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⁽¹⁾ Text with EEA relevance.

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1213

of 12 July 2019

laying down detailed provisions ensuring uniform conditions for the implementation of interoperability and compatibility of on-board weighing equipment pursuant to Council Directive 96/53/EC**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 96/53/EC of 25 July 1996 ⁽¹⁾, and in particular Article 10d(5) thereof,

Whereas:

- (1) On-board weighing equipment is an option provided for the Member States by Directive 96/53/EC for carrying out the control of vehicles or vehicle combinations which may be overloaded.
- (2) In line with the second paragraph of Article 10d(5) of Directive 96/53/EC, in order to ensure interoperability, the on-board weighing equipment has to be able to transmit weight data at any time from a moving vehicle to the competent authorities and to the driver through an interface defined by CEN DSRC standards. Technical specifications adapting the content of the standards to the specificities of the information to be provided by on-board weighing equipment should therefore be adopted.
- (3) On-board weighing equipment may be fitted in motor vehicles as well as in trailers and semi-trailers. It is necessary to guarantee that on-board weighing equipment fitted in different vehicles of a vehicle combination is mutually compatible. Compatibility should be ensured by the implementation of European standards on C-ITS as referred to in the delegated act supplementing Directive 2010/40/EU of the European Parliament and of the Council ⁽²⁾ with regard to the deployment and operational use of cooperative intelligent transport systems.
- (4) Member States mandating the instalment of on-board weighing equipment should be able to exempt from that obligation vehicles or vehicle combinations for which it is impossible to exceed the maximum authorised weight, such as trailers or semitrailers specifically designed for the carriage of liquids or livestock.
- (5) The use of on-board weighing equipment for the purpose of enforcement may trigger attempts of manipulation, as is the case with other vehicle systems, such as the digital tachograph or the systems for the restriction of emissions. In order to keep an appropriate level of security against manipulation, the communication between motor vehicle and trailer or semi-trailer must be secured. In addition, on-board weighing equipment should be certified according to the Common Criteria, by a certification body recognised by the Management Committee within the framework of the 'Mutual Recognition Agreement of Information Technology Security Evaluation Certificates' of the Senior Officials Group on Information Systems Security (SOG-IS).

⁽¹⁾ Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (OJ L 235, 17.9.1996, p. 59).

⁽²⁾ Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1).

- (6) Member States which opt for the installation in the vehicle of on-board weighing equipment should ensure that the vehicles undergo inspections of that equipment by OBW-workshops. In order to ensure the uniform implementation of the interoperability rules set out in this Regulation, those workshops should guarantee that the on-board equipment is operating with the appropriate level of accuracy. Those workshops may be, subject to necessary adjustments, testing centres referred to in Directive 2014/45/EU of the European Parliament and of the Council ⁽³⁾, workshops referred to in Regulation (EU) No 165/2014 of the European Parliament and of the Council ⁽⁴⁾, or any other workshop respecting the requirements of this Regulation. Member States which do not opt for introducing on-board weighing equipment on the grounds of Article 10d(1) of Directive 96/53/EC should not need to set up those workshops.
- (7) The current state of the technology does not make possible the implementation of neither CEN DSRC nor C-ITS communication standards in on-board weighing equipment by 27 May 2021. A phased approach should therefore be adopted for the implementation of on-board weighing equipment so that industry is able to develop products compliant with the requirements of this Regulation, and in particular with its Annex II and certain requirements of Annex III. The Member States which opt for the installation in the vehicle of on-board weighing equipment should, by 27 May 2021, apply the requirements referring to stage 1 set out in Annexes I and III. An additional period of three years should be granted for the application of requirements set out in Annex II and those referring to stage 2 set out in Annexes I and III.
- (8) Member States may take specific measures to require that the vehicles to be checked by the competent authorities in order to ensure compliance with Directive 96/53/EC and which are put into circulation as of 27 May 2021 and registered in their territory, are fitted with an on-board weighing equipment. Vehicles put into circulation and registered before that date should not need to be retrofitted with such an equipment.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Road Transport Committee, referred to in Article 10i of Directive 96/53/EC,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

- 1. This Regulation lays down uniform conditions for the interoperability and compatibility of on-board weighing equipment installed in vehicles or vehicle combinations for the purpose of ensuring compliance with Article 10d(4) to (5) of Council Directive 96/53/EC or the requirements on maximum weight for national traffic of the Member State where the vehicle is in use.
- 2. This Regulation shall not apply to Member States which have not opted for the introduction of on-board weighing equipment in accordance with Article 10d(1) of Directive 96/53/EC.
- 3. Member States may exempt from the obligation requiring the instalment of on-board weighing equipment in vehicles or vehicle combinations the design or type of load of which makes it impossible to exceed the maximum authorised weight. Those exemptions shall not be based on the technically permissible maximum laden mass of a vehicle indicated by the manufacturer. The vehicles or vehicle combinations which benefit from an exemption may still be subject to control by the competent authorities of the maximum authorised weight.

Article 2

Definitions

The following definitions shall apply:

- (a) 'on-board weighing equipment' ('OBW') means the equipment on-board a vehicle that is able to determine the total weight or the axle weight;
- (b) 'total weight' means the total weight of a motor vehicle and, in case of a vehicle combination, of the vehicle combination as determined by the OBW, in kilogram;

⁽³⁾ Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.4.2014, p. 51).

⁽⁴⁾ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1).

- (c) 'axle weight' or 'axle load' means the weight of a laden axle or group of axles as determined by the OBW, in kilogram;
- (d) 'calculated weight' or 'weight value' means either the total weight or the axle weight, in kilogram;
- (e) 'motor vehicle unit' ('MVU') means the part of the OBW placed in the motor vehicle, excluding the sensors, able to collect, store, process data and to calculate a weight value resulting from those data;
- (f) 'trailer unit' ('TU') means the part of the OBW placed in a trailer or semi-trailer, excluding the sensors, able to collect, store, process data from the trailer or semi-trailer equipment and to calculate axle weight values resulting from those data;
- (g) 'dedicated short range communication vehicle unit' ('DSRC-VU') means the 'remote early detection facility', as referred to in Appendix 14 to Annex IC to Commission Implementing Regulation (EU) 2016/799 ⁽³⁾, able to receive the OWS data from either the MVU or the C-ITS station and to send it to the REDCR;
- (h) 'remote early detection communication reader' ('REDCR') means the remote early detection communication reader held by the enforcement authorities, which is able to read the OWS data transmitted by the DSRC-VU. The REDCR may be the same device as the one used for reading the RTM data pursuant to Regulation (EU) 2016/799, although both the transmission of the RTM data and that of the OWS data shall be carried out under separate requests from the REDCR;
- (i) 'weight data' means the raw data transmitted between elements of the OBW that must be processed in order to obtain the calculated weight;
- (j) 'on-board weighing system data' ('OWS data') means the secured data of defined format requested by the REDCR from the DSRC-VU;
- (k) 'sensor' means the element of the OBW that is able to generate weight data by measuring specific physical parameters, being those data used by either the MVU or the TU for further processing;
- (l) 'cooperative intelligent transport systems station' ('C-ITS station') means the C-ITS station within the meaning of the delegated act supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the deployment and operational use of cooperative intelligent transport systems, adopted on the basis of Article 6(1) of that Directive;
- (m) 'address assignment phase' means the preliminary phase of electronic communication between vehicles of a vehicle combination whereby a position is assigned to each vehicle.
- (n) 'on-board weighing equipment workshop' ('OBW-workshop') means a workshop authorised by a Member State to perform inspections of on-board weighing equipment.

Article 3

Certificates policy

Member States shall ensure that there is at least one root certification authority, an enrolment authority and an authorisation authority able to carry out, for the purpose of on-board weighing equipment, the functions set out in the Certificate Policy for Deployment and Operation of European Cooperative Intelligent Transport Systems (C-ITS) referred to in the delegated act supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the deployment and operational use of cooperative intelligent transport systems, adopted on the basis of Article 6(1) of that Directive.

Article 4

Periodic inspections

1. On-board weighing equipment shall be subject to a periodic inspection by an OBW-workshop every two years following its installation in the vehicle or vehicle combination.
2. Periodic inspections shall be performed in accordance with Annex IV.

⁽³⁾ Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ L 139, 26.5.2016, p. 1).

3. The inspections shall ensure that the following requirements are complied with:
 - (a) the on-board weighing equipment has been fitted in accordance with the documentation provided by the manufacturer and is appropriate for the vehicle;
 - (b) the on-board weighing equipment is working properly and accurately delivers the weight values;
 - (c) there are no manipulation devices attached to the on-board weighing equipment or traces of use of such devices.
4. At the end of the inspection, the OBW-workshop shall issue an inspection report of the on-board weighing equipment. A copy of the report shall be kept in the vehicle.
5. The inspection report shall contain, at least, the following information:
 - (a) vehicle identification number (VIN number or chassis number);
 - (b) place and date of the test;
 - (c) test passed (yes/no);
 - (d) identified deficiencies, including manipulation, as well as the remedies adopted;
 - (e) date of the next periodic inspection or date of expiry of the current certificate, if this information is not provided by other means;
 - (f) Name, address and identification number of the OBW-workshop and signature or identification of the inspector responsible for the inspection;
 - (g) the mark, type, identification number, number of type examination certificate and date of last verification of the certified weighing device used for the periodic inspection.
6. Inspection reports shall be retained for a minimum period of two years from the time the report was made, although Member States may decide that the inspection reports are sent to the competent authority during that period. In cases where the inspection reports are kept by the OBW-workshop, the latter shall make available the reports of inspections and calibrations carried out during that period upon request from the competent authority.

Article 5

OBW-workshops

1. Member States shall approve, regularly audit and certify the OBW-workshops allowed to perform inspections of on-board weighing equipment.
2. Member States shall ensure that OBW-workshops located in their territories perform inspections of on-board weighing equipment in a reliable way. For that purpose, they shall establish and publish a set of procedures ensuring that the following minimum criteria are met:
 - (a) the staff of the OBW-workshop is properly trained;
 - (b) the equipment necessary to carry out the relevant tests and tasks is available and has been certified according to Directive 2014/31/EU of the European Parliament and of the Council ⁽⁶⁾ or Directive 2014/32/EU of the European Parliament and of the Council ⁽⁷⁾;
 - (c) the workshops are of good repute.
3. OBW-workshops shall be subject to the following audits:
 - (a) at least every five years, to an audit performed by a supervising body on the procedures applied when handling on-board weighing equipment. The audit shall focus on the tasks and activities laid down in point 1 of Annex V to Directive 2014/45/EU; the supervising body shall fulfil the requirements laid down in point 2 of that Annex;
 - (b) unannounced technical audits may also take place in order to check the installations, inspections and, where appropriate, calibrations carried out.

⁽⁶⁾ Directive 2014/31/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of Member States relating to the making available on the market of non-automatic weighing instruments (OJ L 96, 29.3.2014, p. 107).

⁽⁷⁾ Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of Member States relating to the making available on the market of measuring instruments (OJ L 96, 29.3.2014, p. 149).

4. Member States shall take appropriate measures to prevent conflicts of interests between OBW-workshops and transport undertakings. In particular, where there is a serious risk of conflict of interests, including the ownership of OBW-workshops by transport undertakings, additional specific measures shall be taken to ensure that OBW-workshops comply with this Article.

5. The competent authorities of the Member States shall publish on their websites an updated list of OBW-workshops, with at least the following data:

- (a) workshop identification number and name of [entity/entities constituting] the workshop;
- (b) postal address;
- (c) email address;
- (d) telephone number.

6. The competent authorities in Member States shall withdraw approvals, either temporarily or permanently, from OBW-workshops which fail to meet their obligations under this Regulation.

Article 6

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 27 May 2021.

However, points 1.4(d), 5.3 and 8.1 of Annex I, Annex II and points 3, 8.2 and 10 of Annex III shall apply from 27 May 2024.

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

Done at Brussels, 12 July 2019.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

GENERAL PROVISIONS FOR ON-BOARD WEIGHING EQUIPMENT ('OBW')**1. General provisions**

- 1.1. The following types of OBW systems are included in the scope of this Regulation:
 - a) dynamic system: OBW system that determines the weight by collecting and processing information from parameters that are captured while the vehicle is in motion, such as accelerations, traction or braking forces, and which do not take place when the vehicle is standing still;
 - b) static system: OBW system that determines the weight with information obtained from parameters that are captured while the vehicle is standing still, such as the pressure in an air bellow.
- 1.2. The implementation of this Regulation follows two stages:
 - (a) stage 1 OBW referred to in point 5.2;
 - (b) stage 2 OBW referred to in point 5.3.
- 1.3. The OBW shall calculate the total weight and, optionally, the axle weight.
- 1.4. The OBW shall comprise the following elements:
 - a) a motor vehicle unit ('MVU') placed in the motor vehicle;
 - b) optionally, a TU in the trailer or semi-trailer;
 - c) sensors;
 - d) for stage 2, a C-ITS station in each of the vehicles featuring either a MVU or a TU.
- 1.5. MVU and Trailer Unit may each consist of a single processing unit or be split into different units.

2. Motor vehicle unit ('MVU')

The MVU shall:

- a) receive the axle load from the TU, if the latter is present;
- b) collect weight data from the sensors in the motor vehicle;
- c) process the available information and calculate the corresponding weight values;

3. Trailer unit ('TU')

Where present, the TU shall:

- a) collect weight data from the sensors in the trailer or semi-trailer, process the available information and calculate the axle weights resulting from those data;
- b) transfer the axle weight values to the motor vehicle.

4. Calculation of weight

- 4.1. For dynamic systems, a first weight value shall be calculated at the latest 15 minutes after the vehicle starts to move forward and shall be recalculated, every 10 minutes henceforth or faster.
- 4.2. For static systems, weight values shall be calculated every minute when ignition is on and the vehicle is standing still.
- 4.3. The resolution of the calculated weight shall be 100 kg or better.

5. **Exchange of information between the motor vehicle and the trailers or semi-trailers of a vehicle combination**

5.1. Each trailer or semi-trailer shall make available to the motor vehicle the weight values calculated by the former in accordance with points 5.2 or 5.3, as applicable.

5.2. Stage 1 OBW

5.2.1. Each trailer or semi-trailer shall be assigned a position within the vehicle combination in the frame of a dynamic address assignment as set out in ISO 11992-2:2014.

