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I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2020/872 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 24 June 2020

amending Regulation (EU) No 1305/2013 as regards a specific measure to provide exceptional temporary support under the European Agricultural Fund for Rural Development (EAFRD) in response to the COVID-19 outbreak

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 42 and Article 43(2) thereof,

Having regard to the proposal from the European Commission,

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

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

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

Whereas:

- (1) Farmers and rural businesses have been affected by the consequences of the COVID-19 outbreak in an unprecedented manner. The extensive restrictions on movement put in place in the Member States, as well as mandatory closures of shops, outdoor markets, restaurants and other hospitality establishments, have created economic disruption to the agricultural sector and rural communities and have led to liquidity and cash-flow problems for farmers and for small businesses active in processing, marketing or development of agricultural products. This has created an exceptional situation which needs to be addressed.
- (2) In order to respond to the impact of the crisis arising from the COVID-19 outbreak ('the crisis'), a new exceptional and temporary measure should be adopted to address the liquidity problems that put at risk the continuity of farming activities and of small businesses active in processing, marketing or development of agricultural products.
- (3) That measure should enable Member States to make use of available funds under their existing rural development programmes in order to support farmers and small and medium-sized enterprises (SMEs) particularly affected by the crisis. The support, which aims to secure agro-business competitiveness and farm viability, should, with a view to best concentrating the available resources on beneficiaries that are suffering most from the crisis, be granted on the basis of objective and non-discriminatory criteria. In the case of farmers, such criteria may include production sectors, types of farming, farm structures, types of marketing of farm products, and number of seasonal workers employed; in the case of SMEs, such criteria may include types of sectors, types of activity, types of regions, and other specific constraints.

⁽¹⁾ Opinion of 11 June 2020 (not yet published in the Official Journal).

⁽²⁾ Position of the European Parliament of 19 June 2020 (not yet published in the Official Journal) and decision of the Council of 24 June 2020.

- (4) Because of the urgency and exceptional character of that measure, a one-off payment and a time limit for application of the measure should be set, while the principle that payments by the Commission are to be made in accordance with budget appropriations and subject to available funding needs to be recalled.
- (5) In order to give higher support where farmers or SMEs are most severely affected, it is appropriate to allow Member States to adjust the level of the lump-sums for certain categories of eligible beneficiaries, based on objective and non-discriminatory criteria.
- (6) In order to ensure adequate funding of the new measure without jeopardising other objectives of the rural development programmes, as set out in Regulation (EU) No 1305/2013 of the European Parliament and of the Council ⁽³⁾, a maximum share of the Union contribution to that measure should be fixed.
- (7) Since the objective of this Regulation, namely to respond to the impact of the crisis by introducing a specific measure to provide exceptional temporary support under the EAFRD, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the proposed action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.
- (8) Regulation (EU) No 1305/2013 should therefore be amended accordingly.
- (9) In view of the urgency of addressing the crisis, it was considered to be appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the TEU, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.
- (10) Given the urgency of the situation related to the crisis, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1305/2013 is amended as follows:

- (1) the following Article is inserted:

'Article 39b

Exceptional temporary support to farmers and SMEs particularly affected by the COVID-19 crisis

1. Support under this measure shall provide emergency assistance to farmers and SMEs particularly affected by the COVID-19 crisis, aiming at ensuring continuity of their business activity, subject to the conditions set out in this Article.
2. Support shall be granted to farmers, as well as to SMEs active in processing, marketing or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products. The output of the production process may be a product not covered by that Annex.
3. Member States shall target the support to beneficiaries who are most affected by the COVID-19 crisis, by determining, on the basis of available evidence, eligibility conditions and, where considered appropriate by the Member State concerned, selection criteria, which shall be objective and non-discriminatory.

⁽³⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

4. The support shall take the form of a lump sum payment to be paid by 30 June 2021, based on applications for support approved by the competent authority by 31 December 2020. The subsequent reimbursement by the Commission shall be made in accordance with budget appropriations and subject to available funding. The level of payment may be differentiated by categories of beneficiaries, in accordance with objective and non-discriminatory criteria.

5. The maximum amount of support shall not exceed EUR 7 000 per farmer and EUR 50 000 per SME.

6. When granting support under this Article, Member States shall take into account the support granted under other national or Union support instruments or private schemes to respond to the impact of the COVID-19 crisis.’;

(2) in Article 49, paragraph 2 is replaced by the following:

‘2. The Member State authority responsible for the selection of operations shall ensure that operations, with the exception of operations under point (b) of Article 18(1), point (d) of Article 24(1) and Articles 28 to 31, 33, 34 and 36 to 39b, are selected in accordance with the selection criteria referred to in paragraph 1 of this Article and according to a transparent and well-documented procedure.’;

(3) in Article 59, the following paragraph is inserted:

‘6a. The EAFRD support provided under Article 39b shall not exceed 2 % of the total EAFRD contribution to the rural development programme.’.

Article 2

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

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

Done at Brussels, 24 June 2020.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
N. BRNJAC

REGULATION (EU) 2020/873 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 24 June 2020****amending Regulations (EU) No 575/2013 and (EU) 2019/876 as regards certain adjustments in response to the COVID-19 pandemic**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Central Bank ⁽¹⁾,Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,Acting in accordance with the ordinary legislative procedure ⁽³⁾,

Whereas:

- (1) Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽⁴⁾ establishes, together with Directive 2013/36/EU of the European Parliament and of the Council ⁽⁵⁾, the prudential regulatory framework for credit institutions and investment firms ('institutions') operating in the Union. Adopted in the aftermath of the financial crisis that unfolded in 2007-2008, and largely based on international standards agreed in 2010 by the Basel Committee on Banking Supervision (BCBS), known as the Basel III framework, that prudential regulatory framework has contributed to enhancing the resilience of institutions operating in the Union and to making them better prepared to deal with potential difficulties, including difficulties stemming from possible future crises.
- (2) Since its entry into force, Regulation (EU) No 575/2013 has been amended several times to address remaining weaknesses in the prudential regulatory framework and to implement some outstanding elements of the global financial services reform that are essential to ensuring the resilience of institutions. Among those changes, Regulation (EU) 2017/2395 of the European Parliament and of the Council ⁽⁶⁾ introduced transitional arrangements in Regulation (EU) No 575/2013 for mitigating the impact on own funds of the introduction of International Financial Reporting Standard – Financial Instruments (IFRS 9). Regulation (EU) 2019/630 of the European Parliament and of the Council ⁽⁷⁾ introduced in Regulation (EU) No 575/2013 a requirement for minimum loss coverage for non-performing exposures, the so-called prudential backstop.

⁽¹⁾ OJ C 180, 29.5.2020, p. 4.

⁽²⁾ Opinion of 10 June 2020 (not yet published in the Official Journal).

⁽³⁾ Position of the European Parliament of 18 June 2020 (not yet published in the Official Journal) and decision of the Council of 24 June 2020.

⁽⁴⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

⁽⁵⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

⁽⁶⁾ Regulation (EU) 2017/2395 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 as regards transitional arrangements for mitigating the impact of the introduction of IFRS 9 on own funds and for the large exposures treatment of certain public sector exposures denominated in the domestic currency of any Member State (OJ L 345, 27.12.2017, p. 27).

⁽⁷⁾ Regulation (EU) 2019/630 of the European Parliament and of the Council of 17 April 2019 amending Regulation (EU) No 575/2013 as regards minimum loss coverage for non-performing exposures (OJ L 111, 25.4.2019, p. 4).

- (3) Furthermore, Regulation (EU) 2019/876 of the European Parliament and of the Council ⁽⁸⁾ introduced in Regulation (EU) No 575/2013 some of the final elements of the Basel III framework. Those elements include, among other things, a new definition of the leverage ratio and a leverage ratio buffer, both of which prevent institutions from excessively increasing leverage, as well as provisions for the more favourable prudential treatment of certain software assets and for the more favourable treatment of certain loans backed by pensions or salaries, a revised supporting factor for loans to small and medium-sized enterprises (SMEs) (the 'SME supporting factor'), and a new adjustment to own funds requirements for credit risk for exposures to entities that operate or finance physical structures or facilities, systems and networks that provide or support essential public services (the 'infrastructure supporting factor').
- (4) The severe economic shock caused by the COVID-19 pandemic and the exceptional containment measures have had a far-reaching impact on the economy. Businesses are facing disruption in supply chains, temporary closures and reduced demand, while households are confronted with unemployment and a drop in income. Public authorities at Union and Member State level have taken decisive action to support households and solvent undertakings in withstanding the severe but temporary slowdown in economic activity and the resulting liquidity shortages.
- (5) Institutions will have a key role in contributing to the recovery. At the same time they are likely to be impacted by the deteriorating economic situation. The European Supervisory Authority (European Banking Authority) (EBA) established by Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽⁹⁾, the European Supervisory Authority (European Securities and Markets Authority) (ESMA) established by Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽¹⁰⁾ and the competent authorities have provided temporary capital, liquidity and operational relief to institutions to ensure that institutions can continue to fulfil their role in funding the real economy despite the more challenging environment. In particular, the Commission, the European Central Bank and EBA have provided clarity regarding the application of the flexibility already embedded in Regulation (EU) No 575/2013 by issuing interpretations and guidance on the application of the prudential framework in the context of COVID-19. Such guidance includes the interpretative communication of the Commission of 28 April 2020 on the application of the accounting and prudential frameworks to facilitate EU bank lending – Supporting businesses and households amid COVID-19. In reaction to the COVID-19 pandemic, the BCBS has also provided some flexibility in the application of international standards.
- (6) It is important that institutions employ their capital where it is most needed and the Union regulatory framework facilitates their doing so while ensuring that institutions act prudently. In addition to the flexibility already provided in the existing rules, targeted changes to Regulations (EU) No 575/2013 and (EU) 2019/876 would ensure that the prudential regulatory framework interacts smoothly with the various measures that address the COVID-19 pandemic.
- (7) The extraordinary circumstances of the COVID-19 pandemic and the unprecedented magnitude of challenges triggered calls for immediate action to ensure that institutions are able to channel funds to businesses and households effectively and to mitigate the economic shock caused by the COVID-19 pandemic.
- (8) Guarantees provided in the context of the COVID-19 pandemic by national governments or other public entities, which are considered equally creditworthy under the Standardised Approach for credit risk set out in Part Three of Regulation (EU) No 575/2013, are comparable as regards their risk-mitigating effects to guarantees provided by official export credit agencies as referred to in Article 47c of Regulation (EU) No 575/2013. It is therefore justified to align the minimum coverage requirements for non-performing exposures that benefit from guarantees granted by national governments or other public entities with those for non-performing exposures that benefit from guarantees granted by official export credit agencies.

⁽⁸⁾ Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (OJ L 150, 7.6.2019, p. 1).

⁽⁹⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

⁽¹⁰⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

- (9) Evidence which has emerged in the context of the COVID-19 pandemic has made it apparent that the possibility of temporarily excluding certain exposures to central banks from the calculation of an institution's total exposure measure, as laid down in Article 429a of Regulation (EU) No 575/2013 as amended by Regulation (EU) 2019/876, could prove essential during a crisis situation. However, the discretion to exclude such exposures only becomes applicable on 28 June 2021. Therefore, before that date, the competent authorities would not be able to make use of that instrument to address the increase in exposures to central banks that is expected to occur as a result of monetary policy measures employed to mitigate the economic impact of the COVID-19 pandemic. Moreover, the effectiveness of that instrument appears to be hampered by the reduced flexibility stemming from the offsetting mechanism attached to such temporary exclusions, which would constrain the ability of institutions to increase exposures to central banks in a crisis situation. That could ultimately result in forcing an institution to reduce its level of lending to households and businesses. Therefore, in order to avoid any undesired consequences related to the offsetting mechanism and to ensure the effectiveness of that exclusion in the face of possible future shocks and crises, the offsetting mechanism should be modified. In addition, in order to ensure the availability of that discretion during the current COVID-19 pandemic, the possibility of temporarily excluding certain exposures to central banks should already be available before the leverage ratio requirement set out in point (d) of Article 92(1) of Regulation (EU) No 575/2013 becomes applicable on 28 June 2021. Pending the application of the amended provisions on the calculation of the leverage ratio as introduced by Regulation (EU) 2019/876, Article 429a should continue to apply in the wording as introduced by Commission Delegated Regulation (EU) 2015/62 ⁽¹¹⁾.
- (10) In 2017, the BCBS revised the calculation of the leverage ratio exposure value of regular-way purchases and sales awaiting settlement in order to ensure that the treatment properly reflects the inherent leverage associated with those trades and that possible accounting differences do not affect the calculation among institutions with comparable positions. In the Union, the revision was introduced by Regulation (EU) 2019/876. However, that more favourable treatment only becomes applicable on 28 June 2021. Therefore, given that the revised calculation would reflect the actual leverage of a transaction more appropriately and, at the same time, would increase the capacity of an institution to lend and to absorb losses amid the COVID-19 pandemic, institutions should already have the possibility to temporarily apply the revised calculation before the provision introduced by Regulation (EU) 2019/876 becomes applicable to all institutions in the Union.
- (11) Many institutions operating in the Union have been subject to IFRS 9 since 1 January 2018. In line with international standards adopted by the BCBS, Regulation (EU) 2017/2395 introduced in Regulation (EU) No 575/2013 transitional arrangements to mitigate the potentially significant negative impact on institutions' Common Equity Tier 1 capital arising from expected credit loss accounting under IFRS 9.
- (12) The application of IFRS 9 during the economic downturn caused by the COVID-19 pandemic could lead to a sudden significant increase in expected credit loss provisions as, for many exposures, expected losses over their lifetime might need to be calculated. The BCBS, EBA and ESMA clarified that institutions are expected not to mechanically apply their existing expected credit loss approaches in exceptional situations such as the COVID-19 pandemic but instead to use the flexibility inherent in IFRS 9, for example to give due weight to long-term economic trends. The BCBS agreed on 3 April 2020 to allow more flexibility in the implementation of the transitional arrangements that phase-in the impact of IFRS 9. In order to limit the possible volatility of regulatory capital that might occur if the COVID-19 pandemic results in a significant increase in expected credit loss provisions, it is necessary to extend the transitional arrangements also in Union law.
- (13) To mitigate the potential impact that a sudden increase in expected credit loss provisions could have on institutions' capacity to lend to clients at times when it is most needed, the transitional arrangements should be extended by two years, and institutions should be allowed to fully add back to their Common Equity Tier 1 capital any increase in new expected credit loss provisions that they recognise in 2020 and 2021 for their financial assets that are not credit-impaired. Those changes would bring additional relief from the impact of the COVID-19 pandemic on institutions' possible increase in provisioning needs under IFRS 9 while maintaining the transitional arrangements for the expected credit loss amounts established before the COVID-19 pandemic.

⁽¹¹⁾ Commission Delegated Regulation (EU) 2015/62 of 10 October 2014 amending Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to the leverage ratio (OJ L 11, 17.1.2015, p. 37).

- (14) Institutions that have previously decided to use or not to use the transitional arrangements should be able to reverse that decision at any time during the new transitional period, subject to receiving the prior permission of their competent authority. The competent authority should ensure that such reversals are not motivated by considerations of regulatory arbitrage. Subsequently, and subject to the prior permission of the competent authority, institutions should have the possibility of deciding to stop using the transitional arrangements.
- (15) The extraordinary impact of the COVID-19 pandemic is also observed in relation to the extreme levels of volatility in the financial markets, which together with uncertainty are leading to increased yields for public debt that, in turn, give rise to unrealised losses on institutions' holdings of public debt. In order to mitigate the considerable negative impact of the volatility in central government debt markets during the COVID-19 pandemic on institutions' regulatory capital and therefore on institutions' capacity to lend to clients, a temporary prudential filter that would neutralise that impact should be re-established.
- (16) Institutions are required to back-test their internal models daily to assess whether those models generate sufficient capital requirements to absorb trading book losses. Failures in the back-testing requirement, also known as overshootings, if above a certain number per year, would result in an additional quantitative multiplier being applied to the own funds requirements for market risk calculated using internal models. The back-testing requirement is highly procyclical in a period of extreme volatility, such as the one caused by the COVID-19 pandemic. As a result of the crisis, the quantitative market risk multiplier applied to internal models has increased significantly. While the Basel III framework for market risk allows competent authorities to smoothen such extraordinary events in market risk internal models, such supervisory discretion is not fully available under Regulation (EU) No 575/2013. Therefore, additional flexibility for competent authorities to mitigate the negative effects of the extreme market volatility observed during the COVID-19 pandemic should be introduced to exclude the overshootings that occurred between 1 January 2020 and 31 December 2021 which are not a result of deficiencies in internal models. Based on the experience from the COVID-19 pandemic, the Commission should assess whether such flexibility should be made available also during future episodes of extreme market volatility.
- (17) In March 2020, the Group of Central Bank Governors and Heads of Supervision revised the implementation timeline of the final elements of the Basel III framework. While most of the final elements still need to be implemented in Union law, the leverage ratio buffer requirement for global systemically important institutions has already been implemented through the amendments introduced by Regulation (EU) 2019/876. Therefore, and in order to ensure a level playing field internationally for institutions established in the Union and operating also outside the Union, the date of application for the leverage ratio buffer requirement set out in that Regulation should be deferred by one year to 1 January 2023. With the application of the leverage ratio buffer requirement postponed, during the postponement period there would be no consequences resulting from a failure to meet that requirement as set out in Article 141c of Directive 2013/36/EU and no related restriction on distributions set out in Article 141b of that Directive.
- (18) Regarding loans granted by credit institutions to pensioners or employees with a permanent contract against the unconditional transfer of part of the borrower's pension or salary to that credit institution, Article 123 of Regulation (EU) No 575/2013 was amended by Regulation (EU) 2019/876 to allow for the more favourable treatment of such loans. The application of such treatment in the context of the COVID-19 pandemic would incentivise institutions to increase lending to employees and pensioners. It is therefore necessary to advance the date of application of that provision so that it can already be used by institutions during the COVID-19 pandemic.
- (19) As the SME supporting factor and the infrastructure supporting factor allow for a more favourable treatment of certain exposures to SMEs and infrastructure, their application in the context of the COVID-19 pandemic would incentivise institutions to increase much-needed lending. It is therefore necessary to advance the date of application of the two supporting factors so that they can already be used by institutions during the COVID-19 pandemic.
- (20) The prudential treatment of certain software assets was amended by Regulation (EU) 2019/876 in order to further support the transition towards a more digitalised banking sector. In the context of the accelerated uptake of digital services as a consequence of public measures adopted to address the COVID-19 pandemic, the date of application of those changes should be advanced.

