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<sup>(1)</sup> Text with EEA relevance.

EN

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

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## II

*(Non-legislative acts)*

## REGULATIONS

**COMMISSION DELEGATED REGULATION (EU) 2019/505****of 19 December 2018****amending Annex I to Regulation (EC) No 184/2005 of the European Parliament and of the Council,  
as regards the geographical breakdown levels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment <sup>(1)</sup>, and in particular Article 2(3) thereof,

Whereas:

- (1) On 29 March 2017, the United Kingdom submitted the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. The Treaties will cease to apply to the United Kingdom from the date of entry into force of a withdrawal agreement or failing that, two years after that notification, that is to say from 30 March 2019, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend that period.
- (2) Regulation (EC) No 184/2005 establishes a common framework for the systematic production of Community statistics on balance of payments, international trade in services and foreign direct investment.
- (3) Member States are to submit to the Commission (Eurostat) data on balance of payments, international trade in services and foreign direct investment as referred to in Annex I to Regulation (EC) No 184/2005. That Regulation defines, inter alia, the required levels of geographical breakdown of the data to be submitted by the Member States to the Commission (Eurostat).
- (4) Table 6 of Annex I to Regulation (EC) No 184/2005 contains implicit references to the United Kingdom in the counterpart area 'Union Member States not in the euro area' under geographical breakdown level GEO 4. Member States are required to submit data for that counterpart area to the Commission (Eurostat) with an individual breakdown by country.
- (5) The withdrawal of the United Kingdom from the Union would have the effect that the United Kingdom would become a third country and as such would no longer be part of the counterpart area 'Union Member States not in the euro area' of GEO 4. Member States would therefore no longer be legally bound to submit data for the counterpart area concerning the United Kingdom.
- (6) GEO 4 sets out the geographical breakdown level required for certain items of quarterly statistics on balance of payments and international investment position and activity breakdown of annual direct investment positions and annual direct investment transactions and income.
- (7) European statistics concerning the balance of payments, international investment positions and foreign direct investment are of vital importance to ensuring informed economic policymaking and accurate economic forecasting. They are essential for those responsible for public policy in the Union, for research and Union citizens.

<sup>(1)</sup> OJ L 35, 8.2.2005, p. 23.

- (8) Given the intense trade and economic relations between the Union and the United Kingdom, it is essential to ensure continuity of Member States' submission of data with the United Kingdom as counterpart after its withdrawal from the Union.
- (9) Table 6 of Annex I to Regulation (EC) No 184/2005 also contains explicit references to the United Kingdom in geographical breakdown levels GEO 5 and GEO 6, where the United Kingdom is listed as a separate counterpart country under geographical aggregate 'Europe', together with all other Member States of the Union.
- (10) Aggregate 'Europe' in GEO 5 and GEO 6 is composed of all Member States, the Member States of the European Free Trade Association (EFTA) and other European states. Aggregate 'Other European Countries' consists of all European countries that are neither Members States of the Union nor EFTA Member States, listed in alphabetical order in English.
- (11) Due to the United Kingdom becoming a third country, its positioning in GEO 5 and GEO 6 needs to be changed accordingly.
- (12) Table 6 of Annex I to Regulation (EC) No 184/2005 should therefore be amended to include the United Kingdom as a separate counterpart country in geographical breakdown level GEO 4 and to change its positioning in geographical breakdown levels GEO 5 and GEO 6. Such update neither affects the reporting burden nor modifies the applicable underlying conceptual framework.
- (13) Taking into account the scrutiny period of three months applying to this delegated act and the necessity to have an updated Table 6 of Annex I to Regulation (EC) No 184/2005 in place and ready to be applied at the moment that the United Kingdom would cease to be in the counterpart area 'Union Member States not in the euro area', which could be as early as 30 March 2019, it is essential for this Regulation to enter into force as soon as possible,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 184/2005 is amended in accordance with the Annex to this Regulation.

*Article 2*

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

It shall apply from the day following that on which the United Kingdom ceases to be a Member State of the Union.

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

Done at Brussels, 19 December 2018.

*For the Commission*

*The President*

Jean-Claude JUNKER

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## ANNEX

In Annex I to Regulation (EC) No 184/2005, Table 6 ‘Geographical breakdown levels’ is replaced by the following:

**‘Geographical breakdown levels’**

| GEO 1                                                   | GEO 2                                                   | GEO 3                                                                                 |
|---------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------------------------------------|
| REST OF THE WORLD                                       | REST OF THE WORLD<br>Intra euro area<br>Extra euro area | REST OF THE WORLD<br>INTRA UNION<br>EXTRA UNION<br>Intra euro area<br>Extra euro area |
| GEO 4                                                   | GEO 5                                                   | GEO 6                                                                                 |
| REST OF THE WORLD                                       | REST OF THE WORLD                                       | REST OF THE WORLD                                                                     |
| Union Member States not in the euro area <sup>(1)</sup> | EUROPE                                                  | EUROPE                                                                                |
|                                                         | Belgium                                                 | Belgium                                                                               |
|                                                         | Bulgaria                                                | Bulgaria                                                                              |
|                                                         | Czech Republic                                          | Czech Republic                                                                        |
|                                                         | Denmark                                                 | Denmark                                                                               |
|                                                         | Germany                                                 | Germany                                                                               |
|                                                         | Estonia                                                 | Estonia                                                                               |
|                                                         | Ireland                                                 | Ireland                                                                               |
|                                                         | Greece                                                  | Greece                                                                                |
|                                                         | Spain                                                   | Spain                                                                                 |
|                                                         | France                                                  | France                                                                                |
|                                                         | Croatia                                                 | Croatia                                                                               |
|                                                         | Italy                                                   | Italy                                                                                 |
|                                                         | Cyprus                                                  | Cyprus                                                                                |
|                                                         | Latvia                                                  | Latvia                                                                                |
|                                                         | Lithuania                                               | Lithuania                                                                             |
|                                                         | Luxembourg                                              | Luxembourg                                                                            |
|                                                         | Hungary                                                 | Hungary                                                                               |
|                                                         | Malta                                                   | Malta                                                                                 |
|                                                         | Netherlands                                             | Netherlands                                                                           |
|                                                         | Austria                                                 | Austria                                                                               |
|                                                         | Poland                                                  | Poland                                                                                |
|                                                         | Portugal                                                | Portugal                                                                              |
|                                                         | Romania                                                 | Romania                                                                               |
|                                                         | Slovenia                                                | Slovenia                                                                              |
|                                                         | Slovakia                                                | Slovakia                                                                              |
|                                                         | Finland                                                 | Finland                                                                               |
|                                                         | Sweden                                                  | Sweden                                                                                |

| GEO 4          | GEO 5                    | GEO 6                                      |
|----------------|--------------------------|--------------------------------------------|
| Switzerland    | Iceland                  | Iceland                                    |
|                | Liechtenstein            | Liechtenstein                              |
|                | Norway                   | Norway                                     |
|                | Switzerland              | Switzerland                                |
|                | OTHER EUROPEAN COUNTRIES | OTHER EUROPEAN COUNTRIES                   |
|                |                          | Albania                                    |
|                |                          | Andorra                                    |
|                |                          | Belarus                                    |
|                |                          | Bosnia and Herzegovina                     |
|                |                          | Faroe Islands                              |
|                |                          | Gibraltar                                  |
|                |                          | Guernsey                                   |
|                |                          | Holy See (Vatican City State)              |
|                |                          | Isle of Man                                |
|                |                          | Jersey                                     |
|                |                          | Macedonia, the Former Yugoslav Republic of |
| Russia         | Russia                   | Moldova                                    |
|                |                          | Montenegro                                 |
|                |                          | Russia                                     |
|                |                          | Serbia                                     |
|                |                          | San Marino                                 |
| United Kingdom | Turkey                   | Turkey                                     |
|                |                          | Ukraine                                    |
|                | United Kingdom           | United Kingdom                             |
|                |                          | AFRICA                                     |
|                | AFRICA                   | NORTH AFRICA                               |
|                |                          | Algeria                                    |
|                | Egypt                    | Egypt                                      |
|                |                          | Libya                                      |
|                | Morocco                  | Morocco                                    |
|                |                          | Tunisia                                    |
|                | OTHER AFRICAN COUNTRIES  | OTHER AFRICAN COUNTRIES                    |
|                |                          | Angola                                     |
|                |                          | Benin                                      |
|                |                          | Botswana                                   |
|                |                          | British Indian Ocean Territory             |
|                |                          | Burkina Faso                               |
|                |                          | Burundi                                    |

| GEO 4 | GEO 5        | GEO 6                                     |
|-------|--------------|-------------------------------------------|
|       |              | Cameroon                                  |
|       |              | Cape Verde                                |
|       |              | Central African Republic                  |
|       |              | Chad                                      |
|       |              | Comoros                                   |
|       |              | Congo                                     |
|       |              | Côte d'Ivoire                             |
|       |              | Congo, the Democratic Republic of         |
|       |              | Djibouti                                  |
|       |              | Equatorial Guinea                         |
|       |              | Eritrea                                   |
|       |              | Ethiopia                                  |
|       |              | Gabon                                     |
|       |              | Gambia                                    |
|       |              | Ghana                                     |
|       |              | Guinea                                    |
|       |              | Guinea-Bissau                             |
|       |              | Kenya                                     |
|       |              | Lesotho                                   |
|       |              | Liberia                                   |
|       |              | Madagascar                                |
|       |              | Malawi                                    |
|       |              | Mali                                      |
|       |              | Mauritania                                |
|       |              | Mauritius                                 |
|       |              | Mozambique                                |
|       |              | Namibia                                   |
|       |              | Niger                                     |
|       | Nigeria      | Nigeria                                   |
|       | South Africa | South Africa                              |
|       |              | Rwanda                                    |
|       |              | St Helena, Ascension and Tristan da Cunha |
|       |              | Sao Tome and Principe                     |
|       |              | Senegal                                   |
|       |              | Seychelles                                |
|       |              | Sierra Leone                              |
|       |              | Somalia                                   |
|       |              | Sudan                                     |

| GEO 4         | GEO 5                      | GEO 6                           |
|---------------|----------------------------|---------------------------------|
|               |                            | South Sudan                     |
|               |                            | Swaziland                       |
|               |                            | Tanzania                        |
|               |                            | Togo                            |
|               |                            | Uganda                          |
|               |                            | Zambia                          |
|               |                            | Zimbabwe                        |
|               | AMERICA                    | AMERICA                         |
|               | NORTH AMERICAN COUNTRIES   | NORTH AMERICAN COUNTRIES        |
| Canada        | Canada                     | Canada                          |
|               |                            | Greenland                       |
| United States | United States              | United States                   |
|               | CENTRAL AMERICAN COUNTRIES | CENTRAL AMERICAN COUNTRIES      |
|               |                            | Anguilla                        |
|               |                            | Antigua and Barbuda             |
|               |                            | Aruba                           |
|               |                            | Bahamas                         |
|               |                            | Barbados                        |
|               |                            | Belize                          |
|               |                            | Bermuda                         |
|               |                            | Bonaire, St. Eustatius and Saba |
|               |                            | Virgin Islands, British         |
|               |                            | Cayman Islands                  |
|               |                            | Costa Rica                      |
|               |                            | Cuba                            |
|               |                            | Curaçao                         |
|               |                            | Dominica                        |
|               |                            | Dominican Republic              |
|               |                            | El Salvador                     |
|               |                            | Grenada                         |
|               |                            | Guatemala                       |
|               |                            | Haiti                           |
|               |                            | Honduras                        |
|               |                            | Jamaica                         |
|               | Mexico                     | Mexico                          |
|               |                            | Montserrat                      |
|               |                            | Nicaragua                       |
|               |                            | Panama                          |
|               |                            | St Kitts and Nevis              |
|               |                            | Saint Lucia                     |

