios and Kos have been established, bringing the total number of asylum units to five. As the law stipulates, a further three Regional Asylum Offices are to become operational in the area of Kos, Epirus (Ioannina), Crete (Heraklio) and Thessaly (Volos). In addition, the Asylum Unit in Western Greece (Patra) is required to be upgraded to a Regional Asylum Office. A dedicated Relocation Unit in Alimos has also been set up and is operational since 26 September 2016.
- (17) In their reports, the Greek authorities have also informed the Commission that they were in the process of recruiting more staff for the Asylum Service to increase its processing capacity. According to the information provided on 14 July 2016, there were 350 members of staff working in the Asylum Service at that moment, which was twice as many as in 2015. One third is fixed-term contract staff, funded from different EU and EEA funding sources. The Greek Parliament has approved a further 300 posts for permanent members of staff to be hired over the forthcoming months. This is in addition to the fixed-term staff hired by the UNHCR and the Member States' experts deployed via EASO to the Greek Asylum Service for a fixed period.
- (18) In order to deal with the asylum applications lodged by the newly pre-registered asylum seekers, the Asylum Service is planning to recruit gradually from mid-September to mid-November 177 new staff to increase lodging and processing capacity accordingly: 56 officers will register applicants eligible for relocation, 25 officers will register applications falling under the scope of the Dublin Regulation, 7 officers will deal with the manifestly unfounded cases in an accelerated procedure, 60 officers will register and process applications for international protection under the regular procedure, and 29 officers will be deployed to various tasks of administrative and statistical nature.
- (19) Given the very significant increase in the number of asylum seekers channelled into the asylum procedure in Greece, it is clear that the current and planned staffing levels for the Asylum Service still fall far short of what is required to process the current and likely future case-load in an adequate manner, in particular as Greece has indicated in July that the examination of the applications lodged could take up to 3 years. The Greek authorities stated in the letter of 14 July 2016 that more rapid expansion of staffing is not feasible due to the lack of senior staff to train, mentor and supervise newly recruited ones. However, it would be important to ensure that the Asylum Service is further reinforced with substantially more staff and material resources for it to be able to process the increased number of asylum applications. To that end, a comprehensive and continuously updated needs assessment should be carried out that takes into account the number of asylum applications that is currently pending and that is likely to be handled by the Greek Asylum Service at any one time and the number of available staff required or likely to be required to process those applications. This will not only allow to estimate the human resources needed for the Asylum Service but also to assess how the Commission, its Agencies and also the Member States could best assist Greece in dealing with these applications in a shorter time limit.
- (20) In accordance with the M.S.S judgment, asylum seekers must be able to have an effective access to remedy against a negative decision on their claim. Important progress has been made in this regard. The Appeals Authority and Appeals Committees were established by Law 4375/2016 adopted in April 2016. An appropriate number of Appeals Committees should be established to allow the Appeals Authority to be fully functional by the end of 2016.
- (21) The recently adopted Law 4399/2016 establishes new Appeals Committees. They are responsible for examining all appeals against decisions of the Greek Asylum Service lodged as of 24 June 2016. As a priority, the Appeals Committees are focusing primarily on cases lodged on the Greek islands, so as to contribute to the implementation of the EU-Turkey Statement. The new Appeals Committees issued their first decisions in mid-August. There are currently five of them. Law 4399/2016 also amended the structure of these Committees which are now composed of three members: two judges of the Administrative Court and one Greek citizen with relevant background and experience to be put forward by UNHCR or the National Committee for Human Rights.

⁽¹⁾ Article 1(3) of Law 4375/2016.