5.2.2. After the address assignment phase is carried out, the TU of each trailer or semi-trailer shall transfer to the MVU the axle load sum or the axle load in accordance with the description provided in points 6.5.4.7 and 6.5.5.42 of ISO 11992-2:2014.

5.2.3. The messages on axle load sum or axle load shall follow the specifications set out in ISO 11992-2:2014 for the message types EBS22 and RGE22.

5.2.4. The format, routing and general parameter ranges of the messages shall be in accordance with points 6.1, 6.3 and 6.4 of ISO 11992-2:2014.

5.3. Stage 2 OBW

The information between motor vehicle and the trailers or semi-trailers being towed shall be exchanged by means of C-ITS stations as set out in Annex II.

5.4. For both stage 1 and stage 2 OBW, different specifications may be used, provided that the OBW equipment in the motor vehicle and in the trailers or semi-trailers are compatible with them.

6. **Data preparation and transfer to the DSRC-VU**

The MVU for stage 1 or the C-ITS station in the motor vehicle for stage 2, shall transmit to the DSRC-VU module the on-board weighing system ('OWS') data in accordance with Annex III.

Figure 1

Example of layout for OBW in a stage 1 truck/semi-trailer vehicle combination

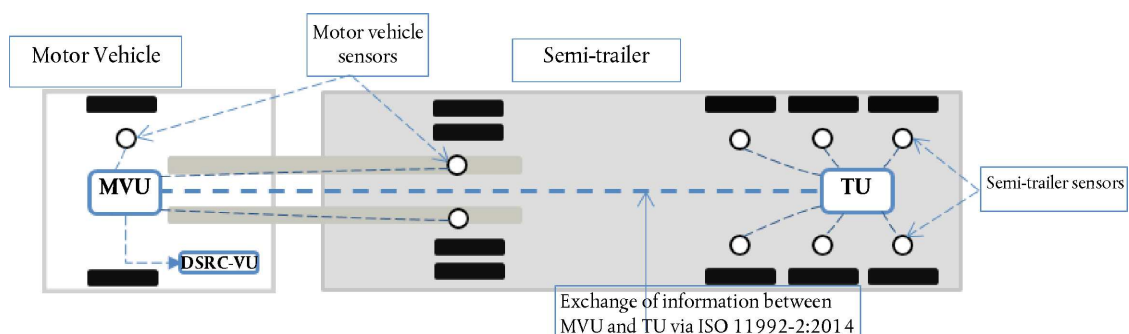
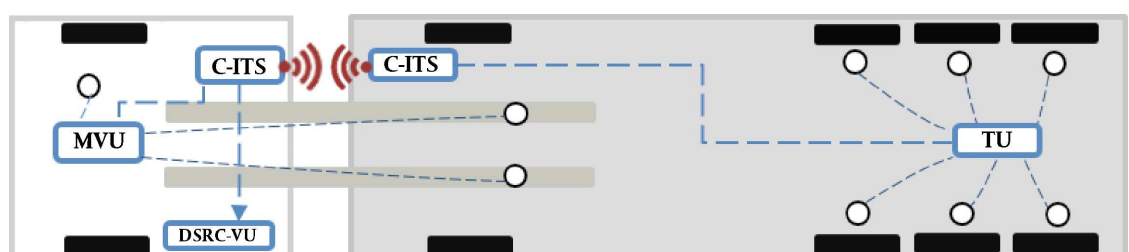


Figure 2

Example of layout for OBW in a stage 2 truck/semi-trailer vehicle combination



7. **Weight information to the driver**

The driver shall be informed by a display of, at least, the total weight.

8. **Accuracy**

8.1. The accuracy of the calculated weight shall be $\pm 5\%$ or better when the vehicle is loaded at greater than 90 % of its maximum authorised weight.

8.2. Notwithstanding point 8.1, for stage 1 OBW the accuracy may be $\pm 10\%$ or better.

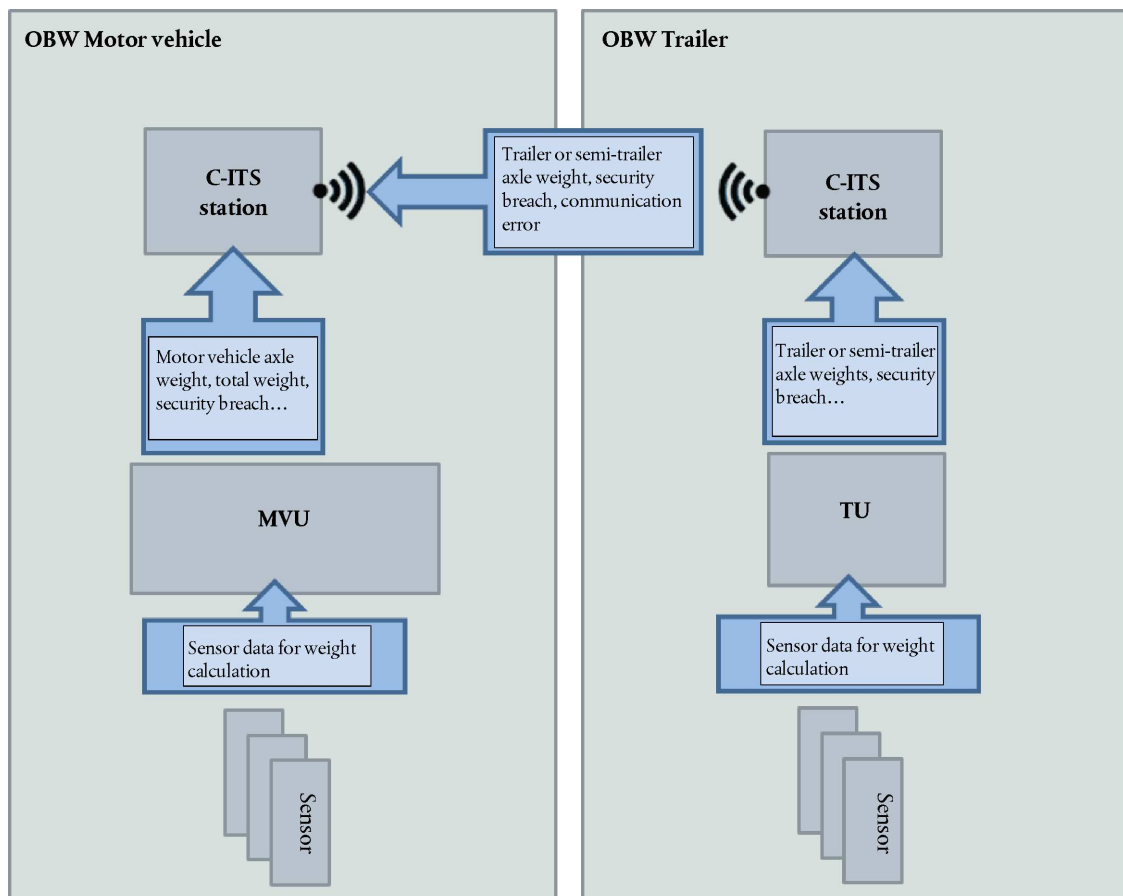
ANNEX II

SPECIFIC PROVISIONS FOR STAGE 2 OBW

1. This Annex applies exclusively to stage 2 OBW.
2. The motor vehicle and the trailers or semi-trailers of the vehicle combination featuring a trailer unit ('TU') shall be fitted with a C-ITS station connected to the motor vehicle unit ('MVU') or to the TU of the corresponding vehicle. The MVU and the TU may be integrated in their respective C-ITS stations.
3. The MVU and the TU shall transmit to the C-ITS stations to which they are connected the necessary information for the transmission of the messages in accordance with point 4.3 of this Annex.

Figure 3

Example of flow of messages in a stage 2 OBW



4. Exchange of information between motor vehicle and trailer or semi-trailer
 - 4.1. The information on weight between motor vehicle and the trailers or semi-trailers being towed shall be exchanged through a wireless link set up between the C-ITS stations of the motor vehicle and those of the trailers or semi-trailers, in accordance with the standards EN 302 663-V1.1.1, with the exemption of clause 4.2.1, EN 302 636-4-1-V1.3.1, EN 302 636-5.1-V2.1.1 and with the European standard on the OBW application for C-ITS that shall be developed by ETSI.
 - 4.2. Messages exchanged by the C-ITS stations shall be secured as laid down in point 5.1.
 - 4.3. the following information shall be transmitted between the C-ITS stations:
 - a) axle weight of the trailers or semi-trailers being towed;

- b) messages containing 'OBW communication error' events: a OBW communication error event shall be triggered when the C-ITS stations fail to establish a mutual secured communication in accordance with point 5.1 for more than three attempts;
 - c) messages containing a 'security breach attempt' event: a security breach attempt event shall be triggered when an attempt to manipulate the OBW as set out in point 5.2 and in the Appendix has been detected by the OBW.
- 4.4. The format of the messages needed for the address assignment phase and for the transmission of the information referred to in point 4.3 shall be set out in the standard on the OBW application referred to in point 4.1.
5. Security provisions
- 5.1. Secure communication between C-ITS stations
- 5.1.1. The communication between C-ITS stations shall be secured in accordance with the European standard ETSI TS 103 097-V1.3.1 and with the European standard on the OBW application for C-ITS referred to in point 4.1.
- 5.1.2. In accordance with the Certificate Policy for Deployment and Operation of European Cooperative Intelligent Transport Systems, adopted by the Commission, the C-ITS stations shall get:
- a) An enrolment credential from an enrolment authority, authorising them to operate as C-ITS stations for the purpose of on-board weighing.
 - b) A number of authorisation tickets from an authorisation authority allowing them to operate within the C-ITS environment as part of the OBW.
- 5.2. Protection against security breach attempts
- The protection of stage 2 OBW against security breach attempts shall be implemented in accordance with the Appendix to this Annex.
-

APPENDIX TO ANNEX II

SECURITY CERTIFICATION FOR STAGE 2 OBW

1. The MVU and the TU shall be security certified according to the Common Criteria Scheme. In this Appendix, the MVU and the TU are hereafter referred to as 'OBW-VU'.
2. The minimum security requirements to be met by OBW-VU shall be defined in a Security Target ('ST') according to the Common Criteria Scheme.
3. The ST shall be drafted by the manufacturer of the equipment to be certified, and approved by a governmental IT security certification body organised within the Joint Interpretation Working Group ('JIWG') which is supporting the mutual recognition of certificates under the umbrella of the European SOGIS-MRA (Agreement on Mutual Recognition of Information Technology Security Evaluation Certificates).
4. The V2X gateway and the Hardware Security Module of the C-ITS stations shall be security certified against the V2X Gateway and Hardware Security Module protection profiles developed by the Car2Car Communication Consortium.
5. The assurance level for the security certification of the OBW-VU shall be EAL2. However, if the tachograph is used as MVU, the former shall be certified against an assurance level EAL4 augmented by the assurance components ATE_DPT.2 and AVA_VAN.5, as set out in Appendix 10 to Annex IC to Regulation (EU) 2016/799.
6. Assets to be protected by the ST

The following assets shall be protected:

- a) OBW-VU message: any message which is sent or received by a relevant OBW-VU module bearing information that is necessary for the calculation of the weight.

The relevant OBW modules are those hardware and software units of the OBW-VU which process information that, if attacked, may result in a miscalculation by the OBW of the total or axle weight.

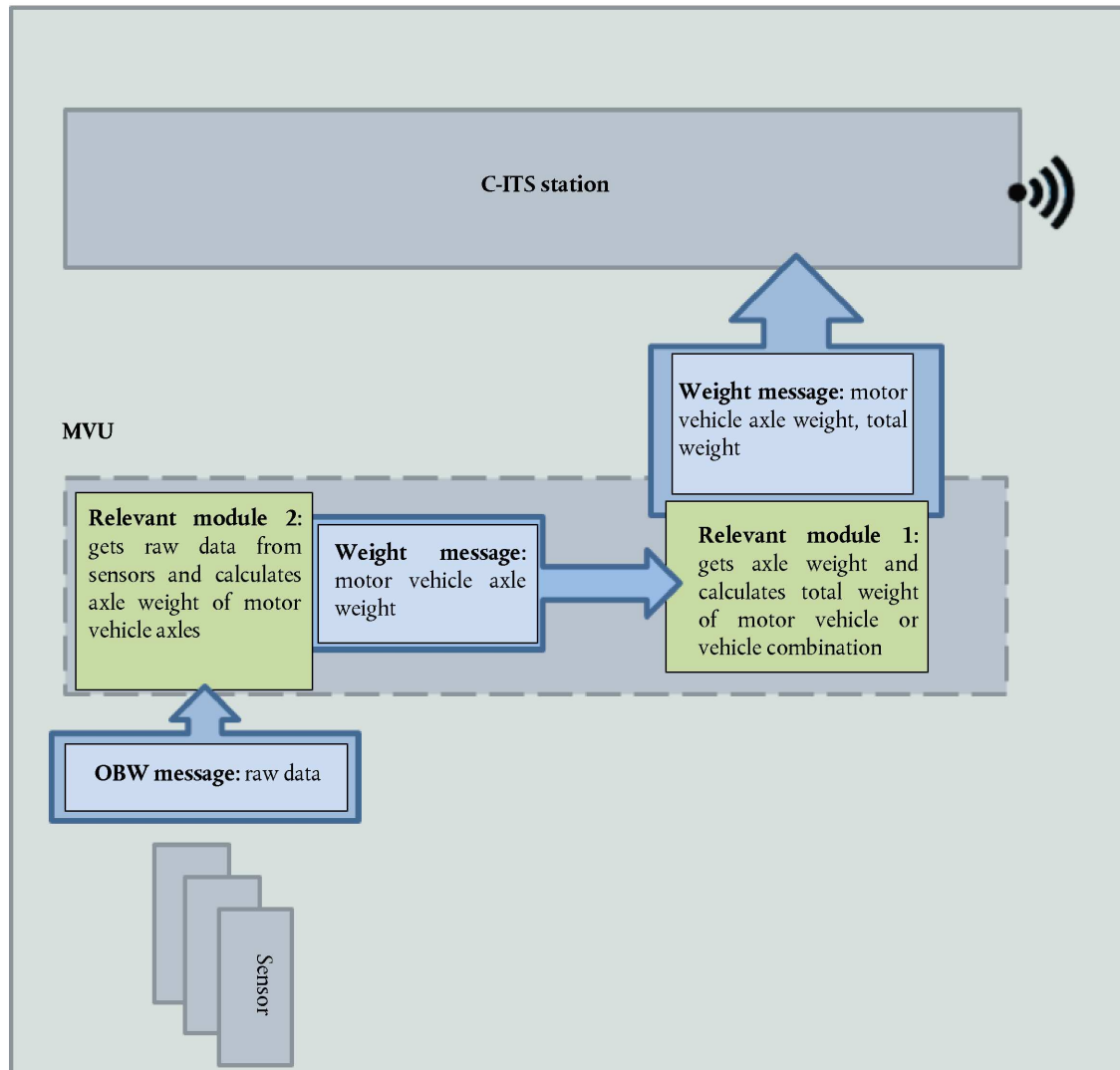
A OBW-VU may be a single relevant module or be composed of different relevant modules, in accordance with point 1.5 of Annex I, in which case the ST shall identify them.

