

Official Journal of the European Union

L 221



English edition

Legislation

Volume 60

26 August 2017

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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2017/1501

of 24 August 2017

amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 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⁾,

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

Whereas:

- (1) Council Regulation (EC) No 329/2007 ⁽²⁾ gives effect to measures provided for in Decision (CFSP) 2016/849.
- (2) Annex IV to Regulation (EC) No 329/2007 lists persons, entities and bodies who, having been designated by the Sanctions Committee or the United Nations Security Council (UNSC) and are covered by the freezing of funds and economic resources under that Regulation.
- (3) 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.
- (4) On 5 August 2017, the UNSC adopted Resolution 2371 (2017) in which it imposed new measures against North Korea. Among others, the UNSC added nine natural persons and four legal persons to the list of persons and entities subject to restrictive measures. The UNSC also laid down exemptions from those measures with regard to two legal persons, namely, the Foreign Trade Bank (FTB) and the Korean National Insurance Company (KNIC).
- (5) Commission Implementing Regulation (EU) 2017/1457 ⁽³⁾ gives effect to the new measures by including the names of the relevant natural and legal persons in Annex IV to Regulation (EC) No 329/2007. Given that one legal person, namely, the KNIC, was previously included in Annex V to Regulation (EC) No 329/2007, it should now be deleted therefrom.
- (6) Council Decision (CFSP) 2017/1504 ⁽⁴⁾ amended Decision (CFSP) 2016/849 in order to reflect the cases in which, under Resolution 2371 (2017), restrictive measures against the FTB and the KNIC do not apply.
- (7) Regulation (EC) No 329/2007 should therefore be amended accordingly,

⁽¹⁾ OJ L 141, 28.5.2016, p. 79.⁽²⁾ Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 88, 29.3.2007, p. 1).⁽³⁾ Commission Implementing Regulation (EU) 2017/1457 of 10 August 2017 amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 208, 11.8.2017, p. 33).⁽⁴⁾ Council Decision (CFSP) 2017/1504 of 24 August 2017 amending Decision (CFSP) 2016/849 concerning restricted measures against the Democratic People's Republic of Korea (see page 22 of this Official Journal).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 329/2007 is amended as follows:

- (1) Article 8a is replaced by the following:

'Article 8a

The prohibitions in Article 6(1) and (4) shall not apply with regard to funds and economic resources belonging or made available to the Foreign Trade Bank or the Korean National Insurance Company (KNIC) insofar as such funds and economic resources are meant exclusively for the official purposes of a diplomatic or consular mission in North Korea, or for humanitarian assistance activities which are undertaken by, or in coordination with, the United Nations.';

- (2) Article 11c is replaced by the following:

'Article 11c

By way of derogation from the prohibitions arising from UN Security Council Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2070 (2016), 2321 (2016), 2356 (2017) and 2371 (2017), the relevant competent authority of a Member State, as identified on the websites listed in Annex II, may authorise any activities if the Sanctions Committee has determined, on a case-by-case basis, that they are necessary to facilitate the work of international and non-governmental organisations carrying out assistance and relief activities in North Korea for the benefit of the civilian population in North Korea, pursuant to paragraph 46 of UN Security Council Resolution 2321 (2016).';

- (3) Annex V to Regulation (EC) No 329/2009 is amended as 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, 24 August 2017.

For the Council

The President

M. MAASIKAS

ANNEX

In point (d) of Annex V to Regulation (EC) No 329/2007, the following is deleted:

	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.'

COMMISSION DELEGATED REGULATION (EU) 2017/1502**of 2 June 2017****amending Annexes I and II to Regulation (EC) No 443/2009 of the European Parliament and of the Council for the purpose of adapting them to the change in the regulatory test procedure for the measurement of CO₂ from light duty vehicles****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles ⁽¹⁾, and in particular the second subparagraph of Article 8(9) and the second subparagraph of Article 13(7) thereof,

Whereas:

