

Official Journal of the European Union

L 291



English edition

Legislation

Volume 61

16 November 2018

Contents

I *Legislative acts*

REGULATIONS

- ★ **Regulation (EU) 2018/1717 of the European Parliament and of the Council of 14 November 2018 amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority ⁽¹⁾** 1
- ★ **Regulation (EU) 2018/1718 of the European Parliament and of the Council of 14 November 2018 amending Regulation (EC) No 726/2004 as regards the location of the seat of the European Medicines Agency ⁽¹⁾** 3
- ★ **Regulation (EU) 2018/1719 of the European Parliament and of the Council of 14 November 2018 amending Regulation (EU) No 1303/2013 as regards the resources for economic, social and territorial cohesion and the resources for the Investment for growth and jobs goal** 5

II *Non-legislative acts*

DECISIONS

- ★ **Decision (EU) 2018/1720 of the European Parliament and of the Council of 23 October 2018 on the mobilisation of the European Globalisation Adjustment Fund following an application from Portugal — EGF/2018/002 PT/Norte — Centro — Lisboa wearing apparel** 8

⁽¹⁾ Text with EEA relevance.

I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2018/1717 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 14 November 2018****amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

After consulting the European Central Bank,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) In the context of the United Kingdom's notification on 29 March 2017 of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union (TEU), the other 27 Member States, meeting on 20 November 2017 in the margins of the Council, selected Paris, France, as the new seat of the European Supervisory Authority (European Banking Authority) (the 'Authority').
- (2) Taking note of the Joint report from the negotiators of the European Union and the United Kingdom Government on progress during phase 1 of negotiations under Article 50 TEU on the United Kingdom's orderly withdrawal from the European Union' of 8 December 2017 and in particular its chapter on financial settlement, and of the commitment of the United Kingdom to contribute to the general budget of the Union for the financial years 2019 and 2020 as if it remained in the Union and to contribute to its share of the financing of the commitments outstanding at 31 December 2020, the costs of relocation of the seat of the Authority arising from the decision of the United Kingdom to withdraw from the Union are to be borne by all Union taxpayers through the general budget of the Union. The United Kingdom has offered to discuss with those Union agencies that are located in London how they could reduce their withdrawal costs.
- (3) Having regard to Article 50(3) TEU, the Authority should take its new seat as of 30 March 2019.

⁽¹⁾ OJ C 197, 8.6.2018, p. 72.

⁽²⁾ Position of the European Parliament of 25 October 2018 (not yet published in the Official Journal) and decision of the Council of 9 November 2018.

- (4) To ensure the proper functioning of the Authority in its new location, a headquarters agreement should be concluded between the Authority and France and a building project in accordance with Article 88 of Commission Delegated Regulation (EU) No 1271/2013 ⁽¹⁾ should be approved before the Authority takes up its new seat. The new premises should be ready and fit for the purpose of permanent relocation by 30 March 2019. The headquarters agreement should reflect the responsibility of the French authorities to provide the most appropriate conditions in order to ensure the proper functioning of the Authority in the context of its relocation.
- (5) The transfer of the seat of the Authority does not call into question the establishment plan as adopted by the European Parliament and the Council, nor the application of the Staff Regulations to officials or other agents who work at the Authority.
- (6) The relocation of the Authority should not have any consequences with regard to the execution of the distinct mandates of the European Supervisory Authorities or the maintenance of their separate legal status. The relocation might allow, where applicable, for the sharing among Union agencies of administrative support services and facility management services which are not related to core activities.
- (7) Relations between Union institutions are to be carried out in mutual sincere cooperation, with each institution acting within the limits of the powers conferred on it in the TEU and in the Treaty on the Functioning of the European Union and in conformity with the procedures, conditions and objectives set out therein.
- (8) To give the Authority sufficient time to relocate, this Regulation should enter into force as a matter of urgency following its adoption in accordance with the ordinary legislative procedure.
- (9) Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽²⁾ should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Article 7 of Regulation (EU) No 1093/2010 is replaced by the following:

'Article 7

Seat

The Authority shall have its seat in Paris, France.

The location of the seat of the Authority shall not affect the Authority's execution of its tasks and powers, the organisation of its governance structure, the operation of its main organisation, or the main financing of its activities, while allowing, where applicable, for the sharing with Union agencies of administrative support services and facility management services which are not related to the core activities of the Authority. By 30 March 2019 and every 12 months thereafter, the Commission shall report to the European Parliament and the Council on the compliance of the European Supervisory Authorities with that requirement.'

Article 2

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

This Regulation shall apply from 30 March 2019.

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

Done at Strasbourg, 14 November 2018.