- (21) Public financing through the issuance of government bonds denominated in the domestic currency of another Member State might be necessary to support measures to fight the consequences of the COVID-19 pandemic. To avoid unnecessary constraints on institutions investing in such bonds, it is appropriate to reintroduce the transitional arrangements for exposures to central governments and central banks where those exposures are denominated in the domestic currency of another Member State with respect to the treatment of such exposures under the credit risk framework and to prolong the transitional arrangements with respect to the treatment of such exposures under the large exposure limits.
- (22) In the exceptional circumstances triggered by the COVID-19 pandemic, stakeholders are expected to contribute to efforts towards recovery. EBA, the European Central Bank and other competent authorities have issued recommendations for institutions to suspend dividend payments and share buybacks during the COVID-19 pandemic. To ensure the consistent application of such recommendations, competent authorities should make full use of their supervisory powers, including powers to impose binding restrictions on distributions for institutions or limitations on variable remuneration, where appropriate, in accordance with Directive 2013/36/EU. Based on the experience from the COVID-19 pandemic, the Commission should assess whether additional binding powers should be granted to competent authorities to impose restrictions on distributions in exceptional circumstances.
- (23) Since the objective of this Regulation, namely maximising the capacity of institutions to lend and to absorb losses related to the COVID-19 pandemic, while still ensuring the continued resilience of such institutions, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (24) For the extraordinary support measures adopted to alleviate the impact of the COVID-19 pandemic to be fully effective with regard to keeping the banking sector more resilient and providing an incentive to the institutions to continue lending, it is necessary for the alleviating effect of those measures to be immediately reflected in the way in which regulatory capital requirements are determined. Having regard to the urgency of those adjustments to the prudential regulatory framework, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (25) In view of the urgency entailed by the exceptional circumstances caused by the COVID-19 pandemic, it was considered to be appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.
- (26) Regulations (EU) No 575/2013 and (EU) 2019/876 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) No 575/2013

Regulation (EU) No 575/2013 is amended as follows:

- (1) in Article 47c(4), the introductory phrase is replaced by the following:
- ‘4. By way of derogation from paragraph 3 of this Article, the following factors shall apply to the part of the non-performing exposure guaranteed or insured by an official export credit agency or guaranteed or counter-guaranteed by an eligible protection provider referred to in points (a) to (e) of Article 201(1), unsecured exposures to which would be assigned a risk weight of 0 % under Chapter 2 of Title II of Part Three;’
- (2) in Article 114, paragraph 6 is deleted;
- (3) in Article 150(1), point (ii) of point (d) of the first subparagraph is replaced by the following:
- ‘(ii) exposures to central governments and central banks are assigned a 0 % risk weight under Article 114(2) or (4);’

(4) Article 429a, as amended by Regulation (EU) 2019/876, is amended as follows:

(a) in paragraph 1, the introductory phrase of point (n) is replaced by the following:

‘(n) the following exposures to the institution’s central bank, subject to the conditions set out in paragraphs 5 and 6:’;

(b) paragraph 5 is amended as follows:

(i) the introductory sentence is replaced by the following:

‘Institutions may exclude the exposures listed in point (n) of paragraph 1 where all of the following conditions are met:’;

(ii) the following point is added:

‘(c) the institution’s competent authority has determined, after consultation with the relevant central bank, the date when the exceptional circumstances are deemed to have started and publicly announced that date; that date shall be set at the end of a quarter.’;

(c) in paragraph 7, the definitions of ‘EM_{LR}’ and ‘CB’ are replaced by the following:

‘EM_{LR} = the institution’s total exposure measure as calculated in accordance with Article 429(4), including the exposures excluded in accordance with point (n) of paragraph 1 of this Article, on the date referred to in point (c) of paragraph 5 of this Article; and

CB = the daily average total value of the institution’s exposures to its central bank, calculated over the full reserve maintenance period of the central bank immediately preceding the date referred to in point (c) of paragraph 5, that are eligible to be excluded in accordance with point (n) of paragraph 1.’;

(5) Article 467 is deleted;

(6) Article 468 is replaced by the following:

‘Article 468

Temporary treatment of unrealised gains and losses measured at fair value through other comprehensive income in view of the COVID-19 pandemic

1. By way of derogation from Article 35, during the period from 1 January 2020 to 31 December 2022 (the ‘period of temporary treatment’), institutions may remove from the calculation of their Common Equity Tier 1 items the amount A, determined in accordance with the following formula:

$$A = a \cdot f$$

where:

a = the amount of unrealised gains and losses accumulated since 31 December 2019 accounted for as ‘fair value changes of debt instruments measured at fair value through other comprehensive income’ in the balance sheet, corresponding to exposures to central governments, to regional governments or to local authorities referred to in Article 115(2) of this Regulation and to public sector entities referred to in Article 116(4) of this Regulation, excluding those financial assets that are credit-impaired as defined in Appendix A to the Annex to Commission Regulation (EC) No 1126/2008 (‘Annex relating to IFRS 9’); and

f = the factor applicable for each reporting year during the period of temporary treatment in accordance with paragraph 2.

2. Institutions shall apply the following factors f to calculate the amount A referred in paragraph 1:

(a) 1 during the period from 1 January 2020 to 31 December 2020;

(b) 0,7 during the period from 1 January 2021 to 31 December 2021;

(c) 0,4 during the period from 1 January 2022 to 31 December 2022.

3. Where an institution decides to apply the temporary treatment set out in paragraph 1, it shall inform the competent authority of its decision at least 45 days before the remittance date for the reporting of the information based on that treatment. Subject to the prior permission of the competent authority, the institution may reverse its initial decision once during the period of temporary treatment. Institutions shall publicly disclose if they apply that treatment.

4. Where an institution removes an amount of unrealised losses from its Common Equity Tier 1 items in accordance with paragraph 1 of this Article, it shall recalculate all requirements laid down in this Regulation and in Directive 2013/36/EU that are calculated using any of the following items:

- (a) the amount of deferred tax assets that is deducted from Common Equity Tier 1 items in accordance with point (c) of Article 36(1) or risk weighted in accordance with Article 48(4);
- (b) the amount of specific credit risk adjustments.

When recalculating the relevant requirement, the institution shall not take into account the effects that the expected credit loss provisions relating to exposures to central governments, to regional governments or to local authorities referred to in Article 115(2) of this Regulation and to public sector entities referred to in Article 116(4) of this Regulation, excluding those financial assets that are credit-impaired as defined in Appendix A to the Annex relating to IFRS 9, have on those items.

5. During the periods set out in paragraph 2 of this Article, in addition to disclosing the information required in Part Eight, institutions that have decided to apply the temporary treatment set out in paragraph 1 of this Article shall disclose the amounts of own funds, Common Equity Tier 1 capital and Tier 1 capital, the total capital ratio, the Common Equity Tier 1 capital ratio, the Tier 1 capital ratio, and the leverage ratio they would have in case they were not to apply that treatment.;

(7) Article 473a is amended as follows:

(a) paragraph 1 is amended as follows:

(i) in the first subparagraph, the introductory phrase is replaced by the following:

‘1. By way of derogation from Article 50 and until the end of the transitional periods set out in paragraphs 6 and 6a of this Article, the following may include in their Common Equity Tier 1 capital the amount calculated in accordance with this paragraph:’;

(ii) the second subparagraph is replaced by the following:

‘The amount referred to in the first subparagraph shall be calculated as the sum of the following:

(a) for exposures which are subject to risk weighting in accordance with Chapter 2 of Title II of Part Three, the amount (AB_{SA}) calculated in accordance with the following formula:

$$AB_{SA} = (A_{2,SA} - t_1) \cdot f_1 + (A_{4,SA} - t_2) \cdot f_2 + (A_{SA}^{old} - t_3) \cdot f_1$$

where:

$A_{2,SA}$ = the amount calculated in accordance with paragraph 2;

$A_{4,SA}$ = the amount calculated in accordance with paragraph 4 based on the amounts calculated in accordance with paragraph 3;

$$A_{SA}^{old} = \max\{P_{1.1.2020}^{SA} - P_{1.1.2018}^{SA}; 0\};$$

$P_{1.1.2020}^{SA}$ = the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired as defined in Appendix A to the Annex relating to IFRS 9, on 1 January 2020;

$P_{1.1.2018}^{SA}$ =	the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired as defined in Appendix A to the Annex relating to IFRS 9, on 1 January 2018 or on the date of the initial application of IFRS 9, whichever is later;
f_1 =	the applicable factor laid down in paragraph 6;
f_2 =	the applicable factor laid down in paragraph 6a;
t_1 =	the increase of Common Equity Tier 1 capital that is due to tax deductibility of the amount $A_{2,SA}$;
t_2 =	the increase of Common Equity Tier 1 capital that is due to tax deductibility of the amount $A_{4,SA}$;
t_3 =	the increase of Common Equity Tier 1 capital that is due to tax deductibility of the amount A_{SA}^{old} ;

- (b) for exposures which are subject to risk weighting in accordance with Chapter 3 of Title II of Part Three, the amount (AB_{IRB}) calculated in accordance with the following formula:

$$AB_{IRB} = (A_{2,IRB} - t_1) \cdot f_1 + (A_{4,IRB} - t_2) \cdot f_2 + (A_{IRB}^{old} - t_3) \cdot f_1$$

where:

$A_{2,IRB}$ =	the amount calculated in accordance with paragraph 2 which is adjusted in accordance with point (a) of paragraph 5;
$A_{4,IRB}$ =	the amount calculated in accordance with paragraph 4 based on the amounts calculated in accordance with paragraph 3 which are adjusted in accordance with points (b) and (c) of paragraph 5;

$$A_{IRB}^{old} = \max\{P_{1.1.2020}^{IRB} - P_{1.1.2018}^{IRB}; 0\};$$

$P_{1.1.2020}^{IRB}$ =	the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired, as defined in Appendix A to the Annex relating to IFRS 9, reduced by the sum of related expected loss amounts for the same exposures calculated in accordance with Article 158(5), (6) and (10) of this Regulation, on 1 January 2020. Where the calculation results in a negative number, the institution shall set the value of $P_{1.1.2020}^{IRB}$ to zero;
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$P_{1.1.2018}^{IRB}$ =	the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired, as defined in Appendix A to the Annex relating to IFRS 9, on 1 January 2018 or on the date of the initial application of IFRS 9, whichever is later, reduced by the sum of related expected loss amounts for the same exposures calculated in accordance with Article 158(5), (6) and (10) of this Regulation. Where the calculation results in a negative number, the institution shall set the value of $P_{1.1.2018}^{IRB}$ as equal to zero;
f_1 =	the applicable factor laid down in paragraph 6;
f_2 =	the applicable factor laid down in paragraph 6a;
t_1 =	the increase of Common Equity Tier 1 capital that is due to tax deductibility of the amount $A_{2,IRB}$;

- $t_2 =$ the increase of Common Equity Tier 1 capital that is due to tax deductibility of the amount $A_{4,IRB}$;
- $t_3 =$ the increase of Common Equity Tier 1 capital that is due to tax deductibility of the amount A_{IRB}^{old} ;

(b) in paragraph 3, points (a) and (b) are replaced by the following:

- (a) the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired as defined in Appendix A to the Annex relating to IFRS 9, on the reporting date and, where Article 468 of this Regulation applies, excluding expected credit losses determined for exposures measured at fair value through other comprehensive income in accordance with paragraph 4.1.2 A of the Annex relating to IFRS 9;
- (b) the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired as defined in Appendix A to the Annex relating to IFRS 9 and, where Article 468 of this Regulation applies, excluding expected credit losses determined for exposures measured at fair value through other comprehensive income in accordance with paragraph 4.1.2 A of the Annex relating to IFRS 9, on 1 January 2020 or on the date of the initial application of IFRS 9, whichever is later.;

(c) in paragraph 5, points (b) and (c) are replaced by the following:

- (b) institutions shall replace the amount calculated in accordance with point (a) of paragraph 3 of this Article with the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired, as defined in Appendix A to the Annex relating to IFRS 9, and, where Article 468 of this Regulation applies, excluding expected credit losses determined for exposures measured at fair value through other comprehensive income in accordance with paragraph 4.1.2 A of the Annex relating to IFRS 9, reduced by the sum of related expected loss amounts for the same exposures calculated in accordance with Article 158(5), (6) and (10) of this Regulation on the reporting date. Where the calculation results in a negative number, the institution shall set the value of the amount referred to in point (a) of paragraph 3 of this Article as equal to zero;
- (c) institutions shall replace the amount calculated in accordance with point (b) of paragraph 3 of this Article with the sum of the 12-month expected credit losses determined in accordance with paragraph 5.5.5 of the Annex relating to IFRS 9 and the amount of the loss allowance for lifetime expected credit losses determined in accordance with paragraph 5.5.3 of the Annex relating to IFRS 9, excluding the loss allowance for lifetime expected credit losses for financial assets that are credit-impaired, as defined in Appendix A to the Annex relating to IFRS 9, and, where Article 468 of this Regulation applies, excluding expected credit losses determined for exposures measured at fair value through other comprehensive income in accordance with paragraph 4.1.2 A of the Annex relating to IFRS 9, on 1 January 2020 or on the date of the initial application of IFRS 9, whichever is later, reduced by the sum of related expected loss amounts for the same exposures calculated in accordance with Article 158(5), (6) and (10) of this Regulation on 1 January 2020 or on the date of the initial application of IFRS 9, whichever is later. Where the calculation results in a negative number, the institution shall set the value of the amount referred to in point (b) of paragraph 3 of this Article as equal to zero.;

(d) paragraph 6 is replaced by the following:

‘6. Institutions shall apply the following factors f_1 to calculate the amounts AB_{SA} and AB_{IRB} referred to in points (a) and (b) of the second subparagraph of paragraph 1 respectively:

- (a) 0,7 during the period from 1 January 2020 to 31 December 2020;
- (b) 0,5 during the period from 1 January 2021 to 31 December 2021;

(c) 0,25 during the period from 1 January 2022 to 31 December 2022;

(d) 0 during the period from 1 January 2023 to 31 December 2024.

Institutions whose financial year commences after 1 January 2020 but before 1 January 2021 shall adjust the dates in points (a) to (d) of the first subparagraph so that they correspond to their financial year, shall report the adjusted dates to their competent authority and shall publicly disclose them.

Institutions which start to apply accounting standards as referred to in paragraph 1 on or after 1 January 2021 shall apply the relevant factors in accordance with points (b) to (d) of the first subparagraph starting with the factor corresponding to the year of the first application of those accounting standards.;

(e) the following paragraph is inserted:

‘6a. Institutions shall apply the following factors f_2 to calculate the amounts AB_{SA} and AB_{IRB} referred to in points (a) and (b) of the second subparagraph of paragraph 1 respectively:

(a) 1 during the period from 1 January 2020 to 31 December 2020;

(b) 1 during the period from 1 January 2021 to 31 December 2021;

(c) 0,75 during the period from 1 January 2022 to 31 December 2022;

(d) 0,5 during the period from 1 January 2023 to 31 December 2023;

(e) 0,25 during the period from 1 January 2024 to 31 December 2024.

Institutions whose financial year commences after 1 January 2020 but before 1 January 2021 shall adjust the dates in points (a) to (e) of the first subparagraph so that they correspond to their financial year, shall report the adjusted dates to their competent authority and shall publicly disclose them.

Institutions which start to apply accounting standards as referred to in paragraph 1 on or after 1 January 2021 shall apply the relevant factors in accordance with points (b) to (e) of the first subparagraph starting with the factor corresponding to the year of the first application of those accounting standards.;

(f) the following paragraph is inserted:

‘7a. By way of derogation from point (b) of paragraph 7 of this Article, when recalculating the requirements laid down in this Regulation and in Directive 2013/36/EU, institutions may assign a risk weight of 100 % to the amount AB_{SA} referred to in point (a) of the second subparagraph of paragraph 1 of this Article. For the purposes of calculating the total exposure measure referred to in Article 429(4) of this Regulation, institutions shall add the amounts AB_{SA} and AB_{IRB} referred to in points (a) and (b) of the second subparagraph of paragraph 1 of this Article to the total exposure measure.

Institutions may choose only once whether to use the calculation set out in point (b) of paragraph 7 or the calculation set out in the first subparagraph of this paragraph. Institutions shall disclose their decision.;

(g) paragraph 8 is replaced by the following:

‘8. During the periods set out in paragraphs 6 and 6a of this Article, in addition to disclosing the information required in Part Eight, institutions that have decided to apply the transitional arrangements set out in this Article shall report to competent authorities and shall disclose the amounts of own funds, Common Equity Tier 1 capital and Tier 1 capital, the Common Equity Tier 1 capital ratio, the Tier 1 capital ratio, the total capital ratio and the leverage ratio they would have in case they were not to apply this Article.;

(h) paragraph 9 is amended as follows:

(i) the first and the second subparagraphs are replaced by the following:

‘9. An institution shall decide whether to apply the arrangements set out in this Article during the transitional period and shall inform the competent authority of its decision by 1 February 2018. Where an institution has received the prior permission of the competent authority, it may reverse its decision during the transitional period. Institutions shall publicly disclose any decision taken in accordance with this subparagraph.

An institution that has decided to apply the transitional arrangements set out in this Article may decide not to apply paragraph 4 in which case it shall inform the competent authority of its decision by 1 February 2018. In such a case, the institution shall set $A_{4,SA}$, $A_{4,IRB}$, A_{SA}^{old} , A_{IRB}^{old} , t_2 and t_3 referred to in paragraph 1 as equal to zero. Where an institution has received the prior permission of the competent authority, it may reverse its decision during the transitional period. Institutions shall publicly disclose any decision taken in accordance with this subparagraph.;

(ii) the following subparagraphs are added:

‘An institution that has decided to apply the transitional arrangements set out in this Article may decide not to apply paragraph 2 in which case it shall inform the competent authority of its decision without delay. In such a case, the institution shall set $A_{2,SA}$, $A_{2,IRB}$ and t_1 referred to in paragraph 1 as equal to zero. An institution may reverse its decision during the transitional period provided it has received the prior permission of the competent authority.