- (22) The old 'Backlog' Appeal Committees that were established to hear asylum appeals from Greece's backlog of cases had been initially given an additional mandate to hear, in addition to substantive appeals on first instance decisions, the appeals against the decisions based on grounds of admissibility as part of the EU-Turkey Statement. The creation of additional Appeals Committees in June should alleviate the burden of the 20 'Backlog' Appeal Committees allowing them to accelerate the pace of the proceedings of the backlog appeal cases.
- (23) More progress has been made on the long-standing backlog of appeals under the 'old procedure' regulated by Presidential Decree 114/2010. The current backlog stands at approximately 8 075 cases as of 21 September 2016 (down from a total of approximately 51 000 cases that were considered as part of the backlog at the beginning of 2013 and approximately 13 975 cases in June 2016). The Greek authorities have granted permits for humanitarian purposes to persons whose applications for asylum have been pending for a considerable time and who are eligible to acquire residence permits on humanitarian or other exceptional grounds, according to the Greek Law 4375/2016. The residence permits are issued for a period of 2 years and can be renewed ⁽¹⁾. They provide to beneficiaries the same rights and benefits as to those granted subsidiary protection status in Greece ⁽²⁾, and these persons are then no longer considered as asylum applicants. Some of the backlog appeals are, however, examined as to their substance. Despite the significant progress made since the first Recommendation, Greece should continue its efforts to clear the backlog of pending appeals in this regard, ensuring that applicants with an outstanding appeal have an opportunity to exercise their right to an effective remedy.
- (24) Given the increase in the number of applications made in Greece since the implementation of EU-Turkey Statement, a fully staffed Appeals Authority, capable of handling an expected significant increase in the number of appeals, is all the more essential. A continuous needs assessment should also be carried out on the basis of the number of appeals that is currently pending in the different appeal bodies and that is likely to be handled by them.
- (25) The provision of free legal aid has been included in the new law (Law 4375/2016) for applicants at the appeal stage. However, all the measures to implement this law in practice have not yet been taken. A Ministerial Decision implementing the provision for legal aid under Law 4375/2016 was adopted on 9 September 2016, and according to the Greek authorities after the issuance of the decision all necessary steps should be taken quickly to provide free legal aid to all applicants at the appeal stage in Greece. Funding for the implementation of free legal assistance has been secured through their national programme under the Asylum, Migration and Integration Fund (AMIF). Additionally, a grant agreement was awarded to the UNHCR under AMIF emergency assistance funding for the total amount of EUR 30 million ⁽³⁾. This funding is, amongst other things, being used by the UNHCR to provide free legal assistance to applicants for international protection at the appeals stage until the beginning of 2017 when the Greek authorities are expected to put in place their own free legal aid scheme. On 19 September, Greece informed the Commission that the roster of lawyers to be maintained by the Asylum Service will be established by early 2017. Greece should take the necessary steps to guarantee the right to free legal aid in the asylum procedure without delay.
- (26) The new Law 4375/2016 provides for a new Directorate for Reception and a Directorate for Social Integration that both include specialised departments for the reception and integration of unaccompanied minors within the Ministry of Interior and Administrative Reconstruction, including the provision of a legal representative. Despite this, implementing measures still need to be adopted by the Greek authorities to ensure that appropriate procedural guarantees and reception conditions are provided in practice to unaccompanied minors. While a Ministerial Decision concerning the age assessment of unaccompanied minors seeking asylum has already been adopted by the Greek government ⁽⁴⁾, a further Presidential Decree that should include provisions for an efficient guardianship system still needs to be adopted.
- (27) NGOs have expressed concerns regarding the fact that many children in Greece are unable to access education. Progress in this respect was made by the adoption of Law 4415/2016 in August 2016 which aims, inter alia, at securing psychosocial support and education for the children of asylum seekers, as well as the smooth integration in the Greek educational system of those who will remain in Greece, following a preparatory, transitional period.

⁽¹⁾ Article 22(3), Law 4375/2016.

⁽²⁾ Article 28, Presidential Decree 114/2010.

⁽³⁾ The grant agreement was signed on 15 July 2016.

⁽⁴⁾ Ministerial Decision 1982/16.2.2016 (Official Gazette, B' 335).

