

Official Journal of the European Union

L 149



English edition

Legislation

Volume 60

13 June 2017

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⁽¹⁾ Text with EEA relevance.

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/987

of 30 May 2017

entering a name in the register of protected designations of origin and protected geographical indications (Ail violet de Cadours (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, France's application to register the name 'Ail violet de Cadours' 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 'Ail violet de Cadours' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Ail violet de Cadours' (PDO) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.6. — Fruit, vegetables and cereals, fresh or processed, 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 41, 8.2.2017, p. 22.

⁽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, 30 May 2017.

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

COMMISSION IMPLEMENTING REGULATION (EU) 2017/988**of 6 June 2017****laying down implementing technical standards with regard to standard forms, templates and procedures for cooperation arrangements in respect of a trading venue whose operations are of substantial importance in a host Member State****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU ⁽¹⁾, and in particular Article 79(9) thereof,

Whereas:

- (1) In order to allow the competent authorities of home and host Member States to efficiently carry out their duties under Directive 2014/65/EU in relation to the operations of a trading venue that have become of substantial importance in the host Member State, it is important to facilitate the cooperation between those authorities through the provision of standard forms, templates and procedures for establishing proportionate cooperation arrangements.
- (2) Competent authorities should use standard forms, templates and procedures as a basis for their cooperation arrangements, but should be able to adapt them in the form of bilateral or multilateral agreements to the individual circumstances of each case in order to set out appropriate supervisory cooperation.
- (3) The competent authorities of home and host Member States should follow standardised procedures for sending and processing requests for cooperation, for continuous information sharing, for consultation and for providing assistance, without prejudice to any further type of cooperation that those competent authorities may agree upon, including the coordination of decision-making.
- (4) Most cooperation arrangements should take place according to modalities governed by Commission Delegated Regulation (EU) 2017/589 ⁽²⁾. Standard forms, templates and procedures that permit adapting those arrangements should be laid down to achieve a higher degree of involvement of the competent authority of the host Member State where there is a higher impact on the securities markets and the investor protection in its jurisdiction.
- (5) The cooperation arrangements should build on best practices, including the principles set out in the guidelines on cooperation arrangements and information exchange between competent authorities and between competent authorities and the European Securities and Markets Authority (ESMA) ⁽³⁾ and the related multilateral memorandum of understanding on Cooperation Arrangements and Exchange of Information ⁽⁴⁾ to ensure that all areas relevant to efficient cooperation between competent authorities are encompassed and to draw from the expertise established by competent authorities and ESMA in ascertaining seamless cross-border cooperation.
- (6) As the degree of supervisory cooperation is dependent on the nature and scale of changes and developments in the operations or structure of the relevant trading venues, it is appropriate to provide for a minimum number of events for which the use of standardised forms, templates and procedures between home and host competent authorities should be the starting point to engage in proportionate cooperation arrangements.
- (7) Competent authorities should, when requesting assistance in the form of the taking of a statement, the opening of an investigation or carrying out of an on-site inspection, provide a clear explanation on why such assistance is needed to discharge a competent authority's duty.

⁽¹⁾ OJ L 173, 12.6.2014, p. 349.⁽²⁾ Commission Delegated Regulation (EU) 2017/589 of 19 July 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the organisational requirements of investment firms engaged in algorithmic trading (OJ L 87, 31.3.2017, p. 417).⁽³⁾ ESMA/2014/298. Available: <https://www.esma.europa.eu/databases-library/esma-library>⁽⁴⁾ ESMA/2014/608. Available: <https://www.esma.europa.eu/databases-library/esma-library>

- (8) In order to allow for the involvement of all relevant competent authorities, additional competent authorities should have the possibility to request becoming a party to an existing cooperation agreement in case the trading venue in respect of which that cooperation agreement has been concluded, due to subsequent commercial developments, becomes of substantial importance in additional host Member States.
- (9) Where, in exceptional circumstances, urgent action is required in order to fulfil obligations under Directive 2014/65/EU or Regulation (EU) No 600/2014 of the European Parliament and of the Council ⁽¹⁾, or to ensure the stability of markets in its Member State, standard agreements for cooperation arrangements should allow for a competent authority to reasonably delay fulfilling its obligations under such agreements.
- (10) For reasons of consistency and in order to ensure the smooth functioning of the financial markets, it is necessary that the provisions laid down in this Regulation and the related national provisions transposing Directive 2014/65/EU apply from the same date.
- (11) This Regulation is based on the draft implementing technical standards submitted by the ESMA to the Commission.
- (12) ESMA has requested the opinion of the Securities and Markets Stakeholder Group established by Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽²⁾ on the draft implementing technical standards on which this Regulation is based,

HAS ADOPTED THIS REGULATION:

Article 1

Format and use of standard forms, templates and procedures for cooperation arrangements

1. The home and host competent authorities of a trading venue whose operations have become of substantial importance within the meaning of Article 79(2) of Directive 2014/65/EU shall establish proportionate cooperation arrangements by a cooperation agreement as set out in Annex I.
2. The home and host competent authorities may adapt or complement the standard cooperation agreement set out in Annex I to ensure that its provisions are proportionate to the particular circumstances giving rise to the need for cooperation.
3. The home and host competent authorities shall send requests for cooperation by using the format provided for in Annex II and shall respond to those requests in the format provided for in Annex III.

Article 2

Entry into force and application

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

It shall apply from 3 January 2018.

⁽¹⁾ Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84).

⁽²⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

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

Done at Brussels, 6 June 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX I

Standard agreement for cooperation arrangements in case the operations of a trading venue become of substantial importance in a host Member State

For the purpose of establishing proportionate cooperation arrangements between **[host competent authority]** (the host authority) and **[home competent authority]** (the home authority) in relation to the operations of **[trading venue]** (the trading venue) which are of substantial importance for the functioning of securities markets and the protection of investors in **[host Member State]** (the host Member State), the home and host authorities (the Authorities) have reached the following agreement:

Article 1

Purpose and general provisions

The purpose of this agreement is to provide a framework for cooperation between **[home competent authority]** and **[host competent authority]** regarding the use of their respective powers in relation to the operations of **[trading venue]** which have become of substantial importance in **[host Member State]**. This agreement may complement other cooperation arrangements between the Authorities.

Article 2

Scope of cooperation

1. The Authorities have agreed to the following forms of cooperation:

[insert the cooperation forms agreed by the Authorities].

2. The Authorities have agreed to cooperate in respect of decisions relating to any of the following events where those events are relevant for the trading venue: [select the options below as relevant to the scope of the cooperation]

alliances, mergers, major acquisitions, opening or closing of the trading venue or of a significant part of the trading venue	
the changing, granting, denying or termination of access provisions for central counterparties and the trading venue	
changes of ownership amounting to a change of control, corporate structure, corporate governance and other integration or restructuring steps concerning the trading venue	
removals or appointments to the managing or supervisory board of the trading venue	
significant new trading rules or modification of existing trading rules concerning, in particular, market access for investors from the host Member State or listing of securities from listed companies from the host Member State	
significant changes to systems and controls of the trading venue, including IT systems, audit controls and risk management arrangements	
significant changes, including by way of outsourcing, to the financial, human or technology resources of the trading venue	

exercise of supervisory powers as described in points (e), (f), (h), (k), (l), (m) to (q), (s) and (t) of Article 69(2) of Directive 2014/65/EU of the European Parliament and of the Council ⁽¹⁾ , having a significant and material impact on the trading venue or its participants	
the imposition of sanctions for infringements referred to in Article 70 of Directive 2014/65/EU having a significant and material impact on the trading venue or its participants	
any other event [describe the event]	
⁽¹⁾ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).	

Article 3

Procedures for sending and processing requests for cooperation

1. A request for cooperation and a reply to a request for cooperation shall be made in writing in a durable medium. Both shall be addressed to the contact persons designated pursuant to paragraph 3.
2. The communication between the competent authority submitting a request for cooperation (the Requesting Authority) and the competent authority to which a request for cooperation has been sent (the Requested Authority) shall be made by the most expedient means, taking due account of confidentiality considerations, correspondence times, the volume of material to be communicated and the ease of access to the information by the Requesting Authority.
3. For the purpose of this agreement, each Authority shall designate one or several contact persons for communication purposes.
4. The Requesting Authority shall send its request for cooperation in the format provided for in Annex II to Commission Implementing Regulation (EU) 2017/988 ⁽¹⁾ and include the information contained in that Annex, identifying in particular the relevance of the cooperation sought for the functioning of markets or the protection of investors in the host Member State and any issues relating to the confidentiality of information that may be obtained. The Requested Authority shall promptly provide any clarification requested pursuant to paragraph 5(b).
5. The Requested Authority shall do all of the following upon receipt of a request for cooperation:
 - (a) acknowledge receipt of a request for cooperation as soon as possible and at least within 7 calendar days of its receipt, indicating the contact details of a contact person and, if possible at that stage, an estimated date of response;
 - (b) request further clarifications in whatever form as soon as possible, in case it has any doubt in relation to the content of the precise cooperation requested;
 - (c) promptly reply to the request for cooperation in the format set out in Annex III, providing the information required by that format.
6. As soon as a delay of more than 7 calendar days beyond the estimated date of response as communicated pursuant to paragraph 5(a) becomes apparent, the Requested Authority shall notify the Requesting Authority accordingly. Where the request has been designated by the Requesting Authority as urgent, the Authorities shall agree on the frequency of updates concerning that request.
7. The Authorities shall consult each other expeditiously in order to resolve any difficulties that may arise in executing a request, including costs issues.
8. To ensure constant improvement of cooperation, the Authorities shall, where appropriate, provide feedback to each other on the usefulness of cooperation received, the outcome of the case in relation to which the cooperation was sought and any problems encountered in providing such cooperation.

⁽¹⁾ Commission Implementing Regulation (EU) 2017/988 of 6 June 2017 laying down implementing technical standards with regard to standard forms, templates and procedures for cooperation arrangements in respect of a trading venue whose operations are of substantial importance in a host Member State (OJ L 149, 13.6.2017, p. 3).

*Article 4***Responding to a request for cooperation**

1. The Requested Authority shall take all appropriate steps to provide the cooperation requested without delay. The Requested Authority shall ensure that any necessary action proceeds expediently, while taking into account the complexity of the request and the necessity, where appropriate, to involve third parties or another Authority.
2. The Requested Authority may decline to act on a request for cooperation where it considers that such action would involve taking a measure contrary to law. In case the Requested Authority refuses to act, it shall notify the Requesting Authority using the template provided in Annex III to Implementing Regulation (EU) 2017/988, including a full description of the circumstances justifying its decision.

*Article 5***Procedures for ongoing cooperation arrangements**

1. The Authorities shall establish procedures for regular and ad hoc meetings attended by the designated contact persons for the purpose of administering the cooperation arrangements in an effective way.
2. The Requested Authority shall notify the Requesting Authority as soon as possible about the existence of any exceptional circumstances that may prevent it from fulfilling its obligations under this agreement and about actions, if any, taken in that respect.

*Article 6***Procedures for consultation**

1. The Authorities shall consult each other before taking decisions in the context of events selected under Article 2(2).
2. Where the Requested Authority notifies the Requesting Authority in accordance with Article 5(2) in relation to the events selected under Article 2(2), the Authorities shall at least consult each other on the supervisory approach and expected outcome taken for addressing the relevant event.

*Article 7***Procedures for assistance: requests for the taking of a statement from a person**

1. Where the Requesting Authority intends to request the taking of a statement of a person, it shall liaise with the authority it intends to send the request to as regards all of the following:
 - (a) any legal limitations or constraints and any differences in procedural requirements;
 - (b) the rights of the persons from which the statements will be taken, including where applicable, any self-incrimination issues;
 - (c) the need for participation of the Requesting Authority's staff as observers or as active participants;
 - (d) the role of the staff of the Requested Authority and Requesting Authority in the taking of the statement;
 - (e) the question of whether the person from which the statement will be taken has the right to be assisted by a legal representative and, if so, the scope of the representative's intervention during the taking of the statement including in relation to any records or report of the statement;
 - (f) the question of whether the statement will be taken on a voluntary or compelled basis;
 - (g) the question of whether the person from which the statement will be taken is a witness or a suspect;

- (h) the question of whether the statement could be used in criminal proceedings and, if known, whether it will be used in criminal proceedings;
 - (i) the admissibility of the statement in the Requesting Authority's jurisdiction;
 - (j) the recording of the statement and the applicable procedures;
 - (k) procedures on the certification or confirmation of the statement by the person providing the statement, including whether that certification or confirmation is to take place after the statement is taken;
 - (l) the delivery procedure of the statement by the Requested Authority to the Requesting Authority, including the requested format and time period.
2. The Authorities shall ensure that arrangements are in place for their operational staff to proceed efficiently and, in particular, to agree on all of the following:
- (a) planning of dates;
 - (b) any additional information that may be necessary;
 - (c) the list of questions to be asked to the person from which the statement will be taken and its review;
 - (d) travelling arrangements, including ensuring that the Authorities are able to meet to discuss the matter prior to the taking of the statement;
 - (e) language arrangements.

Article 8

Procedures for assistance: requests for an Authority to open an investigation or carry out an on-site inspection

1. Where the Requested Authority decides to open an investigation or carry out an on-site inspection upon request by the Requesting Authority, the supervisory and investigative steps taken by the Requested Authority shall remain the responsibility and within the overall control of the Requested Authority. The Requesting Authority and the Requested Authority may consult each other on the best way to give useful effect to the request to open an investigation or carry out an on-site inspection. The Requested Authority shall keep the Requesting Authority informed of the progress of the investigation or on-site inspection and deliver its findings as soon as possible.
2. Where a request for opening an investigation or carrying out an on-site inspection has been submitted, the Requesting Authority and the Requested Authority shall consult each other on the merits of conducting a joint investigation or a joint on-site inspection.
3. In deciding on whether to initiate a joint investigation or a joint on-site inspection, the Requesting Authority and the Requested Authority shall consider at least all of the following:
 - (a) any other requests for cooperation made by the Requesting Authority that might suggest that it is appropriate to carry out a joint investigation or a joint on-site inspection;
 - (b) whether they are separately conducting inquiries into a matter with cross-border implications which would be more suitable for a joint investigation or a joint on-site inspection;
 - (c) issues relating to double jeopardy;
 - (d) the legal and regulatory framework in each of their jurisdictions to ensure that they have a good understanding of the potential constraints and legal limitations on the conduct of a joint investigation or a joint on-site inspection and any proceedings which might follow, including any issues relating to the principle of *ne bis in idem*;
 - (e) the necessary measures as regards management and direction of the investigation or on-site inspection;
 - (f) steps for a joint fact-finding;
 - (g) the allocation of resources and appointment of investigators;

- (h) the actions to be taken, jointly or individually, by them;
 - (i) whether to establish a joint action plan and timings of work by each Authority;
 - (j) mutual sharing of information gathered and reporting on the outcomes of the individual actions taken;
 - (k) case-specific issues.
4. Where the Requesting Authority and the Requested Authority open a joint investigation or joint on-site inspection, they shall do all of the following:
- (a) agree on procedures for its conduct and conclusion;
 - (b) engage in an ongoing dialogue to coordinate the information gathering process and the fact-findings;
 - (c) work closely and cooperate with each other as to the conduct of the joint investigation or joint on-site inspection;
 - (d) provide assistance to each other in respect of subsequent enforcement proceedings to the extent legally permitted, including by coordinating any proceedings or other enforcement action related to the outcome of the joint investigation or joint on-site inspection (administrative, civil or criminal) or, where appropriate, the prospects of a settlement.
5. At the outset of a joint investigation or joint on-site inspection, the Requesting Authority and the Requested Authority shall consider at least all of the following:
- (a) the specific laws which will form the subject matter of the investigation or on-site inspection;
 - (b) the drawing up of a joint action plan, including milestones and the allocation of responsibilities in delivering the product of the work and taking into account each Authority's respective priorities;
 - (c) the identification and assessment of any legal limitations or constraints and any differences in procedures with respect to investigative or enforcement action or any other proceedings, including the rights of any person subject to investigation;
 - (d) the identification and assessment of specific legal professional privileges that may have an impact on the investigation proceedings as well as on the enforcement proceedings;
 - (e) the public and press strategy;
 - (f) the use of information provided or exchanged.

Article 9

Confidentiality restrictions and permissible uses of information

1. The Authorities acknowledge that any information that is exchanged between the Authorities is subject to Articles 76 and 78 of Directive 2014/65/EU.
2. The Authorities shall, subject to the applicable law and regulations in the relevant Member State, keep any non-public information related to cooperation arrangements or information exchange under this agreement confidential, including all of the following:
 - (a) the request for cooperation itself and the content of that request;
 - (b) any matter following such request, including any bilateral consultations between the Authorities and where appropriate, all the information regarding a refusal to establish cooperation arrangements;
 - (c) unsolicited information provided by an authority and the fact that such information was provided.
3. The Authorities shall ensure that their officials comply with the applicable confidentiality obligations.

4. Where, in order to execute a request for cooperation, the Requested Authority considers it necessary or desirable to disclose the fact that the Requesting Authority has made the request, the Requested Authority shall only make that disclosure after it has discussed the nature and extent of the required disclosure with the Requesting Authority and obtained its consent to the disclosure. Where the Requesting Authority does not provide its consent to the disclosure, the Requesting Authority shall instead be given the option of withdrawing its request.

Article 10

Amendment, supplementary provisions and review of this agreement

1. This agreement may be amended or supplemented by common written consent of the Authorities.
2. The Authorities shall regularly monitor and review the implementation of this agreement and carry out consultations with each other in order to improve its operation and to resolve possible difficulties.

Article 11

Additional parties

An Authority which becomes a host Authority after the entry into effect of this agreement may request becoming a party to it.

Article 12

Resolution of disputes

The Authorities shall endeavour to resolve any disputes between them on the cooperation requested or provided under this agreement or on the application of the procedures set out in it. If disputes in relation to the cooperation requested or provided cannot be resolved between the Requested Authority and the Requesting Authority, those authorities shall resolve them under the non-binding mediation mechanism provided for in Article 31(c) of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽¹⁾ establishing ESMA.

Article 13

Termination

1. This agreement shall be concluded for an unlimited period of time. It shall terminate in the event that the trading venue to which it relates ceases to be of substantial importance in the host Member State.
2. An authority seeking to withdraw from this agreement shall provide at least 30 calendar days' prior written notice to the other authority.
3. Any requests for information communicated before the effective date of its withdrawal will be processed under this agreement unless the withdrawing authority requests otherwise.
4. Following an authority's withdrawal from this agreement, that authority shall continue to apply the confidentiality protections set out in this agreement.

⁽¹⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

*Article 14***Publication**

The Authorities shall publish this Cooperation Arrangement on their respective websites. Any amendments or supplements made under Article 10 shall also be published.

*Article 15***Entry into effect**

This agreement shall be effective from the date of signature by the Authorities.

*Article 16***Signatures**

[home authority]

[host authority]

ANNEX II

Standard format for a request for cooperation

	Reference number:
	Date:
General information	
FROM:	
Member State:	
Requesting Authority:	
Legal address:	
 (Contact details of the designated contact person)	
Name:	
Telephone:	
Email:	
 TO:	
Member State:	
Requested Authority:	
Legal address:	
 (Contact details of the designated contact person)	
Name:	
Telephone:	
Email:	
 Dear <i>[insert appropriate name]</i>	
 In accordance with Article 1(3) of the Commission Implementing Regulation (EU) 2017/988 ⁽¹⁾ your urgent [delete if appropriate] assistance is sought in relation to the matter(s) set out in further detail below	
 I would be grateful for the above assistance by [insert indicative date for the reply and in case of an urgent request insert deadline for the information to be provided by] or, if that is not possible, for an indication as to when you anticipate being in a position to provide the assistance which is sought.	

(¹) Commission Implementing Regulation (EU) 2017/988 of 6 June 2017 laying down implementing technical standards with regard to standard forms, templates and procedures for cooperation arrangements in respect of a trading venue whose operations are of substantial importance in a host Member State (OJ L 149, 13.6.2017, p. 3).

Type of request for assistance

Please tick the appropriate box(es)

- (1) Provision of information ☐
- (2) Taking of a statement ☐
- (3) Opening of an investigation or a joint-investigation ☐
- (4) On-site inspection ☐
- (5) Other ☐

Background and reasons for the request for assistance

.....
.....
.....

[insert provision(s) of the sectoral legislation under which the Requesting Authority is competent to deal with the matter]

The request concerns assistance in

.....
.....
.....
.....
.....

[insert description of the subject matter of the request, the purpose for which the assistance is sought, facts underlying the investigation which form the basis of the request and explanation for its helpfulness]

Further to

.....
.....
.....
.....

[if applicable, insert details of the previous request in order to enable it to be identified]

1. Provision of information

(a) Description *[For reasons of consistency, it is suggested to separate the headings of sub-section from the instructions (in italics) for filling out those sub-sections.]*

.....
.....
.....
.....
.....

[Please provide a detailed description of the specific information sought with reasons why that information will be of assistance and, if known, a list of the persons considered possessing the information sought or the places where such information may be obtained.]