Competent authorities shall notify EBA at least on an annual basis of the application of this Article by institutions under their supervision.’;

(8) in Article 495, paragraph 2 is deleted;

(9) the following articles are inserted:

‘Article 500a

Temporary treatment of public debt issued in the currency of another Member State

1. By way of derogation from Article 114(2), until 31 December 2024, for exposures to the central governments and central banks of Member States, where those exposures are denominated and funded in the domestic currency of another Member State, the following apply:

- (a) until 31 December 2022, the risk weight applied to the exposure values shall be 0 % of the risk weight assigned to those exposures in accordance with Article 114(2);
- (b) in 2023, the risk weight applied to the exposure values shall be 20 % of the risk weight assigned to those exposures in accordance with Article 114(2);
- (c) in 2024, the risk weight applied to the exposure values shall be 50 % of the risk weight assigned to those exposures in accordance with Article 114(2).

2. By way of derogation from Articles 395(1) and 493(4), competent authorities may allow institutions to incur exposures referred to in paragraph 1 of this Article, up to the following limits:

- (a) 100 % of the institution's Tier 1 capital until 31 December 2023;
- (b) 75 % of the institution's Tier 1 capital between 1 January and 31 December 2024;
- (c) 50 % of the institution's Tier 1 capital between 1 January and 31 December 2025.

The limits referred to in points (a), (b) and (c) of the first subparagraph of this paragraph shall apply to exposure values after taking into account the effect of the credit risk mitigation in accordance with Articles 399 to 403.

3. By way of derogation from point (ii) of point (d) of Article 150(1), after receiving the prior permission of the competent authorities and subject to the conditions laid down in Article 150, institutions may also apply the Standardised Approach to exposures to central governments and central banks, where those exposures are assigned a 0 % risk weight under paragraph 1 of this Article.

Article 500b

Temporary exclusion of certain exposures to central banks from the total exposure measure in view of the COVID-19 pandemic

1. By way of derogation from Article 429(4), until 27 June 2021, an institution may exclude from its total exposure measure the following exposures to the institution's central bank, subject to the conditions set out in paragraphs 2 and 3 of this Article:

- (a) coins and banknotes constituting legal currency in the jurisdiction of the central bank;
- (b) assets representing claims on the central bank, including reserves held at the central bank.

The amount excluded by the institution shall not exceed the daily average amount of the exposures listed in points (a) and (b) of the first subparagraph over the most recent full reserve maintenance period of the institution's central bank.

2. An institution may exclude the exposures listed in paragraph 1 where the institution's competent authority has determined, after consultation with the relevant central bank, and publicly declared that exceptional circumstances exist that warrant the exclusion in order to facilitate the implementation of monetary policies.

The exposures to be excluded under paragraph 1 shall meet both of the following conditions:

- (a) they are denominated in the same currency as the deposits taken by the institution;
- (b) their average maturity does not significantly exceed the average maturity of the deposits taken by the institution.

An institution that excludes exposures to its central bank from its total exposure measure in accordance with paragraph 1 shall also disclose the leverage ratio it would have if it did not exclude those exposures.

Article 500c

Exclusion of overshootings from the calculation of the back-testing addend in view of the COVID-19 pandemic

By way of derogation from Article 366(3), competent authorities may, in exceptional circumstances and in individual cases, permit institutions to exclude the overshootings evidenced by the institution's back-testing on hypothetical or actual changes from the calculation of the addend set out in Article 366(3), provided that those overshootings do not result from deficiencies in the internal model and provided that they occurred between 1 January 2020 and 31 December 2021.

Article 500d

Temporary calculation of the exposure value of regular-way purchases and sales awaiting settlement in view of the COVID-19 pandemic

1. By way of derogation from Article 429(4), until 27 June 2021, institutions may calculate the exposure value of regular-way purchases and sales awaiting settlement in accordance with paragraphs 2, 3 and 4 of this Article.

2. Institutions shall treat cash related to regular-way sales and securities related to regular-way purchases which remain on the balance sheet until the settlement date as assets in accordance with point (a) of Article 429(4).

3. Institutions that, in accordance with the applicable accounting framework, apply trade date accounting to regular-way purchases and sales which are awaiting settlement shall reverse out any offsetting between cash receivables for regular-way sales awaiting settlement and cash payables for regular-way purchases awaiting settlement allowed under that accounting framework. After institutions have reversed out the accounting offsetting, they may offset between those cash receivables and cash payables where the related regular-way sales and purchases are both settled on a delivery-versus-payment basis.

4. Institutions that, in accordance with the applicable accounting framework, apply settlement date accounting to regular-way purchases and sales which are awaiting settlement shall include in the total exposure measure the full nominal value of commitments to pay related to regular-way purchases.

Institutions may offset the full nominal value of commitments to pay related to regular-way purchases by the full nominal value of cash receivables related to regular-way sales awaiting settlement only where both of the following conditions are met:

- (a) both the regular-way purchases and sales are settled on a delivery-versus-payment basis;
- (b) the financial assets bought and sold that are associated with cash payables and receivables are measured at fair value through profit or loss and included in the institution's trading book.

5. For the purposes of this Article, ‘regular-way purchase or sale’ means a purchase or sale of a security under a contract for which the terms require the delivery of the security within the period established generally by law or convention in the marketplace concerned.’;

(10) the following article is inserted:

‘Article 518b

Report on overshootings and supervisory powers to limit distributions

By 31 December 2021, the Commission shall report to the European Parliament and to the Council on whether exceptional circumstances that trigger serious economic disturbance in the orderly functioning and integrity of financial markets justify:

- (a) during such periods, permitting competent authorities to exclude from institutions’ market risk internal models overshootings that do not result from deficiencies in those models;
- (b) during such periods, granting additional binding powers to competent authorities to impose restrictions on distributions by institutions.

The Commission shall consider further measures, if appropriate.’.

Article 2

Amendments to Regulation (EU) 2019/876

Article 3 of Regulation (EU) 2019/876 is amended as follows:

(1) the following paragraph is inserted:

‘3a. The following points of Article 1 of this Regulation shall apply from 27 June 2020:

- (a) point (59), as regards the provisions on the treatment of certain loans granted by credit institutions to pensioners or employees laid down in Article 123 of Regulation (EU) No 575/2013;
- (b) point (133), as regards the provisions on adjustment of risk-weighted non-defaulted SME exposures laid down in Article 501 of Regulation (EU) No 575/2013;
- (c) point (134), as regards the provisions on adjustment to own funds requirements for credit risk for exposures to entities that operate or finance physical structures or facilities, systems and networks that provide or support essential public services laid down in Article 501a of Regulation (EU) No 575/2013.’;

(2) paragraph 5 is replaced by the following:

‘5. Point (46)(b) of Article 1 of this Regulation, as regards the new requirement for own funds for G-SIIs laid down in Article 92(1a) of Regulation (EU) No 575/2013, shall apply from 1 January 2023.’;

(3) paragraph 7 is replaced by the following:

‘7. Point (18) of Article 1 of this Regulation, as regards point (b) of Article 36(1) of Regulation (EU) No 575/2013, containing the provision on the exemption from deductions of prudently valued software assets, shall apply from the date of entry into force of the regulatory technical standards referred to in Article 36(4) of Regulation (EU) No 575/2013.’.

Article 3

Entry into force and application

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

It shall apply from 27 June 2020.

Notwithstanding the second paragraph of this Article, point (4) of Article 1 shall apply from 28 June 2021.

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

Done at Brussels, 24 June 2020.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
N. BRNJAC

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2020/874

of 15 June 2020

amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In order to ensure a sufficient and uninterrupted supply of certain agricultural and industrial products which are not produced in the Union and thereby avoid any disturbances in the market for those products, Common Customs Tariff (CCT) duties of the type referred to in Article 56(2)(c) of Regulation (EU) No 952/2013 of the European Parliament and of the Council ⁽¹⁾ ('CCT duties') on those products have been suspended by Council Regulation (EU) No 1387/2013 ⁽²⁾. Those products can be imported into the Union at reduced or zero duty rates.
- (2) The Union production of certain products that are not listed in the Annex to Regulation (EU) No 1387/2013 is inadequate or non-existent. It is therefore in the interest of the Union to grant a total suspension of the CCT duties on those products.
- (3) With a view to promoting integrated battery production in the Union in accordance with the communication from the Commission of 17 May 2018 entitled 'Europe on the Move – Sustainable Mobility for Europe: safe, connected, and clean', a partial suspension of the CCT duties should be granted in respect of certain products that are not listed in the Annex to Regulation (EU) No 1387/2013. In addition, only a partial suspension of the CCT duties should be granted in respect of certain products that are currently subject to complete suspensions. The date for the mandatory review of those suspensions should be 31 December 2020 in order for that review to have regard to the evolution of the battery sector in the Union.
- (4) In respect of the products on the candidate list referred to in Article 59 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽³⁾, only a partial suspension of the CCT duties should be granted. The date for the mandatory review of those suspensions should be 31 December 2021, in order to allow economic operators to replace such products with alternatives.

⁽¹⁾ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

⁽²⁾ Council Regulation (EU) No 1387/2013 of 17 December 2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products and repealing Regulation (EU) No 1344/2011 (OJ L 354, 28.12.2013, p. 201).

⁽³⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

- (5) It is necessary to amend the product description, classification and end-use requirement for certain CCT duty suspensions listed in the Annex to Regulation (EU) No 1387/2013 in order to take into account technical product developments and economic trends in the market.
- (6) It is no longer in the interest of the Union to maintain suspensions of CCT duties for certain products listed in the Annex to Regulation (EU) No 1387/2013. The suspensions for those products should therefore be withdrawn.
- (7) Regulation (EU) No 1387/2013 should therefore be amended accordingly.
- (8) In order to avoid any interruption of the application of the autonomous suspension scheme and to comply with the guidelines in the communication from the Commission of 13 December 2011 concerning autonomous tariff suspensions and quotas, the changes provided for in this Regulation regarding the suspensions for the products concerned should apply from 1 July 2020. This Regulation should therefore enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 1387/2013 is amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2020.

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

Done at Brussels, 15 June 2020.

For the Council
The President
A. METELKO-ZGOMBIĆ

The Annex to Regulation (EU) No 1387/2013 is amended as follows:

- (1) all asterisks ^(*) and the related endnote containing the text 'A newly introduced measure or a measure with amended conditions. Where more than one CN code is listed as falling within the scope of the measure, the asterisk concerns the entire measure.' are deleted;
- (2) the entries with the serial numbers 0.2706, 0.2972, 0.3650, 0.3886, 0.3894, 0.3895, 0.4004, 0.4039, 0.4177, 0.4647, 0.4648, 0.4751, 0.5504, 0.5615, 0.5929, 0.6601, 0.6745, 0.7784 and 0.7803 are deleted;
- (3) the following entries replace those entries that have the same serial numbers:

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7288	ex 2841 50 00	11	Potassium dichromate (CAS RN 7778-50-9) with a purity by weight of 99 % or more	2 %	-	31.12.2021
0.3419	ex 2850 00 20	80	Arsine (CAS RN 7784-42-1) with a purity by volume of 99,999 % or more	0 %	-	31.12.2024
0.2583	ex 2903 89 80	45	1,6,7,8,9,14,15,16,17,17,18,18-Dodecachloropentacyclo [12.2.1.1 ^{6,9} .0 ^{2,13} .0 ^{5,10}]octadeca-7,15-diene (CAS RN 13560-89-9) with a purity by weight of 99 % or more	2 %	-	31.12.2021
0.2942	ex 2919 90 00	35	2,2'-Methylenebis(4,6-di-tert-butylphenyl) phosphate, monosodium salt (CAS RN 85209-91-2) with a purity by weight of 95 % or more, with particles greater than 100 µm used in the manufacture of nucleating agents with a particle size (D90) no greater than 35 µm as measured by a light scattering technique ⁽¹⁾	0 %	-	31.12.2023
0.5037	ex 2922 49 85	17	Glycine (CAS RN 56-40-6) with a purity by weight of 95 % or more, whether or not with not more than 5 % addition of anti-caking agent silicon dioxide (CAS RN 112926-00-8)	0 %	-	31.12.2020
0.3689	ex 2924 19 00	23	Acrylamide (CAS RN 79-06-1) with a purity by weight of 97 % or more	2 %	-	31.12.2021
0.6259	ex 2926 90 70	26	Cyfluthrin (ISO) (CAS RN 68359-37-5) with a purity by weight of 95,5 % or more for the use in the manufacture of biocidal products ⁽¹⁾	0 %	-	31.12.2024
0.2656	ex 2931 39 90	38	N-(Phosphonomethyl)iminodiacetic acid (CAS RN 5994-61-6) containing by weight not more than 15 % of water, and with a dry weight purity of 97 % or more	0 %	-	31.12.2024
0.7811	ex 2933 19 90	33	Fipronil (ISO) (CAS RN 120068-37-3) with a purity by weight of 95 % or more for the use in the manufacture of veterinary medicine ⁽¹⁾	0 %	-	31.12.2024
0.4346	ex 2934 20 80	25	1,2-Benzisothiazol-3(2H)-one (CAS RN 2634-33-5) in the form of a powder with a purity by weight of 95 % or more, or in an aqueous mixture containing by weight 20 % or more of 1,2-benzisothiazol-3(2H)-one	0 %	-	31.12.2022

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.5134	ex 3204 11 00	45	Preparation of dispersion dyes, containing: — C.I. Disperse Orange 61 (CAS RN 12270-45-0) or Disperse Orange 288 (CAS RN 96662-24-7), — C.I. Disperse Blue 291:1 (CAS RN 872142-01-3), — C.I. Disperse Violet 93:1 (CAS RN 122463-28-9), whether or not containing C.I. Disperse Red 54 (CAS RN 6657-37-0)	0 %	-	31.12.2020
0.7318	ex 3603 00 60	10	Igniters for gas generators with an overall maximum length of 20,34 mm or more but not more than 29,4 mm and a pin length of 6,68 mm (±0,3 mm) or more but not more than 7,54 mm (±0,3 mm)	0 %	-	31.12.2022
0.5718	ex 3811 21 00	85	Additives: — containing more than 20 % or more but not more than 45 % by weight of mineral oils, — based on a mixture of branched dodecylphenol sulfide calcium salts, whether or not carbonated, for use in the manufacture of blends of additives ⁽¹⁾	0 %	-	31.12.2022
0.7512	ex 3811 29 00	18	Additives consisting of dihydroxy butanedioic acid – (mixed C12-16-alkyl and C13-rich C11-14-isoalkyl) diester, for use in the manufacture of engine oils ⁽¹⁾	0 %	-	31.12.2023
0.3069	ex 3824 99 92	88	2,4,7,9-Tetramethyldec-5-yne-4,7-diol, hydroxyethylated (CAS RN 9014-85-1)	0 %	-	31.12.2020
0.4719	ex 3824 99 93	35	Paraffin with a level of chlorination of 70 % or more (CAS RN 63449-39-8)	0 %	-	31.12.2024
0.6953	ex 3901 40 00	20	Octene linear low-density polyethylene (LLDPE) in the form of pellets with: — 10 % or more but not more than 20 % by weight of octene, — a melt flow ratio of 9,0 or more, but not more than 10,0 (using ASTM D1238 10,0/2,16), — a melt index (190 °C/2,16 kg) of 0,4 g/10 min or more but not more than 0,6 g/10 min, — a density of 0,909 g/cm ³ or more, but not more than 0,913 g/cm ³ using ASTM D4703, — a gel area per 24,6 cm ³ of not more than 20 mm ² , and — an anti-oxidant level of not more than 240 ppm	0 %	m ³	31.12.2020
0.5161	ex 3919 10 80 ex 3919 90 80	70 75	Rolls of polyethylene foil: — self-adhesive on one side, — of a total thickness of 0,025 mm or more, but not more than 0,09 mm, — of a total width of 60 mm or more, but not more than 1 110 mm, for use in the manufacture of products of Headings 8521 or 8528 for protection purposes ⁽¹⁾	0 %	-	31.12.2021
0.4947	ex 3919 90 80	65	Self-adhesive film with a thickness of 40 µm or more, but not more than 475 µm, consisting of one or more layers of transparent, metallised or dyed poly(ethylene terephthalate), covered on one side with a scratch resistant coating and on the other side with a pressure sensitive adhesive and a release liner	0 %	-	31.12.2024

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.3241	ex 3920 10 25	30	Mono-layered high-density polyethylene film: — containing by weight 99 % or more of polyethylene, — with a thickness of 12 µm or more but not more than 20 µm, — with a length of 4 000 m or more but not more than 7 000 m, — with a width of 600 mm or more but not more than 900 mm	0 %	-	31.12.2023
0.3312	ex 3921 90 60	35	Ion-exchange membranes based on a fabric coated on both sides with fluorinated plastic material, for use in chlor-alkali electrolytic cells ⁽¹⁾	0 %	-	31.12.2023
0.6708	ex 4009 42 00	20	Rubber brake hose with: — textile strings, — a wall thickness of 3,2 mm, — a metal hollow terminal pressed on both ends, and — one or more mounting brackets, for use in the manufacture of goods of Chapter 87 ⁽¹⁾	0 %	-	31.12.2024
0.7372	ex 5311 00 90	10	Plain-woven fabric of paper yarns glued on a tissue paper layer: — with a weight of 190 g/m ² or more but not more than 280 g/m ² , and — cut into rectangles with a side length of 40 cm or more but not more than 140 cm	0 %	-	31.12.2022
0.2546	ex 6903 90 90	30	Silicon carbide reactor tubes and holders having a softening point of 1 400 °C or higher	0 %	-	31.12.2023
0.7619	ex 7006 00 90	40	Plates of sodalime glass of STN (Super Twisted Nematic) quality having: — a length of 300 mm or more but not more than 1 500 mm, — a width of 300 mm or more but not more than 1 500 mm, — a thickness of 0,5 mm or more but not more than 1,1 mm, — an indium-tin-oxide coating with a resistance of 80 Ω or more, but not more than 160 Ω on one side, — with or without a multilayer anti-reflection-coating on the other side and machined (chamfered) edges	0 %	-	31.12.2023
0.7341	ex 7413 00 00	20	Loudspeaker centring ring, consisting of one or more vibration dampers and minimum two non-insulated copper cables, therein woven or pressed	0 %	-	31.12.2022
0.3928	ex 7616 99 90	15	Honeycomb aluminium blocks for use in the manufacture of aircraft parts ⁽¹⁾	0 %	p/st	31.12.2023
0.6730	ex 8101 96 00	10	Tungsten wire containing by weight 99 % or more of tungsten with: — a maximum cross-sectional dimension of not more than 50 µm, — a resistance of 40 Ω or more but not more than 300 Ω at length of 1 m	0 %	-	31.12.2020