For the European Parliament

The President

A. TAJANI

For the Council

The President

K. EDTSTADLER

⁽¹⁾ Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council (OJ L 328, 7.12.2013, p. 42).

⁽²⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

REGULATION (EU) 2018/1718 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 14 November 2018****amending Regulation (EC) No 726/2004 as regards the location of the seat of the European Medicines Agency****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and point (c) of Article 168(4) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) In the context of the United Kingdom's notification on 29 March 2017 of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union ("TEU"), the other 27 Member States, meeting on 20 November 2017 in the margins of the Council, selected Amsterdam, the Netherlands, as the new seat of the European Medicines Agency ('the Agency').
- (2) Having regard to Article 50(3) TEU, the Agency should take its new seat as of 30 March 2019.
- (3) To ensure the proper functioning of the Agency in its new location, a headquarters agreement should be concluded between the Agency and the Netherlands before the Agency takes up its new seat.
- (4) It is to be welcomed that the authorities of the Netherlands are making efforts to ensure the operational effectiveness, continuity and uninterrupted functioning of the Agency during and after the relocation. Nevertheless, given the extraordinary situation, the Agency may have to temporarily focus on its core tasks and prioritise other activities according to their impact on public health and the Agency's ability to function.
- (5) The Commission should monitor the overall relocation process of the Agency to its new seat and assist that process within the limits of its competences.
- (6) To give the Agency sufficient time to relocate, this Regulation should enter into force as a matter of urgency.
- (7) Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽³⁾ should therefore be amended accordingly,

⁽¹⁾ OJ C 197, 8.6.2018, p. 71.

⁽²⁾ Position of the European Parliament of 25 October 2018 (not yet published in the Official Journal) and decision of the Council of 9 November 2018.

⁽³⁾ Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).

HAVE ADOPTED THIS REGULATION:

Article 1

The following Article is inserted in Regulation (EC) No 726/2004:

'Article 71a

The Agency shall have its seat in Amsterdam, the Netherlands.

The competent authorities of the Netherlands shall take all necessary measures to ensure that the Agency is able to move to its temporary location no later than 1 January 2019 and that it is able to move to its permanent location no later than 16 November 2019.

The competent authorities of the Netherlands shall submit a written report to the European Parliament and the Council on the progress on the adaptations to the temporary premises and on the construction of the permanent building by 17 February 2019, and every three months thereafter, until the Agency has moved to its permanent location.'

Article 2

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

This Regulation shall apply from 30 March 2019.

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

Done at Strasbourg, 14 November 2018.

For the European Parliament

The President

A. TAJANI

For the Council

The President

K. EDTSTADLER

REGULATION (EU) 2018/1719 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 14 November 2018****amending Regulation (EU) No 1303/2013 as regards the resources for economic, social and territorial cohesion and the resources for the Investment for growth and jobs goal**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 177 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

After consulting the European Economic and Social Committee,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽¹⁾,

Whereas:

- (1) Regulation (EU) No 1303/2013 of the European Parliament and of the Council ⁽²⁾ lays down the common and general rules applicable to the European Structural and Investment Funds.
- (2) Regulation (EU) 2017/2305 of the European Parliament and of the Council ⁽³⁾ amended Regulation (EU) No 1303/2013, *inter alia*, as regards the resources allocated for economic, social and territorial cohesion.
- (3) The general budget of the European Union for the financial year 2018 ⁽⁴⁾ amended the financial programming for the Youth Employment Initiative (YEI) by increasing commitment appropriations for the specific allocation for the YEI by an amount of EUR 116,7 million in current prices and bringing the overall amount of commitment appropriations for the YEI for 2018 up to EUR 350 million in current prices.
- (4) The amount of commitment appropriations for 2020 needs to be adjusted downwards accordingly to reflect the frontloading to 2018. Regulation (EU) No 1303/2013 should therefore be amended accordingly.
- (5) When Article 92(1) of Regulation (EU) No 1303/2013 was amended by Regulation (EU) 2017/2305, certain financial data set in point (a) of Article 1(2) of Regulation (EU) 2017/2305 were wrong. That financial data should be replaced by correct data. Regulation (EU) No 1303/2013 should therefore be amended accordingly.
- (6) Given the urgency of amending the programmes supporting the YEI, it is appropriate to provide for an exception to the eight week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.
- (7) Given the urgency of amending the programmes supporting the YEI, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*,

⁽¹⁾ Position of the European Parliament of 23 October 2018 (not yet published in the Official Journal) and Decision of the Council of 9 November 2018.

⁽²⁾ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

⁽³⁾ Regulation (EU) 2017/2305 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 1303/2013 as regards the changes to the resources for economic, social and territorial cohesion and to the resources for the Investment for growth and jobs goal and for the European territorial cooperation goal (OJ L 335, 15.12.2017, p. 1).