- b) Weight message: message containing the total or axle weight calculated by the OBW-VU.
- c) Calibration data: information that is entered in the OBW-VU memory in order to calibrate the OBW.
- d) Audit information: information on security breach attempts corresponding to the threats addressed in this Appendix.
- e) OBW-VU software: software used within the OBW-VU to implement and support OBW functions which is relevant for the calculation of the weight and the detection of security breach attempts.

Figure 4

Example of OBW-VU messages and Weight messages to be protected in a MVU composed of two relevant modules

OBW Motor vehicle



7. Threats to be addressed in the ST

The ST shall address the following threats:

- T.OBW-VU_message_spoof: an attacker could spoof OBW-VU messages so that the OBW-VU miscalculates the total or axle weight.
- T.OBW-VU_message_tamper: an attacker could tamper OBW-VU messages so that the OBW-VU miscalculates the total or axle weight.
- T.Weight_message_spoof: an attacker could spoof weight messages so that the weight calculated by the OBW-VU is modified.
- T.Weight_message_tamper: an attacker could tamper weight messages so that the weight calculated by the OBW-VU is modified.
- T.Audit_spoof: an attacker could spoof audit information messages.
- T.Audit_tamper: an attacker could tamper audit information messages.
- T.Calibration_tamper: an attacker could enter wrong values as calibration data in order to induce the OBW-VU to miscalculate the weight.

- h) T.Software_tamper: an attacker could modify or replace the OBW-VU software in order to alter the normal calculation of the weight.
- i) T.Stored_Data_tamper: an attacker could try to modify or delete the relevant information stored in the OBW-VU, including audit information.
8. The security objectives for the OBW-VU shall be the following:
- a) O.Plausibility_validation: the OBW-VU shall verify that information from an incoming message to a relevant module, either from the sensors or from another module, can be trusted on the basis of its plausibility.
- b) O.OBW-VU_stored_information_protection: the OBW-VU shall be able to protect stored software and data from tampering.
- c) O.Notification: the OBW-VU shall be able to notify a security breach attempt.
9. Rationale
- a) T.OBW-VU_message_spoof is addressed by O.Plausibility_validation and by O.Notification.
- b) T.OBW-VU_message_tamper is addressed by O.Plausibility_validation and by O.Notification.
- c) T.Weight_message_spoof is addressed by O.Plausibility_validation and by O.Notification.
- d) T.Weight_message_tamper is addressed by O.Plausibility_validation and by O.Notification.
- e) T.Audit_spoof is addressed by O.Plausibility_validation and by O.Notification.
- f) T.Calibration_tamper is addressed by O.Plausibility_validation and by O.Notification.
- g) T.Software_tamper is addressed by O.OBW-VU_stored_information_protection and by O.Notification.
- h) T.Stored_data_tamper is addressed by O.OBW-VU_stored_information_protection and by O.Notification.

Table 1

Security objectives rationale

	O.Plausibility_validation	O.OBW-VU_stored_informa- tion_protection	O.Notification
T.OBW_message_spoof	X		X
T.OBW_message_tamper	X		X
T.Weight_message_spoof	X		X
T.Weight_message_tamper	X		X
T.Audit_spoof	X		X
T.Audit_tamper	X		X
T.Calibration_tamper	X		X
T.Software_tamper		X	X
T.Stored_data_tamper		X	X

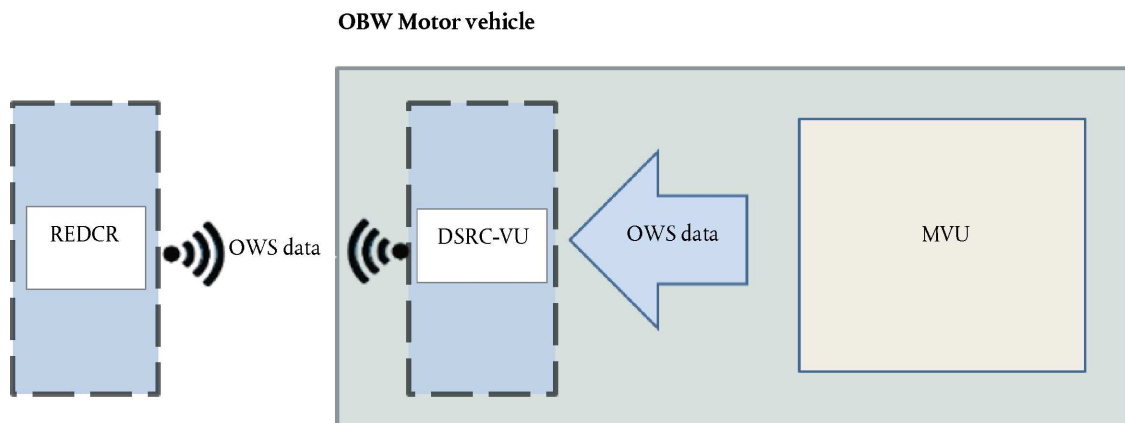
ANNEX III

DATA PREPARATION AND TRANSFER OF INFORMATION TO THE REDCR

1. This Annex, complementary to Appendix 14 to Annex IC to Regulation (EU) 2016/799 (henceforth Appendix 14), specifies the requirements for the preparation and transfer of OWS data from the motor vehicle to the Remote Early Detection Communication Reader (REDCR).
2. On-board weighing system ('OWS') data transfer for stage 1 OBW
 - 2.1. OWS data shall be provided to the dedicated short range communication vehicle unit ('DSRC-VU') by the motor vehicle unit ('MVU').
 - 2.2. The MVU shall:
 - 2.2.1. Build up the OWS data with the information received from the MVU and the trailer unit ('TU'), according to the structure set out in point 6;
 - 2.2.2. forward the OWS data to the DSRC-VU for further transmission to the REDCR.

Figure 5

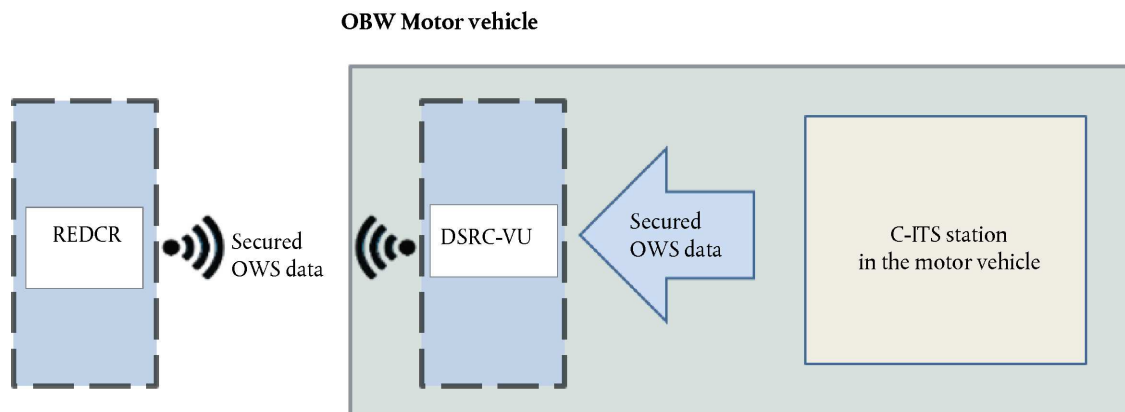
Transmission of OWS data from the MVU to the REDCR for stage 1 OBW



3. OWS data transfer for stage 2 OBW
 - 3.1. OWS data shall be provided to the DSRC-VU by the C-ITS station in the motor vehicle.

Figure 6

Transmission of OWS data from the C-ITS station to the REDCR for stage 2 OBW



- 3.2. The C-ITS station in the motor vehicle shall:
 - 3.2.1. Build up the OWS data with the information received from the MVU and the C-ITS stations of the trailers or semi-trailers being towed, according to the structure set out in point 6;
 - 3.2.2. secure the OWS data as laid down in point 8, and
 - 3.2.3. forward the OWS data to the DSRC-VU for further transmission to the REDCR.
4. Data transfer between the DSRC-VU and either the MVU (stage 1) or the C-ITS station in the motor vehicle (stage 2) shall be implemented as set out in point 5.6 of Appendix 14, where VU shall be understood as being either the MVU or the C-ITS station, depending on the stage.
5. Communication between the DSRC-VU and the REDCR
 - 5.1. The communication between the DSRC-VU and the REDCR shall be carried out through the interface defined by the CEN DSRC standards EN 12253, EN 12795, EN 12834, EN 13372 and ISO 14906, as referred to in Council Directive 96/53/EC.
 - 5.2. The transaction protocol to download OWS data across the 5.8 GHz DSRC interface link shall be the same as the one used for the RTM data in point 5.4.1 of Appendix 14, the only difference being that the Object Identifier that relates to the TARV standard shall be addressing the ISO 15638 standard (TARV) Part 20 related to WOB/OWS.
 - 5.3. The commands used for an OWS transaction shall be the same as those set out in point 5.4.2 of Appendix 14 for a RTM transaction.
 - 5.4. The interrogation command sequence for OWS data shall be the same as the one set out in point 5.4.3 of Appendix 14 for RTM data.
 - 5.5. Data transfer mechanism and DSRC transaction description shall be the same as set out in points 5.4.6 and 5.4.7 of Appendix 14. The Vehicle Service Table shall be however adapted for the transmission of OWS data. Consequently, the Rtm-ContextMark shall be replaced by an Ows-ContextMark, which object identifier shall refer to the ISO 15638 standard (TARV) Part 20 related to WOB/OWS.
 - 5.6. The DSRC physical interface parameters shall be the same as those set out in point 5.3 of Appendix 14.

6. Data structure

The ASN.1 module definition for the DSRC data within the OWS application is defined as follows:

```
TarvOws      {iso(1)      standard(0)      15638
part20(20)    version1(1)}    DEFINITIONS
AUTOMATIC TAGS

::= BEGIN

IMPORTS

-- Imports data attributes and elements from EFC which are used for OWS

LPN

FROM EfcDsrcApplication {iso(1) standard(0) 14906 application(0) version5(5)}

-- Imports function parameters from the EFC Application Interface Definition
SetMMIRq

FROM EfcDsrcApplication {iso(1) standard(0) 14906 application(0) version5(5)}

-- Imports the L7 DSRCData module data from the EFC Application Interface Definition
Action-Request, Action-Response, ActionType, ApplicationList, AttributeIdList,
AttributeList, Attributes,

BeaconID, BST, Dsrc-EID, DSRCAApplicationEntityID, Event-Report-Request, Event-
Report- Response,

EventType, Get-Request, Get-Response, Initialisation-Request, Initialisation-Response,
ObeConfiguration, Profile, ReturnStatus, Time, T-APDUs, VST

FROM EfcDsrcGeneric {iso(1) standard(0) 14906 generic(1) version5(5)};

-- Definitions of the OWS functions:

OWS-InitialiseComm-Request::= BST

OWS-InitialiseComm-Response::= VST

OWS-DataRetrieval-Request::= Get-Request  (WITH COMPONENTS {fill (SIZE(1)), eid,
accessCredentials ABSENT, iid ABSENT, attrIdList})

OWS-DataRetrieval-Response::= Get-Response {OwsContainer} (WITH COMPONENTS {..., eid,
iid ABSENT})

OWS-TerminateComm::= Event-Report-Request {OwsContainer}(WITH COMPONENTS {mode (FALSE),
eid (0),
eventType (0)})

OWS-TestComm-Request::= Action-Request {OwsContainer} (WITH COMPONENTS {..., eid (0),
actionType
(15), accessCredentials ABSENT, iid ABSENT})

OWS-TestComm-Response::= Action-Response {OwsContainer} (WITH COMPONENTS {..., fill
(SIZE(1)), eid
(0), iid ABSENT})

-- Definitions of the OWS attributes:

OwsData::= SEQUENCE {
    OWSPayload SignedDataPayload, -- SignedData in accordance with ETSI 103097
v1.3.1, only for Stage 2 OBW
}
```

```

OwsPayload:: = SEQUENCE {

    recordedWeight          INTEGER (0..65535),      -- 0 = Total
    measured weight of the heavy goods vehicle with 10 Kg resolution.

    maximumTechnicalWeight  INTEGER (0..65535),      -- 0 = technically
    permissible maximum laden mass of the vehicle or vehicle combination as declared by the
    manufacturer, with 10 Kg resolution, only for stage 2.

    axlesConfiguration OCTET STRING SIZE (4), -- 0 = 20 bits allowed for the
    number of axles for 10 axles.

    axlesRecordedWeight OCTET STRING SIZE (26), -- 0 = Recorded Weight for
    each axle with 10 Kg resolution.

    tp15638Timestamp        INTEGER(0..4294967295)  -- Timestamp of
    current record

    tp15638DSRCcommunicationError  BOOLEAN,      -- Record of a
    communication error between MVU and DSRC within last 10 days

    tp15638OBWCommunicationError  BOOLEAN,      -- Record of a communication error

    tp15638SecurityBreachAttempt  BOOLEAN,      -- Record of a security
    breach attempt

}

Ows-ContextMark::= SEQUENCE {

    standardIdentifier StandardIdentifier, -- identifier of the TARV part and its
    version

}

StandardIdentifier::= OBJECT IDENTIFIER

OwsContainer::= CHOICE {

    integer [0] INTEGER,
    bitstring [1] BIT STRING,
    octetstring [2] OCTET STRING (SIZE (0..127, ...)),
    universalString [3] UniversalString,
    beaconId [4] BeaconID,
    t-apdu [5] T-APDUs,
    dsrcApplicationEntityId [6] DSRCApplicationEntityID,
    dsrc-Ase-Id [7] Dsrc-EID,
    attrIdList [8] AttributeIdList,
    attrList [9] AttributeList{RtmContainer},
    reserved10 [10] NULL,
    OwsContextmark [11] Ows-ContextMark,
    OwsData [12] OwsData,
    reserved13 [13] NULL,
    reserved14 [14] NULL,
    time [15] Time,
    -- values from 16 to 255 reserved for ISO/CEN usage
}

END