(b) Identification of the financial instruments concerned

[If the request concerns information relating to a transaction or order in a specific financial instrument, please provide the following information.]

Product ID:
[insert precise description of the financial instrument, including the ISIN code]

Person ID:
[insert the identity of any person connected with the transaction or order, including a person dealing in the financial instrument or on whose behalf the dealing is considered to have taken place]

Dates:
[insert the dates between which transactions or orders in those financial instruments took place including in the case of a significant period of time, reasons why the entirety of the time period is beneficial]

(c) Persons concerned

.....

[If the request concerns information relating to the business or activities of a person, please provide information as precise as possible to enable that person to be identified.]

(d) Special sensitivity

.....

[If there are special considerations on the sensitivity of the information sought, please provide an indication of the sensitivity of the information contained in the request and any special precautions that have to be taken in collecting the information due to investigatory considerations.]

(e) Additional information.

.....

[Whether the Requesting Authority has been or will be in contact with any other Authority or law enforcement agency in relation to the subject matter of the request or any other Authority which the Requesting Authority is aware of that has an active interest in the subject matter of the request.]

(f) Urgency

.....

[In case of an urgent request and the setting of any deadlines, please provide a full explanation of the urgency of the request and an explanation of any deadlines that the Requesting Authority has asked for the information to be provided by.]

2. Taking of a statement

(a) Statement under: oath ☐/affirmation ☐

(b) Need and purpose of the taking of a statement:

.....

(c) Name of person(s) from whom the statement is to be obtained:

.....
.....
.....

[Insert details of the persons from which the statement will be taken to enable the Requested Authority to begin the summoning process where applicable.]

(d) Detailed description of the information sought, including a preliminary list of questions (if available at the time of the request):

.....
.....
.....
.....

(e) Additional information:

.....
.....
.....
.....

[Whether the Requesting Authority's staff is requesting participation in the taking of the statement, details of the participating officials of the Requesting Authority, where appropriate, description of any legal and procedural requirements that must be complied with to ensure the admissibility of statements made in the interview in the jurisdiction of the Requesting Authority.]

3. The opening of an investigation or a joint-investigation

.....
.....
.....
.....
.....

[If the request concerns the opening of an investigation on behalf of the Requesting Authority, please provide information to enable the Requested Authority to assess whether it may have an interest in entering into a joint investigation, including the Requesting Authority's proposal for the joint investigation, its reasoning and the perceived benefits to the Requested Authority. Please include all relevant information required to enable the Requested Authority to provide the necessary assistance by opening an investigation or a joint investigation, as appropriate.]

4. The opening of an on-site inspection or a joint inspection

.....
.....
.....
.....

[If the request concerns the opening of an on-site inspection on behalf of the Requesting Authority, please provide information to enable the Requested Authority to assess whether it may have an interest in entering into a joint on-site inspection, including the Requesting Authority's proposal for the joint on-site inspection, its reasoning and the perceived benefits to the Requested Authority. Please include all relevant information required to enable the Requested Authority to provide the necessary assistance by opening an on-site inspection or a joint on-site inspection, as appropriate.]

.....
.....
.....

5. Confidentiality restrictions and permissible use of information

[Insert any necessary confidentiality warnings or any necessary restrictions on the permissible uses of information (provided those restrictions are compliant with Union law).]

Yours sincerely,

[signature]

ANNEX III

Standard format for a response to a request for cooperation

	Reference number:
	Date:
General information	
FROM:	
Member State:	
Requested Authority:	
Legal address:	
(Contact details of the designated contact person)	
Name:	
Telephone:	
Email:	
TO:	
Member State:	
Requesting Authority:	
Legal address:	
(Contact details of the designated contact person)	
Name:	
Telephone:	
Email:	
Dear <i>[insert appropriate name]</i>	
In accordance with Article 1(3) of Commission Implementing Regulation (EU) 2017/988 ⁽¹⁾ your request dated [dd.mm.yyyy] with reference <i>[insert request reference number]</i> has been processed by us.	
Information gathered	
.....	
.....	
.....	
.....	
<i>[If the information has been gathered, please set out the information here or provide an explanation of how it will be provided.]</i>	

(¹) Commission Implementing Regulation (EU) 2017/988 of 6 June 2017 laying down implementing technical standards with regard to standard forms, templates and procedures for cooperation arrangements in respect of a trading venue whose operations are of substantial importance in a host Member State (OJ L 149, 13.6.2017, p. 3).

The information provided is confidential and is disclosed to *[insert name of the Requesting Authority]* pursuant to the *[insert provision of the applicable sectoral legislation]* and on the basis that the information shall remain confidential in accordance with *[insert provision of the applicable sectoral legislation]*.

The *[insert name of the Requesting Authority]* requirements of the *[insert provision of the applicable sectoral legislation]* with respect to confidentiality restrictions and the permissible uses of that information apply.

.....
.....
.....

[Insert any other necessary confidentiality warnings or any necessary restrictions on the permissible uses of information (provided those restrictions are compliant with Union law)].

Yours sincerely,

[signature]

COMMISSION IMPLEMENTING REGULATION (EU) 2017/989**of 8 June 2017****correcting and amending Implementing Regulation (EU) 2015/2447 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾ (the Code), and in particular Articles 8, 11, 17, 25, 58, 63, 66, 76, 100, 132, 152, 157, 161, 165, 169, 181, 232, 236, 266, 268, 273 and 276 thereof,

Whereas:

- (1) Following the publication of Commission Implementing Regulation (EU) 2015/2447 ⁽²⁾, errors of different nature have been detected and need to be corrected. Correcting some of those errors requires amending certain other related provisions of that Implementing Regulation.
- (2) Recital 61 of Implementing Regulation (EU) 2015/2447 should correctly reflect the outcome of the vote on that Implementing Regulation in the Customs Code Committee, which did not deliver any opinion within the time limit laid down by its chair.
- (3) The wording of the following provisions of Implementing Regulation (EU) 2015/2447 should be corrected in order to make the provisions clearer but without introducing any new element: Articles 67(4), 87 (title), 102, 137 and 138, 143(2), 214, 220 and, 230(2), and Annex 21-01.
- (4) In a number of provisions of and Annexes to Implementing Regulation (EU) 2015/2447, the references to other legal provisions, including the reference to the provisions of the Code being implemented, should be corrected or be made more precise.
- (5) Article 67(1) of Implementing Regulation (EU) 2015/2447 should be corrected to include re-consignors as economic operators that can obtain the status of approved exporters, in line with Article 69 of that Implementing Regulation, which allows re-consignors to replace origin declarations made out by approved exporters by replacement of proofs of origin.
- (6) In order to ensure consistency with Article 55(4) and (6) of Commission Delegated Regulation (EU) 2015/2446 ⁽³⁾, the third subparagraph of Article 92(1) of Implementing Regulation (EU) 2015/2447 should be deleted.
- (7) In Article 110(3) of Implementing Regulation (EU) 2015/2447, on the subsequent verification of certificates of origin Form A and invoice declarations, Turkey is mentioned, together with Norway and Switzerland, as one of the countries to which request for subsequent verification may be sent. However, as the use of replacement proofs of origin is not provided for between the Union and Turkey, no request for subsequent verification of replacement proofs of origin issued or made out in Turkey will be sent to that country. Therefore, the reference to Turkey should be deleted.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

⁽³⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

- (8) Article 199(1)(g) of Implementing Regulation (EU) 2015/2447 should be corrected in order to complete the list of admissible means of proving the Union status of excise goods moving under a duty suspension arrangement in accordance with Council Directive 2008/118/EC ⁽¹⁾, by introducing a reference to the electronic administrative document and to the business continuity procedure referred to, respectively, in Articles 21 and 26 of that Directive. Those references were omitted by mistake.
- (9) Article 306(2) of Implementing Regulation (EU) 2015/2447 should be corrected. The provision should state that the Master Reference Number (MRN) of the transit declaration must be presented at the customs office of destination, and not at each customs office of transit, as the current wording of the Article wrongly states. The reference to the relevant provision of Delegated Regulation (EU) 2015/2446 should also be corrected. It should be made to the second paragraph of Article 184 of that Delegated Regulation instead of to Article 184(2).
- (10) The mistakes and omissions detected after the publication of Implementing Regulation (EU) 2015/2447 in Annexes A and B to that Implementing Regulation should be corrected.
- (11) Annex 12-01 to Implementing Regulation (EU) 2015/2447 should be corrected in order to ensure a harmonised format of the same data element throughout that Annex.
- (12) An Annex 12-03, determining the design of the tags to be affixed on hold baggage checked in a Union airport, should be included among the Annexes to Implementing Regulation (EU) 2015/2447, as it is mentioned in Article 44 of that Implementing Regulation but was mistakenly omitted.
- (13) In Annex 22-13 to Implementing Regulation (EU) 2015/2447, a grammatical error in the Hungarian version of the invoice declaration should be corrected.
- (14) In addition to the corrections, certain provisions need to be amended taking into account the changes to the related legal framework which occurred after the adoption of that Implementing Regulation. Thus, Article 2 of Implementing Regulation (EU) 2015/2447 should be aligned with Article 2 of Delegated Regulation (EU) 2015/2446 as amended by Delegated Regulation (EU) 2016/341 ⁽²⁾.
- (15) The procedure now laid down in Articles 57, 58 and 59 of Implementing Regulation (EU) 2015/2447 was originally created in 1989 in order to allow for a smooth and harmonised implementation of non-preferential country-allocated tariff quota. Those Articles correspond in essence to Articles 55 to 65 of Commission Regulation (EEC) No 2454/93 ⁽³⁾, which was applicable until 30 April 2016. Numerous Union Regulations opening non-preferential tariff quotas refer to Articles 56 to 65 of Regulation (EEC) No 2454/93. A correlation rule should therefore be introduced in Article 57 in respect of the references to the certificates of origin issued in accordance with Articles 55 to 65 of Regulation (EEC) No 2454/93 in other Regulations, avoiding having to separately amend each of those Regulations.
- (16) The text of Article 62 of Implementing Regulation (EU) 2015/2447 currently allows only for long term supplier's declarations to cover either a period in the past or in the future. The provision should be amended in order to introduce the possibility that a single long-term supplier's declaration covers both goods that have already been supplied by the date of issue of the declaration and goods that will be supplied afterwards. In order to make the rule clearer and easier to apply, the earliest and latest start date of the period covered by the long-term supplier's declaration should be set by reference to the date of issue of that declaration. Thus, although the maximum period covered by a declaration should be set at 24 months, this period should not go more than 12 months in the past or start later than 6 months after the issue date.

⁽¹⁾ Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC (OJ L 9, 14.1.2009, p. 12).

⁽²⁾ Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69, 15.3.2016, p. 1).

⁽³⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

- (17) Article 68 of Implementing Regulation (EU) 2015/2447 should be amended to make clear that, in the context of preferential arrangements with a third country where the Registered Exporter system (REX system) is applied, exporters completing documents on origin of consignments over EUR 6 000 should be registered exporters, unless the relevant preferential arrangements states a different value threshold. However, until the exporter is registered in the REX system and in any case no later than 31 December 2017, the exporter may continue to use his approved exporter number on documents on origin, without the need for a signature, for free trade agreements with third countries where otherwise the exporter would need to be registered.
- (18) Under the current text of Article 69 of Implementing Regulation (EU) 2015/2447, a registered exporter is not entitled to replace proofs of origin other than statements on origin with replacement statements on origin. However, as the long term objective is to replace the Approved Exporter system with the REX system, registered exporters should be able to replace with replacement statements on origin the same type of proofs of origin as approved exporters pursuant to Article 69(2) of that Implementing Regulation.
- (19) In Article 73 of Implementing Regulation (EU) 2015/2447, paragraph 3 should be added, requiring the Commission to send to beneficiary countries at their request specimen impression of stamps used in the Member States. That obligation is necessary for a smooth functioning of the rules on regional cumulation.
- (20) Article 80(4) of Implementing Regulation (EU) 2015/2447 should impose on the competent authorities of a beneficiary country or the customs authorities of the Member States the obligation to inform the registered exporter of modifications in his registration data in accordance with data protection rules.
- (21) In order to ensure coherence among the rules applying in the Union during the transitional period until the application of the REX system, Article 85 of Implementing Regulation (EU) 2015/2447 should provide until when approved exporters that are not yet registered in the REX system may make out invoice declarations for the purposes of bilateral cumulation. That date should be set to 31 December 2017, which is the end date for the Member States customs authorities to issue movement certificates EUR.1 and therefore the end of that transitional period.
- (22) Contrary to Norway and Switzerland, Turkey will not apply the REX system from 1 January 2017. Article 86(3) of Implementing Regulation (EU) 2015/2447 should therefore be amended to state that the registration for exporters in beneficiary countries will only be valid for the GSP scheme of Turkey when that country starts applying the REX system. In order to make the date of application of the REX system by Turkey known to the public, the Commission should be required to publish that date in the *Official Journal of the European Union*.
- (23) Article 158 of Implementing Regulation (EU) 2015/2447, establishing the level of the comprehensive guarantee, should be amended in order to provide more clarity as regards the basis for applying the reduction of comprehensive guarantees covering the import or export duties and the other charges. Article 158 should clearly distinguish the reduction that is provided in paragraph 3 of Article 95 of the Code to all Authorised Economic Operators with respect to the duties and charges that have been incurred, from the reductions provided in paragraph 2 of Article 95 of the Code. The latter are applicable with respect to the duties and charges that may be incurred, under the conditions in Article 84 of Delegated Regulation (EU) 2015/2446.
- (24) To prevent that an individual guarantee voucher is used following the revocation or cancellation of an undertaking provided for that voucher, a provision should be inserted in Article 161 of Implementing Regulation (EU) 2015/2447 stating that vouchers issued prior to the day of the revocation or cancellation of that undertaking may no longer be used for placing goods under the Union transit procedure.
- (25) As required by Article 8(3) of the Customs Convention on the International Transport of Goods under cover of TIR carnets ⁽¹⁾, including any subsequent amendments thereto (TIR Convention), Article 163 of Implementing Regulation (EU) 2015/2447 determines the limit up to which any guaranteeing association in the Union customs territory may become liable in relation to a particular TIR operation. Article 163 should be amended as a result of the announcement by the International Road Transport Union (IRU) that its global insurer has increased, for all Contracting Parties to the TIR Convention, the amount of covered guarantee from EUR 60 000 to EUR 100 000 per TIR carnet.

⁽¹⁾ OJ L 252, 14.9.1978, p. 2.

- (26) Article 231(11) of Implementing Regulation (EU) 2015/2447 should be amended to clarify that only the specific exchanges of information on controls laid down in paragraphs 5 and 6 of that Article are suspended until the relevant electronic systems are available. While the relevant electronic systems are not available, the obligation laid down in paragraphs 4 and 5 of Article 179 of the Code to perform and exchange information on controls should be fulfilled in accordance with Article 18 of Delegated Regulation (EU) 2016/341.
- (27) Article 329(8) of Implementing Regulation (EU) 2015/2447 should be deleted. It provides for certain exceptions from the general rule determining the customs office of exit for the export of goods that are subsequently placed under a transit procedure. Due to a renumbering error, Article 329(8) mistakenly refers to paragraph 4 of that same Article but the intention was never to provide for an exception for the goods that are loaded onto a vessel that is not assigned to a regular shipping service. To the extent that Directive 2008/118/EC applies where excise goods under suspension of excise duty are to be taken out of the Union territory, Article 329(8) of Implementing Regulation (EU) 2015/2447 should not refer to those goods either. Finally, no specific rule is needed to determine the customs office of exit where goods subject to export formalities with a view to refunds being granted on export under the common agricultural policy are released for export and then placed under a transit procedure. The reason is that, pursuant to Article 189 of Delegated Regulation (EU) 2015/2446, those goods can only be placed under an external transit procedure, which means that they lose their customs status as Union goods and become subject to strict customs supervision.
- (28) Currently, there are differences in how individual Member States treat exports followed by transit. In some Member States the exit confirmation is provided immediately upon placement of the goods in the transit procedure whereas in other Member States it is done only after the transit procedure has been discharged. The difference occurs both in external transit and other than external transit cases. Pursuant to Article 333(7) of Implementing Regulation (EU) 2015/2447, during the transitional period until the deployment of the UCC Automated Export System (AES), the customs office of exit may inform the customs office of export of the exit of the goods when those goods are placed under a transit procedure other than external transit until the day following the day in which the transit procedure has been discharged. That possibility should also be extended to goods placed under an external transit procedure so that, during the transitional period, the Member States in which the processes have been automated are allowed to continue their practice by issuing an exit confirmation either upon placement under a transit procedure or upon discharge of the transit procedure.
- (29) In order to facilitate the implementation in the respective electronic systems of the formats and codes of certain data requirements used in the context of declarations and notifications of Implementing Regulation (EU) 2015/2447, Annex B to that Implementing Regulation should be amended.
- (30) The printing instructions in Annex 22-02 and the introductory notes in Annex 22-14 to Implementing Regulation (EU) 2015/2447 should be amended to clarify until when the old versions of the forms may also be used. Those versions should in any case cease to be used after 1 May 2019.
- (31) In Annex 22-06 to Implementing Regulation (EU) 2015/2447, the additional contact details to be provided by economic operators applying to become registered exporters in Box 2 of the application form should be made optional because Box 1 of the application form already requires the provision of basic contact details. Besides, there should be a possibility not to sign or not to stamp the application form if the exporter and the customs authorities are electronically authenticated.
- (32) In Annexes 32-01, 32-02 and 32-03 to Implementing Regulation (EU) 2015/2447, the text of a guarantor's undertaking should take account of the accession by Serbia to the Common Transit Convention ⁽¹⁾ on 1 February 2016. Serbia should also be added to the list of the countries concerned in the respective boxes of the comprehensive guarantee certificate and the guarantee waiver certificate in Annex 72-04 to that Implementing Regulation.
- (33) In Annex 72-04 to Implementing Regulation (EU) 2015/2447, in order to ensure business continuity in the operation of the Union transit procedure, several provisions related to the validity of the guarantees should be introduced: a provision on the validity of the comprehensive guarantee certificate and of the guarantee waiver

⁽¹⁾ Convention on a common transit procedure (OJ L 226, 13.8.1987, p. 2).

certificate; a provision forbidding the use of certificates if the authorisation to use a comprehensive guarantee was revoked or if an undertaking provided in the case of a comprehensive guarantee was revoked and cancelled; and a provision on the communication by the Member States of the means of identification of valid certificates.

- (34) The corrections and amendments to Implementing Regulation (EU) 2015/2447 laid down in this Regulation should enter into force as soon as possible in order to avoid any legal uncertainty on the correct version of the provisions in force.
- (35) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Corrections to Implementing Regulation (EU) 2015/2447

Implementing Regulation (EU) 2015/2447 is corrected as follows:

- (1) Recital 61 is replaced by the following:

‘(61) The Customs Code Committee has not delivered an opinion within the time limit laid down by its chair.’.

- (2) In the second subparagraph of Article 7(4), the words ‘Delegated Regulation (EU) 2015/2446 establishing transitional rules for certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council, laying down the Union Customs Code where the relevant electronic systems are not yet operational’ are replaced by ‘Delegated Regulation (EU) 2016/341’.

- (3) In Article 12(1), the words ‘Article 22’ are replaced by the words ‘Article 22(2)’.

- (4) Article 67 is corrected as follows:

- (a) in paragraph 1, the words to ‘exporters established in the customs territory of the Union’ are replaced by the words ‘exporters and re-consignors established in the customs territory of the Union’;

- (b) in paragraph 4, the words ‘be preceded by’ are replaced by the words ‘begin with the’;

- (c) in paragraph 6, the words ‘Annex 22-09’ are replaced by the words ‘Annex 22-13’.

- (5) Article 70 is corrected as follows:

- (a) in paragraph 2, point (c) and point (d) are designated as point (a) and point (b), respectively;

- (b) paragraph 4 is replaced by the following:

‘4. Where a country or territory has been removed from Annex II to Regulation (EU) No 978/2012 of the European Parliament and of the Council (*), the rules and procedures laid down in Article 55 of Delegated Regulation (EU) 2015/2446 and the obligations laid down in Articles 72, 80 and 108 of this Regulation shall continue to apply to that country or territory for a period of 3 years from the date of its removal from that Annex.

(*) Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012, p. 1).’.

- (6) In Article 75(1), the words ‘Article 67(2) of this Regulation’ are replaced by the words ‘Article 71(2)’.

(7) In Article 77(1)(b), the words ‘of Delegated Regulation (EU) 2015/2446’ are deleted.

(8) Article 87 is replaced by the following:

‘Article 87

Registered exporter system: Publication requirement

(Article 64(1) of the Code)

The Commission shall publish on its website the date on which beneficiary countries start applying the REX system. The Commission shall keep the information up-to-date.’

(9) In Article 89, the title is replaced by the following:

‘Revocation of registration’.

(10) In Article 90, the title is replaced by the following:

‘Automatic revocation of registrations when a country is withdrawn from the list of beneficiary countries’.

(11) In Article 92(1), the third subparagraph is deleted.

(12) Article 102 is corrected as follows:

(a) in paragraph 2, the word ‘incomplete’ is replaced by ‘simplified’;

(b) in paragraph 3(b), the words ‘of Delegated Regulation (EU) 2015/2446’ are deleted.

(13) Article 110(3) is replaced by the following:

‘3. When a request for subsequent verification has been made, such verification shall be carried out and its results communicated to the customs authorities of the Member States within a maximum of 6 months or, in the case of requests sent to Norway or Switzerland for the purpose of verifying replacement proofs of origin made out in their territories on the basis of a certificate of origin Form A or an invoice declaration made out in a beneficiary country, within a maximum of 8 months from the date on which the request was sent. The results shall be such as to establish whether the proof of origin in question applies to the products actually exported and whether these products can be considered as products originating in the beneficiary country.’

(14) In Article 119(4), the words ‘of Delegated Regulation (EU) 2015/2446’ are deleted.

(15) Article 126 is corrected as follows:

(a) in paragraph 1, the words ‘This Subsection’ are replaced by the words ‘Subsections 10 and 11’;

(b) in paragraph 3, the words ‘this Subsection’ are replaced by the words ‘Subsections 10 and 11’.

(16) In Article 137(4)(b), the words ‘other means of transport’ are replaced by the words ‘other modes of transport’.

(17) In Article 138(1), the words ‘the same means of transport’ are replaced by the words ‘the same mode of transport’.

(18) In Article 143(2), the words ‘apportioned cost’ are replaced by the words ‘apportioned value’.

(19) In Article 164, the subtitle is replaced by the following:

‘(Articles 226(3)(b) and (c) and 227(2)(b) and (c) of the Code)’.

(20) In Article 186, the subtitle is replaced by the following:

‘(Article 128 of the Code)’.

(21) Article 187 is corrected as follows:

(a) the subtitle is replaced by the following:

‘(Article 128 of the Code)’;

(b) in paragraph 4, point (a) is replaced by the following:

‘(a) for all the goods carried by the vessel or aircraft concerned, an entry summary declaration shall be lodged at the first Union port or airport. The customs authorities at that port or airport shall carry out the risk analysis for security and safety purposes for all the goods carried by the vessel or aircraft concerned. Additional risk analyses may be carried out for those goods at the port or airport at which they are discharged.’.

(22) In Article 192, the following subtitle is inserted:

‘(Article 145 of the Code)’.

(23) Article 199(1)(g) is replaced by the following:

‘(g) the excise declaration data referred to in Articles 21, 26 and 34 of Council Directive 2008/118/EC (*);

(*) Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC (OJ L 9, 14.1.2009, p. 12).’.

(24) Article 214 is replaced by the following:

‘Article 214

Products of sea-fishing and goods obtained from such products transhipped and transported through a country or territory which is not part of the customs territory of the Union

(Article 153(2) of the Code)

1. Where, before arriving to the customs territory of the Union, the products or goods referred to in points (d) and (e) of Article 119(1) of Delegated Regulation (EU) 2015/2446 have been transhipped and transported through a country or territory which is not part of the customs territory of the Union, a certification by the customs authority of that country or territory that the products or goods were under customs supervision while in that country or territory and have undergone no handling other than that necessary for their preservation shall be presented for those products and goods on their entry into the customs territory of the Union.

2. The certification required in accordance with paragraph 1 shall be made out on a printout of the fishing logbook referred to in Article 133 of Delegated Regulation (EU) 2015/2446, accompanied by a printout of the transhipment declaration, as appropriate.’.

(25) The title of Article 220 is replaced by the following:

‘Items of correspondence and goods in postal consignments’.

(26) In Article 229(1), the words ‘Article 15’ are replaced by the words ‘Article 14’.

(27) Article 230(2) is replaced by the following:

‘2. The customs authority competent to take a decision shall make available all relevant information at its disposal to the customs authorities of the other Member States regarding the customs-related activities of the holder of the authorisation for centralised clearance.’.

- (28) In Article 251(3), the words ‘Article 166 of Regulation (EU) No 952/2013’ are replaced by ‘Article 166 of the Code’.
- (29) In Article 277(1)(a), the words ‘Article 268’ are replaced by the words ‘Article 275’.
- (30) In the first subparagraph of Article 280(6), the words ‘Article 267’ are replaced by the words ‘Article 274’.
- (31) In Article 291, the subtitle is replaced by the following:
- ‘(Articles 6(3)(b), 226(3)(a) and 227(2)(a) of the Code)’.
- (32) In Article 294, the subtitle is replaced by the following:
- ‘(Articles 226(3)(a) and 227(2)(a) of the Code)’.
- (33) In Article 295, the subtitle is replaced by the following:
- ‘(Article 226(3)(a) of the Code)’.
- (34) Article 306(2) is replaced by the following:
- ‘2. With respect to the presentation of the MRN of the transit declaration at the customs office of destination, the second paragraph of Article 184 of Delegated Regulation (EU) 2015/2446 shall apply.’.
- (35) In Article 308(2), the words ‘Article 305’ are replaced by the words ‘Article 312’.
- (36) In Article 312(3), the words ‘Article 300’ are replaced by the words ‘Article 307’.
- (37) In Article 313, the subtitle is replaced by the following:
- ‘(Article 233(4)(a),(b),(c) and (e) of the Code)’.
- (38) In Article 314(2)(a), the words ‘Article 291’ are replaced by the words ‘Article 298’.
- (39) In the second paragraph of Article 319, the words ‘Article 15’ are replaced by the words ‘Article 14’.
- (40) In Article 331, paragraph 3 becomes paragraph 2.
- (41) Article 345(4) is replaced by the following:
- ‘4. By derogation from paragraph 1, Single Authorisations for Simplified Procedures (SASP) issued in accordance with Regulation (EEC) No 2454/93 and still valid on 1 May 2016 shall remain valid until the respective dates of deployment of the CCI and AES referred to in the Annex to Implementing Decision 2016/578/EU.’
- (42) In Annex A, Title I ‘Formats of the common data requirements for applications and decisions’ is corrected as follows:
- (a) in the row corresponding to data element ‘2/4 Attached documents’, the wording in the columns ‘D.E. format (Type/length)’ and ‘Cardinality’ is replaced by the following:

‘Total number of documents: n..3 +	1x
Document type: an..70 + Document identifier: an..35 + Document date: n8 (yyyymmdd)	999x’;

- (b) in the row corresponding to data element '5/3 Goods quantity', the wording in the column 'Cardinality' is replaced by the following:

'999x

As regards decisions relating to binding information: 1x';

- (c) in the row corresponding to data element '7/2 Type of customs procedures', in the column 'Notes', the following paragraph is added:

'Where the authorisation is intended to be used for the operation of customs warehouses, the following codes shall be used:

— code 'XR' for a public customs warehouse type I,

— code 'XS' for a public customs warehouse type II,

— code 'XU' for a private customs warehouse.'

- (43) In Annex B, Title I 'Formats and cardinality of the common data requirements for declarations and notifications' is corrected as follows:

- (a) in the row corresponding to data element '5/30 Place of acceptance', the text in the column 'Notes' is replaced by the following:

'Where the place of acceptance is coded according to the UN/LOCODE, the information shall be the UN/LOCODE as defined in Title II for D.E. 5/6 Office of destination (and country). Where the place of acceptance is not coded according to the UN/LOCODE, the country where the place of acceptance is located is identified by the code as defined in Title II for D.E. 3/1 Exporter.';

- (b) in the rows corresponding to data elements '7/9 Identity of means of transport on arrival', '7/14 Identity of active means of transport crossing the border' and '7/16 Identity of passive means of transport crossing the border', the text in the column 'Notes' is replaced by the following

'The codes defined in Title II for D.E. 7/7 Identity of means of transport at departure shall be used for the type of identification.';

- (c) in the row corresponding to data element '8/3 Guarantee reference', the text in the column 'D.E. format (Type/length)' is replaced by the following:

'GRN: an..24 +

Access code: an..4 +

Currency code: a3 +

Amount of import or export duty and, where first subparagraph of Article 89(2) of the Code applies, other charges: n..16,2 +

Customs office of guarantee: an8

OR

Other guarantee reference: an..35+

Access code: an..4 +

Currency code: a3 +

Amount of import or export duty and, where first subparagraph of Article 89(2) of the Code applies, other charges: n..16,2 +

Customs office of guarantee: an8'.

(44) In Annex B, Title II ‘Codes in relation with the common data requirements for declarations and notifications’ is corrected as follows:

- (a) in data element ‘1/1 Declaration type’, for the codes ‘EX’ and ‘IM’, the first sentence of the description is replaced by the following:

‘For trade with countries and territories situated outside of the customs territory of the Union.’;

- (b) data element ‘1/10. Procedure’ is corrected as follows:

- (i) in the description of code ‘68’, the following text is added:

‘Explanation: This code is to be used for goods which are subject to both VAT and excise duties and where only one of those categories of taxes is paid when the goods are released for free circulation.’;

- (ii) the description of code ‘78’ is replaced by the following:

‘Placing of goods under free-zone. (a)’;

- (c) data element ‘1/11. Additional procedure’ is corrected as follows:

- (i) in the section ‘Temporary admission’, the description of code ‘D18’ in the column ‘Procedure’ is replaced by the following:

‘Goods subject to tests, experiments or demonstrations.’;

- (ii) in the section ‘Temporary admission’, the description of code ‘D20’ in the column ‘Procedure’ is replaced by the following:

‘Goods used to carry out tests, experiments or demonstrations without financial gain (six months).’;

- (iii) in the section ‘Other’, the code ‘F42’ in the column ‘Code’ is replaced by the code ‘F44’;

- (iv) in the section ‘Other’, the following rows are inserted after the row relating to code ‘F45’:

‘Use of the original tariff classification of the goods in situations provided for in Article 86(2) of the Code	F46
Simplification of the drawing-up of customs declarations for goods falling under different tariff subheadings provided for in Article 177 of the Code	F47’;

- (v) in the section ‘Other’, the following row is inserted after the row relating to code ‘F61’:

‘Simplification of the drawing-up of customs declarations for goods falling under different tariff subheadings provided for in Article 177 of the Code	F65’;
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- (d) data element ‘4/3. Calculation of taxes’ is corrected as follows:

- (i) the name of the data element is replaced by the following:

‘4/3. Calculation of taxes — Tax type’;

- (ii) the description of code ‘A00’ is replaced by the following:

‘Import duty’

- (iii) the description of code 'C00' is replaced by the following:
- 'Export duty';
- (iv) the row relating to code 'C10' is deleted;
- (e) the name of data element '4/8. Calculation of taxes' is replaced by the following:
- '4/8. Calculation of taxes — Method of payment'.
- (45) In Annex 12-01, in Title I 'Formats of the common data requirements for the registration of economic operators and other persons', in the row corresponding to data element '11 Date of establishment', in the column 'D.E. format (Type/length)', the text '(yyyymmdd)' is added.
- (46) Annex 12-03 is inserted as set out in Annex I to this Regulation.
- (47) Annex 21-01 is corrected as follows:
- (a) in the row corresponding to data element 3/2, the text in column 'D.E. name' is replaced by 'Exporter Identification N°';
- (b) in the row corresponding to data element 3/10, the text in column 'D.E. name' is replaced by 'Consignee Identification N°';
- (c) in the row corresponding to data element 3/16, the text in column 'D.E. name' is replaced by 'Importer Identification N°';
- (d) in the row corresponding to data element 3/18, the text in column 'D.E. name' is replaced by 'Declarant Identification N°';
- (e) in the row corresponding to data element 3/39, the text in column 'D.E. name' is replaced by 'Holder of the authorisation identification n°'.
- (48) Annex 22-02 is corrected as follows:
- (a) the following printing instruction is added:
- '4. Old versions of the forms may also be used until existing stocks are exhausted or until 1 May 2019, whichever is the earliest.';
- (b) in the first sentence of Note 4, the word 'Community' is replaced by the word 'Union'.
- (49) Annex 22-06 is replaced by the text in the Annex II to this Regulation.
- (50) In Annex 22-07, the first paragraph under the heading 'Statement on origin' is replaced by the following:
- 'To be made out on any commercial documents showing the name and full address of the exporter and consignee as well as a description of the products and the date of issue ⁽¹⁾.
- ⁽¹⁾ Where the statement on origin replaces another statement in accordance with paragraphs (2) and (3) Article 101 of Implementing Regulation (EU) 2015/2447, the replacement statement on origin shall bear the mention 'Replacement statement' or 'Attestation de remplacement' or 'Comunicación de sustitución'. The replacement shall also indicate the date of issue of the initial statement and all other necessary data in accordance with the second subparagraph of Article 101(1) of Implementing Regulation (EU) 2015/2447.'
- (51) Annex 22-09 is replaced by the text in Annex III to this Regulation.
- (52) In Annex 22-13, the Hungarian version of the invoice declaration is replaced by the following:
- 'A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: ... ⁽¹⁾) kijelentem, hogy eltérő egyértelmű jelzés hiányában az áruk preferenciális ... ⁽²⁾ származásúak.'
- (53) In Annex 23-02, the title of the table after paragraph 10 is replaced by the following:
- 'LIST OF GOODS REFERRED TO IN ARTICLE 142(6)'.

- (54) In Annex 32-06, the word 'Front' is inserted between the heading 'Union/common transit' and the first box.
- (55) In Annex 61-03, the first paragraph and the introductory sentence of the second paragraph are replaced by the following:
- 'For the purposes of Article 252, the net weight of each consignment of fresh bananas shall be determined by authorised weighers at any place of unloading in accordance with the procedure laid down below.
- For the purposes of this Annex and of Article 252, the following definitions shall apply:'.
- (56) In Annex 62-02, the first page of the original and the copy of the 'Form INF 3 — Returned goods information sheet' is replaced by the form as set out in Annex IV.

Article 2

Amendments to Implementing Regulation (EU) 2015/2447

Implementing Regulation (EU) 2015/2447 is amended as follows:

- (1) Article 2 is replaced by the following:

'Article 2

Formats and codes for common data requirements

(Article 6(2) of the Code)

1. The formats and codes for the common data requirements referred to in Article 6(2) of the Code and in Article 2 of Delegated Regulation (EU) 2015/2446 for the exchange and storage of information required for applications and decisions are set out in Annex A to this Regulation.
2. The formats and codes for the common data requirements referred to in Article 6(2) of the Code and in Article 2 of Delegated Regulation (EU) 2015/2446 for the exchange and storage of information required for declarations, notifications and proof of customs status are set out in Annex B to this Regulation.
3. By way of derogation from paragraph 1 of this Article, until the date of deployment of the first phase of the upgrading of the Binding Tariff Information (BTI) system and the Surveillance 2 system referred to in the Annex to Commission Implementing Decision (EU) 2016/578 (*), the formats and codes provided for in Annex A to this Regulation in relation with BTI applications and decisions shall not apply and the formats and codes set out in Annexes 2 to 5 to Commission Delegated Regulation (EU) 2016/341 (**) shall apply.

By way of derogation from paragraph 1 of this Article, until the date of the upgrading of the Authorised Economic Operator (AEO) system referred to in the Annex to Implementing Decision (EU) 2016/578, the formats and codes provided for in Annex A to this Regulation in relation with AEO applications and authorisations shall not apply and the formats and codes set out in Annexes 6 and 7 to Delegated Regulation (EU) 2016/341 shall apply.

4. By way of derogation from paragraph 2 of this Article, for the IT systems listed in Annex 1 to Delegated Regulation (EU) 2016/341, until the respective dates of deployment or the upgrading of the relevant IT systems referred to in the Annex to Implementing Decision (EU) 2016/578, the formats and codes of the common data requirements set out in Annex B to this Regulation shall not apply.

For the IT systems listed in Annex 1 to Delegated Regulation (EU) 2016/341, until the respective dates of deployment or the upgrading of the relevant IT systems referred to in the Annex to Implementing Decision (EU) 2016/578, the exchange and storage of information required for declarations, notifications and proof of customs status shall be subject to the formats and codes set out in Annex 9 to Delegated Regulation (EU) 2016/341.

5. Until the date of deployment of the UCC Customs Decisions system referred to in the Annex to Implementing Decision (EU) 2016/578, customs authorities may decide that formats and codes other than those laid down in Annex A to this Regulation are to apply in respect of the following applications and authorisations:

- (a) applications and authorisations relating to the simplification for the determination of amounts being part of the customs value of the goods;
- (b) applications and authorisations relating to comprehensive guarantees;
- (c) applications and authorisations for deferred payment;
- (d) applications and authorisations for the operation of temporary storage facilities as referred to in Article 148 of the Code;
- (e) applications and authorisations for regular shipping services;
- (f) applications and authorisations for authorised issuer;
- (g) applications and authorisations for the status of authorised weigher of bananas;
- (h) applications and authorisations for self-assessment;
- (i) applications and authorisations for the status of authorised consignee for TIR operations;
- (j) applications and authorisations for the status of authorised consignor for Union transit;
- (k) applications and authorisations for the status of authorised consignee for Union transit;
- (l) applications and authorisations for the use of seals of a special type;
- (m) applications and authorisations for the use of a transit declaration with reduced dataset;
- (n) applications and authorisations for the use of an electronic transport document as customs declaration.

6. Until the date of deployment of the UCC Customs Decisions system, customs authorities may allow the formats and codes of the data requirements for applications and authorisations set out in Annex 12 to Delegated Regulation (EU) 2016/341 to be used instead of the data requirements laid down in Annex A to this Regulation for the following applications and authorisations:

- (a) applications and authorisations for the use of simplified declaration;
- (b) applications and authorisations for centralised clearance;
- (c) applications and authorisations for entry of data in the declarant's records;
- (d) applications and authorisations for the use of inward processing;
- (e) applications and authorisations for the use of outward processing;
- (f) applications and authorisations for the use of end use;
- (g) applications and authorisations for the use of temporary admission;
- (h) applications and authorisations for the operation of storage facilities for customs warehousing;

7. Notwithstanding paragraph 6, until the dates of deployment of the UCC Automated Export System (AES) or of the upgrading of the National Import Systems referred to in the Annex to Implementing Decision (EU) 2016/578, where an application for an authorisation is based on a customs declaration in accordance with Article 163(1) of Delegated Regulation (EU) 2015/2446, the formats and codes set out in Annex 12 to Delegated Regulation (EU) 2016/341 shall apply in respect of the additional data elements required for that application.

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

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

- (2) In Article 57(1), the following subparagraph is added:

‘References in special non-preferential import arrangements to certificates of origin issued in accordance with Articles 55 to 65 of Regulation (EEC) No 2454/93 shall be considered references to the certificates of origin referred to in this Article.’

- (3) Article 62 is replaced by the following:

‘Article 62

Long-term supplier’s declaration

(Article 64(1) of the Code)

1. Where a supplier regularly supplies an exporter or trader with consignments of goods, and all of those goods are expected to have the same originating status, the supplier may provide a single declaration covering multiple consignments of those goods (a long-term supplier’s declaration).

2. A long-term supplier’s declaration shall be made out for consignments dispatched during a period of time and shall state three dates:

- (a) the date on which the declaration is made out (date of issue);
- (b) the date of commencement of the period (start date), which may not be more than 12 months before or more than 6 months after the date of issue;
- (c) the date of end of the period (end date), which may not be more than 24 months after the start date.

3. The supplier shall inform the exporter or trader concerned immediately where the long-term supplier’s declaration is not valid in relation to some or all consignments of goods supplied and to be supplied.’

- (4) Article 68 is replaced by the following:

‘Article 68

Registration of exporters outside the framework of the GSP scheme of the Union

(Article 64(1) of the Code)

1. Where the Union has a preferential arrangement which requires an exporter to complete a document on origin in accordance with the relevant Union legislation, such a document may be completed only by an exporter who is registered for that purpose by the customs authorities of a Member State. The identity of such exporters shall be recorded in the Registered Exporter System (REX) referred to in the Annex to Implementing Decision (EU) 2016/578. Subsections 2 to 9 of this Section shall apply *mutatis mutandis*.

2. For the purposes of this Article, Articles 11(1)(d), 16, 17 and 18 of Delegated Regulation (EU) 2015/2446 concerning the conditions for accepting applications and the suspension of decisions and Articles 10 and 15 of this Regulation shall not apply. Applications and decisions related to this Article shall not be exchanged and stored in an electronic information and communication system as laid down in Article 10 of this Regulation.

3. The Commission shall provide the third country with which the Union has a preferential arrangement with the addresses of the customs authorities responsible for the verification of a document on origin completed by a registered exporter in the Union in accordance with this Article.

4. Notwithstanding paragraph 1, where the applicable preferential arrangement does not specify the value threshold up to which an exporter who is not a registered exporter may complete a document on origin, the value threshold shall be EUR 6 000 for each consignment.

5. Notwithstanding paragraph 1, until 31 December 2017, a document on origin may be completed by an exporter who has not been registered but is an approved exporter in the Union. Article 77(7) shall apply accordingly.’.