| GEO 4  | GEO 5                                | GEO 6                                |
|--------|--------------------------------------|--------------------------------------|
| Brazil |                                      | St. Maarten                          |
|        |                                      | St Vincent and the Grenadines        |
|        |                                      | Trinidad and Tobago                  |
|        |                                      | Turks and Caicos Islands             |
|        |                                      | Virgin Islands, U.S.                 |
|        | SOUTH AMERICAN COUNTRIES             | SOUTH AMERICAN COUNTRIES             |
|        | Argentina                            | Argentina                            |
|        |                                      | Bolivia                              |
|        | Brazil                               | Brazil                               |
|        | Chile                                | Chile                                |
|        |                                      | Colombia                             |
|        |                                      | Ecuador                              |
|        |                                      | Falkland Islands                     |
|        |                                      | Guyana                               |
|        |                                      | Paraguay                             |
|        |                                      | Peru                                 |
|        |                                      | Suriname                             |
|        | Uruguay                              | Uruguay                              |
|        | Venezuela                            | Venezuela                            |
|        | ASIA                                 | ASIA                                 |
|        | NEAR AND MIDDLE EAST COUNTRIES       | NEAR AND MIDDLE EAST COUNTRIES       |
|        | GULF ARABIAN COUNTRIES               | GULF ARABIAN COUNTRIES               |
|        |                                      | Bahrain                              |
|        |                                      | Iraq                                 |
|        |                                      | Kuwait                               |
|        |                                      | Oman                                 |
|        |                                      | Qatar                                |
|        |                                      | Saudi Arabia                         |
|        |                                      | United Arab Emirates                 |
|        |                                      | Yemen                                |
|        | OTHER NEAR AND MIDDLE EAST COUNTRIES | OTHER NEAR AND MIDDLE EAST COUNTRIES |
|        |                                      | Armenia                              |
|        |                                      | Azerbaijan                           |
|        |                                      | Georgia                              |
|        |                                      | Israel                               |
|        |                                      | Jordan                               |

| GEO 4     | GEO 5                 | GEO 6                 |
|-----------|-----------------------|-----------------------|
|           |                       | Lebanon               |
|           |                       | Palestinian Territory |
|           |                       | Syria                 |
|           | OTHER ASIAN COUNTRIES | OTHER ASIAN COUNTRIES |
|           |                       | Afghanistan           |
|           |                       | Bangladesh            |
|           |                       | Bhutan                |
|           |                       | Brunei Darussalam     |
|           |                       | Burma/Myanmar         |
|           |                       | Cambodia              |
| China     | China                 | China                 |
| Hong Kong | Hong Kong             | Hong Kong             |
| India     | India                 | India                 |
|           | Indonesia             | Indonesia             |
|           |                       | Iran                  |
| Japan     | Japan                 | Japan                 |
|           |                       | Kazakhstan            |
|           |                       | Kyrgyzstan            |
|           |                       | Laos                  |
|           |                       | Macao                 |
|           | Malaysia              | Malaysia              |
|           |                       | Maldives              |
|           |                       | Mongolia              |
|           |                       | Nepal                 |
|           |                       | North Korea           |
|           |                       | Pakistan              |
|           | Philippines           | Philippines           |
|           | Singapore             | Singapore             |
|           | South Korea           | South Korea           |
|           |                       | Sri Lanka             |
|           | Taiwan                | Taiwan                |
|           |                       | Tajikistan            |
|           | Thailand              | Thailand              |
|           |                       | Timor-Leste           |
|           |                       | Turkmenistan          |
|           |                       | Uzbekistan            |
|           |                       | Vietnam               |

| GEO 4 | GEO 5                     | GEO 6                                    |
|-------|---------------------------|------------------------------------------|
|       | OCEANIA AND POLAR REGIONS | OCEANIA AND POLAR REGIONS                |
|       |                           | American Samoa                           |
|       |                           | Guam                                     |
|       |                           | US Minor Outlying Islands                |
|       | Australia                 | Australia                                |
|       |                           | Cocos (Keeling Islands)                  |
|       |                           | Christmas Islands                        |
|       |                           | Heard Island and McDonald Islands        |
|       |                           | Norfolk Island                           |
|       |                           | Fiji                                     |
|       |                           | French Polynesia                         |
|       |                           | Kiribati                                 |
|       |                           | Marshall Islands                         |
|       |                           | Micronesia                               |
|       |                           | Nauru                                    |
|       |                           | New Caledonia                            |
|       | New Zealand               | New Zealand                              |
|       |                           | Cook Islands                             |
|       |                           | Niue                                     |
|       |                           | Tokelau                                  |
|       |                           | Northern Mariana Islands                 |
|       |                           | Palau                                    |
|       |                           | Papua New Guinea                         |
|       |                           | Pitcairn                                 |
|       |                           | Antarctica                               |
|       |                           | Bouvet Island                            |
|       |                           | South Georgia and South Sandwich Islands |
|       |                           | French Southern and Antarctic Lands      |
|       |                           | Solomon Islands                          |
|       |                           | Tonga                                    |
|       |                           | Tuvalu                                   |
|       |                           | Vanuatu                                  |
|       |                           | Samoa                                    |
|       |                           | Wallis and Futuna                        |

| GEO 4                                                      | GEO 5                                                      | GEO 6                                                      |
|------------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------|
| INTRA UNION                                                | INTRA UNION                                                | INTRA UNION                                                |
| EXTRA UNION                                                | EXTRA UNION                                                | EXTRA UNION                                                |
| Intra Euro Area                                            | Intra Euro Area                                            | Intra Euro Area                                            |
| Extra Euro Area                                            | Extra Euro Area                                            | Extra Euro Area                                            |
| Union Institutions (excluding ECB)                         | Union Institutions (excluding ECB)                         | Union Institutions (excluding ECB)                         |
| European Investment Bank                                   | European Investment Bank                                   | European Investment Bank                                   |
|                                                            | European Central Bank (ECB)                                | European Central Bank (ECB)                                |
|                                                            | INTRA UNION NOT ALLOCATED                                  | INTRA UNION NOT ALLOCATED                                  |
|                                                            | EXTRA UNION NOT ALLOCATED                                  | EXTRA UNION NOT ALLOCATED                                  |
| Offshore financial centres                                 | Offshore financial centres                                 | Offshore financial centres                                 |
| International Organisations (excluding Union Institutions) | International Organisations (excluding Union Institutions) | International Organisations (excluding Union Institutions) |
| International Monetary Fund (IMF)                          | International Monetary Fund (IMF)                          | International Monetary Fund (IMF)                          |

(<sup>1</sup>) Union Member States not in the euro area: individual breakdown by country.'

**COMMISSION IMPLEMENTING REGULATION (EU) 2019/506****of 26 March 2019****authorising the placing on the market of D-ribose as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001 <sup>(1)</sup>, and in particular Article 12 thereof,

Whereas:

- (1) Regulation (EU) 2015/2283 provides that only novel foods authorised and included in the Union list may be placed on the market within the Union.
- (2) Pursuant to Article 8 of Regulation (EU) 2015/2283, Commission Implementing Regulation (EU) 2017/2470 <sup>(2)</sup> establishing a Union list of authorised novel foods was adopted.
- (3) Pursuant to Article 12 of Regulation (EU) 2015/2283, the Commission is to decide on the authorisation and on the placing on the Union market of a novel food and on the updating of the Union list.
- (4) On 17 March 2008, the company Bioenergy Life Science, Inc. ('the Applicant'), submitted a request to the competent authority of the United Kingdom to place D-ribose on the Union market as a novel food ingredient within the meaning of point (d) of Article 1(2) of Regulation (EC) No 258/97 of the European Parliament and of the Council <sup>(3)</sup>. The application requests for the novel food to be used in a variety of foods, including foods for special medical purposes and total diet replacement for weight control, and in food supplements, the target population being adults and adolescents above 14 years of age.
- (5) The competent authority of the United Kingdom requested additional information to resolve uncertainties arising from a study on reproductive toxicity. In November 2013, the applicant submitted a revised dossier to the competent authority of the United Kingdom.
- (6) Pursuant to Article 35(1) of Regulation (EU) 2015/2283, any request for placing a novel food on the market within the Union submitted to a Member State in accordance with Article 4 of Regulation (EC) No 258/97 and for which the final decision has not been taken before 1 January 2018 shall be treated as an application submitted under Regulation (EU) 2015/2283.
- (7) While the request for placing D-ribose on the market as a novel food within the Union was submitted to a Member State in accordance with Article 4 of Regulation (EC) No 258/97, the application also meets the requirements laid down in Regulation (EU) 2015/2283.
- (8) On 23 February 2016, the competent authority of the United Kingdom issued its initial assessment report. In that report it came to the conclusion that D-ribose meets the criteria for novel food ingredients set out in Article 3(1) of Regulation (EC) No 258/97.
- (9) On 17 May 2016, the Commission forwarded the initial assessment report to the other Member States. Reasoned objections were raised by the other Member States within the 60-day period laid down in the first subparagraph of Article 6(4) of Regulation (EC) No 258/97, in particular with regard to the lack of data on the amount of free D-ribose to be consumed as part of the normal diet, the lack of long-term studies analysing the effect of high doses of D-ribose and the low margin of exposure for toddlers.

<sup>(1)</sup> OJ L 327, 11.12.2015, p. 1.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2017/2470 of 20 December 2017 establishing the Union list of novel foods in accordance with Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods (OJ L 351, 30.12.2017, p. 72).

<sup>(3)</sup> Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients (OJ L 43, 14.2.1997, p. 1).

- (10) In view of the objections raised by the other Member States, the Commission consulted the European Food Safety Authority ('the Authority') on 19 May 2017, asking it to carry out an additional assessment for D-ribose as a novel food ingredient in accordance with Regulation (EC) No 258/97.
- (11) In a subsequent application, submitted on 2 March 2018, the applicant made a request to the Commission for the protection of proprietary data for a number of studies submitted in support of the application, namely, the oral embryotoxicity/teratogenicity study with D-ribose in rats <sup>(4)</sup> and the sub-chronic (13-week) oral toxicity study with D-ribose in rats <sup>(5)</sup>.
- (12) On 18 April 2018, the Authority adopted its 'Scientific opinion on the safety of D-ribose as a novel food.' <sup>(6)</sup> This opinion is in line with the requirements of Article 11 of Regulation (EU) 2015/2283.
- (13) In its opinion, the Authority did not establish the safety of D-ribose at the intended uses and use levels as proposed by the applicant because the intake would exceed the level of 36 mg/kg bw per day, which is considered safe. The Authority ascertained that the data of the oral embryotoxicity/teratogenicity study with D-ribose in rats and of the sub-chronic (13-week) oral toxicity study with D-ribose in rats served as a basis to assess the safety of D-ribose. Therefore, the Authority considered that without the data from the oral embryotoxicity/teratogenicity study with D-ribose in rats and the sub-chronic (13-week) oral toxicity study with D-ribose in rats it could not have come to the conclusions on the safety of D-ribose.
- (14) In view of the Authority's opinion, on 22 August 2018, the applicant modified its request by removing some of the proposed food categories included in the original application and by reducing the maximum use levels of the remaining proposed uses of D-ribose so as to alleviate the safety concerns. Following a request from the European Commission, the Authority was asked on 4 September 2018 to carry out a supplementary safety assessment for D-ribose by considering the new proposed uses and use levels submitted by the applicant. On 24 October 2018, in its reviewed opinion on the safety of D-ribose <sup>(7)</sup>, the Authority concluded that D-ribose is safe under the new proposed conditions of use for the general population. This opinion is in line with the requirements of Article 11 of Regulation (EU) 2015/2283.
- (15) That opinion gives sufficient grounds to establish that D-ribose, under the proposed uses and use levels, when used as an ingredient in cereal bars, fine bakery wares, chocolate confectionery, milk-based drinks, drinks intended to meet the expenditure of intense muscular effort especially for sportsmen, isotonic and energy drinks, meal replacement for weight control (as drinks and as bars), bars intended to meet the expenditure of intense muscular effort especially for sportsmen, confectionery, and tea and infusions complies with Article 12(1) of Regulation (EU) 2015/2283.
- (16) Based on the Authority's opinion, the Commission requested the applicant to further clarify the justification provided with regard to their proprietary claim over the studies and to clarify their claim to an exclusive right of reference to those studies, as referred to in points (a) and (b) of Article 26(2) of Regulation (EU) 2015/2283.
- (17) The applicant has also declared that, at the time the application was submitted, they held proprietary and exclusive rights to the studies under national law and that therefore third parties could not lawfully access or use those studies. The Commission has assessed all the information provided by the applicant and considered that the applicant has sufficiently substantiated the fulfilment of the requirements laid down in Article 26(2) of Regulation (EU) 2015/2283.
- (18) Accordingly, as provided for under Article 26(2) of Regulation (EU) 2015/2283, the oral embryotoxicity/teratogenicity study with D-ribose in rats and the sub-chronic (13-week) oral toxicity study with D-ribose in rats contained in the applicant's file without which D-ribose could not have been assessed by the Authority, should not be used by it for the benefit of a subsequent applicant for a period of five years from the date of entry into force of this Regulation. As a consequence, the placing on the market within the Union of D-ribose under this Regulation should be restricted to the applicant for a period of five years.
- (19) However, restricting the authorisation of this novel food and the reference to the oral embryotoxicity/teratogenicity study with D-ribose in rats and the sub-chronic (13-week) oral toxicity study with D-ribose in rats contained in the Applicant's file for the sole use of the applicant does not prevent other applicants from applying for an authorisation to place on the market the same novel food ingredient provided that their application is based on legally obtained information supporting the authorisation under this Regulation.