```

7. Elements of OWS data, actions performed and definitions:

The OWS data shall be calculated by either the MVU (stage 1) or the C-ITS station in the motor vehicle (stage 2) according to table 1

Table 1

Elements of OWS data, actions performed and definitions

OWSData element	Action performed by the C-ITS station in the motor vehicle	Comment	ASN.1 definition of data
OWS1 Total weight	An integer value shall be generated.	Last measured total weight	recordedWeight INTEGER (0..65535),
OWS2 technically permissible maximum laden mass	An integer value shall be generated	Technically permissible maximum laden mass declared by the manufacturer	maximumTechnicalWeight INTEGER (0..65535)
OWS3 Axles configuration of the vehicle	An octet string size 4 shall be generated.	Axles configuration	axlesConfiguration OCTET STRING SIZE (4),
OWS4 Axle weight	An octet string size 26 shall be generated.	Weight per axle	axlesRecordedWeight OCTET STRING SIZE (26),
OWS5 Time recorded total weight	An integer value shall be generated. The value for OWS2 shall be set to the time of the current record of total weight.	Timestamp of the current recorded weight	tp15638Timestamp INTEGER (0..4294967295),
OWS6 DSRC Communication error	A Boolean value shall be generated. A TRUE value to the tp15638DSRCcommunicationError variable shall be assigned if the OBW has encountered at least one event of type Communication Error with the DSRC-VU in the last 30 days. ELSE if there are no events in the last 30 days, a FALSE value shall be assigned.	1 (TRUE), indicates communication error between the OBW and the DSRC-VU in the last 30 days	tp15638DSRCcommunicationError, BOOLEAN,
OWS7 OBW Communication error	A Boolean value shall be generated. A TRUE value to the tp15638CommunicationError variable shall be assigned if the OBW has encountered at least one OBW communication error event inside the OBW in the last 30 days. ELSE if there are no events in the last 30 days, a FALSE value shall be assigned.	1 (TRUE), indicates communication error in the OBW in the last 30 days	tp15638OBWCommunicationError, BOOLEAN,
OWS8 Security Breach Attempt	A Boolean value shall be generated. A TRUE value to the tp15638SecurityBreachAttempt variable shall be assigned if the OBW has in the last 2 years recorded at least one event of type security breach attempt. ELSE if there have not been security breach attempt events in the last 2 years, a FALSE value shall be assigned.	1 (TRUE), indicates a security breach attempt to the OBW within last 2 years	tp15638SecurityBreachAttempt BOOLEAN,

where

- a) recordedWeight represents the total measured weight of the vehicle or vehicle combination with a resolution of 10 kg as defined in EN ISO 14906. For example, a value of 2 500 represents a weight of 25 ton.
- b) axlesConfiguration represents the configuration of the vehicle or vehicle combination as number of axles.

The configuration is defined with the bit mask of 20 bits (extended from EN ISO 14906).

A bit mask of 2 bits represents the configuration of an axle with the following format:

- Value 00B means that value is 'non available' because the vehicle does not have equipment to collect the weight on the axle.
- Value 01B means that the axle is not present.
- Value 10B means that the axle is present and the weight has been calculated and collected and it is provided in the axlesRecordedWeight field.
- Value 11B is reserved for future uses.

The last 6 bits are reserved for future uses.

Table 2

Bit distribution for OWS2

Number of Axles													RFU (6 bits)
Number of axles on tractor unit						Number of axles on trailer							
00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	00/01/ 10/11	

- c) axlesRecordedWeight represent the specific weight recorded for each axle with a resolution of 10 Kg. Two octets are used for each axle. For example, a value of 150, represent a weight of 1 500 Kgs.
- d) maximumTechnicalWeight represent the technically permissible maximum laden mass of the vehicle or vehicle combination as declared by the manufacturer. This value shall only be provided for stage 2. For stage 1, a 0 value shall be assigned.

8. OWS data signature

8.1. For stage 1, the OWS data shall not be signed; the plaintext of the OWS data shall be transferred from the MVU to the DSRC-VU.

8.2. For stage 2, the OWS data shall be signed in the C-ITS station of the motor vehicle and transferred from the latter to the DSRC-VU, in accordance with the following provisions:

8.2.1. The secured data structure shall be constructed as set out in points 5.1 and 5.2 of ETSI TS 103 097-V1.3.1.

8.2.2. The type SignedData referred to in point 5.2 of ETSI TS 103 097-V1.3.1 shall have the following constraints:

- a) The type HashAlgorithm shall be set at sha256.
- b) The type SignerIdentifier shall be set at 'digest'.
- c) The type SignedDataPayload shall be the OWS data as laid down in point 7.
- d) The type HeaderInfo shall be constrained to have the following security headers:
 - The component psid shall be set equal to 0.
 - The component generationTime as defined in IEEE Std 1609.2.

- The component expiryTime shall be absent.
- The component generationLocation shall be absent.
- The component p2pcdLearningRequest shall be absent.
- The component missingCrlIdentifier shall be absent.
- The component encryptionKey shall be absent.
- The component inlineP2pcdRequest shall be absent.
- The component requestedCertificate shall be absent.

8.2.3. The ASN.1 module definition for the type Signature shall be as follows:

```
Signature ::= CHOICE {
    ecdsaNistP256Signature EcdsaP256Signature,
    ecdsaBrainpoolP256r1Signature EcdsaP256Signature,
    ...,
    ecdsaBrainpoolP384r1Signature EcdsaP384Signature
}
EcdsaP256Signature ::= SEQUENCE {
    rSig EccP256CurvePoint,
    sSig OCTET STRING (SIZE (32))
}
EccP256CurvePoint ::= CHOICE {
    x-only OCTET STRING (SIZE (32)),
    fill NULL, -- consistency with 1363/X9.62
    compressed-y-0 OCTET STRING (SIZE (32)),
    compressed-y-1 OCTET STRING (SIZE (32)),
    uncompressedP256 SEQUENCE {
        x OCTET STRING (SIZE (32)),
        y OCTET STRING (SIZE (32))
    }
}
```

- 8.2.4. The signing certificate shall be the certificate in the authorisation ticket that the C-ITS station is using for the transaction between the C-ITS station and the REDCR, in accordance with point 6 of ETSI TS 103 097-V1.3.1.
- 8.2.5. When receiving the message, the REDCR shall verify the certificate and shall use the public key included in that certificate to read the OWS data signature.
9. The application protocol and error handling for OWS data shall be the same as set out in points 5.6.2 and 5.7 of Appendix 14.
10. For stage 2, OWS data may also be served directly to the REDCR of the enforcer via the C-ITS station in the motor vehicle instead of via the DSRC-VU. In that case, the REDCR will also be a C-ITS station.

ANNEX IV

PERIODIC INSPECTIONS

1. On-board weighing equipment ("OBW") shall undergo periodic inspections by weighing the vehicle or vehicle combination on certified weighing devices in accordance with Article 5(2)(b) of this Regulation, such as portable weigh pads or a weighbridge.
2. The following vehicles shall be subject to inspection:
 - a) motor vehicles;
 - b) trailers and semi-trailers featuring a trailer unit ("TU").
3. Trailers and semi-trailers subject to inspection according to point 2 shall undergo the inspection attached to a motor vehicle. Motor vehicles intended to tow semi-trailers shall undergo the inspection attached to a semi-trailer.
4. The periodic inspection shall consist of:
 - a) a three-load test, which shall be carried out two years after the registration of the vehicle and every four years thereafter;
 - b) a single-load test, which shall be carried out two years after the first three-load test and every four years thereafter.

Table 3

Sequence of performance of the periodic inspections

Test	Three-load	Single-load	Three-load	Single-load	Three-load	Single-load	Three-load	...
Years after the date of registration of the vehicle	2	4	6	8	10	12	14	...

5. Three-load test

A three-load test shall be performed by loading the vehicle with three different loads, which values shall be calculated as follows:

- a) a load between 45 % and 55 % of the technically permissible maximum laden mass of the vehicle;
 - b) a load between 65 % and 75 % of the technically permissible maximum laden mass of the vehicle;
 - c) A load between 90 % and 100 % of the technically permissible maximum laden mass of the vehicle.
6. The single load test shall be performed by loading the vehicle with a load which is at least 90 % of the technically permissible maximum laden mass of the vehicle.
 7. For trailers and semi-trailers featuring a TU and for motor vehicles intended to tow a semi-trailer, the loads in points 5 and 6 shall be calculated in respect of the technically permissible maximum laden mass of the vehicle combination.
 8. Specific provisions for dynamic OBWs
 - 8.1. If the technically permissible maximum laden mass of the vehicle or vehicle combination exceeds the maximum authorised weight, the loads in points 5 and 6 shall be calculated in respect of the maximum authorised weight.
 - 8.2. In order to get a load value from the OBW, the vehicle or vehicle combination shall be driven over a certain distance under specific conditions to be specified in the manufacturer's guidelines.

9. The inspection shall be deemed to have failed when
 - a) the load value displayed by the OBW corresponding to the load between 90 % to 100 % of the technically permissible maximum laden mass referred to in point 5(c) does not conform to the values measured by the certified weighing device, with the level of accuracy set out in point 8 of Annex I, and
 - b) the load values displayed by the OBW corresponding to the loads between 45 % and 55 %, and between 65 % and 75 % of the technically permissible maximum laden mass as referred to in points 5(a) and 5(b), do not conform to the values measured by the certified weighing device with a level or accuracy of ± 15 %.
10. When the inspection fails the OBW shall undergo a new inspection no later than two months after the previous one.
11. Flexibilities for periodic inspections:

In order to facilitate the performance of periodic inspections for specific types of vehicles, and in order to reduce the impact of periodic inspections on the regular activities of drivers and hauliers, Member States may consider the application of the following flexibilities for vehicles registered in their territory:

- a) the three load values referred to in point 5 may be obtained over a period of three months;
 - b) the actual weighing of the vehicle may be carried out on certified weighing devices not belonging to the facilities of the OBW-workshops referred to in Article 5 of this Regulation, provided that the weighing operation is being supervised by a member of the staff of an OBW-workshop. The owner of the vehicle shall provide evidence to the OBW-workshop that the weighing has been performed on a certified weighing device;
 - c) for vehicles or vehicle combinations which specific configuration makes technically impossible to exceed the maximum authorised weight during normal use (e.g. road tankers) the loads referred to in points 5 and 6 may have other values; in the case of the three-load test, the difference between two consecutive loads shall be at least 15 % of the maximum authorised weight.
-

DECISIONS

COUNCIL DECISION (EU, Euratom) 2019/1214

of 15 July 2019

appointing a member, proposed by the Kingdom of Sweden, of the European Economic and Social Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 302 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to the proposal of the Swedish Government,

Having regard to the opinion of the European Commission,

Whereas:

- (1) On 18 September 2015 and 1 October 2015, the Council adopted Decisions (EU, Euratom) 2015/1600 ⁽¹⁾ and (EU, Euratom) 2015/1790 ⁽²⁾ appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020.
- (2) A member's seat on the European Economic and Social Committee has become vacant following the end of the mandate of Mr Frank Thomas ABRAHAMSSON,

HAS ADOPTED THIS DECISION:

Article 1

Mr Sam HÄGGLUND, *European Federation of Building and Woodworkers*, is hereby appointed as a member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2020.

Article 2

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

Done at Brussels, 15 July 2019.

For the Council

The President

J. LEPPÄ

⁽¹⁾ Council Decision (EU, Euratom) 2015/1600 of 18 September 2015 appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020 (OJ L 248, 24.9.2015, p. 53).

⁽²⁾ Council Decision (EU, Euratom) 2015/1790 of 1 October 2015 appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020 (OJ L 260, 7.10.2015, p. 23).

COUNCIL DECISION (EU) 2019/1215**of 15 July 2019****appointing three members and three alternate members, proposed by the Kingdom of Belgium, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Belgian Government,

Whereas:

- (1) On 26 January 2015, 5 February 2015 and 23 June 2015, the Council adopted Decisions (EU) 2015/116 ⁽¹⁾, (EU) 2015/190 ⁽²⁾ and (EU) 2015/994 ⁽³⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020. On 6 November 2017, by Council Decision (EU) 2017/1999 ⁽⁴⁾ Mr Jean-François ISTASSE was replaced by Mr Marc HENDRICKX as a member and Mr Marc HENDRICKX was replaced by Mr Jan VAN ESBROECK as an alternate member.
- (2) Three members' seats on the Committee of the Regions have become vacant following the end of the mandates on the basis of which Mr Marc HENDRICKX (*Lid van het Vlaams Parlement*), Mr Karim VAN OVERMEIRE (*Vlaams Volksvertegenwoordiger*) and Mr Jan DURNEZ (*Vlaams Volksvertegenwoordiger*) were proposed.
- (3) Three alternate members' seats on the Committee of the Regions have become vacant following the end of the mandates on the basis of which Mr Jan VAN ESBROECK (*Lid van het Vlaams Parlement*), Mr Rik DAEMS (*Vlaams Volksvertegenwoordiger*) and Mr Wouter VAN BESIEN (*Vlaams Volksvertegenwoordiger*) were proposed,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2020:

(a) as members:

- Mr Marc HENDRICKX, *gemeenteraadslid Mechelen* (change of mandate),
- Mr Karim VAN OVERMEIRE, *gemeenteraadslid Aalst* (change of mandate),
- Mr Jan DURNEZ, *co-voorzitter van de EGTS West-Vlaanderen / Flandre-Dunkerque-Côte d'O* (change of mandate),

and

(b) as alternate members:

- Mr Jan VAN ESBROECK, *gemeenteraadslid Kalmthout* (change of mandate),
- Mr Rik DAEMS *gemeenteraadslid Leuven* (change of mandate),
- Mr Wouter VAN BESIEN, *gemeenteraadslid Antwerpen* (change of mandate).

⁽¹⁾ Council Decision (EU) 2015/116 of 26 January 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 20, 27.1.2015, p. 42).

⁽²⁾ Council Decision (EU) 2015/190 of 5 February 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 31, 7.2.2015, p. 25).

⁽³⁾ Council Decision (EU) 2015/994 of 23 June 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 159, 25.6.2015, p. 70).

⁽⁴⁾ Council Decision (EU) 2017/1999 of 6 November 2017 appointing a member and two alternate members, proposed by the Kingdom of Belgium, of the Committee of the Regions (OJ L 289, 8.11.2017, p. 8).

Article 2

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

Done at Brussels, 15 July 2019.

For the Council
The President
J. LEPPÄ

COUNCIL IMPLEMENTING DECISION (CFSP) 2019/1216
of 17 July 2019
implementing Decision (CFSP) 2017/1775 concerning restrictive measures in view of the situation
in Mali

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision (CFSP) 2017/1775 of 28 September 2017 concerning restrictive measures in view of the situation in Mali ⁽¹⁾ and in particular Article 3 thereof,

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

Whereas:

- (1) On 28 September 2017, the Council adopted Decision (CFSP) 2017/1775.
- (2) On 10 July 2019, the United Nations Security Council Sanctions Committee established by paragraph 9 of United Nations Security Council Resolution 2374 (2017) added five persons to the list of persons subject to the travel ban set out in paragraphs 1 to 3 of Resolution 2374 (2017).
- (3) The Annex to Decision (CFSP) 2017/1775 should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision (CFSP) 2017/1775 is hereby amended as set out in the Annex to this Decision.

Article 2

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

Done at Brussels, 17 July 2019.

For the Council
The President
T. TUPPURAINEN

⁽¹⁾ OJ L 251, 29.9.2017, p. 23.

ANNEX

The following persons are added to the list of persons set out in the Annex to Decision (CFSP) 2017/1775 under the heading 'A. List of persons referred to in Article 1(1)':

'4. AHMED AG ALBACHAR (alias: Intahmadou Ag Albachar)

Designation: President of the Humanitarian Commission of the Bureau Regional d'Administration et Gestion de Kidal

Date of birth: 31 Dec. 1963

Place of birth: Tin-Essako, Kidal region, Mali

Nationality: Mali

Mali National identification no: 1 63 08 4 01 001 005E

Address: Quartier Aliou, Kidal, Mali

Date of UN designation: 10 July 2019

Other information: Ahmed Ag Albachar is a prominent businessman and, since early 2018, a special advisor to the Governor of Kidal region. An influential member of the Haut Conseil pour l'unité de l'Azawad (HCUA), belonging to the Ifoghas Tuareg community, Ahmed Ag Albachar also mediates relations between the Coordination des Mouvements de l'Azawad (CMA) and Ansar Dine (QDe.135).

Additional information

Ahmed Ag Albachar is being listed pursuant to paragraph 8 (b) of resolution 2374 (2017) for actions taken that obstruct, or that obstruct by prolonged delay, or that threaten the implementation of the Agreement; and paragraph 8 (e) of resolution 2374 (2017) for obstructing the delivery of humanitarian assistance to Mali, or access to, or distribution of, humanitarian assistance in Mali.

In January Ag Albachar uses his influence to control and choose which humanitarian and development projects take place in the Kidal region, who implements them, where and when. No humanitarian action can be undertaken without his knowledge and approval. As self-proclaimed president of the humanitarian commission, Ag Albachar is in charge of granting residence and work permits of aid workers in exchange for money or services. The commission also controls which companies and individuals can participate in bids for projects that NGOs advertise in Kidal, granting Ag Albachar the power to manipulate humanitarian action in the region and choose those who work for NGOs. Aid distributions can only be conducted under his oversight, thereby influencing who benefits from the distributions.

Additionally, Albachar uses unemployed youths to intimidate and extort NGOs, severely hindering their work. The humanitarian community at large works in fear in Kidal, but especially national staff who are more vulnerable.

Ahmed Ag Albachar is also the co-owner of Timitrine Voyage transport company; one of the few transport companies that NGOs are authorised to use in Kidal. Ag Albachar, together with a dozen of other transport companies owned by a small clique of influential Ifoghas Tuareg notables, usurps a significant share of humanitarian aid in Kidal. Moreover, the monopoly position maintained by Ag Albachar, renders aid delivery in certain communities more difficult than others.

Albachar is manipulating humanitarian aid to fulfil his personal interests and the political interests of the HCUA by exercising terror, threatening NGOs and controlling their operations, all of which results in obstruction and hindrance of aid affecting beneficiaries in need in the region of Kidal. Therefore, Ahmed Ag Albachar obstructs the delivery of humanitarian assistance to Mali, or access to, or distribution of, humanitarian assistance in Mali.

His actions also violate article 49 of the Agreement on Peace and Reconciliation in Mali that commits parties to respect the principles of humanity, neutrality, impartiality and independence which guide humanitarian action, to prevent any use of humanitarian aid for political, economic or military ends, and to facilitate access for humanitarian agencies and guarantee the security of their personnel. Therefore, Albachar obstructs or threatens the implementation of the Agreement.

5. HOUKA HOUKA AG ALHOUSSEINI (alias: a) Mohamed Ibn Alhousseyni b) Muhammad Ibn Al-Husayn c) Houka Houka)

Title: Cadi

Date of birth: a) 1 Jan. 1962 b) 1 Jan. 1963 c) 1 Jan. 1964

Place of birth: Ariaw, Tombouctou region, Mali

Nationality: Mali

Date of UN designation: 10 July 2019

Other information: Houka Houka Ag Alhousseini was appointed by Iyad Ag Ghaly (QDi.316) as the Cadi of Timbuktu in April 2012 after the establishment of the jihadist caliphate in northern Mali. Houka Houka used to work closely with the Hesbah, the Islamic police headed by Ahmad Al Faqi Al Mahdi, jailed at the Detention Centre of the International Criminal Court in The Hague since September 2016.

Additional information

Houka Houka Ag Alhousseini is being listed pursuant to paragraph 8 (b) of resolution 2374 (2017) for actions taken that obstruct, or that obstruct by prolonged delay, or that threaten the implementation of the Agreement.

After the French forces intervention in January 2013, Houka Houka Ag Alhousseini was arrested on 17 January 2014 but subsequently released by Malian authorities on 15 August 2014, a liberation denounced by human rights organisations.

Houka Houka Ag Alhousseini has been since based in Ariaw, in the area of Zouéra, a village located west of Timbuktu (Essakane commune), on the bank of the lake Faguibine going towards the Mauritanian border. On 27 September 2017, he was officially reinstated here as a teacher by the Governor of Timbuktu, Koina Ag Ahmadou, this after lobbying by sanctioned individual Mohamed Ousmane Ag Mohamidoune (MLi.003), leader of the Coalition du peuple de l'Azawad (CPA), listed on 20 December 2018 by the Security Council Committee on Mali for reasons including actions taken that obstruct, or that obstruct by prolonged delay, or that threaten the implementation of the Agreement. Mohamed Ousmane founded in 2017 and presided a broader alliance of splinter groups, the Coalition des Mouvements de l'Entente (CME). During its founding convention, the CME openly threatened in an official statement the implementation of the Agreement on Peace and Reconciliation in Mali. The CME has been also involved in obstructions delaying the implementation of the Agreement, by pressuring the Malian government and the international community with the aim to impose the CME in the different mechanisms established by the Agreement.

Houka Houka and Mohamed Ousmane have been instrumental to each others' rise, the latter facilitating meetings with government officials, and the first playing a key role in the expansion of Ousmane's influence over the region of Timbuktu. Houka Houka has participated in most of the community gatherings organized by Mohamed Ousmane since 2017, contributing to Ousmane's notoriety and credibility in the region, as well as to the founding ceremony of the Coalition des Mouvements de l'Entente (CME) to which he gave his public blessing.

The area of influence of Houka Houka has recently expanded further east, to the Ber region (stronghold of the Bérabich Arabs located 50 kilometres east of Timbuktu), and northern Timbuktu. Even though he is not from a lineage of Cadis and that he started only in 2012, Houka Houka was able to extend his authority as a Cadi and his capacity to maintain public security in certain areas by using Al-Furqan assets and the fear that this terrorist organisation instigates in the Timbuktu region through complex attacks against international and Malian defence and security forces and targeted assassinations.

Therefore, through his support for Mohamed Ousmane and his obstruction of the Agreement, Houka Houka Ag Alhousseini threatens its implementation, as well as the peace, security, and stability in Mali at large.

6. MAHRI SIDI AMAR BEN DAHA (alias a) Yoro Ould Daha b) Yoro Ould Daya c) Sidi Amar Ould Daha d) Yoro)

Designation: Deputy chief of staff of the regional coordination of the Mécanisme opérationnel de coordination (MOC) in Gao

Date of birth: 1 Jan. 1978

Place of birth: Djebock, Mali

Nationality: Mali

Mali National identification no: 11262/1547

Address: Golf Rue 708 Door 345, Gao, Mali

Date of UN designation: 10 July 2019

Other information: Mahri Sidi Amar Ben Doha is a leader of the Lehmar Arab community of Gao and military chief of staff of the pro-governmental wing of the Mouvement Arabe de l'Azawad (MAA), associated to the Plateforme des mouvements du 14 juin 2014 d'Alger (Plateforme) coalition.

Additional information

Mahri Sidi Amar Ben Doha is being listed pursuant to paragraph 8 (b) of resolution 2374 (2017) for actions taken that obstruct, or that obstruct by prolonged delay, or that threaten the implementation of the Agreement.

Ben Doha was a high-ranking officer of the Islamic police operating in Gao when the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest (MUJAO) (QDe.134) controlled the town from June 2012 to January 2013. Ben Doha currently is deputy chief of staff of the regional coordination of the Mécanisme opérationnel de coordination (MOC) in Gao.

On 12 November 2018, the Plateforme in Bamako declared not to participate in forthcoming regional consultations, scheduled to be held from 13 to 17 November in accordance with the March 2018 roadmap agreed upon by all parties to the Peace and reconciliation Agreement in March 2018. The next day, in Gao, a coordination meeting was held by the military chief of staff of the Ganda Koy component of Coordination des mouvements et fronts patriotiques de résistance (CMFPR)-Plateforme, with representatives the MAA-Plateforme, to prevent the consultations to take place. The blockade was coordinated with Plateforme leadership in Bamako, the MAA-Plateforme, as well as Member of Parliament Mohamed Ould Mataly.

From 14 to 18 November 2018, dozens of MAA-Plateforme combatants together with those of the CMFPR factions obstructed the holding of regional consultations. Operating under the instruction and with the participation of Ben Doha, at least six pick-up truck vehicles from the Mouvement Arabe de l'Azawad (MAA-Plateforme) were positioned in front of the Gao governorate and its vicinity. Two MOC vehicles attributed to MAA-Plateforme were also observed at the scene.

On 17 November 2018, an incident took place between armed elements blocking access to the governorate and a FAMa patrol passing by the area, but was diffused before it could escalate and constitute a cease-fire violation. On 18 November 2018, a total of twelve vehicles and armed elements lifted the blockade of the governorate following a latest round of negotiations with the governor of Gao.

On 30 November 2018, Ben Doha organized an inter-Arab meeting in Tinfanda to discuss security and administrative restructuring. The meeting also included sanctioned individual Ahmoudou Ag Asriw (MLi.001) whom Ben Doha supports and defends.

Therefore, through effectively blocking discussions on key provisions of the Peace and Reconciliation Agreement related to the reform of the territorial structure of northern Mali, Ben Doha has obstructed the implementation of the Peace and Reconciliation Agreement. In addition, Ben Doha supports an individual identified as threatening the implementation of the Agreement through his involvement in ceasefire violations and organized criminal activity.

7. MOHAMED BEN AHMED MAHRI (alias a) Mohammed Rougi b) Mohamed Ould Ahmed Deya c) Mohamed Ould Mahri Ahmed Daya d) Mohamed Rougie e) Mohamed Rougy f) Mohamed Rouji)

Date of birth: 1 Jan. 1979

Place of birth: Tabankort, Mali

Nationality: Mali

Passport no: a) AA00272627 b) AA0263957

Address: Bamako, Mali

Date of UN designation: 10 July 2019

Other information: Mohamed Ben Ahmed Mahri is a businessman from the Arab Lehmar community in Gao region who previously collaborated with the Mouvement pour l'unicité et le Jihad en Afrique de l'Ouest (MUJAO) (QDe.134).

Additional information

Mohamed Ben Ahmed Mahri is being listed pursuant to paragraph 8 (c) of resolution 2374 (2017) for acting for or on behalf of or at the direction of or otherwise supporting or financing individuals and entities identified in paragraphs 8 (a) and (b) of resolution 2374 (2017), including through the proceeds from organized crime, including the production and trafficking of narcotic drugs and their precursors originating in or transiting through Mali, the trafficking in persons and the smuggling of migrants, the smuggling and trafficking of arms as well as the trafficking in cultural property.

Between December 2017 and April 2018, Mohamed Ben Ahmed Mahri commanded a trafficking operation of over 10 tons of Moroccan cannabis, moved in cooling trucks through Mauritania, Mali, Burkina Faso and Niger. In the night of 13 to 14 June 2018 a quarter of the shipment was confiscated in Niamey, while a rival group had allegedly stolen the remaining three quarters during the night of 12 and 13 April 2018.

In December 2017, Mohamed Ben Ahmed Mahri was in Niamey with a Malian national to prepare the operation. The latter was arrested in Niamey after he had flown in from Morocco with two Moroccan and two Algerian Nationals on 15 and 16 April 2018 to try and recuperate stolen cannabis. Three of his associates were also arrested, including a Moroccan national, who had been sentenced in Morocco in 2014 to five months imprisonment for drug trafficking.

Mohamed Ben Ahmed Mahri commands trafficking of cannabis resin to Niger straight through northern Mali, making use of convoys led by members of the Groupe d'autodéfense des Touaregs Imghad et leurs allies (GATIA), including sanctioned individual Ahmoudou Ag Asriw (MLi.001). Mohamed Ben Ahmed Mahri compensates Asriw for the use of these convoys. These convoys frequently generate clashes with competitors associated with the Coordination des Mouvements de l'Azawad (CMA).