(5) Article 69(2) is replaced by the following:

‘2. Where the proof of origin required for the purposes of the preferential tariff measure as referred to in paragraph 1 is a movement certificate EUR.1, another governmental certificate of origin, an origin declaration or an invoice declaration, the replacement proof of origin shall be issued or made out in the form of one of the following documents:

- (a) a replacement origin declaration or a replacement invoice declaration made out by an approved exporter re-consigning the goods;
- (b) a replacement origin declaration or a replacement invoice declaration or a replacement statement on origin made out by any re-consignor of the goods where the total value of originating products in the initial consignment to be split does not exceed the applicable value threshold;
- (c) a replacement origin declaration or a replacement invoice declaration or a replacement statement on origin made out by any re-consignor of the goods where the total value of originating products in the initial consignment to be split exceeds the applicable value threshold, and the re-consignor attaches a copy of the initial proof of origin to the replacement origin declaration or replacement invoice declaration or replacement statement on origin;
- (d) a movement certificate EUR.1 issued by the customs office under whose control the goods are placed where the following conditions are fulfilled:
 - (i) the re-consignor is not an approved exporter nor a registered exporter and does not consent to a copy of the initial proof of origin being attached to the replacement proof;
 - (ii) the total value of the originating products in the initial consignment exceeds the applicable value threshold above which the exporter must be an approved exporter or a registered exporter in order to make out a replacement proof;
- (e) a replacement statement on origin made out by a registered exporter re- consigning the goods.’.

(6) In Article 73, the following paragraph 3 is added:

‘3. Upon request of a beneficiary country, the Commission shall send to that beneficiary country specimen impressions of the stamps used by the customs authorities of the Member States for the issue of movement certificates EUR.1.’.

(7) In Article 80(4), the following sentence is added:

‘The competent authorities of a beneficiary country or the customs authorities of a Member State shall inform the registered exporter of the modification of his registration data.’.

(8) Article 85 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. As of 1 January 2018, the customs authorities in all Member States shall cease to issue movement certificates EUR.1 and approved exporters shall cease to make out invoice declarations for the purpose of cumulation under Article 53 of Delegated Regulation (EU) 2015/2446.’;

(b) in paragraph 3, the following second subparagraph is added:

‘Until 31 December 2017, approved exporters in Member States who are not yet registered may make out invoice declarations for the purpose of cumulation under Article 53 of Delegated Regulation (EU) 2015/2446.’.

- (9) Article 86(3) is replaced by the following:

‘3. For the purposes of exports under the GSP schemes of the Union, of Norway or of Switzerland, exporters shall only be required to be registered once.

A registered exporter number shall be assigned to the exporter by the competent authorities of the beneficiary country with a view to exporting under the GSP schemes of the Union, Norway and Switzerland, to the extent that those countries have recognised the country where the registration has taken place as a beneficiary country.

The first and second subparagraphs shall apply *mutatis mutandis* for the purpose of exports under the GSP scheme of Turkey once that country starts applying the REX system. The Commission shall publish in the *Official Journal of the European Union* (C series) the date on which Turkey starts applying that system.’.

- (10) Article 158 is replaced by the following:

‘Article 158

Level of comprehensive guarantee

(Article 95(2) and (3) of the Code)

1. Under the conditions laid down in Article 84 of Delegated Regulation (EU) 2015/2446, the amount of the comprehensive guarantee referred to in Article 95(2) of the Code shall be reduced to 50 %, 30 % or 0 % of the part of the reference amount determined in accordance with Article 155(3)(b) of this Regulation.

2. The amount of the comprehensive guarantee referred to in Article 95(3) of the Code shall be reduced to 30 % of the parts of the reference amount determined in accordance with Article 155(2) and Article 155(3)(a) of this Regulation.’.

- (11) In Article 161, the following paragraph is added:

‘From the day on which the revocation or cancellation becomes effective, no individual guarantee vouchers issued earlier may be used for placing goods under the Union transit procedure.’.

- (12) Article 163 is replaced by the following:

‘Article 163

Liability of guaranteeing associations for TIR operations

(Articles 226(3)(b) and 227(2)(b) of the Code)

For the purposes of paragraphs 3 and 4 of Article 8 of the Customs Convention on the International Transport of Goods under cover of TIR carnets, including any subsequent amendments thereof (TIR Convention), where a TIR operation is carried out in the customs territory of the Union, any guaranteeing association established in the customs territory of the Union may become liable for the payment of the secured amount relating to the goods concerned in the TIR operation up to a limit, per TIR carnet, of EUR 100 000 or the national currency equivalent thereof.’.

- (13) Article 231(11) is replaced by the following:

‘11. Until the respective dates of deployment of the AES and of the UCC Centralised Clearance for Import (CCI) referred to in the Annex to Implementing Decision (EU) 2016/578, paragraphs 5 and 6 of this Article shall not apply.’.

- (14) In Article 329, paragraph 8 is deleted.

(15) Article 333(7) is replaced by the following:

‘7. By derogation from points (b) and (c) of paragraph 2, until the dates of deployment of the AES referred to in the Annex to Implementing Decision (EU) 2016/578, in the cases referred to in paragraphs 5 and 6 of Article 329, the time-limit for the customs office of exit to inform the customs office of export of the exit of the goods shall be the first working day following the day the goods are placed under the transit procedure or the goods leave the customs territory of the Union or the transit procedure is discharged.’.

(16) In Annex B, Title I ‘Formats and cardinality of the common data requirements for declarations and notifications’ is amended as follows:

(a) in the row corresponding to data element ‘2/1 Simplified declaration/Previous documents’, in the column ‘D.E. format (Type/length)’, the text ‘*Document category: a1+*’ is deleted;

(b) in the row corresponding to data element ‘4/4 Calculation of taxes — Tax base’, in the column ‘D.E. format (Type/length)’, the following text is added:

‘OR

Amount: n..16,2;

(c) in the row corresponding to data element ‘5/8 Country of destination code’, in the column ‘Notes’, the following text is added:

‘In the context of transit operations, the ISO 3166 alpha-2 country code shall be used.’;

(17) In Annex B, Title II ‘Codes in relation with the common data requirements for declarations and notifications’ is amended as follows:

(a) data element ‘2/1. Simplified declaration/Previous document’ is amended as follows:

(i) the first, second and third paragraphs are replaced by the following:

‘This data element consists of alphanumeric codes.

Each code has three components. The first component (an..3), which consists of a combination of digits and/or letters, serves to identify the type of document. The second component (an..35) represents the data needed to recognise that document, either its identification number or another recognisable reference. The third component (an..5) is used to identify which item of the previous document is being referred to.

Where a paper-based customs declaration is lodged, the three components are separated by dashes (-);

(ii) the section starting with ‘1. *The first component (a1):*’ is deleted;

(iii) the heading ‘2. *The second component (an..3):*’ is replaced by ‘1. The first component (an..3);’;

(iv) the heading ‘3. *The third component (an..35):*’ is replaced by ‘2. The second component (an..35);’;

(v) the heading ‘4. *The fourth component (an..5):*’ is replaced by ‘3. The third component (n..5);’;

(vi) the two indents in the section ‘*Examples*’ under the heading ‘4. *The fourth component (an..5)*’ are replaced by the following:

— The declaration item concerned was the 5th item on the T1 transit document (previous document) to which the office of destination has assigned the number “238 544”. The code will therefore be “821-238544-5”. (“821” for the transit procedure, “238544” for the document’s registration number (or the MRN for the NCTS operations) and “5” for the item number).

— Goods were declared through a simplified declaration. The MRN “16DE9876AB889012R1” has been allocated. In the supplementary declaration, the code will therefore be “SDE-16DE9876AB889012R1”. (“SDE” for the simplified declaration, “16DE9876AB889012R1” for the MRN of the document).;

(b) data element '2/2. Additional information' is amended as follows:

- (i) in the table of section 'General category — Code 0xxxx', the last row is deleted;
- (ii) in the table of section 'On import: Code 1xxxx', the last row is deleted;
- (iii) in the table of section 'On export: Code 3xxxx', in the third row, the legal basis relating to code '30 500' is replaced by 'Article 329(7)';

(18) In Annex 22-14, the following introductory note is added:

'7. Certificates bearing in the top right box the text of the old version "CERTIFICATE OF ORIGIN for imports of agricultural products into the European Economic Community" and in the box "Notes" the text of the old version, may also be used until existing stocks are exhausted or until 1 May 2019, whichever is the earliest.'

(19) Annex 22-16 is amended as follows:

(a) the text of footnote 7 is replaced by the following:

'(7) Give the start and end dates. The period shall not exceed 24 months.'

(b) the text of footnote 8 is replaced by the following:

'(8) Place and date of issue.'

(20) Annex 22-18 is amended as follows:

(a) the text of footnote 8 is replaced by the following:

'(8) Give the start and end dates. The period shall not exceed 24 months.'

(b) the text of footnote 9 is replaced by the following:

'(9) Place and date of issue.'

(21) Annex 32-01 is replaced by the text in Annex VII to this Regulation.

(22) Annex 32-02 is replaced by the text in Annex VIII to this Regulation.

(23) Annex 32-03 is replaced by the text in Annex IX to this Regulation.

(24) Annex 72-04 is amended as follows:

(a) Part I is amended as follows:

- (i) in points 2.1. and 2.2. of Chapter I 'General Provisions', the words 'Annex B-01' are replaced by the words 'Annex B-01 to Delegated Regulation (EU) 2015/2446';
- (ii) in point 3.1. of Chapter II 'Implementing rules', the words 'Annex B-01' are replaced by the words 'Annex B-01 to Delegated Regulation (EU) 2015/2446';
- (iii) in point 9 of Chapter III 'Operation of the procedure', the words 'Article 300' are replaced by the words 'Article 302';
- (iv) in Chapter III 'Operation of the procedure', the following points are inserted after point 19.2.:

'19.3. The period of validity of a comprehensive guarantee certificate or a guarantee waiver certificate shall not exceed two years. However, that period may be extended by the customs office of guarantee for one further period not exceeding two years.'

19.4. From the effective date of revocation of an authorisation to use a comprehensive guarantee or revocation and cancellation of an undertaking provided in case of a comprehensive guarantee, any issued certificates may not be used to place goods under the Union transit procedure and shall be returned by the holder of the procedure to the customs office of guarantee without delay.

Each Member State shall provide to the Commission information about the means by which certificates that remain valid and have not yet been returned or that have been declared as stolen, lost or falsified may be identified. The Commission shall inform the other Member States accordingly.;

(b) Part II is amended as follows:

- (i) in Chapter VI 'Comprehensive guarantee certificate', the form TC 31 — COMPREHENSIVE GUARANTEE CERTIFICATE is replaced by the form set out in Annex V to this Regulation;
- (ii) in Chapter VII 'Waiver guarantee certificate', the form TC 33 — GUARANTEE WAIVER CERTIFICATE is replaced by the form set out in Annex VI to this Regulation.

Article 3

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

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

Done at Brussels, 8 June 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

ANNEX 12-03

TAG TO BE AFFIXED ON HOLD BAGGAGE CHECKED IN A UNION AIRPORT (Article 44)

1. CHARACTERISTICS

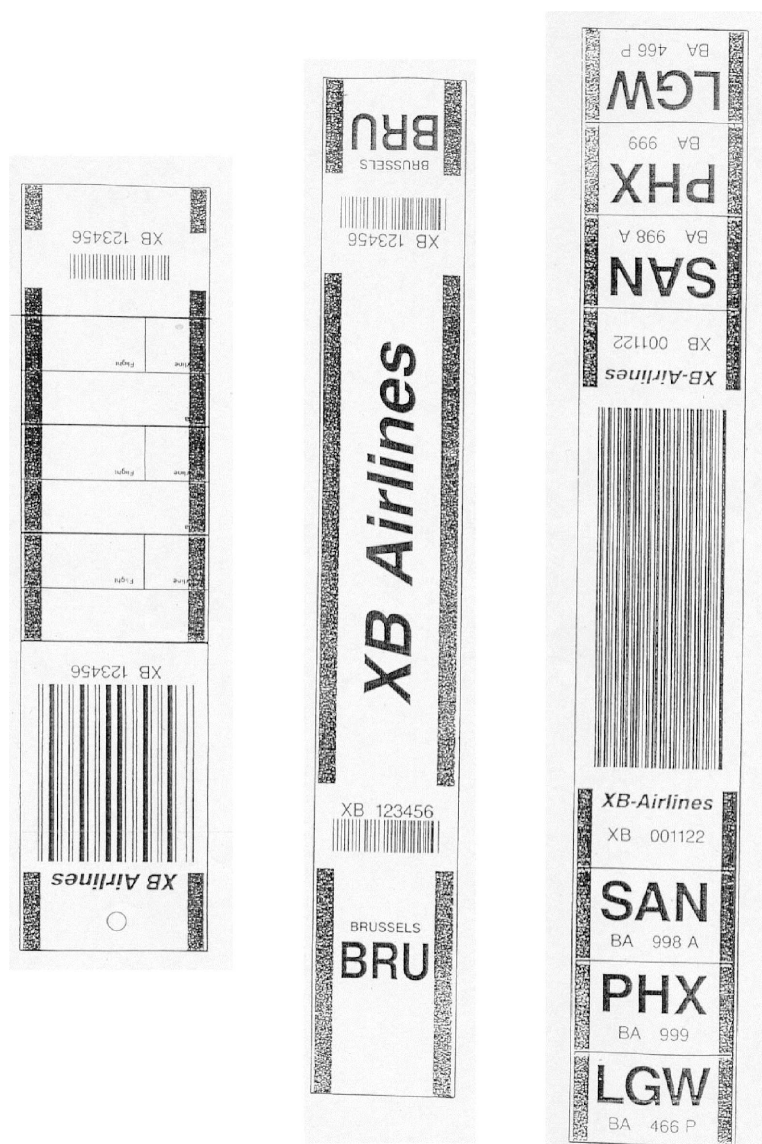
The tag referred to in Article 44 shall be designed in such a way as to prevent its re-use.

- (a) The tag shall bear a green stripe of a least 5 mm width along the full length of the two edges of its routing and identification sections. Moreover, those green stripes may extend also to other parts of the baggage tag, with the exception of all areas showing the bar coded tag number which must be printed on an unobscured white background. (See specimens at 2(a))

- (b) For “expedite baggage”, the tag shall be with green instead of red stripes along its edges. (See specimen at 2(b))

2. MODELS

(a)



(b)

XB Airlines	
	
XB 000123	
Weigh this piece	
EXPEDITE BAGGAGE	
RUSH	
To	
Airline	Flight
Via	
Airline	Flight
Via	
Airline	Flight

ANNEX II

'ANNEX 22-06

APPLICATION TO BECOME A REGISTERED EXPORTER

for the purpose of schemes of generalised tariff preferences of the European Union, Norway,
Switzerland and Turkey ⁽¹⁾

1. Exporter's name, full address and country, contact details, EORI or TIN ⁽²⁾.

2. Additional contact details including telephone and fax number as well as email address where available (optional).

3. Specify whether the main activity is producing or trading.

4. Indicative description of goods which qualify for preferential treatment, including indicative list of Harmonised System headings (or chapters where goods traded fall within more than twenty Harmonised System headings).

5. Undertakings to be given by an exporter

The undersigned hereby:

- declares that the above details are correct;
- certifies that no previous registration has been revoked; conversely, certifies that the situation which led to any such revocation has been remedied;
- undertakes to make out statements on origin only for goods which qualify for preferential treatment and comply with the origin rules specified for those goods in the Generalised System of Preferences;
- undertakes to maintain appropriate commercial accounting records for production/supply of goods qualifying for preferential treatment and to keep them for at least three years from the end of the calendar year in which the statement on origin was made out;
- undertakes to immediately notify the competent authority of changes as they arise to his registration data since acquiring the number of registered exporter;
- undertakes to cooperate with the competent authority;

- undertakes to accept any checks on the accuracy of his statements on origin, including verification of accounting records and visits to his premises by the European Commission or Member States' authorities, as well as the authorities of Norway, Switzerland and Turkey (applicable only to exporters in beneficiary countries);
 - undertakes to request the revocation of his registration in the system, should he no longer meet the conditions for exporting any goods under the scheme;
 - undertakes to request the revocation of his registration in the system, should he no longer intend to export such goods under the scheme.
-
-

Place, date, signature of authorised signatory, name and job title ⁽³⁾

6. Prior specific and informed consent of exporter to the publication of his data on the public website

The undersigned is hereby informed that the information supplied in this declaration may be disclosed to the public via the public website. The undersigned accepts the publication of this information via the public website. The undersigned may withdraw his consent to the publication of this information via the public website by sending a request to the competent authorities responsible for the registration.

Place, date, signature of authorised signatory, name and job title ⁽³⁾

7. Box for official use by competent authority

The applicant is registered under the following number:

Registration Number: _____

Date of registration _____

Date from which the registration is valid _____

Signature and stamp ⁽³⁾ _____

Information notice

concerning the protection and processing of personal data incorporated in the system

1. Where the European Commission processes personal data contained in this application to become a registered exporter, Regulation (EC) No 45/2001 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data will apply. Where the competent authorities of a beneficiary country or a third country implementing Directive 95/46/EC process personal data contained in this application to become a registered exporter, the relevant national provisions of the aforementioned Directive will apply.
2. Personal data in respect of the application to become a registered exporter are processed for the purpose of EU GSP rules of origin as defined in the relevant EU legislation. The said legislation providing for EU GSP rules of origin constitutes the legal basis for processing personal data in respect of the application to become a registered exporter.
3. The competent authority in a country where the application has been submitted is the controller with respect to processing of the data in the REX system.

The list of competent authorities/customs departments is published on the website of the Commission.

4. Access to all data of this application is granted through a user ID/password to users in the Commission, the competent authorities of beneficiary countries and the customs authorities in the Member States, Norway, Switzerland and Turkey.
5. The data of a revoked registration shall be kept by the competent authorities of the beneficiary country and the customs authorities of Member States in the REX system for ten calendar years. This period shall run from the end of the year in which the revocation of a registration has taken place.
6. The data subject has a right of access to the data relating to him that will be processed through the REX system and, where appropriate, the right to rectify erase or block data in accordance with Regulation (EC) No 45/2001 or the national laws implementing Directive 95/46/EC. Any requests for right of access, rectification, erasure or blocking shall be submitted to and processed by the competent authorities of beneficiary countries and the customs authorities of Member States responsible for the registration, as appropriate. Where the registered exporter has submitted a request for the exercise of that right to the Commission, the Commission shall forward such requests to the competent authorities of the beneficiary country or the customs authorities of Member States concerned, respectively. If the registered exporter failed to obtain his rights from the controller of data, the registered exporter shall submit such request to the Commission acting as controller. The Commission shall have the right to rectify, erase or block the data.
7. Complaints can be addressed to the relevant national data protection authority. The contact details of the national data protection authorities are available on the web-site of the European Commission, Directorate-General for Justice: (http://ec.europa.eu/justice/data-protection/bodies/authorities/eu/index_en.htm#h2-1).

Where the complaint concerns processing of data by the European Commission, it should be addressed to the European Data Protection Supervisor (EDPS) (<http://www.edps.europa.eu/EDPSWEB/>).

- (1) The present application form is common to the GSP schemes of four entities: the Union (EU), Norway, Switzerland and Turkey ("the entities"). Please note, however, that the respective GSP schemes of these entities may differ in terms of country and product coverage. Consequently, a given registration will only be effective for the purpose of exports under the GSP scheme(s) that consider(s) your country as a beneficiary country.
- (2) The indication of EORI number is mandatory for EU exporters and re-consignors. For exporters in beneficiary countries, Norway, Switzerland and Turkey, the indication of TIN is mandatory.
- (3) When applications to become a registered exporter or other exchanges of information between registered exporters and competent authorities in beneficiary countries or customs authorities in Member States are made using electronic data-processing techniques, the signature and stamp referred to in boxes 5, 6 and 7 shall be replaced by an electronic authentication.'

ANNEX III

'ANNEX 22-09

Invoice declaration

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

French version

L'exportateur des produits couverts par le présent document [autorisation douanière no ⁽¹⁾] déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ... ⁽²⁾ au sens des règles d'origine du Système des préférences tarifaires généralisées de l'Union européenne ... ⁽³⁾ et ⁽⁴⁾.

English version

The exporter of the products covered by this document (customs authorisation No ... ⁽¹⁾) declares that, except where otherwise clearly indicated, these products are of ... preferential origin ⁽²⁾ according to rules of origin of the Generalised System of Preferences of the European Union ⁽³⁾ and ⁽⁴⁾.

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera nº ... ⁽¹⁾) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial ... ⁽²⁾ en el sentido de las normas de origen del Sistema de preferencias generalizado de la Unión europea ⁽³⁾ y ⁽⁴⁾.

(place and date) ⁽⁵⁾

(Signature of the exporter; in addition the name of the person signing the declaration has to be indicated in clear script) ⁽⁶⁾

⁽¹⁾ When the invoice declaration is made out by Union's approved exporter within the meaning of Article 77(4) of Implementing Regulation (EU) 2015/2447, the authorisation number of the approved exporter must be entered in this space. When (as will always be the case with invoice declarations made out in beneficiary countries) the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Country of origin of products to be indicated. When the invoice declaration relates, in whole or in part, to products originating in Ceuta and Melilla within the meaning of Article 112 of Implementing Regulation (EU) 2015/2447, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol 'CM'.