It is essential that this legal framework is effectively and fully implemented as a matter of urgency. Moreover, according to certain NGOs, the situation for unaccompanied minors is in general precarious, with some citing that children are still held in detention for prolonged periods in crowded and unsanitary conditions without a representative or access to legal aid, until appropriate accommodation can be found for them ⁽¹⁾. As stated in Recital 11, the lack of appropriate accommodation for minors is an important problem which still needs to be urgently remedied.

- (28) The European Commission has provided substantial funding to Greece to support the country in its efforts to bring its asylum management system up to EU standards. Since the beginning of 2015, more than EUR 352 million in emergency assistance has been awarded through Home Affairs Funds (AMIF and Internal Security Fund (ISF)) to Greece, either directly to the Greek authorities or through Union Agencies and international organisations operating in Greece. Out of this amount, some EUR 90 million was directly awarded to the Greek authorities in July 2016 to strengthen their capacities to improve living conditions and provide primary healthcare services at refugee accommodation centres, as well as to provide reception and healthcare services to the migrants. Substantial funding (approximately EUR 198 million) aiming at covering the migrants' and refugees' basic humanitarian needs is also being provided to humanitarian partner organisations through the recently created Emergency Support Instrument. This funding contributes to the implementation of the emergency response plan developed together by the Commission, the Greek authorities and relevant stakeholders to address the ongoing humanitarian situation on the ground and the implementation of the EU-Turkey Statement.
- (29) This emergency assistance comes on top of the EUR 509 million allocated to Greece for the period 2014-2020 through its national programmes under the AMIF and ISF Funds, thus making Greece the first beneficiary of EU Home Affairs funds amongst EU Member States.
- (30) Greece should ensure that such financial resources are fully used in the most efficient and effective manner and without further delay. For that purpose, the ongoing revision of Greece's national programmes under the Home Affairs funds (AMIF, ISF) to adjust them to the new priorities should be urgently completed. The revision of the AMIF national programme is almost complete, with few outstanding issues still to be addressed before the approval process, which is expected to be launched very soon. As regards the revision of the ISF national programme, which is less advanced, a revised version of the programme should be urgently submitted to the Commission for formal consultation. In relation to the authority responsible for the management of those funds, which has been transferred from the Ministry of Interior and Administrative Reconstruction to the Ministry of Economy, Development and Tourism, Greece should now notify, without further delay, the completion of the formal designation of the new Responsible Authority, in accordance with the requirements set in the legal basis.
- (31) As acknowledged in the Commission's Communication of 4 March 2016 on 'Back to Schengen' ⁽²⁾, ensuring a fully functioning Dublin system is an indispensable part of the wider efforts needed to stabilise the asylum, migration and border policy. These efforts should lead to a return to a normal functioning of the Schengen area. It is therefore important that Greece takes as a matter of urgency the outstanding actions identified in this Recommendation. At the same time, reforming the Dublin rules as proposed by the Commission ⁽³⁾, based on the objective of solidarity and fair burden-sharing between Member States, should be a priority. Negotiations on this proposal are ongoing.
- (32) Regular reporting by Greece on the progress being made in implementing these actions, as well as other relevant elements including any forthcoming information obtained from UNCHR and other relevant organisations, will be essential in order to make a proper assessment of whether the conditions are such as to allow for Member States to resume individual transfers to Greece under the Dublin Regulation, bearing in mind that the volume of transfers and the categories of persons to be transferred should correspond to the specific progress made. Greece should provide an updated report by 31 October 2016 as set out in this Recommendation.
- (33) The Commission acknowledges the important progress made by Greece, assisted by the Commission, the European Asylum Support Office (EASO), Member States and international and non-governmental organisations (NGOs), to improve the functioning of the Greek asylum system since the adoption of the two Recommendations.

⁽¹⁾ Human Rights Watch, 'Why Are You Keeping Me Here?', September 2016 https://www.hrw.org/sites/default/files/report_pdf/greece0916_web.pdf

⁽²⁾ Communication from the Commission to The European Parliament, The European Council and The Council, 'Back to Schengen — A Roadmap', COM(2016) 120 final, 4 March 2016.