⁽⁴⁾ OJ L 57, 28.2.2018.

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1303/2013 is amended as follows:

(1) in Article 91, paragraph 1 is replaced by the following:

‘1. The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2014-2020 shall be EUR 329 982 345 366 in 2011 prices, in accordance with the annual breakdown set out in Annex VI, of which EUR 325 938 694 233 represents the global resources allocated to the ERDF, the ESF and the Cohesion Fund and EUR 4 043 651 133 represents a specific allocation for the YEI. For the purposes of programming and subsequent inclusion in the budget of the Union, the amount of resources for economic, social and territorial cohesion shall be indexed at 2 % per year.’;

(2) Article 92 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Resources for the Investment for growth and jobs goal shall amount to 96,09 % of the global resources (i.e., a total of EUR 317 073 545 392) and shall be allocated as follows:

(a) 51,52 % (i.e., a total of EUR 163 359 380 738) for less developed regions;

(b) 10,82 % (i.e., a total of EUR 34 319 221 039) for transition regions;

(c) 16,33 % (i.e., a total of EUR 51 773 321 432) for more developed regions;

(d) 20,89 % (i.e., a total of EUR 66 236 030 665) for Member States supported by the Cohesion Fund;

(e) 0,44 % (i.e., a total of EUR 1 385 591 518) as additional funding for the outermost regions identified in Article 349 TFEU and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the 1994 Act of Accession.’;

(b) paragraph 5 is replaced by the following:

‘5. Resources for the YEI shall amount to EUR 4 043 651 133 from the specific allocation for the YEI and at least EUR 4 043 651 133 from ESF targeted investment.’;

(3) Annex VI 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 Strasbourg, 14 November 2018.

For the European Parliament

The President

A. TAJANI

For the Council

The President

K. EDTSTADLER

ANNEX

‘ANNEX VI

ANNUAL BREAKDOWN OF COMMITMENT APPROPRIATIONS FOR THE YEARS 2014 TO 2020

Adjusted annual profile (including the YEI top-up)

	2014	2015	2016	2017
EUR, 2011 prices	34 108 069 924	55 725 174 682	46 044 910 736	48 027 317 164
	2018	2019	2020	Total
EUR, 2011 prices	48 341 984 652	48 712 359 314	49 022 528 894	329 982 345 366’

II

(Non-legislative acts)

DECISIONS

DECISION (EU) 2018/1720 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 23 October 2018****on the mobilisation of the European Globalisation Adjustment Fund following an application from Portugal — EGF/2018/002 PT/Norte — Centro — Lisboa wearing apparel**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 ⁽¹⁾, and in particular Article 15(4) thereof,

Having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ⁽²⁾, and in particular point 13 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) aims to provide support for workers made redundant and self-employed persons whose activity has ceased as a result of major structural changes in world trade patterns due to globalisation, as a result of a continuation of the global financial and economic crisis, or as a result of a new global financial and economic crisis, and to assist them with their reintegration into the labour market.
- (2) The EGF is not to exceed a maximum annual amount of EUR 150 million (2011 prices), as laid down in Article 12 of Council Regulation (EU, Euratom) No 1311/2013 ⁽³⁾.
- (3) On 24 April 2018, Portugal submitted an application to mobilise the EGF, in respect of redundancies in the manufacture of wearing apparel sector in the regions of Norte, Centro and Lisboa in Portugal. It was supplemented by additional information provided in accordance with Article 8(3) of Regulation (EU) No 1309/2013. That application complies with the requirements for determining a financial contribution from the EGF as laid down in Article 13 of Regulation (EU) No 1309/2013.
- (4) In accordance with Article 6(2) of Regulation (EU) No 1309/2013, Portugal has decided to provide personalised services co-financed by the EGF also to 730 young people not in employment, education or training (NEETs).
- (5) The EGF should, therefore, be mobilised in order to provide a financial contribution of EUR 4 655 883 in respect of the application submitted by Portugal.
- (6) In order to minimise the time taken to mobilise the EGF, this decision should apply from the date of its adoption,

⁽¹⁾ OJ L 347, 20.12.2013, p. 855.

⁽²⁾ OJ C 373, 20.12.2013, p. 1.

⁽³⁾ Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2018, the European Globalisation Adjustment Fund shall be mobilised to provide the amount of EUR 4 655 883 in commitment and payment appropriations.

Article 2

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

It shall apply from 23 October 2018.

Done at Strasbourg, 23 October 2018.

For the European Parliament

The President

A. TAJANI

For the Council

The President

K. EDTSTADLER

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN