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⁽¹⁾ Text with EEA relevance.

I

(Legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2021/774

of 10 May 2021

amending Regulation (EU) No 389/2012 on administrative cooperation in the field of excise duties as regards the content of electronic registers

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 113 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) Article 19 of Council Regulation (EU) No 389/2012 ⁽³⁾ lays down an obligation for Member States to maintain electronic registers of authorisations of economic operators and tax warehouses that are engaged in moving excise goods under duty suspension arrangements.
- (2) Council Directive (EU) 2020/262 ⁽⁴⁾ extends the use of the computerised system under Decision (EU) 2020/263 of the European Parliament and of the Council ⁽⁵⁾, which is currently used to supervise movements of excise goods under duty suspension, to the supervision of excise goods released for consumption in the territory of one Member State and then moved to the territory of another Member State in order to be delivered for commercial purposes.
- (3) In order to allow for the proper functioning of the computerised system by ensuring storage of complete, up-to-date and accurate data, it is necessary to amend the scope of Article 19 of Regulation (EU) No 389/2012 in order to set out the information that Member States should introduce in the electronic registers in relation to the certified consignors and certified consignees moving excise goods only occasionally.
- (4) Since the objective of this Regulation, namely the specification of the information that Member States should introduce in the electronic registers in relation to the certified consignors and certified consignees moving excise goods only occasionally, cannot be sufficiently achieved by the Member States but can rather, by reason of ensuring

⁽¹⁾ Opinion of 29 April 2021 (not yet published in the Official Journal).

⁽²⁾ Opinion of 27 April 2021 (not yet published in the Official Journal).

⁽³⁾ Council Regulation (EU) No 389/2012 of 2 May 2012 on administrative cooperation in the field of excise duties and repealing Regulation (EC) No 2073/2004 (OJ L 121, 8.5.2012, p. 1).

⁽⁴⁾ Council Directive (EU) 2020/262 of 19 December 2019 laying down the general arrangements for excise duty (OJ L 58, 27.2.2020, p. 4).

⁽⁵⁾ Decision (EU) 2020/263 of the European Parliament and of the Council of 15 January 2020 on computerising the movement and surveillance of excise goods (OJ L 58, 27.2.2020, p. 43).

the harmonised functioning of the computerised system and facilitating the fight against fraud, 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.

- (5) This Regulation respects the fundamental rights and observes the principles which are recognised by the Charter of Fundamental Rights of the European Union, in particular the right to the protection of personal data. In view of the limits set by Regulation (EU) No 389/2012, the processing of such data carried out within the framework of this Regulation does not go beyond what is necessary and proportionate for the purpose of protecting the legitimate fiscal interests of the Member States.
- (6) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁶⁾.
- (7) In order to align the application date of this Regulation with the application date of the provisions of Directive (EU) 2020/262 on automation of movements of excise goods released for consumption in the territory of one Member State and then moved to the territory of another Member State in order to be delivered for commercial purposes in the territory of that other Member State and to allow the Member States adequate time to prepare for the changes resulting from this Regulation, this Regulation should apply from 13 February 2023.
- (8) Regulation (EU) No 389/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 19(2) of Regulation (EU) No 389/2012, the following points are added:

- ‘(l) for certified consignors sending excise goods only occasionally referred to in Article 35(8) of Directive (EU) 2020/262, the quantity of excise goods, the identity of the consignee in the Member State of destination and the period of time for which the temporary certification is valid;
- (m) for certified consignees receiving excise goods only occasionally referred to in Article 35(8) of Directive (EU) 2020/262, the quantity of excise goods, the identity of the consignor in the Member State of dispatch and the period of time for which the temporary certification is valid.’.

Article 2

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

It shall apply from 13 February 2023.

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

Done at Brussels, 10 May 2021.

For the Council
The President
J. BORRELL FONTELLES

⁽⁶⁾ 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 the 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 (OJ L 295, 21.11.2018, p. 39).

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/775

of 11 May 2021

laying down the rules for the application of Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards derogations from the ‘originating products’ rules laid down in the Trade and Cooperation Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Article 58(1) thereof,

Whereas:

- (1) The Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽²⁾ (the Agreement³), was signed, on behalf of the Union, on 29 December 2020.
- (2) Part Two, Title I, Chapter 2 of the Agreement concerns the definition of the concept of ‘originating products’ and methods of administrative cooperation. Annex ORIG-2 (Product-specific rules of origin) to the Agreement sets out a list of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status. Annex ORIG-2A lays down alternative rules that may be applied instead of the rules set out in Annex ORIG-2 (Product-specific rules of origin) for certain products to be considered as originating in the United Kingdom of Great Britain and Northern Ireland or in the Union within the limits of the applicable annual quota.
- (3) Products to which the alternative rules laid down in Annex ORIG-2A apply can be imported into the Union provided they comply with the conditions set out in that Annex.
- (4) In order to ensure their efficient management in respect of the applicable legislation of the Union, the annual quotas set out in Annex ORIG-2A should be managed on the basis of the chronological order of dates of acceptance of customs declarations for release for free circulation in accordance with the rules for the management of tariff quotas laid down in Commission Implementing Regulation (EU) 2015/2447 ⁽³⁾.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ OJ L 444, 31.12.2020, p. 14.

⁽³⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

- (5) Pursuant to Article 12 of Council Decision (EU) 2020/2252 ^(*), 'the Agreement' is to be applied on a provisional basis as from 1 January 2021. In order to ensure the effective management and timely application of the origin quotas set out in Annex ORIG-2A to the Agreement, this Regulation should apply from that date.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The derogations set out in Annex ORIG-2A of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (the 'Agreement'), shall apply, in the case of the products listed in the Annex and imported into the Union, within the limits of the quotas set out therein.

Article 2

The quotas set out in the Annex shall be managed in accordance with Articles 49 to 54 of Implementing Regulation (EU) 2015/2447.

Article 3

To benefit from the quotas set out in the Annex, where the preferential [tariff] treatment is claimed on the basis of a statement on origin, that statement on origin shall be drawn up in accordance with Article ORIG.19 of the Agreement and contain the following additional statement in English: 'Origin quotas – Product originating in accordance with Annex ORIG-2A'.

Article 4

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

It shall apply from 1 January 2021.

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

Done at Brussels, 11 May 2021.

For the Commission
The President
Ursula VON DER LEYEN

^(*) Council Decision (EU) 2020/2252 of 29 December 2020 on the signing, on behalf of the Union, and on provisional application of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information (OJ L 444, 31.12.2020, p. 2).

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the scope of the preferential scheme shall be determined, within the context of this Annex, by the CN codes as set out in Annex I to Council Regulation (EEC) No 2658/87 ⁽¹⁾, as amended by Commission Implementing Regulation (EU) 2020/1577 ⁽²⁾, and by the description of the product in the third column of the table in this Annex, taken together.

Order No	CN Code	Description of products	Quota period	Volume (net weight)
09.6002	1604 14	Prepared or preserved tunas, skipjack and bonito (Sarda spp.), whole or in pieces (excl. minced)	From 1.1 to 31.12 (from the year 2021 onwards)	3 000 tonnes
09.6004	1604 20 70	Other prepared or preserved tunas, skipjack or other fish of the genus Euthynnus (excl. whole or in pieces)	From 1.1 to 31.12 (from the year 2021 onwards)	4 000 tonnes
09.6006	7603 7604 7606 7608 to 7616 7605 7607	Aluminium products and articles of aluminium (excluding aluminium wire and aluminium foil) Aluminium wire Aluminium foil	From 1.1 to 31.12 (for the years 2021, 2022 and 2023)	95 000 tonnes
09.6006	7603 7604 7606 7608 to 7616 7605 7607	Aluminium products and articles of aluminium (excluding aluminium wire and aluminium foil) Aluminium wire Aluminium foil	From 1.1 to 31.12 (for the years 2024, 2025 and 2026)	72 000 tonnes
09.6006	7604 7606 7607	Aluminium bars, rods and profiles; Aluminium plates, sheets and strip, of a thickness exceeding 0,2 mm; Aluminium foil	From 1.1 to 31.12 (from the year 2027 onwards)	57 500 tonnes

⁽¹⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) 2020/1577 of 21 September 2020 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 361, 30.10.2020, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/776**of 11 May 2021****establishing templates for certain forms as well as technical rules for the effective exchange of information under Regulation (EU) 2018/1672 of the European Parliament and of the Council on controls on cash entering or leaving the Union**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005 ⁽¹⁾, and in particular Article 16(1)(a), (c), (d) and (e) thereof,

Whereas:

- (1) Regulation (EU) 2018/1672 provides for a system of controls with respect to accompanied or unaccompanied cash of a value of EUR 10 000 or more entering or leaving the Union, to complement the legal framework for the prevention of money laundering and terrorist financing laid down in Directive (EU) 2015/849 of the European Parliament and of the Council ⁽²⁾.
- (2) In addition to the data elements listed in Article 3(2) and Article 4(2) of Regulation (EU) 2018/1672, the following specific data elements should be included in the relevant form to identify the carrier, the declarant, the owner, the sender or the recipient, as the case may be: personal identification numbers and gender for natural persons, economic operators registration and identification numbers, name of register and registration country for legal persons, country of issue and date of issue for identification documents, telephone number and email address as contact details, reference number and transport company for means of transport. The inclusion of those data elements is necessary in order to reduce the risk of errors regarding identity and of delays in case of subsequent verification, as well as for the purposes of risk analysis and to improve the efficacy of the common risk management framework referred to in Article 5(4) of Regulation (EU) 2018/1672.
- (3) In order to address cases where there are multiple owners, recipients or intended recipients or different types of cash, and the space available on the declaration form or the disclosure form is not sufficient, declarants should be required to use additional sheets to be attached to the form as an integral part of it. To ensure a harmonised approach as regards the application of controls and the processing, transmission and analysis of declarations by competent authorities across the Member States, it is appropriate to establish templates for the additional sheets.
- (4) In order for competent authorities to transmit the information referred to in Article 10(3) of Regulation (EU) 2018/1672, to the competent authorities of the other Member States and where applicable to the Commission, the European Public Prosecutor's Office and Europol, where they are competent to act, the template for the form for the transmission of such information should be established. The purpose of that form is to ensure the accurate and uniform collection and effective transmission of information obtained under Article 5(3), Article 6(1) or Article 6(2) of Regulation (EU) 2018/1672 and of declarations obtained under Article 3 or 4 of that Regulation, where there are indications that the cash is related to criminal activity. Moreover the form should be used for the transmission of anonymised risk information and risk analysis results, referred to in Article 10(1)(d) of that Regulation.
- (5) Due to the different content of the information to be transmitted and the different frequency of transmission, the form should consist of two parts. The first part of the form is intended for the transmission of information under points (a), (b) and (c) of Article 10(1) of Regulation. As an integral part of that form for official use, competent authorities should, depending on the factual circumstances, also transmit an *ex officio* declaration composed pursuant to Article 5(3), the recording of information under Article 6(1) or Article 6(2) of Regulation (EU) 2018/1672, and the declarations obtained under Articles 3 and 4 of that Regulation when there are indications that

⁽¹⁾ OJ L 284, 12.11.2018, p. 6.