<sup>(4)</sup> TNO report V2657 for Bioenergy Life Science, Inc., December 2005 (unpublished).

<sup>(5)</sup> TNO report V99.115 for Bioenergy Life Science, Inc., December 2005 (unpublished).

<sup>(6)</sup> EFSA Journal 2018; 16(5):265.

<sup>(7)</sup> EFSA Journal 2018; 16(12):5485.

- (20) The acceptable level of intake in food containing D-ribose, if used in conjunction with food supplements containing D-ribose, should not be exceeded. It is therefore necessary to inform the consumers with an appropriate label.
- (21) The Annex to Regulation (EU) 2017/2470 should therefore be amended accordingly.
- (22) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. D-ribose as specified in the Annex to this Regulation shall be included in the Union list of authorised novel foods established in Implementing Regulation (EU) 2017/2470.
2. For a period of five years from the date of entry into force of this Regulation only the initial Applicant:  
Company: Bioenergy Life Science, Inc.  
Address: 13840 Johnson St. NE, Minneapolis, Minnesota, 55304, USA;  
is authorised to place on the market within the Union the novel food referred to in paragraph 1, unless a subsequent applicant obtains authorisation for the same novel food without reference to the data protected pursuant to Article 2 of this Regulation or with the agreement of Bioenergy Life Science, Inc.
3. The entry in the Union list referred to in the first paragraph shall include the conditions of use and labelling requirements laid down in the Annex to this Regulation.

#### *Article 2*

The studies contained in the application file on the basis of which the novel food referred to in Article 1 has been assessed by the Authority, claimed by the applicant as fulfilling the requirements laid down in Article 26(2) of Regulation (EU) 2015/2283, shall not be used for the benefit of a subsequent applicant for a period of five years from the date of entry into force of this Regulation, without the agreement of Bioenergy Life Science, Inc.

#### *Article 3*

The Annex to Implementing Regulation (EU) 2017/2470 is amended in accordance with the Annex to this Regulation.

#### *Article 4*

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

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

Done at Brussels, 26 March 2019.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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The Annex to Implementing Regulation (EU) 2017/2470 is amended as follows:

(1) the following last column is added in Table 1 (Authorised novel foods):

'Data Protection'

(2) the following entry is inserted in Table 1 (Authorised novel foods) in alphabetical order:

| Authorised novel food | Conditions under which the novel food may be used                                                                       |                       | Additional specific labelling requirements                                                                                                                                                                                                                                            | Other requirements | Data Protection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>D-ribose</b>       | <i>Specified food category</i>                                                                                          | <i>Maximum levels</i> | The designation of the novel food on the labelling of the foodstuffs containing it shall be 'D-ribose'.<br><br>The labelling of foods containing D-ribose shall bear a statement that the foods should not be used if food supplements containing D-ribose are consumed the same day. |                    | <p>Authorised on 16 April 2019. This inclusion is based on proprietary scientific evidence and scientific data protected in accordance with Article 26 of Regulation (EU) 2015/2283.</p> <p>Applicant: Bioenergy Life Science, Inc., 13840 Johnson St. NE, Minneapolis, Minnesota, 55304, USA. During the period of data protection, the novel food D-ribose is authorised for placing on the market within the Union only by Bioenergy Life Science, Inc. unless a subsequent applicant obtains authorisation for the novel food without reference to the proprietary scientific evidence or scientific data protected in accordance with Article 26 of Regulation (EU) 2015/2283 or with the agreement of Bioenergy Life Science, Inc.</p> <p>End date of the data protection: 16 April 2024 (5 years).'</p> |
|                       | Cereal bars                                                                                                             | 0,20 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Fine bakery wares                                                                                                       | 0,31 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Chocolate confectionery (excluding chocolate bars)                                                                      | 0,17 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Milk-based drinks (excluding malts and shakes)                                                                          | 0,08 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Drinks intended to meet the expenditure of intense muscular effort especially for sportsmen, isotonic and energy drinks | 0,80 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Bars intended to meet the expenditure of intense muscular effort especially for sportsmen                               | 3,3 g/100 g           |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Meal replacement for weight control (as drinks)                                                                         | 0,13 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Meal replacement for weight control (as bars)                                                                           | 3,30 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Confectionery                                                                                                           | 0,20 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                       | Tea and infusions (in powder form to be reconstituted)                                                                  | 0,23 g/100 g          |                                                                                                                                                                                                                                                                                       |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

(3) The following entry is inserted in Table 2 (Specifications) in alphabetical order:

| Authorised Novel Food | Specification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>D-ribose</b>       | <p><b>Description</b></p> <p>D-ribose is an aldopentose monosaccharide which is produced by fermentation using a transketolase-deficient strain of <i>Bacillus subtilis</i>.<br/> Chemical formula: C<sub>5</sub>H<sub>10</sub>O<sub>5</sub><br/> CAS No: 50-69-1<br/> Molecular mass: 150,13 Da</p> <p><b>Characteristics/Composition</b></p> <p>Appearance: Dry with powdery texture, white to slightly yellow in colour<br/> Specific rotation [α]<sub>D</sub><sup>25</sup>: – 19,0° to – 21,0°<br/> D-ribose purity (% dry basis):<br/> -HPLC/RI (*) Method 98,0–102,0 %<br/> Ash: &lt; 0,2 %<br/> Loss on drying (moisture): &lt; 0,5 %<br/> Clarity on solution: ≥ 95 % transmittance</p> <p><b>Heavy metals</b></p> <p>Lead: ≤ 0,1 mg/kg<br/> Arsenic: ≤ 0,1 mg/kg<br/> Cadmium: ≤ 0,1 mg/kg<br/> Mercury: ≤ 0,1 mg/kg</p> <p><b>Microbiological criteria</b></p> <p>Total plate count: ≤ 100 CFU (**)/g<br/> Yeast: ≤ 100 CFU/g<br/> Moulds: ≤ 100 CFU/g<br/> Coliforms: ≤ 10 CFU/g<br/> <i>Salmonella</i> sp: Negative/25 g</p> |

(\*) HPLC/RI: High-performance liquid chromatography coupled with refractive index detection.

(\*\*) CFU: Colony-forming unit'

**COMMISSION IMPLEMENTING REGULATION (EU) 2019/507  
of 26 March 2019**

**amending for the 297<sup>th</sup> time Council Regulation (EC) No 881/2002 imposing certain specific  
restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh)  
and Al-Qaida organisations**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations <sup>(1)</sup>, and in particular Article 7(1)(a) and Article 7a(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 22 March 2019, the Sanctions Committee of the United Nations Security Council decided to add one entry to the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I to Regulation (EC) No 881/2002 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 26 March 2019.

*For the Commission,  
On behalf of the President,  
Head of the Service for Foreign Policy Instruments*

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<sup>(1)</sup> OJ L 139 29.5.2002, p. 9.

## ANNEX

In Annex I to Regulation (EC) No 881/2002 the following entry is added under the heading 'Legal persons, groups and entities':

'Tariq Gidar Group (TGG) (alias: (a) Tehrik-e-Taliban-Tariq Gidar Group (b) TTP-Tariq Gidar Group (c) Tehreek-i-Taliban Pakistan Geedar Group (d) TTP Geedar Group (e) Tariq Geedar Group (f) Commander Tariq Afridi Group (g) Tariq Afridi Group (h) Tariq Gidar Afridi Group (i) The Asian Tigers. Address: (Afghanistan/Pakistan border region). Other information: Splinter group of Tehrik-e Taliban Pakistan (TTP). The group was formed in Darra Adam Khel, Federally Administered Tribal Area (FATA), Pakistan, in 2007. Date of designation referred to in Article 7d(2) (i): 22.3.2019.'

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# DECISIONS

## EUROPEAN COUNCIL DECISION (EU) 2019/508

of 22 March 2019

### appointing a member of the Executive Board of the European Central Bank

THE EUROPEAN COUNCIL,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 283(2),

Having regard to the recommendation of the Council of the European Union <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Governing Council of the European Central Bank <sup>(3)</sup>,

Whereas:

- (1) The term of office of Mr Peter PRAET, member of the Executive Board of the European Central Bank, expires on 31 May 2019. It is therefore necessary to appoint a new member of the Executive Board of the European Central Bank.
- (2) The European Council wishes to appoint Mr Philip R. LANE, who, in its view, fulfils all the requirements set out in Article 283(2) of the Treaty,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Mr Philip R. LANE is hereby appointed a member of the Executive Board of the European Central Bank for a term of office of eight years as from 1 June 2019.

#### *Article 2*

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

Done at Brussels, 22 March 2019.

*For the European Council*

*The President*

D. TUSK

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<sup>(1)</sup> OJ C 60, 15.2.2019, p. 1.

<sup>(2)</sup> Opinion delivered on 14 March 2019 (not yet published in the Official Journal).

<sup>(3)</sup> Opinion delivered on 6 March 2019 (not yet published in the Official Journal).

**EUROPEAN SECURITIES AND MARKETS AUTHORITY DECISION (EU) 2019/509****of 22 March 2019****renewing the temporary prohibition on the marketing, distribution or sale of binary options to retail clients**

THE EUROPEAN SECURITIES AND MARKETS AUTHORITY BOARD OF SUPERVISORS,

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

Having regard to Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC <sup>(1)</sup>, and in particular Articles 9(5), 43(2) and 44(1) thereof,

Having regard to Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 <sup>(2)</sup>, and in particular Article 40 thereof,

Having regard to Commission Delegated Regulation (EU) 2017/567 of 18 May 2016 supplementing Regulation (EU) No 600/2014 of the European Parliament and of the Council with regard to definitions, transparency, portfolio compression and supervisory measures on product intervention and positions <sup>(3)</sup>, and in particular Article 19 thereof,

Whereas:

1. By Decision (EU) 2018/795 <sup>(4)</sup>, the European Securities and Markets Authority (ESMA) prohibited the marketing, distribution or sale of binary options to retail clients with effect from 2 July 2018 for a period of three months.
2. In accordance with Article 40(6) of Regulation (EU) No 600/2014, ESMA must review a temporary product intervention measure at appropriate intervals and at least every three months.
3. By Decision (EU) 2018/1466 <sup>(5)</sup>, ESMA renewed and amended the temporary prohibition on the marketing, distribution or sale of binary options to retail clients with effect from 2 October 2018. By Decision (EU) 2018/2064 <sup>(6)</sup>, ESMA further renewed the temporary prohibition on the marketing, distribution or sale of binary option to retail clients on the same terms as Decision (EU) 2018/1466, with effect from 2 January 2019 for a period of three months.
4. ESMA's further review of the prohibition on binary options has been informed by, inter alia, a survey amongst national competent authorities <sup>(7)</sup> (NCAs) on the practical application and impact of the product intervention measure as well as additional information provided by NCAs and stakeholders.
5. NCAs detected only limited examples of non-compliance with the ESMA product intervention measures. Furthermore, no new authorisations have been provided to firms that market, distribute or sell binary options since the announcement of the agreed measures on 27 March 2018.

<sup>(1)</sup> OJ L 331, 15.12.2010, p. 84.

<sup>(2)</sup> OJ L 173, 12.6.2014, p. 84.

<sup>(3)</sup> OJ L 87, 31.3.2017, p. 90.

<sup>(4)</sup> European Securities and Markets Authority Decision (EU) 2018/795 of 22 May 2018 to temporarily prohibit the marketing, distribution or sale of binary options to retail clients in the Union in accordance with Article 40 of Regulation (EU) No 600/2014 of the European Parliament and of the Council (OJ L 136, 1.6.2018, p. 31).

<sup>(5)</sup> European Securities and Markets Authority Decision (EU) 2018/1466 of 21 September 2018 renewing and amending the temporary prohibition in Decision (EU) 2018/795 on the marketing, distribution or sale of binary options to retail clients (OJ L 245, 1.10.2018, p. 17).

<sup>(6)</sup> European Securities and Markets Authority Decision (EU) 2018/2064 of 14 December 2018 renewing the temporary prohibition on the marketing, distribution or sale of binary options to retail clients (OJ L 329, 27.12.2018, p. 27).

<sup>(7)</sup> 20 NCAs have responded: Financial Market Authority (AT-FMA), Bundesanstalt für Finanzdienstleistungsaufsicht (DE-BaFin), Finanstilsynet (DK-Finanstilsynet), Hellenic Capital Markets Commission (EL-HCMC), Comisión Nacional del Mercado de Valores (ES-CNMV), Finantsinspeksioon (EE-FSA), Finnish Financial Supervisory Authority (FI-FSA), Autorité des Marchés Financiers (FR-AMF), Magyar Nemzeti Bank (HU-MNB), Central Bank of Ireland (IE-CBI), Commission de Surveillance du Secteur Financier (LU-CSSF), Finanšu un kapitāla tirgus komisija (LV-FKTK), Malta Financial Services Authority (MT-MFSA), Autoriteit Financiële Markten (NL-AFM), Komisja Nadzoru Finansowego (PL-KNF), Comissão do Mercado de Valores Mobiliários (PT-CMVM), Finansinspektionen (SE- Finansinspektionen), Agencija za trg vrednostnih papirjev (SI-ATVP), National Bank Slovakia (NBS-SK), Financial Conduct Authority (UK-FCA).

6. ESMA is aware that some third-country firms are actively approaching Union clients. However, without authorisation or registration in the Union, these firms are only allowed to offer services to clients established or situated in the Union at the client's own exclusive initiative. ESMA is also aware that firms are starting to provide other speculative investment products. ESMA will continue to monitor the offer of these other products to determine whether any other Union measures are appropriate.
7. Since the adoption of Decision (EU) 2018/795, ESMA did not obtain evidence contradicting its overall finding of a significant investor protection concern identified in Decision (EU) 2018/795, Decision (EU) 2018/1466 or Decision (EU) 2018/2064 (Decisions). ESMA has therefore concluded that the significant investor protection concern identified in the Decisions would persist if the temporary prohibition on the marketing, distribution or sale of binary options to retail clients is not renewed.
8. Moreover, the applicable existing regulatory requirements under Union law have not changed and continue not to address the threat identified by ESMA. Furthermore, NCAs have not taken action to address the threat or the actions taken do not adequately address the threat. In particular, since the adoption of Decision (EU) 2018/795, no NCA has adopted its own national product intervention measure under Article 42 of Regulation (EU) No 600/2014 <sup>(8)</sup>.
9. The renewal of the prohibition does not have a detrimental effect on the efficiency of financial markets or on investors that is disproportionate to the benefits of the action and does not create a risk of regulatory arbitrage for the same reasons set out in the Decisions.
10. If the temporary prohibition is not renewed, ESMA continues to consider it likely that binary options will again be offered to retail clients and that the same or similar products will return to the market that gave rise to the consumer detriment identified in the Decisions.
11. In view of these reasons, taken together with the reasons set out in the Decisions, ESMA has decided to renew the prohibition on the same terms as those set out in Decision (EU) 2018/1466 and Decision (EU) 2018/2064 for a further three-month period to address the significant investor protection concern.
12. As the proposed measures may, to a limited extent, relate to agricultural commodities derivatives, ESMA has consulted the public bodies competent for the oversight, administration and regulation of physical agricultural markets under Council Regulation (EC) No 1234/2007 <sup>(9)</sup>. None of those bodies has raised any objections to the proposed renewal of the measures.
13. ESMA has notified NCAs of the proposed renewal Decision,

HAS ADOPTED THIS DECISION:

#### *Article 1*

### **Temporary prohibition on binary options in respect of retail clients**

1. The marketing, distribution or sale to retail clients of binary options is prohibited.
2. For the purposes of paragraph 1, irrespective of whether it is traded on a trading venue, a binary option is a derivative that meets the following conditions:
  - (a) it must be settled in cash or may be settled in cash at the option of one of the parties other than by reason of default or other termination event;
  - (b) it only provides for payment at its close-out or expiry;

<sup>(8)</sup> On 4 June 2018, a competent authority of an EEA EFTA State, NO-Finanstilsynet, adopted national product intervention measures that have the same terms and dates of application of ESMA's measures. Furthermore, on 5 July 2018, the Financial Supervisory Authority of Iceland published that it considers the marketing, distribution or sale of binary options to be contrary to proper and sound business procedures and practices in securities trading according to its national law (Article 5 of Act No 108/2007 on Securities Transactions). Furthermore, on 6 July 2018 in Romania national law started to apply that has similar terms as ESMA's measures.

<sup>(9)</sup> Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).

- (c) its payment is limited to:
  - (i) a predetermined fixed amount or zero if the underlying of the derivative meets one or more predetermined conditions; and
  - (ii) a predetermined fixed amount or zero if the underlying of the derivative does not meet one or more predetermined conditions.
- 3. The prohibition in paragraph 1 does not apply to:
  - (a) a binary option for which the lower of the two predetermined fixed amounts is at least equal to the total payment made by a retail client for the binary option, including any commission, transaction fees and other related costs;
  - (b) a binary option that meets the following conditions:
    - (i) the term from issuance to maturity is at least 90 calendar days;
    - (ii) a prospectus drawn up and approved in accordance with Directive 2003/71/EC of the European Parliament and of the Council <sup>(10)</sup> is available to the public; and
    - (iii) the binary option does not expose the provider to market risk throughout the term of the binary option and the provider or any of its group entities do not make a profit or loss from the binary option, other than previously disclosed commission, transaction fees or other related charges.

#### *Article 2*

#### **Prohibition of participating in circumvention activities**

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the requirements in Article 1, including by acting as a substitute for the binary option provider.

#### *Article 3*

#### **Entry into force and application**

1. This Decision enters into force on the day following that of its publication in the *Official Journal of the European Union*.
2. This Decision shall apply from 2 April 2019 for a period of 3 months.

Done at Paris, 22 March 2019.

*For the Board of Supervisors*  
Steven MAIJOR  
*The Chair*

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<sup>(10)</sup> Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC (OJ L 345, 31.12.2003, p. 64).

**COUNCIL DECISION (EU) 2019/510****of 25 March 2019****on the position to be taken on behalf of the European Union in the framework of the Convention on future multilateral cooperation in the North-East Atlantic fisheries as regards the application for accession to that Convention submitted by the United Kingdom**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Convention on future multilateral cooperation in the North-East Atlantic fisheries <sup>(1)</sup> ('the NEAFC Convention') was approved by Council Decision 81/608/EEC <sup>(2)</sup> and entered into force on 17 March 1982.
- (2) On 29 March 2017, the United Kingdom submitted the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union (TEU). The Treaties will cease to apply to the United Kingdom from the date of entry into force of a withdrawal agreement or, failing that, two years after that notification, namely from 30 March 2019, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend that period.
- (3) Until its withdrawal from the Union, the United Kingdom remains a Member State enjoying all the rights and is bound by all obligations stemming from the Treaties, including compliance with the principle of sincere cooperation.
- (4) In the guidelines following the United Kingdom's notification under Article 50 TEU of 29 April 2017, the European Council recognised the need, in the international context, to take into account the specificities of the United Kingdom as a withdrawing Member State, provided it respects its obligations and remains loyal to the Union's interests while still a Member State.
- (5) The Withdrawal Agreement contains arrangements for the application of provisions of Union law to and in the United Kingdom beyond the date the Treaties cease to apply to the United Kingdom ('transition period'). If that Agreement enters into force, Union law, including international agreements to which the Union is a party, will continue to apply to and in the United Kingdom during the transition period in accordance with that Agreement and will cease to apply at the end of that period.
- (6) The NEAFC Convention currently applies to the United Kingdom as a result of the Union being a Contracting Party to that Convention, while Article 20(4) of the NEAFC Convention excludes the accession of Member States of the Union.
- (7) Pursuant to Article 20(4) of the NEAFC Convention, any State may accede to the NEAFC Convention provided that an application for accession of that State meets with the approval of three-fourths of all Contracting Parties to the NEAFC Convention within 90 days from the date of notification by the Depositary of the receipt of the application.
- (8) On 8 January 2019, the United Kingdom submitted an application to accede to the NEAFC Convention as a Contracting Party in view of a possible absence of a withdrawal agreement by the date the Treaties cease to apply to it.
- (9) Pursuant to Articles 56, 63 and 116 of the United Nations Convention on the Law of the Sea (UNCLOS) <sup>(3)</sup>, the United Kingdom has legitimate fishing interests within the Convention Area of the NEAFC Convention (high seas) and as a coastal State, insofar as the waters under the exclusive economic zone of the United Kingdom fall within the Convention Area of the NEAFC Convention.

<sup>(1)</sup> OJ L 227, 12.8.1981, p. 22.

<sup>(2)</sup> Council Decision 81/608/EEC of 13 July 1981 concerning the conclusion of the Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries (OJ L 227, 12.8.1981, p. 21).

<sup>(3)</sup> OJ L 179, 23.6.1998, p. 3.

- (10) In order to prevent unsustainable fisheries, it is in the interest of the Union that the United Kingdom cooperates in the management of the stocks of common interest in full compliance with the provisions of the UNCLOS and the United Nations Agreement on the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks of 4 August 1995 (UNFSA) <sup>(4)</sup> or any other international agreement or norm of international law.
- (11) As provided in Article 63(2) of the UNCLOS and in Article 8 of the UNFSA, where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to that zone, the coastal State and the States fishing for such stocks in the adjacent area are to cooperate to agree upon the measures necessary for the conservation of those stocks in the adjacent area. Such cooperation may be established in the framework of regional fisheries management organisations or, where such regional organisations have no competence for the stock in question, by means of ad hoc arrangements among the countries having an interest in the fishery.
- (12) The accession of the United Kingdom to the NEAFC Convention will allow the United Kingdom to cooperate on the necessary fishery management measures with due regard to the rights, interests and duties of other countries and the Union, with a view to ensuring that fishing activities are carried out in a way that results in the sustainable exploitation of the stock or stocks concerned.
- (13) It is therefore in the interest of the Union to approve the application for accession to the NEAFC Convention submitted by the United Kingdom if the withdrawal of the United Kingdom from the Union takes place without a withdrawal agreement by the expiry of the notification period referred to in Article 20(4) of the NEAFC Convention,

HAS ADOPTED THIS DECISION:

*Article 1*

1. The position to be taken on the Union's behalf in the framework of the Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries shall be to approve the application for accession of the United Kingdom to the NEAFC Convention.
2. The Commission shall be authorised to notify the Depositary of the NEAFC Convention of the Union's position only if the withdrawal of the United Kingdom from the Union takes place without a withdrawal agreement by the expiry of the notification period referred to in Article 20(4) of the NEAFC Convention.