Using his financial gains made in narcotics trafficking, Mohamed Ben Ahmed Mahri lends his support to terrorist armed groups, notably the sanctioned entity Al-Mourabitoun (QDe.141), attempting to bribe officials to release arrested combatants and facilitating fighters to integrate in the Mouvement Arab pour l'Azawad (MAA) Plateforme.

Therefore, through the proceeds from organized crime, Mohamed Ben Ahmed Mahri supports an individual identified under paragraph 8(b) of resolution 2374 (2007) as threatening the implementation of the Agreement on Peace and Reconciliation in Mali, in addition to a terrorist group designated under resolution 1267.

8. MOHAMED OULD MATALY

Designation: Member of Parliament

Date of birth: 1958

Nationality: Mali

Passport no: D9011156

Address: Golf Rue 708 Door 345, Gao, Mali

Date of UN designation: 10 July 2019

Other information: Mohamed Ould Mataly is the former Mayor of Bourem and current Member of Parliament for Bourem's constituency, part of the Rassemblement pour le Mali (RPM, President Ibrahim Boubacar Keita's political party). He is from the Lehmar Arab community and an influential member of the pro-governmental wing of the Mouvement Arabe de l'Azawad (MAA), associated to the Plateforme des mouvements du 14 juin 2014 d'Alger (Plateforme) coalition.

Additional information

Mohamed Ould Mataly is being listed pursuant to paragraph 8 (b) of resolution 2374 (2017) for actions taken that obstruct, or that obstruct by prolonged delay, or that threaten the implementation of the Agreement.

On 12 November 2018, the Plateforme in Bamako declared not to participate in forthcoming regional consultations, scheduled to be held from 13 to 17 November in accordance with the March 2018 roadmap agreed upon by all parties to the Peace and reconciliation Agreement in March 2018. The next day, in Gao, a coordination meeting was held by the military chief of staff of the Ganda Koy component of Coordination des mouvements et fronts patriotiques de résistance (CMFPR)-Plateforme, with representatives the MAA-Plateforme, to prevent the consultations to take place. The blockade was coordinated with Plateforme leadership in Bamako, the MAA-Plateforme, as well as member of parliament Mohamed Ould Mataly.

His close associate Mahri Sidi Amar Ben Daha, alias Yoro Ould Daha, who resides in his property in Gao, participated in the blockade of the venue of the consultation at the Governor's office during this period.

Furthermore, on 12 July 2016 Ould Mataly was also one of the instigators of demonstrations hostile to the implementation of the Agreement.

Therefore, through effectively blocking discussions on key provisions of the Peace and Reconciliation Agreement related to the reform of the territorial structure of northern Mali, Ould Mataly has obstructed and caused delays to the implementation of the Peace and Reconciliation Agreement.

Lastly, Ould Mataly has pleaded for the release of members of his community captured in counter-terrorist operations. Through his involvement in organised crime and association with terrorist armed groups, Mohamed Ould Mataly threatens the implementation of the Agreement.'

COMMISSION IMPLEMENTING DECISION (EU) 2019/1217**of 17 July 2019****on the harmonised standards for personal flotation devices — lifejackets drafted in support of Council Directive 89/686/EEC****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to the Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular point (b) of Article 11(1) thereof,

Whereas:

- (1) In accordance with Article 5(2) of Council Directive 89/686/EEC ⁽²⁾ Member States are to presume that the personal protective equipment (PPE) referred to in Article 8(2) satisfies the basic requirements referred to in Article 3 if it bears the CE marking with respect to which the manufacturer is able to produce, on demand, not only the declaration referred to in Article 12 but also the certificate issued by the body of which notification has been given in accordance with Article 9 attesting to their conformity to the relevant national standards, transposing the harmonized standards, assessed at the EC type examination level in accordance with the first indent of Article 10(4)(a) and (b).
- (2) In September 2014, Sweden lodged a formal objection in respect of standards EN ISO 12402-2:2006 'Personal flotation devices — Part 2: Lifejackets, performance level 275 — Safety requirements (ISO 12402-2:2006)' amended by EN ISO 12402-2:2006/A1:2010, EN ISO 12402-3:2006 'Personal flotation devices — Part 3: Lifejackets, performance level 150 — Safety requirements (ISO 12402-3:2006)' amended by EN ISO 12402-3:2006/A1:2010 and EN ISO 12402-4:2006 'Personal flotation devices — Part 4: Lifejackets, performance level 100 — Safety requirements (ISO 12402-4:2006)' amended by EN ISO 12402-4:2006/A1:2010. At the time of the objection the references of the standards were published in Commission communication in the framework of the implementation of the Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment ⁽³⁾ on 11 April 2014. The standards were last published in Commission communication in the framework of the implementation of the Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment ⁽⁴⁾ on 27 March 2018. In accordance with that Communication the harmonised standards concerned continue to confer presumption of conformity only with Directive 89/686/EEC and only until 20 April 2019. Such presumption of conformity under Directive 89/686/EEC will cease as from 21 April 2019. Further, in accordance with Article 47(1) of Regulation (EU) 2016/425 of the European Parliament and of the Council ⁽⁵⁾, Member States shall not impede the making available on the market of products covered by Directive 89/686/EEC which are in conformity with that Directive and which were placed on the market before 21 April 2019.
- (3) The ground of the formal objection was based on the alleged failure of the referenced standards to comply with the basic health and safety requirements of Annex II to Directive 89/686/EEC, in particular point 1.1.1 on Design principles — Ergonomics, point 1.2.1 on Innocuousness of PPE — Absence of risks and other 'inherent' nuisance factors and point 3.4 on Prevention of drowning (lifejackets, armbands and lifesaving suits) with respect to inflatable lifejackets.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (OJ L 399, 30.12.1989, p. 18).

⁽³⁾ OJ C 110, 11.4.2014, p. 77.

⁽⁴⁾ OJ C 113, 27.3.2018, p. 3.

⁽⁵⁾ Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC (OJ L 81, 31.3.2016, p. 51).

- (4) The formal objection lodged by Sweden refers to a workplace accident, when an inflatable lifejacket equipped with an automatic inflation device, worn by an employee who fell into cold water, did not inflate. Investigations carried out by the Swedish Work Environment Authority came to the conclusion that the lifejacket did not inflate because the gas cartridge was partially detached and thread out, due to body movements, environmental factors and operations carried out during use. If the gas cylinder detaches, the inflatable lifejacket is no longer safe and does not maintain its protective properties throughout use, therefore the product no longer protects against the risk of drowning. Other accidents or incidents have been reported to the Swedish Work Environment Authority, involving professional users and consumers, and loose or detached gas cylinders were also found in several other inflatable lifejackets. Furthermore, some brands of inflatable lifejackets have been found having no indicator window, so that during use there is no indication whether the product is safe for use or not or, where the inflatable lifejacket is equipped with an indicator window, the window is not visible to the user during use, due to its position on the lifejacket.
- (5) As a consequence, Sweden identified a shortcoming of the abovementioned harmonised standards. The shortcoming consists in the absence of requirements to ensure that the gas cartridge of the inflatable lifejacket does not detach and thread out during use, making the lifejacket losing its protective function, in particular when the user is exposed to the risk of drowning. In the absence of such requirements, it cannot be ensured that the protective function of the inflatable lifejacket is maintained under all reasonable circumstances of use and foreseeable user behaviour, regardless whether this is for private or professional use.
- (6) The Technical Committee 162 of the European Committee for Standardisation (CEN) ('CEN/TC 162') reacted to the formal objection lodged by Sweden, stating that the referred accident was not due to a shortcoming in the concerned harmonised standards. According to their assessment, the detachment of the gas cartridge was due to a defective design of the inflatable lifejacket which was not detected before placing the product on the market. If an adequate risk assessment with training and maintenance sequences for the user would have been carried out, this would have led to provide the lifejacket with a different and improved inflation device, to prevent accidents.
- (7) Sweden replied to the information provided by CEN/TC 162 stating that the problem was not due to a defective design of the inflatable lifejacket, as it was designed according to the relevant clauses of the referred harmonised standards. They reaffirmed that the problem arises because those standards do not contain specific requirements for a locking function to prevent the gas cartridge from becoming detached or loose during use, which prevented the inflatable lifejacket to provide protection against drowning.
- (8) Having examined the harmonised standards EN ISO 12402-2:2006 amended by EN ISO 12402-2:2006/A1:2010, EN ISO 12402-3:2006 amended by EN ISO 12402-3:2006/A1:2010 and EN ISO 12402-4:2006 amended by EN ISO 12402-4:2006/A1:2010, together with the representatives of Member States and stakeholders in the Personal Protective Equipment Working Party, the Commission concluded that the clauses of those harmonised standards aimed at covering the basic health and safety requirements set out in point 1.1.1. on Design principles — Ergonomics, point 1.2.1. on Innocuousness of PPE — Absence of risks and other 'inherent' nuisance factors and point 3.4. on Prevention of drowning (lifejackets, armbands and lifesaving suits) of Annex II to Directive 89/686/EEC, do not adequately address the related risks, in particular the risk of drowning for inflatable lifejackets. Actually, the relevant harmonised standards do not contain specific requirements to ensure that the inflation device would correctly work under all reasonable circumstances of use and foreseeable user behaviour, in order to provide the adequate protection against the risk of drowning. Consequently, it has been found that products designed and manufactured according to those standards still caused accidents and incidents involving professional users and consumers.
- (9) Nevertheless, the Commission considers that the other clauses of the relevant harmonised standards, which are not the object of the formal objection, remain valid to confer presumption of conformity with the basic health and safety requirements of Directive 89/686/EEC they aim to cover.
- (10) Taking into account the abovementioned considerations, the references of the harmonised standards EN ISO 12402-2:2006 amended by EN ISO 12402-2:2006/A1:2010, EN ISO 12402-3:2006 amended by EN ISO 12402-3:2006/A1:2010 and EN ISO 12402-4:2006 amended EN ISO 12402-4:2006/A1:2010, published in Commission communication in the framework of the implementation of the Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment on 27 March 2018, should be maintained with restriction in the *Official Journal of the European Union*. The restriction should exclude the specific clauses of those standards aimed to cover the basic health and safety requirements set out in point 1.1.1 on Design principles — Ergonomics, point 1.2.1 on Innocuousness of PPE — Absence of risks and other 'inherent' nuisance factors and point 3.4 on Prevention of drowning (lifejackets, armbands and lifesaving suits) of Annex II to Directive 89/686/EEC.

- (11) In order to ensure that the restriction applies as soon as possible, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Committee on Standards established by Article 22 of Regulation (EU) No 1025/2012,

HAS ADOPTED THIS DECISION:

Article 1

The references of the harmonised standards for personal flotation devices — lifejackets drafted in support of Directive 89/686/EEC, listed in the Annex to this Decision and published in Commission communication in the framework of the implementation of the Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment on 27 March 2018 are hereby maintained with restriction in the *Official Journal of the European Union*.

Article 2

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

Done at Brussels, 17 July 2019.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

List of references of harmonised standards maintained with restriction in the *Official Journal of the European Union*

No	Reference of the standard
1.	EN ISO 12402-4:2006 Personal flotation devices — Part 2: Lifejackets, performance level 275 — Safety requirements (ISO 12402-2:2006) EN ISO 12402-2:2006/A1:2010
2.	EN ISO 12402-3:2006 Personal flotation devices — Part 3: Lifejackets, performance level 150 — Safety requirements (ISO 12402-3:2006) EN ISO 12402-3:2006/A1:2010
3.	EN ISO 12402-4:2006 Personal flotation devices — Part 4: Lifejackets, performance level 100 — Safety requirements (ISO 12402-4:2006) EN ISO 12402-4:2006/A1:2010

Notice: the references of harmonised standards listed in the Table are maintained in the *Official Journal of the European Union* with the following restriction:

- (a) application of clauses 5.6.1.1, 5.6.1.2 and 5.6.1.4 of each of the standards do not confer a presumption of conformity with the basic health and safety requirement set out in point 1.1.1. of Annex II to Directive 89/686/EEC;
 - (b) application of clauses 5.3.2, 5.3.3, 5.6.1.3, 5.6.1.6 and 5.6.1.7 of each of the standards do not confer a presumption of conformity with the basic health and safety requirement set out in point 1.2.1. of Annex II to Directive 89/686/EEC;
 - (c) application of clauses 5.2, 5.3.1, 5.3.3, 5.3.4 and 5.6.2.5 of each of the standards do not confer a presumption of conformity with the basic health and safety requirement set out in point 3.4. of Annex II to Directive 89/686/EEC.
-

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2018 OF THE EU-UKRAINE ASSOCIATION COUNCIL of 2 July 2018

supplementing Annex I-A to Chapter 1 of Title IV of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part [2019/1218]

THE EU-UKRAINE ASSOCIATION COUNCIL,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾, signed in Brussels on 27 June 2014,

Whereas:

- (1) In accordance with Article 486 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ('the Agreement'), parts of the Agreement, including provisions on the elimination of customs duties, and related Annex I-A to Chapter 1 of Title IV of the Agreement is applied provisionally as of 1 January 2016.
- (2) Regulation (EU) No 374/2014 of the European Parliament and of the Council ⁽²⁾ unilaterally established a preferential arrangement which allowed for the reduction or the elimination of customs duties on goods originating in Ukraine in accordance with the Annex I of that Regulation.
- (3) Such preferential arrangement corresponded to the tariff concessions which would be applied in the course of the first year of implementation of the Agreement in accordance with Annex I-A to Chapter 1 of Title IV of the Agreement.
- (4) Regulation (EU) No 1150/2014 of the European Parliament and of the Council ⁽³⁾, inter alia introduced a clarification on the specific reduction to be applied to the base rate of customs duties for each 'staging category' referred to in Annex I of that Regulation.
- (5) In the interest of clarity of the Agreement an equivalent clarification is required to specify the reduction to be applied to the base rate of customs duties for all subsequent years for each 'staging category' referred to in Annex I-A to Chapter 1 of Title IV of the Agreement. Such modalities of tariff dismantlement correspond to the mutual understanding reached with Ukraine during the negotiation, and will be applied by both parties to the Agreement.
- (6) Article 463(2) of the Agreement provides that the Association Council is a forum for exchange of information on implementation and enforcement measures.
- (7) Article 463(3) of the Agreement provides that the Association Council may update or amend the Annexes to the Agreement.
- (8) It is therefore appropriate for the EU-Ukraine Association Council to adopt a decision supplementing Annex I-A to Chapter 1 of Title IV of the Agreement,

⁽¹⁾ OJ L 161, 29.5.2014, p. 3.