- (1) A new regulatory test procedure for measuring CO₂ emissions and fuel consumption from light duty vehicles, the World Harmonised Light Vehicles Test Procedure (WLTP), set out in Commission Regulation (EU) 2017/1151 ⁽²⁾ will replace the New European Driving Cycle (NEDC), which is currently used pursuant to Commission Regulation (EC) No 692/2008 ⁽³⁾, with effect starting from 1 September 2017. The WLTP is expected to provide CO₂ emission and fuel consumption values that are more representative of real driving conditions.
- (2) In order to take into account the difference in the level of CO₂ emissions measured under the existing NEDC and the new WLTP procedures, a methodology for correlating those values has been put in place pursuant to Commission Implementing Regulation (EU) 2017/1153 ⁽⁴⁾.
- (3) The correlation methodology is to be used during the phasing-in of the WLTP until end of 2020 to ensure that manufacturers' compliance with the CO₂ emission targets can be verified on the basis of the NEDC emission values during that period. As a consequence, WLTP based specific CO₂ emission targets should be applied with effect from the calendar year 2021.
- (4) In 2020 the CO₂ emissions of all new vehicles registered is to be determined on the basis of both the NEDC and the WLTP in accordance with the correlation methodology. By monitoring both those CO₂ values, robust datasets should be available for comparing the level of emissions resulting from the two test procedures. Those datasets should allow the determination of WLTP based specific emission targets that are of a stringency comparable to those determined by reference to NEDC measurements in accordance with the requirement set out in Article 13(7) of Regulation (EC) No 443/2009.
- (5) For the purpose of setting a manufacturer's specific emission target in 2021, the average WLTP CO₂ emissions of the new cars registered in 2020 should be used as reference value. The specific emission target should be determined by either increasing or decreasing that reference value proportionally to the manufacturer's performance in meeting its NEDC based target in 2020.
- (6) In order to ensure that the WLTP based specific emission targets remain comparable over time, account should be taken of annual changes in the average mass of the manufacturer's fleet.

⁽¹⁾ OJ L 140, 5.6.2009, p. 1.

⁽²⁾ Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

⁽³⁾ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (OJ L 175, 7.7.2017, p. 679).

- (7) A number of new parameters should be added to the detailed data that is to be monitored following the introduction of the WLTP. Under the WLTP the CO₂ emission values are to be calculated taking into account the specific configuration of each individual vehicle. In order to ensure that the vehicles can be identified and the data effectively verified by manufacturers as well as by the Commission, it is appropriate to base the monitoring on vehicle identification numbers.
- (8) Annexes I and II to Regulation (EC) No 443/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 443/2009 are amended in accordance with 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, 2 June 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Annex I and II to Regulation (EC) No 443/2009 are amended as follows:

(1) In Annex I, the following points 3, 4 and 5 are added:

‘3. The specific emission reference target for a manufacturer in 2021 shall be calculated as follows:

$$\text{WLTP specific emission reference target} = \text{WLTP}_{\text{CO}_2} \cdot \left(\frac{\text{NEDC}_{2020\text{target}}}{\text{NEDC}_{\text{CO}_2}} \right)$$

Where:

$\text{WLTP}_{\text{CO}_2}$ is the average specific emissions of CO₂ in 2020 determined in accordance with Annex XXI to Commission Regulation (EU) 2017/1151 (*) and calculated in accordance with the sixth indent in the second paragraph of Article 4 of this Regulation, without including CO₂ savings resulting from the application of Articles 5a and 12 of this Regulation;

$\text{NEDC}_{\text{CO}_2}$ is the average specific emissions of CO₂ in 2020 determined in accordance with Commission Implementing Regulation (EU) 2017/1153 (**) and calculated in accordance with the sixth indent in the second paragraph of Article 4 of this Regulation without including CO₂ savings resulting from the application of Articles 5a and 12 of this Regulation;

$\text{NEDC}_{2020\text{target}}$ is the 2020 specific emission target calculated in accordance with point 1(c) of this Annex.

4. Starting from 2021, the specific emission target for a manufacturer shall be calculated as follows:

$$\text{Specific emission target} = \text{WLTP}_{\text{reference target}} + a [(M\emptyset - M_0) - (M\emptyset_{2020} - M_{0,2020})]$$

Where:

$\text{WLTP}_{\text{reference target}}$ is the 2021 specific emission reference target calculated in accordance with point 3;

a is as defined in point 1(c);

$M\emptyset$ is the average of the mass (M) as defined in point 1 of the new registered vehicles in the target year in kilograms (kg);

M_0 is as defined in point 1;

$M\emptyset_{2020}$ is the average of the mass (M) as defined in point 1 of the new registered vehicles in 2020 in kilograms (kg);

$M_{0,2020}$ is the M_0 value applicable in the reference year 2020.

5. For a manufacturer that has been granted a derogation with regard to a specific NEDC based emission target in 2021, the WLTP based derogation target shall be calculated as follows:

$$\text{Derogation target}_{2021} = \text{WLTP}_{\text{CO}_2} \cdot \frac{\text{NEDC}_{2021\text{target}}}{\text{NEDC}_{\text{CO}_2}}$$

Where:

$\text{WLTP}_{\text{CO}_2}$ is as defined in point 3;

$\text{NEDC}_{\text{CO}_2}$ is as defined in point 3;

$\text{NEDC}_{2021\text{target}}$ is the 2021 specific emission target granted by the Commission pursuant to Article 11 of this Regulation.

(*) Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

(**) Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (OJ L 175, 7.7.2017, p. 679).;

(2) Annex II is amended as follows:

(a) in Part A, point 1 is replaced by the following:

‘1. Member States shall, for each calendar year, record the following detailed data for each new passenger car registered in their territory:

- (a) the manufacturer;
- (b) the type-approval number with its extension;
- (c) the type, variant, and version (where applicable);
- (d) make and commercial name;
- (e) category of vehicle type-approved;
- (f) total number of new registrations;
- (g) mass in running order;
- (h) the specific emissions of CO₂ (NEDC and WLTP);
- (i) footprint: the wheel base, the track width steering axle and the track width other axle;
- (j) the fuel type and fuel mode;
- (k) engine capacity;
- (l) electric energy consumption;
- (m) code for the innovative technology or group of innovative technologies and the CO₂ emissions reduction due to that technology (NEDC and WLTP);
- (n) maximum net power;
- (o) the vehicle identification number;
- (p) WLTP test mass;
- (q) deviation and verification factors referred to in point 3.2.8 of Annex I to Implementing Regulation (EU) 2017/1153;
- (r) category of vehicle registered.

However, for the calendar year 2017, the data referred to in point (g), as regards WLTP CO₂ emissions values, and in point (l), as regards WLTP eco-innovation savings, as well as the data referred to in points (n), (o) and (q), may be reported on a voluntary basis.

Starting from calendar year 2018, Member States shall make available to the Commission, in accordance with Article 8, all parameters listed in this point as specified in the format in Section 2 of Part C.

Member States shall make available the data referred to in point (f) for calendar years 2017 and 2018.’

(b) Part C is replaced by the following:

‘PART C — Format for the transmission of data

For each year, Member States shall report the information specified in points 1 and 3 of part A in the following formats:

Section 1 — Aggregated monitoring data

Member State ⁽¹⁾	
Year	
Data source	

Total number of new registrations of new passenger cars subject to EC type-approval	
Total number of new registrations of new individually approved passenger cars	
Total number of new registrations of new passenger cars approved as national small series	
⁽¹⁾ ISO 3166 alpha-2 codes with the exception of Greece and the United Kingdom for which the codes are 'EL' and 'UK' respectively.	

Section 2 — Detailed monitoring data — one vehicle record

Reference to Point 1 of Part A	Detailed data per vehicle registered
(a)	Manufacturer name EU standard denomination
	Manufacturer name OEM declaration
	Manufacturer name in Member State registry ⁽¹⁾
(b)	Type approval number and its extension
(c)	Type
	Variant
	Version
(d)	Make and commercial name
(e)	Category of vehicle type approved
(f)	Total number of new registrations (for 2017 and 2018)
(g)	Mass in running order
(h)	Specific CO ₂ emissions (combined) NEDC value
	Specific CO ₂ emissions (combined) WLTP value (from 2019)
(i)	Wheel base
	Track width steering axle (Axle 1)
	Track width other axle (Axle 2)
(j)	Fuel type
	Fuel mode
(k)	Engine capacity (cm ³)
(l)	Electric energy consumption (Wh/km)
(m)	Code of the eco-innovation(s)
	Total NEDC CO ₂ emissions savings due to the eco-innovation(s)
	Total WLTP CO ₂ emissions savings due to the eco-innovation(s) (from 2019)

Reference to Point 1 of Part A	Detailed data per vehicle registered
(n)	Maximum net power
(o)	Vehicle identification number (from 2019)
(p)	WLTP test mass (from 2019)
(q)	Deviation factor De (where available)
	Verification factor (where available)
(r)	Category of vehicle registered

(¹) In the case of the national small series approvals (NSS) or the individual approvals (IVA), the manufacturer name shall be provided in the column 'Manufacturer name in Member State registry' whilst in the column 'Manufacturer name EU standard denomination' either of the following shall be indicated: 'AA-NSS' or 'AA-IVA' as the case may be.'

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1503**of 25 August 2017****amending Implementing Regulation (EU) 2016/68 on common procedures and specifications necessary for the interconnection of electronic registers of driver cards****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport ⁽¹⁾, and in particular Article 31(5) thereof,

Whereas:

- (1) Regulation (EU) No 165/2014 requires Member States to interconnect their national electronic registers on driver cards through the TACHOnet messaging system.
- (2) Common procedures and specifications necessary for the interconnection of electronic registers of driver cards through the TACHOnet messaging system are laid down by Commission Implementing Regulation (EU) 2016/68 ⁽²⁾.
- (3) The connection to the TACHOnet messaging system can be carried out either directly through a Trans European Services for Telematics between Administrations ("Testa") connection or indirectly through a Member State already connected to Testa. Traditionally, indirect connections have been bilaterally agreed through contracts signed by representatives of the entities involved at national level without the Commission intervening. However, in order to prevent potential misuse of the connection and to ensure the correct operation of the system, the Commission, in its capacity as general manager of the TACHOnet messaging system, should receive due and timely information about the interest of a national authority in connecting to the TACHOnet messaging system.
- (4) In addition to Member States, the TACHOnet messaging system is in practice open to third countries. The Commission should therefore ensure that third countries comply with the same obligations as Member States regarding the TACHOnet messaging system.
- (5) Some minor amendments to Implementing Regulation (EU) 2016/68 should be made in order to address the following aspects in a more precise and clear manner: the procedure for connection to the TACHOnet messaging system, the preliminary tests to be performed and the consequences of failure, the content of some XML messages, the determination of the escalation procedure to be followed by Member States in case of system errors, and the time that personal data can be retained in the logs of the central hub.
- (6) The new version of the TACHOnet messaging system will apply from 2 March 2018. However, in order to enable certain preparatory steps to be taken, the provisions relating to connection by third countries, preliminary tests and indirect access should apply from the date of entry into force of this Regulation.
- (7) Implementing Regulation (EU) 2016/68 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Road Transport,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2016/68 is amended as follows:

- (1) in Article 2, the following points (k), (l) and (m) are added:

‘(k) “Trans European Services for Telematics between Administrations system (“Testa”)” means a telecommunications interconnection platform for secure information exchange between the public administrations in the Union;

⁽¹⁾ OJ L 60, 28.2.2014, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2016/68 of 21 January 2016 on common procedures and specifications necessary for the interconnection of electronic registers of driver cards (OJ L 15, 22.1.2016, p. 51).

- (l) “direct access to TACHOnet” means the connection to the TACHOnet messaging system of a national electronic register via a Testa connection managed by the Member State hosting the register;
- (m) “indirect access to TACHOnet” means the connection to the TACHOnet messaging system of a national electronic register via a Testa connection managed by a Member State not hosting the register.’;

(2) the following Articles 3a and 3b are inserted:

Article 3a

Connection by third countries

Subject to the approval of the Commission, third countries may connect their electronic registers to the TACHOnet messaging system if they comply with this Regulation.

Article 3b

Preliminary tests

The connection of a national electronic register to the TACHOnet messaging system, be it through direct or indirect access, shall be established after the successful completion of connection, integration and performance tests in accordance with the instructions and under the supervision of the Commission.

In case of failure of the preliminary tests, the Commission may temporarily put on hold the testing phase. The tests shall resume once the responsible national authority has communicated to the Commission the adoption of the necessary technical improvements at national level allowing the successful performance of the preliminary tests.