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.5838	ex 8105 90 00	10	Bars or wires made of cobalt alloy containing by weight: — 35 % (± 2 %) cobalt, — 25 % (± 1 %) nickel, — 19 % (± 1 %) chromium, and — 7 % (± 2 %) iron, conforming to the material specifications AMS 5842	0 %	-	31.12.2023
0.5570	ex 8207 30 10	10	Set of transfer and/or tandem press tools for cold-forming, pressing, drawing, cutting, punching, bending, calibrating, bordering and throating of metal sheets, for use in the manufacture of frame parts or body parts of motor vehicles ⁽¹⁾	0 %	p/st	31.12.2022
0.5024	ex 8301 60 00 ex 8419 90 85 ex 8479 90 70 ex 8481 90 00 ex 8503 00 99 ex 8515 90 80 ex 8537 10 98 ex 8538 90 99 ex 8708 99 10 ex 8708 99 97	30 40 30 50 43 40 55 70 55 22	Silicone or plastic keyboards, comprising: — parts of common metal, and — whether or not comprising parts of plastic, — epoxy resin reinforced with fibreglass or wood, — whether or not printed or surface-treated, — with or without electrical conductors, — with or without a membrane bonded to the keyboard, — with or without mono or multilayer protective film	0 %	p/st	31.12.2020
0.7670	ex 8409 91 00	25	Air intake module for engine cylinders consisting of: — a suction pipe, — a pressure sensor, — an electric throttle, — hoses, — brackets, for use in the manufacture of engines of motor vehicles ⁽¹⁾	0 %	-	31.12.2023
0.7718	ex 8409 99 00	75	High pressure fuel rail of galvanised ferrite-pearlite steel with: — at least one pressure sensor and one valve, — a length of 314 mm or more, but not more than 322 mm, — an operating pressure not more than 225 MPa, — an inlet temperature not more than 95 °C, — ambient temperature of – 45 °C or more, but not more than 145 °C, for use in the manufacture of compression ignition engines of motor vehicles ⁽¹⁾	0 %	-	31.12.2024
0.7377	ex 8481 80 59	40	Flow-control valve: — made of steel, — with an outlet hole with a diameter of 0,05 mm or more, but not more than 0,5 mm, — with an inlet hole with a diameter of 0,1 mm or more, but not more than 1,3 mm,	0 %	-	31.12.2022

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
			— with chromium nitride coating, — with a surface roughness of Rp 0,4			
0.7381	ex 8481 80 59	50	Electromagnetic valve for quantity control with: — a plunger, — a solenoid with a of coil resistance of 1,85 Ω or more, but not more than 8,2 Ω	0 %	-	31.12.2022
0.7604	ex 8484 20 00	20	Mechanical face sealing device made of two movable rings (one ceramic mating with a thermal conductivity lower than 80 W/mK and the other carbon sliding), one spring and a nitrile sealant on the external side	0 %	-	31.12.2023
0.5577	ex 8501 31 00	50	DC motors, brushless, with: — an external diameter of 80 mm or more, but not more than 200 mm, — a supply voltage of 9 V or more, but not more than 16 V, — an output at 20 °C of 300 W or more, but not more than 750 W, — a torque at 20 °C of 2,00 Nm or more, but not more than 7,00 Nm, — a rated speed at 20 °C of 600 rpm or more, but not more than 3 100 rpm, — with or without a rotor angle position sensor of resolver type or Hall effect type, — with or without a pulley, of the kind used in power steering systems for cars	0 %	-	31.12.2022
0.4855	ex 8501 33 00 ex 8501 40 80 ex 8501 53 50	30 50 10	Electric drive for motor vehicles, with an output of not more than 315 kW: — with an AC or DC motor with or without transmission, — with or without power electronics	0 %	-	31.12.2021
0.5783	ex 8503 00 99	40	Fuel cell membrane, in rolls or sheets, with a width of not more than 150 cm, for use in the manufacture of fuel cells in Heading 8501 (¹)	0 %	p/st	31.12.2022
0.7029	ex 8505 11 00	47	Articles in the form of a triangle, square or rectangle, whether or not arched or with rounded corners, intended to become permanent magnets after magnetisation, containing neodymium, iron and boron, with the following dimensions: — a length of 9 mm or more but not more than 105 mm, — a width of 5 mm or more but not more than 105 mm, and — a height of 2 mm or more but not more than 55 mm	0 %	-	31.12.2021
0.7511	ex 8505 19 90	60	Articles of agglomerated ferrite in the shape of a half-sleeve or a quarter-sleeve, or with rounded corners, intended to become permanent magnets after magnetisation, with the following dimensions: — a length of 10 mm or more but not more than 100 mm (± 1 mm), — a width of 10 mm or more but not more than 100 mm (± 1 mm), — a thickness of 2 mm or more but not more than 15 mm (±0,15 mm)	0 %	-	31.12.2023

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.6703	ex 8507 60 00	33	Lithium-ion accumulator, with: — a length of 150 mm or more, but not more than 1 000 mm, — a width of 100 mm or more, but not more than 1 000 mm, — a height of 200 mm or more, but not more than 1 500 mm, — a weight of 75 kg or more, but not more than 200 kg, — a nominal capacity of 150 Ah or more, but not more than 500 Ah, — a nominal output voltage of 230 V AC (Line to neutral) or a nominal voltage of 64 V ($\pm 10\%$)	1,3 %	-	31.12.2020
0.6702	ex 8507 60 00	37	Lithium-ion accumulator, with: — a length of 1 200 mm or more, but not more than 2 000 mm, — a width of 800 mm or more, but not more than 1 300 mm, — a height of 2 000 mm or more, but not more than 2 800 mm, — a weight of 1 800 kg or more, but not more than 3 000 kg, — a nominal capacity of 2 800 Ah or more, but not more than 7 200 Ah	1,3 %	-	31.12.2020
0.5342	ex 8507 60 00	65	Cylindrical lithium ion cell with: — 3,5 VDC to 3,8 VDC, — 300 mAh to 900 mAh, and — a diameter of 10,0 mm to 14,5 mm	1,3 %	-	31.12.2021
0.6753	ex 8507 60 00	77	Lithium-ion rechargeable batteries, with: — a length of 700 mm or more, but not more than 2 820 mm, — a width of 935 mm or more, but not more than 1 660 mm, — a height of 85 mm or more, but not more than 700 mm, — a weight of 250 kg or more, but not more than 700 kg, — a power of not more than 175 kWh, — a nominal voltage of 400 V	1,3 %	-	31.12.2020
0.6863	ex 8512 30 90	20	Warning buzzer for parking sensor system in a plastic casing operating on the piezo-mechanic principle, containing: — a printed circuit board, — a connector, — whether or not a metal holder, for use in the manufacture of goods of Chapter 87 ⁽¹⁾	0 %	p/st	31.12.2020
0.6689	ex 8529 90 65	28	Electronic assembly comprising a printed circuit board with at least: — processors for multi-media applications and video signal processing, — FPGA (Field Programmable Gate Array), — flash memory, — operating memory, — with or without USB, HDMI, VGA- and RJ-45 interfaces, — sockets and plugs for connecting an LCD-display, an LED lighting and a control panel	0 %	p/st	31.12.2020

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7251	ex 8537 10 91	70	Programmable motor memory controller for a voltage not exceeding 1 000 V, comprising at least: — a printed circuit with active and passive components, — an aluminium housing, and — multiple connectors	0 %	p/st	31.12.2022
0.6866	ex 8538 90 91 ex 8538 90 99	20 50	Interior antenna for a car door locking system, comprising: — an antenna module in a plastic housing, — a connection cable with a plug, — at least two mounting brackets, — whether or not PCB including integrated circuits, diodes and transistors, for use in the manufacture of goods of Chapter 87 ⁽¹⁾	0 %	p/st	31.12.2020
0.5953	ex 8538 90 99	95	Copper base plate, containing more components than Insulated Gate Bipolar Transistor (IGBT) chips and diodes with a voltage of 650 V or more but not more than 1 200 V, for use as a heatsink in the manufacture of IGBT modules ⁽¹⁾	0 %	p/st	31.12.2023
0.6710	ex 8544 30 00 ex 8544 42 90	60 50	Four-core connecting cable containing two female connectors for the transmission of digital signals from navigation and audio systems to a USB connector, for use in the manufacture of goods of Chapter 87 ⁽¹⁾	0 %	-	31.12.2020
0.6867	ex 8544 30 00	85	Extension two-core cable with two connectors, containing at least: — a rubber grommet, — a metal attachment bracket, of a kind used to connect vehicle speed sensors in the manufacture of vehicles of Chapter 87	0 %	p/st	31.12.2020
0.5002	ex 8545 90 90	40	Corrosion resistant, layered technical fibre substrate of a gas diffuser layer with: — controlled fibre length, flex strength, porosity, thermal conductance, electrical resistance, — a thickness of less than 600 µm, — a weight of less than 500 g/m ²	0 %	m ²	31.12.2020
0.7581	ex 8708 50 20 ex 8708 50 99 ex 8708 99 10 ex 8708 99 97	60 15 45 65	Car transfer case with single input and dual output, to distribute torque between front and rear axles in an aluminium housing, with dimension of not more than 565 mm × 570 mm × 510 mm, comprising: — at least an actuator, — whether or not an interior distribution by chain	0 %	-	31.12.2024
0.6711	ex 8708 80 20 ex 8708 80 35	10 10	Upper strut insulator containing: — a metal holder with three mounting screws, and — a rubber bump, for use in the manufacture of goods of Chapter 87 ⁽¹⁾	0 %	p/st	31.12.2020

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.6705	ex 8708 80 20 ex 8708 80 91	20 10	Rear chassis arm with a protective plastic label equipped with two metal casings with pressed-in rubber silent blocks, for use in the manufacture of goods of Chapter 87 ⁽¹⁾	0 %	p/st	31.12.2020
0.6704	ex 8708 80 20 ex 8708 80 91	30 20	Rear chassis arm equipped with a ball pivot and metal casing with a pressed-in rubber silent block, for use in the manufacture of goods of Chapter 87 ⁽¹⁾	0 %	p/st	31.12.2020
0.7365	ex 8708 80 99	30	Surface-hardened, steel piston rod for a hydraulic or hydropneumatic shock absorber of motor vehicles: — with a chrome coating, — of a diameter of 11 mm or more, but not more than 28 mm, — of a length of 80 mm or more, but not more than 600 mm, with a threaded end or a mandrel for resistance welding	0 %	-	31.12.2022
0.6687	ex 8708 95 10 ex 8708 95 99	10 20	Inflatable safety cushion of high-strength polyamide fibre: — sewn, — folded into three-dimensional packing form, fixed by thermal forming, or flat (unfolded) safety cushion with or without thermal forming	0 %	p/st	31.12.2020
0.6686	ex 8714 10 90	10	Motorcycle fork rod inner tubes: — of SAE1541 carbon steel, — with a hard chromium layer of 20 µm (+ 15 µm/- 5 µm), — with a wall thickness of 1,3 mm or more, but not more than 1,6 mm, — with an elongation at break of 15 %, — perforated	0 %	p/st	31.12.2020
0.5692	ex 9002 11 00	20	Lenses: — measuring not more than 95 mm × 55 mm × 50 mm, — with a resolution of 160 lines/mm or better, and — with a zoom ratio of 18 times	0 %	-	31.12.2022
0.6527	ex 9029 20 31 ex 9029 90 00	20 30	Clustered instrument panel with a microprocessor control board, with or without stepping motors, LED indicators or LCD display showing at least: — speed, — engine revolutions, — engine temperature, — the fuel level, communicating via CAN-BUS and/or K-LINE protocols, of a kind used in the manufacture of goods of Chapter 87	0 %	p/st	31.12.2024
0.5025	ex 9401 90 80	10	Ratchet disk for use in the manufacture of reclining car seats ⁽¹⁾	0 %	p/st	31.12.2020'

⁽¹⁾ Suspension of duties is subject to end-use customs supervision in accordance with Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).;

(4) the following entries are added or inserted according to the numerical order of the CN and TARIC codes in the second and third columns:

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7897	ex 2825 20 00	10	Lithium hydroxide monohydrate (CAS RN 1310-66-3)	2,6 %	-	31.12.2020
0.7895	ex 2903 72 00	10	Dichloro-1,1,1-trifluoroethane (CAS RN 306-83-2) with a purity by weight of 99 % or more	0 %	-	31.12.2024
0.7826	ex 2903 79 30	30	1-Bromo-5-chloropentane (CAS RN 54512-75-3) with a purity by weight of 99 % or more	0 %	-	31.12.2024
0.7914	ex 2905 39 95	70	2-methylpropane-1,3-diol (CAS RN 2163-42-0) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7828	ex 2909 30 38	50	2-(1-Adamantyl)-4-Bromoanisole (CAS RN 104224-63-7) with a purity by weight of 99 % or more	0 %	-	31.12.2024
0.7846	ex 2909 50 00	40	2-methoxy-4-(trifluoromethoxy)phenol (CAS RN 166312-49-8) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7910	ex 2909 60 00	50	Solution of 3,6,9-(ethyl and/or propyl)-3,6,9-trimethyl-1,2,4,5,7,8-hexoxonanes (CAS RN 1613243-54-1) in mineral spirits (CAS RN 1174522-09-8), containing by weight 25 % or more, but not more than 41 % of the hexoxonanes	0 %	-	31.12.2024
0.7824	ex 2914 50 00	15	1,1-dimethoxyacetone (CAS RN 6342-56-9) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7834	ex 2915 40 00	10	Ethyl trichloroacetate (CAS RN 515-84-4) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7830	ex 2915 40 00	20	Sodium trichloroacetate (CAS RN 650-51-1) with a purity by weight of 96 % or more	0 %	-	31.12.2024
0.7899	ex 2915 90 70	18	Myristic acid, lithium salt (CAS RN 20336-96-3) with a purity by weight of 95 % or more	0 %	-	31.12.2024
0.7845	ex 2916 39 90	22	6-bromo-2-fluoro-3-(trifluoromethyl)benzoic acid (CAS RN 1026962-68-4) with a purity by weight of 95 % or more	0 %	-	31.12.2024
0.7827	ex 2916 39 90	27	Methyl 6-Bromo-2-naphthoate (CAS RN 33626-98-1) with a purity by weight of 99 % or more	0 %	-	31.12.2024
0.7880	ex 2917 19 80	45	Iron fumarate (CAS RN 141-01-5) with a purity by weight of 93 % or more	0 %	-	31.12.2024
0.7907	ex 2918 19 98	50	12-Hydroxyoctadecanoic acid (CAS RN 106-14-9) with a purity by weight of 90 % or more for the manufacture of polyglycerin-poly-12-hydroxyoctadecanoic acid esters (1)	0 %	-	31.12.2024

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7864	ex 2918 30 00	35	3-Oxocyclobutane-1-carboxylic acid with a purity by weight of 98 % or more (CAS RN 23761-23-1)	0 %	-	31.12.2024
0.7898	ex 2920 29 00	80	2,4,8,10-tetrakis(1,1-dimethylethyl)-6-(2-ethylhexyloxy)-12H dibenzo[d,g][1,3,2] dioxaphosphocin (CAS RN 126050-54-2) with a content of 95 % or more by weight (CAS RN 126050-54-2)	0 %	-	31.12.2024
0.7894	ex 2921 51 90	10	N-(4-Chlorophenyl)benzene-1,2-diamine (CAS RN 68817-71-0) with a purity by weight of 97 % or more	0 %	-	31.12.2024
0.7860	ex 2922 19 00	15	Aqueous solution, containing by weight: — 73 % or more 2-amino-2-methyl-1-propanol (CAS RN 124-68-5), — 4,5 % or more, but not more than 27 % water (CAS RN 7732-18-5)	0 %	-	31.12.2024
0.7853	ex 2922 49 85	13	O-Benzylglycine p-toluenesulphonate (CAS RN 1738-76-7) with a purity by weight of 93 % or more	0 %	-	31.12.2024
0.7879	ex 2923 90 00	50	Betaine hydrochloride (CAS RN 590-46-5) with a purity by weight of 93 % or more	0 %	-	31.12.2024
0.7841	ex 2924 29 70	47	(S)-tert-butyl(1-amino-3-(4-iodophenyl)-1-oxopropan-2-yl)carbamate (CAS RN 868694-44-4) with a purity by weight of 95 % or more	0 %	-	31.12.2024
0.7832	ex 2925 29 00	50	(Chloromethylene)dimethyliminium chloride (CAS RN 3724-43-4) with a purity by weight of 95 % or more	0 %	-	31.12.2024
0.7859	ex 2930 90 98	29	4-amino-5-(ethylsulfanyl)-2-methoxybenzoic acid (CAS RN 71675-86-0) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7833	ex 2930 90 98	31	(p-toluenesulphonyl)methyl isocyanide (CAS RN 36635-61-7) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7838	ex 2932 20 90	53	(R)-4-propyldihydrofuran-2(3H)-one (CAS RN 63095-51-2) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7855	ex 2932 99 00	37	4-(2-butyl-1-benzofuran-3-carbonyl)-2,6-diiodophenol (CAS RN 1951-26-4) with a purity by weight of 99 % or more	0 %	-	31.12.2024
0.7903	ex 2933 19 90	13	3-(Difluoromethyl)-5-fluoro-1-methyl-1H-pyrazole-4-carbonyl fluoride (CAS RN 1255735-07-9) with a purity by weight of 95 % or more	0 %	-	31.12.2024
0.7835	ex 2933 19 90	17	1,3-dimethyl-1H-pyrazole (CAS RN 694-48-4) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7918	ex 2933 19 90	23	Fluindapyr (ISO) (CAS RN 1383809-87-7) with a purity by weight of 96 % or more	0 %	-	31.12.2024
0.7836	ex 2933 19 90	27	3-(3,3,3-trifluoro-2,2-dimethylpropoxy)-1H-pyrazole-4-carboxylic acid (CAS RN 2229861-20-3) with a purity by weight of 95 % or more	0 %	-	31.12.2024