⁽²⁾ Regulation (EU) No 374/2014 of the European Parliament and of the Council of 16 April 2014 on the reduction or elimination of customs duties on goods originating in Ukraine (OJ L 118, 22.4.2014, p. 1).

⁽³⁾ Regulation (EU) No 1150/2014 of the European Parliament and of the Council of 29 October 2014 amending Regulation (EU) No 374/2014 on the reduction or elimination of customs duties on goods originating in Ukraine (OJ L 313, 31.10.2014, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

A new Appendix C is added to Annex I-A to Chapter 1 of Title IV of the Agreement, as set out in the Annex to this Decision to clarify the implementation of the reduction to the base rate of customs duties to be applied for all subsequent years for each 'staging category' referred to in Annex I-A to Chapter 1 of Title IV of the Agreement.

Article 2

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

Done at Brussels, 2 July 2018.

For the Association Council

The Chair

F. MOGHERINI

ANNEX

APPENDIX C TO ANNEX I-A TO CHAPTER 1 OF TITLE IV OF THE AGREEMENT

ELIMINATION OF CUSTOMS DUTIES

TARIFF ELIMINATION SCHEDULES OF THE PARTIES FOR GOODS ORIGINATING IN OTHER PARTY

This Appendix clarifies the reduction to the base rate of customs duties to be applied for each 'staging category'.

1. Except as otherwise provided in the Tariff Elimination Schedules of Parties included in Annex I-A to Chapter 1 of Title IV of the Agreement (hereinafter referred to as the 'Schedules'), the following clarifications apply to the elimination of customs duties by Parties pursuant to Article 29 (Elimination of Customs Duties on Imports) of Title IV (Trade and Trade-related Matters) of the Agreement:
 - (a) customs duties on goods originating in Ukraine or EU (hereinafter referred to as 'originating goods') provided for in the tariff lines in staging category '0' in the Schedules shall be eliminated entirely and such goods shall be free of any customs duty on the date this Agreement enters into force;
 - (b) customs duties on originating goods provided for in the tariff lines in staging category '1' in the Schedules shall be removed in two equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be free of any customs duty;
 - (c) customs duties on originating goods provided for in the tariff lines in staging category '2' in the Schedules shall be removed in three equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be free of any customs duty;
 - (d) customs duties on originating goods provided for in the tariff lines in staging category '3' in the Schedules shall be removed in four equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be free of any customs duty;
 - (e) customs duties on originating goods provided for in the tariff lines in staging category '5' in the Schedules shall be removed in six equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be free of any customs duty;
 - (f) customs duties on originating goods provided for in the tariff lines in staging category '7' in the Schedules shall be removed in eight equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be free of any customs duty;
 - (g) customs duties on originating goods provided for in the tariff lines in staging category '10' in the Schedules shall be removed in eleven equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be free of any customs duty;
 - (h) customs duties on originating goods provided for in tariff lines marked with '20 % in 5 years' in the Schedules shall be reduced by 20 % in six equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be subject to a customs duty equivalent to the base rate reduced by 20 %;
 - (i) customs duties on originating goods provided for in tariff lines marked with '20 % in 10 years' in the Schedules shall be reduced by 20 % in eleven equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be subject to a customs duty equivalent to the base rate reduced by 20 %;
 - (j) customs duties on originating goods provided for in tariff lines marked with '30 % in 5 years' in the Schedules shall be reduced by 30 % in six equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be subject to a customs duty equivalent to the base rate reduced by 30 %;
 - (k) customs duties on originating goods provided for in tariff lines marked with '50 % in 5 years' in the Schedules shall be reduced by 50 % in six equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be subject to a customs duty equivalent to the base rate reduced by 50 %;

- (l) customs duties on originating goods provided for in tariff lines marked with '50 % in 7 years' in the Schedules shall be reduced by 50 % in eight equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be subject to a customs duty equivalent to the base rate reduced by 50 %;
 - (m) customs duties on originating goods provided for in tariff lines marked with '50 % in 10 years' in the Schedules shall be reduced by 50 % in eleven equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be subject to a customs duty equivalent to the base rate reduced by 50 %;
 - (n) customs duties on originating goods provided for in tariff lines marked with '60 % in 5 years' in the Schedules shall be reduced by 60 % in six equal stages beginning on the date this Agreement enters into force, and such goods shall thereafter be subject to a customs duty equivalent to the base rate reduced by 60 %;
 - (o) customs duties on originating goods provided for in the tariff lines in staging category 'Ad valorem free (Entry Price ⁽¹⁾)' in the Schedules, shall be eliminated on the date this Agreement enters into force; the liberalisation concerns the ad valorem duty only; the specific duty linked to the entry price system applicable for these originating goods shall be maintained.
2. The base rate and staging category to determine the rate of customs duty applicable at each stage of reduction for a tariff line are indicated in the corresponding tariff line in the Schedule.
 3. For the purposes of the elimination of customs duties, the rate of customs duties applied in each stage shall be rounded down at least to the nearest tenth of a percentage point or, if the rate of customs duty is expressed in monetary units, at least to the nearest tenth of the official monetary unit of the Party.
 4. For the purposes of this Appendix, the first reduction shall take place on the entry into force of this Agreement, and each successive reduction shall take effect on 1 January of the relevant year.
 5. If the entry into force of this Agreement corresponds to a date after 1 January and before 31 December of the same year, the in-quota quantity will be pro-rated on a proportional basis for the remainder of the calendar year.
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⁽¹⁾ See Annex 2 to Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

III

(Other acts)

EUROPEAN ECONOMIC AREA

DECISION OF THE EEA JOINT COMMITTEE No 31/2019

of 29 March 2019

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/1219]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/138 of 29 January 2019 amending Regulations (EC) No 1356/2004, (EC) No 1464/2004, (EC) No 786/2007, (EC) No 971/2008, (EU) No 1118/2010, (EU) No 169/2011 and Implementing Regulations (EU) No 888/2011 and (EU) No 667/2013 as regards the name of the holder of the authorisation for feed additives ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2019/146 of 30 January 2019 amending Implementing Regulation (EU) 2015/502, concerning the authorisation of the preparation of *Saccharomyces cerevisiae* NCYC R404 as a feed additive for dairy cows ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2019/221 of 6 February 2019 amending Regulations (EC) No 785/2007, (EC) No 379/2009, (EC) No 1087/2009, (EU) No 9/2010, (EU) No 337/2011 and Implementing Regulations (EU) No 389/2011, (EU) No 528/2011, (EU) No 840/2012, (EU) No 1021/2012, (EU) 2016/899, (EU) 2016/997, (EU) 2017/440 and (EU) 2017/896 as regards the name of the holder of the authorisation and the representative of the holder of the authorisation for certain feed additives ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (5) Annex I to the EEA Agreement should therefore be amended accordingly,

⁽¹⁾ OJ L 26, 30.1.2019, p. 1.

⁽²⁾ OJ L 27, 31.1.2019, p. 12.

⁽³⁾ OJ L 35, 7.2.2019, p. 28.

HAS ADOPTED THIS DECISION:

Article 1

Chapter II of Annex I to the EEA Agreement shall be amended as follows:

- (1) The following indent is added in points 1zz (Commission Regulation (EC) No 1356/2004), 1zzc (Commission Regulation (EC) No 1464/2004), 1zzzw (Commission Regulation (EC) No 786/2007), 1zzzt (Commission Regulation (EC) No 971/2008), 2q (Commission Regulation (EU) No 1118/2010), 2zo (Commission Implementing Regulation (EU) No 888/2011) and 2zv (Commission Regulation (EU) No 169/2011):

‘— **32019 R 0138**: Commission Implementing Regulation (EU) 2019/138 of 29 January 2019 (OJ L 26, 30.1.2019, p. 1).’

- (2) The following is added in point 86 (Commission Implementing Regulation (EU) No 667/2013):

‘, as amended by:

— **32019 R 0138**: Commission Implementing Regulation (EU) 2019/138 of 29 January 2019 (OJ L 26, 30.1.2019, p. 1).’

- (3) The following is added in points 1zzzv (Commission Regulation (EC) No 785/2007), 1zzzzz (Commission Regulation (EC) No 379/2009), 1zzzzr (Commission Regulation (EC) No 1087/2009), 2y (Commission Regulation (EU) No 337/2011), 2zd (Commission Implementing Regulation (EU) No 389/2011), 2zh (Commission Implementing Regulation (EU) No 528/2011), 62 (Commission Implementing Regulation (EU) No 840/2012), 69 (Commission Implementing Regulation (EU) No 1021/2012), 167 (Commission Implementing Regulation (EU) 2016/899), 171 (Commission Implementing Regulation (EU) 2016/997), 205 (Commission Implementing Regulation (EU) 2017/440) and 211 (Commission Implementing Regulation (EU) 2017/896):

‘, as amended by:

— **32019 R 0221**: Commission Implementing Regulation (EU) 2019/221 of 6 February 2019 (OJ L 35, 7.2.2019, p. 28).’

- (4) The following indent is added in points 1zzzzzx (Commission Regulation (EU) No 9/2010):

‘— **32019 R 0221**: Commission Implementing Regulation (EU) 2019/221 of 6 February 2019 (OJ L 35, 7.2.2019, p. 28).’

- (5) The following is added in point 129 (Commission Implementing Regulation (EU) 2015/502):

‘, as amended by:

— **32019 R 0146**: Commission Implementing Regulation (EU) 2019/146 of 30 January 2019 (OJ L 27, 31.1.2019, p. 12).’

Article 2

The texts of Implementing Regulations (EU) 2019/138, (EU) 2019/146 and (EU) 2019/221 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

(*) No constitutional requirements indicated

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE No 32/2019
of 29 March 2019
amending Annex VI (Social security) to the EEA Agreement [2019/1220]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EU) 2019/500 of the European Parliament and of the Council of 25 March 2019 establishing contingency measures in the field of social security coordination following the withdrawal of the United Kingdom from the Union ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex VI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 1 (Regulation (EC) No 883/2004 of the European Parliament and of the Council) of Annex VI to the EEA Agreement:

- '1a. **32019 R 0500:** Regulation (EU) 2019/500 of the European Parliament and of the Council of 25 March 2019 establishing contingency measures in the field of social security coordination following the withdrawal of the United Kingdom from the Union (OJ L 85I, 27.3.2019, p. 35).'

Article 2

The text of Regulation (EU) 2019/500 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019, or on the day following the last notification under Article 103(1) of the EEA Agreement (*), whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 85 I, 27.3.2019, p. 35.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 35/2019
of 29 March 2019
amending Annex IX (Financial Services) to the EEA Agreement [2019/1221]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2017/1857 of 13 October 2017 on the recognition of the legal, supervisory and enforcement arrangements of the United States of America for derivatives transactions supervised by the Commodity Futures Trading Commission as equivalent to certain requirements of Article 11 of Regulation (EU) No 648/2012 of the European Parliament and Council on OTC derivatives, central counterparties and trade repositories ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Decision (EU) 2018/2031 of 19 December 2018 determining, for a limited period of time, that the regulatory framework applicable to central counterparties in the United Kingdom of Great Britain and Northern Ireland is equivalent, in accordance with Regulation (EU) No 648/2012 of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following points are inserted after point 31bcav (Commission Implementing Decision (EU) 2016/2278) of Annex IX to the EEA Agreement:

‘31bcav. **32017 D 1857**: Commission Implementing Decision (EU) 2017/1857 of 13 October 2017 on the recognition of the legal, supervisory and enforcement arrangements of the United States of America for derivatives transactions supervised by the Commodity Futures Trading Commission as equivalent to certain requirements of Article 11 of Regulation (EU) No 648/2012 of the European Parliament and Council on OTC derivatives, central counterparties and trade repositories (OJ L 265, 14.10.2017, p. 23).

31bcaw. **32018 D 2031**: Commission Implementing Decision (EU) 2018/2031 of 19 December 2018 determining, for a limited period of time, that the regulatory framework applicable to central counterparties in the United Kingdom of Great Britain and Northern Ireland is equivalent, in accordance with Regulation (EU) No 648/2012 of the European Parliament and of the Council (OJ L 325, 20.12.2018, p. 50).’

Article 2

The texts of Implementing Decisions (EU) 2017/1857 and (EU) 2018/2031 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 265, 14.10.2017, p. 23.

⁽²⁾ OJ L 325, 20.12.2018, p. 50.

(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE No 36/2019
of 29 March 2019
amending Annex IX (Financial Services) to the EEA Agreement [2019/1222]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/396 of 19 December 2018 amending Delegated Regulation (EU) 2015/2205, Delegated Regulation (EU) 2016/592 and Delegated Regulation (EU) 2016/1178 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date at which the clearing obligation takes effect for certain types of contracts ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 31bcp (Commission Delegated Regulation (EU) 2015/2205), point 31bcq (Commission Delegated Regulation (EU) 2016/592) and point 31bcr (Commission Delegated Regulation (EU) 2016/1178) of Annex IX to the EEA Agreement:

— **32019 R 0396:** Commission Delegated Regulation (EU) 2019/396 of 19 December 2018 (OJ L 71, 13.3.2019, p. 11).'

Article 2

The text of Delegated Regulation (EU) 2019/396 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019 or on the day following the last notification under Article 103(1) of the EEA Agreement (*), whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee
The President
Claude MAERTEN

⁽¹⁾ OJ L 71, 13.3.2019, p. 11.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 37/2019
of 29 March 2019
amending Annex IX (Financial Services) to the EEA Agreement [2019/1223]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/397 of 19 December 2018 amending Delegated Regulation (EU) 2016/2251 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date until which counterparties may continue to apply their risk-management procedures for certain OTC derivative contracts not cleared by a CCP ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 31bcs (Commission Delegated Regulation (EU) 2016/2251) of Annex IX to the EEA Agreement:

‘— **32019 R 0397**: Commission Delegated Regulation (EU) 2019/397 of 19 December 2018 (OJ L 71, 13.3.2019, p. 15).’