The maximum duration of the preliminary tests shall be six months.’;

(3) the following Article 5a is inserted:

Article 5a

Indirect access to TACHOnet

1. A national authority requesting indirect access to TACHOnet shall submit the following documents to the Commission:

- (a) a letter signed by a representative of the national authority requesting the Commission to start the testing phase for providing indirect access to TACHOnet;
- (b) an application for indirect access to TACHOnet in the format set out in Annex IX;
- (c) the bilateral contract between the national authority requesting indirect access and the national authority providing that access through its Testa connection, signed by representatives of both national authorities.

2. No later than two months after the submission of the documents referred to in paragraph 1, the Commission shall request the national authority concerned to submit the technical information necessary to start the preliminary tests referred to in Article 3b.

3. Indirect access to TACHOnet shall not be provided until the requirements set out in paragraphs 1 and 2 have been fulfilled.’;

(4) Annexes I, II, III, VI, VII and VIII are amended in accordance with Annex I to this Regulation;

(5) Annex IX is added as set out in Annex II 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*.

Article 1(4) shall apply from 2 March 2018.

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

Done at Brussels, 25 August 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX I

Annexes I, II, III, VI, VII and VIII to Implementing Regulation (EU) 2016/68 are amended as follows:

(1) Annex I is amended as follows:

(a) in point 1.1, the second paragraph is replaced by the following:

‘All TACHOnet messages shall be routed through the central hub.’;

(b) point 2.2 is replaced by the following:

‘2.2. The central hub shall not store data for a period exceeding six months, other than the logging, statistical and routing data set out in Annex VII.’;

(c) point 2.6.1 is replaced by the following:

‘2.6.1. The contact management functionality shall provide each Member State with the ability to manage the contact details regarding policy, business, operational and technical categories of that Member State, each Member State’s competent authority being responsible for the maintenance of its own contacts. It shall be possible to view, but not edit, the contact details of the other Member States.’;

(d) point 2.6.2 is deleted;

(2) Annex II is amended as follows:

(a) point 1.3 is replaced by the following:

‘1.3. Modify Card Status (MCS): allows the requesting Member State to notify the responding Member State, through a Modify Card Status Request, that the status of a card issued by the latter has changed. The responding Member State shall reply to the Modify Card Status request by sending a Modify Card Status response as soon as the register has been updated or the notification has been rejected, giving the result of the update and indicating the current card status (as recorded in the tachograph card register). This response shall be sent at the latest 10 calendar days after the notification request has been sent. In all cases, a Modify Card Status request or response shall be acknowledged with a Modify Card Status acknowledgment.’;

(b) point 5 is replaced by the following:

‘5. The card status listed in the Appendix to this Annex shall not be used to determine if a driver card is valid for driving. When a Member State queries the register of the card issuing Member State via the CCS or CIC functionality, the response shall contain the dedicated field “valid for driving”. The national administrative procedures shall be such that CCS or CIC responses always contain the appropriate “valid for driving” value.’;

(3) Annex III is amended as follows:

(a) point 2.3 is replaced by the following:

‘2.3. National systems shall be capable of sending, receiving and processing all messages corresponding to any of the functionalities set out in Annex II.’;

(b) the Appendix is replaced by the following:

‘Appendix

Minimum requirements for the content of the XML messages

Common header		Mandatory
Version	The official version of the XML specifications shall be specified through the namespace defined in the message XSD and in the <i>version</i> attribute of the Header element of any XML message. The version number (“n.m”) shall be defined as fixed value in every release of the XML Schema Definition file (xsd).	Yes

Common header		Mandatory
Test Identifier	Optional id for testing. The originator of the test shall populate the identifier and all participants in the workflow shall forward/return the same identifier. In production it shall be ignored and shall not be used if it is supplied.	No
Technical Identifier	A UUID uniquely identifying each individual message. The sender shall generate a UUID and shall populate this attribute. This data shall not be used in any business capacity.	Yes
Workflow Identifier	The workflowId is a UUID and shall be generated by the requesting Member State. This identifier shall be then used in all messages to correlate the workflow.	Yes
Sent At	The date and time (in UTC format) that the message was sent.	Yes
Timeout	This is an optional date and time (in UTC format) attribute. This value shall be set only by the central hub for forwarded requests and is calculated based on the date/time the initial request has been received by the hub. This shall inform the responding Member State of the time when the request shall be timed out. This value is not required in initial requests sent to the hub and all response messages.	No
From	The ISO 3166-1 Alpha 2 code of the Member State sending the message or "EU".	Yes
To	The ISO 3166-1 Alpha 2 code of the Member State to which the message is being sent or "EU".	Yes
Check Issued Cards Request		Mandatory
Family Name	Driver's family name.	Yes
First Name	Driver's first/given name.	No
Date of Birth	Driver's date of birth.	Yes
Place of Birth	Driver's place of birth.	No
Driving Licence Number	Driver's driving licence number.	No
Driving Licence Issuing Country	The country that issued the driver's driving licence.	No

Check Issued Cards Response		Mandatory
Status Code	The status code of the response.	Yes
Status Message	An explanatory status description.	No
Search Mechanism	Was the card found by the NYSIS search or a custom search.	Yes
<i>Found Driver Details</i>		Yes if the driver is found
Family Name	The family name of any found drivers.	Yes
First Name	The first name of any found drivers.	No
Date of Birth	The date of birth of any found drivers.	Yes
Place of Birth	The place of birth of any found drivers.	No
<i>Card Details</i>		Yes if the driver is found
Card Number	The found card number.	Yes
Card Status	The found card status.	Yes
Valid for driving	The found card is/is not valid for driving.	Yes
Card Issuing Authority	The name of the authority that issued the found card.	Yes
Card Start of Validity Date	The date of the start of validity of the found card.	Yes
Card Expiry Date	The date of expiry of the found card.	Yes
Card Status Modified Date	The date that the found card was last modified.	Yes
Temporary Card	The found card is a temporary card.	No
<i>Driving Licence Details</i>		Yes if a driver card is found
Driving Licence Number	The found driver's driving licence number.	Yes

Check Issued Cards Response		Mandatory
Driving Licence Issuing Country	The issuing country of the found driver's driving licence.	Yes
Driving Licence Status	The status of the found driver's driving licence.	No
Driving Licence Issuing Date	The issuing date of the found driver's driving licence.	No
Driving Licence Expiry Date	The expiry date of the found driver's driving licence.	No
<i>Workshop Card Details</i>		Yes if a workshop card is found
Workshop name	The name of the workshop to which the found workshop card was issued.	Yes
Workshop address	The address of the workshop to which the found workshop card was issued.	Yes
Check Card Status Request		Mandatory
Card Number	The number of the card for which details are required.	Yes
Check Card Status Response		Mandatory
Status Code	The status code of the response.	Yes
Status Message	An explanatory status description.	No
<i>Requested Card Details</i>		Yes if the requested card is found
Card number	The requested card number.	Yes
Card Status	The status of the requested card.	Yes
Valid for driving	The requested card is/is not valid for driving.	Yes
Card Issuing Authority	The name of the authority that issued the requested card.	Yes
Card Start of Validity Date	The date of the start of validity of the requested card.	Yes
Card Expiry Date	The date of expiry the requested card.	Yes

Check Card Status Response		Mandatory
Card Status Modified Date	The date that the requested card was last modified.	Yes
Temporary Card	The requested card is a temporary card.	No
<i>Workshop Card Details</i>		Yes if a workshop card is found
Workshop Name	The name of the workshop to which the card was issued.	Yes
Workshop Address	The address of the workshop to which the card was issued.	Yes
<i>Card Holder Details</i>		
Family Name	The family name of the driver to whom the card was issued.	Yes
First Name	The first name of the driver to whom the card was issued.	No
Date of Birth	The date of birth of the driver to whom the card was issued.	Yes
Place of Birth	The place of birth of the driver to whom the card was issued.	No
<i>Driving Licence Details</i>		Yes if a driver card is found
Driving Licence Number	The driving licence number of the driver to whom the card was issued.	Yes
Driving Licence Issuing Country	The country that issued driving licence number to the driver to whom the card was issued.	Yes
Driving Licence Status	The status of the driving licence of the driver to whom the card was issued.	No
Driving Licence Issuing Date	The issuing date of the driving licence of the driver to whom the card was issued.	No
Driving Licence Expiry Date	The expiry date of the driving licence of the driver to whom the card was issued.	No
Modify Card Status Request		Mandatory
Card Number	The number of the card of which the status has changed.	Yes
New Card Status	The status to which the card has been changed.	Yes
Card Status Modified Date	The date and time that the card status was modified.	Yes