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7844	ex 2933 39 99	74	4-Aminopyridine-2-carboxamide (CAS RN 100137-47-1) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7906	ex 2933 39 99	81	4-Hydroxy-3-pyridinesulphonic acid (CAS RN 51498-37-4) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7866	ex 2933 39 99	82	Picloram (ISO) (CAS RN 1918-02-1) containing by weight not more than 15 % of water and with a purity by dry weight of 92 % or more	0 %	-	31.12.2024
0.7825	ex 2933 59 95	68	Guanine (CAS RN 73-40-5) with a purity by weight of 99 % or more	0 %	-	31.12.2024
0.7839	ex 2933 99 80	66	(6-(4-fluorobenzyl)-3,3-dimethyl-2,3-dihydro-1H-pyrrolo[3,2-b]pyrid-5-yl)methanol (CAS RN 1799327-42-6) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7843	ex 2934 99 90	17	(S)-4-(tert-butoxycarbonyl)-1,4-oxazepane-2-carboxylic acid (CAS RN 1273567-44-4) with a purity by weight of 95 % or more	0 %	-	31.12.2024
0.7837	ex 2934 99 90	29	(2R,5S)-tert-butyl 4-benzyl-2-methyl-5-(((R)-3-methylmorpholino)methyl)piperazine-1-carboxylate (CAS RN 1403902-77-1) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7840	ex 2934 99 90	33	(2R,3R,5R)-5-(4-amino-2-oxopyrimidin-1(2H)-yl)-2-((benzoyloxy)methyl)-4,4-difluorotetrahydrofuran-3-yl benzoate (CAS RN 134790-39-9) with a purity by weight of 98 % or more	0 %	-	31.12.2024
0.7842	ex 2934 99 90	69	3-methyl-5-(4,4,5,5-tetramethyl-1,3,2-dioxaborolan-2-yl)benzo[d]oxazol-2(3H)-one (CAS RN 1220696-32-1) with a purity by weight of 95 % or more	0 %	-	31.12.2024
0.7854	ex 2935 90 90	70	(4S)-4-hydroxy-2-(3-methoxypropyl)-3,4-dihydro-2H-thieno[3,2-e]thiazine-6-sulfonamide-1,1-dioxide (CAS RN 154127-42-1) with a purity by weight of 97 % or more	0 %	-	31.12.2024
0.7885	ex 3204 15 00	20	Colourant C.I. Vat Blue 1 (CAS RN 482-89-3) and preparations based thereon with a colourant C.I. Vat Blue 1 content of 94 % or more by weight	0 %	-	31.12.2024
0.7922	ex 3823 19 10	20	12-Hydroxyoctadecanoic acid (CAS RN 106-14-9) for the manufacture of polyglycerin-poly-12-hydroxyoctadecanoic acid esters (1)	0 %	-	31.12.2024
0.7831	ex 3824 99 92	62	Solution of 9-borabicyclo[3.3.1]nonane (CAS RN 280-64-8) in tetrahydrofuran (CAS RN 109-99-9), containing by weight 6 % or more 9-borabicyclo[3.3.1]nonane	0 %	-	31.12.2024
0.7861	ex 3903 90 90	33	Copolymer of styrene, divinylbenzene and chloromethylstyrene (CAS RN 55844-94-5) with a purity by weight of 99 % or more	0 %	-	31.12.2024
0.7865	ex 3909 40 00	70	Polymer in the form of flakes composed of 98 % or more by weight of phenolic resin (brominated octylphenol-formaldehyde) with a softening point of 80 °C or more but not more than 95 °C according to standard ASTM E28-92 (CAS RN 112484-41-0)	0 %	-	31.12.2024

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7882	ex 3920 69 00	30	Mono- or multilayer, transverse oriented, shrink film: — composed of more than 85 % by weight of polylactic acid, not more than 5 % by weight of inorganic or organic additives and not more than 10 % by weight of additives based on biodegradable polyesters, — with a thickness of 20 µm or more but not more than 100 µm, — with a length of 2 385 m or more but not more than 9 075 m, — biodegradable and compostable (as determined by the method EN 13432)	0 %	-	31.12.2024
0.7883	ex 3920 69 00	70	Mono- or multilayer, biaxially oriented film: — composed of more than 85 % by weight of polylactic acid, not more than 5 % by weight of inorganic or organic additives, and not more than 10 % by weight of additives based on biodegradable polyesters, — with a thickness of 9 µm or more but not more than 120 µm, — with a length of 1 395 m or more but not more than 21 560 m, — biodegradable and compostable (as determined by the method EN 13432)	0 %	-	31.12.2024
0.7891	ex 7326 90 94	40	Steel ball neck, drop forged, machined, also heat treated or surface treated, with an angle between the centre of the conical head and the arm of less than 90° or with an angle between the centre of the ball and the arm of less than 90°, for use in the manufacture of trailer hitches for passenger cars ⁽¹⁾	0 %	-	31.12.2024
0.7911	ex 7506 20 00	10	Sheets and strips in coils of nickel alloy C276 (EN 2.4819) with — a thickness of 0,5 mm or more but not more than 3 mm, — a width of 770 mm or more but not more than 1 250 mm	0 %	-	31.12.2024
0.7851	ex 8409 99 00	25	Hoses assembly for fuel return from injectors to engine fuel unit, consisting of at least: — three rubber hoses, whether or not with a protective braided sleeving, — three connectors for connecting fuel injectors, — five metal clamps, — one T-shaped plastic joint, for use in the manufacture of engines of motor vehicles ⁽¹⁾	0 %	-	31.12.2024
0.7850	ex 8481 30 99	30	Brake booster check valve assembly, containing at least: — three vulcanized rubber hoses, — one membrane valve, — two metal clamps, — one metal holder, — whether or not a connecting metal pipe, for use in the manufacture of motor vehicles ⁽¹⁾	0 %	-	31.12.2024

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7920	ex 8483 40 59	30	Hydrostatic speed changer: — with a hydro pump and a differential with wheel axle, — whether or not with a fan impeller and/or a pulley, for use in the manufacture of lawn mowers of Subheadings 8433 11 and 8433 19 or other mowers of Subheading 8433 20 ⁽¹⁾	0 %	p/st	31.12.2024
0.7857	ex 8501 10 10	40	Synchronous hybrid stepper motor with: — an output not exceeding 18 W, — two phases, — a rated current of not more than 2,5 A/phase, — a rated voltage of not more than 20 V, — with or without a threaded shaft, for use in the manufacture of 3D printers ⁽¹⁾	0 %	-	31.12.2024
0.7888	ex 8507 60 00	68	Lithium-ion accumulator in a metal housing with: — a length of 173 mm or more but not more than 175 mm, — a width of 41,5 mm or more but not more than 43 mm, — a height of 85 mm or more but not more than 103 mm, — a nominal voltage of 3,6 V or more but not more than 3,75 V, and — a nominal capacity of 93 Ah or more but not more than 94 Ah	1,3 %	-	31.12.2024
0.7873	ex 8537 10 91	20	Electronic assembly containing: — a microprocessor, — a programmable memory controller and other electronic components mounted on a printed circuit, — with or without light-emitting diode (LED) or liquid crystal display (LCD) indicators, for use in the manufacture of products of Subheadings 8418 21, 8418 29, 8421 12, 8422 11, 8450 11, 8450 12, 8450 19, 8451 21, 8451 29 and 8516 60 ⁽¹⁾	0 %	-	31.12.2024
0.7848	ex 8544 30 00	45	Linking seven-core cable for connecting sensor for pressure measure in intake manifold (Boost Pressure Sensor – BPS) and sockets for glow plugs with common connector, containing four sockets and two connectors for use in the manufacture of compression-ignition internal combustion piston engines for passenger cars ⁽¹⁾	0 %	-	31.12.2024
0.7847	ex 8544 30 00	55	Connecting five-core cable with connectors for coupling the temperature sensor and the exhaust manifold pressure difference sensor to the common connector for use in the manufacture of compression-ignition internal combustion piston engines for passenger cars ⁽¹⁾	0 %	-	31.12.2024
0.7856	ex 8708 40 20 ex 8708 40 50	70 60	Manual gearbox in cast aluminium housing for transverse installation with: — a width of not more than 480 mm, — a height of not more than 400 mm, — a length of not more than 550 mm, — five gears, — a differential gear, — an engine torque of 250 Nm or less, for use in the manufacture of motor vehicles of Heading 8703 ⁽¹⁾	0 %	-	31.12.2024

Serial number	CN code	TARIC	Description	Rate of autonomous duty	Supplementary Unit	Date foreseen for mandatory review
0.7849	ex 8708 93 10 ex 8708 93 90	40 40	Clutch pedal with electronic parking brake connection (EPB), whether or not with sending signal function for: — cruise control reset, — electronic parking brake release, — start and stop engine management under Idle Stop and Go system (ISG), for use in the manufacture of passenger vehicles ⁽¹⁾	0 %	-	31.12.2024
0.7921	ex 8708 99 97	18	Hydrostatic speed changer: — with a hydro pump and a differential with wheel axle, — whether or not with a fan impeller and/or a pulley, for use in the manufacture of tractors of Subheadings 8701 91 90 and 8701 92 90, whose main function is that of a lawn mower ⁽¹⁾	0 %	p/st	31.12.2023'

⁽¹⁾ Suspension of duties is subject to end-use customs supervision in accordance with Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

COUNCIL REGULATION (EU) 2020/875**of 15 June 2020****amending Regulation (EU) No 1388/2013 quotas of the Union for certain agricultural and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In order to ensure a sufficient and uninterrupted supply of certain agricultural and industrial products which are produced in insufficient quantities in the Union, and thereby avoid any disturbances in the market for those products, autonomous tariff quotas were opened by Council Regulation (EU) No 1388/2013 ⁽¹⁾. Within those tariff quotas, products can be imported into the Union at reduced or zero duty rates.
- (2) As it is in the Union's interest to ensure an adequate supply of certain industrial products, and having regard to the fact that identical, equivalent or substitute products are not produced in sufficient quantities within the Union, it is necessary to open new tariff quotas for order numbers 09.2580, 09.2581 and 09.2583 at zero duty rates for appropriate quantities of those products.
- (3) As it is in the Union's interest to ensure an adequate supply of certain industrial products, the amounts for the tariff quotas for order numbers 09.2634 and 09.2668 should be increased.
- (4) As the scope of the tariff quota for order number 09.2652 has become inadequate to fulfil the needs of economic operators in the Union, the description of the product covered by that tariff quota should be amended.
- (5) For the tariff quota for order number 09.2588, the quota period should be extended until 31 December 2020, because that tariff quota was opened for a period of six months only but it is still in the Union's interest to maintain it.
- (6) The substances Dimethyl Sulphate (CAS RN 77-78-1) with a purity of at least 99 %, 2-Methylaniline (CAS RN 95-53-4) with a purity by weight of at least 99 % and 4,4'-Methanediyl dianiline (CAS RN 101-77-9) with a purity by weight of at least 97 % are included on the candidate list referred to in Article 59 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽²⁾ and the substance with CAS RN 101-77-9 is included in Annex XIV to that Regulation. For that reason, existing tariff quotas for those substances should be progressively closed and any newly opened tariff quotas should apply for a limited period. Therefore, the tariff quotas with order numbers 09.2648 and 09.2730 should apply until 31 December 2020 with a conventional rate of duty at 2 %. In addition, the tariff quota with order number 09.2590 should be closed and a new tariff quota with order number 09.2582 should be opened until 31 December 2020 with a conventional rate of duty at 2 %.
- (7) Taking into account the amendments to be made, and for the sake of clarity, the Annex to Regulation (EU) No 1388/2013 should be replaced.
- (8) In order to avoid any interruption of the application of the tariff quota scheme, and to comply with the guidelines in the communication from the Commission of 13 December 2011 concerning autonomous tariff suspensions and quotas, the changes provided for in this Regulation regarding the tariff quotas for the products concerned should apply from 1 July 2020. This Regulation should therefore enter into force as a matter of urgency,

⁽¹⁾ Council Regulation (EU) No 1388/2013 of 17 December 2013 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products, and repealing Regulation (EU) No 7/2010 (OJ L 354, 28.12.2013, p. 319).

⁽²⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 1388/2013 is replaced by the text appearing in the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2020.

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

Done at Brussels, 15 June 2020.