⁽²⁾ Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73).

cash is related to criminal activity. In order to ensure the uniform recording of information under Article 6(1) or Article 6(2) of that Regulation, competent authorities should also use the same forms to record the necessary details. The second part of the form is intended for the periodic transmission of anonymised risk information and risk analysis results under Article 10(1)(d) of Regulation (EU) 2018/1672.

- (6) In order to establish the technical transmission by electronic means of the information referred to in Article 9(1) of Regulation (EU) 2018/1672 from the competent authorities of each Member State to the Financial Intelligence Unit of the respective Member State, it is necessary to lay down technical rules for the seamless exchange of information via the Customs Information System (CIS) established under Council Regulation (EC) No 515/97 ⁽³⁾. Those rules aim at reducing the administrative burden for Member States. The same rules should apply for the transmission of the information referred to in Article 10(1)(a), (b) and (c) of Regulation (EU) 2018/1672. The transmission of anonymised risk information and risk analysis results referred to in Article 10(1)(d) of Regulation (EU) 2018/1672, should be carried out also via the CIS in accordance with Regulation (EC) No 515/97.
- (7) In order to enable the competent authorities of each Member State to transmit to the Commission anonymised statistical information regarding declarations, controls and infractions referred to in Article 18(1)(c) of Regulation (EU) 2018/1672, rules should be laid down. For the purposes of Regulation (EU) 2018/1672, the act of making the relevant information available electronically to the Commission should be considered sufficient exchange of the information, without requiring the adoption of the format referred to in Article 16(1)(e) of Regulation (EU) 2018/1672.
- (8) Considering that Regulation (EU) 2018/1672 is to apply from 3 June 2021, this Regulation should apply from the same date.
- (9) Where it is necessary for the purposes of this Regulation to process personal data, this should be carried out in accordance with applicable Union law on the protection of personal data. Any processing of personal data based on this Regulation is subject to Regulations (EU) 2016/679 ⁽⁴⁾ and (EU) 2018/1725 ⁽⁵⁾ of the European Parliament and of the Council, as regards processing by Member States' competent authorities and processing in the CIS, respectively.
- (10) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on 12 February 2021.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Cash Controls Committee, established by Regulation (EU) 2018/1672,

HAS ADOPTED THIS REGULATION:

Article 1

Declaration form

The declaration form referred to in Article 3(3) of Regulation (EU) 2018/1672 ('declaration form') shall comply with the template set out in Part 1 of Annex I to this Regulation and shall be completed in accordance with the notes on completion specified therein.

⁽³⁾ Council Regulation (EC) No 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters (OJ L 82, 22.3.1997, p. 1).

⁽⁴⁾ 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).

⁽⁵⁾ 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 the 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 (OJ L 295, 21.11.2018, p. 39).

*Article 2***Disclosure form**

The disclosure form referred to in Article 4(3) of Regulation (EU) 2018/1672 ('disclosure form') shall comply with the template set out in Part 2 of Annex I to this Regulation and shall be completed in accordance with the notes on completion specified therein.

*Article 3***Additional sheets to the forms**

Where the space available on the declaration form or the disclosure form, as the case may be, is not sufficient, additional sheets as in the templates set out in Part 3 or Part 4 of Annex I, respectively, shall be used. Where additional sheets are attached to a declaration or a disclosure form, they shall be deemed to be an integral part of it.

*Article 4***Forms for official use**

1. Competent authorities shall use the form for official use as in the template set out in Part 1 of Annex II to this Regulation to record and transmit the information referred to in Article 10(1)(a), (b) and (c) of Regulation (EU) 2018/1672.
2. Where the obligation to declare accompanied cash under Article 3 of Regulation (EU) 2018/1672 or the obligation to disclose unaccompanied cash under Article 4 of that Regulation has not been fulfilled and competent authorities are required, pursuant to Article 5(3) of that Regulation, to compose an ex officio declaration, they shall use the template set out in Part 1 or Part 2 of Annex I to this Regulation and, if needed in accordance with Article 3 of this Regulation, the template set out in Part 3 or Part 4 of that Annex, respectively. A declaration composed pursuant to this paragraph shall be attached to and transmitted with the form for official use referred to in paragraph 1.
3. Where the competent authorities detect a carrier with an amount of cash below the threshold referred to in Article 3 of Regulation (EU) 2018/1672 and there are indications that the cash is related to criminal activity, the competent authorities shall use the template set out in Part 1 of Annex I to this Regulation and, if needed in accordance with Article 3 of this Regulation, the template set out in Part 3 of that Annex to record this information. The recording of information pursuant to this paragraph shall be attached to and transmitted with the form for official use referred to in paragraph 1.
4. Where the competent authorities find that unaccompanied cash below the threshold referred to in Article 4 of Regulation (EU) 2018/1672 is entering or leaving the Union and that there are indications that the cash is related to criminal activity, the competent authorities shall use the template set out in Part 2 of Annex I to this Regulation and, if needed in accordance with Article 3 of this Regulation, the template set out in Part 4 of that Annex to record this information. The recording of information, pursuant to this paragraph shall be attached to and transmitted with the form for official use referred to in paragraph 1.
5. Where the competent authorities find that for a declaration obtained under Article 3 or 4 of Regulation (EU) 2018/1672 there are indications that the cash is related to criminal activity, the competent authorities shall attach the declaration to and transmit it with the form for official use referred to in paragraph 1.
6. Competent authorities shall use the form for official use for the transmission of anonymised risk information and risk analysis results, as in the template set out in Part 2 of Annex II to this Regulation to record the anonymised risk information and risk analysis results referred to in Article 10(1)(d) of Regulation (EU) 2018/1672.

*Article 5***Exchange of information via the Customs Information System**

1. The competent authorities shall transmit the information recorded in accordance with Articles 3 and 4, Article 5(3) and Article 6 of Regulation (EU) 2018/1672 to the Customs Information System (CIS) in any of the following manners:
 - (a) by manually entering the information via the CIS user web interface;

- (b) by exporting the information from the national system(s) and importing it into the CIS using the CIS XML data format;
 - (c) by connecting the national system(s) directly to CIS via a system to system interface provided by the CIS.
2. The competent authorities shall transmit the information referred to in Article 9(1) of Regulation (EU) 2018/1672 to the Financial Intelligence Unit (FIU) of the Member State in which it was obtained by transmitting it to the CIS in accordance with paragraph 1.
 3. The competent authorities shall transmit the information referred to in Article 10(1)(a), (b) and (c) of Regulation (EU) 2018/1672 to the other Member States by transmitting it to the CIS in accordance with paragraph 1.
 4. The competent authorities shall transmit the anonymised risk information and risk analysis results referred to in Article 10(1)(d) of Regulation (EU) 2018/1672 electronically via the CIS to the competent authorities of the other Member States.
 5. The competent authorities shall make available the information referred to in Article 10(1) of Regulation (EU) 2018/1672 to the recipients referred to in Article 10(2) of that Regulation, by transmitting it to the CIS in accordance with paragraphs 3 and 4 of this Article, respectively, where there are indications that the cash is related to criminal activity which could adversely affect the financial interests of the Union.
 6. The date of the electronic transmission in accordance with the paragraphs 1, 2, 3 and 4 of this Article shall be considered to be the date of transmission of the information for the purposes of Article 9(3) and Article 10(4) and (5) of Regulation (EU) 2018/1672.

Article 6

Anonymised statistical information

1. The data source for the anonymised statistical information shall be the declarations, the disclosure declarations, ex officio declarations in accordance with Article 5(3) of Regulation (EU) 2018/1672, the recordings in accordance with Article 6 of that Regulation and any other information available in the CIS.
2. The transmission of the information to the CIS in a way as to make it available to the Commission shall be considered as transmission of the relevant information as provided for in Article 18(1)(c) of Regulation (EU) 2018/1672.
3. Member States shall ensure that they have transmitted to the CIS information on all declarations, controls and infractions in the reference period in question and they shall notify immediately the Commission in case that data in the CIS are subject to a revision.

Article 7

Entry into force and application

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

It shall apply from 3 June 2021.

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

Done at Brussels, 11 May 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

PART 1

	CASH DECLARATION			
	Article 3 of Regulation (EU) 2018/1672			
	For official use		Reference number	

1. I am	☐ entering the European Union (EU) ☐ leaving the EU			
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2. Details of the carrier of the cash				
First name(s)			Nationality	
Last name(s)			Personal identification number*	
Gender	☐ male ☐ female ☐ other		Address Street* and number *	street number
Date of birth	DD MM YYYY		Town	
Place of birth	town	country	Postal / ZIP code*	
ID document	☐ passport ☐ ID card ☐ other(specify) _____		Country	
ID document number			Telephone number*	
Country of issue			Email address*	
Date of issue	DD MM YYYY			

3. Transport details				
Country of first departure			Departure date	DD MM YYYY
Country of final destination			Arrival date	DD MM YYYY
Via (transit country/-ies)*			Transit date*	DD MM YYYY
Means of transport	☐ AIR (specify) ☐ commercial flight ☐ private jet ☐ other		☐ SEA / FLUVIAL (specify) ☐ commercial vessel ☐ yacht ☐ cruise ☐ other	☐ RAIL ☐ ROAD (specify) ☐ truck ☐ bus ☐ car ☐ other
Itinerary of transport	Name/place of the first airport/port/train station of departure			
	Name/place of the final airport/port/train station of arrival			
	Name/place of the airport/port/train station of transit			
	Land border crossing point (only by road)			
Reference number (e.g. flight number, ship identification, train number, country code and license plate)				
Transport company*				

4. Details of cash					
Currency (banknotes and coins)	Value		Currency	Value	Currency
	1)			3)	
	2)			4)	
Bearer negotiable instruments	Type of bearer negotiable instrument			Value	Currency
Commodities used as highly-liquid stores of value (i.e. gold)	Type	Quantity	Total weight (in grams)	Value	Currency

*If applicable or available. If not applicable or available, indicate 'N/A'.

5. Economic provenance and intended use of the cash (more than one option is possible in each Subsection 5.A and 5.B)	
5.A. Economic provenance (This Subsection is filled in when there is only one owner. If there is more than one owner, the information must be filled in using additional sheets. In this case, tick 'other' and specify 'additional sheets') ☐ Labour profits (income, retirement, income from entrepreneurship etc.) ☐ Capital profits (dividends, investment profits, interest, insurance etc.) ☐ Sale of real estate property ☐ Sale of moveable property ☐ Loan granted by a natural person ☐ Loan granted by a legal entity (credit institution, bank or company) ☐ Lottery / gambling ☐ Gift / donation ☐ Inheritance ☐ Other (specify) _____	5.B. Intended use (This Subsection is filled in when there is only one intended recipient. If there is more than one intended recipient, the information must be filled in using additional sheets. In this case, tick 'other' and specify 'additional sheets') ☐ Labour expenses (salary payments, investment business etc.) ☐ Capital investment (deposits to bank account, insurance payments etc.) ☐ Funds for purchasing real estate ☐ Funds for purchasing moveable property ☐ Repayment of loan granted by a natural person ☐ Repayment of loan granted by a legal entity (credit institution, bank or company) ☐ Lottery / gambling ☐ Charity ☐ Cash to shipmaster/ board cash ☐ Vacation / recreation ☐ Transfer of cash by professional cash couriers (currency exchange companies) ☐ Transfer of cash by professional cash couriers (other) ☐ Other (specify) _____

6. Owner of the cash: Are you the sole owner of the cash?	7. Intended recipient of the cash: Are you the sole intended recipient of the cash?
☐ Yes, I am the sole owner → Go to Section 7	☐ Yes, I am the sole intended recipient for all cash → Go to Section 8
☐ No, the sole owner is another natural person → Fill in Subsection 6.A	☐ No, the sole intended recipient is the sole owner → Go to Section 8
☐ No, the sole owner is a legal person → Fill in Subsection 6.B	☐ No, the sole intended recipient is another natural person → Fill in Subsection 7.A
☐ No, there is more than one owner → Fill in the total number of owners below and use additional sheets to fill in their details. Go to Section 7.	☐ No, the sole intended recipient is a legal person → Fill in Subsection 7.B
☐ No, there is more than one intended recipient → Fill in the total number of intended recipients below and use additional sheets to fill in their details. Go to Section 8.	
Total number of owners: 	Total number of intended recipients:
6.A. Sole owner is a natural person	7.A. Sole intended recipient is a natural person
First name(s) 	First name(s)
Last name(s) 	Last name(s)
Gender ☐ male ☐ female ☐ other	Gender ☐ male ☐ female ☐ other
Date of birth DD MM YYYY	Date of birth DD MM YYYY
Place of birth town country 	Place of birth town country
ID document ☐ passport ☐ ID card ☐ other(specify) _____	ID document ☐ passport ☐ ID card ☐ other(specify) _____
ID document number 	ID document number
Country of issue 	Country of issue
Date of issue DD MM YYYY	Date of issue DD MM YYYY
Nationality 	Nationality
Personal identification number* 	Personal identification number*
Address Street* and number* street number 	Address Street* and number* street number
Town 	Town
Postal / ZIP code* 	Postal / ZIP code*
Country 	Country
Telephone number* 	Telephone number*
Email address* 	Email address*

*If applicable or available. If not applicable or available, indicate 'N/A'.

6.B. Sole owner is a legal person				7.B. Sole intended recipient is a legal person			
Name				Name			
Registration number				Registration number			
Name of register				Name of register			
Registration country				Registration country			
VAT identification number*				VAT identification number*			
Economic Operators Registration and Identification (EORI) number *				Economic Operators Registration and Identification (EORI) number *			
Address		street		Address		street	
Street* and number*		number		Street* and number *		number	
Town				Town			
Postal / ZIP code*				Postal / ZIP code*			
Country				Country			
Telephone number *				Telephone number *			
Email address*				Email address*			
8. Signature				For official use			
I declare that all the details provided are correct. I understand that if the information provided is incorrect or incomplete, the obligation to declare shall not be deemed fulfilled and I am liable to penalties according to the applicable national legislation.				Signature and stamp of the competent authority			
Signature							
Name of the signee:							
Date	DD MM YYYY			Customs declaration: ☐ Yes ☐ No			
Place	Town		Country	Customs declaration number:			
Total number of additional sheets used			Endorsed copy requested	☐ Yes		Customs office that performed the control:	

*If applicable or available. If not applicable or available, indicate 'N/A'.

NOTES ON COMPLETION

GENERAL INFORMATION

The obligation to declare cash on entering or leaving the EU is part of the EU's strategy to prevent money laundering and to fight terrorism financing. This declaration form must be completed when entering or leaving the EU and carrying EUR 10 000 or more (or the equivalent in other currencies) in cash (Article 3 of Regulation (EU) 2018/1672 of the European Parliament and of the Council).

If incorrect or incomplete information is provided, or if the cash is not made available for control, the carrier is not considered to have met their obligation and is liable to penalties under the applicable national legislation.

Information and personal data shall be recorded and processed by the competent authorities and shall be made available to the Financial Intelligence Unit (FIU) in accordance with Article 9 of Regulation (EU) 2018/1672. In the cases referred to in Articles 10 and 11 of that Regulation, the data will also be made available to the authorities mentioned there. The competent authorities of the Member State where the declaration is submitted act as controllers of the personal data obtained and will keep personal data collected in line with Article 13 of Regulation (EU) 2018/1672, by default for 5 years. The processing of personal data takes place only for the purposes of the prevention and fight against criminal activities. For complete information, including on your rights, see attached privacy statement/ link to Member State data protection online information.

EXPLANATION OF USED TERMS IN ACCORDANCE WITH REGULATION (EU) 2018/1672

Carrier means any natural person entering or leaving the EU carrying cash on their person, in their luggage or in their means of transport.

Currency means banknotes and coins that are in circulation as a medium of exchange or that have been in circulation as a medium of exchange and can still be exchanged through financial institutions or central banks for banknotes and coins that are in circulation as a medium of exchange.

Bearer-negotiable instruments means instruments other than currency, which entitle their holders to claim a financial amount upon presentation of the instruments without having to prove their identity or entitlement to that amount. Those instruments are:

- (a) traveller's cheques; [and]
- (b) cheques, promissory notes or money orders that are either in bearer form, signed but with the payee's name omitted, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery.

Commodities used as highly-liquid stores of value

- (a) coins with a gold content of at least 90 %; [and]
- (b) bullion such as bars, nuggets or clumps with a gold content of at least 99,5 %.

- **All fields in the form are mandatory fields and must be completed. Fields in the form marked with an asterisk (*) must be completed, where applicable or available.**
- **All parts in white must be completed in block capital letters and dark ink. Forms must not contain crossing out, overwritten words or other alterations.**
- **The parts marked 'for official use' must remain blank.**
- **Personal identification number (i.e. personal tax, social security or similar unique personal identification number), address, postal code / ZIP code, telephone number and email address must be filled in, if applicable. If not applicable, indicate 'N/A' instead.**
- **Value Added Tax (VAT) number and Economic operator registration and identification Number (EORI Number -which is a unique number, across the EU, assigned by a customs authority in a Member State to economic operators involved in customs activities) must be filled in where available. If not available indicate 'N/A'.**

- **Where information is not known to the carrier, indicate ‘unknown’.**
- **The form must be completed in one of the official languages of the EU accepted by the competent authorities of the Member State where the declaration is made.**

Section 1: Entering or leaving the EU

Tick the appropriate box to indicate if the carrier is entering or leaving the EU. A declaration on entering and on leaving, is required also if transiting through the EU.

Section 2: Details of the carrier of the cash

The carrier's personal data must be filled in this section as they appear on their ID document.

Where the carrier of the cash is not legally capable of signing the declaration, the declaration is submitted by the carrier's legal representative.

Section 3: Transport details

Information on the country of first departure, the country of final destination and the means of transport must be provided. Information on the transit country or countries through which the carrier transfers cash and the transport company must be specified, if applicable.

- Tick box 'Air' if entering or leaving the EU by aircraft. The type of aircraft (commercial flight, private jet, other) must be provided. The flight number or aircraft registration number (in case of a private jet) must be provided in field 'Reference number'.
- Tick box 'Sea / Fluvial' if entering or leaving the EU by sea or river. The type of vessel (commercial vessel, yacht or other) must be provided. The vessel's name must be provided in field "Reference number" and shipping line details must be provided under "Transport company".
- Tick box 'Road' if entering or leaving the EU by any kind of motorised road vehicle. The type of road transport (truck, car, bus, other) must be provided. The country code and licence plate of the vehicle must be provided in the field 'Reference number'.
- Tick box 'Rail' if entering or leaving the EU by train. The train number must be provided in the field 'Reference number' and the train company must be provided under 'Transport company'.
- Tick box 'Other' if none of the other transport modes is used and specify the type of transport (e.g. pedestrian traffic, bicycle).

Section 4: Details of the cash

The total amount of cash carried by the carrier must be filled in this section. 'Cash' is defined under 'General Information'. At least one of the options [(i) currency; (ii) bearer-negotiable instruments or (iii) commodities used as highly-liquid stores of value] must be filled in.

If there is insufficient space on the declaration form, the additional sheets must be used to provide the details of the cash. All information provided constitutes a single declaration and all additional sheets must be numbered and signed.

Section 5: Economic provenance and intended use of the cash

Subsection 5.A must always be filled in if the carrier is a sole owner or if there is only one owner to indicate the relevant economic provenance.

Subsection 5.B must always be filled in if the carrier is also the sole owner and the sole intended recipient or where there is only one recipient to indicate the intended use of the cash.

It is possible to select more than one option in each Subsection. If no option is applicable, tick box 'other' and specify the details.

If there is more than one owner or more than one intended recipient, the relevant information about the economic provenance and intended use of the cash for the owners and/or intended recipients must be filled in on additional sheets as mentioned below. In this case, tick box 'other' and specify 'additional sheets'.

Section 6: Owner of the cash

One owner only

If the carrier is the sole owner of the cash, tick the appropriate box and continue to Section 7.

If the carrier is not the sole owner, specify whether the sole owner is another natural person or a legal person and tick the appropriate box. The details must be filled in Subsection 6.A (for a natural person) or Subsection 6.B (for a legal person) and continue to Section 7. If the carrier is a natural person, the personal details must be filled in as they appear on their ID document.

More than one owner

If there is more than one owner, the total number of owners must be filled in the appropriate box. For each additional owner separate additional sheets must be filled in giving their details, the amount of cash owned and its economic provenance and its intended use. If the carrier is one of the owners, an additional sheet must be filled in for them as well, with the amount of cash owned by the carrier and its economic provenance and its intended use. All information provided constitutes a single declaration and all additional sheets must be numbered and signed.

Section 7: Intended recipient of the cash**One intended recipient only**

Indicate whether the carrier is the sole intended recipient of the cash. If that is the case, tick the appropriate box and continue to Section 8.

If the carrier is not the sole intended recipient, tick the appropriate box to specify if the sole intended recipient is another natural person or a legal person. The information must be filled in Subsection 7.A (for a natural person) or Subsection 7.B (for a legal person) and continue to Section 8. In case of natural person, the personal data must be filled in as they appear on their ID document.

More than one intended recipient

If there is more than one intended recipient, the total number of intended recipients must be filled in the appropriate box. For each intended recipient separate additional sheets must be filled in giving the details of each intended recipient, the amount of cash to be received and its intended use. If the carrier is one of the intended recipient an additional sheet must be filled in for them as well, including the amount of cash received by the carrier and its intended use. All information provided constitutes a single declaration and all additional sheets must be numbered and signed.