*Article 2*

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

Done at Brussels, 25 March 2019.

*For the Council*  
*The President*  
G. CIAMBA

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<sup>(4)</sup> OJ L 189, 3.7.1998, p. 14.

**COMMISSION DECISION (EU) 2019/511****of 26 March 2019****amending the Annex to the Monetary Agreement between the European Union and the Vatican City State**

THE EUROPEAN COMMISSION,

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

Having regard to the Monetary Agreement of 17 December 2009 between the European Union and the Vatican City State <sup>(1)</sup>, and in particular Article 8(3) thereof,

Whereas:

- (1) Article 8(1) of the Monetary Agreement between the European Union and the Vatican City State ('the Monetary Agreement') requires the Vatican City State to implement Union legal acts and rules on euro banknotes and coins, prevention of money laundering, of fraud and counterfeiting of cash and non-cash means of payment; medals and tokens and statistical reporting requirements. Those acts and rules are listed in the Annex to the Monetary Agreement.
- (2) The Annex to the Monetary Agreement needs to be amended by the Commission every year to take into account the new relevant Union legal acts and rules and the amendments to the existing ones,
- (3) Some legal acts and rules of the Union are not relevant anymore and should therefore be deleted from the Annex, while some new relevant legal acts and rules of the Union and some amendments to existing legal acts were adopted and have to be added to the Annex,
- (4) The Annex to the Monetary Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to the Monetary Agreement between the European Union and the Vatican City State is replaced by the text in the Annex to this Decision.

*Article 2*

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

Done at Brussels, 26 March 2019.

*For the Commission*

*The President*

Jean-Claude JUNCKER

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<sup>(1)</sup> OJ C 28, 4.2.2010, p. 13.

## ANNEX

## ‘ANNEX

|   | LEGAL PROVISIONS TO BE IMPLEMENTED                                                                                                                                                                                                                                                                                                                                                                                                          | DEADLINE FOR IMPLEMENTING       |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
|   | <b>Prevention of money laundering</b>                                                                                                                                                                                                                                                                                                                                                                                                       |                                 |
| 1 | Council Framework Decision 2001/500/JHA of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime (OJ L 182, 5.7.2001, p. 1)                                                                                                                                                                                                                      |                                 |
| 2 | Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community (OJ L 309, 25.11.2005, p. 9)                                                                                                                                                                                                                                                            |                                 |
| 3 | Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union (OJ L 127, 29.4.2014, p. 39)                                                                                                                                                                                                                           | 31 December 2016 <sup>(2)</sup> |
| 4 | Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006 (OJ L 141, 5.6.2015, p. 1)                                                                                                                                                                                                                                  | 31 December 2017 <sup>(3)</sup> |
| 5 | 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) | 31 December 2017 <sup>(3)</sup> |
|   | Amended by:                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                 |
| 6 | Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43)                                                                                                                     | 31 March 2020 <sup>(6)</sup>    |
|   | Supplemented by:                                                                                                                                                                                                                                                                                                                                                                                                                            |                                 |
| 7 | Commission Delegated Regulation (EU) 2016/1675 of 14 July 2016 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council by identifying high-risk third countries with strategic deficiencies (OJ L 254, 20.9.2016, p. 1)                                                                                                                                                                                         | 31 December 2017 <sup>(5)</sup> |
|   | Amended by:                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                 |
| 8 | Commission Delegated Regulation (EU) 2018/105 of 27 October 2017 amending Delegated Regulation (EU) 2016/1675, as regards adding Ethiopia to the list of high-risk third countries in the table in point I of the Annex (OJ L 19, 24.1.2018, p. 1)                                                                                                                                                                                          | 31 March 2019 <sup>(6)</sup>    |
| 9 | Commission Delegated Regulation (EU) 2018/212 of 13 December 2017 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Sri Lanka, Trinidad and Tobago, and Tunisia to the table in point I of the Annex (OJ L 41, 14.2.2018, p. 4)                                                                                                           | 31 March 2019 <sup>(6)</sup>    |

|    | LEGAL PROVISIONS TO BE IMPLEMENTED                                                                                                                                                                                                                                          | DEADLINE FOR IMPLEMENTING       |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
|    | <b>Prevention of fraud and counterfeiting</b>                                                                                                                                                                                                                               |                                 |
| 10 | Council Framework Decision 2001/413/JHA of 28 May 2001 combating fraud and counterfeiting of non-cash means of payment (OJ L 149, 2.6.2001, p. 1)                                                                                                                           | 31 December 2010                |
| 11 | Council Regulation (EC) No 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 181, 4.7.2001, p. 6)<br><br>Amended by:                                                                                     | 31 December 2010                |
| 12 | Council Regulation (EC) No 44/2009 of 18 December 2008 amending Regulation (EC) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 17, 22.1.2009, p. 1)                                                                |                                 |
| 13 | Council Regulation (EC) No 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins (OJ L 373, 21.12.2004, p. 1)<br><br>Amended by:                                                                                                                  | 31 December 2010                |
| 14 | Council Regulation (EC) No 46/2009 of 18 December 2008 amending Regulation (EC) No 2182/2004 concerning medals and tokens similar to euro coins (OJ L 17, 22.1.2009, p. 5)                                                                                                  |                                 |
| 15 | Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA (OJ L 151, 21.5.2014, p. 1)              | 31 December 2016 <sup>(2)</sup> |
|    | <b>Rules on euro banknotes and coins</b>                                                                                                                                                                                                                                    |                                 |
| 16 | Council Conclusions of 10 May 1999 on the quality management system for euro coins                                                                                                                                                                                          | 31 December 2010                |
| 17 | Communication from the Commission 2001/C 318/03 of 22 October 2001 on copyright protection of the common face design of the euro coins (COM(2001) 600 final) (OJ C 318, 13.11.2001, p. 3)                                                                                   | 31 December 2010                |
| 18 | Guideline ECB/2003/5 of the European Central Bank of 20 March 2003 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes (OJ L 78, 25.3.2003, p. 20).<br><br>Amended by:             | 31 December 2010                |
| 19 | Guideline ECB/2013/11 of the European Central Bank of 19 April 2013 amending Guideline ECB/2003/5 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes (OJ L 118, 30.4.2013, p. 43) | 31 December 2014 <sup>(1)</sup> |
| 20 | Decision ECB/2010/14 of the European Central Bank of 16 September 2010 on the authenticity and fitness checking and recirculation of euro banknotes (OJ L 267, 9.10.2010, p. 1)<br><br>Amended by:                                                                          | 31 December 2012                |
| 21 | Decision ECB/2012/19 of the European Central Bank of 7 September 2012 (OJ L 253, 20.9.2012, p. 19)                                                                                                                                                                          | 31 December 2013 <sup>(1)</sup> |

|    | LEGAL PROVISIONS TO BE IMPLEMENTED                                                                                                                                                                                   | DEADLINE FOR IMPLEMENTING       |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| 22 | Regulation (EU) No 1210/2010 of the European Parliament and of the Council of 15 December 2010 concerning authentication of euro coins and handling of euro coins unfit for circulation (OJ L 339, 22.12.2010, p. 1) | 31 December 2012                |
| 23 | Regulation (EU) No 651/2012 of the European Parliament and of the Council of 4 July 2012 on the issuance of euro coins (OJ L 201, 27.7.2012, p. 135)                                                                 | 31 December 2013 <sup>(1)</sup> |
| 24 | Decision ECB/2013/10 of the European Central Bank of 19 April 2013 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (OJ L 118, 30.4.2013, p. 37)                        | 31 December 2014 <sup>(1)</sup> |
| 25 | Council Regulation (EU) No 729/2014 of 24 June 2014 on denominations and technical specifications of euro coins intended for circulation (Recast) (OJ L 194, 2.7.2014, p. 1)                                         | 31 December 2013 <sup>(2)</sup> |

**Section of the Annex to the Monetary Agreement in accordance with the Ad hoc arrangement of the Joint Committee on a request from the Holy See and Vatican City State on the inclusion of relevant rules applicable to entities carrying out financial activities on a professional basis**

|    | RELEVANT PARTS OF THE FOLLOWING LEGAL INSTRUMENTS                                                                                                                                                                                                                                                                                                                                                          | DEADLINE FOR IMPLEMENTING       |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| 26 | Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1)                                                                                                                                                                                                                                    | 31 December 2016 <sup>(2)</sup> |
|    | Amended by:                                                                                                                                                                                                                                                                                                                                                                                                |                                 |
| 27 | Directive 2001/65/EC of the European Parliament and of the Council of 27 September 2001 (OJ L 283, 27.10.2001, p. 28)                                                                                                                                                                                                                                                                                      |                                 |
| 28 | Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 (OJ L 178, 17.7.2003, p. 16)                                                                                                                                                                                                                                                                                            |                                 |
| 29 | Directive 2006/46/EC of the European Parliament and of the Council of 14 June 2006 (OJ L 224, 16.8.2006, p. 1)                                                                                                                                                                                                                                                                                             | 31 December 2017 <sup>(2)</sup> |
| 30 | Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338)                                                                             |                                 |
| 31 | Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1) and the related level 2 measures as appropriate                                                                                                                     | 31 December 2017 <sup>(2)</sup> |
|    | Amended by:                                                                                                                                                                                                                                                                                                                                                                                                |                                 |
| 32 | Commission Delegated Regulation (EU) 2015/62 of 10 October 2014 amending Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to the leverage ratio (OJ L 11, 17.1.2015, p. 37)                                                                                                                                                                                           |                                 |
| 33 | Regulation (EU) 2017/2395 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 as regards transitional arrangements for mitigating the impact of the introduction of IFRS 9 on own funds and for the large exposures treatment of certain public sector exposures denominated in the domestic currency of any Member State (OJ L 345, 27.12.2017, p. 27) | 30 June 2019 <sup>(6)</sup>     |

|    | RELEVANT PARTS OF THE FOLLOWING LEGAL INSTRUMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                | DEADLINE FOR IMPLEMENTING        |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 34 | Regulation (EU) 2017/2401 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms (OJ L 347, 28.12.2017, p. 1)<br><br>Supplemented by:                                                                                                                                                                                                                                    | 31 March 2020 <sup>(6)</sup>     |
| 35 | Commission Delegated Regulation (EU) No 241/2014 of 7 January 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for Own Funds requirements for institutions (OJ L 74, 14.3.2014, p. 8),<br><br>Amended by:                                                                                                                                                                                              | 31 December 2017 <sup>(3)</sup>  |
| 36 | Commission Delegated Regulation (EU) 2015/923 of 11 March 2015 amending Delegated Regulation (EU) No 241/2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for Own Funds requirements for institutions (OJ L 150, 17.6.2015, p. 1)                                                                                                                                                                      | 31 December 2017 <sup>(3)</sup>  |
| 37 | Commission Delegated Regulation (EU) 2015/61 of 10 October 2014 to supplement Regulation (EU) No 575/2013 of the European Parliament and the Council with regard to liquidity coverage requirement for Credit Institutions (OJ L 11, 17.1.2015, p. 1)                                                                                                                                                                                                                                            | 31 December 2017 <sup>(3)</sup>  |
| 38 | Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC (OJ L 173, 12.6.2014, p. 1) and the related level 2 measures as appropriate<br><br>Amended by:                                                                                                            | 30 September 2018 <sup>(4)</sup> |
| 39 | Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1)<br><br>Supplemented by:                                                                                                | 30 September 2018 <sup>(5)</sup> |
| 40 | Commission Implementing Directive (EU) 2015/2392 of 17 December 2015 on Regulation (EU) No 596/2014 of the European Parliament and of the Council as regards reporting to competent authorities of actual or potential infringements of that Regulation (OJ L 332, 18.12.2015, p. 126)                                                                                                                                                                                                           | 30 September 2018 <sup>(4)</sup> |
| 41 | Commission Delegated Regulation (EU) 2016/522 of 17 December 2015 supplementing Regulation (EU) No 596/2014 of the European Parliament and of the Council as regards an exemption for certain third countries public bodies and central banks, the indicators of market manipulation, the disclosure thresholds, the competent authority for notifications of delays, the permission for trading during closed periods and types of notifiable managers' transactions (OJ L 88, 5.4.2016, p. 1). | 30 September 2018 <sup>(4)</sup> |
| 42 | Directive 2014/57/EU of the European Parliament and of the Council of 16 April 2014 on criminal sanctions for market abuse (market abuse directive) (OJ L 173, 12.6.2014, p. 179)                                                                                                                                                                                                                                                                                                                | 30 September 2018 <sup>(4)</sup> |