Modify Card Status Request		Mandatory
<i>Declared by</i>		
Authority	The name of the authority that made the card status change.	Yes
Authority address	The address of the authority that made the card status change.	Yes
Family Name	The family name of the person who made the card status change.	No
First Name	The first name of the person who made the card status change.	No
Phone	The phone number of the person who made the card status change.	No
Email	The email address of the person who made the card status change.	No
Modify Card Status Acknowledgement		Mandatory
Status Code	The status code of the acknowledgement.	Yes
Status Message	An explanatory status description.	No
Acknowledgement type	The type of the acknowledgment: for request or response.	Yes
Modify Card Status Response		Mandatory
Status Code	The status code of the response.	Yes
Status Message	An explanatory status description.	No
Card Number	The requested driver card number.	Yes
Card Status	The status of the requested card as it exists in the tachograph card register.	Yes
Issued Card Driving Licence Request		Mandatory
Card Number	The number of the card that has been issued.	Yes
Driving Licence Number	The number of the foreign driving licence that was used to apply for the driver card.	Yes
Family Name	The family name of the driver to whom the card was issued.	Yes
First Name	The first name of the driver to whom the card was issued.	No
Date of Birth	The date of birth of the driver to whom the card was issued.	Yes
Place of Birth	The place of birth of the driver to whom the card was issued.	No

Issued Card Driving Licence Response		Mandatory
Status Code	The status code of the response.	Yes
Status Message	An explanatory status description.	No

(4) Annex VI is amended as follows:

(a) points 1.4 to 1.8 are replaced by the following:

‘1.4. They shall respond to a minimum of 98 % of the requests forwarded to them in one calendar month and be able to service a request rate of 6 messages per second.

1.5. When sending CIC, CCS, ICDL Responses and MCS Acknowledgments in accordance with Annex VIII, they shall respond to requests within 10 seconds.

The global request timeout (time within which the requestor may wait for a response) shall not exceed 20 seconds.

1.6. MCS Responses shall be sent within 10 calendar days of the MCS Request being sent.

1.7. National systems shall not send requests to the TACHOnet hub at a rate exceeding 2 requests per second.

1.8. Every national system shall be able to cope with potential technical problems of the central hub or national systems in other Member States. These include, but are not limited to the following:

(a) loss of connection to the central hub;

(b) no response to a request;

(c) receipt of responses after message timeout;

(d) receipt of unsolicited messages;

(e) receipt of invalid messages.’;

(b) point 1.9 is deleted;

(c) in point 2.2, the following sentence is added:

‘The escalation procedure shall be detailed to the Commission upon request.’;

(5) Annex VII is amended as follows:

(a) the following paragraph is inserted after the heading of the Annex:

‘This Annex provides details of logging, statistical and routing data collected at the central hub, not at the Member States.’;

(b) point 3 is replaced by the following:

‘3. Personal data shall not be retained in the logs for more than 6 months after a transaction is complete. Statistical and anonymised routing information shall be retained indefinitely.’;

(c) in point 4, the introductory wording is replaced by the following:

‘The statistical data used for reporting may include, among others.’;

(6) Annex VIII is amended as follows:

(a) point 1.3 is replaced by the following:

‘1.3. When the applicant for a driver card holds a driving licence issued in the Member State of application, that Member State shall check if an ICDL notification had been previously recorded in its national register. This check shall be done by searching the notifications first by Driving Licence number and secondly by NYSIIS keys and date of birth. If a notification is found, the Member State shall perform either a singlecast CIC or CCS search addressed to the Member State that sent the ICDL notification.’;

(b) point 1.6 is replaced by the following:

‘1.6. Member States may choose not to record in their national register the ICDL notifications received in accordance with points 1.3, 1.4 and 1.5. In this case, they shall carry out a broadcast CIC search for every application received.’;

(c) in point 2.1, point (a) is replaced by the following:

‘(a) check the actual status of the card by sending a CCS request to the issuing Member State. If the number of the card is not known, a singlecast CIC request shall be sent instead.’;

(d) point 3.2 is replaced by the following:

‘3.2. Once the status of the driver card has been checked and it is valid for exchange, the competent authority of the Member State where the application has been made shall send a MCS notification through the TACHOnet messaging system to the issuing Member State.’.