Section 8: Signature

Enter the date, place and name and sign the declaration form. Indicate the total number of additional sheets used. If none has been used, indicate zero (0). The carrier can tick the appropriate box to request an endorsed copy of the declaration.

PART 2

	CASH DISCLOSURE DECLARATION Article 4 of Regulation (EU) 2018/1672	
	For official use	Reference number

1. Cash is	☐ entering the European Union (EU) ☐ leaving the EU
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2. Details of the declarant					
First name(s)			Nationality		
Last name(s)			Personal identification number*		
Gender	☐ male ☐ female ☐ other		Address Street *and number*	street	number
Date of birth	DD MM YYYY		Town		
Place of birth	town	country	Postal / ZIP code*		
ID document	☐ passport ☐ ID card ☐ other(specify)	Country			
ID document number			Telephone number*		
Country of issue			Email address*		
Date of issue	DD MM YYYY				

3. Details of the cash					
Currency (banknotes and coins)	Value		Currency	Value	Currency
	1)			3)	
	2)			4)	
Bearer negotiable instruments	Type of bearer negotiable instrument			Value	Currency
Commodities used as highly-liquid stores of value (i.e. gold)	Type	Quantity	Total weight (in grams)	Value	Currency

4. Relationship to the unaccompanied cash (more than one option is possible)	
Are you the sender?	☐ Yes → Skip Section 5
Are you the sole recipient?	☐ Yes → Skip Section 6
Are you the sole owner?	☐ Yes → Skip Section 7
Are you the representative of the sender?	☐ Yes → Fill in all sections
Are you the representative of the recipient?	☐ Yes → Fill in all sections

*If applicable or available. If not applicable or available, indicate 'N/A'.

5. Sender of the cash					
The sender is a:		☐ Natural person → Fill in Subsection 5.A		☐ Legal person → Fill in Subsection 5.B	
5.A. The sender is a natural person			5.B. The sender is a legal person		
First name(s)			Name		
Last name(s)			Registration number		
Gender	☐ male ☐ female ☐ other		Name of register		
Date of birth	DD MM YYYY		Registration country		
Place of birth	town	country	VAT identification number*		
ID document	☐ passport	☐ ID card	☐ other(specify) _____	Economic Operators Registration and Identification (EORI) number*	
ID document number			<u>Address</u> Street* and number*	street	number
Country of issue			Town		
Date of issue	DD MM YYYY		Postal / ZIP code*		
Nationality			Country		
Personal identification number*			Telephone number*		
<u>Address</u> Street* and number*	street	number	Email address*		
Town					
Postal / ZIP code*					
Country					
Telephone number*					
Email address*					

*If applicable or available. If not applicable or available, indicate 'N/A'.

6. Recipient or intended recipient of the cash					
Is there a sole recipient?	☐ Yes, the sole recipient is a natural person		→ Fill in Subsection 6.A		
	☐ Yes, the sole recipient is a legal person		→ Fill in Subsection 6.B		
	☐ No, there is more than one recipient or intended recipient		→ Fill in the total number of recipients (or intended recipients) and use additional sheets to fill in their details		Total number of recipients (or intended recipients)
6.A. The sole recipient is a natural person			6.B. The sole recipient is a legal person		
First name(s)			Name		
Last name(s)			Registration number		
Gender	☐ male ☐ female ☐ other		Name of register		
Date of birth	DD MM YYYY		Registration country		
Place of birth	town	country	VAT identification number*		
ID document	☐ passport	☐ ID card	☐ other(specify) _____	Economic Operators Registration and Identification (EORI) number*	
ID document number			Address Street* and number*	street	number
Country of issue			Town		
Date of issue	DD MM YYYY		Postal / ZIP code*		
Nationality			Country		
Personal identification number*			Telephone number*		
Address Street* and number*	street	number	Email address*		
Town					
Postal / ZIP code*					
Country					
Telephone number*					
Email address*					

*If applicable or available. If not applicable or available, indicate 'N/A'.

7. Owner of the cash									
Is there a sole owner?	☐ Yes, the sole owner is the sender				→ Continue to Section 8				
	☐ Yes, the sole owner is the sole recipient				→ Continue to Section 8				
	☐ Yes, the sole owner is another natural person				→ Fill in Subsection 7.A				
	☐ Yes, the sole owner is another legal person				→ Fill in Subsection 7.B				
	☐ No, there is more than one owner				→ Fill in the total number of owners and use additional sheets to fill in their details				Total number of owners
7.A. Sole owner is a natural person					7.B. Sole owner is a legal person				
First name(s)					Name				
Last name(s)					Registration number				
Gender		☐ male ☐ female ☐ other			Name of register				
Date of birth		DD MM YYYY			Registration country				
Place of birth		town	country		VAT identification number*				
ID document		☐ passport	☐ ID card	☐ other(specify) _____	Economic Operators Registration and Identification (EORI) number*				
ID document number					Address Street* and number*		street	number	
Country of issue					Town				
Date of issue		DD MM YYYY			Postal /ZIP code*				
Nationality					Country				
Personal identification number*					Telephone number*				
Address Street* and number*		street	number		Email address*				
Town									
Postal /ZIP code*									
Country									
Telephone number*									
Email address*									

*If applicable or available. If not applicable or available, indicate 'N/A'.

8. Economic provenance and intended use of the cash (more than one option is possible in Subsection 8.A and 8.B)

8.A. Economic provenance (this Subsection is filled in when there is only one owner. If there is more than one owner, the information must be filled in using additional sheets. In this case, tick 'other' and specify 'additional sheets')

- ☐ Labour profits (income, retirement, income from entrepreneurship etc.)
- ☐ Capital profits (dividends, investment profits, interest, insurance etc.)
- ☐ Sale of real estate property
- ☐ Sale of moveable property
- ☐ Loan granted by a natural person
- ☐ Loan granted by a legal entity (credit institution, bank or company)
- ☐ Lottery / gambling
- ☐ Gift / donation
- ☐ Inheritance
- ☐ Shipment between financial institutions
- ☐ Other (specify) _____

8.B. Intended use (this Subsection is filled in when there is only one recipient. If there is more than one recipient, the information must be filled in on additional sheets. In this case, tick 'other' and specify 'additional sheets')

- ☐ Labour expenses (salary payments, investment business etc.)
- ☐ Capital investment (deposits to bank account, insurance payments etc.)
- ☐ Funds for purchasing real estate
- ☐ Funds for purchasing moveable property
- ☐ Repayment of loan granted by a natural person
- ☐ Repayment of loan granted by a legal entity (credit institution, bank or company)
- ☐ Lottery / gambling
- ☐ Charity
- ☐ Cash to shipmaster/ board cash
- ☐ Shipment between financial institutions
- ☐ Other (specify) _____

9. Signature

I declare that all the details provided are correct. I understand that if the information provided is incorrect or incomplete, the obligation to disclose shall not be deemed fulfilled and I am liable to penalties according to the applicable national legislation.

Date	DD MM YYYY	
Place	town	country
Total number of additional sheets used		
Endorsed copy requested	☐ Yes	

Signature

Name of the signee

For official use

Type of transport	☐ postal package ☐ courier package ☐ air cargo ☐ sea cargo ☐ road cargo ☐ rail cargo ☐ other	Signature and stamp of the competent authority
Country of departure		
Country of destination		
Customs declaration	☐ Yes ☐ No	
Customs declaration number		
Customs office that carried out the control		

*If applicable or available. If not applicable or available, indicate 'N/A'.

NOTES ON COMPLETION

GENERAL INFORMATION

The obligation to disclose upon request, cash on entering or leaving the EU is part of the EU's strategy to prevent money laundering and to fight terrorism financing. The disclosure form must be completed where unaccompanied cash of a value of EUR 10 000 or more (or the equivalent in other currencies) is entering or leaving the EU and the competent authorities of the Member State, through which the cash is entering or leaving the EU, require the sender or the recipient of the cash, or a representative thereof, as the case may be, to make a disclosure declaration within a deadline of 30 days (Article 4 of Regulation (EU) 2018/1672 of the European Parliament and of the Council).

If the disclosure declaration is not made within the 30 days, or if incorrect or incomplete information is provided, or if the cash is not made available for control, the declarant is not considered to have met their obligation and is liable to penalties under the applicable national legislation.

Information and personal data shall be recorded and processed by the competent authorities and shall be made available to the Financial Intelligence Unit (FIU) in accordance with Article 9 of Regulation (EU) 2018/1672. In the cases referred to in Articles 10 and 11 of that Regulation, the data will also be made available to the authorities mentioned there. The competent authorities of the Member State where the disclosure declaration is submitted act as controllers of the personal data obtained and will keep personal data collected in line with Article 13 of Regulation (EU) 2018/1672, by default for 5 years. The processing of personal data takes place only for the purposes of the prevention and fight against criminal activities. For complete information, including on your rights, see attached privacy statement/ link to Member State data protection online information.

EXPLANATIONS OF USED TERMS IN ACCORDANCE WITH REGULATION (EU) 2018/1672

Currency means banknotes and coins that are in circulation as a medium of exchange or that have been in circulation as a medium of exchange and can still be exchanged through financial institutions or central banks for banknotes and coins that are in circulation as a medium of exchange.

Bearer-negotiable instruments means instruments other than currency, which entitle their holders to claim a financial amount upon presentation of the instruments without having to prove their identity or entitlement to that amount. Those instruments are:

- (a) traveller's cheques; [and]
- (b) cheques, promissory notes or money orders that are either in bearer form, signed but with the payee's name omitted, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery.

Commodities used as highly-liquid stores of value,

- (a) coins with a gold content of at least 90 %; [and]
- (b) bullion such as bars, nuggets or clumps with a gold content of at least 99,5 %.

- All fields in the form are mandatory fields and must be completed. Fields in the form marked with an asterisk (*) must be completed, where applicable or available.
- All parts in white must be completed in block capital letters and dark ink. Forms must not contain crossing out, overwritten words or other alterations.
- Parts marked 'for official use' must remain blank.
- Personal identification number (i.e. personal tax social security or similar unique personal identification number), address, postal code/ZIP code, telephone number and email address must be filled in, if applicable. If not applicable, indicate 'N/A' instead.
- Value Added Tax (VAT) identification number and Economic operator registration and identification number (EORI Number -which is a unique number, across the EU, assigned by a customs authority in a Member State to economic operators involved in customs activities) must be filled in where available. If not available, indicate 'N/A'.

- **Where information is not known to the declarant, indicate 'unknown'.**
- **The form must be completed in one of the official languages of the EU accepted by the competent authorities of the Member State where the declaration is made.**

Section 1: Entering or leaving the EU

Tick the appropriate box to indicate if the cash is entering or leaving the EU.

Section 2: Details of the declarant

The declarant's personal data must be filled in this section as they appear on their ID document.

Where the declarant is not legally capable of signing the disclosure, the disclosure is submitted by the declarant's legal representative.