⁽³⁾ COM (2016) 270 final.

Greece has made significant efforts to put in place the essential institutional and legal structures for a properly functioning asylum system. The Commission recognises in particular that Greece has taken important steps to channel most of the irregular migrants either to the asylum or to the return procedure by the pre-registration exercise. Greece has also increased the overall reception capacity and the capacity of the Asylum Service, reduced significantly the backlog of appeals and established new Appeals Committees as well as adopted a legal framework on free legal aid and on access of minors to state education.

- (34) However, Greece is still facing a challenging situation in dealing with a large number of new asylum applicants, notably arising from the implementation of the pre-registration exercise and the continuing irregular arrivals of migrants, albeit at lower levels than before March 2016. There are moreover further important steps to be taken to remedy the remaining systemic deficiencies in the Greek asylum system, in particular given the capacity shortfalls. On the basis of the further progress achieved, a future resumption of transfers to Greece under the Dublin Regulation should take account of the impact this challenging situation has on the overall functioning of the asylum system, and should therefore start gradually, on a case by case basis. In this regard, it should be avoided that an unsustainable burden is placed on Greece.
- (35) This Recommendation sets out the measures that need to be taken or sustained by the Greek authorities in view of recommending such a gradual resumption of Dublin transfers by the end of December 2016. With this objective in mind, Greece should urgently take all of the steps set out in this Recommendation. The Commission envisages taking stock of the progress made in this regard and issuing further recommendations in December 2016. Those recommendations could set out what the Commission considers would be the appropriate scope and nature of such a gradual resumption of Dublin transfers, taking into account in particular the specific needs of vulnerable applicants, and regarding the manner in which the process could be managed, in close cooperation with the Greek authorities.
- (36) The responsibility for deciding on such resumption of transfers in individual cases lies exclusively with Member States' authorities under the control of the courts, which may make preliminary references to the European Court of Justice on the interpretation of the Dublin Regulation,

HAS ADOPTED THIS RECOMMENDATION:

Reception conditions and facilities

1. Greece should continue its efforts to ensure that the reception facilities are sufficient for accommodating all the applicants for international protection on its territory and that the reception conditions in all these reception facilities meet the standards set out in EU law, notably Directive 2013/33/EU. As a high priority Greece should:

- (a) implement fully the plans concerning the permanent open reception facilities that are capable of accommodating all applicants for international protection it receives or is likely to receive, and their dependants, for the duration of the asylum process;
- (b) create the necessary additional accommodation places for unaccompanied minors, in order to ensure that all unaccompanied asylum seeking minors are immediately placed in suitable accommodation and are not kept in sub-standard conditions in detention, and ensure those facilities are sustained;
- (c) effectively implement the new legislation concerning access of minors to the state education system for the duration of the asylum procedure;
- (d) ensure that applicants receive the necessary health care, which include at least emergency health care and essential treatment of illnesses and of serious mental disorders.

Greece should also ensure that, in addition to the permanent facilities, an appropriate number of temporary open reception facilities is kept available, or can be made available at short notice, to allow for the accommodation of unexpected inflows of applicants for international protection and their dependants in adequate conditions.

The Greek authorities should carry out a comprehensive needs assessment in terms of total reception capacity required, and the nature of that capacity, and continuously update this assessment in the light of new developments. The Greek authorities should also ensure effective and continuous management and coordination of all reception facilities, including the hotspots, and ensure that the responsible ministries have adequate resources for this purpose.

Access to and resources for the first instance asylum procedure

2. Greece should continue its efforts to ensure that all applicants for international protection have effective access to the asylum procedure in particular by:

- (a) identifying how many members of staff the Asylum Service is likely to require to process the intake of asylum applications within the deadlines specified in the Asylum Procedures Directive 2013/32/EU;
- (b) urgently step up the recruitment of staff to the Asylum service in order to be able to, as soon as possible, deal efficiently and timely with all the applications for international protection;
- (c) establishing additional Regional Asylum Offices in the region Leros and Crete (Heraklio), Thessaly and Epirus (Volos and Ioannina) and upgrading the currently operational Asylum Units in Leros and Western Greece (Patra) to Regional Asylum Offices as the law stipulates.