⁽³⁾ Where appropriate, enter one of the following indications: "EU cumulation", "Norway cumulation", "Switzerland cumulation", "Turkey cumulation", "regional cumulation", "extended cumulation with country x" or "Cumul UE", "Cumul Norvège", "Cumul Suisse", "Cumul Turquie", "cumul regional", "cumul étendu avec le pays x" or "Acumulación UE", "Acumulación Noruega", "Acumulación Suiza", "Acumulación Turquía", "Acumulación regional", "Acumulación ampliada con en país x".

⁽⁴⁾ If the invoice declaration is made out in the context of another preferential trade agreement, the reference to the Generalised System of Preferences shall be replaced by the reference to this other preferential trade agreement.

⁽⁵⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁶⁾ See Article 77(7) of Implementing Regulation (EU) 2015/2447 (concerns approved European Union's exporters only). In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.'

ANNEX IV

‘INF 3 — Returned goods information sheet

EUROPEAN UNION

1. Exporter		No INF 3 ORIGINAL	
2. Consignee at time of exportation		RETURNED GOODS INFORMATION SHEET	
IMPORTANT		3. Country to which goods consigned at time of exportation	
1. Before completing this form the person must refer to the provisions relating to returned goods as well as to the notes appearing on the reverse of this form. 2. The person concerned must complete by typewriter or by hand in block letters to boxes 1 to 11 this form. 3. When this information sheet is completed for goods whose exportation has been effected within the framework of the common agricultural policy under an export licence or advance fixing certificate or for goods liable to the benefit of refunds or other amounts provided for on exportation, it is valid only if box B, and where necessary box A, below have been endorsed by the competent authorities. 4. This information sheet must be presented to the customs office of reimportation.			
4. Number, kind, marks and numbers of packages and description of goods exported		5. Gross weight	
		6. Net weight	7. Statistical value
8. Quantity for which information sheet is required		9. CN Code	
(a) in figures:		(b) in words:	
A. ENDORSEMENT BY COMPETENT AUTHORITIES FOR EXPORT LICENCES OR ADVANCE FIXING CERTIFICATES — Regulations or licences or certificates observed At, on (Signature) (Stamp)		B. ENDORSEMENT BY COMPETENT AUTHORITIES FOR GRANT OF REFUNDS OR OTHER AMOUNTS PROVIDED FOR ON EXPORTATION — No refund or other amounts granted on exportation ⁽¹⁾ — Refunds and other amounts granted on exportation repaid for (quantity) ⁽¹⁾ — Entitlement to payment of refunds or other amounts granted on exportation cancelled for (quantity) ⁽¹⁾ At, on (Signature) (Stamp)	
C. ENDORSEMENT BY THE OFFICE COMPLETING THE CUSTOMS EXPORT FORMALITIES Information given in boxes 1 to 10 certified exact Identification measures taken At, on (Signature) (Stamp)		11. REQUEST OF EXPORTER The undersigned, being the exporter ⁽¹⁾ On behalf of the exporter ⁽¹⁾ Requests the issue of this information sheet for the purposes of the reimportation of the goods described therein At, on (Signature) (Stamp)	

⁽¹⁾ Delete as necessary.

EUROPEAN UNION

1. Exporter		No INF 3 COPY	
2. Consignee at time of exportation		RETURNED GOODS INFORMATION SHEET	
IMPORTANT 1. Before completing this form the person must refer to the provisions relating to returned goods as well as to the notes appearing on the reverse of this form. 2. The person concerned must complete by typewriter or by hand in block letters to boxes 1 to 11 this form. 3. When this information sheet is completed for goods whose exportation has been effected within the framework of the common agricultural policy under an export licence or advance fixing certificate or for goods liable to the benefit of refunds or other amounts provided for on exportation, it is valid only if box B, and where necessary box A, below have been endorsed by the competent authorities. 4. This information sheet must be presented to the customs office of reimportation.		3. Country to which goods consigned at time of exportation	
4. Number, kind, marks and numbers of packages and description of goods exported		5. Gross weight	
		6. Net weight	7. Statistical value
8. Quantity for which information sheet is required			
(a) in figures:		(b) in words:	
A. ENDORSEMENT BY COMPETENT AUTHORITIES FOR EXPORT LICENCES OR ADVANCE FIXING CERTIFICATES — Regulations or licences or certificates observed At, on (Signature) (Stamp)		B. ENDORSEMENT BY COMPETENT AUTHORITIES FOR GRANT OF REFUNDS OR OTHER AMOUNTS PROVIDED FOR ON EXPORTATION — No refund or other amounts granted on exportation ⁽¹⁾ — Refunds and other amounts granted on exportation repaid for (quantity) ⁽¹⁾ — Entitlement to payment of refunds or other amounts granted on exportation cancelled for (quantity) ⁽¹⁾ At, on (Signature) (Stamp)	
		9. CN Code	
A. ENDORSEMENT BY COMPETENT AUTHORITIES FOR EXPORT LICENCES OR ADVANCE FIXING CERTIFICATES — Regulations or licences or certificates observed At, on (Signature) (Stamp)		10. Additional information relating to the goods (a) Export document Type Ref. No dated (b) Goods exported in completion of an inward processing operation ⁽¹⁾ (c) Goods which have been released for free circulation for a specific use ⁽¹⁾ (d) Goods originating in the Member States or third-country goods in free circulation ⁽¹⁾	
C. ENDORSEMENT BY THE OFFICE COMPLETING THE CUSTOMS EXPORT FORMALITIES Information given in boxes 1 to 10 certified exact Identification measures taken At, on (Signature) (Stamp)		11. REQUEST OF EXPORTER The undersigned, being the exporter ⁽¹⁾ On behalf of the exporter ⁽¹⁾ Requests the issue of this information sheet for the purposes of the reimportation of the goods described therein At, on (Signature) (Stamp)	

⁽¹⁾ Delete as necessary.

ANNEX V

TC 31 COMPREHENSIVE GUARANTEE CERTIFICATE

Front

1. Valid until	Day	Month	Year	2. Number
3. Holder of the procedure (surname and forename, or name of company, full address and country)				
4. Guarantor (surname and forename, or name of company, full address and country)				
5. Customs office of guarantee (reference number)				
6. Reference amount Currency code	In figures:	In letters:		
7. The customs office of guarantee certifies that the holder of the procedure named above has furnished a comprehensive guarantee which is valid for Union/common transit operations through the customs territories listed below whose names have not been crossed out: European Union — Iceland — former Yugoslav Republic of Macedonia — Norway — Serbia — Switzerland — Turkey — Andorra (*) — San Marino (*)				
8. Special observations				
9. Period of validity extended until dd/mm/yy inclusive Done at on (place) (date) (Signature and stamp of the customs office of guarantee)		Done at on (place) (date) (Signature and stamp of the customs office of guarantee)		

(*) Only for the Union transit operations.

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10. Persons authorised to sign Union/common transit declarations on behalf of the holder of the procedure

11. Surname, forename and specimen signature of authorised person	12. Signature of the holder of the procedure (*)	11. Surname, forename and specimen signature of authorised person	12. Signature of the holder of the procedure (*)

(*) Where the holder of the procedure is a legal person, the person whose signature appears in box 12 must add to his signature his surname, forename and the capacity in which he is signing.'

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9. Persons authorised to sign Union/common transit declarations on behalf of the holder of the procedure

10. Surname, forename and specimen signature of authorised person	11. Signature of the holder of the procedure (*)	10. Surname, forename and specimen signature of authorised person	11. Signature of the holder of the procedure (*)

(*) Where the holder of the procedure is a legal person, the person whose signature appears in box 11 must add to his signature his surname, forename and the capacity in which he is signing.'

ANNEX VII

‘ANNEX 32-01

GUARANTOR’S UNDERTAKING — INDIVIDUAL GUARANTEE

I. Undertaking by the guarantor

1. The undersigned ⁽¹⁾

Resident ⁽²⁾ at

hereby jointly and severally guarantees, at the office of guarantee of

up to a maximum amount of

in favour of the European Union (comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Republic of Croatia, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland), and the Republic of Iceland, the former Yugoslav Republic of Macedonia, the Kingdom of Norway, the Republic of Serbia, the Swiss Confederation, the Republic of Turkey ⁽³⁾, the Principality of Andorra and the Republic of San Marino ⁽⁴⁾, any amount for which the person providing this guarantee ⁽⁵⁾:

may be or become liable to the abovementioned countries for debt in the form of duty and other charges ^(5a) with respect to the goods described below covered by the following customs operation ⁽⁶⁾:

Goods description:

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in point 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the customs authorities, that the special procedure other than the end-use procedure has been discharged, the customs supervision of end-use goods or the temporary storage has ended correctly or, in case of the operations other than special procedures and temporary storage, that the situation of goods has been regularised.

At the request of the undersigned and for any reasons recognized as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its approval by the office of guarantee. The undersigned shall remain liable for payment of any debt incurred during the customs operation covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.

4. For the purpose of this undertaking, the undersigned gives his or her address for service in each of the other countries referred to in point 1 as ⁽⁷⁾

Country	Surname and forenames, or name of firm, and full address

Country	Surname and forenames, or name of firm, and full address

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for services shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her address for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at

on

.....

(Signature) ⁽⁸⁾

II. Approval by the office of guarantee

Office of guarantee

Guarantor's undertaking approved on to cover the customs operation effected under customs declaration/temporary storage declaration No of ⁽⁹⁾

.....

(Stamp and Signature)

⁽¹⁾ Surname and forename or name of firm.

⁽²⁾ Full address.

⁽³⁾ Delete the name/names of the State/States on whose territory the guarantee may not be used.

⁽⁴⁾ The references to the Principality of Andorra and the Republic of San Marino shall apply solely to Union transit operations.

⁽⁵⁾ Surname and forename, or name of firm and full address of the person providing the guarantee.

^(5a) Applicable with respect to the other charges due in connection with the import or export of the goods where the guarantee is used for the placing of goods under the Union/common transit procedure or may be used in more than one Member State.

⁽⁶⁾ Enter one of the following customs operations:

(a) temporary storage,

(b) Union transit procedure/common transit procedure,

(c) customs warehousing procedure,

(d) temporary admission procedure with total relief from import duty,

(e) inward processing procedure,

(f) end-use procedure,

(g) release for free circulation under normal customs declaration without deferred payment,

(h) release for free circulation under normal customs declaration with deferred payment,

(i) release for free circulation under a customs declaration lodged in accordance with Article 166 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code,

(j) release for free circulation under a customs declaration lodged in accordance with Article 182 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code,

(k) temporary admission procedure with partial relief from import duty,

(l) if another — indicate the other kind of operation.

⁽⁷⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorized to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of point 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽⁸⁾ The person signing the document must enter the following by hand before his or her signature: "Guarantee for the amount of ..." (the amount being written out in letters).

⁽⁹⁾ To be completed by the office where the goods were placed under the procedure or were in temporary storage.'

ANNEX VIII

'ANNEX 32-02

Guarantor's undertaking — Individual guarantee in the form of vouchers**COMMON/UNION TRANSIT PROCEDURE***I. Undertaking by the guarantor*1. The undersigned ⁽¹⁾Resident at ⁽²⁾

hereby jointly and severally guarantees, at the office of guarantee of

in favour of the European Union (comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Republic of Croatia, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland), and the Republic of Iceland, the former Yugoslav Republic of Macedonia, the Kingdom of Norway, the Republic of Serbia, the Swiss Confederation, the Republic of Turkey, the Principality of Andorra and the Republic of San Marino ⁽³⁾), any amount for which the holder of the procedure may be or become liable to the abovementioned countries for debt in the form of duty and other charges due in connection with the import or export of the goods placed under the Union or common transit procedure, in respect of which the undersigned has undertaken to issue individual guarantee vouchers up to a maximum of EUR 10 000 per voucher.

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in point 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested, up to EUR 10 000 per individual guarantee voucher, unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that the operation has been discharged.

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its approval by the office of guarantee. The undersigned shall remain liable for payment of any debt incurred during the Union or common transit operation covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.
4. For the purpose of this undertaking, the undersigned gives his or her address for service ⁽⁴⁾ in each of the other countries referred to in point 1 as

Country	Surname and forenames, or name of firm, and full address

Country	Surname and forenames, or name of firm, and full address

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for services shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her address for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at

on

.....

(Signature) ⁽⁵⁾

II. Approval by the office of guarantee

Office of guarantee

Guarantor's undertaking approved on

.....

(Stamp and Signature)

⁽¹⁾ Surname and forename or name of firm.

⁽²⁾ Full address.

⁽³⁾ The references to the Principality of Andorra and the Republic of San Marino shall apply solely to Union transit operations.

⁽⁴⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorized to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of point 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽⁵⁾ The signature must be preceded by the following in the signatory's own handwriting: "Valid as guarantee voucher".

ANNEX IX

'ANNEX 32-03

Guarantor's undertaking — Comprehensive guarantee*I. Undertaking by the guarantor*

1. The undersigned ⁽¹⁾

Resident at ⁽²⁾

hereby jointly and severally guarantees, at the office of guarantee of

up to a maximum amount of

in favour of the European Union (comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland), and the Republic of Iceland, the former Yugoslav Republic of Macedonia, the Kingdom of Norway, the Republic of Serbia, the Swiss Confederation, the Republic of Turkey ⁽³⁾, the Principality of Andorra and the Republic of San Marino ⁽⁴⁾,

any amount for which the person providing this guarantee ⁽⁵⁾: may be or become liable to the abovementioned countries for debt in the form of duty and other charges ⁽⁶⁾ which may be or have been incurred with respect to the goods covered by the customs operations indicated in point 1a and/or point 1b.

The maximum amount of the guarantee is composed of an amount of:

.....

(a) being 100/50/30 % ⁽⁷⁾ of the part of the reference amount corresponding to an amount of customs debts and other charges which may be incurred, equivalent to the sum of the amounts listed in point 1a,

and

.....

(b) being 100/30 % ⁽⁸⁾ of the part of the reference amount corresponding to an amount of customs debts and other charges which have been incurred, equivalent to the sum of the amounts listed in point 1b,

1a. The amounts forming the part of the reference amount corresponding to an amount of customs debts and, where applicable, other charges which may be incurred are following for each of the purposes listed below ⁽⁹⁾:

(a) temporary storage — ...,

(b) Union transit procedure/common transit procedure — ...,

(c) customs warehousing procedure — ...,

(d) temporary admission procedure with total relief from import duty — ...,

(e) inward processing procedure — ...,

(f) end-use procedure — ...

(g) if another — indicate the other kind of operation —

Country	Surname and forenames, or name of firm, and full address

Country	Surname and forenames, or name of firm, and full address

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for services shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her address for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at

on

.....

(Signature) ⁽¹³⁾

II. Approval by the office of guarantee

Office of guarantee

Guarantor's undertaking accepted on

.....

(Stamp and Signature)

⁽¹⁾ Surname and forename or name of the firm.

⁽²⁾ Full address.

⁽³⁾ Delete the name/names of the country/countries on whose territory the guarantee may not be used.

⁽⁴⁾ The references to the Principality of Andorra and the Republic of San Marino shall apply solely to Union transit operations.

⁽⁵⁾ Surname and forename or name of the firm, and full address of the person providing the guarantee.

⁽⁶⁾ Applicable with respect to the other charges due in connection with the import or export of the goods where the guarantee is used for the placing of goods under the Union/common transit procedure or may be used in more than one Member State or one Contracting Party.

⁽⁷⁾ Delete what does not apply.

⁽⁸⁾ Delete what does not apply.

⁽⁹⁾ Procedures other than common transit apply solely in the European Union.

⁽¹⁰⁾ Procedures other than common transit apply solely in the European Union.

⁽¹¹⁾ For amounts declared in a customs declaration for the end-use procedure.

⁽¹²⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the place in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽¹³⁾ The person signing the document must enter the following, by hand, before his or her signature: "Guarantee for the amount of ..." (the amount being written out in letters).'

COMMISSION IMPLEMENTING REGULATION (EU) 2017/990**of 12 June 2017****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Bayerisches Bier (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(3)(a) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission examined Germany's application for the approval of amendments to the specification for the protected geographical indication (PGI) 'Bayerisches Bier', registered under Council Regulation (EC) No 1347/2001 ⁽²⁾.
- (2) Since the amendments in question were not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2) of Regulation (EU) No 1151/2012.
- (3) On 22 February 2016 the Commission received a notice of opposition from the Netherlands. The related reasoned statement of opposition was received by the Commission on 19 April 2016.
- (4) Finding such opposition admissible, by letter dated 6 June 2016, the Commission invited Germany and the Netherlands to engage in appropriate consultations for a period of three months to seek agreement among themselves in accordance with their internal procedures.
- (5) The deadline for consultation was extended for three additional months.
- (6) An agreement was reached between the parties. Germany communicated the results of the agreement to the Commission by letter of 4 January 2017.
- (7) The Netherlands had opposed the last paragraph of section 5 of the consolidated single document, as published, which reads 'The conclusions of the EU institutions under the simplified declaration procedure on the link between 'Bayerisches Bier' and its renown were examined and confirmed by the European Court of Justice in Case C-343/07', did not meet the requirements for an amendment under Regulation (EU) No 1151/2012 and Commission Regulations (EU) No 664/2014 ⁽⁴⁾ and 668/2014 ⁽⁵⁾.
- (8) The reasons given by the opponent are the following: the application would lack of reasons or explanations for the insertion of the challenged paragraph; that paragraph would not provide any details substantiating the link with the geographical area while being in the section of the single document concerning the link; that paragraph

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Council Regulation (EC) No 1347/2001 of 28 June 2001 supplementing the Annex to Commission Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 (OJ L 182, 5.7.2001, p. 3).

⁽³⁾ OJ C 390, 24.11.2015, p. 25.

⁽⁴⁾ Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).

⁽⁵⁾ 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).

would be incorrect and misleading since in Case C-343/07 the Court of Justice of the European Union has neither examined nor confirmed whether the substantive requirement for a direct link with a geographical area was met; that paragraph would cause prejudice to Bavaria NV as it could jeopardise the existence of the 'Bavaria' trade marks owned and used by Bavaria NV and its affiliates.

- (9) Germany agreed on the deletion of the challenged paragraph.
- (10) In the light of the above, the Commission considers that the amendment should be approved without the challenged paragraph in the single document. The consolidated version of the single document should be published for information,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Bayerisches Bier' (PGI) are hereby approved. The consolidated single document is set out 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*.

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

Done at Brussels, 12 June 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

SINGLE DOCUMENT

'BAYERISCHES BIER'

EU No: DE-PGI-0117-01220 — 4.4.2014

PDO () PGI (X)

1. Name(s)

'Bayerisches Bier'

2. Member State or third country

Germany

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 2.1. Beers

3.2. Description of product to which the name in (1) applies

Schankbier

bottom fermented

Original wort (%): 7,0 - 9,0

% alcohol by volume: 2,5 - 3,5

Colour (EBC): 5 - 20 units

Hop bitter content (EBC): 10 - 30 units

a full-bodied, soft, fizzy beer with fewer calories and less alcohol by volume than Vollbier (full-strength beer)

Hell/Lager

bottom fermented

Original wort (%): 11,0 - 12,5

% alcohol by volume: 4,5 - 5,5

Colour (EBC): 5 - 20 units

Hop bitter content (EBC): 10 - 25 units

a slightly aromatic, light, full-bodied, mild beer

Pils

bottom fermented

Original wort (%): 11,0 - 12,5

% alcohol by volume: 4,5 - 6,0

Colour (EBC): 5 - 15 units

Hop bitter content (EBC): 30 - 40 units

a distinctive, slightly sharp beer with a bitter edge lent by the hops

Export

bottom fermented

Original wort (%): 12,0 - 13,5
% alcohol by volume: 4,5 - 6,0
Colour (EBC): 5 - 65 units (hell — dunkel)
Hop bitter content (EBC): 15 - 35 units
a full-bodied, well-rounded bitter taste

Dunkel

bottom fermented

Original wort (%): 11,0 - 14,0
% alcohol by volume: 4,5 - 6,0
Colour (EBC): 40 - 65 units
Hop bitter content (EBC): 15 - 35 units
a full-bodied beer with a malty aroma

Schwarzbier

bottom fermented

Original wort (%): 11,0 - 13,0
% alcohol by volume: 4,5 - 6,0
Colour (EBC): 65 - 150 units
Hop bitter content (EBC): 15 - 40 units
a beer with a roasted aroma, a slight malty aroma and a bitter edge lent by the hops

Märzen/Festbier

bottom fermented

Original wort (%): 13,0 - 14,5
% alcohol by volume: 5,0 - 6,5
Colour (EBC): 7 - 40 units
Hop bitter content (EBC): 12 - 45 units
a malty-flavoured beer with a slightly bitter edge lent by the hops

Bock

bottom fermented

Original wort (%): 16,0 - 18,0
% alcohol by volume: 6,0 - 8,5
Colour (EBC): 7 - 120 units (hell — dunkel)
Hop bitter content (EBC): 15 - 40 units
a full-bodied, malty-flavoured beer with a delicate aroma of hops

Doppelbock

bottom fermented

Original wort (%):	18,0 - 21,0
% alcohol by volume:	7,0 - 9,5
Colour (EBC):	10 - 150 units (hell — dunkel)
Hop bitter content (EBC):	15 - 35 units

a distinctly full-bodied, malty-flavoured beer with a hint of caramel

Weizenschankbier

top fermented

Original wort (%):	7,0 - 9,0
% alcohol by volume:	2,5 - 3,5
Colour (EBC):	7 - 30 units
Hop bitter content (EBC):	5 - 20 units

a fizzy beer with the aroma of yeast

Weizenbier

top fermented

Original wort (%):	11,0 - 13,5
% alcohol by volume:	4,5 - 5,5
Colour (EBC):	5 - 65 units (hell — dunkel)
Hop bitter content (EBC):	10 - 30 units

a fruity beer with an aroma of wheat and a slightly malty flavour

Kristallweizen

top fermented

Original wort (%):	11,0 - 13,5
% alcohol by volume:	4,5 - 5,5
Colour (EBC):	5 - 18 units
Hop bitter content (EBC):	5 - 20 units

a carbonated beer with the aroma of wheat

Rauchbier

bottom fermented

Original wort (%):	11,0 - 14,5
% alcohol by volume:	4,5 - 6,0
Colour (EBC):	30 - 60 units
Hop bitter content (EBC):	20 - 30 units

a full-bodied beer with a smoky flavour

Kellerbier/Zwickelbier

bottom fermented

Original wort (%):	11,0 - 13,5
% alcohol by volume:	4,5 - 6,0
Colour (EBC):	5 - 60 units
Hop bitter content (EBC):	10 - 35 units

a beer with a slightly bitter edge lent by the hops, unfiltered, tapped from the lower part of the barrel, with a low carbon dioxide content

Eisbier/Icebier

bottom fermented

Original wort (%):	11,0 - 13,0
% alcohol by volume:	4,5 - 5,0
Colour (EBC):	5 - 20 units
Hop bitter content (EBC):	10 - 25 units

very mild and soft

These values are subject to the analytical tolerances laid down by law and recognised by the relevant food monitoring authorities in Bavaria.