Section 3: Details of the cash

The total amount of cash for which the disclosure has been requested must be filled in this section. 'Cash' is defined under 'General Information'. At least one of the options [(i) currency; (ii) bearer-negotiable instruments or (iii) commodities used as highly-liquid stores of value] must be filled in.

If there is insufficient space on the disclosure form, the additional sheets must be used to provide the details of the cash. All information provided constitutes one disclosure and all additional sheets must be numbered and signed.

Section 4: Relationship to unaccompanied cash

Tick the relevant boxes to identify the status of the declarant and their relationship to the cash. More options are possible.

Section 5: Sender of the cash

The information about the sender of the cash must be included in this section, if the declarant is not the sender of the cash. Tick the box to indicate if the sender is a natural person or a legal person. The information about the sender must be filled in Subsection 5.A (for a natural person) or Subsection 5.B (for a legal person). If the sender is a natural person, the personal details must be filled in as they appear on their ID document.

Section 6: Recipient or intended recipient of the cash

One recipient only

When the declarant is not the sole recipient of the cash, information on the recipient or the intended recipient of the cash must be included in this section.

Tick the appropriate box to indicate if there is a sole recipient of the cash and if they are a natural person or a legal person. The information on the sole recipient must be filled in Subsection 6.A (for a natural person) or Subsection 6.B (for a legal person). If the recipient or intended recipient is a natural person, the personal details must be filled in as they appear on their ID document.

More than one recipient or intended recipient

If there is more than one recipient or intended recipient, the total number of recipients or intended recipients must be filled in the appropriate box. For each additional recipient or intended recipient, separate additional sheets must be filled in, giving their details, the amount of cash to be received and its intended use. All information provided constitutes one disclosure and all additional sheets must be numbered and signed.

Section 7: Owner of the cash

One owner only

If the sole owner of the cash is not the sender or the sole recipient of the cash, the details of the sole owner must be included in this section.

Tick the appropriate box to indicate if there is a sole owner of the cash and if the sole owner is a natural person or a legal person. The details of the sole owner must be filled in Subsection 7.A (for a natural person) or Subsection 7.B (for a legal person). If the owner is a natural person, the personal details must be filled in as they appear on their ID document.

More than one owner

If there is more than one owner, the total number of owners must be filled in the appropriate box. For each additional owner, separate additional sheets must be filled in, giving their details, the amount of cash owned, its economic provenance and its intended use. All information provided constitutes one disclosure and all additional sheets must be numbered and signed.

Section 8: Economic provenance and intended use of the cash

Subsection 8.A must always be filled in, if there is a sole owner to indicate the relevant economic provenance.

Subsection 8.B must always be filled in if there is a sole recipient to indicate the intended use of the cash.

It is possible to select more than one option in each Subsection. If no option is applicable, then tick the box 'other' and specify the details.

If there is more than one owner or more than one recipient (or intended recipient), the information about the economic provenance and intended use of the cash for the owners and/or the recipients (or intended recipients) must be filled in on additional sheets as mentioned above. In this case, tick the box 'other' and specify 'additional sheets'.

Section 9: Signature

Enter the date, place, name and sign the disclosure. Indicate the total number of additional sheets used. If none has been used, indicate zero (0). The declarant can tick the appropriate box to request an endorsed copy of the disclosure.

PART 3

	CASH DECLARATION - ADDITIONAL SHEET		
	Article 3 of Regulation (EU) 2018/1672		
	For official use		A. Additional sheet number
	Reference number		

B. Additional sheet details (Tick only one option. If more options are applicable, fill in separate additional sheets for each additional option)		
B.1	☐ Continuation of 'Details of the cash'	→ Fill Section C for additional information on the cash.
B.2	☐ The carrier is the owner and intended recipient of part of the cash	→ Fill Sections C and D only for the amount of cash owned and received by the carrier.
B.3	☐ The carrier is the owner of part of the cash	→ Fill Sections C and D only for the amount of cash owned by the carrier.
B.4	☐ The carrier is the intended recipient of part of the cash	→ Fill Sections C and D.2 only for the amount of cash the carrier receives as a recipient.
B.5	☐ Owner who is also the intended recipient of part of the cash (other than the carrier)	→ Fill Sections C and D for the amount of cash owned and to be received and section E.
B.6	☐ Owner of part of the cash (other than the carrier)	→ Fill Sections C and D for the amount of cash owned and section E.
B.7	☐ Intended recipient of part of the cash (other than the carrier)	→ Fill Sections C and D.2 for the respective amount of cash to be received and section E.

C. Details of the cash						
Currency (banknotes and coins)	Value		Currency	Value		Currency
	1)			3)		
	2)			4)		
Bearer negotiable instruments	Type of bearer negotiable instrument			Value		Currency
Commodities used as highly-liquid stores of value (i.e. gold)	Type	Quantity	Total weight (in grams)	Value		Currency

D. Economic provenance and intended use of the cash (more than one option is possible in each Subsection D.1 and D.2)	
D.1. Economic provenance	D.2. Intended use
☐ Labour profits (income, retirement, income from entrepreneurship etc.) ☐ Capital profits (dividends, investment profits, interest, insurance etc.) ☐ Sale of real estate property ☐ Sale of moveable property ☐ Loan granted by a natural person ☐ Loan granted by a legal entity (credit institution, bank or company) ☐ Lottery / gambling ☐ Gift / donation ☐ Inheritance ☐ Other (specify) _____	☐ Labour expenses (salary payments, investment business etc.) ☐ Capital investment (deposits to bank account, insurance payments etc.) ☐ Funds for purchasing real estate ☐ Funds for purchasing moveable property ☐ Repayment of loan granted by a natural person ☐ Repayment of loan granted by a legal entity (credit institution, bank or company) ☐ Lottery / gambling ☐ Charity ☐ Cash to shipmaster/board cash ☐ Vacation / recreation ☐ Transfer of cash by professional cash couriers (currency exchange companies) ☐ Transfer of cash by professional cash couriers (other) ☐ Other (specify) _____

*If applicable or available. If not applicable or available, indicate 'N/A'.

E. Persons involved					
E.1. ☐ Natural person			E.2. ☐ Legal person		
First name(s)			Name		
Last name(s)			Registration number		
Gender	☐ male ☐ female ☐ other		Name of register		
Date of birth	DD MM YYYY		Registration country		
Place of birth (country/town)	town	country	VAT identification number*		
ID document	☐ passport	☐ ID card	☐ other(specify)	Economic Operators Registration and Identification (EORI) number*	
ID document number			Address Street* and number*	street	number
Country of issue			Town		
Date of issue	DD MM YYYY		Postal / ZIP code*		
Nationality			Country		
Personal identification number*			Telephone number*		
Address Street* and number*	street	number	Email address*		
Town			F. Signature		
Postal / ZIP code*			I certify that this additional sheet is an integral part of the cash declaration whereto it is attached.		
Country			Signature		
Telephone number*			Name of the signee:		
Email address*					
Date	DD MM YYYY				
Place	town	country			

*If applicable or available. If not applicable or available, indicate 'N/A'.

NOTES ON COMPLETION

General information

The notes on completion of the cash declaration form also apply here.

Section A: Additional sheet number

Additional sheets must be numbered with consecutive numbers (i.e. 1 on the first additional sheet used, 2 on the second etc.).

Indicate the total number of additional sheets used on the second page of the cash declaration form.

Section B: Additional sheet details

State the reason for filling in the additional sheet. Only one option must be ticked. If more options are applicable, use a separate additional sheet for each option.

B.1: Continuation of 'Details of the cash': Select this option only when the space available in Section 4 'Details of the cash' on the declaration form is not sufficient for all the cash. Fill in Section C and skip Sections D and E.

B.2: The carrier is the owner and the intended recipient of a part of the cash: Select when the carrier is also the owner and intended recipient of part of the cash. For each other owner and intended recipient a separate additional sheet must be filled in.

Indicate in Section C the amount of cash owned and the amount of cash to be received.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the cash owned by the carrier.

B.3: The carrier is the owner of part of the cash: Select when the carrier is also the owner of part of the cash. For each other owner a separate additional sheet must be filled in.

Indicate in Section C the amount of cash owned by the carrier.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the cash owned by the carrier.

B.4: The carrier is the intended recipient of part of the cash: Select when the carrier is also the intended recipient of part of the cash. For each other intended recipient a separate additional sheet must be filled in.

Indicate in Section C the amount of cash to be received by the carrier.

Indicate in Subsection D.2 the intended use of the cash to be received by the carrier.

B.5: Other owner who is also an intended recipient of part of the cash (other than the carrier): Select when there is more than one owner, and each owner who is also the intended recipient of the cash. For each other owner who is also an intended recipient of the cash a separate additional sheet must be filled in.

Indicate in Section C the amount of cash owned and to be received by the owner and intended recipient.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the cash owned by the owner and the intended recipient.

The details of the owner and the intended recipient must be filled in Subsection E.1 if they are a natural person and in Subsection E.2 if they are a legal person.

B.6: Owner of part of the cash (other than the carrier): Select when there is more than one owner. For each other owner a separate additional sheet must be filled in.

Indicate in Section C the part of the cash owned by the owner.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the cash owned by the owner.

The details of the owner must be filled in Subsection E.1 if they are a natural person and in Subsection E.2 if they are a legal person.

B.7: Intended recipient of part of the cash (other than the carrier): Select when there is more than one intended recipient. For each intended recipient, a separate additional sheet must be filled in.

Indicate in Section C the amount of cash to be received by the intended recipient.

Indicate in Subsection D.2 the intended use of the cash to be received by the intended recipient.

The details of the intended recipient must be filled in Subsection E.1 if they are a natural person and in Subsection E.2 if they are a legal person.

Section C: Details of the cash

'Cash' is explained under the 'General information' on notes on completion of the cash declaration.

Section D: Economic provenance and intended use of the cash

Tick the boxes to indicate the relevant economic provenance and intended use of the cash as indicated in Section B. You can select more than one option. If no option is applicable, then tick box 'other' and fill in the details.

Section E: Persons involved

Enter the personal details of the persons involved. These persons can be natural persons or legal persons. You must tick the appropriate box and fill in the details.

Section F: Signature

State the date, place, name, sign and attach the additional sheet to the main cash declaration form. All information provided constitutes one declaration.