|    | RELEVANT PARTS OF THE FOLLOWING LEGAL INSTRUMENTS                                                                                                                                                                                                         | DEADLINE FOR IMPLEMENTING       |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
|    | <b>Legislation on collection of statistical information</b>                                                                                                                                                                                               |                                 |
| 43 | Guideline ECB/2013/24 of the European Central Bank of 25 July 2013 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts (OJ L 2, 7.1.2014, p. 34)<br><br>Amended by:                       | 31 December 2016 <sup>(2)</sup> |
| 44 | Guideline (EU) 2016/66 of the European Central Bank of 26 November 2015 amending Guideline ECB/2013/24 on the statistical reporting requirements of the ECB in the field of quarterly financial accounts (ECB/2015/40) (OJ L 14, 21.1.2016, p. 36)        | 31 March 2017 <sup>(4)</sup>    |
| 45 | Regulation (EU) No 1071/2013 of the European Central Bank of 24 September 2013 concerning the balance sheet of the monetary financial institutions sector (ECB/2013/33) (OJ L 297, 7.11.2013, p. 1)<br><br>Amended by:                                    | 31 December 2016 <sup>(2)</sup> |
| 46 | Regulation (EU) No 1375/2014 of the European Central Bank of 10 December 2014 amending Regulation (EU) No 1071/2013 concerning the balance sheet of the monetary financial institutions sector (ECB/2013/33) (ECB/2014/51) (OJ L 366, 20.12.2014, p. 77)  |                                 |
| 47 | Regulation (EU) No 1072/2013 of the European Central Bank of 24 September 2013 concerning statistics on interest rates applied by monetary financial institutions (ECB/2013/34) (OJ L 297, 7.11.2013, p. 51)<br><br>Amended by:                           | 31 December 2016 <sup>(2)</sup> |
| 48 | Regulation (EU) No 756/2014 of the European Central Bank of 8 July 2014 amending Regulation (EU) No 1072/2013 (ECB/2013/34) concerning statistics on interest rates applied by monetary financial institutions (ECB/2014/30) (OJ L 205, 12.7.2014, p. 14) |                                 |
| 49 | Guideline ECB/2014/15 of the European Central Bank of 4 April 2014 on monetary and financial statistics (OJ L 340, 26.11.2014, p. 1)<br><br>Amended by:                                                                                                   | 31 December 2016 <sup>(2)</sup> |
| 50 | Guideline (EU) 2015/571 of the European Central Bank of 6 November 2014 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2014/43) (OJ L 93, 9.4.2015, p. 82)                                                                      |                                 |
| 51 | Guideline (EU) 2016/450 of the European Central Bank of 4 December 2015 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2015/44) (OJ L 86, 1.4.2016, p. 42)                                                                      | 31 March 2017 <sup>(4)</sup>    |
| 52 | Guideline (EU) 2017/148 of the European Central Bank of 16 December 2016 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2016/45) (OJ L 26, 31.1.2017, p. 1)                                                                     | 1 November 2017 <sup>(5)</sup>  |

|    | RELEVANT PARTS OF THE FOLLOWING LEGAL INSTRUMENTS                                                                                                                                  | DEADLINE FOR IMPLEMENTING     |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 53 | Guideline (EU) 2018/877 of the European Central Bank of 1 June 2018 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2018/17) (OJ L 154, 18.6.2018, p. 22) | 1 October 2019 <sup>(6)</sup> |

<sup>(1)</sup> These deadlines were agreed by the Joint Committee of 2013.

<sup>(2)</sup> These deadlines were agreed by the Joint Committee of 2014.

<sup>(3)</sup> These deadlines were agreed by the Joint Committee of 2015.

<sup>(4)</sup> These deadlines were agreed by the Joint Committee of 2016.

<sup>(5)</sup> These deadlines were agreed by the Joint Committee of 2017.

<sup>(6)</sup> These deadlines were agreed by the Joint Committee of 2018.'

**COMMISSION DECISION (EU) 2019/512****of 26 March 2019****updating Annex A to the Monetary Agreement between the European Union and the Principality of Monaco**

THE EUROPEAN COMMISSION,

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

Having regard to the Monetary Agreement of 29 November 2011 between the European Union and the Principality of Monaco <sup>(1)</sup>, and in particular Article 11(3) thereof,

Whereas:

- (1) Article 11(2) of the Monetary Agreement between the European Union and the Principality of Monaco (hereinafter 'the Monetary Agreement') requires the Principality of Monaco to apply the same rules as those established in the French Republic for the purposes of transposing European legal acts concerning the activities and prudential regulation of credit institutions and the prevention of systemic risks to payment and securities settlement systems contained in Annex A.
- (2) The update of the Annex A is made according to Article 11(3) of the Monetary Agreement which foresees that Annex A needs to be updated by the Commission upon amendment of any relevant texts and also each time a new text is adopted by the European Union,
- (3) New texts have been adopted by the European Union and amendments have been made to the texts already existing in Annex A.
- (4) Annex A to the Monetary Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Annex A to the Monetary Agreement between the European Union and the Principality of Monaco is replaced by the Annex to this Decision.

*Article 2*

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

Done at Brussels, 26 March 2019.

*For the Commission*

*The President*

Jean-Claude JUNCKER

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<sup>(1)</sup> OJ C 23, 28.1.2012, p. 13.

## ANNEX

## ‘ANNEX A

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | <p>With regard to the provisions applicable to credit institutions:</p> <p>Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1).</p> <p>amended by:</p>                                                                                                                                                                                                                                                                                        |
| 2  | <p>Directive 2001/65/EC of the European Parliament and of the Council of 27 September 2001 amending Directives 78/660/EEC, 83/349/EEC and 86/635/EEC as regards the valuation rules for the annual and consolidated accounts of certain types of companies as well as of banks and other financial institutions (OJ L 283, 27.10.2001, p. 28).</p>                                                                                                                                                                                                                |
| 3  | <p>Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 amending Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC on the annual and consolidated accounts of certain types of companies, banks and other financial institutions and insurance undertakings (OJ L 178, 17.7.2003, p. 16).</p>                                                                                                                                                                                                                            |
| 4  | <p>Directive 2006/46/EC of the European Parliament and of the Council of 14 June 2006 amending Council Directives 78/660/EEC on the annual accounts of certain types of companies, 83/349/EEC on consolidated accounts, 86/635/EEC on the annual accounts and consolidated accounts of banks and other financial institutions and 91/674/EEC on the annual accounts and consolidated accounts of insurance undertakings (OJ L 224, 16.8.2006, p. 1).</p>                                                                                                          |
| 5  | <p>Council Directive 89/117/EEC of 13 February 1989 on the obligations of branches established in a Member State of credit institutions and financial institutions having their head offices outside that Member State regarding the publication of annual accounting documents (OJ L 44, 16.2.1989, p. 40).</p>                                                                                                                                                                                                                                                  |
| 6  | <p>Directive 98/26/EC of the European Parliament and of the Council of 19 May 1998 on settlement finality in payment and securities settlement systems (OJ L 166, 11.6.1998, p. 45).</p> <p>amended by:</p>                                                                                                                                                                                                                                                                                                                                                       |
| 7  | <p>Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 amending Directive 98/26/EC on settlement finality in payment and securities settlement systems and Directive 2002/47/EC on financial collateral arrangements as regards linked systems and credit claims (OJ L 146, 10.6.2009, p. 37).</p>                                                                                                                                                                                                                                   |
| 8  | <p>Directive 2010/78/EU of the European Parliament and of the Council of 24 November 2010 amending Directives 98/26/EC, 2002/87/EC, 2003/6/EC, 2003/41/EC, 2003/71/EC, 2004/39/EC, 2004/109/EC, 2005/60/EC, 2006/48/EC, 2006/49/EC and 2009/65/EC in respect of the powers of the European Supervisory Authority (European Banking Authority), the European Supervisory Authority (European Insurance and Occupational Pensions Authority) and the European Supervisory Authority (European Securities and Markets Authority) (OJ L 331, 15.12.2010, p. 120).</p> |
| 9  | <p>Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1).</p>                                                                                                                                                                                                                                                                                                                                                                    |
| 10 | <p>Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directive 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).</p>                                                                                                                                                                                                                                                      |
| 11 | <p>Directive 2001/24/EC of the European Parliament and of the Council of 4 April 2001 on the reorganisation and winding up of credit institutions (OJ L 125, 5.5.2001, p. 15).</p>                                                                                                                                                                                                                                                                                                                                                                                |

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | amended by:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 12 | Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).                                                                   |
| 13 | Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements (OJ L 168, 27.6.2002, p. 43).                                                                                                                                                                                                                                                                                                                                                                                                       |
|    | amended by:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 14 | Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 amending Directive 98/26/EC on settlement finality in payment and securities settlement systems and Directive 2002/47/EC on financial collateral arrangements as regards linked systems and credit claims (OJ L 146, 10.6.2009, p. 37).                                                                                                                                                                                                                                   |
| 15 | Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).                                                                   |
| 16 | Directive 2002/87/EC of the European Parliament and of the Council of 16 December 2002 on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and Directives 98/78/EC and 2000/12/EC of the European Parliament and of the Council (OJ L 35, 11.2.2003, p. 1).                                                                                                             |
|    | amended by:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 17 | Directive 2005/1/EC of the European Parliament and of the Council of 9 March 2005 amending Council Directives 73/239/EEC, 85/611/EEC, 91/675/EEC, 92/49/EEC and 93/6/EEC and Directives 94/19/EC, 98/78/EC, 2000/12/EC, 2001/34/EC, 2002/83/EC and 2002/87/EC in order to establish a new organisational structure for financial services committees (OJ L 79, 24.3.2005, p. 9).                                                                                                                                                                           |
| 18 | Directive 2008/25/EC of the European Parliament and of the Council of 11 March 2008 amending Directive 2002/87/EC on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate, as regards the implementing powers conferred on the Commission (OJ L 81, 20.3.2008, p. 40).                                                                                                                                                                                                            |
| 19 | Directive 2010/78/EU of the European Parliament and of the Council of 24 November 2010 amending Directives 98/26/EC, 2002/87/EC, 2003/6/EC, 2003/41/EC, 2003/71/EC, 2004/39/EC, 2004/109/EC, 2005/60/EC, 2006/48/EC, 2006/49/EC and 2009/65/EC in respect of the powers of the European Supervisory Authority (European Banking Authority), the European Supervisory Authority (European Insurance and Occupational Pensions Authority) and the European Supervisory Authority (European Securities and Markets Authority) (OJ L 331, 15.12.2010, p. 120). |
| 20 | Directive 2011/89/EU of the European Parliament and of the Council of 16 November 2011 amending Directives 98/78/EC, 2002/87/EC, 2006/48/EC and 2009/138/EC as regards the supplementary supervision of financial entities in a financial conglomerate (OJ L 326, 8.12.2011, p. 113).                                                                                                                                                                                                                                                                      |
| 21 | With the exception of Title V:<br>Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338)                                                                                                                                                                                           |