3.3. *Feed (for products of animal origin only) and raw materials (for processed products only)*

For the most part, high-quality local raw materials (water, hops, malt) from Bavaria are used. The hops and malt are traditionally subject to continuous quality checks from scientific institutes, such as the Technische Universität München-Weihenstephan.

3.4. *Specific steps in production that must take place in the identified geographical area*

The entire production process takes place in the geographical area specified.

3.5. *Specific rules concerning slicing, grating, packaging, etc. of the product the registered name refers to*

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3.6. *Specific rules concerning labelling of the product the registered name refers to*

The beer label bears one of the types of beer listed under 3(2) together with the designation 'Bayerisches Bier'.

4. **Concise definition of the geographical area**

Bavaria, subdivided into 7 government regions.

5. **Link with the geographical area**

The quality and reputation of 'Bayerisches Bier' can be attributed to a centuries-old brewing tradition under the 1516 Bavarian Purity Law. The production process to be followed has been laid down by law since the 15th century. Over the centuries, a large number of different recipes evolved as the Bavarian brewers' expertise developed, which has led to a range of varieties that is unique worldwide. Bavaria is the birthplace of wheat beer and the site of the world's largest wheat beer brewery. Weihenstephan is home to one of the most famous brewing institutions in the world. The ancient brewing tradition, the resulting range of varieties and the predominant use of top-quality raw materials from Bavaria mean that 'Bayerisches Bier' is generally highly regarded among consumers.

Reference to publication of the product specification

(the second subparagraph of Article 6(1) of this Regulation)

<http://register.dpma.de/DPMAreger/geo/detail.pdfdownload/40790>

COMMISSION IMPLEMENTING REGULATION (EU) 2017/991**of 12 June 2017****amending Council Regulation (EC) No 747/2001 as regards the volume of the Union tariff quota for fresh strawberries originating in Egypt**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95 ⁽¹⁾, and in particular Article 5(1)(b) thereof,

Whereas:

- (1) By Decision (EU) 2017/768 ⁽²⁾, the Council authorised the signing, on behalf of the European Union and its Member States, and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Republic of Croatia to the European Union ('the Protocol').
- (2) The text of the Protocol, which is attached to Decision (EU) 2017/768, provides for an increase of the volume of the Union tariff quota applicable to fresh strawberries originating in Egypt for release for free circulation in the Union.
- (3) It is necessary to amend Regulation (EC) No 747/2001 in order to implement the increase of the tariff quota laid down in the Protocol.
- (4) The increase of the tariff quota should apply from 1 July 2013 when the Protocol becomes provisionally applicable in accordance with its Article 8(3) and pending its entry into force.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex IV to Regulation (EC) No 747/2001, the row for the tariff quota with order number 09.1799 is replaced by the following:

'09.1799	0810 10 00		Strawberries, fresh	From 1.10.2010 to 30.4.2011	10 000	Exemption'
				From 1.10.2011 to 30.4.2012	10 300	
				From 1.10.2012 to 30.4.2013	10 609	
				From 1.10.2013 to 30.4.2014	11 021	

⁽¹⁾ OJ L 109, 19.4.2001, p. 2.

⁽²⁾ OJ L 115, 4.5.2017, p. 1.

				From 1.10.2014 to 30.4.2015	11 349	
				From 1.10.2015 to 30.4.2016 and for each period thereafter from 1.10. to 30.4.	11 687	

Article 2

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

It shall apply from 1 July 2013.

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

Done at Brussels, 12 June 2017.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2017/992**of 12 June 2017****amending Implementing Regulation (EU) 2016/2148 as regards the deletion of references to the Republic of Belarus**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/936 of the European Parliament and of the Council of 9 June 2015 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules ⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EU) 2015/936 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a first come, first served basis.
- (2) Regulation (EU) 2017/354 of the European Parliament and of the Council ⁽²⁾ repealed autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus.
- (3) Rules on the management of quantitative quotas laid down in Commission Implementing Regulation (EU) 2016/2148 ⁽³⁾ have become obsolete as regards textiles and clothing originating in the Republic of Belarus. That Implementing Regulation should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 30 of Regulation (EU) 2015/936,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Implementing Regulation (EU) 2016/2148, the table concerning Republic of Belarus is deleted.

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, 12 June 2017.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ OJ L 160, 25.6.2015, p. 1.

⁽²⁾ Regulation (EU) 2017/354 of the European Parliament and of the Council of 15 February 2017 amending Regulation (EU) 2015/936 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules (OJ L 57, 3.3.2017, p. 31).

⁽³⁾ Commission Implementing Regulation (EU) 2016/2148 of 7 December 2016 laying down rules for the management and distribution of textile quotas established for the year 2017 under Regulation (EU) 2015/936 of the European Parliament and of the Council (OJ L 333, 8.12.2016, p. 32).

COMMISSION IMPLEMENTING REGULATION (EU) 2017/993**of 12 June 2017****amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea ⁽¹⁾, and in particular Article 13(1)(e) thereof,

Whereas:

- (1) Annex V to Regulation (EC) No 329/2007 lists persons, entities and bodies who, not having been listed in Annex IV, have been listed by the Council, and are covered by the freezing of funds and economic resources under that Regulation.
- (2) On 12 June 2017, the Council decided to remove one person and one entity from the list of persons and entities subject to restrictive measures, set out in Annex II to Council Decision (CFSP) 2016/849 ⁽²⁾. The other entries have been updated. Annex V of this Regulation should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex V to Regulation (EC) No 329/2007 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 12 June 2017.

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

⁽¹⁾ OJ L 88, 29.3.2007, p. 1.

⁽²⁾ Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP (OJ L 141, 28.5.2016, p. 79).

ANNEX

‘ANNEX V

List of persons, entities and bodies referred to in Article 6(2)

(a) Natural persons referred to in Article 6(2)(a):

	Name (and possible aliases)	Identifying information	Reasons
1.	CHON Chi Bu (alias CHON Chi-bu)		Member of the General Bureau of Atomic Energy, former technical director of Yongbyon. Photographs connected him to nuclear reactor in Syria before it was bombed by Israel in 2007.
2.	CHU Kyu-Chang (alias JU Kyu-Chang; JU Kyu Chang)	DOB: 25.11.1928 POB: South Hamgyo'ng Province, DPRK	Former member of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC). Former director of the department of munitions of the Central Committee of the Workers' Party of Korea. Reported with KIM Jong Un on a warship in 2013. Director of the Machine Building Industry Department of the Workers' Party of Korea. Elected Workers' Party of Korea Central Committee alternate member in May 2016 at 7th Congress of Workers' Party of Korea, where WPK adopted a decision to continue the DPRK's nuclear programme. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
3.	HYON Chol-hae (alias HYON Chol Hae)	DOB: 1934 POB: Manchuria, China	Korean People's Army Marshal since April 2016. Deputy Director of the General Political Department of the Korean People's Army (military adviser to late Kim Jong-Il). Elected Workers' Party of Korea Central Committee member in May 2016 at 7th Congress of Workers' Party of Korea where WPK adopted a decision to continue the DPRK's nuclear programme.
4.	KIM Yong-chun (alias Young-chun; KIM Yong Chun)	DOB: 4.3.1935 Passport: 554410660	Korean People's Army Marshal. Former deputy Chairman of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC). Former Minister of the People's Armed Forces, special adviser to late Kim Jong-Il on nuclear strategy. Elected Workers' Party of Korea Central Committee member in May 2016 at 7th Congress of Workers' Party of Korea where WPK adopted a decision to continue the DPRK's nuclear programme.
5.	O Kuk-Ryol (alias O Kuk Ryol)	DOB: 1931 POB: Jilin Province, China	Former deputy Chairman of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), supervising the acquisition abroad of advanced technology for nuclear and ballistic programmes. Elected Workers' Party of Korea Central Committee member in May 2016 at 7th Congress of Workers' Party of Korea where WPK adopted a decision to continue the DPRK's nuclear programme.
6.	PAEK Se-bong (alias PAEK Se Bong)	DOB:1946	Former chairman of the Second Economic Committee (responsible for the ballistic programme) of the Central Committee of the Workers' Party of Korea. Member of the National Defence Commission which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC). Promoted to Major-General.

	Name (and possible aliases)	Identifying information	Reasons
7.	PAK Jae-gyong (alias Chae-Kyong; PAK Jae Gyong)	DOB: 1933 Passport: 554410661	Deputy Director of the General Political Department of the People's Armed Forces and Deputy Director of the Logistics Bureau of the People's Armed Forces (military adviser to late Kim Jong-Il). Present at KIM Jong Un's inspection of Strategic Rocket Force Command.
8.	RYOM Yong		Director of the General Bureau of Atomic Energy (entity designated by the United Nations), in charge of international relations.
9.	SO Sang-kuk (alias SO Sang Kuk)	DOB: between 1932 and 1938	Head of the Department of Nuclear Physics, Kim Il Sung University.
10.	Lieutenant General KIM Yong Chol (alias: KIM Yong-Chol; KIM Young-Chol; KIM Young-Cheol; KIM Young-Chul)	DOB: 1946 POB: Pyongan-Pukto, DPRK	Elected member of Workers' Party of Korea Central Military Commission and Workers' Party of Korea Central Committee, Vice Chairman for Inter-Korean Relations. Former commander of Reconnaissance General Bureau (RGB). Promoted to United Front Department director in May 2016 at 7th Congress of Workers' Party of Korea.
11.	PAK To-Chun (alias PAK To Chun)	DOB: 9.3.1944 POB: Rangrim, Jagang province, DPRK.	Member of the National Security Council. He is in charge of the arms industry. It is reported that he commands the office for nuclear energy. This institution is decisive for DPRK's nuclear and rocket launcher program. Photo taken with contributors to the H-bomb test and satellite launch.
12.	CHOE Kyong-song (alias CHOE Kyong song)		Colonel General in the Korean People's Army. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
13.	CHOE Yong-ho (alias CHOE Yong Ho)		Colonel General in the Korean People's Army /Korean People's Army Air Force General. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Commander of Korean People's Army Air Force and Anti-aircraft force. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
14.	HONG Sung-Mu (alias HUNG Sun Mu; HONG Sung Mu)	DOB: 1.1.1942	Deputy-director of the Munitions Industry Department (MID). In charge of the development of programmes concerning conventional arms and missiles, including ballistic missiles. One of the main persons responsible for the industrial development programmes for nuclear arms. As such, responsible for the DPRK's nuclear arms-related, ballistic-missile-related, or other weapons of mass destruction-related programmes.
15.	JO Kyongchol (alias JO Kyong Chol)		General in the Korean People's Army. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Director of the Military Security Command. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Accompanied Kim Jong Un to largest-ever long-range artillery fire drill.

	Name (and possible aliases)	Identifying information	Reasons
16.	KIM Chun-sam (alias KIM Chun Sam)		Lieutenant General, former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Director of the Operations Department of the Military Headquarters of the Korean People's Army and first vice chief of the Military Headquarters. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
17.	KIM Chun-sop (alias KIM Chun Sop)		Former member of the National Defence Commission which is now reformed into the State Affairs Commission (SAC), which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. At photo session for those who contributed to successful SLBM test in May 2015.
18.	KIM Jong-gak (alias KIM Jong Gak)	DOB: 20.7.1941 POB: Pyongyang, DPRK	Vice Marshal in the Korean People's Army, rector of the Military University of Kim Il-Sung, former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
19.	KIM Rak Kyom (alias KIM Rak-gyom; KIM Rak Gyom)		Four Star General, Commander of the Strategic Forces (aka Strategic Rocket Forces), which now reportedly command four strategic and tactical missile units, including the KN-08 (ICBM) brigade. The EU has designated the Strategic Forces for engaging in activities that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Media reports identified KIM as attending the April 2016 ICBM engine test with KIM Jong Un. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Ordered ballistic rocket firing drill.
20.	KIM Won-hong (alias KIM Won Hong)	DOB: 7.1.1945 POB: Pyongyang, DPRK Passport: 745310010	General, Director of the State Security Department. Minister of State Security. Member of the Central Military Commission of the Workers' Party of Korea and National Defence Commission which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), which are the key bodies for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
21.	PAK Jong-chon (alias PAK Jong Chon)		Colonel General (Lieutenant General) in the Korean People's Army, Chief of the Korean People's Armed Forces, Deputy Chief of Staff and Director of the Firepower Command Department. Chief of the Military Headquarters and Director of the Artillery Command Department. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name (and possible aliases)	Identifying information	Reasons
22.	RI Jong-su (alias RI Jong Su)		Vice Admiral. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Commander in chief of the Korean Navy, which is involved in the development of ballistic- missile programmes and in the development of the nuclear capacities of the DPRK naval forces. As such, responsible for supporting or promoting the DPRK's nuclear- related, ballistic-missile-re- related or other weapons of mass destruction- related programmes.
23.	SON Chol-ju (alais Son Chol Ju)		Colonel General of the Korean People's Army and Political director of the Air and Anti-Air forces, which oversees the development of modernised anti-aircraft rockets. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
24.	YUN Jong-rin (alias YUN Jong Rin)		General, former member of the Central Military Commission of the Workers Party of Korea and member of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was re-formed into the State Affaires Commission (SAC) which are all key bodies for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
25.	PAK Yong-sik (alias PAK Yong Sik)		Four Star General, member of the State Security Department, Minister of the People's Armed Forces. Member of the Central Military Commission of the Workers' Party of Korea and of the National Defence Commission which was a key body for national defence matters in the DPRK before it was re-formed into the State Affaires Commission (SAC) which are all key bodies for national defence matters in the DPRK. Was present at the testing of ballistic missiles in March 2016. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
26.	HONG Yong Chil		Deputy Director of the Munitions Industry Department (MID). The Munitions Industry Department — designated by the UNSC on 2 March 2016 — is involved in key aspects of the DPRK's missile programme. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong-2, weapons production and R&D programmes. The Second Economic Committee and the Second Academy of Natural Sciences — also designated in August 2010 — are subordinate to the MID. The MID in recent years has worked to develop the KN08 road-mobile ICBM. HONG has accompanied KIM Jong Un to a number of events related to the development of the DPRK's nuclear and ballistic missile programmes and is thought to have played a significant role in the DPRK's nuclear test on 6 January 2016. Vice-Director of the Workers' Party of Korea Central Committee. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Present at ground jet test of new-type ICBM engine in April 2016.

	Name (and possible aliases)	Identifying information	Reasons
27.	RI Hak Chol (aliases RI Hak Chul, RI Hak Cheol)	DOB: 19.1.1963 or 8.5.1966 Passport: 381320634; PS-563410163	President of Green Pine Associated Corporation ('Green Pine'). According to the UN Sanctions Committee, Green Pine has taken over many of the activities of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. Green Pine is also responsible for approximately half of the arms and related materiel exported by the DPRK. Green Pine has been identified for sanctions for exporting arms or related materiel from the DPRK. Green Pine specialises in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. Green Pine has been designated by the UNSC.
28.	YUN Chang Hyok	DOB: 9.8.1965	Deputy Director of the Satellite Control Centre, National Aerospace Development Administration (NADA). NADA is subject to sanctions under UNSCR 2270 (2016) for involvement in the DPRK's development of space science and technology, including satellite launches and carrier rockets. UNSCR 2270 (2016) condemned the DPRK's satellite launch of 7 February 2016 for using ballistic missile technology and being in serious violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013). As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
29.	RI Myong Su	DOB: 1937 POB: Myongchon, North Hamgyong, DPRK	Vice-President of the Central Military Commission of the Workers' Party of Korea and Chief of Staff of the People's Armed Forces. In this capacity, Ri Myong Su holds a key position for national defence matters and is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
30.	SO Hong Chan	DOB: 30.12.1957 POB: Kangwon, DPRK Passport: PD836410105 Passport date of expiration: 27.11.2021	First Vice-Minister of the People's Armed forces, member of the Central Military Commission of the Workers' Party of Korea and Colonel-General in the People's Armed Forces. In this capacity, So Hong Chan is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
31.	WANG Chang Uk	DOB: 29.5.1960	Minister for Industry and Atomic Energy. In this capacity, Wang Chang Uk is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
32.	JANG Chol	DOB: 31.03.1961 POB: Pyongyang, DPRK Passport: 563310042	President of the State Academy of Sciences, an organisation dedicated to the development of technological and scientific capacities of the DPRK. In this capacity, Jang Chol holds a strategic position for the development of DPRK nuclear activities and is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

(b) Legal persons, entities and bodies referred to in Article 6(2)(a):

	Name (and possible aliases)	Identifying information	Reasons
1.	Korea Pugang mining and Machinery Corporation Ltd		Subsidiary of Korea Ryongbong General Corporation (entity designated by the UNSC, 24.4.2009); operates facilities for the production of aluminium powder, which can be used in missiles.
2.	Korean Ryengwang Trading Corporation	Rakwon-dong, Pothonggang District, Pyongyang, DPRK	Subsidiary of Korea Ryongbong General Corporation (entity designated by the UNSC, 24.4.2009).
3.	Sobaeksu United Corp. (alias Sobaeksu United Corp.)		State-owned company, involved in research into, and the acquisition, of sensitive products and equipment. It possesses several deposits of natural graphite, which provide raw material for two processing facilities, which, inter alia, produce graphite blocks that can be used in missiles.
4.	Yongbyon Nuclear Research Centre		Research centre which has taken part in the production of military-grade plutonium. Centre maintained by the General Bureau of Atomic Energy (entity designated by the UNSC, 16.7.2009).
6.	Strategic Rocket Forces		Within the DPRK national armed forces, this entity is involved in the development and operational implementation of ballistic-missile-related or other weapons of mass destruction-related programmes.

(c) Natural persons referred to in Article 6(2)(b):

	Name (and possible aliases)	Identifying information	Reasons
1.	JON Il-chun (alias JON Il Chun)	DOB: 24.8.1941	In February of 2010 KIM Tong-un was discharged from his office as director of Office 39, which is, among other things, in charge of purchasing goods out of the DPRK diplomatic representations bypassing sanctions. He was replaced by JON Il-chun. Representative of the National Defence Commission which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), has been elected director-general of the State Development Bank in March 2010. Elected Workers' Party of Korea Central Committee alternate member in May 2016 at the 7th Party Congress of Workers' Party of Korea, where WPK adopted a decision to continue the DPRK's nuclear programme.
2.	KIM Tong-un (alias KIM Tong Un)		Former director of 'Office 39' of the Central Committee of the Workers' Party of Korea which is involved in proliferation financing. In 2011, reportedly in charge of 'Office 38' to raise funds for the leadership and elites.