PART 4

	CASH DISCLOSURE DECLARATION - ADDITIONAL SHEET		
	Article 4 of Regulation (EU) 2018/1672		
	For official use		A. Additional sheet number
	Reference number		

B. Additional sheet details (Tick only one option . If more options are applicable, fill in separate additional sheets for each additional option)

B. 1	☐ Continuation of 'Details of the cash'	→ Fill Section C for additional information on the cash
B. 2	☐ The sender is owner of part of the cash	→ Fill Sections C and D for the amount of cash owned
B. 3	☐ The sole recipient is owner of part of the cash	→ Fill Sections C and D only for the amount of cash owned and Section E
B. 4	☐ Recipient or intended recipient who owns part of the cash	→ Fill Sections C and D only for the part of cash owned and Section E
B. 5	☐ Owner of part of the cash	→ Fill Sections C and D for the amount of cash owned and Section E
B. 6	☐ Recipient or intended recipient of part of the cash	→ Fill Sections C and D2 for the amount of cash to be received and Section E

C. Details of the cash

Currency (banknotes and coins)	Value	Currency	Value	Currency	
	1)		3)		
	2)		4)		
Bearer negotiable instruments	Type of bearer negotiable instrument		Value	Currency	
Commodities used as highly-liquid stores of value (i.e. gold)	Type	Quantity	Total weight (in grams)	Value	Currency

D. Economic provenance and intended use of the cash (more than one option is possible in each subsection D1. and D.2)

D.1. Economic provenance	D.2. Intended use
☐ Labour profits (income, retirement, income from entrepreneurship etc.) ☐ Capital profits (dividends, investment profits, interest, insurance etc.) ☐ Sale of real estate property ☐ Sale of moveable property ☐ Loan granted by a natural person ☐ Loan granted by a legal entity (credit institution, bank or company) ☐ Lottery / gambling ☐ Gift / donation ☐ Inheritance ☐ Shipment between financial institutions ☐ Other (specify) _____	☐ Labour expenses (salary payments, investment business etc.) ☐ Capital investment (deposits to bank account, insurance payments etc.) ☐ Funds for purchasing real estate ☐ Funds for purchasing moveable property ☐ Repayment of loan granted by a natural person ☐ Repayment of loan granted by a legal entity (credit institution, bank or company) ☐ Lottery / gambling ☐ Charity ☐ Cash to shipmaster / board cash ☐ Shipment between financial institutions ☐ Other (specify) _____

*If applicable or available. If not applicable or available, indicate 'N/A'.

E. Persons involved					
E.1. ☐ Natural person			E.2. ☐ Legal person		
First name(s)			Name		
Last name(s)			Registration number		
Gender	☐ male ☐ female ☐ other		Name of register		
Date of birth	DD MM YYYY		Registration country		
Place of birth	town	country	VAT identification number*		
ID document	☐ passport	☐ ID card	☐ other (specify)	Economic Operators Registration and Identification (EORI) number*	
ID document number			Address Street* and number *	street	number
Country of issue			Town		
Date of issue	DD MM YYYY		Postal code / ZIP code*		
Nationality			Country		
Personal identification number*			Telephone number*		
Address Street* and number*	street	number	Email address*		
Town			F. Signature		
Postal code / ZIP code*			I certify that this additional sheet is an integral part of the cash disclosure whereto it is attached.		
Country			Signature		
Telephone number*					
Email address*					
Name of the signee:					
Date	DD MM YYYY				
Place	town	country			

*If applicable or available. If not applicable or available, indicate 'N/A'.

NOTES ON COMPLETION

General information

The notes on completion of the cash disclosure form also apply here.

Section A: Additional sheet number

Additional sheets must be numbered with consecutive numbers (i.e. 1 on the first additional sheet, 2 on the second etc.).

Indicate the total number of additional sheets used on the second page of the cash disclosure declaration form.

Section B: Additional sheet details

State the reason for filling in the additional sheet. Only one option must be ticked. If more options are applicable, use a separate additional sheet for each option.

B.1: Continuation of 'Details of the cash': Select this option only when the space available in Section 3 'Details of the cash' on the disclosure declaration form is not sufficient for all the cash. Fill in Section C and skip Sections D and E.

B.2: Sender and owner of part of the cash: Select this option only when there is more than one owner of the cash and one of them is also the sender of the cash. For each owner a separate additional sheet must be filled in.

Indicate in Section C the amount of the cash owned by the sender.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the amount of the cash owned by the sender.

B.3: Sole recipient and owner of part of the cash: Select when there is more than one owner and one of them is also the sole recipient of the cash. For each additional owner a separate additional sheet must be filled in.

Indicate in Section C the amount of cash owned by the sole recipient.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the cash owned by the sole recipient.

B.4: Recipient or intended recipient who owns part of the cash: Select when there is more than one owner who is also the recipient (or intended recipient) of the cash. For each additional owner and/or recipient (or intended recipient) a separate additional sheet must be filled in.

Indicate in Section C the amount of cash that is owned and is to be received by the recipient.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the cash owned by the owner and recipient (or intended recipient).

The details of the owner who is also the recipient (or intended recipient) must be filled in Subsection E.1 if they are a natural person and in Subsection E.2 if they are a legal person.

B.5: Owner of part of the cash: Select when there is more than one owner. For each owner a separate additional sheet must be filled in.

Indicate in Section C the amount of cash owned by the owner.

Indicate in Subsections D.1 and D.2 the economic provenance and the intended use of the cash owned by the owner.

The details of the owner must be filled in Subsection E.1 if they are a natural person and in Subsection E.2 if they are a legal person.

B.6: Recipient or intended recipient of part of the cash: Select when there is more than one recipient (or intended recipient). For each recipient (or intended recipient), a separate additional sheet must be filled in.

Indicate in Section C the part of the cash to be received by the recipient (or intended recipient).

Indicate in Subsection D.2 the intended use of the cash to be received by the recipient (or intended recipient).

The details of the intended recipient must be filled in Subsection E.1 if they are a natural person and in Subsection E.2 if they are a legal person.

Section C: Details of the cash

'Cash' is explained under the 'General information' section on the notes on completion of the cash disclosure declaration.

Section D: Economic provenance and intended use of the cash

Tick the boxes to indicate the relevant economic provenance and intended use of the cash as indicated in Section B. You can select more than one option. If no option is applicable, then tick box 'other' and fill in the details.

Section E: Persons involved

Enter the personal details of the persons involved. These persons can be natural persons or legal persons. You must tick the appropriate box and fill in the details.

Section F: Signature

State the date, place, name, sign and attach the additional sheet to the main cash disclosure declaration form. All information provided constitutes one disclosure declaration.

ANNEX II

PART 1

FORM FOR OFFICIAL USE Regulation (EU) 2018/1672 (To be filled in and attached, depending on the factual circumstances, to ex officio declarations composed pursuant to Article 5(3), the recording of information under Article 6(1) or Article 6(2) of Regulation (EU) 2018/1672, and the declarations obtained under Articles 3 and 4 of that Regulation when there are indications that cash is related to criminal activity)				
Reference number		Total number of sheets		
CASH DECLARATION		CASH DISCLOSURE DECLARATION		
Non-declaration: Ex officio declaration in accordance with Article 5(3) of Regulation (EU) 2018/1672	☐	Non-disclosure declaration (deadline of 30 days expired): Ex officio disclosure declaration in accordance with Article 5(3) of Regulation (EU) 2018/1672	☐	
Incorrect/incomplete declaration: Ex officio declaration in accordance with Article 5(3) of Regulation (EU) 2018/1672	☐	Incorrect/incomplete disclosure declaration: Ex officio disclosure declaration in accordance with Article 5(3) of Regulation (EU) 2018/1672	☐	
Cash was not made available for control: Ex officio declaration in accordance with Article 5(3) of Regulation (EU) 2018/1672	☐	Cash was not made available for control: Ex officio declaration in accordance with Article 5(3) of Regulation (EU) 2018/1672	☐	
Information obtained in accordance with Article 6(1) of Regulation (EU) 2018/1672: cash below threshold of EUR 10 000 where there are indications that cash is related to criminal activity	☐	Information obtained in accordance with Article 6(2) of Regulation (EU) 2018/1672: cash below threshold of EUR 10 000 where there are indications that cash is related to criminal activity	☐	
Indications that cash is linked to criminal activity (Article 10(1)(c) of Regulation (EU) No 2018/1672)	☐	Indications that cash is related to criminal activity (Article 10(1)(c) of Regulation (EU) 2018/1672)	☐	
Indications that cash is related to criminal activity which could adversely affect the financial interests of the EU (Article 10(1)(c) and 10 (2) of Regulation (EU) 2018/1672)	☐	Indications that cash is related to criminal activity which could adversely affect the financial interests of the EU (Article 10(1)(c) and 10 (2) of Regulation (EU) 2018/1672)	☐	
Temporary detention		☐ Yes		
Penalty proceedings started		☐ Yes		
Remedy		☐ Yes		
Modus operandi				
☐ Suspicion of money laundering		Description:		
☐ Suspicion of terrorist financing				
False declaration of quantity of cash				
☐ More cash declared than transported				
☐ Less cash declared than transported				
☐ Presentation of false/irregular documents				
☐ Other (specify)				
Concealment				
On persons ☐ In clothing ☐ In shoes ☐ On the body ☐ Stuffed ☐ Swallowed ☐ In means of transport		In luggage ☐ In carry-on luggage ☐ In checked luggage ☐ In consignments ☐ In receptacles ☐ Other (specify)		Description:
☐ Not concealed				
Signature and stamp of the competent authority				
Date				

PART 2

Form for the exchange of anonymised risk information and risk analysis results in accordance with Article 10(1)(d) of Regulation (EU) 2018/1672

A. TRANSMISSION DETAILS	
Member State sending the information	
Competent authority	
Email	
Reference number	
Date	
Reference period	

Risk information and risk analysis results for the reference period	☐ Yes	☐ No
Total number of pages sent (including part A)		

B. ANONYMISED RISK INFORMATION AND RISK ANALYSIS RESULTS BASED ON CASES			
☐	Accompanied cash	☐	Unaccompanied cash
☐	New trend	☐	Repetitive pattern observed
Description:		Description:	
☐	Risk-based	☐	Random check
Details of case(s)			
Information on cash			
Other			
Pictures attached		☐ Yes	
Number of pictures (if attached)			

C. SPECIAL PROJECTS UNDERTAKEN	
Project description	
Specifics / conclusions / remarks	
Details of an example case in the context of the project	
☐ Risk based control	☐ Random check
Pictures attached	☐ Yes
Number of pictures (if attached)	

D. OTHER INFORMATION

Pictures attached

☐ Yes

Number of pictures (if attached)

NOTES ON COMPLETION

This form must be filled in and transmitted every six months in accordance with Article 10(1)(d) and 10(5) of Regulation (EU) 2018/1672 on controls on cash entering or leaving the European Union. It must include information that the Member State considers that it leads to important conclusions or brings significant value added to risk management and where the threat may present a high risk elsewhere in the EU.

Part A

Indicate the Member State sending the information, the relevant competent authority and email address.

Provide the reference number in the following format: Member State, year, A (for the first semester) or B (for the second semester).

Complete the date and the reference period.

Indicate whether the Member State is sharing anonymised risk information and risk analysis results for the reference period. If not, then only part A should be uploaded in the Customs Information System (CIS).

Insert the total number of pages being sent (including part A).

Part B

Anonymised risk information and risk analysis results that cannot be retrieved directly through CIS based on individual cases is to be provided in this part.

Indicate if the information concerns accompanied or unaccompanied cash.

Indicate if there is a new trend or a repetitive pattern observed and provide further information.

New trend means a recently observed change or a general tendency in the field of physical movement of cash.