For the Council
The President
A. METELKO-ZGOMBIĆ

ANNEX

‘ANNEX

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2637	ex 0710 40 00 ex 2005 80 00	20 30	Corn cobs (<i>Zea mays</i> var. <i>saccharata</i>) whether or not cut, with a diameter of at least 10 mm but not more than 20 mm, for use in the manufacture of products of the food industry for treatment other than simple repacking ⁽¹⁾ ⁽²⁾ ⁽³⁾	1.1.-31.12.	550 tonnes	0 % ⁽³⁾
09.2849	ex 0710 80 69	10	Mushrooms of the species <i>Auricularia polytricha</i> (uncooked or cooked by steaming or boiling), frozen, for the manufacture of prepared meals ⁽¹⁾ ⁽²⁾	1.1.-31.12.	700 tonnes	0 %
09.2664	ex 2008 60 39	30	Sweet cherries containing added spirit, with a sugar content of not more than 9 % by weight, of a diameter of not more than 19,9 mm, with stones, for use in chocolate products ⁽²⁾	1.1.-31.12.	1 000 tonnes	10 %
09.2740	ex 2309 90 31	87	Soya bean protein concentrate containing by weight: — 60 % (± 10 %) of crude protein, — 5 % (± 3 %) of crude fibre, — 5 % (± 3 %) of crude ash, and — at least 3 % but not more than 6,9 % of starch, for use in the manufacture of animal feed products ⁽²⁾	1.1.-31.12.	30 000 tonnes	0 %
09.2913	ex 2401 10 35 ex 2401 10 70 ex 2401 10 95 ex 2401 10 95 ex 2401 10 95 ex 2401 20 35 ex 2401 20 70 ex 2401 20 95 ex 2401 20 95 ex 2401 20 95	91 10 11 21 91 91 10 11 21 91	Natural unmanufactured tobacco, whether or not cut in regular size, with a custom value of at least EUR 450 per 100 kg net weight, for use as binder or wrapper for the manufacture of goods falling within subheading 2402 10 00 ⁽²⁾	1.1.-31.12.	6 000 tonnes	0 %
09.2587	ex 2710 19 81 ex 2710 19 99	20 40	Catalytically hydroisomerised and dewaxed base oil of hydrogenated, highly isoparaffinic hydrocarbons, containing: — at least 90 % by weight of saturates, and — not more than 0,03 % by weight of sulphur, and with — a viscosity index of at least 80 but less than 120, and — a kinematic viscosity of at least 5,0 cSt at 100 °C but not more than 13,0 cSt at 100 °C	1.7.-31.12.	200 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2828	2712 20 90		Paraffin wax containing by weight less than 0,75 % of oil	1.4.-31.10.	60 000 tonnes	0 %
09.2600	ex 2712 90 39	10	Slack wax (CAS RN 64742-61-6)	1.1.-31.12.	100 000 tonnes	0 %
09.2928	ex 2811 22 00	40	Silica filler in the form of granules, with a purity by weight of at least 97 % of silicon dioxide	1.1.-31.12.	1 700 tonnes	0 %
09.2806	ex 2825 90 40	30	Tungsten trioxide, including blue tungsten oxide (CAS RN 1314-35-8 or CAS RN 39318-18-8)	1.1.-31.12.	12 000 tonnes	0 %
09.2872	ex 2833 29 80	40	Caesium sulphate (CAS RN 10294-54-9) in solid form or as aqueous solution containing by weight at least 48 % but not more than 52 % of caesium sulphate	1.1.-31.12.	200 tonnes	0 %
09.2837	ex 2903 79 30	20	Bromochloromethane (CAS RN 74-97-5)	1.1.-31.12.	600 tonnes	0 %
09.2933	ex 2903 99 80	30	1,3-Dichlorobenzene (CAS RN 541-73-1)	1.1.-31.12.	2 600 tonnes	0 %
09.2700	ex 2905 12 00	10	Propan-1-ol (propyl alcohol) (CAS RN 71-23-8)	1.1.-31.12.	15 000 tonnes	0 %
09.2830	ex 2906 19 00	40	Cyclopropylmethanol (CAS RN 2516-33-8)	1.1.-31.12.	20 tonnes	0 %
09.2851	ex 2907 12 00	10	o-Cresol (CAS RN 95-48-7) with a purity by weight of at least 98,5 %	1.1.-31.12.	20 000 tonnes	0 %
09.2704	ex 2909 49 80	20	2,2,2',2'-Tetrakis(hydroxymethyl)-3,3'-oxydipropan-1-ol (CAS RN 126-58-9)	1.1.-31.12.	500 tonnes	0 %
09.2624	2912 42 00		Ethylvanillin (3-ethoxy-4-hydroxybenzaldehyde) (CAS RN 121-32-4)	1.1.-31.12.	1 950 tonnes	0 %
09.2683	ex 2914 19 90	50	Calcium acetylacetonate (CAS RN 19372-44-2) for use in the manufacture of stabilisator systems in tablet form (?)	1.1.-31.12.	200 tonnes	0 %
09.2852	ex 2914 29 00	60	Cyclopropyl methyl ketone (CAS RN 765-43-5)	1.1.-31.12.	300 tonnes	0 %
09.2638	ex 2915 21 00	10	Acetic acid (CAS RN 64-19-7) of a purity by weight of at least 99 %	1.1.-31.12.	1 000 000 tonnes	0 %
09.2972	2915 24 00		Acetic anhydride (CAS RN 108-24-7)	1.1.-31.12.	50 000 tonnes	0 %
09.2679	2915 32 00		Vinyl acetate (CAS RN 108-05-4)	1.1.-31.12.	400 000 tonnes	0 %
09.2728	ex 2915 90 70	85	Ethyl trifluoroacetate (CAS RN 383-63-1)	1.1.-31.12.	400 tonnes	0 %
09.2665	ex 2916 19 95	30	Potassium (E,E)-hexa-2,4-dienoate (CAS RN 24634-61-5)	1.1.-31.12.	8 250 tonnes	0 %
09.2684	ex 2916 39 90	28	2,5-Dimethylphenylacetyl chloride (CAS RN 55312-97-5)	1.1.-31.12.	400 tonnes	0 %
09.2599	ex 2917 11 00	40	Diethyl oxalate (CAS RN 95-92-1)	1.1.-31.12.	500 tonnes	0 %
09.2769	ex 2917 13 90	10	Dimethyl sebacate (CAS RN 106-79-6)	1.1.-31.12.	1 000 tonnes	0 %
09.2634	ex 2917 19 80	40	Dodecanedioic acid (CAS RN 693-23-2) with a purity by weight of more than 98,5 %	1.7.-31.12.	4 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2808	ex 2918 22 00	10	O-Acetylsalicylic acid (CAS RN 50-78-2)	1.1.-31.12.	120 tonnes	0 %
09.2646	ex 2918 29 00	75	Octadecyl 3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate (CAS RN 2082-79-3) with: — a sieve passing fraction at a mesh width of 500 µm of more than 99 % by weight, and — a melting point of at least 49 °C but not more than 54 °C, for use in the manufacture of PVC processing stabilizer-one packs based on powder mixtures (powders or press granulates) ⁽²⁾	1.1.-31.12.	380 tonnes	0 %
09.2647	ex 2918 29 00	80	Pentaerythritol tetrakis(3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate) (CAS RN 6683-19-8) with: — a sieve passing fraction at a mesh width of 250 µm of more than 75 % by weight and at a mesh width of 500 µm of more than 99 % by weight, and — a melting point of at least 110 °C but not more than 125 °C, for use in the manufacture of PVC processing stabilizer-one packs based on powder mixtures (powders or press granulates) ⁽²⁾	1.1.-31.12.	140 tonnes	0 %
09.2975	ex 2918 30 00	10	Benzophenone-3,3',4,4'-tetracarboxylic dianhydride (CAS RN 2421-28-5)	1.1.-31.12.	1 000 tonnes	0 %
09.2688	ex 2920 29 00	70	Tris (2,4-di-tert-butylphenyl)phosphite (CAS RN 31570-04-4)	1.1.-31.12.	6 000 tonnes	0 %
09.2648	ex 2920 90 10	75	Dimethyl Sulphate (CAS RN 77-78-1) with a purity of at least 99 %	1.7.-31.12.	9 000 tonnes	2 %
09.2598	ex 2921 19 99	75	Octadecylamine (CAS RN 124-30-1)	1.1.-31.12.	400 tonnes	0 %
09.2649	ex 2921 29 00	60	Bis(2-dimethylaminoethyl)(methyl)amine (CAS RN 3030-47-5)	1.1.-31.12.	1 700 tonnes	0 %
09.2682	ex 2921 41 00	10	Aniline (CAS RN 62-53-3) with a purity by weight of at least 99 %	1.1.-31.12.	150 000 tonnes	0 %
09.2617	ex 2921 42 00	89	4-Fluoro-N-(1-methylethyl)benzeneamine (CAS RN 70441-63-3)	1.1.-31.12.	500 tonnes	0 %
09.2582	ex 2921 43 00	80	2-Methylaniline (CAS RN 95-53-4) with a purity by weight of at least 99 %	1.7.-31.12.	1 999 tonnes	2 %
09.2602	ex 2921 51 19	10	O-Phenylenediamine (CAS RN 95-54-5)	1.1.-31.12.	1 800 tonnes	0 %
09.2730	ex 2921 59 90	85	4,4'-Methanediyl dianiline (CAS RN 101-77-9) with a purity by weight of at least 97 %, in the form of granules, for use in the manufacture of prepolymers ⁽²⁾	1.7.-31.12.	100 tonnes	2 %
09.2591	ex 2922 41 00	10	L-Lysine hydrochloride (CAS RN 657-27-2)	1.1.-31.12.	445 000 tonnes	0 %
09.2592	ex 2922 50 00	25	L-Threonine (CAS RN 72-19-5)	1.1.-31.12.	166 000 tonnes	0 %
09.2854	ex 2924 19 00	85	3-iodoprop-2-yn-1-yl butylcarbamate (CAS RN 55406-53-6)	1.1.-31.12.	250 tonnes	0 %
09.2874	ex 2924 29 70	87	Paracetamol (INN) (CAS RN 103-90-2)	1.1.-31.12.	20 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2742	ex 2926 10 00	10	Acrylonitrile (CAS RN 107-13-1), for use in the manufacture of goods of Chapter 55 and Heading 6815 ⁽²⁾	1.1.-31.12.	60 000 tonnes	0 %
09.2583	ex 2926 10 00	20	Acrylonitrile (CAS RN 107-13-1), for use in the manufacture of goods of Headings 2921, 2924, 3906 and 4002 ⁽²⁾	1.7.-31.12.	20 000 tonnes	0 %
09.2856	ex 2926 90 70	84	2-Nitro-4(trifluoromethyl)benzonitrile (CAS RN 778-94-9)	1.1.-31.12.	900 tonnes	0 %
09.2708	ex 2928 00 90	15	Monomethylhydrazine (CAS RN 60-34-4) in the form of an aqueous solution with a content by weight of monomethylhydrazine of 40 % (± 5 %)	1.1.-31.12.	900 tonnes	0 %
09.2581	ex 2929 10 00	25	1,5-Naphthylene diisocyanate (CAS RN 3173-72-6) with a purity by weight of at least 90 %	1.7.-31.12.	205 tonnes	0 %
09.2685	ex 2929 90 00	30	Nitroguanidine (CAS RN 556-88-7)	1.1.-31.12.	6 500 tonnes	0 %
09.2597	ex 2930 90 98	94	Bis[3-(triethoxysilyl)propyl]disulphide (CAS RN 56706-10-6)	1.1.-31.12.	6 000 tonnes	0 %
09.2596	ex 2930 90 98	96	2-Chloro-4-(methylsulphonyl)-3-((2,2,2-trifluoroethoxy)methyl) benzoic acid (CAS RN 120100-77-8)	1.1.-31.12.	300 tonnes	0 %
09.2580	ex 2931 90 00	75	Hexadecyltrimethoxysilane (CAS RN 16415-12-6) with a purity by weight of at least 95 %, for use in the manufacture of polyethylene ⁽²⁾	1.7.-31.12.	83 tonnes	0 %
09.2842	2932 12 00		2-Furaldehyde (furfuraldehyde)	1.1.-31.12.	10 000 tonnes	0 %
09.2955	ex 2932 19 00	60	Flurtamone (ISO) (CAS RN 96525-23-4)	1.1.-31.12.	300 tonnes	0 %
09.2696	ex 2932 20 90	25	Decan-5-olide (CAS RN 705-86-2)	1.1.-31.12.	6 000 kilograms	0 %
09.2697	ex 2932 20 90	30	Dodecan-5-olide (CAS RN 713-95-1)	1.1.-31.12.	6 000 kilograms	0 %
09.2812	ex 2932 20 90	77	Hexan-6-olide (CAS RN 502-44-3)	1.1.-31.12.	4 000 tonnes	0 %
09.2858	2932 93 00		Piperonal (CAS RN 120-57-0)	1.1.-31.12.	220 tonnes	0 %
09.2673	ex 2933 39 99	43	2,2,6,6-Tetramethylpiperidin-4-ol (CAS RN 2403-88-5)	1.1.-31.12.	1 000 tonnes	0 %
09.2674	ex 2933 39 99	44	Chlorpyrifos (ISO) (CAS RN 2921-88-2)	1.1.-31.12.	9 000 tonnes	0 %
09.2880	ex 2933 59 95	39	Ibrutinib (INN) (CAS RN 936563-96-1)	1.1.-31.12.	5 tonnes	0 %
09.2860	ex 2933 69 80	30	1,3,5-Tris[3-(dimethylamino)propyl]hexahydro-1,3,5-triazine (CAS RN 15875-13-5)	1.1.-31.12.	600 tonnes	0 %
09.2595	ex 2933 99 80	49	1,4,7,10-Tetraazacyclododecane (CAS RN 294-90-6)	1.1.-31.12.	40 tonnes	0 %
09.2658	ex 2933 99 80	73	5-(Acetoacetylaminobenzimidazolone (CAS RN 26576-46-5)	1.1.-31.12.	400 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2593	ex 2934 99 90	67	5-Chlorothiophene-2-carboxylic acid (CAS RN 24065-33-6)	1.1.-31.12.	45 000 kilograms	0 %
09.2675	ex 2935 90 90	79	4-[[[(2-Methoxybenzoyl)amino]sulfonyl]benzoyl chloride (CAS RN 816431-72-8)	1.1.-31.12.	45 000 tonnes	0 %
09.2710	ex 2935 90 90	91	2,4,4-Trimethylpentan-2-aminium (3R,5S,6E)-7-[2-[(ethylsulfonyl)amino]-4-(4-fluorophenyl)-6-(propan-2-yl)pyrimidin-5-yl]-3,5-dihydroxyhept-6-enoate (CAS RN 917805-85-7)	1.1.-31.12.	5 000 kilograms	0 %
09.2945	ex 2940 00 00	20	D-Xylose (CAS RN 58-86-6)	1.1.-31.12.	400 tonnes	0 %
09.2686	ex 3204 11 00	75	Colourant C.I. Disperse Yellow 54 (CAS RN 7576-65-0) and preparations based thereon with a colourant C.I. Disperse Yellow 54 content of at least 99 % by weight	1.1.-31.12.	250 tonnes	0 %
09.2676	ex 3204 17 00	14	Preparations based on colourant C.I. Pigment Red 48:2 (CAS RN 7023-61-2) with a content thereof of at least 60 % but less than 85 % by weight	1.1.-31.12.	50 tonnes	0 %
09.2698	ex 3204 17 00	30	Colourant C.I. Pigment Red 4 (CAS RN 2814-77-9) and preparations based thereon with a colourant C.I. Pigment Red 4 content of at least 60 % by weight	1.1.-31.12.	150 tonnes	0 %
09.2659	ex 3802 90 00	19	Soda flux calcinated diatomaceous earth	1.1.-31.12.	35 000 tonnes	0 %
09.2908	ex 3804 00 00	10	Sodium lignosulphonate (CAS RN 8061-51-6)	1.1.-31.12.	40 000 tonnes	0 %
09.2889	3805 10 90		Sulphate turpentine	1.1.-31.12.	25 000 tonnes	0 %
09.2935	ex 3806 10 00	10	Rosin and resin acids obtained from fresh oleoresins	1.1.-31.12.	280 000 tonnes	0 %
09.2832	ex 3808 92 90	40	Preparation containing at least 38 % but not more than 50 % by weight of pyrithione zinc (INN) (CAS RN 13463-41-7) in an aqueous dispersion	1.1.-31.12.	500 tonnes	0 %
09.2876	ex 3811 29 00	55	Additives consisting of reaction products of diphenylamine and branched nonenes containing by weight: — at least 28 % but not more than 55 % of 4-monononyldiphenylamine, — at least 45 % but not more than 65 % of 4,4'-dinonyldiphenylamine, and — not more than 5 % of 2,4-dinonyldiphenylamine and 2,4'-dinonyldiphenylamine, used for the manufacture of lubricating oils ⁽²⁾	1.1.-31.12.	900 tonnes	0 %
09.2814	ex 3815 90 90	76	Catalyst consisting of titanium dioxide and tungsten trioxide	1.1.-31.12.	3 000 tonnes	0 %
09.2820	ex 3824 79 00	10	Mixtures containing by weight: — at least 60 % but not more than 90 % of 2-chloropropene (CAS RN 557-98-2), — at least 8 % but not more than 14 % of (Z)-1-chloropropene (CAS RN 16136-84-8), — at least 5 % but not more than 23 % of 2-chloropropane (CAS RN 75-29-6), — not more than 6 % of 3-chloropropene (CAS RN 107-05-1), and — not more than 1 % of ethyl chloride (CAS RN 75-00-3)	1.1.-31.12.	6 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2644	ex 3824 99 92	77	Preparation containing by weight: — at least 55 % but not more than 78 % of dimethyl glutarate (CAS RN 1119-40-0), — at least 10 % but not more than 30 % of dimethyl adipate (CAS RN 627-93-0), and — not more than 35 % of dimethyl succinate (CAS RN 106-65-0)	1.1.-31.12.	10 000 tonnes	0 %
09.2681	ex 3824 99 92	85	Mixture of bis[3-(triethoxysilyl)propyl]sulphides (CAS RN 211 519-85-6)	1.1.-31.12.	9 000 tonnes	0 %
09.2650	ex 3824 99 92	87	Acetophenone (CAS RN 98-86-2) with a purity by weight of at least 60 % but not more than 90 %	1.1.-31.12.	2 000 tonnes	0 %
09.2888	ex 3824 99 92	89	Mixture of tertiary alkyl dimethyl amines containing by weight: — at least 60 % but not more than 80 % of dodecyl dimethylamine (CAS RN 112-18-5), and — at least 20 % but not more than 30 % of dimethyl(tetradecyl)amine (CAS RN 112-75-4)	1.1.-31.12.	25 000 tonnes	0 %
09.2829	ex 3824 99 93	43	Solid extract of the residual, insoluble in aliphatic solvents, obtained during the extraction of rosin from wood, with the following characteristics: — a resin acid content not exceeding 30 % by weight, — an acid number not exceeding 110, and — a melting point of at least 100 °C	1.1.-31.12.	1 600 tonnes	0 %
09.2907	ex 3824 99 93	67	Mixture of phytosterols, in the form of powder, containing by weight: — at least 75 % of sterols, — not more than 25 % of stanols, for use in the manufacture of stanols/sterols or stanol/sterol esters (?)	1.1.-31.12.	2 500 tonnes	0 %
09.2639	3905 30 00		Poly(vinyl alcohol), whether or not containing unhydrolysed acetate groups	1.1.-31.12.	15 000 tonnes	0 %
09.2671	ex 3905 99 90	81	Poly(vinyl butyral)(CAS RN 63148-65-2): — containing by weight at least 17,5 % but not more than 20 %, of hydroxyl groups, and — with a median particle size (D50) of more than 0,6 mm	1.1.-31.12.	12 500 tonnes	0 %
09.2846	ex 3907 40 00	25	Polymer blend of polycarbonate and poly(methyl methacrylate) with a polycarbonate content of at least 98,5 % by weight, in the form of pellets or granules, with a luminous transmittance of at least 88,5 %, measured using a test sample with a thickness of 4 mm at a wavelength of $\lambda = 400$ nm (according to ISO 13468-2)	1.1.-31.12.	2 000 tonnes	0 %
09.2723	ex 3911 90 19	10	Poly(oxy-1,4-phenylenesulphonyl-1,4-phenyleneoxy-4,4'-biphenylene)	1.1.-31.12.	5 000 tonnes	0 %
09.2816	ex 3912 11 00	20	Cellulose acetate flakes	1.1.-31.12.	75 000 tonnes	0 %
09.2864	ex 3913 10 00	10	Sodium alginate, extracted from brown seaweed (CAS RN 9005-38-3)	1.1.-31.12.	10 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2641	ex 3913 90 00	87	Sodium hyaluronate, non-sterile, with: — a weight average molecular weight (M_w) of not more than 900 000, — an endotoxin level of not more than 0,008 Endotoxin units (EU)/mg, — an ethanol content of not more than 1 % by weight, — an isopropanol content of not more than 0,5 % by weight	1.1.-31.12.	200 kilograms	0 %
09.2661	ex 3920 51 00	50	Sheets of polymethylmethacrylate conforming to standards: — EN 4364 (MIL-P-5425E) and DTD5592A, or — EN 4365 (MIL-P-8184) and DTD5592A	1.1.-31.12.	100 tonnes	0 %
09.2645	ex 3921 14 00	20	Cellular block of regenerated cellulose, impregnated with water containing magnesium chloride and quaternary ammonium compounds, measuring 100 cm ($\pm$ 10 cm) x 100 cm ($\pm$ 10 cm) x 40 cm ($\pm$ 5 cm)	1.1.-31.12.	1 700 tonnes	0 %
09.2848	ex 5505 10 10	10	Waste of synthetic fibres (including noils, yarn waste, and garnetted stock) of nylon or other polyamides (PA6 and PA66)	1.1.-31.12.	10 000 tonnes	0 %
09.2721	ex 5906 99 90	20	Woven and laminated rubberised textile fabric with the following characteristics: — three layers, — one outer layer consists of acrylic fabric, — the other outer layer consists of polyester fabric, — the middle layer consists of chlorobutyl rubber, — the middle layer has a weight of at least 452 g/m ² but not more than 569 g/m ² , — the textile fabric has a total weight of at least 952 g/m ² but not more than 1159 g/m ² , and — the textile fabric has a total thickness of at least 0,8 mm but not more than 4 mm, used for the manufacture of the retractable roof of motor vehicles ⁽²⁾	1.1.-31.12.	375 000 square metres	0 %
09.2594	ex 6909 19 00	55	Ceramic-carbon absorption cartridge with the following characteristics: — extruded fired ceramic bound multicellular cylindrical structure, — at least 10 % by weight but not more than 30 % by weight of activated carbon, — at least 70 % by weight but not more than 90 % by weight of ceramic binder, — a diameter of at least 29 mm but not more than 41mm, — a length of not more than 150 mm, — fired at a temperature of at least 800 °C, and — for vapours adsorption of a kind used for assembly in fuel vapours absorbers in fuel systems of motor vehicles	1.1.-31.12.	1 000 000 pieces	0 %
09.2866	ex 7019 12 00 ex 7019 12 00	06 26	S glass stratifils (rovings): — composed of continuous glass filaments of 9 μ m ($\pm$ 0,5 μ m), — measuring at least 200 tex but not more than 680 tex, — not containing any calcium oxide, and — with a breaking strength of more than 3 550 MPa determined by ASTM D2343-09, for use in the manufacture of aeronautics ⁽²⁾	1.1.-31.12.	1 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2628	ex 7019 52 00	10	Glass web woven from glass fibre coated in plastic, of a weight of 120 g/m ² (± 10 g/m ²), of a type used in rolling insect screens with fixed frames	1.1.-31.12.	3 000 000 square metres	0 %
09.2799	ex 7202 49 90	10	Ferro-chromium containing at least 1,5 % but not more than 4 % by weight of carbon and not more than 70 % of chromium	1.1.-31.12.	50 000 tonnes	0 %
09.2652	ex 7409 11 00 ex 7410 11 00	30 40	Refined copper foil and strips, electrolytically manufactured, with a thickness of at least 0,015 mm	1.1.-31.12.	1 020 tonnes	0 %
09.2734	ex 7409 19 00	20	Plates or sheets consisting of: — a layer of a silicon nitride ceramic with a thickness of at least 0,32 mm (±0,1 mm) but not more than 1,0 mm (±0,1 mm), — covered on both sides with a foil of refined copper with a thickness of 0,8 mm (±0,1 mm), and — on one side partially covered with a coating of silver	1.1.-31.12.	7 000 000 pieces	0 %
09.2662	ex 7410 21 00	55	Plates: — consisting of at least one layer of fibreglass fabric impregnated with epoxide resin, — covered on one or both sides with copper foil with a thickness of not more than 0,15 mm, — with a dielectric constant (DK) of less than 5,4 at 1 MHz, as measured according to IPC-TM-650 2.5.5.2, — with a loss tangent of less than 0,035 at 1 MHz, as measured according to IPC-TM-650 2.5.5.2, — with a comparative tracking index (CTI) of at least 600	1.1.-31.12.	80 000 square metres	0 %
09.2834	ex 7604 29 10	20	Aluminium alloy rods with a diameter of at least 200 mm but not more than 300 mm	1.1.-31.12.	2 000 tonnes	0 %
09.2835	ex 7604 29 10	30	Aluminium alloy rods with a diameter of at least 300,1 mm but not more than 533,4 mm	1.1.-31.12.	1 000 tonnes	0 %
09.2736	ex 7607 11 90	83	Aluminium and magnesium alloy strip or foil: — of an alloy conforming to standards 5182-H19 or 5052-H19, — in rolls with an outside diameter of at least 1 250 mm but not more than 1 350 mm, — of a thickness (tolerance –0,006 mm) of 0,15 mm, 0,16 mm, 0,18 mm or 0,20 mm, — of a width (tolerance ±0,3 mm) of 12,5 mm, 15,0 mm, 16,0 mm, 25,0 mm, 35,0 mm, 50,0 mm or 356 mm, — with a camber tolerance of not more than 0,4 mm/750 mm, — of a flatness measurement: I-unit ± 4, — with a tensile strength of more than (5182-H19) 365 MPa or (5052-H19) 320 MPa, and — of an elongation A50 of more than (5182-H19) 3 % or (5052-H19) 2,5 %, for use in the manufacture of slats for blinds ⁽²⁾	1.1.-31.12.	600 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2722	8104 11 00		Unwrought magnesium, containing at least 99,8 % by weight of magnesium	1.1.-31.12.	120 000 tonnes	0 %
09.2840	ex 8104 30 00	20	Magnesium powder: — of a purity by weight of at least 98 % but not more than 99,5 %, and — with a particle size of at least 0,2 mm but not more than 0,8 mm	1.1.-31.12.	2 000 tonnes	0 %
09.2629	ex 8302 49 00	91	Aluminium telescopic handle for use in the manufacture of luggage ⁽²⁾	1.1.-31.12.	1 500 000 pieces	0 %
09.2720	ex 8413 91 00	50	Pump head for two cylinder high pressure pump made of forged steel, with: — milled threaded fittings with a diameter of at least 10 mm but not more than 36,8 mm, and — drilled fuel channels with a diameter of at least 3,5 mm but not more than 10 mm, of a kind used in diesel injection systems	1.1.-31.12.	65 000 pieces	0 %
09.2738	ex 8482 99 00	30	Brass cages with the following characteristics: — continuously or centrifugally cast, — turned, — containing by weight at least 35 % but not more than 38 % of zinc, — containing by weight at least 0,75 % but not more than 1,25 % of lead, — containing by weight at least 1,0 % but not more than 1,4 % of aluminium, and — with a tensile strength of at least 415 Pa, of a kind used for the manufacture of ball bearings	1.1.-31.12.	50 000 pieces	0 %
09.2763	ex 8501 40 20 ex 8501 40 80	40 30	Electric AC commutator motor, single-phase, with an output of at least 250 W, an input power of at least 700 W but not more than 2 700 W, an external diameter of more than 120 mm ($\pm 0,2$ mm) but not more than 135 mm ($\pm 0,2$ mm), a rated speed of more than 30 000 rpm but not more than 50 000 rpm, equipped with air-inducting ventilator, for use in the manufacture of vacuum cleaners ⁽²⁾	1.1.-31.12	2 000 000 pieces	0 %
09.2588	ex 8529 90 92	56	LCD display with: — a touch panel, — at least one printed circuit board for simple slave device pixel addressing (Timing Controller function) and touch control, with EEPROM (Electrically Erasable Programmable Read-Only Memory) for display settings, — a diagonal screen measurement of at least 15 cm but not more than 21 cm, — a backlight, — a LVDS (Low Voltage Differential Signalling) and a power supply connector, — a viewing angle of at least 70 degrees, and — a luminance of at least 715 cd/m ² , for use in the manufacture of motor vehicles of Chapter 87 ⁽²⁾	1.7.-31.12.	450 000 pieces	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2672	ex 8529 90 92 ex 9405 40 39	75 70	Printed circuit board with LED diodes: — whether or not equipped with prisms/lenses, and — whether or not fitted with connector(s) for the manufacture of backlight units for goods of Heading 8528 ⁽²⁾	1.1.-31.12.	115 000 000 pieces	0 %
09.2003	ex 8543 70 90	63	Voltage controlled frequency generator, consisting of active and passive elements mounted on a printed circuit, contained in a housing with dimensions of not more than 30 mm × 30 mm	1.1.-31.12.	1 400 000 pieces	0 %
09.2910	ex 8708 99 97	75	Aluminium alloy support bracket, with mounting holes, whether or not with fixation nuts, for indirect connection of the gearbox to the car body for use in the manufacture of goods of Chapter 87 ⁽²⁾	1.1.-31.12.	200 000 pieces	0 %
09.2694	ex 8714 10 90	30	Axle clamps, housings, fork bridges and clamping pieces, of aluminium alloy of a kind used for motor bikes	1.1.-31.12.	1 000 000 pieces	0 %
09.2668	ex 8714 91 10 ex 8714 91 10 ex 8714 91 10	21 31 75	Bicycle frame, constructed from carbon fibres and artificial resin, for use in the manufacture of bicycles (including electric bicycles) ⁽²⁾	1.7.-31.12.	250 000 pieces	0 %
09.2589	ex 8714 91 10 ex 8714 91 10 ex 8714 91 10	23 33 70	Frame, constructed from aluminium or aluminium and carbon fibres, for the use in the manufacture of bicycles (including electric bicycles) ⁽²⁾	1.1.-31.12.	8 000 000 pieces	0 %
09.2631	ex 9001 90 00	80	Unmounted glass lenses, prisms and cemented elements for use in the manufacture or repair of goods of CN codes 9002, 9005, 9013 10 and 9015 ⁽²⁾	1.1.-31.12.	5 000 000 pieces	0 %'