ANNEX II

The following Annex IX is added:

‘ANNEX IX

Application for indirect access to TACHOnet

The [short name of the national authority requesting indirect access to TACHOnet] of [name of the country requesting indirect access to TACHOnet] has signed a contract with [short name of the national authority providing indirect access to TACHOnet] in order to get indirect access to TACHOnet through [name of the country providing indirect access to TACHOnet].

The contract whereby [name of the country providing indirect access to TACHOnet] provides indirect access to TACHOnet to [name of the country requesting indirect access to TACHOnet], is attached to this application.

The following information is provided:

- (a) national authority responsible for the access to TACHOnet in [name of the country requesting indirect access to TACHOnet];
- (b) contact person for TACHOnet in the [national authority referred to in point (a)] (name, role, email address, telephone number and postal address);
- (c) name and role of other responsible entities with respect to TACHOnet;
- (d) contact persons in the responsible entities referred to in point (c) (name, role, email address, telephone number).

Signed

[Representative of the national authority requesting indirect access to TACHOnet].

DECISIONS

COUNCIL DECISION (CFSP) 2017/1504

of 24 August 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 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 ⁽¹⁾ concerning restrictive measures against the Democratic People's Republic of Korea ('the DPRK'), which repealed Decision 2013/183/CFSP and, inter alia, implemented United Nations Security Council (UNSC) Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016).
- (2) On 5 August 2017, the UNSC adopted Resolution 2371 (2017) providing for new measures against the DPRK including the designation of persons and entities, including the Foreign Trade Bank and the Korean National Insurance Company ('KNIC'), as subject to an asset freeze.
- (3) Paragraph 26 of UNSCR 2371 (2017) provides a specific exemption from the provisions of an asset freeze for financial transactions with the Foreign Trade Bank or KNIC in certain circumstances.
- (4) On 10 August 2017, the Council adopted Implementing Decision (CFSP) 2017/1459 ⁽²⁾ adding the Foreign Trade Bank and KNIC to Annex I to Decision (CFSP) 2016/849. The exemptions provided for in paragraph 26 of UNSCR 2371 (2017) should also be given effect.
- (5) The entry for KNIC should be removed from Annex II to Decision (CFSP) 2016/849 as it is now designated under Annex I.
- (6) Further action by the Union is needed in order to implement the measures provided for in this Decision.
- (7) Decision (CFSP) 2016/849 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2016/849 is amended as follows:

- (1) In Article 27, paragraph 7 is replaced by the following:

‘7. The prohibition in paragraphs 1(a) and (2) shall not apply:

- (a) where the Sanctions Committee has determined, on a case-by-case basis, that an exemption is necessary to facilitate the work of international and non-governmental organisations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population;

⁽¹⁾ 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).

⁽²⁾ Council Implementing Decision (CFSP) 2017/1459 of 10 August 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 208, 11.8.2017, p. 38).

- (b) with respect to financial transactions with the Foreign Trade Bank or the Korean National Insurance Company (KNIC) if such transactions are solely for the operation of diplomatic missions in the DPRK or humanitarian activities that are undertaken by, or in coordination with, the United Nations.’.

(2) Article 36a is replaced by the following:

‘Article 36a

By way of derogation from the measures imposed by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017) and 2371 (2017), provided that the Sanctions Committee has determined that an exemption is necessary to facilitate the work of international and non-governmental organisations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population in the DPRK, the competent authority of a Member State shall grant the necessary authorisation.’.

(3) 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 Brussels, 24 August 2017.

For the Council
The President
M. MAASIKAS

ANNEX

The following entry is deleted from Part B (Entities) of Part II of Annex II to Decision (CFSP) 2016/849:

'3	Korea National Insurance Corporation (KNIC) and its branch offices	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	3.7.2015	Korea National Insurance Corporation (KNIC), a State-owned and controlled company, is generating substantial foreign exchange revenue 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.'
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