Repetitive pattern observed means a pattern or sequence that is recurrent. Indicate if the reporting case(s) was the result of a risk based control or a random check.

Risk-based controls means controls that are based on the cash movements risk criteria, and specifically on risk analysis using data-processing techniques, with the purpose of identifying and evaluating the risks and developing the necessary counter-measures, on the basis of criteria developed at national, Union and, where available, international level.

Random checks means checks carried out that are not based on cash movements risk criteria.

Provide details of case(s) (*e.g. special modus operandi in case of similar cases, detailed information on concealment etc.*) details on the kind of cash (*e.g. high denomination banknotes etc.*) and any other non-nominal information considered as important to share.

Indicate if there are pictures attached and their number.

If needed, Part B can be filled in several times for the same reference period.

Part C

Part C must be filled in when the Member State has undertaken a risk-oriented project in the field of cash controls within the reference period.

Describe the project that has been undertaken.

Provide information on the specifics of the case, the conclusions reached and any possible remarks. (*e.g. on the period, means (e.g. sniffer dogs, scan), scale of its controls etc.*).

Provide information on an example case if considered needed.

Indicate if the example case was the result of a risk-based control or a random check.

Indicate if there are pictures attached and their number.

If needed, Part C can be filled in several times depending on the number of the undertaken projects for the same reference period.

Part D

Provide information that it is considered important to share, but cannot be included under Parts B or C.

Indicate if there are pictures attached and their number.

DECISIONS

COUNCIL DECISION (EU) 2021/777

of 10 May 2021

on the position to be taken on behalf of the European Union in the International Grains Council with respect to the extension of the Grains Trade Convention, 1995

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Grains Trade Convention, 1995 ('the Convention') was concluded by the Union by means of Council Decision 96/88/EC ⁽¹⁾ and entered into force on 1 July 1995. The Convention was concluded for a period of three years.
- (2) Pursuant to Article 33 of the Convention, the International Grains Council is able to extend the Convention for successive periods not exceeding two years on each occasion. Since its conclusion, the Convention has regularly been extended for further periods of two years. The Convention was last extended by decision of the International Grains Council on 10 June 2019 and remains in force until 30 June 2021.
- (3) During its 53rd session, which will be held on 7 June 2021, the International Grains Council is to decide on the extension of the Convention for a further period of up to two years from 1 July 2021.
- (4) It is appropriate to establish the position to be taken on the Union's behalf in the 53rd session of the International Grains Council, as an extension of the Convention is in the interest of the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the 53rd session of the International Grains Council shall be to vote in favour of the extension of the Grains Trade Convention, 1995, for a further period of up to two years from 1 July 2021.

Article 2

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

Done at Brussels, 10 May 2021.

For the Council

The President

J. BORRELL FONTELLES

⁽¹⁾ Council Decision 96/88/EC of 19 December 1995 concerning the approval by the European Community of the Grains Trade Convention and the Food Aid Convention, constituting the International Grains Agreement 1995 (OJ L 21, 27.1.1996, p. 47).

COUNCIL DECISION (EU) 2021/778**of 6 May 2021**

on the position to be taken on behalf of the European Union during the 103rd session of the Maritime Safety Committee of the International Maritime Organization and the 76th session of the Marine Environment Protection Committee of the International Maritime Organization, on the adoption of amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, the International Code for Fire Safety Systems and the International Convention on the Control of Harmful Anti-fouling Systems on Ships

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Action by the Union in the sector of maritime transport should aim to improve maritime safety and protect the marine environment and human health.
- (2) The Maritime Safety Committee of the International Maritime Organization ('IMO'), during its 103rd session ('MSC 103') from 5 to 14 May 2021, is expected to adopt amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (the 'STCW Convention'), the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (the '2011 ESP Code'), and the International Code for Fire Safety Systems (the 'FSS Code').
- (3) The Marine Environment Protection Committee of the IMO, during its 76th session ('MEPC 76') from 10 to 17 June 2021, is expected to adopt amendments to the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001 (the 'AFS Convention').
- (4) The amendments to Part A of the STCW Code of the STCW Convention would clarify the operational level of the functions of 'electro-technical officer' and introduce a common definition of the term 'high-voltage'. Those amendments aim to clarify functions of persons working on board, thereby providing better clarity on the different responsibilities and tasks.
- (5) The amendments to Annex 2 to part A of Annex B to the 2011 ESP Code would enable surveyors to focus on suspect areas for thickness measurements of double-hull oil tankers. Those amendments aim to increase safety at sea and reduce the risk of spills in case of accidents.
- (6) The amendments to Chapter 9 of the FSS Code would accommodate systems that combine the enhanced safety of individually identifiable fire detectors required for passenger ships with the less complex and less costly section identifiable fault isolation, currently acceptable for cargo ships and passenger ship cabin balconies only. Those amendments aim to better protect persons on board in case of fire.

- (7) It is appropriate to establish the position to be taken on the Union's behalf during MSC 103, as the amendments to the STCW Convention, the 2011 ESP Code and the FSS Code are capable of decisively influencing the content of Union law, namely Directive 2008/106/EC of the European Parliament and of the Council ⁽¹⁾, Regulation (EU) No 530/2012 of the European Parliament and of the Council ⁽²⁾ and Directive 2009/45/EC of the European Parliament and of the Council ⁽³⁾, respectively.
- (8) The amendments to Annexes 1 and 4 to the AFS Convention would ensure a global ban on the anti-fouling substance cybutryne, the sale and the use of which are already banned in the Union.
- (9) It is appropriate to establish the position to be taken on the Union's behalf during MEPC 76, as the amendments to Annexes 1 and 4 to the AFS Convention are capable of decisively influencing the content of Union law, namely Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽⁴⁾.
- (10) The Union is not a member of the IMO, nor a contracting party to the relevant conventions and codes. The Council should therefore authorise the Member States to express the position of the Union.
- (11) The scope of this Decision should be limited to the content of the proposed amendments, to the extent that those amendments are capable of affecting Union common rules and fall under the exclusive competence of the Union. This Decision should not affect the division of competences between the Union and the Member States,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf during the 103rd session of the Maritime Safety Committee of the International Maritime Organization's ('IMO') shall be to agree to the adoption of amendments to:

- (a) the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, as laid down in Annexes 7 and 8 to IMO document MSC 102/24;
- (b) the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, as laid down in Annex 15 to IMO document MSC 102/24; and
- (c) the International Code for Fire Safety Systems, as laid down in Annex 20 to IMO document MSC 102/24.

Article 2

The position to be taken on the Union's behalf during the 76th session of the IMO's Marine Environment Protection Committee shall be to agree to the adoption of amendments to the International Convention on the Control of Harmful Anti-fouling Systems on Ships, as laid down in Annex 7 to IMO document MEPC 75/18.

⁽¹⁾ Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (OJ L 323, 3.12.2008, p. 33).

⁽²⁾ Regulation (EU) No 530/2012 of the European Parliament and of the Council of 13 June 2012 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers (OJ L 172, 30.6.2012, p. 3).

⁽³⁾ Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1).

⁽⁴⁾ Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

Article 3

1. The positions to be taken on the Union's behalf as set out in Articles 1 and 2 cover the amendments concerned to the extent that those amendments fall under the exclusive competence of the Union and that they may affect Union common rules, and shall be expressed by the Member States, which are all members of the IMO, acting jointly in the interests of the Union.
2. Minor changes to the positions referred to in Articles 1 and 2 may be agreed upon without further decision of the Council.

Article 4

Member States are hereby authorised to give their consent to be bound, in the interests of the Union, by the amendments referred to in Articles 1 and 2, to the extent that those amendments fall under the exclusive competence of the Union.

Article 5

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

Done at Brussels, 6 May 2021.

For the Council
The President
J. BORRELL FONTELLES

COUNCIL DECISION (EU) 2021/779**of 10 May 2021**

on the position to be taken on behalf of the European Union in the Trade Committee of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, as regards the amendments to Decisions No 1/2014, No 2/2014, No 3/2014, No 4/2014 and No 5/2014 of the Trade Committee to take account of the accession of Ecuador to the Trade Agreement and to update the lists of arbitrators and of experts in Trade and Sustainable Development

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part ('the Trade Agreement') was signed in Brussels on 26 June 2012. In accordance with Council Decision 2012/735/EU ⁽¹⁾, the Trade Agreement has been provisionally applied between the Union and its Member States and Peru since 1 March 2013, and Colombia since 1 August 2013.
- (2) The Trade Agreement was amended by the Protocol of Accession to take account of the accession of Ecuador, signed in Brussels on 11 November 2016 ⁽²⁾. In accordance with Council Decision (EU) 2016/2369 ⁽³⁾, the Trade Agreement has been provisionally applied between the Union and its Member States and Ecuador since 1 January 2017.
- (3) In accordance with point (g)(vi) of Article 13(2) of the Trade Agreement, the Trade Committee may advance in the achievement of the objectives of the Trade Agreement by means of modifications, provided for therein, of other provisions subject to modifications by the Trade Committee pursuant to an explicit provision of the Trade Agreement.
- (4) Pursuant to Article 13(5) of the Trade Agreement, in the exercise of any of the functions set out in Article 13, the Trade Committee may adopt any decision as envisaged in the Trade Agreement.
- (5) The Trade Committee is to adopt, by written procedure, a decision to amend its Decisions No 1/2014, No 2/2014, No 3/2014, No 4/2014 and No 5/2014.
- (6) It is appropriate to establish the position to be taken on the Union's behalf in the Trade Committee, as the decision will be binding on the Union.
- (7) Decision No 1/2014 of the Trade Committee provides for the adoption of its Rules of Procedure pursuant to point (j) of Article 13(1) of the Trade Agreement.
- (8) Decision No 2/2014 of the Trade Committee provides for the adoption of the Rules of Procedure and Code of Conduct for arbitrators pursuant to point (h) of Article 13(1) and Article 315 of the Trade Agreement.
- (9) Decision No 3/2014 of the Trade Committee provides for the establishment of the lists of arbitrators pursuant to Article 304(1) and (4) of the Trade Agreement.
- (10) Decision No 4/2014 of the Trade Committee provides for the adoption of the Rules of Procedure for the Group of Experts in Trade and Sustainable Development pursuant to Article 284(6) of the Trade Agreement.

⁽¹⁾ Council Decision 2012/735/EU of 31 May 2012 on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part (OJ L 354, 21.12.2012, p. 1).

⁽²⁾ OJ L 356, 24.12.2016, p. 3.

⁽³⁾ Council Decision (EU) 2016/2369 of 11 November 2016 on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador (OJ L 356, 24.12.2016, p. 1).

- (11) Decision No 5/2014 of the Trade Committee provides for the establishment of a Group of Experts in issues covered by the Title on Trade and Sustainable Development pursuant to Article 284(3) of the Trade Agreement.
- (12) In order to take account of the accession of Ecuador to the Trade Agreement and of the need to update the lists of arbitrators and of experts in Trade and Sustainable Development, Decisions No 1/2014, No 2/2014, No 3/2014, No 4/2014 and No 5/2014 of the Trade Committee should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the Trade Committee of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, as regards the amendments to Decisions No 1/2014, No 2/2014, No 3/2014, No 4/2014 and No 5/2014 of the Trade Committee shall be based on the draft decision of the Trade Committee ⁽⁴⁾.