⁽¹⁾ However, the suspension of tariff duties does not apply where the processing is carried out by retail or catering undertakings.

⁽²⁾ Suspension of duties is subject to end-use customs supervision in accordance with Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

⁽³⁾ Only the *ad valorem* duty is suspended. The specific duty continues to apply.

DIRECTIVES

COUNCIL DIRECTIVE (EU) 2020/876

of 24 June 2020

amending Directive 2011/16/EU to address the urgent need to defer certain time limits for the filing and exchange of information in the field of taxation because of the COVID-19 pandemic

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 113 and 115 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) The severe risks to public health and other hindrances caused by the COVID-19 pandemic, as well as lockdown measures imposed by Member States to help contain the pandemic, have had a significant disruptive effect on the capacity of businesses and Member States' tax authorities to carry out some of their obligations pursuant to Council Directive 2011/16/EU ⁽³⁾.
- (2) A number of Member States and persons liable to report information to the competent authorities of Member States under Directive 2011/16/EU have requested the deferral of certain time limits laid down in that Directive. Those time limits concern automatic exchanges of information on financial accounts whose beneficiaries are tax resident in another Member State and on reportable cross-border arrangements that contain at least one of the hallmarks set out in Annex IV to Directive 2011/16/EU ('reportable cross-border arrangements').
- (3) The severe disruption caused by the COVID-19 pandemic to the activities of many financial institutions and persons liable to report reportable cross-border arrangements hampers timely compliance with their reporting obligations pursuant to Directive 2011/16/EU. Financial institutions are currently faced with urgent tasks related to the COVID-19 pandemic.
- (4) Furthermore, financial institutions and persons liable to report are faced with serious work-related disruptions, primarily due to remote working conditions because of the lockdown in most Member States. Similarly, the capacity of Member States' tax authorities to collect and process data has been negatively affected.
- (5) This situation requires an urgent and, to the extent possible, coordinated response within the Union. For that purpose, it is necessary to provide Member States with the option to defer the time limit for the exchange of information on financial accounts whose beneficiaries are tax resident in another Member State in order to allow Member States to adjust their national time limits for the filing of such information by Reporting Financial Institutions. Moreover, Member States should also be provided with the option to defer the time limits for filing and exchanging information on reportable cross-border arrangements.

⁽¹⁾ Opinion of 19 June 2020 (not yet published in the Official Journal).

⁽²⁾ Opinion of 14 June 2020 (not yet published in the Official Journal).

⁽³⁾ Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC (OJ L 64, 11.3.2011, p. 1).

- (6) Deferral of the time limits ('deferral') aims to address an exceptional situation and should not disrupt the structure established by, or the functioning of, Directive 2011/16/EU. Consequently, it is necessary for the deferral to be limited and to remain proportionate to the practical difficulties caused by the COVID-19 pandemic with regard to filing and exchanging information.
- (7) In light of the current uncertainty about the evolution of the COVID-19 pandemic, and given that the circumstances that justify the adoption of this Directive might continue to exist for some time, it is appropriate to provide for the possibility of one optional extension of the period of the deferral. Such an extension should take place only if the conditions laid down by this Directive are fulfilled.
- (8) In view of the significant impact of the economic disturbance caused by the COVID-19 pandemic on the budgets, human resources and functioning of Member States' tax authorities, the Council should be empowered to decide unanimously, on a proposal from the Commission, to extend the period of the deferral.
- (9) Any deferral should not affect the essential elements of the obligation to report and exchange information under Directive 2011/16/EU and it should be ensured that no information which becomes reportable during the period of the deferral remains unreported or unexchanged.
- (10) In view of the urgency entailed by the exceptional circumstances caused by the COVID-19 pandemic, the associated public health crisis and its social and economic consequences, it was considered to be appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.
- (11) Directive 2011/16/EU should therefore be amended accordingly.
- (12) Given that Member States need to act within a very short period of time to defer time limits that would otherwise become applicable pursuant to Directive 2011/16/EU, this Directive should enter into force as a matter of urgency,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Directive 2011/16/EU, the following articles are inserted:

'Article 27a

Optional deferral of time limits because of the COVID-19 pandemic

1. Notwithstanding the time limits for filing information on reportable cross-border arrangements as specified in Article 8ab(12), Member States may take the measures necessary to allow intermediaries and relevant taxpayers to file, by 28 February 2021, information on reportable cross-border arrangements the first step of which was implemented between 25 June 2018 and 30 June 2020.
2. Where Member States take measures as referred to in paragraph 1, they shall also take the measures necessary to allow:
 - (a) notwithstanding Article 8ab(18), the first information to be communicated by 30 April 2021;
 - (b) the period of 30 days for filing information referred to in Article 8ab(1) and (7) to begin by 1 January 2021 where:
 - (i) a reportable cross-border arrangement is made available for implementation or is ready for implementation, or where the first step in its implementation has been made between 1 July 2020 and 31 December 2020; or
 - (ii) intermediaries within the meaning of the second paragraph of point 21 of Article 3 provide, directly or by means of other persons, aid, assistance or advice between 1 July 2020 and 31 December 2020;
 - (c) in the case of marketable arrangements, the first periodic report in accordance with Article 8ab(2) to be made by the intermediary by 30 April 2021.

3. Notwithstanding the time limit laid down in point (b) of Article 8(6), Member States may take the measures necessary to allow the communication of information referred to in Article 8(3a) that relates to the calendar year 2019 or another appropriate reporting period to take place within 12 months following the end of the calendar year 2019 or the other appropriate reporting period.

Article 27b

Extension of the period of deferral

1. The Council, acting unanimously on a proposal from the Commission, may take an implementing decision to extend the period of deferral of the time limits set out in Article 27a by three months, provided that severe risks to public health, hindrances and economic disturbance caused by the COVID-19 pandemic continue to exist and Member States apply lockdown measures.

2. The proposal for a Council implementing decision shall be submitted to the Council at least one month before the expiry of the relevant deadline.’.

Article 2

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

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 24 June 2020.

For the Council

The President

A. METELKO-ZGOMBIĆ

RULES OF PROCEDURE

DECISION OF THE EUROPEAN DATA PROTECTION SUPERVISOR

of 15 May 2020

adopting the Rules of Procedure of the EDPS

THE EUROPEAN DATA PROTECTION SUPERVISOR

Having regard to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ⁽¹⁾, and in particular Article 57(1)(q) thereof,

Whereas:

- (1) Article 8 of the Charter of Fundamental Rights of the European Union and Article 16 of the Treaty on the Functioning of the European Union provide that compliance with the rules relating to the protection of individuals with regard to the processing of personal data concerning them shall be subject to control by an independent authority.
- (2) Regulation (EU) 2018/1725 provides for the establishment of an independent authority, referred to as the European Data Protection Supervisor (EDPS), responsible for ensuring that the fundamental rights and freedoms of natural persons, and in particular their right to data protection, with respect to the processing of personal data, are respected by the Union institutions, bodies, offices and agencies.
- (3) Regulation (EU) 2018/1725 also provides for the duties and powers of the EDPS as well as for the appointment of the European Data Protection Supervisor.
- (4) Regulation (EU) 2018/1725 further provides that the European Data Protection Supervisor should be assisted by a Secretariat and lays down a number of provisions concerning staff and budgetary matters.
- (5) Other provisions of Union law also provide for tasks and powers for the EDPS, in particular, Regulation (EU) 2016/679 of the European Parliament and of the Council ⁽²⁾, Directive (EU) 2016/680 of the European Parliament and of the Council ⁽³⁾, Regulation (EU) 2016/794 of the European Parliament and of the Council ⁽⁴⁾, Regulation (EU) 2018/1727 of the European Parliament and of the Council ⁽⁵⁾ and Regulation (EU) 2017/1939 of the European Parliament and of the Council ⁽⁶⁾.
- (6) After consulting the Staff Committee of the EDPS,

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽³⁾ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

⁽⁴⁾ Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53).

⁽⁵⁾ Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138).

⁽⁶⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

HAS ADOPTED THIS DECISION:

TITLE I

MISSION, DEFINITIONS, GUIDING PRINCIPLES AND ORGANISATION

CHAPTER I

Mission and definitions

Article 1

The EDPS

The EDPS shall act in accordance with the provisions of Regulation (EU) 2018/1725, any other relevant Union legal act and this Decision, and follow the strategic priorities which the European Data Protection Supervisor may set out.

Article 2

Definitions

For the purposes of this Decision, the following definitions apply:

- (a) 'the Regulation' means Regulation (EU) 2018/1725;
- (b) 'GDPR' means Regulation (EU) 2016/679;
- (c) 'institution' means a Union institution, body, office or agency subject to the Regulation or to any other Union legal act providing for tasks and powers for the European Data Protection Supervisor;
- (d) 'EDPS' means the European Data Protection Supervisor as a body of the Union;
- (e) 'European Data Protection Supervisor' means the European Data Protection Supervisor appointed by the European Parliament and the Council in accordance with Article 53 of the Regulation;
- (f) 'EDPB' means the European Data Protection Board as a body of the Union established by Article 68(1) of the GDPR;
- (g) 'EDPB' secretariat' means the secretariat of the EDPB established by Article 75 of the GDPR.

CHAPTER II

Guiding principles

Article 3

Good governance, integrity and good administrative behaviour

1. The EDPS shall act in the public's interest as an expert as well as an independent, reliable, proactive and authoritative body in the field of privacy and personal data protection.
2. The EDPS shall act in accordance with the EDPS Ethics Framework.

Article 4

Accountability and transparency

1. The EDPS shall periodically publish its strategic priorities and an Annual Report.

2. The EDPS, as a data controller, shall lead by example in respecting the applicable law on the protection of personal data.
3. The EDPS shall engage openly and transparently with the media and stakeholders and explain its activities to the public in a clear language.

Article 5

Efficiency and effectiveness

1. The EDPS shall use state-of-the-art administrative and technical means to maximise the efficiency and effectiveness in carrying out its tasks, including internal communication and appropriate delegation of tasks.
2. The EDPS shall implement appropriate mechanisms and tools to ensure the highest level of quality management, such as internal control standards, a risk management process and the annual activity report.

Article 6

Cooperation

The EDPS shall promote cooperation among data protection supervisory authorities as well as with any other public authority whose activities may have an impact on privacy and personal data protection.

CHAPTER III

Organisation

Article 7

Role of the European Data Protection Supervisor

The European Data Protection Supervisor shall decide the strategic priorities of the EDPS and adopt the policy documents corresponding to the tasks and powers of the EDPS.

Article 8

EDPS secretariat

The European Data Protection Supervisor shall determine the organisational structure of the EDPS secretariat. Without prejudice to the Memorandum of Understanding between the EDPS and the EDPB of 25 May 2018, in particular relating to the EDPB secretariat, the structure shall reflect the strategic priorities set by the European Data Protection Supervisor.

Article 9

The Director and the Appointing Authority

1. Without prejudice to the Memorandum of Understanding between the EDPS and the EDPB of 25 May 2018, in particular point VI(5) thereof, the Director shall exercise the powers vested in the Appointing Authority within the meaning of Article 2 of the Staff Regulations of officials of the European Union laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽⁷⁾ and the powers vested in who is authorised to conclude contracts of employment within the meaning of Article 6 of the Conditions of Employment of other servants of the European Union laid down by

⁽⁷⁾ Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (Conditions of Employment of Other Servants) (OJ L 56, 4.3.1968, p. 1).