	Name (and possible aliases)	Identifying information	Reasons
3.	KIM Il-Su (alias Kim Il Su)	DOB: 2.9.1965 POB: Pyongyang, DPRK	Manager in the reinsurance department of Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang and former authorised chief representative of KNIC in Hamburg, acting on behalf of KNIC or at its direction.
4.	KANG Song-Sam (alias KANG Song Sam)	DOB: 5.7.1972 POB: Pyongyang, DPRK	Former authorised representative of Korea National Insurance Corporation (KNIC) in Hamburg, continues to act for or on behalf of KNIC or at its direction.
5.	CHOE Chun-Sik (alias CHOE Chun Sik)	DOB: 23.12.1963 POB: Pyongyang, DPRK Passport 745132109 Valid until 12.2.2020	Director in the reinsurance department of Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang acting on behalf of KNIC or at its direction.
6.	SIN Kyu-Nam (alias SIN Kyu Nam)	DOB: 12.9.1972 POB: Pyongyang, DPRK Passport PO472132950	Director in the reinsurance department of Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang and former authorised representative of KNIC in Hamburg, acting on behalf of KNIC or at its direction.
7.	PAK Chun-San (alias PAK Chun San)	DOB: 18.12.1953 POB: Pyongyang, DPRK Passport PS472220097	Director in the reinsurance department of the Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang at least until December 2015 and former authorised chief representative of KNIC in Hamburg, continues to act for or on behalf of KNIC or at its direction.
8.	SO Tong Myong	DOB: 10.9.1956	President of the Korea National Insurance Corporation (KNIC), KNIC Executive Management Committee Chairman (June 2012); Korea National Insurance Corporation General Manager, September 2013, acting on behalf of KNIC or at its direction.

(d) Legal persons, entities or bodies referred to in Article 6(2)(b):

	Name (and possible aliases)	Identifying information	Reasons
1.	Korea National Insurance Corporation (KNIC) and its branch offices (a.k.a. Korea Foreign Insurance Company)	Haebangsan-dong, Central District, Pyongyang, DPRK Rahlstedter Strasse 83 a, 22149 Hamburg. Korea National Insurance Corporation of Alloway, Kidbrooke Park Road, Blackheath, London SE30LW	Korea National Insurance Corporation (KNIC), a State-owned and controlled company, is generating substantial revenue, including foreign exchange, which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Furthermore, the KNIC headquarters Pyongyang is linked to Office 39 of the Korean Worker's Party, a designated entity.'

DECISIONS

COUNCIL DECISION (CFSP) 2017/994

of 12 June 2017

amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP ⁽¹⁾, and in particular Article 33(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 27 May 2016, the Council adopted Decision (CFSP) 2016/849.
- (2) In accordance with Article 36(2) of Decision (CFSP) 2016/849, the Council has reviewed the list of designated persons and entities set out in Annex II to that Decision.
- (3) The Council concluded that one person and one entity should be removed from the list set out in Annex II to Decision (CFSP) 2016/849.
- (4) The Council has also concluded that the entries concerning certain persons and entities included in Annex II to Decision (CFSP) 2016/849 should be updated.
- (5) Annex II to Decision (CFSP) 2016/849 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Decision (CFSP) 2016/849 is amended as set out in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 12 June 2017.

For the Council
The President
C. CAMILLERI

⁽¹⁾ OJ L 141, 28.5.2016, p. 79.

ANNEX

In Annex II to Decision (CFSP) 2016/849, Sections I and II are replaced by the following:

1. Persons and entities responsible for the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them

A. Persons

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
1.	CHON Chi Bu	CHON Chi-bu		22.12.2009	Member of the General Bureau of Atomic Energy, former technical director of Yongbyon. Photographs connected him to nuclear reactor in Syria before it was bombed by Israel in 2007.
2.	CHU Kyu-Chang	JU Kyu-Chang; JU Kyu Chang	DOB: 25.11.1928 POB: South Hamyo'ng Province, DPRK	22.12.2009	Former member of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC). Former director of the department of munitions of the Central Committee of the Workers' Party of Korea. Reported with KIM Jong Un on a warship in 2013. Director of the Machine Building Industry Department of the Worker's Party of Korea. Elected Workers' Party of Korea Central Committee alternate member in May 2016 at the 7th Congress of Workers' Party of Korea, where WPK adopted a decision to continue the DPRK's nuclear programme. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
3.	HYON Chol-hae	HYON Chol Hae	DOB:1934 POB: Manchuria, China.	22.12.2009	Korean People's Army Marshal since April 2016. Deputy Director of the General Political Department of the Korean People's Army (military adviser to late Kim Jong-Il). Elected Workers' Party of Korea Central Committee member in May 2016 at the 7th Congress of Workers' Party of Korea, where WPK adopted a decision to continue the DPRK's nuclear programme.
4.	KIM Yong-chun	Young-chun; KIM Yong Chun	DOB: 4.3.1935 Passport number: 554410660	22.12.2009	Korean People's Army Marshal. Former deputy Chairman of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC). Former Minister of the People's Armed Forces, special adviser to late Kim Jong-Il on nuclear strategy. Elected Workers' Party of Korea Central Committee member in May 2016 at the 7th Congress of Workers' Party of Korea, where WPK adopted a decision to continue the DPRK's nuclear programme.

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
5.	O Kuk-Ryol	O Kuk Ryol	DOB:1931 POB: Jilin Province, China.	22.12.2009	Former deputy Chairman of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), supervising the acquisition abroad of advanced technology for nuclear and ballistic programmes. Elected Workers' Party of Korea Central Committee member in May 2016 at the 7th Congress of Workers' Party of Korea, where WPK adopted a decision to continue the DPRK's nuclear programme.
6.	PAEK Se-bong	PAEK Se Bong	DOB: 1946	22.12.2009	Former chairman of the Second Economic Committee (responsible for the ballistic programme) of the Central Committee of the Workers' Party of Korea. Member of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC). Promoted to Major-General.
7.	PAK Jae-gyong	Chae-Kyong; PAK Jae Gyong	DOB: 1933 Passport number: 554410661	22.12.2009	Deputy Director of the General Political Department of the People's Armed Forces and Deputy Director of the Logistics Bureau of the People's Armed Forces (military adviser to late Kim Jong-Il). Present at KIM Jong Un's inspection of Strategic Rocket Force Command.
8.	RYOM Yong			22.12.2009	Director of the General Bureau of Atomic Energy (entity designated by the United Nations), in charge of international relations.
9.	SO Sang-kuk	SO Sang Kuk	DOB: between 1932 and 1938	22.12.2009	Head of the Department of Nuclear Physics, Kim Il Sung University.
10.	Lieutenant General KIM Yong Chol	KIM Yong-Chol; KIM Young-Chol; KIM Young-Cheol; KIM Young-Chul	DOB: 1946 POB: Pyongan-Pukto, DPRK	19.12.2011	Elected member of Workers' Party of Korea Central Military Commission and Workers' Party of Korea Central Committee, Vice Chairman for Inter-Korean Relations. Former commander of Reconnaissance General Bureau (RGB). Promoted to United Front Department director in May 2016 at the 7th Congress of Workers' Party of Korea.
11.	PAK To-Chun	PAK To Chun	DOB: 9.3.1944 POB: Rangrim, Jagang province, DPRK.	19.12.2011	Member of the National Security Council. He is in charge of the arms industry. It is reported that he commands the office for nuclear energy. This institution is decisive for DPRK's nuclear and rocket launcher program. Photo taken with contributors to the H-bomb test and satellite launch.

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
12.	CHOE Kyong-song	CHOE Kyong song		20.5.2016	Colonel General in the Korean People's Army. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
13.	CHOE Yong-ho	CHOE Yong Ho		20.5.2016	Colonel General in the Korean People's Army/Korean People's Army Air Force General. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Commander of Korean People's Army Air Force and Anti-aircraft force. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
14.	HONG Sung-Mu	HUNG Sun Mu; HONG Sung Mu	DOB: 1.1.1942	20.5.2016	Deputy-director of the Munitions Industry Department (MID). In charge of the development of programmes concerning conventional arms and missiles, including ballistic missiles. One of the main persons responsible for the industrial development programmes for nuclear arms. As such, responsible for the DPRK's nuclear arms-related, ballistic-missile-related, or other weapons of mass destruction-related programmes.
15.	JO Kyongchol	JO Kyong Chol		20.5.2016	General in the Korean People's Army. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Director of the Military Security Command. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Accompanied Kim Jong Un to largest-ever long-range artillery fire drill.
16.	KIM Chun-sam	KIM Chun Sam		20.5.2016	Lieutenant General, former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Director of the Operations Department of the Military Headquarters of the Korean People's Army and first vice chief of the Military Headquarters. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
17.	KIM Chun-sop	KIM Chun Sop		20.5.2016	Former member of the National Defence Commission, which is now reformed into the State Affairs Commission (SAC), which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. At photo session for those who contributed to successful SLBM test in May 2015.
18.	KIM Jong-gak	KIM Jong Gak	DOB: 20.7.1941 POB: Pyongyang, DPRK	20.5.2016	Vice Marshal in the Korean People's Army, rector of the Military University of Kim Il-Sung, former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
19.	KIM Rak Kyom	KIM Rak-gyom; KIM Rak Gyom		20.5.2016	Four Star General, Commander of the Strategic Forces (a.k.a. Strategic Rocket Forces), which now reportedly command four strategic and tactical missile units, including the KN-08 (ICBM) brigade. The EU has designated the Strategic Forces for engaging in activities that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Media reports identified KIM as attending the April 2016 ICBM engine test with KIM Jong Un. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Ordered ballistic rocket firing drill.
20.	KIM Won-hong	KIM Won Hong	DOB: 7.1.1945 POB: Pyongyang, DPRK. Passport no: 745310010	20.5.2016	General, Director of the State Security Department. Minister of State Security. Member of the Central Military Commission of the Workers' Party of Korea and National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), which are the key bodies for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
21.	PAK Jong-chon	PAK Jong Chon		20.5.2016	Colonel General (Lieutenant General) in the Korean People's Army, Chief of the Korean People's Armed Forces, Deputy Chief of Staff and Director of the Firepower Command Department. Chief of the Military Headquarters and Director of the Artillery Command Department. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
22.	RI Jong-su	RI Jong Su		20.5.2016	Vice Admiral. Former member of the Central Military Commission of the Workers' Party of Korea, which is a key body for national defence matters in the DPRK. Commander in chief of the Korean Navy, which is involved in the development of ballistic-missile programmes and in the development of the nuclear capacities of the DPRK naval forces. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
23.	SON Chol-ju	SON Chol Ju		20.5.2016	Colonel General of the Korean People's Army and Political director of the Air and Anti-Air forces, which oversees the development of modernised anti-aircraft rockets. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
24.	YUN Jong-rin	YUN Jong Rin		20.5.2016	General, former member of the Central Military Commission of the Workers Party of Korea and member of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), which are all key bodies for national defence matters in the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
25.	PAK Yong-sik	PAK Yong Sik		20.5.2016	Four Star General, member of the State Security Department, Minister of the People's Armed Forces. Member of the Central Military Commission of the Workers' Party of Korea and of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), which are all key bodies for national defence matters in the DPRK. Was present at the testing of ballistic missiles in March 2016. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
26.	HONG Yong Chil			20.5.2016	Deputy Director of the Munitions Industry Department (MID). The Munitions Industry Department — designated by the UNSC on 2 March 2016 — is involved in key aspects of the DPRK's missile programme. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong-2, weapons production and R&D programmes. The Second Economic Committee and the Second Academy of Natural Sciences — also designated in August 2010 — are subordinate to the MID. The MID in recent years has worked to develop the KN08 road-mobile ICBM. HONG has accompanied KIM Jong Un to a number of events related to the development of the DPRK's nuclear and ballistic missile programmes and is thought to have played a significant role in the DPRK's nuclear test on 6 January 2016. Vice-Director of the Workers' Party of Korea Central Committee. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Present at ground jet test of new-type ICBM engine in April 2016.
27.	RI Hak Chol	RI Hak Chul; RI Hak Cheol	DOB: 19.1.1963 or 8.5.1966 Passport nos: 381320634, PS- 563410163	20.5.2016	President of Green Pine Associated Corporation ('Green Pine'). According to the UN Sanctions Committee, Green Pine has taken over many of the activities of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. Green Pine is also responsible for approximately half of the arms and related materiel exported by the DPRK. Green Pine has been identified for sanctions for exporting arms or related materiel from the DPRK. Green Pine specialises in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence-related firms. Green Pine has been designated by the UNSC.
28.	YUN Chang Hyok		DOB: 9.8.1965	20.5.2016	Deputy Director of the Satellite Control Centre, National Aerospace Development Administration (NADA). NADA is subject to sanctions under UNSCR 2270 (2016) for involvement in the DPRK's development of space science and technology, including satellite launches and carrier rockets. UNSCR 2270 (2016) condemned the DPRK's satellite launch of 7 February 2016 for using ballistic missile technology and being in serious violation of Resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013). As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
29.	RI Myong Su		DOB: 1937 POB: Myongchon, North Hamgyong, DPRK	7.4.2017	Vice-President of the Central Military Commission of the Workers' Party of Korea and Chief of Staff of the People's Armed Forces. In this capacity, Ri Myong Su holds a key position for national defence matters and is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
30.	SO Hong Chan		DOB: 30.12.1957 POB: Kangwon, DPRK Passport: PD836410105 Passport date of expiration: 27.11.2021	7.4.2017	First Vice-Minister of the People's Armed forces, member of the Central Military Commission of the Workers' Party of Korea and Colonel-General in the People's Armed Forces. In this capacity, So Hong Chan is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
31.	WANG Chang Uk		DOB: 29.5.1960	7.4.2017	Minister for Industry and Atomic Energy. In this capacity, Wang Chang Uk is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
32.	JANG Chol		DOB: 31.3.1961 POB: Pyongyang, DPRK Passport number: 563310042	7.4.2017	President of the State Academy of Sciences, an organisation dedicated to the development of technological and scientific capacities of the DPRK. In this capacity, Jang Chol holds a strategic position for the development of DPRK nuclear activities and is responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

B. Entities

	Name	Alias	Location	Date of designation	Other information
1.	Korea Pugang mining and Machinery Corporation Ltd			22.12.2009	Subsidiary of Korea Ryongbong General Corporation (entity designated by the UNSC, 24.4.2009); operates facilities for the production of aluminium powder, which can be used in missiles.
2.	Korean Ryengwang Trading Corporation		Rakwon-dong, Pothonggang District, Pyongyang, DPRK	22.12.2009	Subsidiary of Korea Ryongbong General Corporation (entity designated by the UNSC, 24.4.2009).
3.	Sobaeksu United Corp	Sobaeksu United Corp.		22.12.2009	State-owned company, involved in research into, and the acquisition, of sensitive products and equipment. It possesses several deposits of natural graphite, which provide raw material for two processing facilities, which, inter alia, produce graphite blocks that can be used in missiles.

	Name	Alias	Location	Date of designation	Other information
4.	Yongbyon Nuclear Research Centre			22.12.2009	Research centre which has taken part in the production of military-grade plutonium. Centre maintained by the General Bureau of Atomic Energy (entity designated by the UNSC, 16.7.2009).
5.	Strategic Rocket Forces			20.5.2016	Within the DPRK national armed forces, this entity is involved in the development and operational implementation of ballistic-missile-related or other weapons of mass destruction related programmes.

II. Persons and entities providing financial services that could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes

A. Persons

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
1.	JON Il-chun	JON Il Chun	DOB: 24.8.1941	22.12.2010	In February of 2010 KIM Tong-un was discharged from his office as director of Office 39, which is, among other things, in charge of purchasing goods out of the DPRK diplomatic representations bypassing sanctions. He was replaced by JON Il-chun. Representative of the National Defence Commission, which was a key body for national defence matters in the DPRK before it was reformed into the State Affairs Commission (SAC), has been elected director-general of the State Development Bank in March 2010. Elected Workers' Party of Korea Central Committee alternate member in May 2016 at the 7th Party Congress of Workers' Party of Korea, where WPK adopted a decision to continue the DPRK's nuclear programme.
2.	KIM Tong-un	KIM Tong Un		22.12.2009	Former director of 'Office 39' of the Central Committee of the Workers' Party of Korea, which is involved in proliferation financing. In 2011, reportedly in charge of 'Office 38' to raise funds for the leadership and elites.
3.	KIM Il-Su	KIM Il Su	DOB: 2.9.1965 POB: Pyongyang, DPRK.	3.7.2015	Manager in the reinsurance department of the Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang and former authorised chief representative of KNIC in Hamburg, acting on behalf of KNIC or at its direction.
4.	KANG Song-Sam	KANG Song Sam	DOB: 5.7.1972 POB: Pyongyang, DPRK.	3.7.2015	Former authorised representative of the Korea National Insurance Corporation (KNIC) in Hamburg, continues to act for or on behalf of KNIC or at its direction.

	Name	Alias	Identifying information	Date of designation	Statement of Reasons
5.	CHOE Chun-Sik	CHOE Chun Sik	DOB: 23.12.1963 POB: Pyongyang, DPRK. Passport number: 745132109 Valid until 12.2.2020	3.7.2015	Director in the reinsurance department of the Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang acting on behalf of KNIC or at its direction.
6.	SIN Kyu-Nam	SIN Kyu Nam	DOB: 12.9.1972 POB: Pyongyang, DPRK. Passport number: PO472132950	3.7.2015	Director in the reinsurance department of the Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang and former authorised representative of KNIC in Hamburg, acting on behalf of KNIC or at its direction.
7.	PAK Chun-San	PAK Chun San	DOB: 18.12.1953 POB: Pyongyang, DPRK. Passport number: PS472220097	3.7.2015	Director in the reinsurance department of the Korea National Insurance Corporation (KNIC) based in the headquarters in Pyongyang at least until December 2015 and former authorised chief representative of KNIC in Hamburg, continues to act for or on behalf of KNIC or at its direction.
8.	SO Tong Myong		DOB: 10.9.1956	3.7.2015	President of the Korea National Insurance Corporation (KNIC), KNIC Executive Management Committee Chairman (June 2012); Korean National Insurance Corporation General Manager, September 2013, acting on behalf of KNIC or at its direction.

B. Entities

	Name	Alias	Location	Date of designation	Other information
1.	Korea National Insurance Corporation (KNIC) and its branch offices	Korea Foreign Insurance Company	Haebangsandong, Central District, Pyongyang, DPRK Rahlstedter Strasse 83 a, 22149 Hamburg. Korea National Insurance Corporation of Alloway, Kidbrooke Park Road, Blackheath, London SE30LW	3.7.2015	Korea National Insurance Corporation (KNIC), a State-owned and controlled company, is generating substantial revenue, including foreign exchange, which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes. Furthermore, the KNIC headquarters Pyongyang is linked to Office 39 of the Korean Worker's Party, a designated entity.'

COMMISSION IMPLEMENTING DECISION (EU) 2017/995**of 9 June 2017****setting up the Consortium of European Social Science Data Archives — European Research Infrastructure Consortium (CESSDA ERIC)***(notified under document C(2017) 3870)***(Only the Czech, Danish, Dutch, English, French, German, Greek, Hungarian, Slovak, Slovenian and Swedish texts are authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC) ⁽¹⁾, and in particular point (a) of Article 6(1) thereof,

Whereas:

- (1) Austria, Belgium, Czech Republic, Denmark, France, Germany, Greece, Hungary, Netherlands, Norway, Slovakia, Slovenia, Sweden, Switzerland and United Kingdom requested the Commission to set up the Consortium of European Social Science Data Archives — European Research Infrastructure Consortium (CESSDA ERIC). They have agreed that Norway will be the host country of CESSDA ERIC. The Swiss Confederation has made known its decision to participate in CESSDA ERIC initially as an observer. It also has agreed that Norway will be the host country of CESSDA ERIC.
- (2) Since the United Kingdom notified on 29 March 2017 its intention to leave the Union, pursuant to Article 50 of the Treaty on European Union, the Treaties will cease to apply to the United Kingdom from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification, unless the European Council, in agreement with the United Kingdom, decides to extend that period. As a consequence, and without prejudice to any provisions of the withdrawal agreement, this Implementing Decision only applies until the United Kingdom ceases to be a Member State.
- (3) Regulation (EC) No 723/2009 has been incorporated in the Agreement on the European Economic Area (EEA) by Decision of the EEA Joint Committee No 72/2015 ⁽²⁾.
- (4) The Commission has, in accordance with Article 5(2) of Regulation (EC) No 723/2009, assessed the application and concluded that it meets the requirements set out in that Regulation.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 20 of Regulation (EC) No 723/2009,

HAS ADOPTED THIS DECISION:

Article 1

1. The Consortium of European Social Science Data Archives — European Research Infrastructure Consortium named 'CESSDA ERIC' is set up.
2. The essential elements of the Statutes of CESSDA ERIC are set out in the Annex.

⁽¹⁾ OJ L 206, 8.8.2009, p. 1.⁽²⁾ Decision of the EEA Joint Committee No 72/2015 of 20 March 2015 amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (OJ L 129, 19.5.2016, p. 85).