Article 2

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

Done at Brussels, 10 May 2021.

For the Council
The President
J. BORRELL FONTELLES

⁽⁴⁾ See document ST 7767/21 on <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2021/780**of 10 May 2021****on the position to be taken on behalf of the European Union in the Council for Trade-Related Aspects of Intellectual Property Rights of the World Trade Organization**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement establishing the World Trade Organization, including the Agreements in Annexes 1, 2 and 3 to that Agreement, ('the Marrakesh Agreement') was concluded by the Union by Council Decision 94/800/EC⁽¹⁾ and entered into force on 1 January 1995.
- (2) Pursuant to Article 66(1) of the Agreement on the Trade-Related Aspects of Intellectual Property Rights ('the TRIPS Agreement'), included in Annex 1C to the Marrakesh Agreement, the Council for Trade-Related Aspects of Intellectual Property Rights of the World Trade Organization ('the TRIPS Council') is to, upon duly motivated request by a least-developed country (LDC) Member, accord extensions of the transitional period during which LDC Members are not required to apply the provisions of the TRIPS Agreement, other than Articles 3, 4 and 5.
- (3) The existing transitional period, as agreed in the Decision of the TRIPS Council of 11 June 2013, is due to expire on 1 July 2021.
- (4) On 1 October 2020, Chad, on behalf of the LDC group, formally submitted a request for an extension of the transitional period.
- (5) The TRIPS Council, during its formal session on 8 and 9 June 2021, is to adopt a decision regarding the request for an extension of the transitional period under Article 66(1) of the TRIPS Agreement for LDC Members ('the TRIPS Council's Decision').
- (6) It is appropriate to establish the position to be taken on the Union's behalf in the TRIPS Council, as the TRIPS Council's Decision will be binding on the Union.
- (7) LDC Members represent the most vulnerable segment of the international trade community, facing economic, financial and administrative constraints. LDC Members need to have policy space and flexibility to address their development challenges and further time to implement the TRIPS Agreement.
- (8) A certain level of intellectual property rights (IPR) protection and enforcement is beneficial to LDC Members because IPRs are a catalyst for innovation and an important tool for sustainable development. Some LDC Members have already taken steps towards implementation of the TRIPS Agreement and need to be encouraged not to decrease the existing level of IPR protection and enforcement.
- (9) An extension of the transitional period without a time limit, as proposed by the LDC group, would slow down the process of gradually integrating LDC Members, as members of the multilateral trading system, in the international IP system on the basis of the minimum requirements provided in the TRIPS Agreement.
- (10) Accordingly, it is appropriate to extend the transitional period for the implementation of the TRIPS Agreement, other than Articles 3, 4 and 5, for LDC Members for a limited period of time not exceeding 10 years.

⁽¹⁾ Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).

- (11) Should Members of the World Trade Organization support the extension of the transitional period under Article 66(1) of the TRIPS Agreement for a longer period or without a time limit, the Union should not stand in the way of reaching a consensus.
- (12) The LDCs' request for an additional period of 12 years exemption calculated from the date on which an LDC Member graduates from the LDC category appears to go beyond the scope of Article 66(1) of the TRIPS Agreement as that Article only applies to the extension of the transitional period for the implementation of certain provisions of the TRIPS Agreement by LDC Members. Therefore, the request to grant an exemption for non-LDC Members as part of a TRIPS Council's Decision under Article 66(1) of the TRIPS Agreement should not be supported,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the Council for Trade-Related Aspects of Intellectual Property Rights of the World Trade Organization ('the TRIPS Council'), during its formal session on 8 and 9 June 2021, shall be as follows:

- (a) LDC Members are not to be required to apply the provisions of the Agreement on the Trade-Related Aspects of Intellectual Property Rights ('the TRIPS Agreement') other than Articles 3, 4 and 5, for a limited period of time not exceeding 10 years, or until such date on which they cease to be an LDC Member, whichever date is earlier;
- (b) should Members of the World Trade Organization support the extension of the transitional period under Article 66(1) of the TRIPS Agreement for a longer period or without a time limit, the Union is not to stand in the way of reaching a consensus;
- (c) LDC Members are to ensure that any changes in their laws, regulations and practice made during the additional transitional period do not result in a lesser degree of consistency with the provisions of the TRIPS Agreement. However, should Members of the World Trade Organization not support such an obligation of the LDC Members, the Union is not to stand in the way of reaching a consensus;
- (d) the LDC Members' request for an additional period of 12 years exemption calculated from the date an LDC Member graduates from the LDC category is not to be supported as it falls outside the scope of Article 66(1) of the TRIPS Agreement.

Article 2

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

Done at Brussels, 10 May 2021.

For the Council
The President
J. BORRELL FONTELLES

COMMISSION IMPLEMENTING DECISION (EU) 2021/781**of 10 May 2021**

on the publication of a list indicating certain CO₂ emissions values per manufacturer as well as average specific CO₂ emissions of all new heavy-duty vehicles registered in the Union and reference CO₂ emissions pursuant to Regulation (EU) 2019/1242 of the European Parliament and of the Council for the reporting period of the year 2019

(notified under document C(2021) 3109)

(Only the Dutch, English, French, German, Italian and Swedish text are authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and the Council and Council Directive 96/53/EC ⁽¹⁾, and in particular Article 11(1), first subparagraph, points (a), (b), (d) and (f), and second subparagraph, thereof.

Whereas:

- (1) The average specific CO₂ emissions of a manufacturer should be determined on the basis of data reported by Member States and manufacturers pursuant to Regulation (EU) 2018/956 of the European Parliament and of the Council ⁽²⁾ for vehicles of that manufacturer.
- (2) The average specific CO₂ emissions of all new heavy-duty vehicles registered in the Union should be based on those data reported for vehicles from all manufacturers.
- (3) The zero- and low-emission factor for each manufacturer should be determined taking into account the reported zero- and low-emission heavy-duty vehicles so reported.
- (4) The CO₂ emission reduction trajectory and the emission credits per manufacturer should be determined on the basis of the number of new heavy-duty vehicles excluding vocational vehicles so reported.
- (5) The reference CO₂ emissions should be based on the data reported under Regulation (EU) 2018/956 by subgroup and excluding vocational vehicles.
- (6) The Commission may have to update the data published herein, should it receive additional data which would affect the results of those calculations,

HAS ADOPTED THIS DECISION:

Article 1

Average specific CO₂ emissions per manufacturer

The average specific CO₂ emissions per manufacturer, as referred to in Article 4 of Regulation (EU) 2019/1242, in the reporting period of the year 2019, are indicated in the second column of the table of Annex I to this Decision.

⁽¹⁾ OJ L 198, 25.7.2019, p. 202.

⁽²⁾ Regulation (EU) 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles (OJ L 173, 9.7.2018, p. 1).

*Article 2***Zero- and low-emission factor per manufacturer**

The zero- and low-emission factor per manufacturer, as referred to in Article 5(1) of Regulation (EU) 2019/1242, in the reporting period of the year 2019, is indicated in the third column of the table of Annex I to this Decision.

*Article 3***CO₂ emissions reduction trajectory and emissions credits per manufacturer**

The CO₂ emission reduction trajectory and the emission credits per manufacturer, as referred to in Article 7 of Regulation (EU) 2019/1242, in the reporting period of the year 2019, are indicated in the fourth and fifth column, respectively, of the table of Annex I to this Decision.

*Article 4***Average specific CO₂ emissions of all new heavy-duty vehicles**

The average specific CO₂ emissions of all new heavy-duty vehicles registered in the Union in the reporting period of the year 2019, as calculated by applying the formula of Annex I, point 2.7, to Regulation (EU) 2019/1242 taking into account the new heavy-duty vehicles of all manufacturers, is: 52,75 g/tkm.

*Article 5***Reference CO₂ emissions**

The reference CO₂ emissions referred to in Article 1, second paragraph, of Regulation (EU) 2019/1242, for the period from 1 July 2019 to 30 June 2020, are indicated in Annex II to this Decision.

Article 6

This Decision is addressed to the following manufacturers:

(1) DAIMLER TRUCK AG

Mercedesstr.120
70372 Stuttgart
Germany

(2) DAF NV

P.O. box 90065
5602 PT Eindhoven
The Netherlands

(3) Ford Otomotiv Sanayi AS

Akpınar Mah. Hasan Basri Cad No 2
34885 Sancaktepe Istanbul
Turkey

(4) Iveco Magirus-AG

Nicolaus-Otto-Straße 27
89079 Ulm
Germany

- (5) IVECO SPA
Via Puglia 35
10156 Torino
Italy
- (6) MAN TRUCK AND BUS SE
Dachauer Str 667
80995 Munich
Germany
- (7) RENAULT TRUCK SA
99 Route de Lyon
69802 Saint Priest
France
- (8) SCANIA CV AB
Vagnmakarvagen 1
15187 Södertälje
Sweden
- (9) VOLVO TRUCK CORPORATION
40508 Göteborg
Sweden

Done at Brussels, 10 May 2021.

For the Commission
Frans TIMMERMANS
Executive Vice-President

ANNEX I

All entries refer to the reporting period of the year 2019 as defined in Article 3(3) of Regulation (EU) 2019/1242.

Manufacturer	Average specific CO ₂ emissions, as referred to in Article 4 of Regulation (EU) 2019/1242, in g/tkm	Zero- and low emission factor, as referred to in Article 5(1) of Regulation (EU) 2019/1242	CO ₂ emissions reduction trajectory, as referred to in Article 7 of Regulation (EU) 2019/1242, in g/tkm	Emission credits, as referred to in Article 7 of Regulation (EU) 2019/1242, in g/tkm
DAIMLER TRUCK AG	53,97	1,000	53,16	-
DAF NV	53,38	0,999	53,64	8 154
IVECO MAGIRUS-AG	53,43	1,000	51,87	-
IVECO SPA	33,91	0,998	31,16	-
FORD OTOMOTIV SANAYI AS	53,06	1,000	49,40	-
MAN TRUCK AND BUS SE	51,58	0,999	51,49	-
RENAULT TRUCK SA	52,19	1,000	50,72	-
SCANIA CV AB	51,02	1,000	53,54	77 096
VOLVO TRUCK CORPORATION	54,38	1,000	53,89	-

ANNEX II

Reference CO₂ emissions referred to in Article 1, second paragraph, of Regulation (EU) 2019/1242:

Sub-group <i>sg</i>	$r\text{CO}_{2\text{sg}}$ in g/tkm
4-UD	307,23
4-RD	197,16
4-LH	105,96
5-RD	84,00
5-LH	56,60
9-RD	110,98
9-LH	65,16
10-RD	83,26
10-LH	58,26

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