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|    | supplemented and implemented by:                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 22 | Commission Delegated Regulation (EU) 2015/2303 of 28 July 2015 supplementing Directive 2002/87/EC of the European Parliament and of the Council with regard to regulatory technical standards specifying the definitions and coordinating the supplementary supervision of risk concentration and intra-group transactions (OJ L 326, 11.12.2015, p. 34).                                                                                                                                |
| 23 | Commission Delegated Regulation (EU) No 342/2014 of 21 January 2014 supplementing Directive 2002/87/EC of the European Parliament and of the Council and Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the application of the calculation methods of capital adequacy requirements for financial conglomerates (OJ L 100, 3.4.2014, p. 1).                                                                 |
| 24 | Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p. 7).                                                                                                                                                                            |
|    | amended by:                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 25 | With the exception of Title V:<br>Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).                                                                                                                        |
| 26 | With the exception of Titles III and IV:<br>Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35).                                                                                                                                        |
| 27 | Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).                                                                                                                                                                                                  |
|    | amended by:                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 28 | Regulation (EU) No 1022/2013 of the European Parliament and of the Council of 22 October 2013 amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority) as regards the conferral of specific tasks on the European Central Bank pursuant to Council Regulation (EU) No 1024/2013 (OJ L 287, 29.10.2013, p. 5).                                                                                                                    |
| 29 | Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, p. 34).                                                                                                                                                                                                      |
| 30 | Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190). |
| 31 | Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ L 225, 30.7.2014, p. 1).                                                                                                                |
| 32 | With the exception of Titles III and IV:<br>Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35).                                                                                                                                        |

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 33 | Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1) and the related level 2 measures, where applicable.<br><br>amended by:                                                                                                                                                                                                                            |
| 34 | Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).                                                                                                                                                                                                                                                  |
| 35 | Commission Delegated Regulation (EU) No 1002/2013 of 12 July 2013 amending Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories with regard to the list of exempted entities (OJ L 279, 19.10.2013, p. 2).                                                                                                                                                                                        |
| 36 | Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190). |
| 37 | Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84) and the related level 2 measures, where applicable.<br><br>amended by:                                                                                                                                                                                                                |
| 38 | Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1–7)                                                                                                              |
| 39 | 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).                                             |
| 40 | Commission Delegated Regulation (EU) 2015/1515 of 5 June 2015 amending Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the extension of the transitional periods related to pension scheme arrangements (OJ L 239, 15.9.2015, p. 63).                                                                                                                                                                                                               |
| 41 | Regulation (EU) 2015/2365 of the European Parliament and of the Council of 25 November 2015 on transparency of securities financing transactions and of reuse and amending Regulation (EU) No 648/2012 (OJ L 337, 23.12.2015, p. 1), in relation to credit institutions<br><br>supplemented and implemented by:                                                                                                                                                                          |
| 42 | Commission Implementing Regulation (EU) No 1247/2012 of 19 December 2012 laying down implementing technical standards with regard to the format and frequency of trade reports to trade repositories according to Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories (OJ L 352, 21.12.2012, p. 20).                                                                                             |
| 43 | Commission Implementing Regulation (EU) No 1248/2012 of 19 December 2012 laying down implementing technical standards with regard to the format of the records to be maintained by central counterparties according to Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories (OJ L 352, 21.12.2012, p. 30).                                                                                        |

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| 44 | Commission Implementing Regulation (EU) No 1249/2012 of 19 December 2012 laying down implementing technical standards with regard to the format of the records to be maintained by central counterparties according to Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories (OJ L 352, 21.12.2012, p. 32).                                                                   |
| 45 | Commission Delegated Regulation (EU) No 876/2013 of 28 May 2013 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on colleges for central counterparties (OJ L 244, 13.9.2013, p. 19).                                                                                                                                                                                          |
| 46 | Commission Delegated Regulation (EU) No 148/2013 of 19 December 2012 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories with regard to regulatory technical standards on the minimum details of the data to be reported to trade repositories (OJ L 52, 23.2.2013, p. 1).                                                                                    |
| 47 | Commission Delegated Regulation (EU) No 149/2013 of 19 December 2012 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on indirect clearing arrangements, the clearing obligation, the public register, access to a trading venue, non-financial counterparties, and risk mitigation techniques for OTC derivatives contracts not cleared by a CCP (OJ L 52, 23.2.2013, p. 11). |
| 48 | Commission Delegated Regulation (EU) No 150/2013 of 19 December 2012 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories with regard to regulatory technical standards specifying the details of the application for registration as a trade repository (OJ L 52, 23.2.2013, p. 25).                                                                          |
| 49 | Commission Delegated Regulation (EU) No 151/2013 of 19 December 2012 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories, with regard to regulatory technical standards specifying the data to be published and made available by trade repositories and operational standards for aggregating, comparing and accessing the data (OJ L 52, 23.2.2013, p. 33). |
| 50 | Commission Delegated Regulation (EU) No 152/2013 of 19 December 2012 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on capital requirements for central counterparties (OJ L 52, 23.2.2013, p. 37).                                                                                                                                                                          |
| 51 | Commission Delegated Regulation (EU) No 153/2013 of 19 December 2012 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on requirements for central counterparties (OJ L 52, 23.2.2013, p. 41).                                                                                                                                                                                  |
| 52 | Commission Delegated Regulation (EU) No 285/2014 of 13 February 2014 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on direct, substantial and foreseeable effect of contracts within the Union and to prevent the evasion of rules and obligations (OJ L 85, 21.3.2014, p. 1).                                                                                              |
| 53 | Commission Implementing Regulation (EU) No 484/2014 of 12 May 2014 laying down implementing technical standards with regard to the hypothetical capital of a central counterparty according to Regulation (EU) No 648/2012 of the European Parliament and of the Council (OJ L 138, 13.5.2014, p. 57).                                                                                                                                                              |
| 54 | Commission Delegated Regulation (EU) 2015/2205 of 6 August 2015 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation (OJ L 314, 1.12.2015, p. 13-21).                                                                                                                                                                                                   |
| 55 | Commission Delegated Regulation (EU) 2016/592 of 1 March 2016 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation (OJ L 103, 19.4.2016, p. 5-11).                                                                                                                                                                                                      |

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                             |
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| 56 | Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1), and the level 2 measures, where applicable.<br><br>amended by:                                                                                                                   |
| 57 | Commission Delegated Regulation (EU) 2015/62 of 10 October 2014 amending Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to the leverage ratio (OJ L 11, 17.1.2015, p. 37).                                                                                                                                                                                                        |
| 58 | Regulation (EU) 2017/2395 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 as regards transitional arrangements for mitigating the impact of the introduction of IFRS 9 on own funds and for the large exposures treatment of certain public sector exposures denominated in the domestic currency of any Member State (OJ L 345, 27.12.2017, p. 27).              |
| 59 | Regulation (EU) 2017/2401 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms (OJ L 347, 28.12.2017, p. 1).<br><br>supplemented and implemented by:                                                                                                                                           |
| 60 | Commission Implementing Regulation (EU) No 1423/2013 of 20 December 2013 laying down implementing technical standards with regard to disclosure of own funds requirements for institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 355, 31.12.2013, p. 60).                                                                                                         |
| 61 | Commission Delegated Regulation (EU) No 183/2014 of 20 December 2013 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms, with regard to regulatory technical standards for specifying the calculation of specific and general credit risk adjustments (OJ L 57, 27.2.2014, p. 3).                           |
| 62 | Commission Delegated Regulation (EU) No 241/2014 of 7 January 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for own funds requirements for institutions (OJ L 74, 14.3.2014, p. 8).<br><br>amended by:                                                                                                                      |
| 63 | Commission Delegated Regulation (EU) 2015/488 of 4 September 2014 amending Delegated Regulation (EU) No 241/2014 as regards own funds requirements for firms based on fixed overheads (OJ L 78, 24.3.2015, p. 1).                                                                                                                                                                                                        |
| 64 | Commission Delegated Regulation (EU) 2015/850 of 30 January 2015 amending Delegated Regulation (EU) No 241/2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for own funds requirements for institutions (OJ L 135, 2.6.2015, p. 1).                                                                                            |
| 65 | Commission Delegated Regulation (EU) 2015/923 of 11 March 2015 amending Delegated Regulation (EU) No 241/2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for own funds requirements for institutions (OJ L 150, 17.6.2015, p. 1)                                                                                              |
| 66 | Commission Delegated Regulation (EU) No 342/2014 of 21 January 2014 supplementing Directive 2002/87/EC of the European Parliament and of the Council and Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the application of the calculation methods of capital adequacy requirements for financial conglomerates (OJ L 100, 3.4.2014, p. 1). |
| 67 | Commission Delegated Regulation (EU) No 523/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for determining what constitutes the close correspondence between the value of an institution's covered bonds and the value of the institution's assets (OJ L 148, 20.5.2014, p. 4).                             |

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                       |
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| 68 | Commission Delegated Regulation (EU) No 525/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the definition of market (OJ L 148, 20.5.2014, p. 15).                                                                                                                                                 |
| 69 | Commission Delegated Regulation (EU) No 526/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for determining proxy spread and limited smaller portfolios for credit valuation adjustment risk (OJ L 148, 20.5.2014, p. 17).                                                                             |
| 70 | Commission Delegated Regulation (EU) No 528/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for non-delta risk of options in the standardised market risk approach (OJ L 148, 20.5.2014, p. 29).                                                                                                       |
| 71 | Commission Delegated Regulation (EU) 2016/861 of 18 February 2016 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for non-delta risk of options in the standardised market risk approach (OJ L 144, 1.6.2016, p. 21).                                                                                                        |
| 72 | Commission Delegated Regulation (EU) No 529/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for assessing the materiality of extensions and changes of the Internal Ratings Based Approach and the Advanced Measurement Approach (OJ L 148, 20.5.2014, p. 36).                                         |
|    | amended by:                                                                                                                                                                                                                                                                                                                                                                                                        |
| 73 | Commission Delegated Regulation (EU) 2015/942 of 4 March 2015 amending Delegated Regulation (EU) No 529/2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council as regards regulatory technical standards for assessing the materiality of extensions and changes of internal approaches when calculating own funds requirements for market risk (OJ L 154, 19.6.2015, p. 1). |
| 74 | Commission Delegated Regulation (EU) No 625/2014 of 13 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council by way of regulatory technical standards specifying the requirements for investor, sponsor, original lenders and originator institutions relating to exposures to transferred credit risk (OJ L 174, 13.6.2014, p. 16).                                  |
| 75 | Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 191, 28.6.2014, p. 1).                                                                                                                         |
| 76 | Commission Implementing Regulation (EU) 2015/227 of 9 January 2015 amending Implementing Regulation (EU) No 680/2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 48, 20.2.2015, p. 1).                                                                          |
| 77 | Commission Implementing Regulation (EU) No 602/2014 of 4 June 2014 laying down implementing technical standards for facilitating the convergence of supervisory practices with regard to the implementation of additional risk weights according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 166, 5.6.2014, p. 22).                                                         |
| 78 | Commission Implementing Regulation (EU) No 945/2014 of 4 September 2014 laying down implementing technical standards with regard to relevant appropriately diversified indices according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 265, 5.9.2014, p. 3).                                                                                                                  |
| 79 | Commission Implementing Regulation (EU) No 1030/2014 of 29 September 2014 laying down implementing technical standards with regard to the uniform formats and date for the disclosure of the values used to identify global systemically important institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 284, 30.9.2014, p. 14).                               |