Article 2

This Decision is addressed to the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the French Republic, Hungary, the Kingdom of the Netherlands, the Kingdom of Norway, the Republic of Austria, the Republic of Slovenia, the Slovak Republic, the Kingdom of Sweden, the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 9 June 2017.

For the Commission
Carlos MOEDAS
Member of the Commission

ANNEX

ESSENTIAL ELEMENTS OF THE STATUTES OF CESSDA ERIC

The following Articles and paragraphs of the Articles of the Statutes of CESSDA ERIC provide for the essential elements in accordance with 6(3) of Regulation (EC) No 723/2009

1. Task and activities

(Article 2 of the Statutes of CESSDA ERIC)

1. CESSDA ERIC shall be the hub of a distributed research infrastructure linking together the social science data archives of the Members, Observers and other partners. CESSDA ERIC shall not operate its own data archives.
2. The task of CESSDA ERIC shall be to provide a distributed and sustainable research infrastructure enabling the research community to conduct high-quality research in the social sciences contributing to the production of effective solutions to the major challenges facing society today and to facilitate teaching and learning in the social sciences.
3. CESSDA ERIC shall operate on a non-economic basis. CESSDA ERIC may however carry out limited economic activities, provided that they are closely related to its main tasks and that they do not jeopardize the achievement of such tasks.
4. CESSDA ERIC shall fulfil its task by contributing to the development and coordination of standards, protocols and professional best practice including training on best practices related to data distribution and data management. CESSDA ERIC shall also include new data sources in the infrastructure when appropriate.
5. CESSDA ERIC shall promote wider participation in the research infrastructure. In order to facilitate the entry of countries that seek support for the further development of their social science data archives, CESSDA ERIC shall initiate training activities and exchanges between established and potential Service Providers.

2. Name and seat

(Article 1 of the Statutes of CESSDA ERIC)

1. The Consortium of European Social Science Data Archives (CESSDA) shall have the legal form of a European Research Infrastructure Consortium (ERIC) set up under Regulation (EC) No 723/2009, called CESSDA ERIC.
2. CESSDA ERIC shall have its statutory seat in Bergen, Norway.

3. Duration and Winding up

(Article 22 and 23 of the Statutes of CESSDA ERIC)

1. CESSDA ERIC shall exist until it is wound up in accordance with Article 23.
2. Winding up
 - a) The General Assembly may by a two-thirds majority of the votes cast decide to wind up CESSDA ERIC.
 - b) Without undue delay and in any event within 10 days after adoption of the decision to wind up, CESSDA ERIC shall notify the European Commission about the decision.

- c) Assets remaining after payment of the CESSDA ERIC debts shall be apportioned among the Members in proportion to their accumulated contributions to CESSDA ERIC.
- d) Without undue delay and in any event within 10 days of the closure of the winding up procedure, CESSDA ERIC shall notify the Commission thereof.
- e) CESSDA ERIC shall cease to exist on the day on which the European Commission publishes the appropriate notice in the *Official Journal of the European Union*.

4. Liability and Insurance

(Article 20 of the Statutes of CESSDA ERIC)

Liability:

- a) CESSDA ERIC shall be liable for its debts.
- b) The Members and Observers are not jointly liable for the debts of CESSDA ERIC.
- c) CESSDA ERIC shall take appropriate insurance to cover risks specific to the construction and operation of the CESSDA ERIC infrastructure.

5. Data Access Policy

(Article 14 of the Statutes of CESSDA ERIC)

1. The Data Access Policy of CESSDA ERIC shall be in conformity with Organisation for Economic Cooperation and Development (OECD) recommendations and guidelines on data access (OECD Principles and Guidelines for Access to Research Data from Public Funding, OECD 2007).
2. Publicly funded data and metadata held by the Service Providers shall, unless provided otherwise for in Article 9(6), be openly accessible and free at the point of access for public research and education and shall be made available in a timely fashion.
3. All data collections shall be made available by Service Providers for access to authorised researchers for public research and education.
4. Service Providers shall protect the anonymity of data subjects in accordance with applicable international, European and national regulations, as well as relevant ethical frameworks.
5. Service Providers shall maintain fair, open and transparent procedures regarding access to the data and metadata in their custody.
6. The principle of open access in Articles 14(2) and 14(3) shall not oblige a Service Provider to share data, metadata or data collections if this would be in conflict with national legislation, intellectual property rights or other compelling legal reasons.

6. Scientific Advisory Board

(Article 10 of the Statutes of CESSDA ERIC)

1. The General Assembly shall appoint an independent Scientific Advisory Board of at least four, but not more than seven eminent, independent and experienced scientists coming from countries worldwide. The appointment of the Scientific Advisory Board shall be based on recommendations from the Director. The Director shall seek advice from the Scientific Advisory Board and the Service Providers' Forum. The term of office of the members of the Scientific Advisory Board shall be three years. Members may be reappointed once.

2. The Director shall consult with the Scientific Advisory Board at least once a year on the scientific quality of the services, scientific policies and procedures and future plans within these fields.
3. The Scientific Advisory Board shall annually submit a written report to the General Assembly through the Director on its activities. The report shall contain an assessment of the services offered by CESSDA ERIC to its data users. The Director shall submit the report to the General Assembly together with the Director's comments and possible recommendations.
4. The Scientific Advisory Board may request the Director to propose to the General Assembly to supplement the Members of the Board to ensure that it is sufficiently representative of all areas covered by CESSDA ERIC.

7. Dissemination Policy

(Article 15 of the Statutes of CESSDA ERIC)

1. CESSDA ERIC's Dissemination Policy shall be implemented through its communications strategy.
2. The Dissemination Policy shall cover the outputs of all activities funded by CESSDA ERIC and shall be openly available except where pre-existing intellectual property rights make this impossible.
3. All technical papers, policies, core procedures, monitoring reports, shall be publicly available on the CESSDA ERIC website.
4. All documentation relating to meeting the obligations of being a Service Provider shall be published by the Service Providers.

8. Intellectual Property

(Article 16 of the Statutes of CESSDA ERIC)

1. The term 'intellectual property' shall in these Statutes be understood in accordance with Article 2 of the Convention Establishing the World Intellectual Property Organisation (WIPO) signed on 14 July 1967.
2. With respect to questions of intellectual property, the relations between Members, Observers and Service Providers shall be governed by applicable national law as well as relevant international rules and regulations.
3. Intellectual property that Members or Service Providers contribute to CESSDA ERIC shall remain the property of the intellectual property holder.
4. If the intellectual property originates from CESSDA ERIC-funded work (direct contribution or in kind), such property shall belong to CESSDA ERIC. CESSDA ERIC may relinquish its rights fully or partially in favour of the Member, Observer or Service Provider that has created the intellectual property rights.

9. Employment

(Article 17 of the Statutes of CESSDA ERIC)

1. CESSDA ERIC shall adhere to the principles of equal opportunity employment. Scientific positions shall be filled after having been announced internationally.
2. Subject to the requirements of national legislation, each Member within its jurisdiction shall make its best endeavours to facilitate the movement and residence of nationals of the Member involved in the tasks of the CESSDA ERIC and of the family members of such nationals.

10. Procurement

(Article 21 of the Statutes of CESSDA ERIC)

1. CESSDA ERIC shall treat procurement candidates and tenderers equally and without discrimination, regardless whether or not they are based within the European Union. The procurement policy shall respect the principles of transparency, non- discrimination and competition.
 2. Procurement by Members and Observers concerning CESSDA ERIC activities shall be done in such a way that due consideration is given to CESSDA ERIC needs, and shall be in accordance with technical requirements and specifications issued by the relevant CESSDA ERIC body.
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COMMISSION IMPLEMENTING DECISION (EU) 2017/996**of 9 June 2017****setting up the European Carbon Dioxide Capture and Storage Laboratory — European Research Infrastructure Consortium (ECCSEL ERIC)***(notified under document C(2017) 3875)***(Only the Dutch, English, French and Italian texts are authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC) ⁽¹⁾, and in particular point (a) of Article 6(1) thereof,

Whereas:

- (1) France, Italy, the Netherlands, Norway and the United Kingdom requested the Commission to set up the European Carbon Dioxide Capture and Storage Laboratory — European Research Infrastructure Consortium (ECCSEL ERIC). They have agreed that Norway will be the host Member State of ECCSEL ERIC.
- (2) Since the United Kingdom notified on 29 March 2017 its intention to leave the Union, pursuant to Article 50 of the Treaty on European Union, the Treaties will cease to apply to the United Kingdom from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification, unless the European Council, in agreement with the United Kingdom, decides to extend that period. As a consequence, and without prejudice to any provisions of the withdrawal agreement, this Implementing Decision only applies until the United Kingdom ceases to be a Member State.
- (3) Regulation (EC) No 723/2009 has been incorporated in the Agreement on the European Economic Area (EEA) by Decision of the EEA Joint Committee No 72/2015 ⁽²⁾.
- (4) The Commission has, in accordance with Article 5(2) of Regulation (EC) No 723/2009, assessed the application and concluded that it meets the requirements set out in that Regulation.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 20 of Regulation (EC) No 723/2009,

HAS ADOPTED THIS DECISION:

Article 1

1. The European Carbon Dioxide Capture and Storage Laboratory — European Research Infrastructure Consortium named 'ECCSEL ERIC' is set up.
2. The essential elements of the Statutes of ECCSEL ERIC are set out in the Annex.

⁽¹⁾ OJ L 206, 8.8.2009, p. 1.⁽²⁾ Decision of the EEA Joint Committee No 72/2015 of 20 March 2015 amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (OJ L 129, 19.5.2016, p. 85).

Article 2

This Decision is addressed to the French Republic, the Italian Republic, the Kingdom of the Netherlands, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 9 June 2017.

For the Commission
Carlos MOEDAS
Member of the Commission

ANNEX

ESSENTIAL ELEMENTS OF THE STATUTES OF ECCSEL ERIC

The following Articles and paragraphs of the Articles of the Statutes of ECCSEL ERIC provide for the essential elements in accordance with Article 6(3) of Regulation (EC) No 723/2009

1. Tasks and Activities

(Article 2 of the Statutes of ECCSEL ERIC)

1. ECCSEL ERIC shall establish and operate a world-class distributed research infrastructure to be set up as a central hub responsible for the coordinated operation of several facilities operating under a joint hallmark, ECCSEL ERIC.
 - (a) ECCSEL ERIC shall coordinate the use of the research facilities in the distributed infrastructure and coordinate plans for their upgrade and new investments. ECCSEL ERIC shall assure the international open access to the infrastructure. ECCSEL ERIC shall furthermore, within its means and competence, support the owners of the research facilities in their endeavours to enhance the operations of their facilities and their endeavours to upgrade them and to create new facilities.
 - (b) ECCSEL ERIC shall facilitate superior experimental research on new and improved CO₂ capture, transport and storage techniques (CCS), envisaging commercial uptake by 2020-2030 and beyond 2030, respectively. The General Assembly may in the future decide on an extension of ECCSEL ERIC activities towards utilisation of CO₂ (Carbon Capture, Utilization, and Storage (CCUS)) beyond enhanced oil recovery (EOR).
 - (c) ECCSEL ERIC does not own and operate research facilities itself. The General Assembly may however in the future decide that ECCSEL ERIC shall invest in or run its own facilities. Members and Observers who do not wish to participate in funding such facilities may abstain from the financing of them in accordance with Article 9(2)(a).
2. ECCSEL ERIC shall make facilities required for conducting research in priority areas available for the international research community. By doing this ECCSEL ERIC will contribute to pushing the forefront of technological development beyond the current state-of-the-art, thereby accelerating the commercialisation and deployment of CCS. In this undertaking, ECCSEL ERIC shall address and nurture top-level research actions among scientists within the field of CCS and according to the priorities of ECCSEL ERIC. ECCSEL ERIC will establish a very advanced inventory of unique research facilities and give the European CCS community (primarily), and non-European CCS communities access to these resources.
3. ECCSEL ERIC shall be constructed and operated on a non-economic basis;
4. Without prejudice to the main principle set out in Article 2(3), ECCSEL ERIC may carry out limited economic activities provided that they are closely related to ECCSEL ERIC's main tasks and they do not jeopardize the achievement thereof.

2. Name, seat, location and working language

(Article 1 of the Statutes of ECCSEL ERIC)

1. There shall be a distributed European Research Infrastructure Consortium called the 'European Carbon Dioxide Capture and Storage Laboratory — European Research Infrastructure Consortium', hereinafter referred to as 'ECCSEL ERIC'.
2. ECCSEL ERIC shall have its statutory seat in Trondheim, Norway.

3. Duration

(Article 21 of the Statutes of ECCSEL ERIC)

ECCSEL ERIC shall be established for an indefinite period of time.

4. Winding up

(Article 23 of the Statutes of ECCSEL ERIC)

1. The General Assembly may with a two-thirds majority vote decide to wind up ECCSEL ERIC.
2. Without undue delay and in any event within 10 days after adoption of the decision to wind up ECCSEL ERIC, ECCSEL ERIC shall notify the European Commission about the decision.
3. Assets remaining after payment of ECCSEL ERIC debts shall be apportioned among the Members in proportion to their accumulated annual fee to ECCSEL ERIC as specified in Annex II to the Statutes.
4. Without undue delay and in any event within 10 days of the closure of the winding up procedure, ECCSEL ERIC shall notify the European Commission thereof.
5. ECCSEL ERIC ceases to exist on the day on which the European Commission publishes the appropriate notice in the *Official Journal of the European Union*.

5. Liability

(Article 13 of the Statutes of ECCSEL ERIC)

1. ECCSEL ERIC shall be liable for its debts.
2. The Members shall not be jointly liable for the debts of ECCSEL ERIC. The liability of the Members for the debts of ECCSEL ERIC shall be limited to their respective contributions.
3. ECCSEL ERIC shall take appropriate insurance to cover the risks specific to the construction and operation of ECCSEL ERIC.

6. Access Policy

(Article 18 of the Statutes of ECCSEL ERIC)

1. A substantial part of the available research time for each national facility participating in the ECCSEL infrastructure is to be offered to the international research community. The General Assembly shall reserve a proportion of the access time available to researchers from states that are not Members of ECCSEL ERIC.
2. ECCSEL ERIC and the owners of the research facilities shall enter into individual agreements related to how large a proportion of the available research time will be made available for the international research community and the conditions for access.

3. The access to ECCSEL ERIC facilities shall be open to researchers, scientists and students. The granting of access is to be based on competition and peer review of applications after a fair and transparent procedure. The criteria for the competition shall be scientific excellence and importance in relation to ECCSEL ERIC strategies, as decided by the General Assembly.
4. Users shall bear all access costs and all costs related to materials including samples and equipment belonging to such users. The access costs shall be based on rates applying to each ECCSEL ERIC Facility.
5. ECCSEL ERIC may establish a system for authentication and authorisation that ensures that only persons that are entitled to access a facility are admitted entry and use. ECCSEL ERIC may decide that Members and Observers must adhere to such a system if their researchers are to be granted access.
6. A detailed Access Policy applicable to users, approved by the General Assembly, is to be publically available.

7. The Research Infrastructure Coordination Committee, the Scientific Advisory Board and the Ethics and Environmental Advisory Board

(Article 11 of the Statutes of ECCSEL ERIC)

The Scientific Advisory Board

- (a) The General Assembly shall appoint an independent Scientific Advisory Board of up to six eminent, independent and experienced scientists coming from countries worldwide. The appointment of the members of the Board shall be based on proposals from the Director, who shall seek advice from the Scientific Advisory Board and from the Research Infrastructure Coordination Committee. The term of office of the members of the Board is three years. Re-appointment is possible once. Delegates to the General Assembly cannot be appointed to this Board.
- (b) The Director shall consult with the Scientific Advisory Board at least once a year on the scientific quality of the services offered by ECCSEL ERIC, the organisation's scientific policies, procedures and future plans.
- (c) The Scientific Advisory Board shall annually submit a written report to the General Assembly, through the Director, on its activities. The Director shall submit the report to the General Assembly together with the Director's comments and possible recommendations.

8. Dissemination Policy

(Article 19 of the Statutes of ECCSEL ERIC)

1. There shall be open access to ECCSEL ERIC research results and data in accordance with the dissemination policy adopted by the General Assembly. The research results and data shall be given to interested parties without payment of other costs than those associated with the dissemination. For the purpose of this provision, 'ECCSEL ERIC research results and data' shall mean research results and data in the field of carbon dioxide capture and storage generated by the owners of the facilities that participate in the ECCSEL ERIC infrastructure.
2. ECCSEL ERIC shall actively disseminate ECCSEL ERIC research results to society so that they can play an active role in policy development and the control of carbon dioxide emissions.
3. ECCSEL ERIC shall promote the ECCSEL ERIC cooperation and the cooperation's results, encourage researchers to embark on new and innovative projects and, as appropriate, encourage researchers to use ECCSEL ERIC results in higher education.

4. ECCSEL ERIC shall generally encourage users of ECCSEL ERIC research results to make their own research results publicly available and shall request users to make suitable publicity about the access provided to them within ECCSEL ERIC.
5. The dissemination policy shall describe the various target groups, and use several channels to reach the target audiences. In all publications dealing with results and knowledge generated by or within the ECCSEL ERIC cooperation, ECCSEL ERIC shall be duly acknowledged.

9. Intellectual Property Rights Policy

(Article 20 of the Statutes of ECCSEL ERIC)

1. In accordance with the objects of the present Statutes, the term 'Intellectual Property' is to be understood according to Article 2 of the Convention Establishing the World Intellectual Property Organisation (WIPO) signed on 14 July 1967.
2. With respect to questions of Intellectual Property, the relations between the Members are to be governed by the national legislation of the Member countries, as well as relevant international rules and regulations.
3. Intellectual property that Members provide to ECCSEL ERIC shall remain the property of the original Intellectual Property holder. If such property originates from ECCSEL ERIC funded work (direct contribution or in kind), the intellectual property shall belong to ECCSEL ERIC, unless it has been agreed that the property shall belong to the Member that has created it. The possible economic value of access above the fee paid shall not be regarded as ECCSEL ERIC — funding of a project.
4. ECCSEL ERIC shall ensure that users agree to the terms and conditions governing access to results and intellectual property rights of results and that suitable security arrangements are in place regarding the storage and handling of rights and results.
5. ECCSEL ERIC shall have in place arrangements for investigating allegations of security breaches and confidentiality disclosures regarding research data and information.
6. ECCSEL ERIC shall provide guidance to researchers to ensure that research undertaken using material made accessible through ECCSEL ERIC shall be undertaken within a framework that recognizes the rights of owners.
7. A detailed Intellectual Property Rights Policy, approved by the General Assembly shall be separately agreed by the parties operating the facilities that participate in ECCSEL ERIC activities.

10. Employment

(Article 17 of the Statutes of ECCSEL ERIC)

1. ECCSEL ERIC shall be an equal opportunity employer. The procedures for selecting applicants for ECCSEL ERIC staff positions shall be transparent, non-discriminatory and respect equal opportunities.
2. Employment contracts shall be subject to applicable laws and regulations of the country in which the staff is employed or to the laws of the country where the activities of ECCSEL ERIC are conducted. ECCSEL ERIC vacancies shall be published internationally in an appropriate manner.
3. Subject to the requirements of national legislation, each Member shall within its jurisdiction facilitate the movement and residence of nationals of Members involved in the tasks of ECCSEL ERIC and of the family members of such nationals.

11. Procurement policy and tax exemption

(Article 16 of the Statutes of ECCSEL ERIC)

1. ECCSEL ERIC shall treat procurement candidates and tenderers equally and in a non-discriminatory way, independent of whether or not they are based in the European Union. The ECCSEL ERIC procurement policy shall respect the principles of transparency, non-discrimination and competition.
 2. The Director shall be responsible for all ECCSEL ERIC procurement. The decision to award procurement shall be published appropriately and include a full justification. The General Assembly shall adopt Implementing Rules defining all necessary details on exact procurement procedures and criteria.
 3. Procurement by Members and Observers concerning ECCSEL ERIC activities shall be done in such a way that due consideration is given to ECCSEL ERIC needs, technical requirements and specifications issued by the relevant bodies.
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CORRIGENDA**Corrigendum to the Commission Implementing Regulation (EU) 2017/649 of 5 April 2017 imposing a definitive anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in the People's Republic of China**

(Official Journal of the European Union L 92 of 6 April 2017)

On page 95, in Article 2:

for: 'The amounts secured by way of the provisional anti-dumping duties pursuant to Commission Implementing Regulation (EU) 2016/181 (*) shall be definitively released.'

(*) Commission Implementing Regulation (EU) 2016/181 of 10 February 2016 imposing a provisional anti-dumping duty on imports of certain cold-rolled flat steel products originating in the People's Republic of China and the Russian Federation (OJ L 37, 12.2.2016, p. 1).',

read: 'The amounts secured by way of the provisional anti-dumping duties pursuant to Commission Implementing Regulation (EU) 2016/1778 (*) shall be definitively released.'

(*) Commission Implementing Regulation (EU) 2016/1778 of 6 October 2016 imposing a provisional anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in the People's Republic of China (OJ L 272, 7.10.2016, p. 33).'