The needs assessment referred to in point (a) should be continuously updated and contain information on the number of staff recruited.

Appeals Authority

3. Greece should continue its efforts to ensure that effective remedy is available to all applicants for international protection, in particular by ensuring:

- (a) the full functioning of the new Appeals Authority by establishing the appropriate number of Appeals Committees;
- (b) the adequate human resources for the Appeals Authority and the committees, in order to deal with all pending and likely future appeals, including the appeals within the framework of the EU-Turkey Statement;
- (c) the clearance of all pending requests for judicial review of administrative decisions that are currently outstanding as soon as possible and in any event by the end of 2016.

The Greek authorities should identify, on the basis of a full and continuous needs assessment, the number of Appeals Committees under the new Appeals Authority that are needed in order to examine all appeals submitted by applicants for international protection and the number of human resources to continue the smooth-functioning of those Committees.

Legal aid

4. Greece should ensure that the legal framework concerning access to free legal aid is effective in practice and that all asylum applicants are provided with the necessary legal assistance for judicial review of administrative decisions on applications for international protection. In particular, Greece should:

- (a) effectively implement the Ministerial Decision for the provision of free legal aid services;
- (b) swiftly establish a contract for a register of lawyers who can provide these services to applicants at the appeal stage in Greece.

Treatment of unaccompanied minors and vulnerable persons during the asylum procedure

5. Greece should ensure the establishment of appropriate structures for the identification and treatment of vulnerable applicants, including unaccompanied minors. In particular Greece should:

- (a) urgently put in place a suitable guardianship procedure by adopting the necessary Presidential Decree for implementing the relevant provisions under Law 4375/2016;
- (b) establish and recruit the necessary staff for the Directorate for Reception and the Department for the protection of unaccompanied minors in order to urgently provide the necessary guarantees under the asylum acquis for family tracing, and legal representation;

- (c) ensure the procedures for identifying applicants with special procedural and reception needs are implemented in practice so that these applicants are provided with the necessary psychosocial support, particularly where they may have been victims of sexual violence and exploitation or trafficking.

Use of EU funding under national programmes

6. Greece should ensure that the substantial EU funding being provided is fully used, notably by mobilising without further delay the resources available under its AMIF and ISF national programmes and exploring complementary funding from Structural Funds. In this context, Greece should urgently complete the ongoing revision of the national programmes, to better adjust them to the new priorities, and notify without delay, the completion of the formal designation of the new Responsible Authority, in accordance with the requirements set in the legal basis.

Reporting on Actions Taken

7. Greece is requested to provide, by 31 October 2016, a report covering the progress in implementing this Recommendation and the Recommendations of 15 June and of 10 February 2016. The report should in particular include a description of the actions taken to implement the outstanding shortcomings identified in this Recommendation, including how the Greek authorities have, or plan to, put in place the necessary human and material resources referred to in paragraphs 1 to 5 of this recommendation. These reports should also include a description of the continuous needs assessments referred to in paragraphs 1 to 3 of this recommendation. The report should also include the following information:

- (a) the total current and planned permanent and temporary reception capacity for hosting applicants for international protection and the nature of that capacity;
- (b) the total number of asylum applications pending at first instance;
- (c) comprehensive data on all pending appeals, and issued decisions at second instance, including admissibility cases, by both the New Appeals Committees and the Backlog Appeal Committees;
- (d) the total number of current and planned staff for processing asylum applications registered with the Asylum Service and for the Directorate for Reception; and
- (e) the total current and planned number of staff and the number of Committees which the Appeals Authority has progressively made operational.

Done at Brussels, 28 September 2016.

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