Article 2

The text of Delegated Regulation (EU) 2019/397 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019 or on the day following the last notification under Article 103(1) of the EEA Agreement (*) or on the day of the entry into force of the Decision of the EEA Joint Committee incorporating Commission Delegated Regulation (EU) 2016/2251 into the EEA Agreement, whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee
The President
Claude MAERTEN

⁽¹⁾ OJ L 71, 13.3.2019, p. 15

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 38/2019
of 29 March 2019
amending Annex IX (Financial Services) to the EEA Agreement [2019/1224]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2018/2030 of 19 December 2018 determining, for a limited period of time, that the regulatory framework applicable to central securities depositories of the United Kingdom of Great Britain and Northern Ireland is equivalent in accordance with Regulation (EU) No 909/2014 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 31bff (Commission Implementing Regulation (EU) 2017/394) of Annex IX to the EEA Agreement:

'31bfg. **32018 D 2030:** Commission Implementing Decision (EU) 2018/2030 of 19 December 2018 determining, for a limited period of time, that the regulatory framework applicable to central securities depositories of the United Kingdom of Great Britain and Northern Ireland is equivalent in accordance with Regulation (EU) No 909/2014 of the European Parliament and of the Council (OJ L 325, 20.12.2018, p. 47).'

Article 2

The text of Implementing Decision (EU) 2018/2030 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 18/2019 of 8 February 2019 ⁽²⁾, whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 325, 20.12.2018, p. 47.

^(*) No constitutional requirements indicated.

⁽²⁾ OJ L 60, 28.2.2019, p. 31.

DECISION OF THE EEA JOINT COMMITTEE No 41/2019
of 29 March 2019
amending Annex XIII (Transport) to the EEA Agreement [2019/1225]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/413 of 14 March 2019 amending Implementing Regulation (EU) 2015/1998 as regards third countries recognized as applying security standard equivalent to the common basic standards on civil aviation security ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 66he (Commission Implementing Regulation (EU) 2015/1998) of Annex XIII to the EEA Agreement:

‘— **32019 R 0413**: Commission Implementing Regulation (EU) 2019/413 of 14 March 2019 (OJ L 73, 15.3.2019, p. 98).’

Article 2

The text of Implementing Regulation (EU) 2019/413 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019, or on the day following the last notification under Article 103(1) of the EEA Agreement (*), whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 73, 15.3.2019, p. 98.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 42/2019
of 29 March 2019
amending Annex XIII (Transport) to the EEA Agreement [2019/1226]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EU) 2019/494 of the European Parliament and of the Council of 25 March 2019 on certain aspects of aviation safety with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 66nk (Commission Regulation (EU) 2018/395) of Annex XIII to the EEA Agreement:

'66nl. **32019 R 0494:** Regulation (EU) 2019/494 of the European Parliament and of the Council of 25 March 2019 on certain aspects of aviation safety with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union (OJ L 85I, 27.3.2019, p. 11).'

Article 2

The text of Regulation (EU) 494/2019 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019, or on the day following the last notification under Article 103(1) of the EEA Agreement (*), whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 85I, 27.3.2019, p. 11.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 43/2019
of 29 March 2019
amending Annex XX (Environment) to the EEA Agreement [2019/1227]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2019/225 of 6 February 2019 amending Regulation (EC) No 748/2009 as regards the aircraft operators for which the United Kingdom is specified as administering Member State ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 21as (Commission Regulation (EC) No 748/2009) of Annex XX to the EEA Agreement:

‘— **32019 R 0225**: Commission Regulation (EU) 2019/225 of 6 February 2019 (OJ L 41, 12.2.2019, p. 1).’

Article 2

The text of Regulation (EU) 2019/225 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 29 March 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 41, 12.2.2019, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 64/2019

of 29 March 2019

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/1228]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (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⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 15zb (Regulation (EC) No 726/2004 of the European Parliament and of the Council) of Chapter XIII of Annex II to the EEA Agreement:

‘— **32018 R 1718:** Regulation (EU) 2018/1718 of the European Parliament and of the Council of 14 November 2018 (OJ L 291, 16.11.2018, p. 3).’

Article 2

The text of Regulation (EU) 2018/1718 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 30 March 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 March 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 291, 16.11.2018, p. 3.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 99/2019
of 11 April 2019
amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/1229]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/591 of 11 April 2019 amending Annex V to Regulation (EC) No 136/2004 as regards the inclusion of the United Kingdom of Great Britain and Northern Ireland and certain of its Crown Dependencies in the list of third countries authorised for the introduction into the Union of consignments of hay and straw ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2019/589 of 11 April 2019 amending Annex III to Regulation (EC) No 1251/2008 as regards the inclusion of the United Kingdom of Great Britain and Northern Ireland and certain of its Crown Dependencies in the list of third countries, territories, zones or compartments authorised for the introduction into the European Union of consignments of aquaculture animals ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Decision (EU) 2019/599 of 11 April 2019 amending the Annex to Decision 2007/453/EC as regards the BSE status of the United Kingdom of Great Britain and Northern Ireland and its Crown Dependencies ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (5) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Chapter I of Annex I to the EEA Agreement shall be amended as follows:

1. The following indent is added in point 115 (Commission Regulation (EC) No 136/2004) in Part 1.2:

 '— **32019 R 0591**: Commission Implementing Regulation (EU) 2019/591 of 11 April 2019 (OJ L 100I, 11.4.2019, p. 20)'.
2. The following indent is added in point 86 (Commission Regulation (EC) No 1251/2008) in Part 4.2:

 '— **32019 R 0589**: Commission Implementing Regulation (EU) 2019/589 of 11 April 2019 (OJ L 100I, 11.4.2019, p. 14)'.
3. The following indent is added in point 49 (Commission Decision 2007/453/EC) in Part 7.2:

 '— **32019 D 0599**: Commission Implementing Decision (EU) 2019/599 of 11 April 2019 (OJ L 103, 12.4.2019, p. 31)'.

⁽¹⁾ OJ L 100I, 11.4.2019, p. 20.

⁽²⁾ OJ L 100I, 11.4.2019, p. 14.

⁽³⁾ OJ L 103, 12.4.2019, p. 31.

Article 2

The texts of Implementing Regulations (EU) 2019/589 and (EU) 2019/591 and Implementing Decision (EU) 2019/599 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 April 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 100/2019
of 11 April 2019
amending Annex IX (Financial Services) to the EEA Agreement [2019/1230]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/462 of 30 January 2019 amending Delegated Regulation (EU) 2017/1799 as regards the exemption of the Bank of England from the pre- and post-trade transparency requirements in Regulation (EU) No 600/2014 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted in point 31bazi (Commission Delegated Regulation (EU) 2017/1799) of Annex IX to the EEA Agreement:

‘, as amended by:

- **32019 R 0462**: Commission Delegated Regulation (EU) 2019/462 of 30 January 2019 (OJ L 80, 22.3.2019, p. 13).’

Article 2

The text of Delegated Regulation (EU) 2019/462 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 April 2019 or on the day following the last notification under Article 103(1) of the EEA Agreement (*) or on the day of the entry into force of Decision of the EEA Joint Committee No 85/2019 of 29 March 2019 into the EEA Agreement, whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 80, 22.3.2019, p. 13.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 101/2019
of 11 April 2019
amending Annex IX (Financial Services) to the EEA Agreement [2019/1231]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/460 of 30 January 2019 amending Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to the list of exempted entities ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 31bc (Regulation (EU) No 648/2012 of the European Parliament and of the Council) of Annex IX to the EEA Agreement:

‘— **32019 R 0460**: Commission Delegated Regulation (EU) 2019/460 of 30 January 2019 (OJ L 80, 22.3.2019, p. 8).’

Article 2

The text of Delegated Regulation (EU) 2019/460 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 April 2019 or on the day following the last notification under Article 103(1) of the EEA Agreement (*), whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 80, 22.3.2019, p. 8.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 102/2019
of 11 April 2019
amending Annex IX (Financial Services) to the EEA Agreement [2019/1232]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2019/544 of 3 April 2019 amending Implementing Decision (EU) 2018/2031 determining, for a limited period of time, that the regulatory framework applicable to central counterparties in the United Kingdom of Great Britain and Northern Ireland is equivalent, in accordance with Regulation (EU) No 648/2012 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is added in point 31bcaw (Commission Implementing Decision (EU) 2018/2031) of Annex IX to the EEA Agreement:

‘, as amended by:

— **32019 D 0544**: Commission Implementing Decision (EU) 2019/544 of 3 April 2019 (OJ L 95, 4.4.2019, p. 9).’

Article 2

The text of Implementing Decision (EU) 2019/544 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 April 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 95, 4.4.2019, p. 9.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 103/2019
of 11 April 2019
amending Annex IX (Financial services) to the EEA Agreement [2019/1233]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/565 of 28 March 2019 amending Delegated Regulation (EU) 2015/2205, Delegated Regulation (EU) 2016/592 and Delegated Regulation (EU) 2016/1178 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date at which the clearing obligation takes effect for certain types of contracts ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in points 31bcp (Commission Delegated Regulation (EU) 2015/2205), 31bcq (Commission Delegated Regulation (EU) 2016/592) and 31bcr (Commission Delegated Regulation (EU) 2016/1178) of Annex IX to the EEA Agreement:

— **32019 R 0565**: Commission Delegated Regulation (EU) 2019/565 of 28 March 2019 (OJ L 99, 10.4.2019, p. 6).'

Article 2

The text of Delegated Regulation (EU) 2019/565 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 April 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee
The President
Claude MAERTEN

⁽¹⁾ OJ L 99, 10.4.2019, p. 6.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 104/2019
of 11 April 2019
amending Annex IX (Financial services) to the EEA Agreement [2019/1234]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/564 of 28 March 2019 amending Delegated Regulation (EU) 2016/2251 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date until which counterparties may continue to apply their risk-management procedures for certain OTC derivative contracts not cleared by a CCP ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 31bcs (Commission Delegated Regulation (EU) 2016/2251) of Annex IX to the EEA Agreement:

‘— **32019 R 0564**: Commission Delegated Regulation (EU) 2019/564 of 28 March 2019 (OJ L 99, 10.4.2019, p. 3).’

Article 2

The text of Delegated Regulation (EU) 2019/564 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 April 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 83/2019 of 29 March 2019, whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee
The President
Claude MAERTEN

⁽¹⁾ OJ L 99, 10.4.2019, p. 3.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE No 105/2019
of 11 April 2019
amending Annex XIII (Transport) to the EEA Agreement [2019/1235]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EU) 2019/501 of the European Parliament and of the Council of 25 March 2019 on common rules ensuring basic road freight and road passenger connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This decision relates to the incorporation, into the EEA Agreement, of EU unilateral contingency measures adopted in order to ensure the good functioning of the internal market in case of withdrawal of the UK from the EU without an agreement (no deal scenario). The EEA Agreement is not designed to address the relations between the EEA States and the UK, as a third State. Therefore, the incorporation is accepted on an exceptional basis and under condition that the application of the contingency measures is limited to the very short period of time after the withdrawal. The incorporation cannot be used as a precedent in the future and in other cases related to the EU measures affecting third countries.
- (3) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 26e (Text of point deleted) of Annex XIII to the EEA Agreement:

‘26f. **32019 R 0501:** Regulation (EU) 2019/501 of the European Parliament and of the Council of 25 March 2019 on common rules ensuring basic road freight and road passenger connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union (OJ L 85I, 27.3.2019, p. 39).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) As regards the EFTA States, Article 5 shall not apply.
- (b) In Article 11, the words “and EFTA State” shall be inserted after the words “Member State”.

Article 2

The text of Regulation (EU) 2019/501 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 April 2019, or on the day following the last notification under Article 103(1) of the EEA Agreement (*), whichever is the later.

⁽¹⁾ OJ L 85I, 27.3.2019, p. 39.

(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE No 106/2019
of 11 April 2019
amending Annex XIII (Transport) to the EEA Agreement [2019/1236]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EU) 2019/502 of the European Parliament and of the Council of 25 March 2019 on common rules ensuring basic air connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This decision relates to the incorporation, into the EEA Agreement, of EU unilateral contingency measures adopted in order to ensure the good functioning of the internal market in case of withdrawal of the UK from the EU without an agreement (no deal scenario). The EEA Agreement is not designed to address the relations between the EEA States and the UK, as a third State. Therefore, the incorporation is accepted on an exceptional basis and under condition that the application of the contingency measures is limited to the very short period of time after the withdrawal. The incorporation cannot be used as a precedent in the future and in other cases related to the EU measures affecting third countries.
- (3) Annexes XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 64c (Council Directive 96/67/EC) of Annex XIII to the EEA Agreement:

'64d. **32019 R 0502:** Regulation (EU) 2019/502 of the European Parliament and of the Council of 25 March 2019 on common rules ensuring basic air connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union (OJ L 85I, 27.3.2019, p. 49).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) As regards the EFTA States, Article 4(3) shall not apply.
- (b) The following paragraph shall be added to Article 15:

"4. The EFTA States shall participate fully in the committee established pursuant to paragraph 1 and shall within it have the same rights and obligations as EU Member States, except for the right to vote."

Article 2

The text of Regulation (EU) 2019/502 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 April 2019, or on the day following the last notification under Article 103(1) of the EEA Agreement (*), whichever is the later.

⁽¹⁾ OJ L 85I, 27.3.2019, p. 49.

(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 April 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE No 110/2019**of 8 May 2019****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/1237]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EU) 2019/26 of the European Parliament and of the Council of 8 January 2019 complementing Union type-approval legislation with regard to the withdrawal of the United Kingdom from the Union ⁽¹⁾, as corrected by OJ L 11, 14.1.2019, p. 34, is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 49 (Commission Delegated Regulation (EU) 2017/79) of Chapter I of Annex II to the EEA Agreement:

- '50. **32019 R 0026:** Regulation (EU) 2019/26 of the European Parliament and of the Council of 8 January 2019 complementing Union type-approval legislation with regard to the withdrawal of the United Kingdom from the Union (OJ L 8I, 10.1.2019, p. 1), as corrected by OJ L 11, 14.1.2019, p. 34.'

Article 2

The text of Regulation (EU) 2019/26, as corrected by OJ L 11, 14.1.2019, p. 34, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 1 June 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 8 May 2019.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 8I, 10.1.2019, p. 1.

(*) No constitutional requirements indicated.