Regulation (EEC, Euratom, ECSC) No 259/68 and any other related powers resulting from other administrative decisions both internal to the EDPS or of an inter-institutional nature, insofar as the decision of the European Data Protection Supervisor on the exercise of the powers vested in the Appointing Authority and in who is authorised to conclude contracts of employment does not provide otherwise.

2. The Director may delegate the exercise of the powers referred to in paragraph 1 to the official responsible for the management of human resources.
3. The Director shall be the reporting officer for the Data Protection Officer, the Local Security Officer, the Local Information Security Officer, the Transparency Officer, the Legal Service Officer, the Ethics Officer and the Internal Control Coordinator for the tasks relating to these functions.
4. The Director shall assist the European Data Protection Supervisor to ensure consistency and overall coordination of the EDPS and on any other tasks delegated to him or her by the European Data Protection Supervisor.
5. The Director may adopt the EDPS decisions on the application of the restrictions based on the EDPS internal rules implementing Article 25 of the Regulation.

Article 10

Management Meeting

1. The Management Meeting shall comprise the European Data Protection Supervisor, the Director and the Heads of Units and Sectors and shall ensure strategic oversight of the work of the EDPS.
2. Where the Management Meeting concerns issues relating to human resources, budget, finance or administrative matters relevant for the EDPB or the EDPB secretariat, it shall also comprise the Head of the EDPB secretariat.
3. The Management Meeting shall be chaired by the European Data Protection Supervisor, or in cases he or she is unable to attend the meeting, by the Director. As a rule, the Management Meeting shall take place once per week.
4. The Director shall ensure the proper functioning of the secretariat of the Management Meeting.
5. The meetings shall not be public. Discussions shall be confidential.

Article 11

Delegation of tasks and deputising

1. The European Data Protection Supervisor may delegate to the Director, where appropriate and in accordance with the Regulation, the power to adopt and sign legally binding decisions, the substance of which has already been determined by the European Data Protection Supervisor.
2. The European Data Protection Supervisor may also delegate, where appropriate and in accordance with the Regulation, to the Director or to the Head of Unit or Head of Sector concerned, the power to adopt and sign other documents.
3. Where powers have been delegated to the Director pursuant to paragraphs 1 or 2, the Director may sub-delegate them to the Head of Unit or Head of Sector concerned.
4. Where the European Data Protection Supervisor is prevented from exercising his or her functions or the post is vacant and no European Data Protection Supervisor has been appointed, the Director, where appropriate and in accordance with the Regulation, shall perform tasks and duties of the European Data Protection Supervisor which are necessary and urgent to ensure business continuity.
5. Where the Director is prevented from exercising his or her functions or the post is vacant and no official has been designated by the European Data Protection Supervisor, the functions of the Director shall be exercised by the Head of Unit or Head of Sector with the highest grade or, in the event of equal grade, by the Head of Unit or Head of Sector with the highest seniority within the grade or, in the event of equal seniority, by the eldest.

6. If there is no Head of Unit or Head of Sector available to exercise the duties of the Director as specified under paragraph 5 and no official has been designated by the European Data Protection Supervisor, the official with the highest grade or, in the event of equal grade, the official with the highest seniority in the grade or, in the event of equal seniority, the one who is eldest, shall deputise.

7. Where any other hierarchical superior is prevented from exercising his/her duties, and no official has been designated by the European Data Protection Supervisor, the Director shall designate an official in agreement with the European Data Protection Supervisor. If no replacement has been designated by the Director, the official in the Unit or Sector concerned with the highest grade, or in the event of equal grade, the official with the highest seniority in the grade or, in the event of equal seniority, the one who is eldest, shall deputise.

8. Paragraphs 1 to 7 shall be without prejudice to the rules concerning delegation in respect of the powers conferred on the Appointing Authority or of the powers concerning financial matters as provided for in Articles 9 and 12.

Article 12

Authorising Officer and Accounting Officer

1. The European Data Protection Supervisor shall delegate the powers of Authorising Officer to the Director in accordance with the charter of tasks and responsibilities concerning budget and administration of the EDPS provided in accordance with Article 72(2) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ⁽⁸⁾.

2. As regards budget matters relating to the EDPB, the Authorising Officer shall exercise his or her function in accordance with the Memorandum of Understanding between the EDPS and the EDPB.

3. The function of Accounting Officer of the EDPS, in accordance with the Decision of the European Data Protection Supervisor of 1 March 2017 ⁽⁹⁾, shall be performed by the Accounting Officer of the Commission.

TITLE II

MONITORING AND ENSURING THE APPLICATION OF THE REGULATION

Article 13

Monitoring and ensuring the application of the Regulation

The EDPS shall guarantee effective protection of rights and freedoms of individuals through monitoring and enforcement of the Regulation and of any other Union legal act providing for tasks and powers for the European Data Protection Supervisor. To that end, in the exercise of the investigative, corrective, authorisation and advisory powers, the EDPS may conduct compliance visits, surveys, bi-monthly visits, informal consultations or facilitate amicable settlements of complaints.

Article 14

Transparency of replies to consultations by institutions on their processing of personal data and to requests for authorisations

The EDPS may publish the replies to consultation by institutions on their processing of personal data in full or in part, taking applicable confidentiality and information security requirements into account. Authorisation decisions shall be published, taking applicable confidentiality and information security requirements into account.

⁽⁸⁾ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

⁽⁹⁾ Decision of the European Data Protection Supervisor (EDPS) of 1 March 2017 on the appointment of the European Commission Accounting Officer as the Accounting Officer of the EDPS.

*Article 15***Data Protection Officers notified by the institutions**

1. A register of the appointments of Data Protection Officers notified to the EDPS by the institutions in accordance with the Regulation shall be kept by the EDPS.
2. The updated list of the Data Protection Officers of the institutions shall be published on the website of the EDPS.
3. The EDPS shall provide guidance to Data Protection Officers, in particular by participating in the meetings organised by the network of the Data Protection Officers of the institutions.

*Article 16***Handling of complaints**

1. The EDPS shall not handle anonymous complaints.
2. The EDPS shall handle complaints submitted in writing, including in electronic form, in any official language of the Union and which provide details necessary for the complaint to be understood.
3. Where a complaint relating to the same facts has been lodged by the complainant with the European Ombudsman, the EDPS shall examine the admissibility of the complaint in accordance with the Memorandum of Understanding between the EDPS and the European Ombudsman.
4. The EDPS shall decide how to handle a complaint taking into account:
 - (a) the nature and gravity of the alleged violations of data protection rules;
 - (b) the importance of the damage that one or more data subjects have or may have suffered as result of the violation;
 - (c) the potential overall importance of the case, also in relation to other public and private interests involved;
 - (d) the likelihood of establishing that the violation has occurred;
 - (e) the exact date on which the underlying events occurred, the conduct in question stopped generating effects, the effects were removed or an appropriate guarantee of such a removal was provided.
5. Where appropriate, the EDPS shall facilitate an amicable settlement of the complaint.
6. The EDPS shall suspend the investigation of a complaint pending a ruling by a court or a decision of another judicial or administrative body on the same matter.
7. The EDPS shall only disclose the identity of the complainant to the extent necessary for the proper conduct of the investigation. The EDPS shall not disclose any document related to the complaint, except for anonymised excerpts or summaries of the final decision, unless the person concerned consents to such disclosure.
8. If required by the circumstances of the complaint, the EDPS shall cooperate with the competent oversight authorities, including competent national supervisory authorities acting within the scope of their respective competences.

*Article 17***Outcome of complaints**

1. The EDPS shall inform the complainant as soon as possible of the outcome of a complaint and of the action taken.
2. Where a complaint is found to be inadmissible or the investigation is discontinued, the EDPS shall, where appropriate, advise the complainant to refer to another competent authority.

3. The EDPS may decide to discontinue an investigation at the request of the complainant. This shall not prevent the EDPS from further investigating the subject matter of the complaint.
4. The EDPS may close an investigation where the complainant has failed to provide the information requested. The EDPS shall inform the complainant about this decision.

Article 18

Review of complaints and judicial remedies

1. Where the EDPS issues a decision on a complaint, the complainant or institution concerned may request that the EDPS review its decision. Such a request shall be made within one month of the decision. The EDPS shall review its decision where the complainant or institution advances new factual evidence or legal arguments.
2. Upon issuing its decision on a complaint, the EDPS shall inform the complainant and the institution concerned that they have the right both to request a review of its decision and to challenge the decision before the Court of Justice of the European Union in accordance with Article 263 of the Treaty on the Functioning of the European Union.
3. Where following a request that it review its decision on a complaint, the EDPS issues a new, revised decision, the EDPS shall inform the complainant and the institution concerned that they may challenge this new decision before the Court of Justice of the European Union in accordance with Article 263 of the Treaty on the Functioning of the European Union.

Article 19

Notification of a personal data breach to the EDPS by institutions

1. The EDPS shall provide a secure platform for the notification of a personal data breach by an institution and implement security measures for the exchange of information regarding a personal data breach.
2. Upon notification the EDPS shall acknowledge receipt to the institution concerned.

TITLE III

LEGISLATIVE CONSULTATION, TECHNOLOGY MONITORING, RESEARCH PROJECTS, COURT PROCEEDINGS

Article 20

Legislative consultation

1. In response to requests from the Commission pursuant to Article 42(1) of the Regulation, the EDPS shall issue opinions or formal comments.
2. The opinions shall be published on the website of the EDPS in English, French and German. Summaries of opinions shall be published in the *Official Journal of the European Union* (C Series). Formal comments shall be published on the website of the EDPS.
3. The EDPS may decline to respond to a consultation where the conditions set out in Article 42 of the Regulation are not met, including where there is no impact on the protection of individuals' rights and freedoms with regard to data protection.
4. Where despite best efforts a joint opinion of the EDPS and the EDPB pursuant to Article 42(2) of the Regulation cannot be issued within the set deadline, the EDPS may issue an opinion on the same matter.

5. Where the Commission shortens a deadline applicable to a legislative consultation pursuant to Article 42(3) of the Regulation, the EDPS shall strive to respect the deadline set in so far as is reasonable and practicable, taking into account in particular the complexity of the subject matter, the length of the documentation and the completeness of the information provided by the Commission.

Article 21

Technology monitoring

The EDPS, in monitoring the development of information and communication technologies insofar as they have an impact on the protection of personal data, shall promote awareness and advise in particular on the principles of data protection by design and data protection by default.

Article 22

Research projects

The EDPS may decide to contribute to the Union's Framework Programmes and to serve on the advisory committees of research projects.

Article 23

Action against institutions for breach of the Regulation

The EDPS may refer the matter to the Court of Justice of the European Union, in case of non-compliance by an institution with the Regulation, in particular where the EDPS has not been consulted in cases provided for by Article 42(1) of the Regulation and in case of failure to effectively respond to enforcement action taken by the EDPS under Article 58 of the Regulation.

Article 24

EDPS intervention in actions brought before the Court of Justice of the European Union

1. The EDPS may intervene in actions brought before the Court of Justice of the European Union in accordance with Article 58(4) of the Regulation, Article 43(3)(i) of Regulation (EU) 2016/794, Article 85(3)(g) of Regulation (EU) 2017/1939, and Article 40(3)(g) of Regulation (EU) 2018/1727.

2. When deciding whether to request leave to intervene or whether to accept an invitation from the Court of Justice of the European Union to do so, the EDPS shall take into account in particular:

- (a) whether the EDPS has been directly involved in the facts of the case in performing its supervisory tasks;
- (b) whether the case raises data protection issues that are either substantial in themselves or decisive to its outcome; and
- (c) whether intervention by the EDPS is likely to affect the outcome of the proceedings.

TITLE IV

COOPERATION WITH NATIONAL SUPERVISORY AUTHORITIES AND INTERNATIONAL COOPERATION

Article 25

EDPS as a member of the European Data Protection Board

The EDPS as a member of the EDPB shall aim to promote the Union perspective, and in particular the shared values referred to in Article 2 of the Treaty of the European Union.

*Article 26***Cooperation with national supervisory authorities under Article 61 of the Regulation**

1. The EDPS shall cooperate with national supervisory authorities and with the joint supervisory authority established under Article 25 of Council Decision 2009/917/JHA ⁽¹⁰⁾ with a view to, in particular:
 - (a) exchanging all relevant information, including best practices, as well as information in relation to requests to exercise monitoring, investigative and enforcement powers by competent national supervisory authorities;
 - (b) developing and maintaining contact with relevant members and staff of the national supervisory authorities.
2. Where relevant, the EDPS shall engage in mutual assistance and take part in joint operations with national supervisory authorities, each acting within the scope of their respective competences as set out in the Regulation, the GDPR and other relevant acts of Union law.
3. The EDPS may take part upon invitation in an investigation by a supervisory authority or invite a supervisory authority to take part in an investigation in accordance with the legal and procedural rules applicable to the inviting party.

*Article 27***International cooperation**

1. The EDPS shall promote best practices, convergence and synergies on the protection of personal data between the European Union and third countries and international organisations, including through participation in relevant regional and international networks and events.
2. Where appropriate, the EDPS shall engage in mutual assistance in the investigative and enforcement actions of supervisory authorities of third countries or international organisations.

TITLE V

GENERAL PROVISIONS*Article 28***Consultation with the Staff Committee**

1. The Staff Committee, representing the staff of the EDPS, including the EDPB secretariat, shall be consulted in good time on draft decisions relating to the implementation of the Staff Regulations of officials of the European Union and the Conditions of Employment of other servants of the European Union laid down by Regulation (EEC, Euratom, ECSC) No 259/68 and may be consulted on any other question of general interest concerning the staff. The Staff Committee shall be informed of any question related to the execution of its tasks. It shall issue its opinions within 10 working days of being consulted.
2. The Staff Committee shall contribute to the good functioning of the EDPS, including the EDPB secretariat by making proposals on organisational matters and working conditions.
3. The Staff Committee shall be composed of three members and three deputies, and elected for a period of two years by all staff of the EDPS, including the EDPB secretariat.

*Article 29***Data Protection Officer**

1. The EDPS shall appoint a Data Protection Officer (DPO).

⁽¹⁰⁾ Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes (OJ L 323, 10.12.2009, p. 20).

2. The DPO shall be consulted, in particular, when the EDPS as controller intends to apply a restriction based on the internal rules implementing Article 25 of the Regulation.
3. In accordance with point IV(2)(viii) of the Memorandum of Understanding between the EDPS and the EDPB, the EDPB has a separate DPO. In accordance with point IV(4) of the Memorandum of Understanding between the EDPS and the EDPB, the DPO of the EDPS and of the EDPB shall meet regularly in order to ensure that their decisions remain consistent.

Article 30

Public access to documents and Transparency Officer of the EDPS

The EDPS shall designate a Transparency Officer to ensure compliance with Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽¹⁾, without prejudice to the handling of public access to documents requests by the EDPB secretariat in accordance with point IV(2)(iii) of the Memorandum of Understanding between the EDPS and the EDPB.

Article 31

Languages

1. The EDPS is committed to the principle of multilingualism, as cultural and linguistic diversity is one of the cornerstones and assets of the European Union. The EDPS strives to find a balance between the principle of multilingualism and the obligation to ensure sound financial management and savings for the budget of the European Union, hence making a pragmatic use of its limited resources.
2. The EDPS shall respond to any person addressing it on a matter falling within its competence in one of the official languages of the European Union in the same language used to address it. All complaints, requests for information and any other requests may be sent to the EDPS in any of the official languages of the European Union, and shall be answered in the same language.
3. The website of the EDPS shall be available in English, French and German. Strategic documents of the EDPS, such as the strategy for the mandate of the European Data Protection Supervisor, shall be published in English, French and German.

Article 32

Support services

The EDPS may enter into cooperation agreements or service level agreements with other institutions, and may participate in inter-institutional calls for tenders resulting in framework contracts with third parties for the provision of support services to the EDPS and the EDPB. The EDPS may also sign contract with external service providers in accordance with the procurement rules applicable to the institutions.

Article 33

Authentication of decisions

1. The decisions of the EDPS shall be authenticated by the apposition of the signature by the European Data Protection Supervisor or the Director as provided for in this Decision. Such signature may be handwritten or in electronic form.
2. In case of delegation or deputising in accordance with Article 11, the decisions shall be authenticated by the apposition of the signature of the person to whom the power has been delegated or of the person deputising. Such signature may be handwritten or in electronic form.

⁽¹⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

*Article 34***Remote working at EDPS and electronic documents**

1. By decision of the European Data Protection Supervisor, the EDPS may implement a system of remote working by all or part of its staff. This decision shall be communicated to the staff and published on the EDPS and EDPB websites.
2. By decision of the European Data Protection Supervisor, the EDPS may determine the conditions of validity of electronic documents, electronic procedures and electronic means of transmission of documents for the EDPS' purposes. This decision shall be communicated to the staff and published on the EDPS website.
3. The Chair of the EDPB shall be consulted where those decisions concern the EDPB Secretariat.

*Article 35***Rules for the calculation of periods, dates and time limits**

The EDPS shall apply the rules for calculation of periods, dates and time limits established under Regulation (EEC, Euratom) No 1182/71 of the Council ⁽¹²⁾.

TITLE VI

FINAL PROVISIONS*Article 36***Supplementary measures**

The European Data Protection Supervisor may further specify the provisions of this Decision by adopting implementing rules and supplementary measures relating to the functioning of the EDPS.

*Article 37***Repeal of Decision 2013/504/EU of the European Data Protection Supervisor**

Decision 2013/504/EU of the European Data Protection Supervisor ⁽¹³⁾ is repealed and replaced by this Decision.

*Article 38***Entry into force**

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

Done at Brussels, 15 May 2020.

For the EDPS

Wojciech Rafał WIEWIÓROWSKI
European Data Protection Supervisor

⁽¹²⁾ Regulation (EEC, Euratom) No 1182/71 of the Council of 3 June 1971 determining the rules applicable to periods, dates and time limits OJ L 124, 8.6.1971, p. 1).

⁽¹³⁾ Decision 2013/504/EU of the European Data Protection Supervisor of 17 December 2012 on the adoption of Rules of Procedure (OJ L 273, 15.10.2013, p. 41).

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