|    | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                   |
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| 80 | Commission Delegated Regulation (EU) No 1187/2014 of 2 October 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council as regards regulatory technical standards for determining the overall exposure to a client or a group of connected clients in respect of transactions with underlying assets (OJ L 324, 7.11.2014, p. 1).                                                          |
| 82 | Commission Delegated Regulation (EU) 2015/61 of 10 October 2014 to supplement Regulation (EU) No 575/2013 of the European Parliament and the Council with regard to liquidity coverage requirement for Credit Institutions (OJ L 11, 17.1.2015, p. 1).                                                                                                                                                                         |
| 83 | Commission Implementing Regulation (EU) 2015/79 of 18 December 2014 amending Implementing Regulation (EU) No 680/2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council as regards asset encumbrance, single data point model and validation rules (OJ L 14, 21.1.2015, p. 1).          |
| 84 | Commission Delegated Regulation (EU) 2015/585 of 18 December 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the specification of margin periods of risk (OJ L 98, 15.4.2015, p. 1).                                                                                                                                            |
| 85 | Commission Implementing Regulation (EU) 2015/233 of 13 February 2015 laying down implementing technical standards with regard to currencies in which there is an extremely narrow definition of central bank eligibility pursuant to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 39, 14.2.2015, p. 11).                                                                                    |
| 86 | Commission Delegated Regulation (EU) 2015/1555 of 28 May 2015 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the disclosure of information in relation to the compliance of institutions with the requirement for a countercyclical capital buffer in accordance with Article 440 (OJ L 244, 19.9.2015, p. 1).                      |
| 87 | Commission Delegated Regulation (EU) 2015/1556 of 11 June 2015 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the transitional treatment of equity exposures under the IRB approach (OJ L 244, 19.9.2015, p. 9).                                                                                                                    |
| 88 | Commission Delegated Regulation (EU) 2015/1798 of 2 July 2015 correcting Delegated Regulation (EU) No 625/2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council by way of regulatory technical standards specifying the requirements for investor, sponsor, original lenders and originator institutions relating to exposures to transferred credit risk (OJ L 263, 8.10.2015, p. 12). |
| 89 | Commission Implementing Regulation (EU) 2015/1278 of 9 July 2015 amending Implementing Regulation (EU) No 680/2014 laying down implementing technical standards with regard to supervisory reporting of institutions as regards instructions, templates and definitions (OJ L 205, 31.7.2015, p. 1).                                                                                                                           |
| 90 | Commission Implementing Regulation (EU) 2016/100 of 16 October 2015 laying down implementing technical standards specifying the joint decision process with regard to the application for certain prudential permissions pursuant to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 21, 28.1.2016, p. 45).                                                                                    |
| 91 | Commission Delegated Regulation (EU) 2016/101 of 26 October 2015 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for prudent valuation under Article 105(14) (OJ L 21, 28.1.2016, p. 54).                                                                                                                                                |
| 92 | Commission Implementing Regulation (EU) 2015/2197 of 27 November 2015 laying down implementing technical standards with regard to closely correlated currencies in accordance with Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 313, 28.11.2015, p. 30).                                                                                                                                    |
| 93 | Commission Implementing Regulation (EU) 2015/2344 of 15 December 2015 laying down implementing technical standards with regard to currencies with constraints on the availability of liquid assets in accordance with Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 330, 16.12.2015, p. 26).                                                                                                 |

|     | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| 94  | Commission Delegated Regulation (EU) 2016/709 of 26 January 2016 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards specifying the conditions for the application of the derogations concerning currencies with constraints on the availability of liquid assets (OJ L 125, 13.5.2016, p. 1).                                                                                                                                                        |
| 95  | Commission Implementing Regulation (EU) 2016/322 of 10 February 2016 amending Implementing Regulation (EU) No 680/2014 laying down implementing technical standards with regard to supervisory reporting of institutions of the liquidity coverage requirement (OJ L 64, 10.3.2016, p. 1).                                                                                                                                                                                                                                              |
| 96  | Commission Implementing Regulation (EU) 2016/200 of 15 February 2016 laying down implementing technical standards with regard to disclosure of the leverage ratio for institutions, according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 39, 16.2.2016, p. 5).                                                                                                                                                                                                                                  |
| 97  | Commission Implementing Regulation (EU) 2016/313 of 1 March 2016 amending Implementing Regulation (EU) No 680/2014 with regard to additional monitoring metrics for liquidity reporting (OJ L 60, 5.3.2016, p. 5).                                                                                                                                                                                                                                                                                                                      |
| 98  | Commission Implementing Regulation (EU) 2016/428 of 23 March 2016 amending Implementing Regulation (EU) No 680/2014 laying down implementing technical standards with regard to supervisory reporting of institutions as regards the reporting of the Leverage Ratio (OJ L 83, 31.3.2016, p. 1).                                                                                                                                                                                                                                        |
| 99  | <p>With the exception of Title V:</p> <p>Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338)</p> <p>amended by:</p>                                                                                                                                          |
| 100 | <p>Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).</p> <p>supplemented and implemented by:</p> |
| 101 | Commission Delegated Regulation (EU) No 604/2014 of 4 March 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards with respect to qualitative and appropriate quantitative criteria to identify categories of staff whose professional activities have a material impact on an institution's risk profile (OJ L 167, 6.6.2014, p. 30).                                                                                                                    |
| 102 | Commission Delegated Regulation (EU) No 527/2014 of 12 March 2014 supplementing Directive (EU) No 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the classes of instruments that adequately reflect the credit quality of an institution as a going concern and are appropriate to be used for the purposes of variable remuneration (OJ L 148, 20.5.2014, p. 21).                                                                                                   |
| 103 | Commission Delegated Regulation (EU) No 530/2014 of 12 March 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards further defining material exposures and thresholds for internal approaches to specific risk in the trading book (OJ L 148, 20.5.2014, p. 50).                                                                                                                                                                                          |
| 104 | Commission Delegated Regulation (EU) No 1152/2014 of 4 June 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards on the identification of the geographical location of the relevant credit exposures for calculating institution-specific countercyclical capital buffer rates (OJ L 309, 30.10.2014, p. 5).                                                                                                                                             |

|     | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| 105 | Commission Implementing Regulation (EU) No 650/2014 of 4 June 2014 laying down implementing technical standards with regard to the format, structure, contents list and annual publication date of the information to be disclosed by competent authorities in accordance with Directive 2013/36/EU of the European Parliament and of the Council (OJ L 185, 25.6.2014, p. 1).                                                                                                                                                                                                                                                                                                                                                              |
| 106 | Commission Implementing Regulation (EU) No 710/2014 of 23 June 2014 laying down implementing technical standards with regard to conditions of application of the joint decision process for institution-specific prudential requirements according to Directive 2013/36/EU of the European Parliament and of the Council (OJ L 188, 27.6.2014, p. 19).                                                                                                                                                                                                                                                                                                                                                                                      |
| 107 | Commission Delegated Regulation (EU) No 1222/2014 of 8 October 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions (OJ L 330, 15.11.2014, p. 27).                                                                                                                                                                                                                                                                                                       |
| 108 | Commission Delegated Regulation (EU) 2016/98 of 16 October 2015 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for specifying the general conditions for the functioning of colleges of supervisors (OJ L 21, 28.1.2016, p. 2).                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 109 | Commission Implementing Regulation (EU) 2016/99 of 16 October 2015 laying down implementing technical standards with regard to determining the operational functioning of the colleges of supervisors according to Directive 2013/36/EU of the European Parliament and of the Council (OJ L 21, 28.1.2016, p. 21).                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 110 | Directive 2014/49/EU of the European Parliament and of the Council of 16 April 2014 on deposit-guarantee schemes (recast) (OJ L 173, 12.6.2014, p. 149).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 111 | Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190) and the related level 2 measures, where applicable amended by:                                                                                                                                                                                      |
| 112 | Directive (EU) 2017/2399 of the European Parliament and of the Council of 12 December 2017 amending Directive 2014/59/EU as regards the ranking of unsecured debt instruments in insolvency hierarchy (OJ L 345, 27.12.2017, p. 96).<br><br>supplemented and implemented by:                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 113 | Commission Delegated Regulation (EU) 2015/63 of 21 October 2014 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to <i>ex ante</i> contributions to resolution financing arrangements (OJ L 11, 17.1.2015, p. 44).                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 114 | Commission Delegated Regulation (EU) 2016/1075 of 23 March 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the content of recovery plans, resolution plans and group resolution plans, the minimum criteria that the competent authority is to assess as regards recovery plans and group recovery plans, the conditions for group financial support, the requirements for independent valuers, the contractual recognition of write-down and conversion powers, the procedures and contents of notification requirements and of notice of suspension and the operational functioning of the resolution colleges (OJ L 184, 8.7.2016, p. 1). |
| 115 | Commission Delegated Regulation (EU) 2016/860 of 4 February 2016 specifying further the circumstances where exclusion from the application of write-down or conversion powers is necessary under Article 44(3) of Directive 2014/59/EU of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms (OJ L 144, 1.6.2016, p. 11).                                                                                                                                                                                                                                                                                                                      |

|     | Applicable banking and financial legislation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 116 | Commission Delegated Regulation (EU) 2016/778 of 2 February 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to the circumstances and conditions under which the payment of extraordinary <i>ex post</i> contributions may be partially or entirely deferred, and on the criteria for the determination of the activities, services and operations with regard to critical functions, and for the determination of the business lines and associated services with regard to core business lines (OJ L 131, 20.5.2016, p. 41). |
| 117 | With regard to the provisions applicable to credit institutions and with the exception of Articles 34 to 36 and Title III:<br>Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (recast) (OJ L 173, 12.6.2014, p. 349) and the related level 2 measures, where applicable<br>amended by:                                                                                                                                                         |
| 118 | Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).                                                                                                                                                                                                                                                                          |
| 119 | Directive 2016/1034/EC of the European Parliament and of the Council of 23 June 2016 amending Directive 2014/65/EU on markets in financial instruments (OJ L 175, 30.6.2016, p. 8).                                                                                                                                                                                                                                                                                                                                                                                             |
| 120 | Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).<br>amended by:                                                                                                                                                                                                                                                           |
| 121 | Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1).                                                                                                                                                                                                      |
| 122 | With regard to the provisions applicable to credit institutions:<br>Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84).<br>amended by:                                                                                                                                                                                                                                                                                          |
| 123 | Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1).                                                                                                                                                                                                      |
| 124 | Regulation (EU) 2015/2365 of the European Parliament and of the Council of 25 November 2015 on transparency of securities financing transactions and of reuse and amending Regulation (EU) No 648/2012 (OJ L 337, 23.12.2015, p. 1), in relation to credit institutions.                                                                                                                                                                                                                                                                                                        |
| 125 | With the exception of Titles III and IV:<br>Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35) and, the related level 2 measures, where applicable.'                                                                                                                                                                          |

**COMMISSION DECISION (EU) 2019/513****of 26 March 2019****on the security framework for the European Defence Industrial Development Programme**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 249 thereof,

Whereas:

- (1) The European Defence Industrial Development Programme <sup>(1)</sup> (hereafter 'the Programme') is the programme for 2019-2020 for the capability development window of the European Defence Fund.
- (2) Commission Decision (EU, Euratom) 2015/444 <sup>(2)</sup> shall apply to the handling of classified information in the Programme.
- (3) Given the specificities of the Programme and the role of Member States therein, Member States on whose territory the beneficiaries are established may classify foreground information generated in the performance of a development action, setting up a security framework to this end before the signature of the grant agreement,

HAS ADOPTED THIS DECISION:

*Article 1***Classification of information**

1. In the context of the Programme, the originatorship of classified foreground information generated in the performance of a development action shall be decided upon by the Member States, on whose territory the beneficiaries are established.
2. For that purpose, those Member States may decide on a specific security framework for the protection and handling of classified information relating to the action and shall inform the Commission thereof.
3. Such a security framework shall be without prejudice to the possibility for the Commission to have access to necessary information for the implementation of the action.
4. If no such specific security framework is set up by those Member States, the Commission shall set up the security framework for the action in accordance with the provisions of Decision (EU, Euratom) 2015/444.
5. The applicable security framework for the action has to be in place at the latest before the signature of the grant agreement.

*Article 2***Entry into force**

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

Done at Brussels, 26 March 2019.

*For the Commission**The President*

Jean-Claude JUNCKER

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<sup>(1)</sup> Established by Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (OJ L 200, 7.8.2018, p. 30).

<sup>(2)</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).





